VALLEY COUNTY, IDAHO

Lot Twenty-four (24) in Lot Two (2) of Payette Lakes Subdivision, Section Thirty two (32), Township nineteen (19) North, Range Three (3) East of the Boise Meridian, in Valley County, State of Idaho, containing sixty one hundredths (.60) of an acre, approximately; with the reservation that the land herein described does not extend toward Payette Lake beyond the high water line; and together with the further reservations contained in that certain Deed No. 6547, of date November 29, 1944, whereby the State of Idaho conveyed said described property to said Gaspert Cohen; and together with the tenements hereditaments and appurtenances belonging to said property or in anywise appertaining thereto.

To Have and to Hold, the above described and granted premises unto the said Lavell L. Lees, as her separate and individual property, and not as community property, her heirs and assigns forever

And Gaspert Cohen and Rosalie Cohen, the grantors above named do covenant to and with the above named grantee, her heirs and assigns that they are lawfully seized in fee simple of the above granted premises, that the above granted premises are free from all incumbrances, save current taxes, which are assumed by said grantee, and that they will and their heirs, executors and administrators, shall warrant and forever defend the above granted premises, and every part and parcel thereof, against the lawful claims and demands of all persons whomsoever.

Witness our hands and seals this 26th day of July, 1948.

executed in the Presence of

Pauline Fisher

Eddie Cohen

Rosalie Cohen SEAL

Gaspert Cohen SEAL

STATE OF MAINE }
County of OXFORD } ss.

BE IT REMEMBERED That on this of 26 July A. D. 1948, before me, the undersigned, a Notary Public in and for said County and State, personally appeared, the within named Gaspert Cohen and Rosalie Cohen, husband and wife, who are known to me to be the identical individuals described in and who executed the within instrument and acknowledged to me that they executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal the day and year last above written.

SEAL

Paul L. Staples
Notary Public for Maine
My commission expires Aug 9, 1952

STATE OF IDAHO }
County of Valley } Ss.

I certify that the within instrument was received for record on the 26 day of August A. D. 1948 at 3:45 O'clock P.M., and recorded in Book 26 on page 426 Record of Deeds of said County.

Witness my hand and seal of County affixed.

Forest E. Robb
County Clerk
Recorder of Conveyances

SEAL

by _____ Deputy

Fees: 1.20

COMPARED
INDEXED-DIRECT
INDEXED-INDIRECT

RECOMMENDED RIGHT

65-8586
Claim No.

Lovell L. Lees
P. O. Box 599 (381 West Idaho Ave.)
Ontario Ore. 97914

1922 Valley

(1) Date of priority: (When was the water first applied to a beneficial use, or date that permit was issued) I understand it was first used about 1919

(2) Describe source of water: (Name of stream, lake, spring, etc., or groundwater) Big Payette Lake

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Quantity .04 cfs. (CFS. GPD. AF.) Use Domestic (Domestic, irrigation, stock, etc.) Period of Use From June 15 (Mo., Day) To Oct. 1 (Mo., Day) (Both Dates Inclusive)

Quantity _____ (CFS. GPD. AF.) Use _____ (Domestic, irrigation, stock, etc.) Period of Use From _____ (Mo., Day) To _____ (Mo., Day) (Both Dates Inclusive)

Quantity _____ (CFS. GPD. AF.) Use _____ (Domestic, irrigation, stock, etc.) Period of Use From _____ (Mo., Day) To _____ (Mo., Day) (Both Dates Inclusive)

(4) .04 (CFS. GPD. AF.) TOTAL QUANTITY CLAIMED.

(5) A) Point of Diversion: Give location of point where water is diverted from its source _____ ¼ _____ ¼, Sec. 2, Twp. 19N., Rge. 3 E, B.M.; additional points: _____

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities; be as specific as possible _____

(6) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
This property is described on the Tax notice as Lot 24 in Lot 2, Twp. 19 EBM Payette Lake Cottage Site. The entire property comprises approximately six-tents of an acre, but the water is not used for any irrigation purpose.																			

Total No. of acres _____

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: One line runs to a small kitchen sink and another line runs to a bathroom where there is a toilet, wash basin and shower bath. However, there is but the one line running up the hill.

(7) Effluent, sewage waste, or return water from this use is discharged into water from the kitchen sink is [illegible] discharged into a dug out basin about half way down the hill; water and effluent from the bathroom dicharges into a septic tank.

(8) If you are claiming water as a member of an organization, list name of organization _____

(9) Remarks I bought this property from one Caspert Cohen in 1946--deed delivered and recorded in 1948. Cohen had purchased it from the State of Idaho about 1943 or 1944. Water is used only for normal domestic purposes.

(10) Basis of claim (Check one) ☒ A) Right based on diversion and beneficial use.

☐ B) Right decreed by court, cite title of case _____

☐ C) Right based on application, license, or claim filed with the Idaho Department of Water Administration. _____

DATE OF EXAM 12 Aug 75 FIELD EXAMINER [illegible]

WR0749NP | IDAHO DEPARTMENT OF WATER RESOURCES | DATE: 10/09/97

No. 65-08586 | WATER RIGHT PROFILE REPORT | PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
C	LOVELL L. LEES P. O. BOX 599 ONTARIO OR 97914	06/01/1919	DOMESTIC	01/01	12/31	0.040 CFS	1.20 AFA
				TOTAL DIVERSION:		0.040 CFS	1.20 AFA

Water Source: BIG PAYETTE LAKE Tributary to: Stage: DECREED

Point(s) of Diversion: T19N R03E S02 Lot 02( ) VALLEY County

Lots Without 1/4 1/4 Description: DOMESTIC
19N 03E 2 02-D

Pou County:

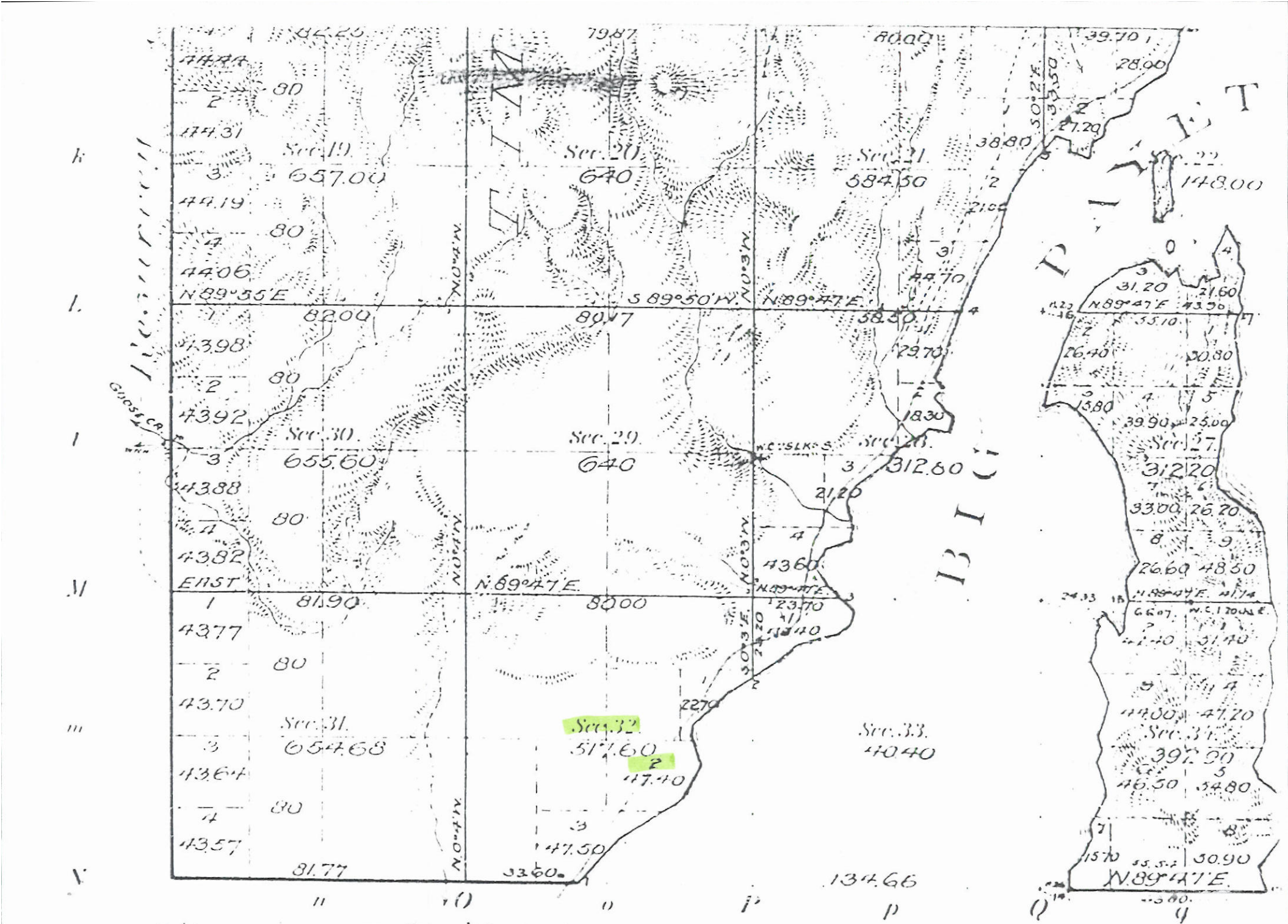
Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
65-10209

Remarks: LOT 22 IN LOT 2, PAYETTE LAKE COTTAGE SITES.

Dates: App. Received: Priority Date: 06/01/1919
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 65 Field Exam Fee:

Audit: 04/02/86 04/30/88 CONVERT



Total number of Acres 23 [illegible]

Surveys Designated	By Whom Surveyed	Date of Contract	Amount of Surveys	When Surveyed	Remarks

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: **A65-08586**
Date Received: 11/24/1997
Receipt No: W023262
Received By: _____

COPY FOR YOUR FILES — **NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW** — **COPY FOR YOUR FILES**

1. Name: GRANT DUNCAN 208-634-6067
   Address: PO BOX 1641
   MC CALL ID 83638
   AND/OR
   Name: GLORIA DUNCAN 208-634-6067
   Address: PO BOX 1641
   MC CALL ID 83638

2. Date of Priority: JUN 1, 1919

3. Source: BIG PAYETTE LAKE Trib. to: PAYETTE RIVER, NORTH FORK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
19N	03E	32		2	VALLEY

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		1.20

7. Total Quantity Appropriated is:
   0.040 C.F.S. (and/or) 1.20 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
19N	03E	32		2	DOMEST	

11. Place of use in counties: VALLEY

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

14. Remarks:
LOT 24 IN LOT 2, PAYETTE LAKE COTTAGE SITES.
OWNERSHIP CHANGED BY DB 10/19/99.
ADD'L PHONE #: (714) 832-7249.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO		A & C CORP., ET AL.
Decree Plaintiff	vs	Decree Defendant

Form 42-248/42-1409(6) March 26,1999

RECEIVED
OCT 19 1999
WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s).: 65-08586

   Adjudication Claim No(s).: AJ 5853 NP 1066 - 1157

2. The following **REQUIRED** information must be submitted with this form:

   A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**

   AND

   B. **PLAT OF PROPERTY** or **SURVEY MAP** showing the location of the place of use of the water right(s) or claim(s). (These are usually attached to your deed or on file with the county.)

   OR

   C. If your water right or adjudication claim is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The AERIAL PHOTO should be submitted in place of the PLAT OF PROPERTY or SURVEY MAP.

3. Name and Address of Former Owner/Claimant: FINGSBURY/LEES
   2852 WILLAMETTE ST #175, EUGENE, OR 97405

4. New Owner/Claimant(s): GRANT & GLORIA DUNCAN
   Name Connector (Check one): [ ] and, [ ] or, [ ] and/or
   New Mailing Address: P.O. BOX 1641
   City, State and ZIP Code: MCCALL, ID 83638
   New Telephone Number: (208) 634-6067 OR (714) 832-7249

5. Date you acquired the property: 12-15-97

6. **Did you acquire all of the former owner's property? If you did, skip this item and go to item 7.** If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below **only if the water right(s) or claim(s) need to be split between owners.** If necessary, attach additional pages. If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

   Number of acres you irrigate with this water right _____ Number and type of stock _____

   Diversion rate in CFS _____ Number of homes you acquired _____ Other uses _____

7. Signature of New Owner(s) or Claimant(s): Grant M. Duncan

   Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights. Required claims may be filed by a new owner.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office, or call 1-800-451-4129, if you would like more information or need help completing this form. Please attach additional sheets to the form if you require additional space to describe or explain any of the items on the form.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at **Item 1.** If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.

2. The information described at **Item 2** is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.

3. Please provide the name and address of the former owner of the water right and/or adjudication claim at **Item 3.**

4. The name, mailing address, and telephone number of the new owner(s) is entered at **Item 4.** Please indicate the relationship between multiple owners by using the connector 'and', 'or', or 'and/or'. If an 'and' is used, all parties must sign this form. If an 'and/or' or 'or' is used, all parties may sign. However, only one of the named parties is required to sign.

5. At **Item 5**, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.

6. You may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at **Item 6.**

   Please provide as much detail as possible concerning your portion of the water right: include the number of homes you acquired, number of acres irrigated with your portion of the right, if it is more than 1/2 acre, type and number of stock if your portion of the right includes stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately.*

7. The new owner(s) must sign the form in the space(s) provided at **Item 7.** Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.

8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190

IDWR Northern Region
1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814-2615
(208) 769-1450

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380
(208) 736-3033

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718
(208) 525-7161

WARRANTY DEED

For Value Received, GIBSON C. KINGSBURY and ROBERTA L. KINGSBURY
HUSBAND AND WIFE
DANIEL LEES AND FAIRE LEES,
HUSBAND AND WIFE
the Grantors, do hereby grant, bargain, sell and convey unto GRANT MCLEAN DUNCAN AND GLORIA BURGESS DUNCAN, TRUSTEES OF GRANT MCLEAN DUNCAN FAMILY TRUST DATED DECEMBER 18, 1975 whose address is: 1822 BEVERLY GLEN DRIVE, SANTA ANA, CA 92705 the Grantees , the following described premises, to-wit:

LOT 24, OF THE AMENDED PLAT OF THE PAYETTE LAKES COTTAGE SITES, AND FURTHER AMENDED BY RECORD OF SURVEY, INSTRUMENT NO. 160393, FILED IN BOOK 2 OF SURVEYS AT PAGE 178, AND RECORD OF SURVEY, INSTRUMENT NO. 221780 FILED IN BOOK 5 OF SURVEYS AT PAGE 441.
TOGETHER WITH ANY AND ALL WATER RIGHTS APPERTAINING THERETO.

TO HAVE AND TO HOLD the premises with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises that said premises are free from all encumbrances except the 1997 taxes and assessments and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: 12-4-97

Gibson C. Kingsbury
GIBSON C. KINGSBURY

Roberta L. Kingsbury
ROBERTA L. KINGSBURY

DANIEL LEES

FAIRE LEES

State of California)
) ss
County of San Diego)

On the 4th day of December, ~~1996~~ 1997 before me, Glenn R. Lassiter a notary public in and for said State, personally appeared GIBSON C. KINGSBURY and ROBERTA L. KINGSBURY
known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Glenn Lassiter
Notary Public
Residing at: San Diego Calif
Commission Expires: August 30, 1999

OFFICIAL SEAL
GLENN R. LASSITER
NOTARY PUBLIC-CALIFORNIA
COMM. NO. 1067535
SAN DIEGO COUNTY
MY COMM. EXP. AUG. 30, 1999

OFFICIAL SEAL
GLENN R. LASSITER
NOTARY PUBLIC-CALIFORNIA
COMM. NO. 1067535
SAN DIEGO COUNTY
MY COMM. EXP. AUG. 30, 1999

WARRANTY DEED

For Value Received, GIBSON C. KINGSBURY and ROBERTA L. KINGSBURY
HUSBAND AND WIFE
DANIEL LEES AND FAIRE LEES,
HUSBAND AND WIFE
the Grantors, do hereby grant, bargain, sell and convey unto GRANT MCLEAN DUNCAN AND GLORIA BURGESS DUNCAN, TRUSTEES OF GRANT MCLEAN DUNCAN FAMILY TRUST DATED DECEMBER 18, 1975 whose address is: 1822 BEVERLY GLEN DRIVE, SANTA ANA, CA 92705 the Grantees , the following described premises, to-wit:

LOT 24, OF THE AMENDED PLAT OF THE PAYETTE LAKES COTTAGE SITES, AND FURTHER AMENDED BY RECORD OF SURVEY, INSTRUMENT NO. 160393, FILED IN BOOK 2 OF SURVEYS AT PAGE 178, AND RECORD OF SURVEY, INSTRUMENT NO. 221780 FILED IN BOOK 5 OF SURVEYS AT PAGE 441.
TOGETHER WITH ANY AND ALL WATER RIGHTS APPERTAINING THERETO.

TO HAVE AND TO HOLD the premises with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises that said premises are free from all encumbrances except the 1997 taxes and assessments and that they will warrant and defend the same from all lawful claims whatsoever.

Dated:

GIBSON C. KINGSBURY

ROBERTA L. KINGSBURY

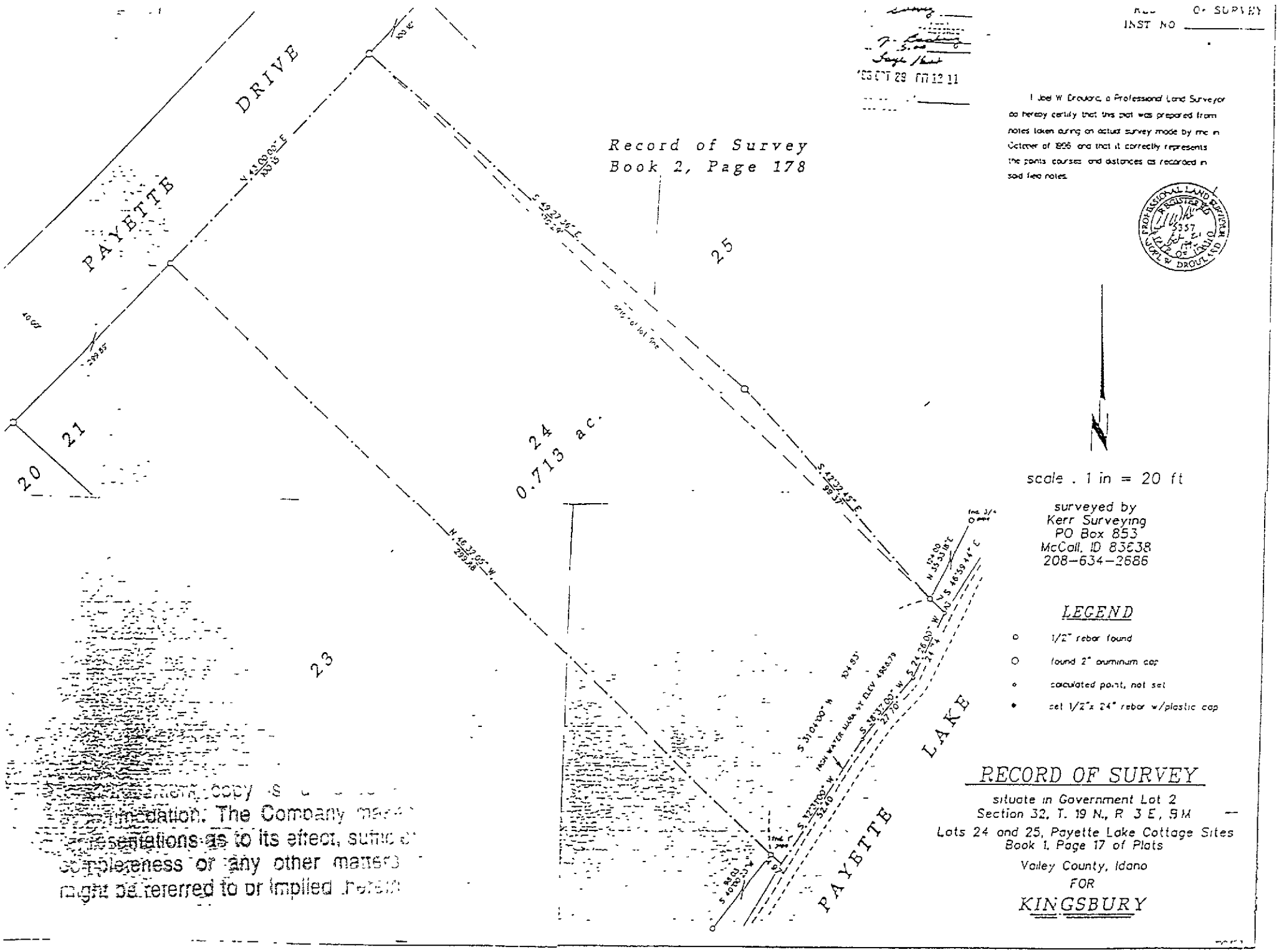
Daniel Lees
DANIEL LEES

Faire Lees
FAIRE LEES

State of)
)ss
County of)

On the 3rd day of December, ~~1996~~ 1997 before me, Bradley G Holmes a notary public in and for said State, WA personally appeared Daniel Lees and Faire Lees known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Notary Public
Residing at: King County
Commission Expires: 07/29/01



INST NO

OF SURVEY

I Joel W Droulard, a Professional Land Surveyor do hereby certify that this plat was prepared from notes taken during an actual survey made by me in October of 1986 and that it correctly represents the points courses and distances as recorded in said field notes.

PROFESSIONAL LAND SURVEYOR REGISTERED 5357 STATE OF IDAHO JOEL W. DROULARD

scale . 1 in = 20 ft

surveyed by
Kerr Surveying
PO Box 853
McCall, ID 83638
208-634-2686

LEGEND

- 1/2" rebar found
- found 2" aluminum cap
- calculated point, not set
- set 1/2"x 24" rebar w/plastic cap

RECORD OF SURVEY

situate in Government Lot 2
Section 32, T. 19 N., R 3 E, B M
Lots 24 and 25, Payette Lake Cottage Sites
Book 1, Page 17 of Plats
Valley County, Idaho
FOR
KINGSBURY

...copy is ... information. The Company ... representations as to its effect, sufficiency, completeness or any other matters which might be referred to or implied herein

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: **A65-08586**
Date Received: 11/24/1997
Receipt No: W023262
Received By: _____

AMENDED **NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW** **AMENDED**

1. Name: GIBSON C KINGSBURY 541-688-8129
   Address: 2852 WILLAMETTE ST #175
   EUGENE OR 97405
   AND/OR
   Name: ROBERTA L KINGSBURY 541-688-8129
   Address: 2852 WILLAMETTE ST #175
   EUGENE OR 97405
   AND/OR
   Name: DANIEL LEES 541-688-8129
   Address: 2852 WILLAMETTE ST #175
   EUGENE OR 97405
   AND/OR
   Name: FAIRE LEES 541-688-8129
   Address: 2852 WILLAMETTE ST #175
   EUGENE OR 97405

2. Date of Priority: JUN 1, 1919

3. Source: BIG PAYETTE LAKE Trib. to: PAYETTE RIVER, NORTH FORK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
19N	03E	32		2	VALLEY

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		1.20

7. Total Quantity Appropriated is:
   0.040 C.F.S. (and/or) 1.20 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
19N	03E	32		2	DOMEST	

11. Place of use in counties: VALLEY

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

14. Remarks:
LOT 24 IN LOT 2, PAYETTE LAKE COTTAGE SITES.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO
Decree Plaintiff

vs

A & C CORP., ET AL.
Decree Defendant

RECEIVED
NOV 24 1997
WATER RESOURCES
WESTERN REGION

IN THE DISTRICT COURT OF THE JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF

Ident. Number: **A65-08586**
Date Received: 11/24/1997
Receipt No: W0232662
Received By: _____

AMENDED **NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER FEDERAL LAW** **AMENDED**

1. Name: GIBSON C KINGSBURY 541-688-8129
   Address: 2852 WILLAMETTE ST #175
   EUGENE OR 97405
   AND/OR
   Name: ROBERTA L KINGSBURY 541-688-8129
   Address: 2852 WILLAMETTE ST #175
   EUGENE OR 97405
   AND/OR
   Name: DANIEL LEES 541-688-8129
   Address: 2852 WILLAMETTE ST #175
   EUGENE OR 97405
   AND/OR
   Name: FAIRE LEES 541-688-8129
   Address: 2852 WILLAMETTE ST #175
   EUGENE OR 97405

2. Date of Priority: JUN 1, 1919

3. Source: BIG PAYETTE LAKE Trib. to: PAYETTE RIVER, NORTH FORK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
19N	03E	32		2	VALLEY

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		1.20

7. Total Quantity Appropriated is:
   0.040 C.F.S. (and/or) 1.20 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
19N	03E	32		2	DOMEST	

11. Place of use in counties: VALLEY

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

14. Remarks:
LOT 24 IN LOT 2, PAYETTE LAKE COTTAGE SITES.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO (Decree Plaintiff) vs A & C CORP., ET AL. (Decree Defendant)

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do ____ do not ____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Gilbert C. Kingsbury Date: 11/12/97

_____ Date: _____

State of ~~Idaho~~ CALIFORNIA)
) SS.
County of SOLANO)

Subscribed and sworn (or affirmed) before me this 12th day of NOVEMBER 19 97

Dona Lee Lucky
Notary Public

Seal

OFFICE ADDRESS
~~Residing~~ at 36 NORTH FRONT ST RIO VISTA, CA 94571

My Commission Expires 11-13-98

DONA LEE LUCKY
Comm. # 1044898
NOTARY PUBLIC - CALIFORNIA
Solano County
My Comm. Expires Nov. 13, 1998

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GRANT DUNCAN	06/01/1919	DOMESTIC	01-01 12-31	0.040 CFS	1.20 AFA
C	GLORIA DUNCAN					
	PO BOX 1641			TOTAL DIVERSION:	0.040 CFS	1.20 AFA
	MC CALL ID 83638					
	(208) 634-6067					

Water Source: BIG PAYETTE LAKE Tributary to: PAYETTE RIVER, NORTH FORK Stage: DECREED

Point(s) of Diversion: T19N R03E S32 Lot02( ) VALLEY County

Lots Without 1/4 1/4 Description: DOMESTIC
19N 03E 32 02-D

POU County: VALLEY

Non-Irrigation Uses: 1 HOME

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

A65-00634	A65-00636	A65-00638	A65-00639	A65-00640	A65-00641	A65-00642	A65-00644	A65-00647	A65-00648
A65-00649	A65-00650	A65-00651	A65-00652	A65-00653	A65-00654	A65-00655	A65-00656	A65-00657	A65-00658
A65-00659	A65-00660	A65-00689	A65-00690	A65-00691	A65-00692	A65-00695	A65-00696	A65-00697	A65-00698
A65-00699	A65-00701	A65-00706	A65-00720	A65-00722	A65-00732A	A65-00733	A65-00736	A65-00739	A65-00740
A65-00741	A65-00742	A65-00743	A65-00745	A65-00747	A65-00748	A65-00749	A65-00750	A65-00751	A65-00752
A65-00753	A65-00754	A65-00758	A65-00759	A65-00761	A65-00767	A65-00768	A65-00771	A65-00772	A65-00773
A65-00775	A65-00776	A65-03714	A65-04003	A65-06947	A65-06954	A65-06976	A65-07216	A65-07378	A65-07380
A65-07386	A65-07390	A65-07406	A65-07548	A65-07581	A65-07664	A65-07713	A65-08277	A65-08586	A65-08646
A65-08656	A65-08824	A65-09446	A65-09583	A65-09630	A65-09762	A65-09846	A65-09863	A65-10180	A65-11228
A65-11229	A65-18152	A65-18153	A65-18154	A65-18156	A65-18157	A65-18161			

Conditions of Approval:
N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
- DETERMINATION OF HISTORICAL BENEFICIAL USE.
N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
- GALLONS PER DAY.
C18 - THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
- NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
- ADMINISTRATION OF THE WATER RIGHTS.

Remarks: EXP PROPERTY ALSO KNOWN AS LOT 24, PAYETTE LAKE COTTAGE SITES.
ADD'L PHONE #: (714) 832-7249

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 65 Field Inspection Flag:
Presumption Flag:

Comments: Date: 08/06/1999 User-ID: KWALKER Subject: RECOMMENDATION
THIS RIGHT WAS DECREED IN ERROR IN THE PRBA. THE PROPERTY IS IN LOT 2, SEC. 32, T19N, R3E RATHER THAN LOT 2, SEC. 2. PAYETTE LAKES COTTAGE SITES ARE LOCATED IN SECTION 32. THERE IS NO QUESTION TO ME THAT THIS RIGHT WAS DECREED IN ERROR PREVIOUSLY. SEE FILE FOR DEEDS BACK TO 1940'S SHOWING PRBA DECREED RT. HOLDER OWNING PROPERTY AND COPIES OF PRBA CLAIM SUBMITTED WITH THE SEC. 2 ERROR.

Date: 09/25/1999 User-ID: AJU10-JS Subject: AJU10 CONDITION UPDATE
CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

Date: 10/19/1999 User-ID: DBUFFING Subject: NAME CHANGE - OWNERSHIP CHANGE
THE DATA IN THE NAME FIELD WAS CHANGED TO SHOW THIS RIGHT HAS AN OWNERSHIP CHANGE.

Audit: 10/19/99 DBUFFING

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

October 19, 1999

Re: Notice of Claim to a Water Right No. A65-08586

GRANT DUNCAN
GLORIA DUNCAN
PO BOX 1641
MC CALL ID 83638

Dear Claimants:

Enclosed is a copy of the above referenced claim which reflects the change in ownership of the land and appurtenant water right(s) covered under the original filing.

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim for final court decree.

If you have any questions concerning the enclosed claim, please feel free to contact this office.

Sincerely,

Denise Buffington

Denise Buffington
Records Clerk
Adjudication Section
Western Region Office

DB:db

Enclosure

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
C	GIBSON C KINGSBURY	06/01/1919	DOMESTIC	01-01	12-31	0.040 CFS	1.20 AFA
C	ROBERTA L KINGSBURY						
C	DANIEL LEES			TOTAL DIVERSION:		0.040 CFS	1.20 AFA
C	FAIRE LEES						

2852 WILLAMETTE ST #175
EUGENE OR 97405
(541) 688-8129

Water Source: BIG PAYETTE LAKE Tributary to: PAYETTE RIVER, NORTH FORK Stage: DECREED

Point(s) of Diversion: T19N R03E S32 Lot02( ) VALLEY County

Lots Without 1/4 1/4 Description: DOMESTIC
19N 03E 32 02-D

POU County: VALLEY

Non-Irrigation Uses: 1 HOME

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

A65-00634	A65-00636	A65-00638	A65-00639	A65-00640	A65-00641	A65-00642	A65-00644	A65-00647	A65-00648
A65-00649	A65-00650	A65-00651	A65-00652	A65-00653	A65-00654	A65-00655	A65-00656	A65-00657	A65-00658
A65-00659	A65-00660	A65-00689	A65-00690	A65-00691	A65-00692	A65-00695	A65-00696	A65-00697	A65-00698
A65-00699	A65-00701	A65-00706	A65-00720	A65-00722	A65-00732A	A65-00733	A65-00736	A65-00739	A65-00740
A65-00741	A65-00742	A65-00743	A65-00745	A65-00747	A65-00748	A65-00749	A65-00750	A65-00751	A65-00752
A65-00753	A65-00754	A65-00758	A65-00759	A65-00761	A65-00767	A65-00768	A65-00771	A65-00772	A65-00773
A65-00775	A65-00776	A65-03714	A65-04003	A65-06947	A65-06954	A65-06976	A65-07216	A65-07378	A65-07380
A65-07386	A65-07390	A65-07406	A65-07548	A65-07581	A65-07664	A65-07713	A65-08277	A65-08586	A65-08646
A65-08656	A65-08824	A65-09446	A65-09583	A65-09630	A65-09762	A65-09846	A65-09863	A65-10180	A65-11228
A65-11229	A65-18152	A65-18153	A65-18154	A65-18156	A65-18157	A65-18161	R65-08656		

Conditions of Approval:
N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
- DETERMINATION OF HISTORICAL BENEFICIAL USE.
N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
- GALLONS PER DAY.

Remarks: EXP PROPERTY ALSO KNOWN AS LOT 24, PAYETTE LAKE COTTAGE SITES.

Dates: Exam Made Date: Verified Date: 08/06/1999 Objection Filed Date:

Misc: Water District Number: 65 Field Inspection Flag:
Presumption Flag:

Comments: Date: 08/06/1999 User-ID: KWALKER Subject: RECOMMENDATION
THIS RIGHT WAS DECREED IN ERROR IN THE PRBA. THE PROPERTY IS IN LOT 2, SEC. 32, T19N, R3E RATHER THAN LOT 2, SEC. 2. PAYETTE LAKES COTTAGE SITES ARE LOCATED IN SECTION 32. THERE IS NO QUESTION TO ME THAT THIS RIGHT WAS DECREED IN ERROR PREVIOUSLY. SEE FILE FOR DEEDS BACK TO 1940'S SHOWING PRBA DECREED RT. HOLDER OWNING PROPERTY AND COPIES OF PRBA CLAIM SUBMITTED WITH THE SEC. 2 ERROR.

Audit: 08/06/99 KWALKER

WR5809NP
No. 65-08586

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 03/10/99
PAGE: 13

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
C	LOVELL L. LEES	06/01/1919	DOMESTIC	01/01	12/31	0.040 CFS	1.20 AFA
				TOTAL DIVERSION:		0.040 CFS	1.20 AFA

Water Source: BIG PAYETTE LAKE

Tributary to: Payette River North Fork

Point(s) of Diversion: T19N R03E S02 Lot 02 (32)

Lots Without 1/4 1/4 Description: DOMESTIC
19N 03E 32 02-D

Pou County:

Stage: DECREED

VALLEY County

SUM

Remarks: GEN LOT 24 IN LOT 2, PAYETTE LAKE COTTAGE SITES.

Dates:
App. Received:
Proof Due Date:
Exam Made Date:
Licensed Date:
Priority Date: 06/01/1919
Proof Made Date:
Exam Sent to S.O.:

Misc: Water District Number: 65
Field Exam Fee:

Audit: 04/02/86 04/30/88 CONVERT

Clerical error on PRBA - Correct section & lot number on claim - see deed for Lovell Lees on bottom of correspondence stack and memo of Lori Harris dated 10/22 & 10/29/97.

State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

October 29, 1997

RE: Notice of Claim to a Water Right A65-08586

GIBSON C KINGSBURY
ROBERTA L KINGSBURY
2852 WILLAMETTE ST #175
EUGENE OR 97405

Dear Mr. & Mrs. Kingsbury:

We have received and reviewed the deeds that you submitted and information found in the original water right filed by Robert & Lovell Lees. After our review of this documentation, we feel that an error was made when this was claimed by Robert & Lovell Lees and should be in **Lot 24** in Lot 2, **Section 32**, Twp. 19N, Rge. 3E, rather than Lot 22 in Lot 2, Section 2, Twp. 19N, Rge. 3E.

Enclosed is a claim amending the point of diversion and place of use to show the correct legal description for this water right. Since this water right has not been claimed in the Snake River Basin Adjudication (SRBA), you will need to sign and notarize this claim form and return it to our office with the $25.00 filing fee.

If you have any questions regarding this letter or the enclosed claim form, please feel free to contact our office.

Sincerely,

Lori Harris

Lori Harris
Technical Records Specialist
Adjudication Section
Western Region

LH
Enclosure

ADJUDICATION MEMORANDUM

CLAIM NO.: 63-08586 **SUBJECT:** Ownership Change

EMPLOYEE: L. Harris **DATE:** 10-22-97

Gibson Kingsbury phoned regarding our letter of 10-14-97 about the legal description discrepancy between his deed and the original water right. He will send us copies of deeds between previous owners before him. He also gave me a new mailing address and message phone.

New address: 2852 W. Illamette St. #175
Eugene OR 97405
Message Phone 541-688-8129 (Mr. Gustafson)

10-29-97

An amended claim was sent to Gibson Kingsbury to sign and return with appropriate fees. We are amending the POD & POU to show Sec. 32 rather than Sec. 2 as was decreed in PRBA. Per deeds submitted by Mr. Kingsbury and information on the original WR it is obvious that this WR was decreed in the wrong section, since Sec 2 is not included in the Payette Lakes Cottage Sites

October 24, 1997

RECEIVED
OCT 28 1997
WATER RESOURCES
WESTERN REGION

State of Idaho
Department of Water Resources
2735 Airport Way
Boise, Idaho 83705

RE: Change of Ownership: RT65-08586
Attn: Lori Harris

Dear Ms. Harris;

As per our telephone conversation I enclose the "Notice of Change" form & included the copy of the Warranty Deed from Carpert Cohen to Lorelle Lees to complete the succession of ownership to ourselves on the subject property.

Hopefully these will enough evidence to show that reference to lot #22 was an error by Mr. Robert Lees.

Thank you for any help you can give us. Sincerely, Lilli Knights

State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

October 14, 1997

RE: Change of Ownership for Rt. 65-08586

Gibson C. &/or Roberta L. Kingsbury
&/or Daniel &/or Faire Lees
12634 Juanita Dr., N.E.
Kirkland, WA 98034

Dear Ladies & Gentlemen:

We have received the notice of change of water right ownership form you submitted in regard to the above referenced water right. Please be advised that we cannot change the ownership on this water right because it has not been claimed in the Snake River Basin Adjudication (SRBA). In addition to the right not being claimed, we have found that the deed you submitted does not belong to the property that was decreed under this right. The property that was decreed under Right 65-08586 was Lot 22 in Lot 2, **Section 2**, Twp. 19N, Rge. 3E, Payette Lake Cottage Sites. If you can provide some documentation that this is the same property, previously decreed to Lovell Lees, we would be happy to review the change form again.

Once you provide the documentation, we will send you a claim form that will take care of claiming this right in the SRBA. If you have any questions in regard to this matter, please do not hesitate to contact our office.

Sincerely,

Lori Harris
Technical Records Specialist
Adjudication Bureau
Western Region

LH
Enclosures

VALLEY COUNTY, IDAHO

Lot twenty-four (24) in Lot Two (2) of Payette Lakes Subdivision, Section twenty two (22), Township nineteen (19) North, Range Three (3) East of the Boise Meridian, in Valley County, State of Idaho, containing sixty one hundredths (.60) of an acre, approximately; with the reservation that the land herein described does not extend toward Payette Lake beyond the high water line; and together with the further reservations contained in that certain Deed No. 6447, of date November 29, 1944, whereby the [illegible] conveyed said described property to said Gaspert Cohen and together with the tenements hereditaments and appurtenances belonging to said property or in anywise appertaining thereto.

To Have and to Hold, the above described and granted premises unto the said [illegible] her heirs as her separate and individual property, and not as community property, her heirs and assigns forever

And Gaspert Cohen and Rosalie Cohen, the grantors above named do covenant to and with the above named grantee, her heirs and assigns that they are lawfully seized in fee simple of the above granted premises, that the above granted premises are free from all incumbrances, save current taxes, which are assumed by said grantee, and that they will and their heirs, executors and administrators, shall warrant and forever defend the above granted premises, and every part and parcel thereof, against the lawful claims and demands of all persons whomsoever.

Witness our hands and seals this 26th day of July, 1948.

executed in the Presence of

Pauline Fisher

Eddie Cohen

Rosalie Cohen SEAL

Gaspert Cohen SEAL

STATE OF MAINE }
County of OXFORD } ss.

BE IT REMEMBERED That on this of 26 July A. D. 1948, before me, the undersigned, a Notary Public in and for said County and State, personally appeared, the within named Gaspert Cohen and Rosalie Cohen, husband and wife, who are known to me to be the identical individuals described in and who executed the within instrument and acknowledged to me that they executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal the day and year last above written.

Paul L. Staples
Notary Public for Maine
My commission expires Aug 9, 1952

SEAL

STATE OF IDAHO }
County of Valley } ss.

I certify that the within instrument was received for record on the 26 day of August A. D. 1948 at 5:45 O'clock P.M., and recorded in Book 26 on page 426 Record of Deeds of said County.

Witness my hand and seal of County affixed.

Forest E. Robb
County Clerk
Recorder of Conveyances
SEAL
by _____ Deputy

Fees: 1.20

With the reservation that the land herein described does not extend toward Payette Lake beyond the high water line.

TO HAVE AND TO HOLD the said premises and parcel of land above particularly described, with the appurtenances thereon, unto the said CASPERT COHEN his heirs and assigns, in fee simple forever, subject to the provisions of Section 58-604, Idaho Code Annotated, which grants over all lands belonging to the state a right of way for ditches, tunnels and telephone and transmission lines, constructed by authority of the United States; and to the provisions of Section 46-701, Idaho Code Annotated, reserving to the state all mineral rights in lands sold subsequent to the 6th day of May, 1925.

IN WITNESS WHEREOF, I, C. A. Bottolfsen, the Governor of the State of Idaho, have hereunto signed my name and caused the Great Seal of the State of Idaho and the Seal of the State Board of Land Commissioners to be hereunto affixed, this 29th day of November A. D. 1918.

Countersigned: GREAT SEAL C. A. Bottolfsen

Geo. H. Curtis
Secretary of State

Governor of Idaho and President of State Board of Land Commissioners

Countersigned: SEAL of State Land Commissioners

Robert Coulter
State Land Commissioner

STATE OF IDAHO }
} ss.
COUNTY OF ADA, }

On this 19th day of November, in the year 1918, before me, a Notary Public in and for said State, personally appeared C. A. Bottolfsen known to me to be the Governor of the State of Idaho, and Geo. H. Curtis, known to me to be the Secretary of State of the State of Idaho, and Robert Coulter, known to me to be the Land Commissioner of the State of Idaho, who executed said instrument and acknowledged to me that such State of Idaho executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on the day and year last above written.

SEAL Mildred G. Halley
Notary Public residing at Boise, Idaho

STATE OF IDAHO }
} ss.
County of Valley }

I hereby certify that this instrument was filed for record at the request of Lovell L. Lees at 40 minutes past 3 o'clock P.M. this 26 day of August 1918 in my office and duly recorded in Book 26 of Deeds at Page 425.

Fees: $ 1.00

Forest E. Robb
Ex-Officio Recorder

by _____ Deputy

INSTRUMENT NUMBER 39078

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That Caspert Cohen and Rosalia Cohen, husband and wife, in consideration of Ten ($10.00), and other valuable consideration, Dollars to them paid by Lovell L. Lees do hereby grant, bargain, sell and convey unto said Lovell L. Lees, as her seperate and individual property, and not as community property, and to her heirs and assigns, all the following real property, with the tenements, hereditaments and apurtenances, situated in the County of Valley and State of Idaho bounded and described as follows: to-wit:

39077
8/26/48

VALLEY COUNTY, IDAHO

425

TOGETHER With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders rents, issues and profits thereof.

TO HAVE AND TO HOLD, All and singular the said premises, together with the appurtenances unto the party of the second part, and to his heirs and assigns forever.

IN WITNESS WHEREOF, The said party of the first part has hereunto set her hand and seal the day and year first above written.

SIGNED, SEALED AND DELIVERED IN PRESENCE OF — Lillie M. Williams (SEAL)

Robert A. Hannan

STATE OF WASHINGTON }
County of PACIFIC } ss.

On this 20th day of July in the year 1948, before me, Robert A. Hannan, Police Judge and Magistrate for the City of Raymond, Washington, in said State, personally appeared Lillie M. Williams, wife of Rome W. Williams, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

Robert A. Hannan

Police Judge and judicial officer for the City of Raymond, Washington, and acknowledged at Raymond in said State

SEAL

Residing at Raymond State of Washington

STATE OF IDAHO }
County of Valley } ss.

I hereby certify that this instrument was filed for record at request of C. L. Schoenhut at 15 minutes past 2 o'clock P.M., this 24th day of August, A. D. 1948 in my office, and duly recorded in Book 26 of Deeds at page 424.

Fees: $ 1.00

COMPARED ⊙
INDEXED—DIRECT ⊙
INDEXED—INDIRECT ⊙
INC STATE'S ATTIED ⊙

Forest E. Robb
Ex-Officio Recorder

by _____ Deputy

INSTRUMENT NUMBER 39077 — Deed No. 6547

STATE of IDAHO — Certificate No. 21500

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

WHEREAS, on the 20th day of November, 1944, all that tract or parcel of State Hospital South land of the State of Idaho, hereinafter mentioned and particularly described, was sold in the manner provided by law to CASPERT COHEN of Ontario, State of Oregon, for the aggregate price of Seven Hundred Fifty and no/100 DOLLARS

AND WHEREAS, the said sum of Seven Hundred Fifty and no/100 DOLLARS has been fully paid to the proper receiving officer for the State of Idaho, by CASPERT COHEN as shown by the records in the office of the State Board of Land Commissioners, the said sum being the whole amount of the purchase price for the said tract or parcel of land hereinafter described:

NOW, KNOW YE, That the said State of Idaho, in pursuance of law in such case made and provided, and in consideration of the premises aforesaid, and of the aforesaid sum of Seven Hundred Fifty and no/100 DOLLARS to the said State of Idaho paid, doth by these presents grant, bargain, sell, convey and confirm, in fee, unto the said CASPERT COHEN his heirs and assigns, all of the said tract and parcel of land situated in the County of Valley and State of Idaho, and described as follows, to-wit:

Lot Twenty four (24) in Lot Two (2) of Payette Lakes Subdivision, Section Thirty-two (32), Township Nineteen (19) North, Range Three (3) East of the Boise Meridian, Containing Sixty One Hundredths (.60) Acres, Approximately;

With the reservation that the land herein described does not extend toward Payette Lake beyond the high water line.

TO HAVE AND TO HOLD the said premises and parcel of land above particularly described, with the appurtenances thereon, unto the said CASPERT COHEN his heirs and assigns, in fee simple forever, subject to the provisions of Section 56-504, Idaho Code Annotated, which grants over all lands belonging to the state a right of way for ditches, tunnels and telephone and transmission lines, constructed by authority of the United States; and to the provisions of Section 46-701, Idaho Code Annotated, reserving to the state all mineral rights in lands sold subsequent to the 4th day of May, 1923.

IN WITNESS WHEREOF, I, C. A. Bottolfsen, the Governor of the State of Idaho, have hereunto signed my name and caused the Great Seal of the State of Idaho and the Seal of the State Board of Land Commissioners to be hereunto affixed, this 29th day of November A. D. 1944.

Countersigned:

Geo. H. Curtis
Secretary of State

GREAT SEAL

C. A. Bottolfsen
Governor of Idaho and President of State Board of Land Commissioners

Countersigned:

SEAL of State Land Commissioners

Robert Coulter
State Land Commissioner

STATE OF IDAHO }
} ss.
COUNTY OF ADA, }

On this 19th day of November, in the year 1944, before me, a Notary Public in and for said State, personally appeared C. A. Bottolfsen known to me to be the Governor of the State of Idaho, and Geo. H. Curtis, known to me to be the Secretary of State of the State of Idaho, and Robert Coulter, known to me to be the Land Commissioner of the State of Idaho, who executed said instrument and acknowledged to me that such state of Idaho executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on the day and year last above written.

SEAL

Mildred C. Malley
Notary Public residing at Boise, Idaho

STATE OF IDAHO }
} ss.
County of Valley }

I hereby certify that this instrument was filed for record at the request of Lovell L. Lees at 40 minutes past 3 o'clock P.M. this 26 day of August 1946 in my office and duly recorded in Book 26 of Deeds at page 425.

Fees: $ 1.00

COMPARED ___
INDEXED-DIRECT ___
INDEXED-INDIRECT ___

Forest E. Robb
Ex-Officio Recorder

by _____ Deputy

INSTRUMENT NUMBER 39078

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That Caspert Cohen and Rosalie Cohen, husband and wife, in consideration of Ten ($10.00), and other valuable consideration, Dollars to them paid by Lovell L. Lees do hereby grant, bargain, sell and convey unto said Lovell L. Lees, as her separate and individual property, and not as community property, and to her heirs and assigns, all the following real property, with the tenements, hereditaments and apurtenances, situated in the County of Valley and State of Idaho bounded and described as

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF GEM

IN THE MATTER OF THE GENERAL DETERMINATION OF THE RIGHT TO THE USE OF THE SURFACE AND GROUND WATERS OF THE PAYETTE RIVER DRAINAGE BASIN

NOTICE OF CLAIM TO A WATER RIGHT

IDENT. NO. 43-8386

RECEIVED
JAN 28 1974
Department of Water Administration

Notice is hereby given that LOVELL L. LEES (Name of Claimant)
P.O. BOX 599 (381 West Idaho Ave.) ONTARIO, ORE. 9791 (Mailing Address) claims a right to the diversion and beneficial use of the surface or groundwater, of or tributary to the Payette River.

The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use or date that permit was issued) I understand it was first used about 1919 6/1/19

(2) Describe source of water: (Name of stream, lake, spring, etc. or subterranean) Big Payette Lake

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

1.2 Use Domestic 1.04 Period of Use (Both Dates Inclusive) From June 15th (Mo., Day) To Oct. 1st (Mo., Day)

Use (Domestic, irrigation, etc.) Period of Use (Both Dates Inclusive) From (Mo., Day) To (Mo., Day)

Use

(4) Quantity of water claimed

and/or

(5) A) Name of stream or lake at point where water is diverted (if it is a spring, so state) (LOT 2)

Sec

B) Means of diversion of water:

Give description, size, etc. as specific as possible. Pump and pipeline. It is pumped up a steep hill about 75 feet. Don't know the pipe size, but would guess it to be about one-half inch.

(6) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box(es) below location.

T	R	SEC.	NE¼			NW¼			SW¼			SE¼			TOTAL
			SE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
This property is described on the enclosed notices as Lot 24 in Lot 2, Twp. 19 N, BEM Payette Lake Cottage Site. The entire property comprises approximately six-tenths of an acre, but the water is not used for any irrigation purposes.															
19N	3E	2			Lot 2										

Total No. of acres

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: One line runs to a small kitchen sink and another line runs to a bathroom where there is a toilet, wash basin and shower bath. However, there is but the one line running up the hill

(7) Effluent, sewage waste, or return water from this use is discharged into water from the kitchen sink is discharged into a dug out basin about half way down the hill; water and effluent from the bathroom discharges into a septic tank.

(8) If you are claiming water as a member of an organization, list name of organization.

(9) Remarks I bought this property from one Casport Cohen in 1946--deed delivered and recorded in 1948. Cohen had purchased it from the State of Idaho about 1943 or 1944. Water is used only for normal domestic purposes.

(10) Basis of claim (Check one) ☒ A) Right based on diversion and beneficial use (Lot 22, in Lot 2 of Payette Lake Cottage Site)

☐ B) Right decreed by court, cite title of case

☐ C) Right based on application, license, or claim filed with State Reclamation Engineer, Office No.

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

Individual

January 24, 1974 (Date)

Lovell L. Lees (Signature of Claimant)

Robt. E. Lees (Signature of Spouse)

Organization None bp 1-11-74

Organization bp 1-27-78 KEYPUNCHED

(Signature of Authorized Agent)

State of Oregon }
County of Malheur } ss.

On this 24th day of January, in the year 1974 before me, a notary public, personally appeared Lovell L. Lees and Robt. E. Lees, wife and husband, known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they) executed the same.

Notary Public residing at Ontario, Oregon

My commission expires 11/6/75

dlw 1-3-78

65-8506

RECOMMENDED RIGHT

Claim No.
Lovell L. Lees
P. O. Box 599 (391 West Idaho Ave.)
Ontario Ore. 97914

(2) Date of priority: (When was the water first applied to a beneficial use, or date that permit was issued) ± understand
it was first used ago in 1919

(3) Does the source of water: (Name of stream, lake, spring, etc.) or ground-water) Big Payette Lake

(5) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Quantity .0 cfs Use Domestic Period of Use From June 15 To Oct. 1

Quantity Use Period of Use From To

Quantity Use Period of Use From To

(4) TOTAL QUANTITY CLAIMED

(5) A) Point of Diversion: Give location of point where water is diverted from its source
Sec 2 , Twp 19N , Rge 3 E BM; additional points:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc) Give sizes and capacities; be as specific as possible

(6) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	Sec	NE¼				NW¼				SW¼				SE¼				Gr. TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
This property is described on the Tax map as Lot 24 in Sec. 2, Twp. 19 N., R. 3 E.B.M. Payette Lake Cottage Sites. The entire property comprises approximately six-tenths of an acre, but the water is not used for any irrigation purposes.																			

Total No. of acres

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: One line runs to a small kitchen sink and another line runs to a bathroom where there is a toilet, wash basin and shower but, however, there is but one line running up the hill.

(7) Effluent, sewage water, or return water from this use is discharged into water from the kitchen sink is discharged into a dug out basin about half way down the hill; water and effluent from the bathroom discharges into a septic tank

(8) If you are claiming water as a member of an organization, list name of organization

(9) Remarks

(10) Basis of claim (Check one) [X] A) Right based on diversion and beneficial use.
[ ] B) Right decreed by court, cite title of case
[ ] C) Right based on application, license, or claim filed with the Idaho Department of Water Administration

DATE OF EXAM 12-Aug-75 FIELD EXAMINER

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
C	LOVELL L. LEES P. O. BOX 599 ONTARIO OR 97914	06/01/1919	DOMESTIC	01/01	12/31	0.040 CFS	1.20 AFA
				TOTAL DIVERSION:		0.040 CFS	1.20 AFA

Water Source: BIG PAYETTE LAKE Tributary to: Stage: DECREED

Point(s) of Diversion: T19N R03E S02 Lot 02( ) VALLEY County

Lots Without 1/4 1/4 Description: DOMESTIC
19N 03E 2 02-D

Pou County:

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
65-10209

Remarks: LOT 22 IN LOT 2, PAYETTE LAKE COTTAGE SITES

Dates: App. Received: Priority Date: 06/01/1919
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 65 Field Exam Fee:

Audit: 04/02/86 04/30/88 CONVERT

Form 42-248/42-1409(6) 1/9/97

RECEIVED
OCT 2 8 1997
WATER RESOURCES
WESTERN REGION

RECEIVED
SEP 2 9 1997
WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s).: WR 5809 NP

   Adjudication Claim No(s).: _____

2. The following REQUIRED information must be submitted with this form:

   A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

   AND

   B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)

   OR

   C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant: LOVELL L. LEES (DECEASED)
   381 W. IDAHO AVE ONTARIO OR
   OREON C. KINGSBURY & ROBERTA L. KINGSBURY

4. New Owner/Claimant(s): DANIEL LEES, FAIRE LEES
   Name Connector (Check one): [X] and, [ ] or, [ ] and/or

   New Mailing Address: 12634 JUANITA DR, N.E.

   City, State and ZIP Code: KIRKLAND, WA 98034

   New Telephone Number: (206) 821-5321

5. Date you acquired the property: 1/7/83

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

   Number of acres you irrigate N/A Number and type of stock N/A

   Diversion rate in CFS .040 Number of homes 1 Other uses NONE

   If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s): Oreon C. Kingsbury

   (Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights. Required claims may be filed by a new owner.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office, or call 1-800-451-4129, if you would like more information or need help completing this form. Please attach additional sheets to the form if you require additional space to describe or explain any of the items on the form.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at **Item 1.** If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.

2. The information described at **Item 2** is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.

3. Please provide the name and address of the former owner of the water right and/or adjudication claim at **Item 3.**

4. The name, mailing address, and telephone number of the new owner(s) is entered at **Item 4.** Please indicate the relationship between multiple owners by using the connector 'and', 'or', or 'and/or'. If an 'and' is used, all parties must sign this form. If an 'and/or' or 'or' is used, all parties may sign. However, only one of the named parties is required to sign.

5. At **Item 5,** please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.

6. You may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at **Item 6.**

   Please provide as much detail as possible concerning your water right: include the number of homes, irrigated acreage if more than 1/2 acre is irrigated, type and number of stock if your right is for stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately.*

7. The new owner(s) must sign the form in the space(s) provided at **Item 7.** Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.

8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

   IDWR Western Region, 2735 Airport Way, Boise, ID 83705-5082 (208) 334-2190
   IDWR Southern Region, 1341 Fillmore St. N., Twin Falls, ID 83301-3380 (208) 736-3033
   IDWR Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, ID 83814-2615 (208) 769-1450
   IDWR Eastern Region, 900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 (208) 525-7161

INSTRUMENT NO. Recorded at

BARGAIN AND SALE DEED

LOVELL L. LEES, 381 W. Idaho Avenue - Ontario, Oregon 97914

hereby convey(s) to GIBSON C. KINGSBURY and ROBERTA L. KINGSBURY, husband and wife, as to an undivided one-fourth and to DANIEL LEES and FAIRE LEES, husband and wife, as to an undivided one-fourth, as tenants in common,

whose address is 130 East 49th Avenue - Eugene, Oregon 97401

the following described real property:

Lot 24 in lot 2 of Payette Lake Subdivision, Sec. 32, Twp. 19 N., R. 3 E., of the Boise Meridian, in Valley County, State of Idaho, containing 60/100 of an acre, approximately; with the reservation that the land herein described does not extend toward Payette Lake beyond the high water line; and together with the further reservations contained in that certain Deed #6547, of date November 29, 1944, whereby the State of Idaho conveyed said described property to said Caspert Cohen; and together with the tenements, hereditaments and appurtenances belonging to said property or in anyway appertaining thereto.

*

The consideration for this transfer is. Gift

Dated: January 7, 1983

Lovell L. Lees

STATE OF OREGON, County of [illegible] ss.

Jan 7, 1983

Personally appeared the above named

LOVELL L. LEES

and acknowledged the foregoing instrument to be his voluntary act. Before me.

(SEAL) Notary Public for Oregon.
My Commission expires 5-31-85

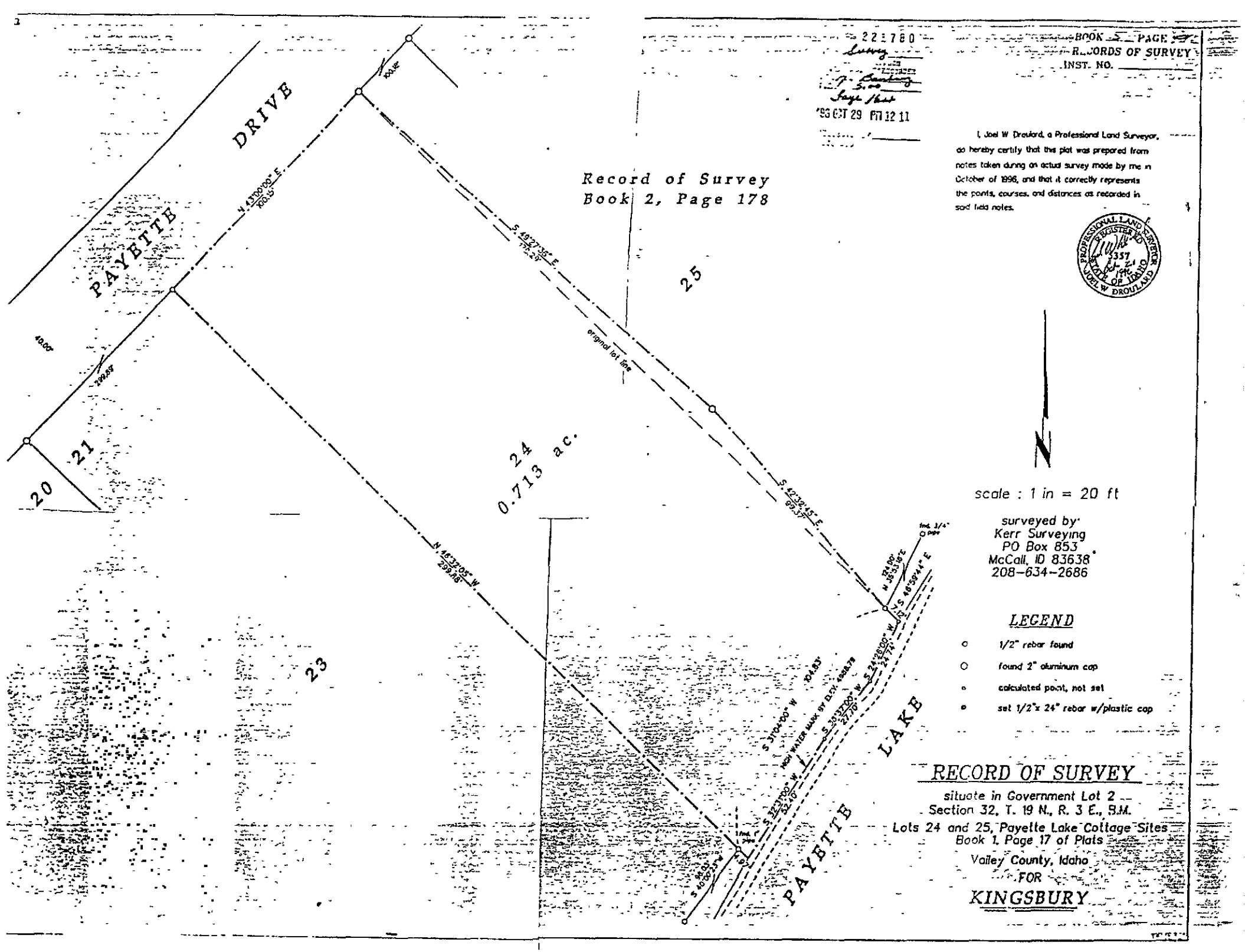
PREPARED BY
SCHROEDER & HUTCHENS

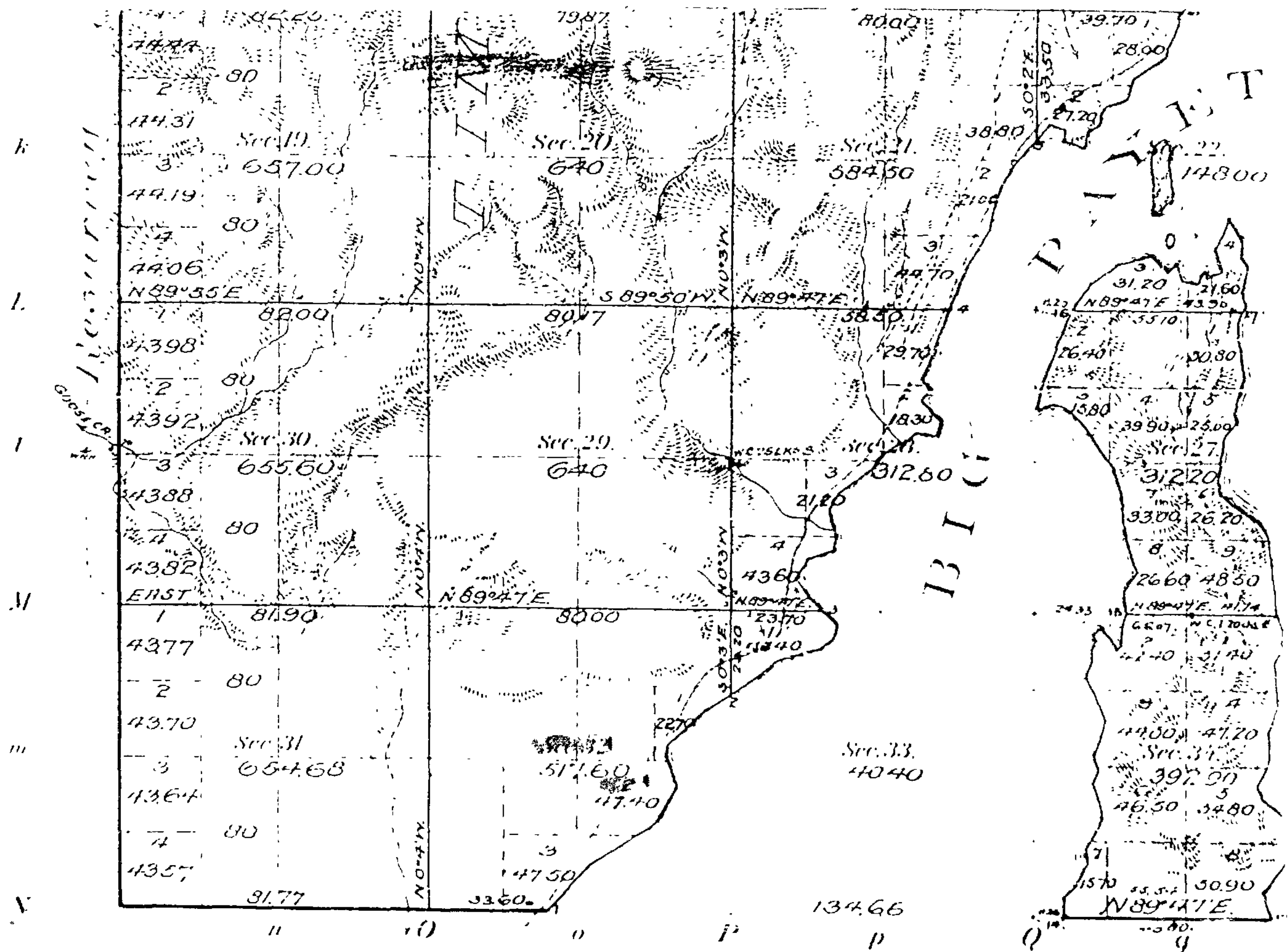
RETURN TO
SCHROEDER & HUTCHENS
P. O. Box 220
Vale, OR 97918

LAND TITLE INSURANCE COMPANY

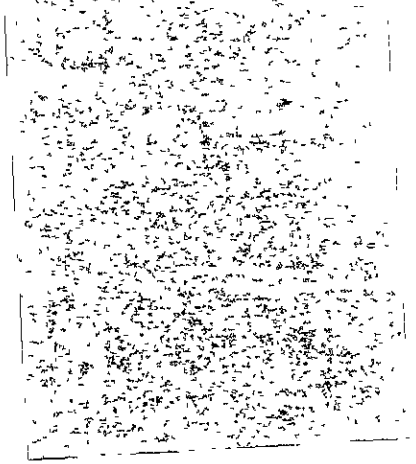
* Now Known As —

Gov't Lot #2
Section 32 T. 19N, R. 3E., B.M.
Lot 24 Payette Lake Cottage Sites


222760
BOOK PAGE
RECORDS OF SURVEY
INST. NO.
'93 OCT 29 PM 12 11
I, Joel W Droulard, a Professional Land Surveyor, do hereby certify that this plat was prepared from notes taken during an actual survey made by me in October of 1996, and that it correctly represents the points, courses, and distances as recorded in said field notes.
PROFESSIONAL LAND SURVEYOR REGISTERED 3357 STATE OF IDAHO JOEL W DROULARD
Record of Survey
Book 2, Page 178
PAYETTE DRIVE
N 43°00'00" E
100.15'
S 46°27'05" E
178.29'
original lot line
S 43°32'55" W
239.05'
40.00'
N 46°27'05" W
239.78'
S 40°39'45" E
89.37'
N 35°53'06" E
83.90'
S 46°59'41" E
S 31°04'00" W
104.83'
HIGH WATER MARK BY D.W.R. 4668.78
S 25°37'00" W
27.70'
S 24°28'00" W
24.74'
S 32°17'00" W
32.40'
S 46°00'23" W
20
21
23
24
25
0.713 ac.
PAYETTE LAKE
scale : 1 in = 20 ft
surveyed by:
Kerr Surveying
PO Box 853
McCall, ID 83638
208-634-2686
LEGEND
1/2" rebar found
found 2" aluminum cap
calculated point, not set
set 1/2"x 24" rebar w/plastic cap
RECORD OF SURVEY
situate in Government Lot 2
Section 32, T. 19 N., R. 3 E., B.M.
Lots 24 and 25, Payette Lake Cottage Sites
Book 1, Page 17 of Plats
Valley County, Idaho
FOR
KINGSBURY



Total number of Acres

Surveys Designated | By Whom Surveyed | Date of Contract | Amount of Surveys | When Surveyed

Kingsbury/Lees