

SRBA

Moffatt Thomas

MOFFATT THOMAS BARRETT ROCK & FIELDS, CHTD.

RECEIVED

NOV 03 2005

Department of Water Resources

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Idaho Falls
Pocatello
Twin Falls

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November 2, 2005

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R. B. Rock	James C. deGlee	Tyler J. Henderson
Richard C. Fields	Bradley J. Williams	Jason G. Murray
John S. Simko	Lee Radford	Mark C. Peterson
John C. Ward	Michael O. Roe	Andrew J. Waldera
D. James Manning	David S. Jensen	Tyler J. Anderson
Gary T. Dance	James L. Martin	Joel A. Flake, Jr.
Larry C. Hunter	C. Clayton Gill	Russell G. Metcalf
Randall A. Peterman	David P. Gardner	
Mark S. Prusynski	John O. Fitzgerald, II	Robert E. Bakes, <i>of counsel</i>
Stephen R. Thomas	Julian E. Gabiola	Morgan W. Richards, <i>of counsel</i>
Glenna M. Christensen	Angela Schaefer Kaufmann	
Gerald T. Husch	Michael W. McGreaham	<i>Willis C. Moffatt, 1907-1980</i>
Scott L. Campbell	Kimberly D. Evans Ross	<i>Kirk R. Helvie, 1956-2003</i>
Robert B. Burns	Jon A. Stenquist	

Diana Delaney
SRBA Case Administrator
Snake River Basin Adjudication District Court
PO Box 2707
Twin Falls, ID 83303-2707

Re: Subcase Nos. 65-22967 and 65-22969
MTBR&F File No. 22494.0

Dear Diana:

Enclosed please find two (2) sets of the Exhibits A through C to the Affidavit of Jack Childress, which was filed with the Court on October 26, 2005 in the above-referenced subcase numbers. These exhibits were inadvertently not attached to the Affidavit when we submitted it for filing. We apologize for any inconvenience or confusion this may have caused the Court or parties hereto.

Thank you for your assistance in this matter. If you have any questions, please do not hesitate to contact me.

Sincerely,


Tiffany M. Hudak
Paralegal

/tmh

Enclosures

cc: IDWR Document Depository (w/encls.) ✓
Chief, Natural Resources Division (w/encls.)
United States Department of Justice (w/encls.)

WARRANTY DEED

For Value Received, FRANKLIN & FLORENCE DAILEY TRUST
DATED MAY 24, 1988
the Grantors, do hereby grant, bargain, sell and convey unto
JACK CHILDRESS, A SINGLE MAN
whose address is: 13685 HIGHWAY 8 BUSINESS, EL CAJON, CA. 92021
the Grantee, the following described premises, to-wit:
S1/2 NW1/4SW1/4; N1/2S1/2SW1/4SW1/4; N1/2SW1/4SW1/4, SECTION 14,
TOWNSHIP 17 NORTH, RANGE 3 EAST, BOISE MERIDIAN,
&
S1/2N1/2SE1/4; N1/2S1/2SE1/4, SAVE AND EXCEPT THE STATE HIGHWAY
RIGHT-OF-WAY, SECTION 15, TOWNSHIP 17 NORTH, RANGE 3 EAST, BOISE
MERIDIAN,
ALL IN VALLEY COUNTY, IDAHO.

TOGETHER WITH ANY AND ALL MINERAL AND 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 1999 taxes and
assessments and that they will warrant and defend the same from all
lawful claims whatsoever.

Dated: 1/13/99

FRANKLIN & FLORENCE DAILEY TRUST DATED MAY 24, 1988

BY:

State of California)
County of Inyo) ss

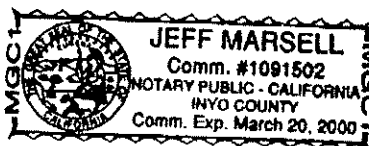
On the 13TH day of January, 1999 before me,

JEFF MARSELL

a notary public in and for said State, personally appeared

FRANKLIN DAILEY AND FLORENCE R. DAILEY by me first duly sworn,
declared that they are Trustees of the Franklin & Florence Dailey
Trust dated May 24, 1988 that they signed the foregoing document as
the Trustees and that statements therein contained are true.

Jeff Marsell
Notary Public
Residing at:
Commission Expires:



WARRANTY DEED

FOR VALUE RECEIVED, JACK CHILDRESS aka JACK E. CHILDRESS, an unmarried man, Grantor, does hereby grant, bargain, sell, and convey unto JACK CHILDRESS aka JACK E. CHILDRESS (or his successors), as Trustee of the Jack E. Childress 1999 Trust, dated April 30, 1999 (as it may be amended from time to time), Grantee, whose current address is 13685 Highway 8 Business, El Cajon, California 92021, the following described real property situated in Valley County, Idaho, to-wit:

Parcel A:

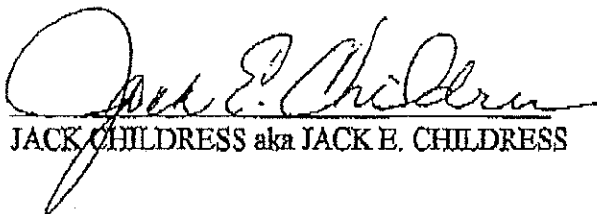
All that certain lot, piece or parcel of land situate in Valley County, Idaho and shown as Lot 11, Elk Haven Subdivision, a plat which is recorded in the office of the Recorder of Valley County, Idaho.

Parcel B:

S1/2 NW1/4 SW1/4; N1/2 S1/2 SW1/4 SW1/4; N1/2 SW1/4 SW1/4, Section 14, Township 17 North, Range 3 East, Boise Meridian, and S1/2 N1/2 SE1/4; N1/2 S1/2 SE1/4, save and except the State Highway right-of-way, Section 15, Township 17 North, Range 3 East, Boise Meridian, all in Valley County, Idaho, together with any and all mineral and water rights appertaining thereto.

To have and to hold the said premises, together with improvements and appurtenances, unto the said Grantee, its heirs and assigns forever. And the said Grantor hereby covenants to and with said Grantee, that he is the owner in fee simple of said premises; that the said premises are free from all encumbrances except current year's taxes and assessments; and, that he will warrant and defend the same from all lawful claims whatsoever.

DATED this 12 day of October, 2000.


JACK CHILDRESS aka JACK E. CHILDRESS

Instrument # 250473

VALLEY COUNTY, CASCADE, IDAHO

2000-10-17

04:04:54 No. of Pages: 2

Recorded for: STEVEN MILLEMAN

LELAND G. HEINRICH

Ex-Officio Recorder Deputy

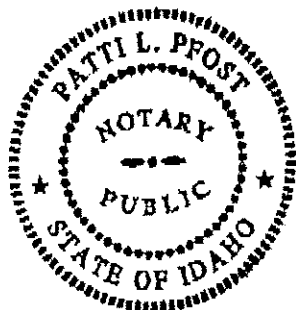
Index to: DEEDS

Fee: 6.00

STATE OF IDAHO,)
) ss.
County of Valley.)

On this 12 day of October, 2000, before me, Patti L. Pfoost, a
Notary Public in and for said State, personally appeared JACK CHILDRESS aka JACK E.
CHILDRESS, known or identified to me to be the person whose name is subscribed to the within
instrument and acknowledged that he 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.



Patti L. Pfoost
NOTARY PUBLIC FOR IDAHO
Residing at: McCall, Idaho
My Commission Expires: 5/23/2006

QUITCLAIM DEED

For Value Received, Jack Childress, aka Jack E. Childress (or his successors), as Trustee of the Jack E. Childress 1999 Trust, dated April 30, 1999

hereby conveys, releases, remises and forever quits claim unto

Jack E. Childress

A married person as his sole and separate property

whose address is : PO Box 448, Pine Valley, CA 91962

the following premises, to wit:

See attached 'Exhibit A'

Dated: 9-5-03

Jack E. Childress 1999 Trust

By: Jack Childress

Jack Childress, aka Jack E. Childress

State of California)

County of San Diego) ss

On the 5th day of September, 2003 before me,
Kim Cunningham, a notary public in and for said State,
personally appeared Jack Childress, aka Jack E. Childress, being by me
first duly sworn, declared that he is Trustee of the Jack E. Childress
1999 Trust, and that he signed the foregoing document as the Trustee and
that statements therein contained are true.

Kim Cunningham
Notary Public

Residing at: San Diego, California

Commission Expires: 2-11-04



Instrument # 276239

VALLEY COUNTY, CASCADE, IDAHO

2003-09-26 01:47:15 No. of Pages: 2

Recorded for : AMERITITLE

LELAND G. HEINRICH

Ex-Officio Recorder Deputy

Index to: QUITCLAIM DEED

Fee: 6.00

EXHIBIT A

A parcel of land situate in the SE¼ of the SW¼ of Section 14, T. 17 N., R. 3 E., B.M., being a portion of Lot 11 of Elk Haven Subdivision, as shown on the official plat thereof on file in Book 9 of Plats, in the office of the Recorder of Valley County, Idaho, more particularly described as follows:

Commencing at a brass cap marking the 1/4 corner common to Sections 14 and 23, T. 17 N., R. 3 E., B.M., Valley County, Idaho; thence, N. 89° 23' 21" W., 1,328.69 feet along the south boundary of Lot 11, Elk Haven Subdivision, as shown on the official plat thereof on file in Book 9 of Plats, in the office of the Recorder of Valley County, Idaho, to a ½ inch rebar making the West 1/16 corner common to said Sections 14 and 23; thence, N. 00° 17' 44" E., 822.29 feet along the west boundary of said Lot 11 to the REAL POINT OF BEGINNING:

Thence, continuing N. 00° 17' 44" E., 500.00 feet to a ½ inch rebar marking the north west corner of said Lot 11,
Thence, S. 89° 28' 06" E., 300.00 feet along the north boundary of said Lot 11,
Thence, S. 00° 17' 44" W., 500.00 feet,
Thence, N. 89° 28' 06" W., 300.00 feet to the Point of Beginning, containing 3.443 acres, more or less.

Along with and subject to a 20.00 foot wide ingress, egress and utility easement lying along and adjacent to the west boundary of the above described parcel, more particularly described as follows:

Commencing at a brass cap marking the 1/4 corner common to Sections 14 and 23, T. 17 N., R. 3 E., B.M., Valley County, Idaho; thence, N. 89° 23' 21" W., 1,328.69 feet along the south boundary of Lot 11, Elk Haven Subdivision, as shown on the official plat thereof on file in Book 9 of Plats, in the office of the Recorder of Valley County, Idaho, to a ½ inch rebar making the West 1/16 corner common to said Sections 14 and 23; thence, N. 00° 17' 44" E., 822.29 feet along the west boundary of said Lot 11 to the REAL POINT OF BEGINNING:

Thence, continuing N. 00° 17' 44" E., 500.00 feet to a ½ inch rebar marking the north west corner of said Lot 11,
Thence, S. 89° 28' 06" E., 20.00 feet along the north boundary of said Lot 11,
Thence, S. 00° 17' 44" W., 500.00 feet,
Thence, N. 89° 28' 06" W., 20.00 feet to the Point of Beginning.

Bearings are based on the Elk Haven plat.