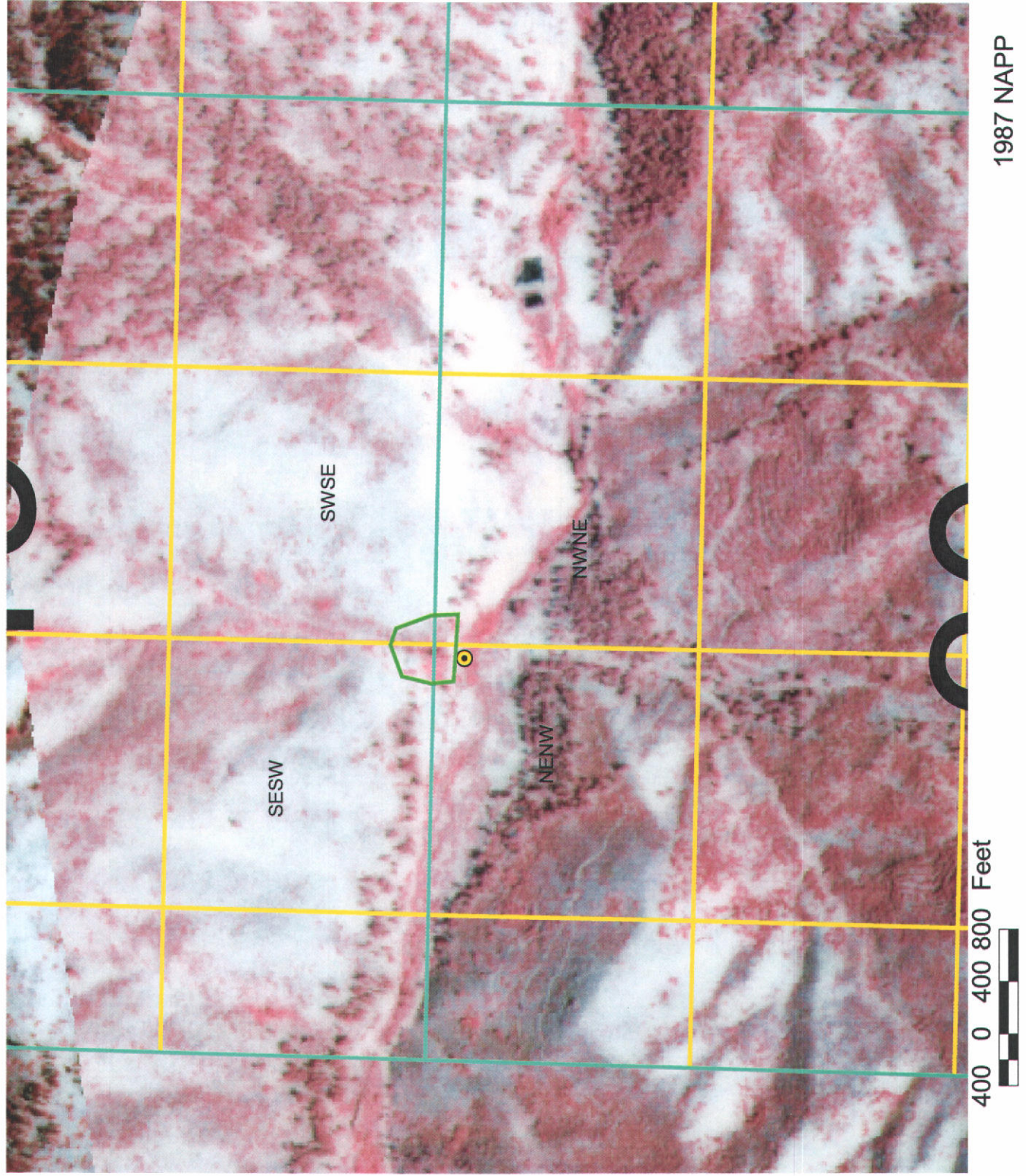


IDAHO DEPT OF WATER RESOURCES

Claim No(s) 63-15692
T05N, R05E, Sec 19, 30
Prepared by: Maria Minicucci
February 12, 2002

-  Place of use
-  Point of diversion
-  Section Lines
-  Quarter quarter lines



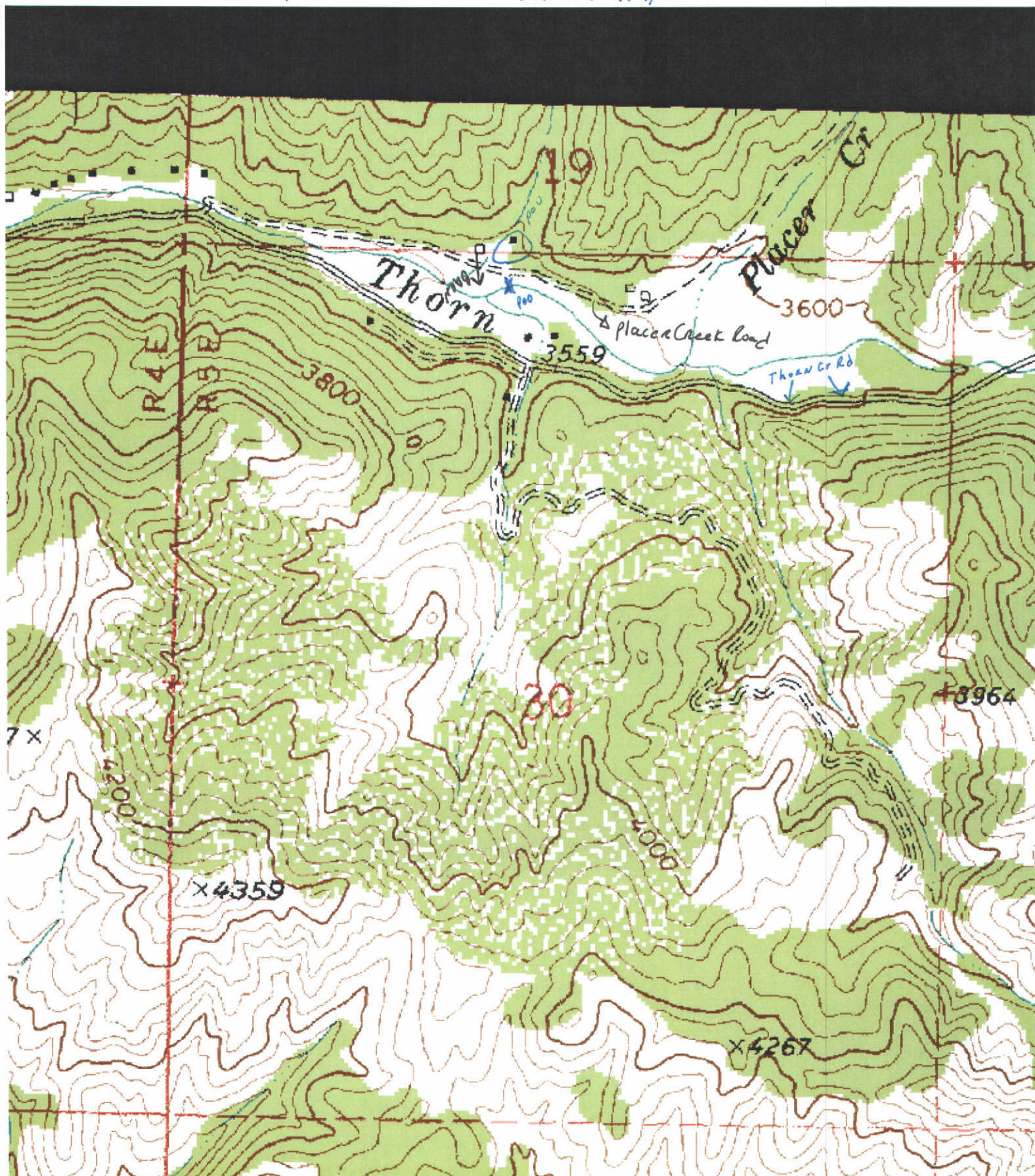
A63-15692 B

ARTLAND

USGS QUAD XII

75N R5E S30

SCALE: 1:9,021



SRBA Claim Number A63-15692 (B) Date of Photos 11/14/2001
Photographer PPINICUCCI Legal Description T5N R5E S19 T30

① Point of Diversion

1 HP Pump

Water Ace

SN 694 1299

GEMOTOR

Model SKC39MN3529 BOX 1

Section 30

NEN

GPS measurement

location "15692"



② Place of use

Area of lawn between
home and Road.

Photo taken from
east side of yard,
looking west

S 30 N N and

S 19 SE SW



SRBA Claim Number A63-15692 (B)

Date of Photos 11/14/2001

Photographer DDINICUCCI

Legal Description T5N R5E S19 SE SW

- ③ Place of use
Elevated gardens
on east side of
house

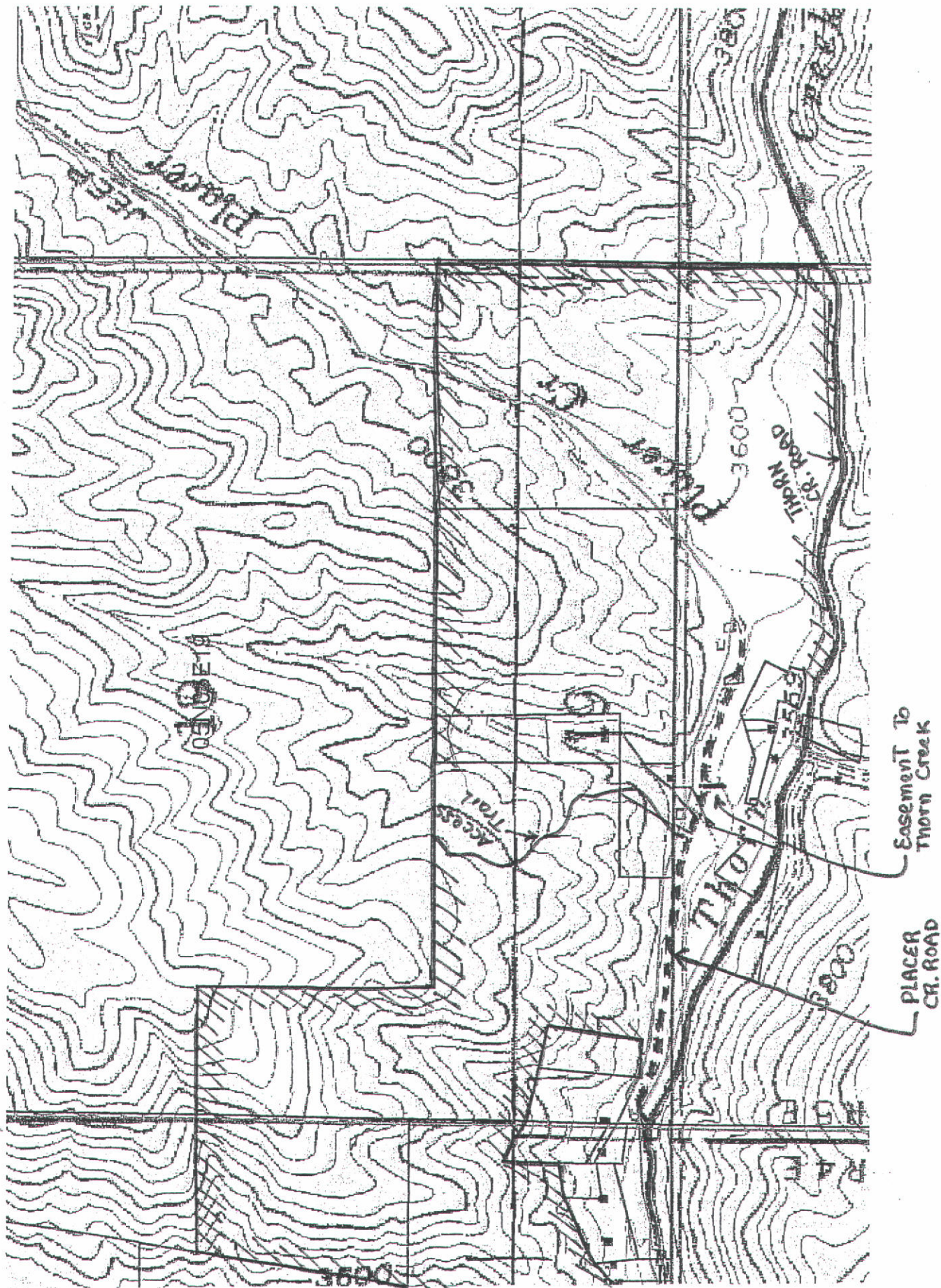


- ④ Place of use
West and north
side of house.
Photo taken from
west side of house,
looking north.



40' contour

Sellers
Property
Boundary



5N 5E
Parcel 1
on deed

19

2

SWSE

SESE



NENW

NWNE

NENE

30

2

19

5N 5E
Easement
on deed

SESW

SWSE

SESE

NWNE

NENE

30

19

5N 5E
Easement
on deed

SESW

SWSE

SESE

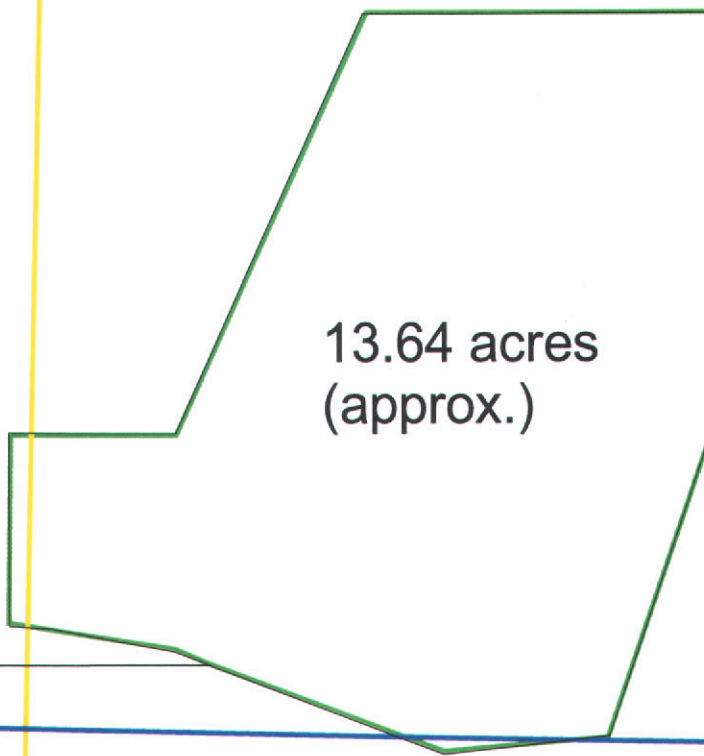
NWNE

NENE

30

SESE

13.64 acres
(approx.)





五

9.93

7,04.6814

70.60

2125

١٤

21.34

67:25

565.56

3

2194

8

4

21.53

N. 89. 58' E.

7079

2100

2

2181

५३३

55755

580.5314

1986

Services

649

11.85.58.14

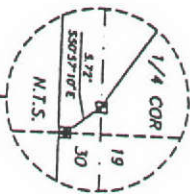
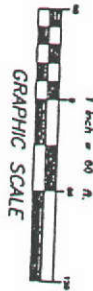
80.06

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باب اول

RECORD OF SURVEY/LOT LINE ADJUSTMENT A TRACT OF LAND SITUATED IN THE SOUTH 1/2 OF SECTION 19, AND THE NORTH 1/2 OF SECTION 30, TOWNSHIP 5 NORTH, RANGE 5 EAST, BOISE MERIDIAN, BOISE COUNTY, IDAHO. Inst. # 167511

63-05312
63-15692B



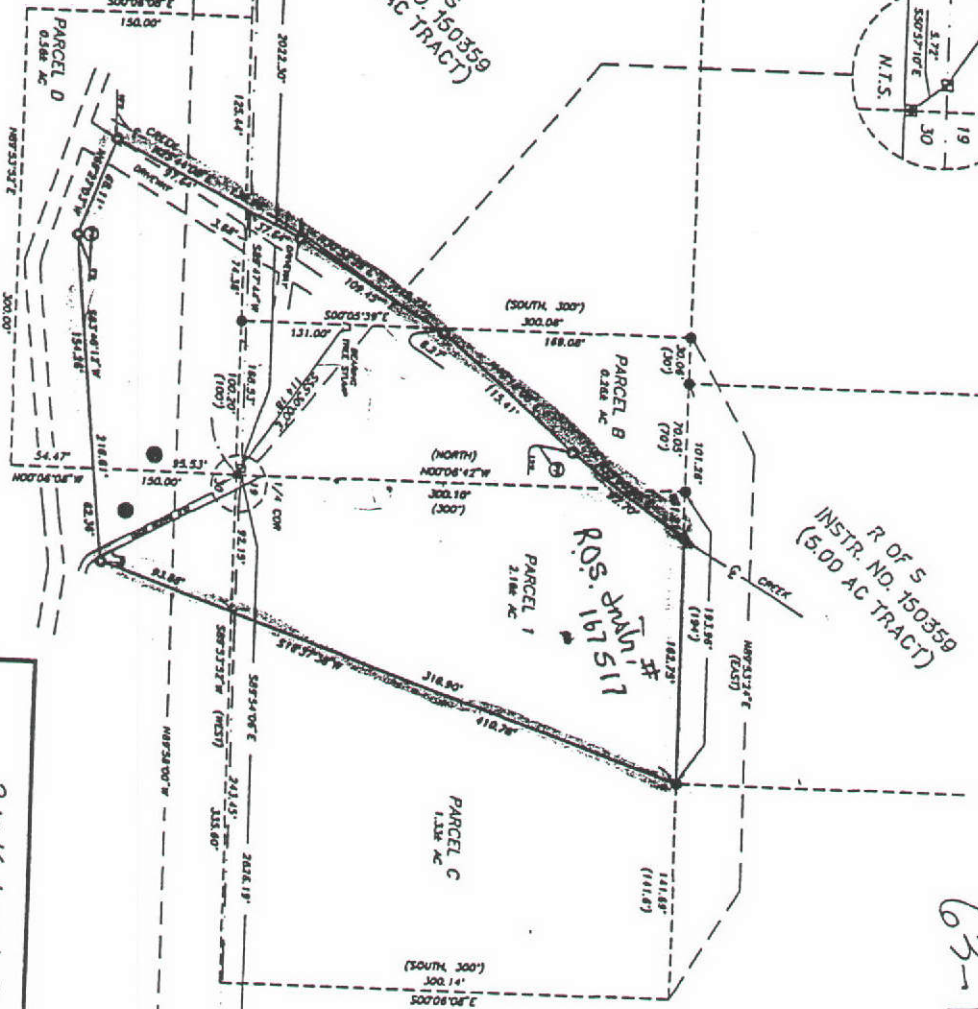
- LEGEND:**
- FOUND BRASS CAP MONUMENT WITH STONE ALONGSIDE
 - FOUND 1/2" IRON PIN
 - FOUND 1" IRON PIPE PER ADJUTANCE SURVEY
 - SET 1/2" IRON PIN W/ALUMINUM CAP PLS 4173
 - SET 3/8" IRON PIN W/PLASTIC CAP PLS 4173
 - POWER POLE
 - () RECORD DISTANCE
 - IRON STAKE
 - FENCE

— BASIS OF BEARINGS
(PER C.L.A. MAP DATED MAY 21, 1900)

R. OF S. 150359
(4.25 AC TRACT)

R. OF S. 150359
(5.00 AC TRACT)

R. OF S. 191511



NOTE:

2. See R. LAND SURVEYING ACTS AND NO LIABILITY FOR PRESENT OR FUTURE COMPLIANCE OR NON-COMPLIANCE WITH COUNTY PLANNING AND ZONING ORDINANCE RESTRICTIONS AS THEY PERTAIN TO BUILDING PERMITS AND THE ISSUANCE THEREOF.



SURVEY FOR:
SANDY H. SING &
MORTAL ESTATE
CHURCHILL COUNTY
MC 11 BOX 117
BOISE, ID 83708
(208) 343-0078

NOVEMBER, 1997

2nd K Land Surveying

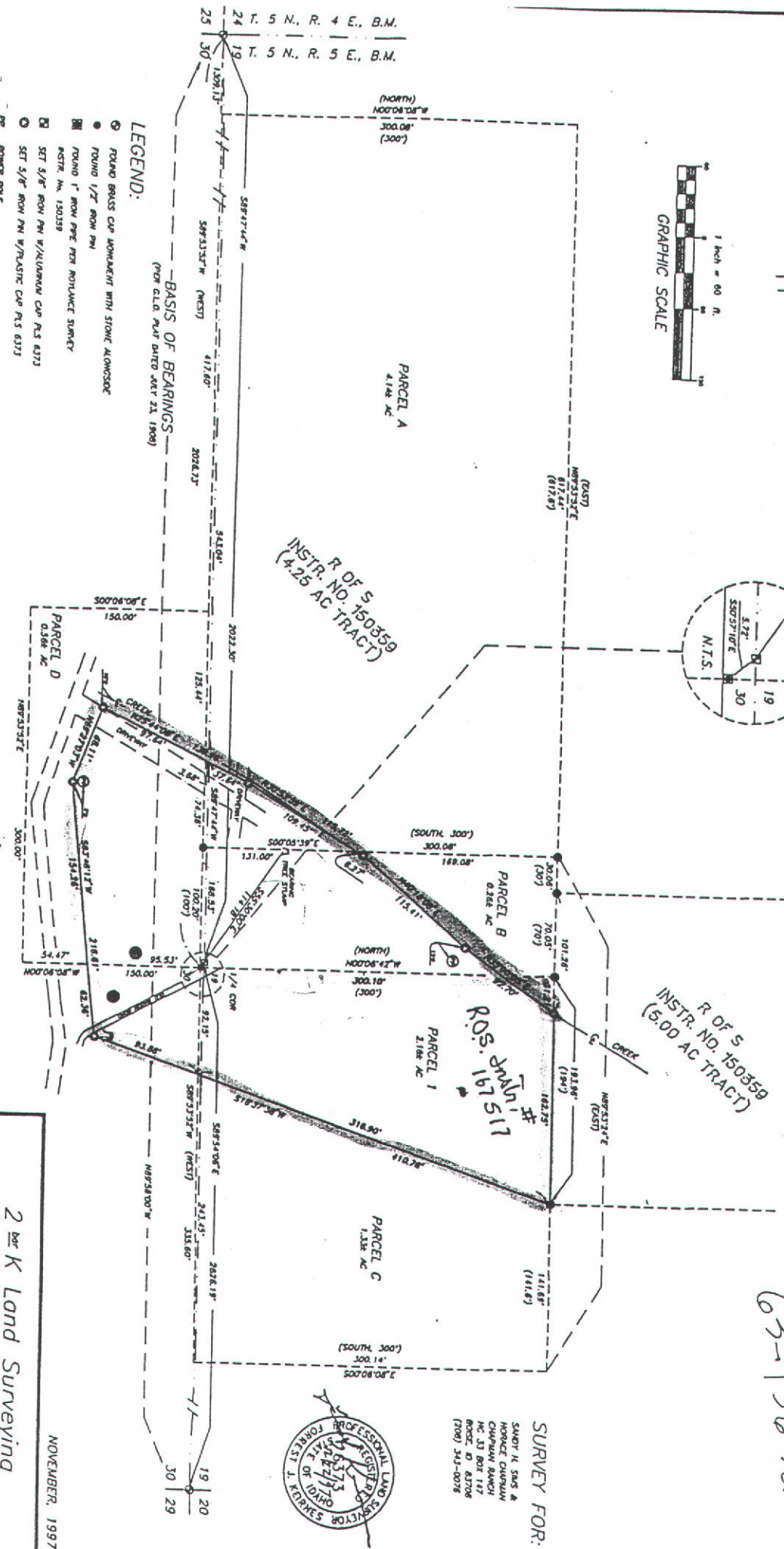
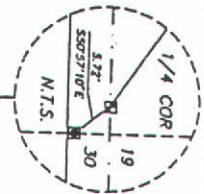
404 So. Washington Ave.
Emmett, Idaho 83617
(208) 365-4146
Fax: 365-4183

RECORD OF SURVEY/LOT LINE ADJUSTMENT

A TRACT OF LAND SITUATED IN THE SOUTH 1/2 OF SECTION 19, AND THE NORTH 1/2 OF SECTION 30, TOWNSHIP 5 NORTH, RANGE 5 EAST, BOISE MERIDIAN, BOISE COUNTY, IDAHO.

Inst. # 167511

63-05312
63-15692B



LEGEND:

- ROUND BRASS CAP MONUMENT WITH STONE ALONGSIDE
- ROUND 1/2" IRON PIN
- ROUND 1" IRON PIPE PER MONUMENT SURVEY
- SET 5/8" IRON PIN W/ALUMINUM CAP PLS 6373
- SET 5/8" IRON PIN W/PLASTIC CAP PLS 6373
- POWER POLE
- () RECORD DISTANCE
- △ TREE STUMP
- TREE

BASIS OF BEARINGS

(PER G.L.O. PLAT DATED MAY 21, 1906)

R OF S 150359
(4.25 AC TRACT)

R OF S 150359
(6.00 AC TRACT)

R.O.S. 167511

NOTE:
2. SEE K LAND SURVEYING ASSURES NO LIABILITY FOR PRESENT OR FUTURE COMPLIANCE OR NON-COMPLIANCE WITH COUNTY PLANNING AND ZONING ORDINANCES RESTRICTIONS AS THEY PERTAIN TO BUILDING PERMITS AND THE ISSUANCE THEREOF.

SURVEY FOR:

SHARV H. SAMS &
PROJECT COUNCIL
MC 13 83100
BOISE, ID 83706
(208) 343-0078



NOVEMBER, 1997

2nd K Land Surveying

404 So. Washington Ave.
Emmett, Idaho 83617
(208) 365-4146
Fax: 365-4183

INDEX NO. 531-19-0-0-0-00-00

JOB NO. 112-97

RECEIVED

MAR 30 2001

WATER RESOURCES
WESTERN REGION

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

Recombined with A63-15692
See Claim No. A63-15692

Ident. Number: **A63-15692A**

Date Received: 5/22/1989

Receipt No: W002920

Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: STEVE JOPLIN 208-392-4475
Address: HC 33 BOX 1574
BOISE ID 83706

OR

Name: BETTY JOPLIN 208-392-4475
Address: HC 33 BOX 1574
BOISE ID 83706

2. Date of Priority: APR 30, 1948

3. Source: THORN CREEK Trib. to: MORSE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	05E	30	NW	NE			BOISE

5. Description of diverting works:
PUMP AND PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/01	0.020		

7. Total Quantity Appropriated is:
0.020 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	05E	19	SW	SE		IRR	1.0
						Section Acres	1.0
		30	NW	NE		IRR	1.0
						Section Acres	1.0
						Total Acres	2.0

11. Place of use in counties: BOISE

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

13. Other Water Rights Used:
NONE

14. Remarks:
NONE

15. Basis of Claim: BENEFICIAL USE

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: A63-15692
Date Received: 5/19/1989
Receipt No: W002920
Received By: DEMAH

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: STEVE JOPLIN 208-392-4475
Address: HC 33 BOX 1574
BOISE, ID 83706
OR
Name: BETTY JOPLIN 208-392-4475
Address: HC 33 BOX 1574
BOISE, ID 83706

2. Date of Priority: APR 30, 1948

3. Source: THORN CREEK Trib. to: MORSE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	05E	30	NW	NE			BOISE

5. Description of diverting works:
PUMP AND PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/01	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05N	05E	19	SW SE		IRR	1.0
					Section Acres	1.0
		30	NW NE		IRR	1.0
					Section Acres	1.0
					Total Acres	2.0

11. Place of use in counties: BOISE

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

13. Other Water Rights Used:
NONE

14. Remarks:
NONE

15. Basis of Claim: BENEFICIAL USE

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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____

RECEIVED

MAR 30 2001

WATER RESOURCES
WESTERN REGION

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

Recombined with A63-15692

See claim No. A63-15692

Ident. Number: **A63-15692B**

Date Received: 5/22/1989

Receipt No: W002920

Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: DAVID L ARTHAUD 208-392-4444
Address: 16 PLACER CREEK RD
BOISE ID 83716
AND/OR
Name: STEPHANIE ARTHAUD 208-392-4444
Address: 16 PLACER CREEK RD
BOISE ID 83716

2. Date of Priority: APR 30, 1948

3. Source: THORN CREEK Trib. to: MORSE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	05E	30	NW	NE			BOISE

5. Description of diverting works:
PUMP AND PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/01	0.010		

7. Total Quantity Appropriated is:
0.010 C.F.S. (and/or) 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
05N	05E	19	SW	SE		IRR	1.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	1.0
		30	NW	NE	IRR	1.0
					Section Acres	1.0
					Total Acres	2.0

11. Place of use in counties: BOISE

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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: A63-15692
Date Received: 5/19/1989
Receipt No: W002920
Received By: DE MHA

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: STEVE JOPLIN 208-392-4475
Address: HC 33 BOX 1574
BOISE, ID 83706

OR

Name: BETTY JOPLIN 208-392-4475
Address: HC 33 BOX 1574
BOISE, ID 83706

2. Date of Priority: APR 30, 1948

3. Source: THORN CREEK Trib. to: MORSE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05N	05E	30	NW	NE			BOISE

5. Description of diverting works:
PUMP AND PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/01	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A63-15692

Page 1

Date: 06/15/89

MICROFILMED

AUG 25 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	05E	19	SW	SE		IRR	1.0
						Section Acres	1.0
		30	NW	NE		IRR	1.0
						Section Acres	1.0
						Total Acres	2.0

11. Place of use in counties: BOISE

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

13. Other Water Rights Used:
NONE

14. Remarks:
NONE

15. Basis of Claim: BENEFICIAL USE

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): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day

of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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: A63-15692
Date Received: 5/19/1989
Receipt No: W002920
Received By: DE MATH

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: STEVE JOPLIN 208-392-4475
Address: HC 33 BOX 1574
BOISE, ID 83706

OR

Name: BETTY JOPLIN 208-392-4475
Address: HC 33 BOX 1574
BOISE, ID 83706

2. Date of Priority: APR 30, 1948

3. Source: THORN CREEK Trib. to: MORSE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05N	05E	30	NW	NE			BOISE

5. Description of diverting works:
PUMP AND PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/01	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	05E	19	SW	SE		IRR	1.0
						Section Acres	1.0
		30	NW	NE		IRR	1.0
						Section Acres	1.0
						Total Acres	2.0

11. Place of use in counties: BOISE

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

13. Other Water Rights Used:
NONE

14. Remarks:
NONE

15. Basis of Claim: BENEFICIAL USE

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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____

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

A63-15692

Date Received

5-19-89 - L.W.

Receipt Number

W002920

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Steve Joplin and/or Betty Joplin Phone (208) 392-4475Mailing Address HC 33 Box 1574, Boise, Idaho Zip 837062. Date of Priority (Only one (1) per claim) 1948, April3. Source of water supply (a) Thorn Creek
which is tributary to (b) Morse Creek4. a. Location of existing point of diversion is: Township 5N Range 5E Section 30,
1/4 of NW 1/4 of NE 1/4, Govt. Lot, B.M., County of BoiseAdditional points of diversion if any: none

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, 1/4 of _____ 1/4 of _____

1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Pump and pipeline.

MICROFILMED

AUG 25 1992

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

DEMOCRACY

SEP 25 2004

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 3/15 to 11/1 amount .02 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) _____ (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for Irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
5N	5E	30		1															1
		19															1		1

Total number of acres irrigated 2

11. In which county (ies) are lands listed above as place of use located? Boise

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above. _____ or None (X)

14. Remarks:

Last Name Joplin Ident No. _____

MICROFILMED

Copies: White, Stat, Yellow, Gr, Imant
AUG 25 1992

It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

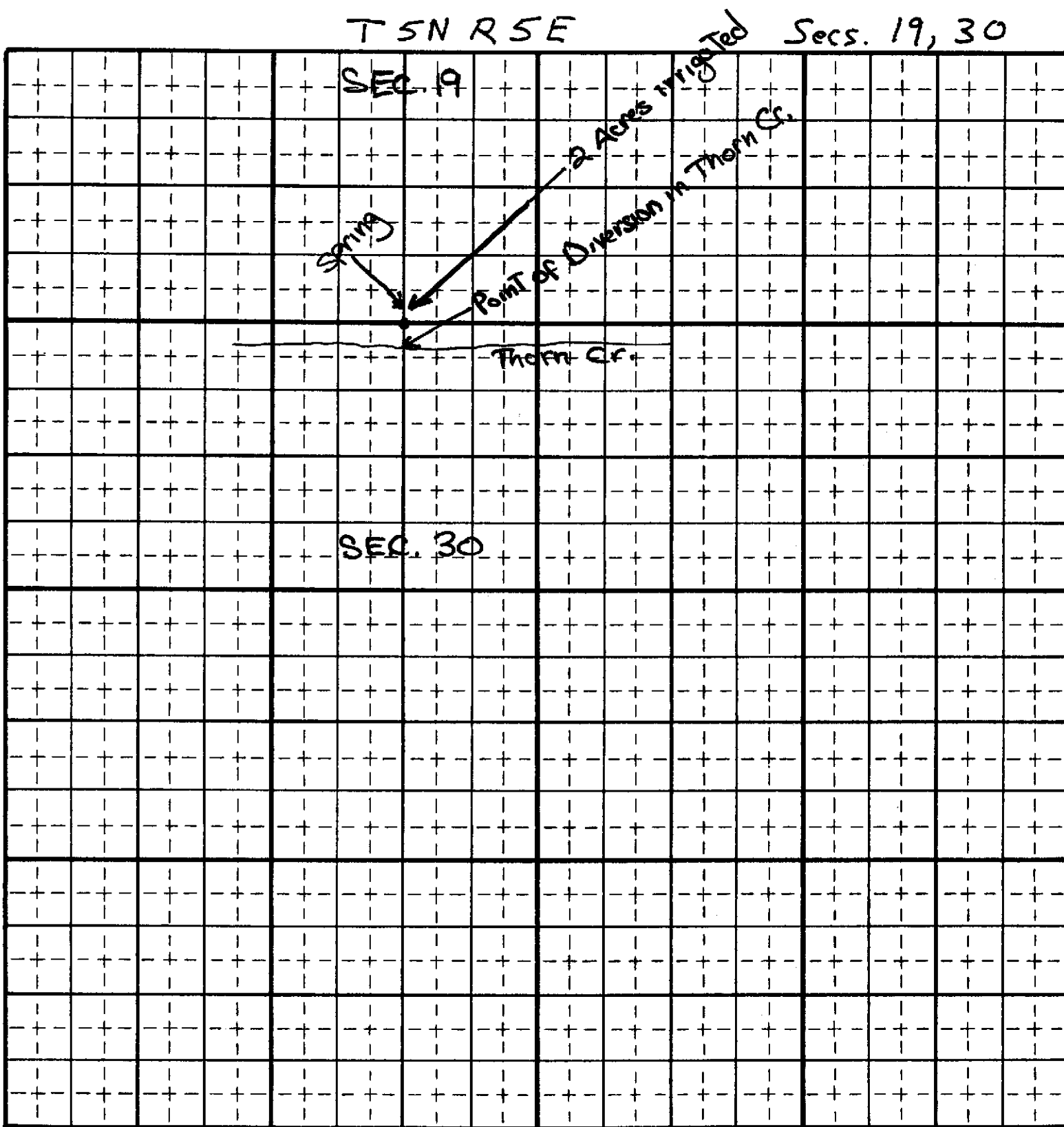
If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



MICROFILMED

Last Name

Joplin

Ident No.

Copies: White-State, Y... AUG 25 1992

15. Basis of Claim (check one) Beneficial Use X Posted Notice _____ License _____ Permit _____

Decree _____

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____ Decree Date _____

Plaintiff vs 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 do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Steve Joplin Date 5-18-89

Betty Joplin Date 5-18-89

For Organizations: I do solemnly swear or affirm that I am _____

Title _____

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 18th day of May 19 89.

SEAL

Notary Public Barbara Allen

Residing at Caldwell, Idaho

My Commission Expires April 26, 1995

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, Barry Marcus will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature Barry Marcus

Address 737 N. 7th St. Boise 83702

Date 5/19/89

Last Name Joplin Ident. Number _____

MICROFILMED

Copies White-Yellow-Check AUG 25 1992

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 63-15692
Date Received: 5/22/1989
Receipt No: W002920
Received By:

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

1. Name of Claimant(s)

DAVID L ARTHAUD Phone: (208)392-4444
16 PLACER CREEK RD
BOISE ID USA 83716

STEPHANIE ARTHAUD Phone: (208)392-4444
16 PLACER CREEK RD
BOISE ID USA 83716

2. Date of Priority: 04/30/1948

3. Source: THORN CREEK Trib. to: MORSE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05N	05E	30	NW NE	BOISE	

5. Description of diverting works:

PUMP AND PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/01	0.02	

7. Total Quantity Appropriated is:
0.02 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
----------	-------	---------	----------------	-----	-------

05N	05E	19	SW	SE	IRRIGATION	1
					Section Acres	1
05N	05E	30	NW	NE	IRRIGATION	1
					Section Acres	1
					Total Acres	2

11. Place of use in counties: BOISE

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: Beneficial Use

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): _____ Date: _____

_____ Date:

State of Idaho)
) SS.
 County of _____)

Subscribed and sworn (or affirmed) before me this

of _____ 20__

Notary Public

Residing at _____

My commission Expires _____

02/26/2002

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-15692

NAME AND ADDRESS: DAVID L ARTHAUD
16 PLACER CREEK RD
BOISE ID 83716

STEPHANIE ARTHAUD
16 PLACER CREEK RD
BOISE ID 83716

SOURCE: THORN CREEK

TRIBUTARY: MOORES CREEK

QUANTITY: 0.02 CFS

PRIORITY DATE: 04/30/1948

POINT OF DIVERSION:

T05N R05E S30 NENW Within BOISE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.020 CFS

PLACE OF USE: IRRIGATION Within BOISE County

T05N R05E S19	SESW	0.7	T05N R05E S19	SWSE	0.5
T05N R05E S30	NWNE	0.4	T05N R05E S30	NENW	0.4

2 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

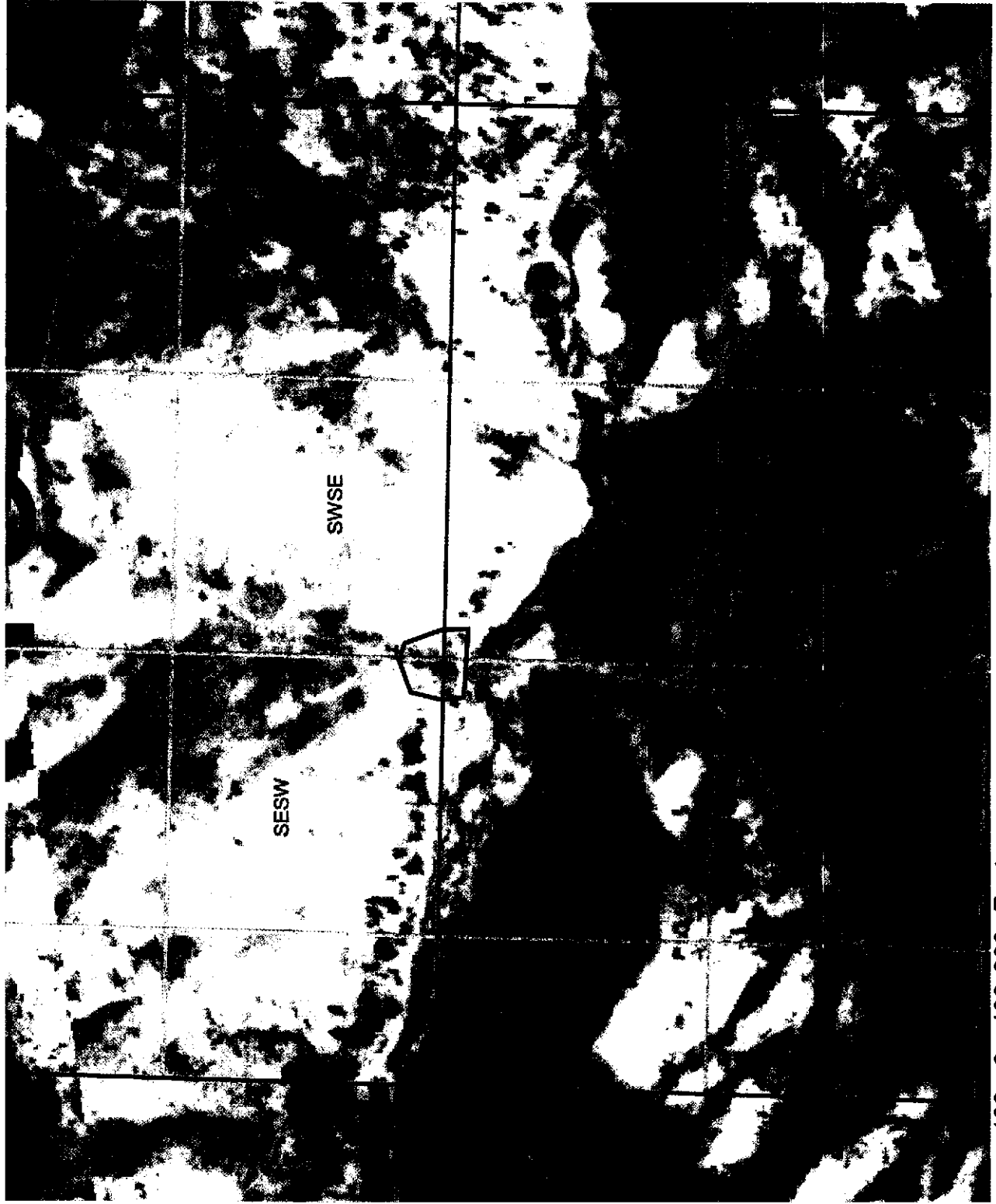
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: Beneficial Use

IDAHO DEPT OF WATER RESOURCES

Claim No(s) 63-15692
T05N, R05E, Sec 19, 30
Prepared by: Maria Minicucci
February 12, 2002

-  Place of use
-  Point of diversion
-  Section Lines
-  Quarter quarter lines



400 0 400 800 Feet

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION ADJUDICATION SECTION
CLAIM VERIFICATION FIELD EXAM SHEET
(Use with the ECVR)

CLAIM NO(s). A03-15692 (B)

1. No Change NAME IS SAME ✓

NEW OWNER: _____

No Change ADDRESS ✓

NEW ADDRESS: _____

2. No Change - DATE OF PRIORITY: Completed evidence submitted
Incomplete - Claimant should be asked during the exam when was water first
used and submit proof of date of priority.

Priority date, per claimant, is: 04/30/1948

(If the priority date, based on your exam, seems questionable, explain below.)

Supported by statement of neighbor

3. No Change — SAME SOURCE ✓

Source is different than that claimed:

Source found: _____

4. No Change — POINT OF DIVERSION

Point of diversion is different than the claim and/or new P/D's: ✓

Township 5N Range 5E Section 30 1/4 NE 1/4 NE 1/4 NW

Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____

5. No Change - DESCRIPTION OF DIVERTING WORKS

Incomplete description, list below:

6. No Change - WATER USES

Different uses, (list uses found):

Use	<u>12/19/2001</u>	From	<u>4/1</u>	To	<u>10/31</u>	Amount	_____	CFS	_____	AFA
Use	_____	From	_____	To	_____	Amount	_____	CFS	_____	AFA
Use	_____	From	_____	To	_____	Amount	_____	CFS	_____	AFA

7. No Change - TOTAL VOLUME

Incomplete on claim, the total is, Amount _____ CFS _____ AFA

Changes found, the new total is, Amount _____ CFS _____ AFA

8. No Change - NON-IRRIGATION USES:

Changes Exam found:

Domestic # of homes: _____ Stock # _____ List types: _____

Additional comments: _____

9. No Change — PLACE OF USE: (If changed, list below.)

Use:	<u>12A</u>	Township	<u>5N</u>	Range	<u>5E</u>	Section	<u>19</u>	<u>1/4</u>	<u>1/4</u>
Use:	_____	Township	_____	Range	_____	Section	<u>30</u>	<u>1/4</u>	<u>1/4</u>
Use:	_____	Township	_____	Range	_____	Section	_____	<u>1/4</u>	<u>1/4</u>
Use:	_____	Township	_____	Range	_____	Section	_____	<u>1/4</u>	<u>1/4</u>

Remarks: (Comments pertinent to field examination) See additional attachment

When claimants' bought property, seller withheld $\frac{1}{2}$ of water rights.
Claimants indicated that they have since purchased the second $\frac{1}{2}$ of
the right. IDWR is currently reviewing the documents submitted
in support of the second purchase

SYSTEM DIAGRAM INCLUDED

(NA)

Shown on GIS Layout

CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: 11/14/2001

FIELD EXAMINER: MARIA MINICUCCI

Print Name

Maria Minicucci
Signature

DIVERSION
VOLUME

0.010 CFS

35

3

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OTA

22

very, in fact,

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1

"2"

1

1

1

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WW area. side of hill on

3

[illegible]
$$-a \parallel u_0$$

0-1-1-1-1

1057 (x) Naezi

157

A63-15692 B

ARIZONA

USGS QUAD XII

75N R5E S30

SCALE: 1:9,021



SRBA Claim Number A63-15692 (B) Date of Photos 11/14/2001
Photographer PPINICUCCI Legal Description T5N25E S19+30

① Point of Diversion

1 HP Pump

Water Ace

SN 694 1299

GE MOTOR

Model SKC39MN3529 BOX 1

Section 30

NEN

GPS Measurements

Location "15692"



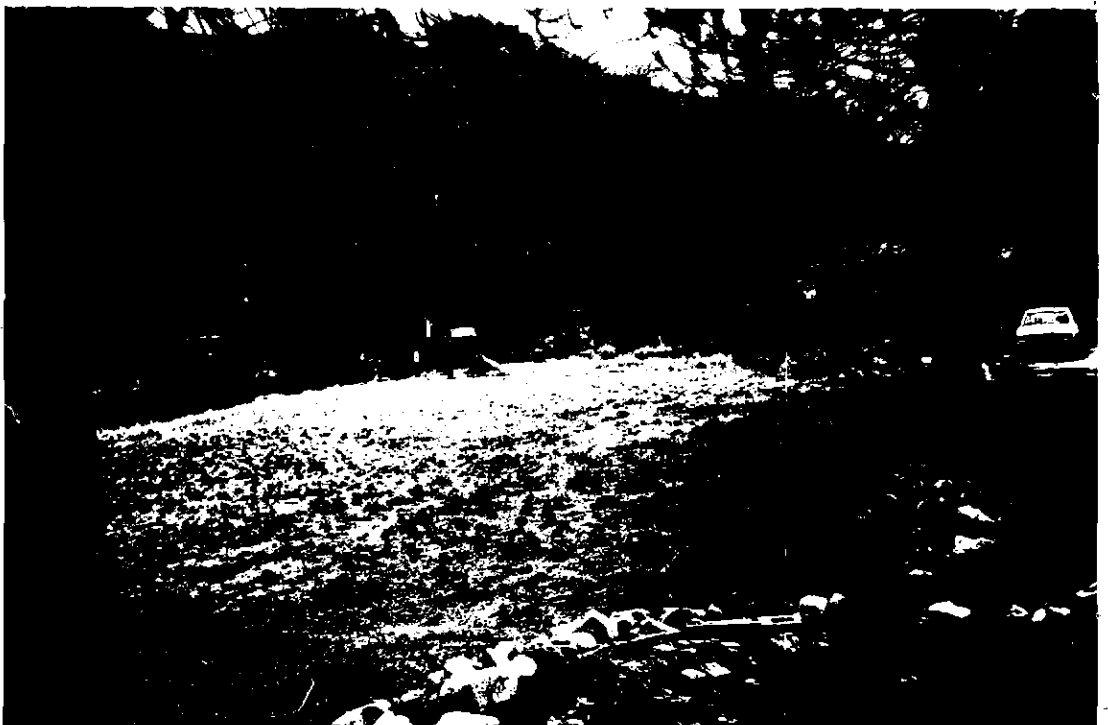
② Place of use

Area of lawn between
home and Road.

Photo taken from
east side of yard,
looking west

S 30 N N and

S 19 SE SW



SRBA Claim Number A63-15692 (B)

Date of Photos 11/14/2001

Photographer DD Wicucci

Legal Description T5N R5E S19 SE3W

- ③ Place of use
Elevated gardens
on east side of
house



- ④ Place of use
West and north
side of house.
Photo taken from
west side of house,
looking north.



CLAIMANT'S NAME: Stephanie ArthaudDATE: 10/26/2001EMPLOYEE: M MinicucciRE: Change of ownership

Bought entire property minus the barn. H. Dought withheld. Bought additional 12 acres with rest of water right

Joplin → Marcus (Barry) → Goldstein → Arthaud

"Water hiding area" from Biggs Creek. Lost used in 1960s? In fact when Arthaud moved in.

Joplin used it.

Field exam

Coordinate w/Mr. Arthaud 378 5694

Not Nov 1 or 2

Mrs. Arthaud

OK Oct 30 31 Afternoon

Mr. Arthaud

Will call back w/exam date/time

11/00 Mr. Arthaud 378-5694

left msg that Nov 2 pm would not work. - Pls call on Mon 29th. n n

11/06/2001: 392 4444

2:14 Busy 2:17 left msg: Field exam request

11/13/2001 392 4444 12:44 left msg. Field exam.

11/14/2001 392 4444 8:28 am left msg.

9:53

From IC L on Thorne Creek

4th left X culvert Place Creek Road

Right turn onto Place. Stay left c. Y. Dead ends @ house, 8 m from highway.

DAVID AND STEPHANIE ARTHAUD
16 PLACER CREEK ROAD
BOISE, IDAHO 83716
(208) 392-4444

RECEIVED
DEC 26 2001
WATER RESOURCES
WESTERN REGION

State of Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705-5082
(208) 334-2190 Phone
(208) 334-2348 Fax

Re: Snake River Basin Adjudication, Notice of Claim to a Water Right No. A63-15692A -
Evidence of Priority

Dear Ms. Minicucci:

Thank you for taking the time to come out to our property for the field exam. Enclosed please find the Change of Ownership form for the above noted Water Right, the Notice of a Claim form for the water usage from the storage pond from Briggs Creek, and two statements supporting these applications.

The first statement is from a Mr. & Mrs. Coker who currently live in Mobile, Alabama, their phone number is (251) 454-8972. We spoke with Mrs. Coker on 12/18/01. She stated the following: Lynn was born in 1942, while his father (Jim Coker) was serving in WWII. After his father returned from WWII, he and Lynn's mother built a cabin on what is now our property. Lynn said that he lived here with his parents who owned this property from 1940-1957. He stated that while they used lanterns for light in the early 40's, that by 1948, they * had electricity and were pumping water from Thorn Creek to irrigate the lands around the house site (about 2-3 acres of land.) They were watering grass, fruit trees, and gardens. This supports the priority date you currently have on file.

The other statement is from our neighbor, Renee Carpenter, who's family has owned property on Placer Creek Road for many years, since the late 1940's. She has been vital to us in identifying the previous owners of this property and even locating them on our behalf in order to fulfill the IDWR's requirements. She stated that during the 60's when the Biggers' (and then the Joplin's after them) owned this property. She saw the Bigger's use the water storage pond located in our backyard. This storage pond's source is the instream flow of Briggs Creek and was used to water the yard, in addition to the water pumped from Thorn Creek. She said that during a phone conversation with Mr. Lynn Coker in 11/01, Mr. Coker told her that his parents pumped water from Thorn Creek into storage tanks for fire protection and irrigation.


Renee Carpenter

12/23/01
Date

DAVID AND STEPHANIE ARTHAUD
16 PLACER CREEK ROAD
BOISE, IDAHO 83716
(208) 392-4444

RECEIVED
DEC 26 2001
WATER RESOURCES
WESTERN REGION

David L. Arthaud

David L. Arthaud

12/26/01

Date

Stephanie Arthaud

Stephanie Arthaud

12/26/01

Date

12/26/2001

12:30 pm

Mr. ARTHAUD VISITED Western region office.

He submitted a claim for a small storage pond

on an unnamed stream trib to Thornd Creek

Known locally as Brigg's Creek.

He also took a Change of Ownership form

in order to change claim no. A63-15692A

into their names. I explained that we

would renumber the claims to eliminate

the suffix and merge them into one

Recommendation under as 63-15692.

Mr. Arnaud also dropped submitted a

statement to support the priority dates

of both the A63-15692 and the newly-

submitted claim for a pond from Brigg's Creek.

TITINICCCCC



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

November 29, 2001

DIRK KEMPTHORNE

Governor

KARL J. DREHER

Director

David L. Arthaud
Stephanie Arthaud
16 Placer Creek Road
Boise ID 83716

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim to a Water Right No. **A63-15692A** ^B

Dear Mr. and Mrs. Arthaud,

This office is reviewing the above-referenced claim for recommendation to the court for decree. A report that summarizes the claim is enclosed with this letter.

The claim is based on "Beneficial Use" of water. Water rights of this type are established by the historical use of water for beneficial purpose. The priority date listed on the claim is the date that has been claimed as the first use of water at your property for the beneficial use listed in the claim.

The Department of Water Resources is required to gather evidence from claimants that supports the claimed priority date. If no evidence is submitted by **December 31, 2001**, your claim may not be recommended to the Court for decree. This could jeopardize your water use under this right.

Enclosed is a pamphlet entitled "**Evidence of Priority**" which describes why evidence supporting the priority date is necessary, and contains examples of the types of evidence that can be submitted to fulfill this requirement.

In addition, you indicated during the field exam on November 14, 2001, that you have purchased the other half of this water right from Betty and Steve Joplin. In order to update our records and accurately recommend the water right, please complete the enclosed Change of Ownership form, and return it to this office with the required documentation.

Please contact this office if you have any questions or concerns.

Sincerely,

Maria Minicucci
Sr. Water Agent



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

June 15, 1989
 [Steve or Betty Joplin]
 HC 33, Box 1574
 Boise, ID 83706
 []

Dear Claimant(s):

We have received your Notice(s) of Claim to a Water Right filed in the Snake River Basin Adjudication.

In the initial review of this claim(s) we found it necessary to complete some of the items on the claim form(s). A copy of your original claim(s) with these changes marked, along with the computer generated copy, and Receipt No. W2920 are enclosed. The following items have been added and/or changed on the claim(s) enclosed:

- ☒ Item #2 - Only a portion of your priority date was listed. This item requires a month, day and year. We have added in the required information based on the Department's rules for dates of priority.
- ☐ Item #4 - The point of diversion appears to be incorrectly described or not described at all. Based on other information provided which included your legal description, we have added in the quarter-quarter, section, township and range. If you had listed the Lot, Block and Subdivision name, enclosed is a copy of the subdivision map from which we computed the quarter-quarter legal description.
- ☐ Item #5 - No description of diverting works was listed. Because the source was described as a groundwater source, we have completed this item with well, pump and pipeline. If your groundwater source is not a well, please notify us.
- ☐ Item #6 - The period of use is not listed for the use(s) claimed. The Department has recommended periods of use for certain uses. The recommended period of use has been added to your claim.

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AUG 25 1992

- _____ Item #7 - The total quantity claimed was not completed. The use(s) claimed have been added together and this amount added to your claim.
- _____ Item #9 - The number of homes was not listed on your claim. It appears to be filed for one domestic home and this information has been added to your claim.
- _____ Item #10- The place of use appears to be incorrectly described, or not described at all. Based on other information submitted we have added in the quarter-quarter, section, township and range. If you had listed the Lot, Block and Subdivision name, we have enclosed a copy of the subdivision map from which we computed the quarter-quarter legal description. Or, if you have listed a quarter-quarter legal description under Item No. 4, we have listed this same quarter-quarter, section township and range on this item.
- _____ Item #12- The ownership of the place of use has not been marked. We have assumed you own the place of use and this information has been added to your claim.
- _____ Item #15- Basis of Claim was not completed. No previously recorded water rights were found, therefore, we have marked beneficial use of the water as the basis for filing this claim.

_____ Other _____

If you have any problems or questions concerning these additions and/or changes, please feel free to change the copy of your claim form(s) and return it to this office. The new changes can then be made and a computer generated copy showing these changes sent to you. If we do not hear from you, we will assume these changes meet with your approval and the claim(s) will remain as shown on the enclosed copies.

Sincerely,

Linda A. Warner
Sr. Water Resources Agent
Adjudication Section

MICROFILMED
AUG 25 1992

12/22/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME

Joplin Steve

CLAIM IDENT. NO.

63

DATE RECEIVED

5-19-89

CK #

3472

AMOUNT \$

52

1. Is the name and address complete with zip code?

YES

NO

Reg

2. Is a priority date entered?

Is the priority date acceptable in view of mandatory filing dates?

3. (a) Is a source entered?

(b) Is a tributary to entered? (if required)

N/A

4. Is the legal description of the p.d. sufficient?

5. Is there a description of the diverting works?

6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form.

Is the period of use included?

Is a quantity claimed for each use?

7. Is a total quantity claimed entered?

8. If required is a consumptive use entered?

N/A

Is the consumptive use correct?

N/A

9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4.

N/A

10. Is (are) the place(s) of use and purpose(s) indicated?

11. Is (are) the county(ies) entered?

12. Is the ownership of p.u. checked?

13. Are other water rights listed or "none" indicated?

14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.)

N/A

15. Is the basis of the claim indicated?

16. Has the claimant requested a monthly docket sheet? (If yes, describe payment status in "Comments" below.)

17. Is the claim signed by the claimant, and is the signature appropriate?

18. Has the claim been signed, sealed, and dated by a notary?

19. Was this claim filed on time, or was an extension granted?

20. Is the fee enclosed correct? Exempt

21. If this claim is based on an existing water right, has the identification number been entered?

N/A

22. Should this claim be receipted and data entered?

Claim checked by:

LW

Date:

6-6-89

Claim must be returned to claimant: (Yes) (No)

Claimant must be sent a copy of amended claim for approval: (Yes) (No)

Receipt Prepared by:

Claim data entered by:

Sent to claimant by:

Date:

Date:

Date:

Checked by:

Date:

Comments:

MICROFILMED

AUG 25 1992

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

RECEIVED**DEC 28 2001****WATER RESOURCES
WESTERN REGION**

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water	Split
<u> </u>	<u>A63-15692A</u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

1/30/2002

Change of ownership for
 Part A pending to
 Part B claimants

ArcView for irrigated
 acres + rec'd rate of
 diversion.

2. The following **REQUIRED** information must be submitted:

A. The appropriate **FILING FEE**. See instructions for

B. A copy of the most recent **DEED, TITLE POLICY** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
 PLAT OF PROPERTY or SURVEY MAP clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are 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(s) Berry or Steve Toplin

HC 33 Box 1574 Boise 83706

4. New Owner/Claimant(s)

David & Stephanie Arthaud

Name Connector (Check one): ☐ and, ☐ or, ☒ and/or

New Mailing Address

16 Placer Creek Road

City, State and ZIP Code

BOISE ID 83716

New Telephone Number

208-392-4444

5. Date you acquired the property

NOV., 1999

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

RECEIVED**DEC 28 2001****WATER RESOURCES
WESTERN REGION**

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	<u>A63-15692A</u>				

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are 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(s)

Berry or Steve ToplinHC 33 Box 1574 Boise 83706

4. New Owner/Claimant(s)

David & Stephanie ArthardName Connector (Check one): ☐ and, ☐ or, ☒ and/or

New Mailing Address

16 Placer Creek Road

City, State and ZIP Code

Boise, ID 83716

New Telephone Number

208-392-4444

5. Date you acquired the property

NOV., 1999

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

David J. Fournier

Stephane Attwood

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

For Office Use Only

Received by Jamie Fontaine

Date 12/28/01

Fee 0

Received by _____

Date _____

Receipt No. _____

Processed by _____ AJ

Date _____

WR _____

Date _____

**REAL ESTATE PURCHASE
AND SALE AGREEMENT**

RECITALS

A. The parties are C-M LLC, an Idaho limited liability company ("Seller") and David Arthaud and Stephanie Arthaud, husband and wife ("Buyers").

B. Buyers presently own property located near Thorn Creek, Boise County, Idaho, which property is more particularly described and depicted on the Record of Survey recorded in Boise County as Instrument No. 167517. This property is hereinafter referred to as "Arthaud Property".

C. Buyers are interested in acquiring a portion of Seller's property which adjoins the Arthaud Property, including a part of the property described and depicted on the Record of Survey recorded in Boise County as Instrument No. 150359. The property which Buyers desire to purchase is hereinafter referred to as the "Subject Property". The Subject Property is described and depicted on Exhibit A, attached hereto and by reference made a part hereof. Exhibit A is entitled "Record of Survey Boundary Line Adjustment", prepared by Glenn K. Bennett, professional land surveyor. Both the Arthaud Property and the Subject Property are depicted on Exhibit A as "Parcel 1".

TERMS

In consideration for the mutual terms and conditions contained herein, the parties agree as follows:

1. **Agreement:** Seller hereby agrees to sell and Buyers hereby agree to purchase the Subject Property pursuant to the following terms and conditions.

2. **Purchase Price and Payment:** The total purchase price is \$65,000.00, to be paid on or before May 15, 2001. Buyer shall execute and deliver, at Closing, their Promissory Note in the amount of the purchase price, which note shall be secured by a Deed of Trust on the Subject Property having first priority. The form of the Deed of Trust and Promissory Note shall be determined by Seller.

3. **Title of Seller:** Title shall be conveyed by Warranty Deed and is to be marketable and insurable except for rights reserved in federal patents, building or use restrictions, building and zoning regulations and ordinances of any governmental unit, easements established, recorded or apparent upon visual examination of the Subject Property. The Placer Creek Road shall be excepted from the Subject Property description. The centerline of the Placer Creek Road is the centerline of the existing roadway. The boundaries of the Placer Creek Road are parallel to and 30 feet on each side of the centerline. The Subject Property includes a chicken coop which may encroach on the Placer Creek Road. Buyers may maintain the chicken coop in its present location subject to Seller's right to relocate the chicken coop onto the Subject Property at Seller's expense in the event that Seller determines that the chicken coop interferes with the use or improvement of the Placer Creek Road.

4. **Title Insurance:** The Seller shall furnish to Buyers at closing a title insurance policy in the amount of the purchase price due showing Seller's title as provided in Paragraph 3 above. Seller shall furnish to Buyers a preliminary title report. Buyers shall have ten (10) days after receipt of the preliminary title report within which to object to title exceptions, other than the usual printed exceptions contained in title policies issued for property

14. Easements—Recordable Form: The easements provided in Paragraphs 9, 12 and 13 shall be in recordable form and delivered to Buyers at closing. Location of the easements is shown on Exhibit B, attached hereto and by reference made a part hereof.

15. Lot Line Adjustment: The parties shall cooperate in obtaining the required Boise County approval of the Arthaud Property lot line adjustment to include the Subject Property. The cost of obtaining such approval shall be paid by Buyers.

16. Appurtenant Rights: Seller's transfer of title to the Subject Property shall include all mineral rights, water rights and other rights that are appurtenant to the Subject Property. In addition, Seller shall convey to Buyers at Closing all of their right, title and interest in and to that certain water right for .01cfs which is appurtenant to the Subject Property. The source of said water right is Thorn Creek.

17. Development: It is understood that Seller intends to subdivide its property located on Thorn Creek ("The Development"). Seller's property is shown on Exhibit B, attached hereto. Buyers agree to support the Development and not to object to Seller's subdivision of its property, provided that the Development is consistent with the following parameters:

- (a) The area west of Briggs Creek will be a low density residential development.
- (b) The road providing access to the area west of Briggs Creek will cross Briggs Creek as close to the north boundary of Seller's property as is reasonably feasible.
- (c) If Seller drills a well in the Briggs Creek drainage it will not interfere with or injure Buyers' existing water rights and the parties agree to monitor both wells to insure that such injury or interference does not occur. If such interference does occur, usage from the well will be abated to the extent necessary to prevent the interference.
- (d) All septic tanks and drain fields will comply with all requirements of the Idaho Department of Health and Welfare.

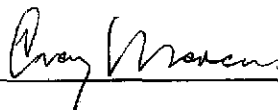
23. Miscellaneous: Unless otherwise provided herein, this Agreement shall bind and benefit the parties, their heirs, personal representatives, successors and assigns. Time is of the essence of this Agreement. The waiver of one default shall not constitute the waiver of any other default. All notices given pursuant to this Agreement shall be in writing and mailed to the party at the address shown for such party herein by U.S. certified or registered mail, return receipt requested. The provisions of this Agreement shall survive payment of purchase price and delivery of Seller's deed. Idaho law shall govern the interpretation and legal effect of the provisions of this Agreement. No modification or amendment of this Agreement shall be effective unless in writing and signed by all parties.

24. Default: In the event of default the defaulting party shall have 60 days after mailing of written notice describing the default, within which to remedy the default. If the default is not corrected within said 60 days the non-defaulting party may elect to pursue any remedy provided by law.

SELLER:

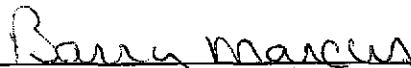
C-M LLC

By



Managing Member

By:



Managing Member

Address: 737 N. 7th St.
Boise, Idaho 83702

BUYERS:

David Arthaud

David Arthaud

Stephanie Arthaud

Stephanie Arthaud

Address: 16 Placer Creek Road
Boise, Idaho 83716

STATE OF IDAHO)
 : ss.
County of Ada)

On this 9th day of May, 2001, before me, the undersigned, a Notary Public in and for said state, personally appeared Craig Marcus and Barry Marcus, known or identified to me to be Managing Members of C-M LLC, the persons who executed the foregoing instrument on behalf of said limited liability company, and acknowledged to me that C-M LLC executed the same.

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

Diane L. Deschbacher

Notary Public for Idaho

Residing at Mendota, Idaho

My Commission Expires: 5/7/03

(SEAL)

Instrument # 181066

IDAHO CITY, BOISE COUNTY, IDAHO

2001-05-09

03:02:51 No. of Pages: 4

Recorded for : STEPHANIE ARTHAUD

RORA A. CANODY

Fee: 12.00

Ex-Officio Recorder Deputy

Index to: DEEDS

[Signature]

WARRANTY DEED

For Value Received, C-M LLC, GRANTOR, does hereby grant, bargain, sell and convey unto David Arthaud and Stephanie Arthaud, husband and wife, whose present address is 16 Placer Creek Road, Boise, Idaho 83716, the GRANTEE, the following described premises in Boise County, Idaho, to- wit:

Parcel 1 as described on Exhibit A, attached hereto and by reference made a part hereof; EXCEPTING that parcel of property described in Record of Survey recorded in Boise County as Instrument No. 167517 and reserving unto Grantor an easement for construction, maintenance, repair and improvement of a roadway and utility lines, which easement is described on Exhibit B, attached hereto and by reference made a part hereof.

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the Grantee, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee that it is the owner in fee simple of said premises; that said premises are free from all encumbrances except for rights reserved in federal patents, building or use restrictions, building and zoning regulations and ordinances of any governmental unit, easements established, recorded or apparent upon visual examination of the said premises and that it will warrant and defend the same from all lawful claims whatsoever.

Dated this 7th day of May, 2001.

C-M LLC

By Craig Walters
Managing Member

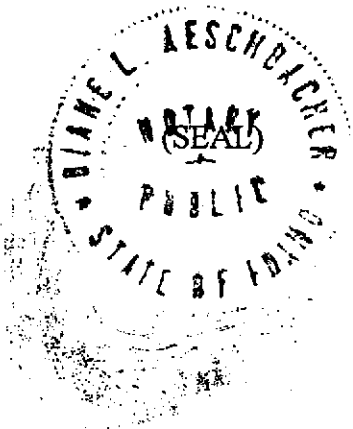
By Barry Marcus
Managing Member

STATE OF IDAHO)
 : ss.
County of Ada)

On this 7th day of May, 2001, before me, the undersigned, a Notary Public in and for said state, personally appeared Craig Walters and Barry Marcus known or identified to me to be Managing Members of C-M LLC, the persons who executed the foregoing instrument on behalf of said limited liability company, and acknowledged to me that C-M LLC executed the same.

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

Diane L. Aeschbacher
Notary Public for Idaho
Residing at Meridian, Idaho
My Commission Expires: 5/7/03



**BOUNDARY DESCRIPTION
FOR
~~CHAPMAN RANCH~~
C-M LLC
PARCEL 1**

A parcel located in Sections 19 and 30, Township 5 North, Range 5 East, Boise Meridian, Boise County, Idaho, more particularly described as follows:

Commencing at a brass cap monument marking the southwesterly corner of said Section 19 from which an aluminum cap monument marking the southeasterly corner of the SW ¼ of said Section 19 (one-quarter corner) bears N 89°47'42" E a distance of 2022.48 feet;

Thence N 89°47'42" E along the southerly boundary of said SW ¼ a distance of 1568.61 feet to a 5/8 inch diameter iron pin and the POINT OF BEGINNING;

Thence leaving said southerly boundary S 69°30'35" E a distance of 325.98 feet to a 5/8 inch diameter iron pin;

Thence N 83°46'39" E a distance of 216.47 feet to a 5/8 inch diameter iron pin;

Thence N 18°37'53" E a distance of 410.67 feet to a ½ inch diameter iron pin;

Thence N 0°07'41" W a distance of 536.32 feet to a 5/8 inch diameter iron pin;

Thence S 89°52'19" W a distance of 450.19 feet to a 5/8 inch diameter iron pin;

Thence S 24°28'18" W a distance of 589.62 feet to a 5/8 inch diameter iron pin;

Thence S 89°53'24" W a distance of 216.07 feet to a ½ inch diameter iron pin;

Thence S 0°05'54" E a distance of 247.20 feet to a 5/8 inch diameter iron pin;

Thence S 86°34'59" E a distance of 55.36 feet to a 5/8 inch diameter iron pin;

Thence S 79°36'46" E a distance of 160.66 feet to a 5/8 inch diameter iron pin;

Thence S 69°30'35" E a distance of 49.38 feet to the POINT OF BEGINNING.

This parcel contains 13.69 acres and is subject to any easements existing or in use.

Prepared by: Glenn K. Bennett, PLS
Civil Survey Consultants, Incorporated
May 7, 2001

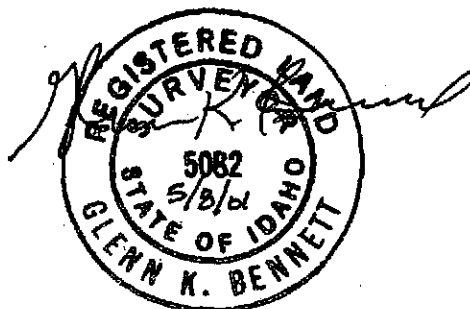


EXHIBIT A

**EASEMENT DESCRIPTION
FOR
~~CHAPMAN RANCH~~
C-M LLC
INGRESS-EGRESS AND UTILITY EASEMENT**

An easement for ingress-egress and utility purposes located in Section 19, Township 5 North, Range 5 East, Boise Meridian, Boise County, Idaho, more particularly described as follows:

Commencing at a brass cap monument marking the southwesterly corner of said Section 19 from which an aluminum cap monument marking the southeasterly corner of the SW ¼ of said Section 19 (one-quarter corner) bears S 89°47'42" E a distance of 2022.48 feet;

Thence N 89°47'42" E along the southerly boundary of said SW ¼ a distance of 1309.15 feet to a 5/8 inch diameter iron pin;

Thence leaving said southerly boundary N 0°05'54" W a distance of 297.68 feet to a ½ inch diameter iron pin;

Thence N 89°53'24" E a distance of 216.07 feet to a 5/8 inch diameter iron pin;

Thence N 24°28'18" E a distance of 294.81 feet to the POINT OF BEGINNING;

Thence continuing N 24°28'18" E a distance of 294.81 feet to a 5/8 inch diameter iron pin;

Thence N 89°52'19" E a distance of 54.99 feet to a point;

Thence S 24°28'18" W a distance of 317.70 feet to a point;

Thence N 65°31'42" W a distance of 50.00 feet the POINT OF BEGINNING.

This parcel contains 0.35 acres and is subject to any easements existing or in use.

Prepared by: Glenn K. Bennett, PLS
Civil Survey Consultants, Incorporated
May 7, 2001

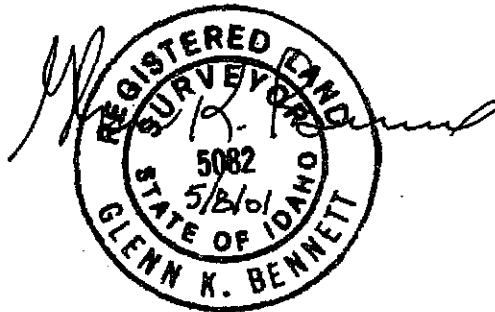
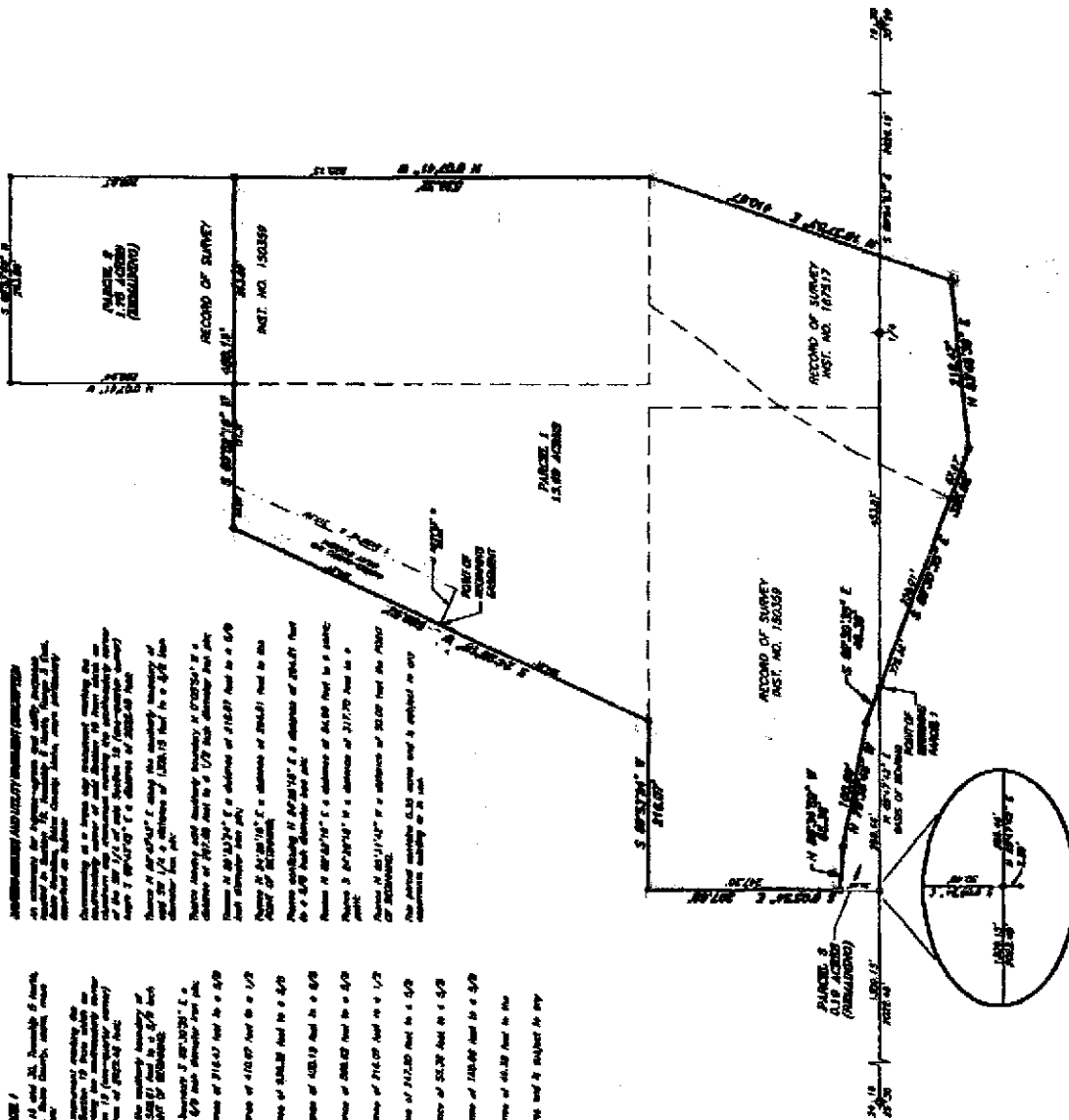


EXHIBIT B

REPORT OF THE

[illegible][illegible]

THE NEW YORK PUBLIC LIBRARY
ASTOR LENOX TILDEN FOUNDATION
100 N. 5TH ST. NEW YORK 17, N.Y.

RECORD

- FOUND 5/4" HIGH PIN
- HIT 5.0" FROM PIN WITH PLS SHOT PLASTIC CAP
- FOUND 1/2" HIGH PIN

(100.0%) RECORD BATH

- ✦ FOUND BRASS CAP ASSEMBLY
- ✦ FOUND ALUMINUM CAP ASSEMBLY
- CALCULATED POINT - NOTHING SET

SECURITY CERTIFICATE

STATE OF OHIO } ss
COUNTY OF COSE

BEFORE ME, the undersigned authority, on this _____ day of _____, 2001, personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this _____ day of _____, 2001.

Notary Public in and for the State of Ohio

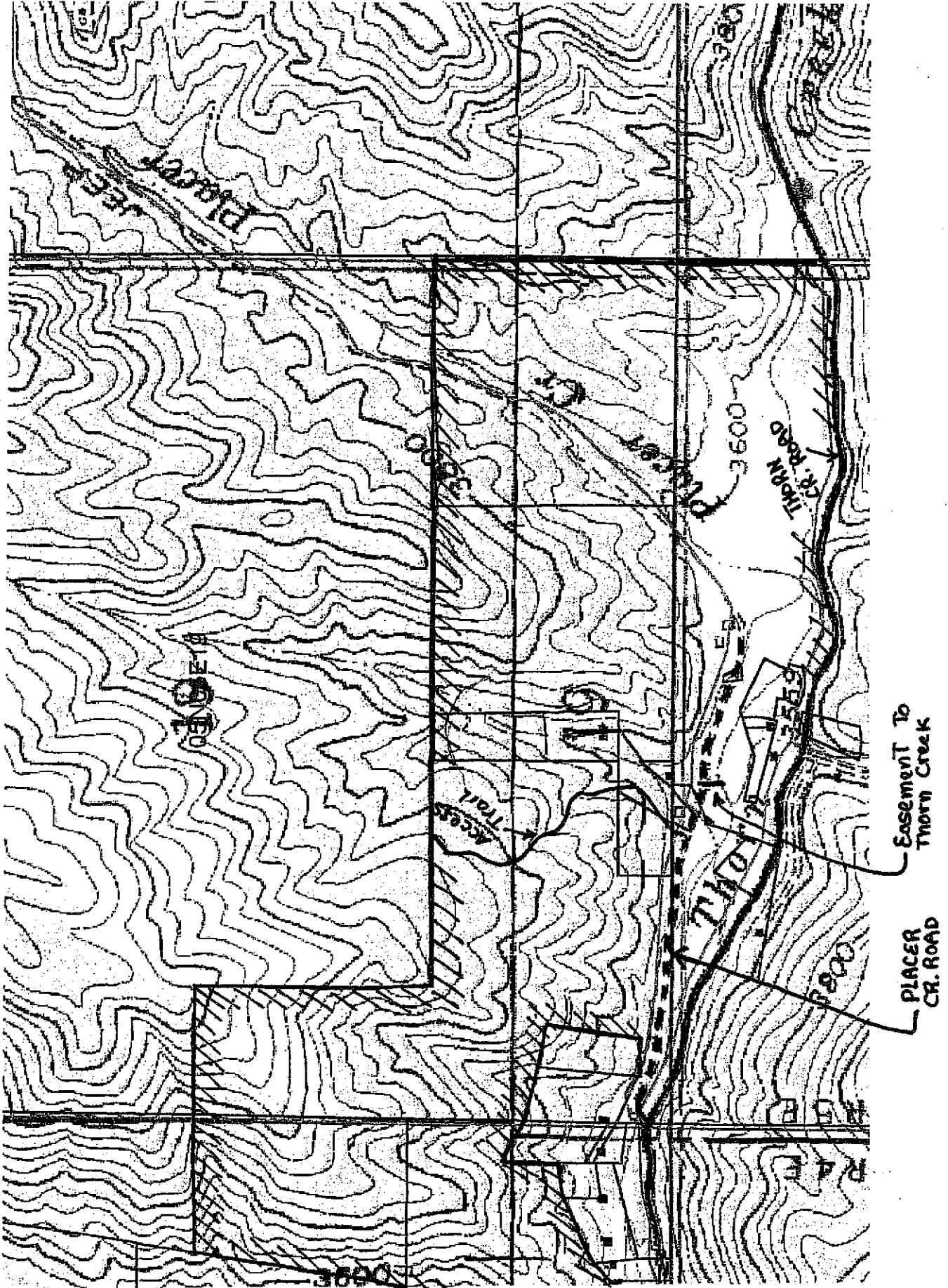
CERTIFICATE OF SURVEYOR

GLENN K. ROBERTS OF HERBERT COUNTY, N.M., IS A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF NEW MEXICO. THIS SKETCH WAS PREPARED FROM AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY DIRECT SUPERVISION AND IS AN ACCURATE REPRESENTATION OF SAID SURVEY. I FURTHER CERTIFY THAT I AM COMPLIED WITH TITLE 58, CHAPTER 16, COUNTY CODE.

847-6867002
STATE CHIEF INVESTIGATOR
401 ALPHE
4100 SOUTH WINDY BOY

40' contour

Sellers
Property
Boundary



5N 5E
Parcel 1
on deed

19

2

SWSE

SESE



NENW

NWNE

NENE

30

2

19

5N 5E
Easement
on deed

SESW

SWSE

SESE

NWNE

NENE

30

10

5N 5E

Ensement
on deed

SESW

SWSE

SESE

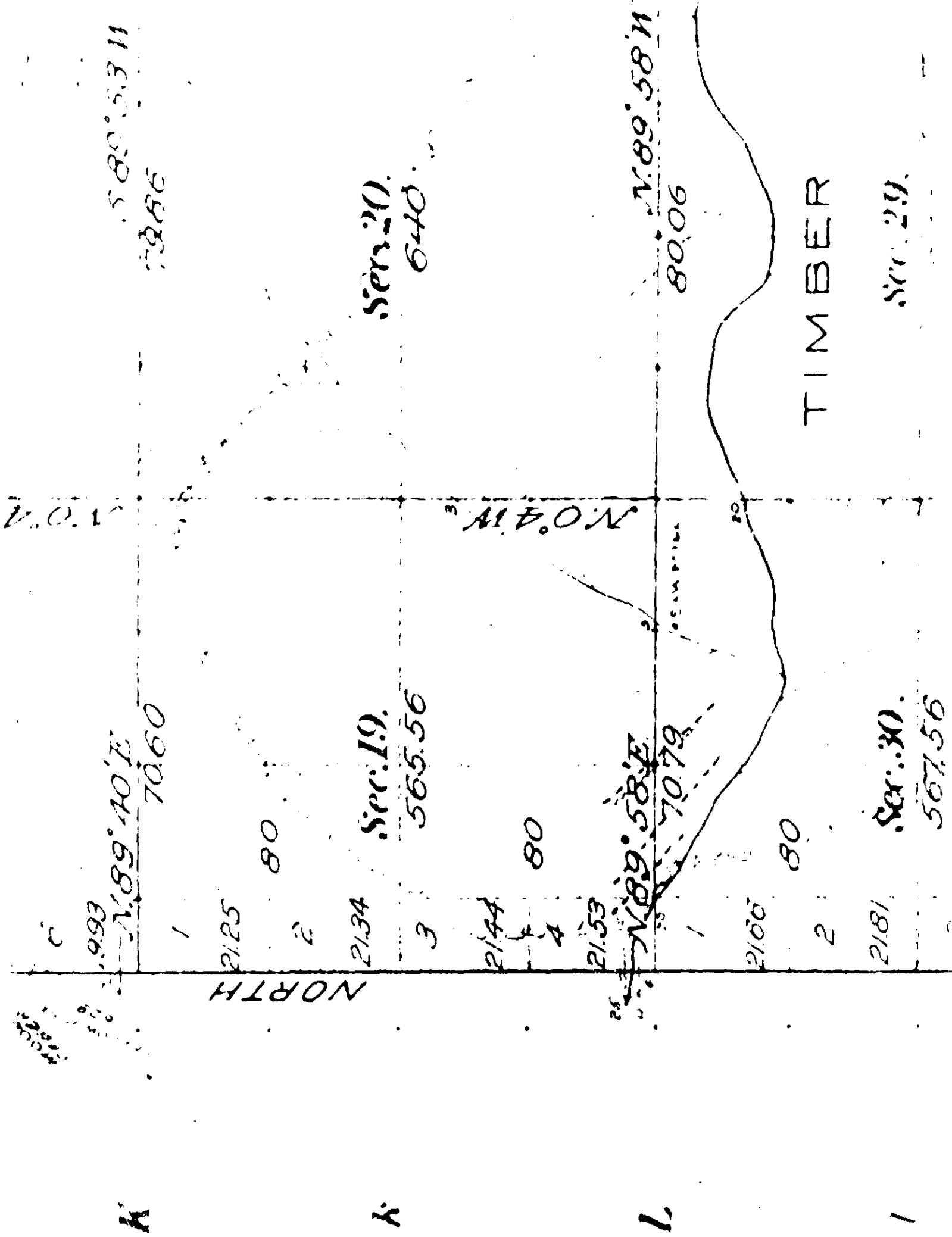
NWNE

NENE

SESE



**13.64 acres
(approx.)**



RECEIVED ✓

FEB 22 2000

Department of Water Resources

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 5309NP~~ 63-05312
 Adjudication Claim No(s): A63-05312 / A63-15692*B
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 Steve & Betty Toplin
16 Placer Creek Road (HC 42 Box 1574)
4. New Owner/Claimant(s) David L. & Stephanie Arthaud
 New Mailing Address 16 Placer Creek Road
Name Connector (Check one): ☒ and/or
 City, State and ZIP Code Boise, ID 83716
 New Telephone Number 208 392-4444
- ✓ 5. Date you acquired the property NOV. 15, 1999
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 <u>0</u>	Number and type of stock <u>1</u>
Diversion rate in CFS <u>0.01</u>	Number of homes you acquired <u>1</u> Other uses <u>see exhibit A - Legal Desc.</u>

7. Signature of New Owner(s) David L. Arthaud
 or Claimant(s) Stephanie Arthaud
 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.

*modified 63-05312; RB modified 63-15692 B, corrected
 June 5-1700, no name connector & and/or.*

✓ RB 3/27/00 NCAP A63-05312

Title File No.: 99-11-4202

WARRANTY DEED

FOR VALUE RECEIVED

DARRIN J. GOLDSTEIN and HEATHER M. GOLDSTEIN, husband and wife

GRANTOR(s), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto: DAVID L. ARTHAUD and STEPHANIE ARTHAUD, husband and wife

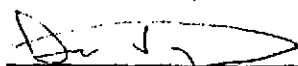
GRANTEES(s), whose current address is: 16 Placer Creek, Idaho City, Idaho 83631
the following described real property in Boise County, State of Idaho,
more particularly described as follows, to wit:

A portion of the South 1/2 of Section 19, and North 1/2 of Section 30,
Township 5 North, Range 5 East, Boise Meridian, Boise County, Idaho and more
particularly described on the attached Exhibit "A", which by this reference
becomes a part thereof, and which is comprised of 1 page.

63-05312
63-15692B

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantee(s) heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said Grantee(s), that Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: November 15, 1999

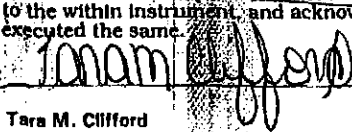

Darrin J. Goldstein


Heather M. Goldstein

STATE OF Idaho, County of Ada, ss.

On this 15th day of November in the year of
1999, before me, the undersigned, a Notary Public in and
for said State, personally appeared
Darrin J. Goldstein and Heather M.
Goldstein

known or identified to me to be the persons whose names
are subscribed to the within instrument, and acknowledged
to me that they executed the same.

Signature: 

Name: Tara M. Clifford

Residing at: Meridian, Idaho

My commission expires: 06/18/04

Transnation Title & Escrow, Inc.

this escrow.

4. Unless specifically provided elsewhere in these instructions, the cancellation, transfer or purchase of fire or other casualty insurance shall be handled by the parties outside of this escrow.
5. You are authorized to deduct from seller's proceeds any additional interest due on loan payoffs to lender after closing if a loan payoff is being made as a part of the transaction. The parties understand that there may be adjustments on unusual recording fees after the signing of these instructions. You are further authorized to deduct same from seller's proceeds and/or deduct from buyer's funds any payments made by you for said recording fees.
6. All money received by you in this escrow is to be deposited in your trust account pending closing. Seller and/or Buyer hereby acknowledge and consent to the deposit of the escrow money in financial institutions with which Transnation has or may have other banking relationships and further consent to the retention by Transnation and/or its affiliates of any and all benefits Transnation Title and/or its affiliates may receive from such financial institutions by reason of their maintenance of said trust accounts.
7. These instructions are effective for 10 days from date hereof; and, thereafter, without written instructions to continue, you are authorized and instructed to cancel this escrow. I/We, jointly and severally, agree to pay your cancellation fee and all charges in connection therewith. In the event of cancellation of this escrow, all funds, except loan funds, shall be held subject to written cancellation instructions executed by all principals involved.
8. These escrow closing instructions may be executed in counterparts with like effect as if all signatures appeared on a single copy.
9. You are bound solely by the provisions set forth in these escrow instructions and the parties hereto understand that you are not a party to Earnest Money Receipt and Agreement dated October 30, 1999 (and Amendments thereto, if any) previously executed by the parties herein, and that said Earnest Money Receipt and Agreement (and Amendments thereto, if any) is (are) not a part of these escrow closing instructions. You are to be concerned only in the performance of your duties in compliance with these escrow closing instructions.
10. You are instructed to furnish to any broker or lender identified with this transaction or anyone acting on behalf of such lender, any information concerning this escrow upon request of said broker or lender.
11. Should any disputes arise between parties interested in property or funds covered by these instructions, you shall have the option to hold all matters pending in their then existing status or to join in or commence a court action, or to bring an action in interpleader, at your option. Upon your determination to hold this escrow open for determination of the rights of the parties, you will be relieved of all responsibility to proceed until the rights of the parties are settled in your satisfaction. Further, you as escrow holder, shall be entitled to continue to so refrain to act until (a) the parties hereto have reached an agreement in their differences and shall have notified the escrow holder in writing of such agreement or (b) the rights of the parties have been duly adjudicated by a Court of competent jurisdiction. It is further agreed that in the event of any suit or claim made against you by either or both parties to this escrow or in the event any suit is instituted by you to resolve your responsibility regarding conflicting claims of both parties to this escrow, that said parties, jointly and severally, shall be required to pay you all expenses, costs and reasonable attorney's fees incurred by you in connection therewith, whether suit is instituted by you or any of the parties hereto, or not.
12. In the event of any disagreement between the parties hereto, or demands of claims made upon you by the parties hereto or interested herein or by any other party you, as escrow holder, shall have the right to employ legal counsel to advise you and/or represent you in any suit or action brought affecting this escrow or the papers held in connection herewith or to bring an action in interpleader, at your option. The parties hereto shall be jointly and severally liable to you for any and all attorney's fees, costs, and disbursements incurred by you in connection with the employment of counsel in such conflict and, upon demand, the parties shall forthwith pay the same to you, as escrow holder. If you are required to institute suit to collect such sums as are owed to you pursuant to this or any other provision of this instruction, you shall further be entitled to payment by the parties found liable for such unpaid charges of any costs and attorney's fees incurred in the prosecution of such action.

DECLARATION OF ESCROW SERVICES:

Both Buyer and Seller acknowledge the following by their signatures below:

We have been specifically informed that Transnation Title, (hereinafter referred to as TRANS) is not licensed to practice law and no legal advice has been offered by TRANS or any of its employees. We have been further informed that TRANS is acting only as escrow holder and that it is forbidden by law from offering any advice to any party respecting the merits of this escrow transaction or the nature content of the documents executed herein, and that it has not done so.

We have been requested by escrow holder to seek legal counsel of our own choosing at our own expense, if we have any doubt concerning any aspect of this transaction.

We further declare all instruments to which we are a party, if prepared by TRANS have been prepared under the direction of our attorneys or ourselves and particularly that copying legal descriptions from title reports into forms of deeds, etc., or reforming of legal descriptions or agreements is, or will be, solely at our direction or request.

We have been afforded adequate time and opportunity to read and understand these escrow instructions and all other documents referred to therein.

These escrow closing instructions constitute the entire agreement between the escrow holder and the undersigned parties. Any amendment and/or supplement to these instructions must be in writing.

We further understand that TRANS assumes no liability as to law, ordinance or governmental regulations including, but not limited to, building, zoning and division of land ordinances and assumes no responsibility for determining that the parties to the escrow have complied with the requirements of the Truth in Lending, Consumer Protection Act (Public Law 90-321), or similar laws.

THE UNDERSIGNED HAVE READ AND FULLY UNDERSTAND THE FOREGOING ESCROW CLOSING INSTRUCTIONS AND ALSO THE DECLARATION SET FORTH ABOVE AND AGREE TO THE SAME.

Seller

Darrin J. Goldstein

Darrin J. Goldstein

Heather M. Goldstein

Heather M. Goldstein

Buyer

David L. Arthaud

David L. Arthaud

Stephanie Arthaud

Stephanie Arthaud

63-05312

63-156928

The foregoing instructions have been acknowledged and received by TRANSNATION TITLE & ESCROW, INC.

By:

Tara M. Clifford
Tara M. Clifford

Dated:

11/15/99

EXHIBIT A

Being a portion of the South $\frac{1}{4}$ of Section 19, and North $\frac{1}{4}$ of Section 30, Township 5 North, Range 5 East, Boise Meridian, Boise County, Idaho described as follows:

Commencing at the $\frac{1}{4}$ corner common to Sections 19 and 30, Township 5 North, Range 5 East, Boise Meridian, marked by a set aluminum cap monument stamped "PLS 6373 2-K, $\frac{1}{4}$ 19/30, 1997";
Thence South $89^{\circ}47'44''$ West, 168.53 feet, along the South line of the Southwest $\frac{1}{4}$ of said Section 19, to the POINT OF BEGINNING;
Thence North $25^{\circ}44'08''$ East, 37.64 feet;
Thence North $30^{\circ}53'59''$ East, 109.45 feet, to the East line of a 4.25 acre tract of land identified by Record of Survey Instrument No. 150359;
Thence continuing North $30^{\circ}53'59''$ East, 6.27 feet, to a point on the centerline of the small spring branch;
Thence along said centerline, North $40^{\circ}18'08''$ East, 115.41 feet;
Thence North $35^{\circ}00'05''$ East, 92.70 feet, to a point on the South line of a 5.00 acre tract of land per Record of Survey Instrument No. 150359, records of Boise County, Idaho;
Thence leaving the centerline of said branch and along the South line of said 5.00 acre tract, North $89^{\circ}53'24''$ East, 162.75 feet, to a found $\frac{1}{4}$ " iron pin, at the Southwest corner of aforesaid 5.00 acre tract;
Thence South $18^{\circ}37'38''$ West, 410.78 feet;
Thence South $83^{\circ}48'12''$ West, 216.61 feet;
Thence North $69^{\circ}27'03''$ West, 68.11 feet;
Thence North $25^{\circ}44'08''$ East, 97.64 feet, to the South line of aforementioned 4.25 acre tract,
Thence continuing North $25^{\circ}44'08''$ East, 3.68 feet, to the POINT OF BEGINNING. Said property is designated as Parcel 1 on the Record of Survey which is recorded in Boise County, Idaho as Instrument No. 167 517.
Corners of said tract of land are marked as shown on said Record of Survey.

This conveyance includes the following water rights:

- (a) Idaho Department of Water Resources claim No. A63-05312 for .04 CFS diverted from a spring located on said tract; and
 - (b) Idaho Department of Water Resources claim No. A63-15692 but only to the extent of $\frac{1}{2}$ of said claim or .01 CFS diverted from Thorn Creek.
- But only to the extent that such water right claims are decreed in the pending Snake River Water Adjudication.

DJZ
KMG

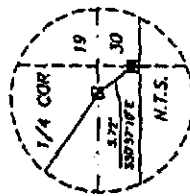
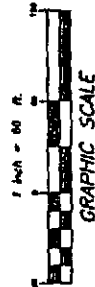
63-05312
63-15692B

RECORD OF SURVEY/LOT LINE ADJUSTMENT

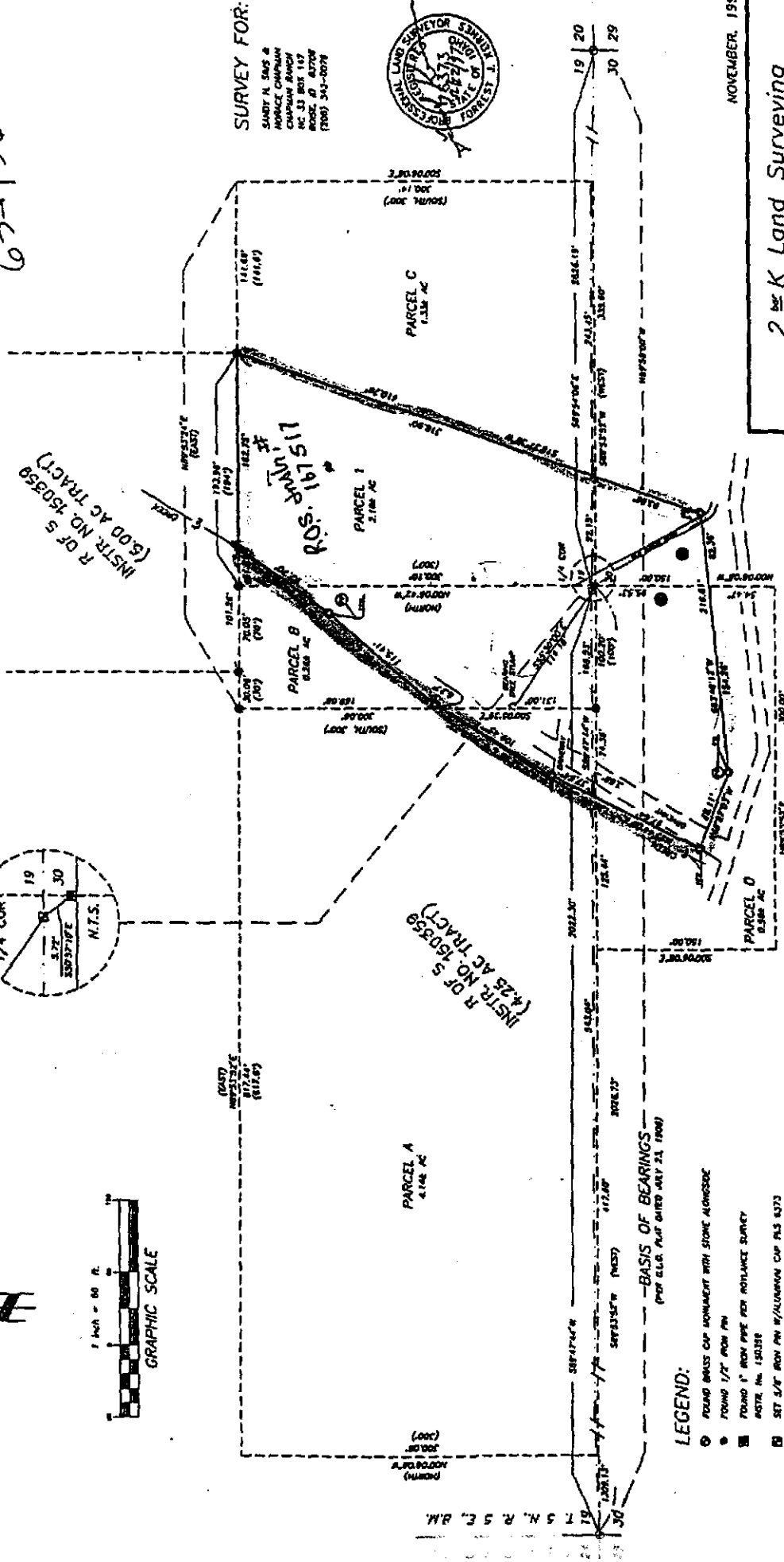
A TRACT OF LAND SITUATED IN THE SOUTH 1/2 OF SECTION 19, AND THE NORTH 1/2 OF SECTION 30, TOWNSHIP 5 NORTH, RANGE 5 EAST, BOISE MERIDIAN, BOISE COUNTY, IDAHO.

Inst. # 167517

63-05312
63-15692B



SURVEY FOR:
SANDY H. SAGS &
DANIEL L. SAGS
C/O SAGS & SAGS
PO BOX 117
BOISE, ID 83708
(208) 343-2078



LEGEND:

- FOUND BRASS CAP MONUMENT WITH STONE ALONGSIDE
- FOUND 1/2" IRON PIN
- FOUND 1" IRON PIPE FOR ROTULANCE SURVEY
- FOUND 1" IRON PIPE FOR ROTULANCE SURVEY
- SET 5/8" IRON PIN W/ALUMINUM CAP PLS 8373
- SET 5/8" IRON PIN W/PLASTIC CAP PLS 8375
- POWER POLE
- () RECORD DISTANCE
- TREE STUMP
- TREE

NOTE:

2 W/ K LAND SURVEYING ASSUMES NO LIABILITY FOR PRESENT OR FUTURE COMPLIANCE OR NON-COMPLIANCE WITH COUNTY PLANNING AND ZONING ORDINANCE RESTRICTIONS AS THEY PERTAIN TO BUILDING PERMITS AND THE ASSURANCE PROVIDED.

NOVEMBER, 1997

2 W/ K Land Surveying

404 So. Washington Ave.
Emmett, Idaho 83617
(208) 365-4146
Fax: 365-4183



INDEX NO. 551-19-0-0-00-00

JOB NO. 117-07

EXHIBIT B

The Grantees herein have read and approved the following: 24 599

C4

Title File No.: 99-11-4202

WARRANTY DEED

FOR VALUE RECEIVED

DARRIN J. GOLDSTEIN and HEATHER M. GOLDSTEIN, husband and wife

GRANTOR(s), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto: DAVID L. ARTHAUD and STEPHANIE ARTHAUD, husband and wife

GRANTEES(s), whose current address is: 16 Placer Creek, Idaho City, Idaho 83631
the following described real property in Boise County, State of Idaho,
more particularly described as follows, to wit:

A portion of the South 1/2 of Section 19, and North 1/2 of Section 30,
Township 5 North, Range 5 East, Boise Meridian, Boise County, Idaho and more
particularly described on the attached Exhibit "A", which by this reference
becomes a part thereof, and which is comprised of 1 page.

175297

INST# 175297
REQUEST Return View

99 NOV 16 PM 4: 12

BOISE COUNTY RECORDER

BY R. L. Lapan

TYPE 31 FEE 6.00 Chg

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantee(s) heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said Grantee(s), that Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: November 15, 1999

[Signature]
Darrin J. Goldstein

[Signature]
Heather M. Goldstein

[Signature]

STATE OF Idaho, County of Ada, ss.

On this 15th day of November in the year of 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared Darrin J. Goldstein and Heather M. Goldstein

known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Signature: [Signature]

Name: Tara M. Clifford

Residing at: Meridian, Idaho

My commission expires: 06/18/04

Transnation Title & Escrow, Inc.

EXHIBIT A

Being a portion of the South $\frac{1}{4}$ of Section 19, and North $\frac{1}{4}$ of Section 30, Township 5 North, Range 5 East, Boise Meridian, Boise County, Idaho described as follows:

Commencing at the $\frac{1}{4}$ corner common to Sections 19 and 30, Township 5 North, Range 5 East, Boise Meridian, marked by a set aluminum cap monument stamped "PLS 6373 2-K, $\frac{1}{4}$ 19/30, 1997";

Thence South $89^{\circ}47'44''$ West, 168.53 feet, along the South line of the Southwest $\frac{1}{4}$ of said Section 19, to the POINT OF BEGINNING;

Thence North $25^{\circ}44'08''$ East, 37.64 feet;

Thence North $30^{\circ}53'59''$ East, 109.45 feet, to the East line of a 4.25 acre tract of land identified by Record of Survey Instrument No. 150359;

Thence continuing North $30^{\circ}53'59''$ East, 6.27 feet, to a point on the centerline of the small spring branch;

Thence along said centerline, North $40^{\circ}18'08''$ East, 115.41 feet;

Thence North $35^{\circ}00'05''$ East, 92.70 feet, to a point on the South line of a 5.00 acre tract of land per Record of Survey Instrument No. 150359, records of Boise County, Idaho;

Thence leaving the centerline of said branch and along the South line of said 5.00 acre tract, North $89^{\circ}53'24''$ East, 162.75 feet, to a found $\frac{1}{4}$ " iron pin, at the Southwest corner of aforesaid 5.00 acre tract;

Thence South $18^{\circ}37'38''$ West, 410.78 feet;

Thence South $83^{\circ}48'12''$ West, 216.61 feet;

Thence North $69^{\circ}27'03''$ West, 68.11 feet;

Thence North $25^{\circ}44'08''$ East, 97.64 feet, to the South line of aforementioned 4.25 acre tract,

Thence continuing North $25^{\circ}44'08''$ East, 3.68 feet, to the POINT OF BEGINNING. Said property is designated as Parcel 1 on the Record of Survey which is recorded in Boise County, Idaho as Instrument No. 167 517.

Corners of said tract of land are marked as shown on said Record of Survey.

This conveyance includes the following water rights:

(a) Idaho Department of Water Resources claim No. A63-05312 for .04 CFS diverted from a spring located on said tract; and

(b) Idaho Department of Water Resources claim No. A63-15692 but only to the extent of $\frac{1}{2}$ of said claim or .01 CFS diverted from Thorn Creek.

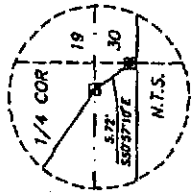
But only to the extent that such water right claims are decreed in the pending Snake River Water Adjudication.

JTJ OK
HMG BLA

RECORD OF SURVEY/LOT LINE ADJUSTMENT

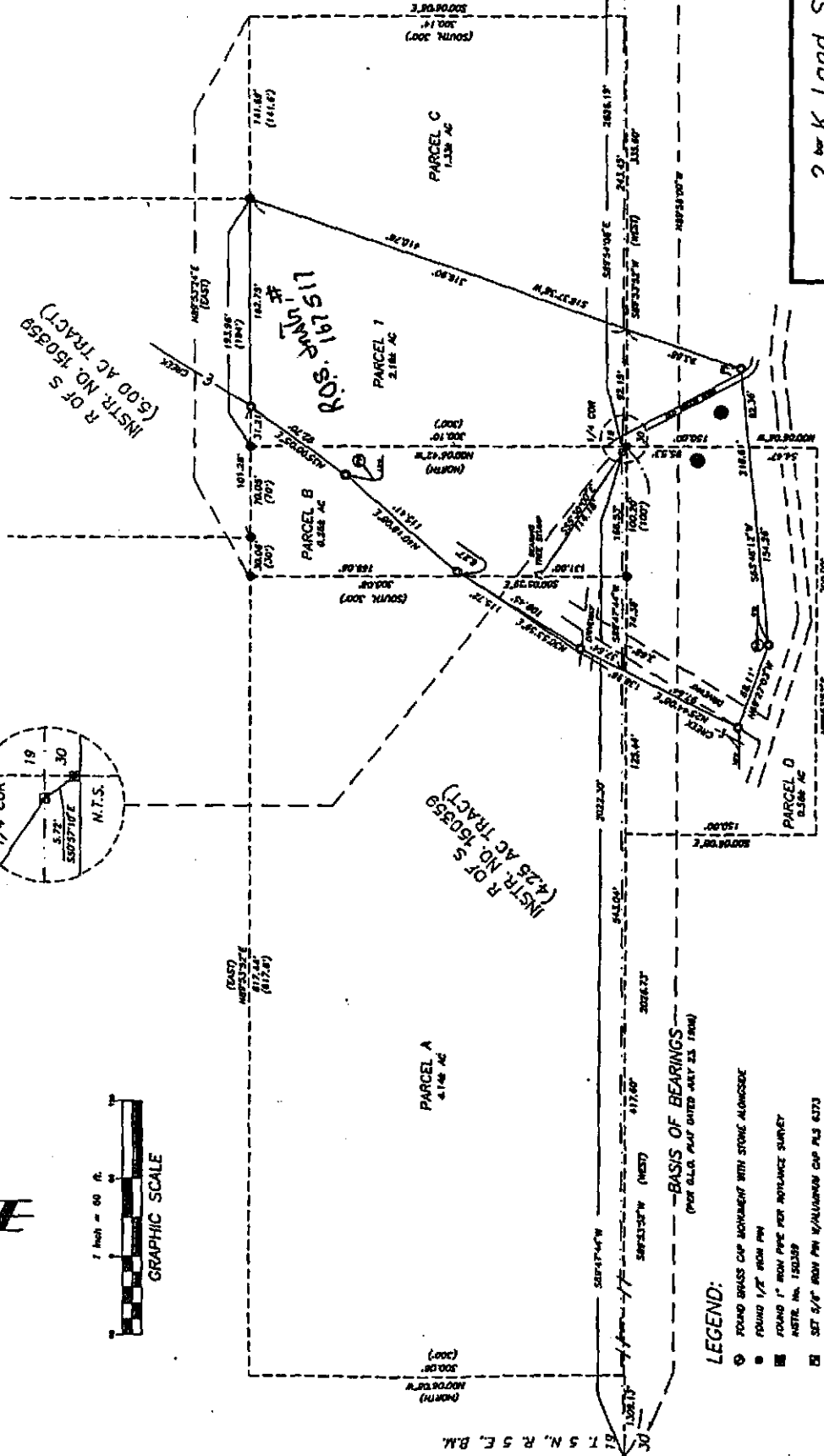
Inst. # 167517

A TRACT OF LAND SITUATED IN THE SOUTH 1/2 OF SECTION 19, AND THE NORTH 1/2 OF SECTION 30, TOWNSHIP 5 NORTH, RANGE 5 EAST, BOISE MERIDIAN, BOISE COUNTY, IDAHO.



GRAPHIC SCALE

SURVEY FOR:
SANDY A. SING &
RONCE CHAPMAN
CHAPMAN RANCH
AC 33 BOX 117
RANGE 5, TOWNSHIP 5
(RNG) 54-0076



NOVEMBER, 1997

2 K Land Surveying

404 So. Washington Ave.
Emmett, Idaho 83617
(208) 365-4146
Fax: 365-4183



INDEX No. 551-19-0-0-0-00-00
INDEX No. 551-30-0-0-0-00-00

JOB No. 112-97

NOTE:
2 DAY LAND SURVEYING ASSURES NO LIABILITY FOR PRESENT OR FUTURE COMPLIANCE OR NON-COMPLIANCE WITH COUNTY PLANNING AND ZONING ORDINANCE INSTRUCTIONS AS THEY PERTAIN TO BUILDING PERMITS AND THE EASEMENT THEREOF.

LEGEND:

- FOUND BRASS CAP MONUMENT WITH STONE ALONGSIDE
- FOUND 1/2" IRON PIN
- FOUND 1" IRON PIPE PER DISTANCE SURVEY
- MONUMENT NO. 150359
- SET 5/8" IRON PIN W/ALUMINUM CAP PL 6373
- SET 5/8" IRON PIN W/PLASTIC CAP PL 6373
- PP POWER POLE
- () RECORD DISTANCE
- PL IRON STRAP
- ⊗ TREE

EXHIBIT B

4/17/00

TECHNICAL SUPPORT BUREAU
PMO080 - PARCEL MASTER ENTRY/UPDATE

10:58:40

PARCEL: RP 05N05E196753 A SP MS SW UR RPT HO CB REL PARC DD YO
"X" to select> MH _ RC PP LD _ RI SL
NAME/ADDRESS LEGAL DESCRIPTION
ARTHAUD, DAVID L & STEPHANIE T5N R5E PRTN SEC 19
& PRTN SEC 30 TAX 85

16 PLACER CREEKCODE AREA 500OWNER CODE PARC TYPE LOC CODE 500BOISE ID 83716EFFDATE 3012000EXPDATE

CAT	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
12	1998	2160	AC	20450				
34	1998			88116	88116	44058		

TOTALS		2160		108566	88116	44058		
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F1=Help F3=Exit F4=Prmpt F5=Refrsh F6=Name F7=Lgl F8=Cat F9=Msc F24=More Keys

Postal Customer
HCR
Boise Idaho 83706

On Monday, April 13, 1998, your letter carrier will be moved from the Americana Annex, 714 S 14th Street, 83702, to our new Oregon Trail Station, 2208 E Summersweet Drive, 83716. At that time, any parcels, accountable mail, etc., held for your pick up will be at Oregon Trail Station.

Also at this time, **FOR THOSE OF YOU LIVING IN BOISE COUNTY ONLY**, you are to officially begin to use your GRID address which was assigned to you by Boise County, and **ALL CUSTOMERS LIVING ON HCR 33, 34, 35 OR 42 WILL HAVE YOUR ZIP CODE CHANGED TO 83716.**

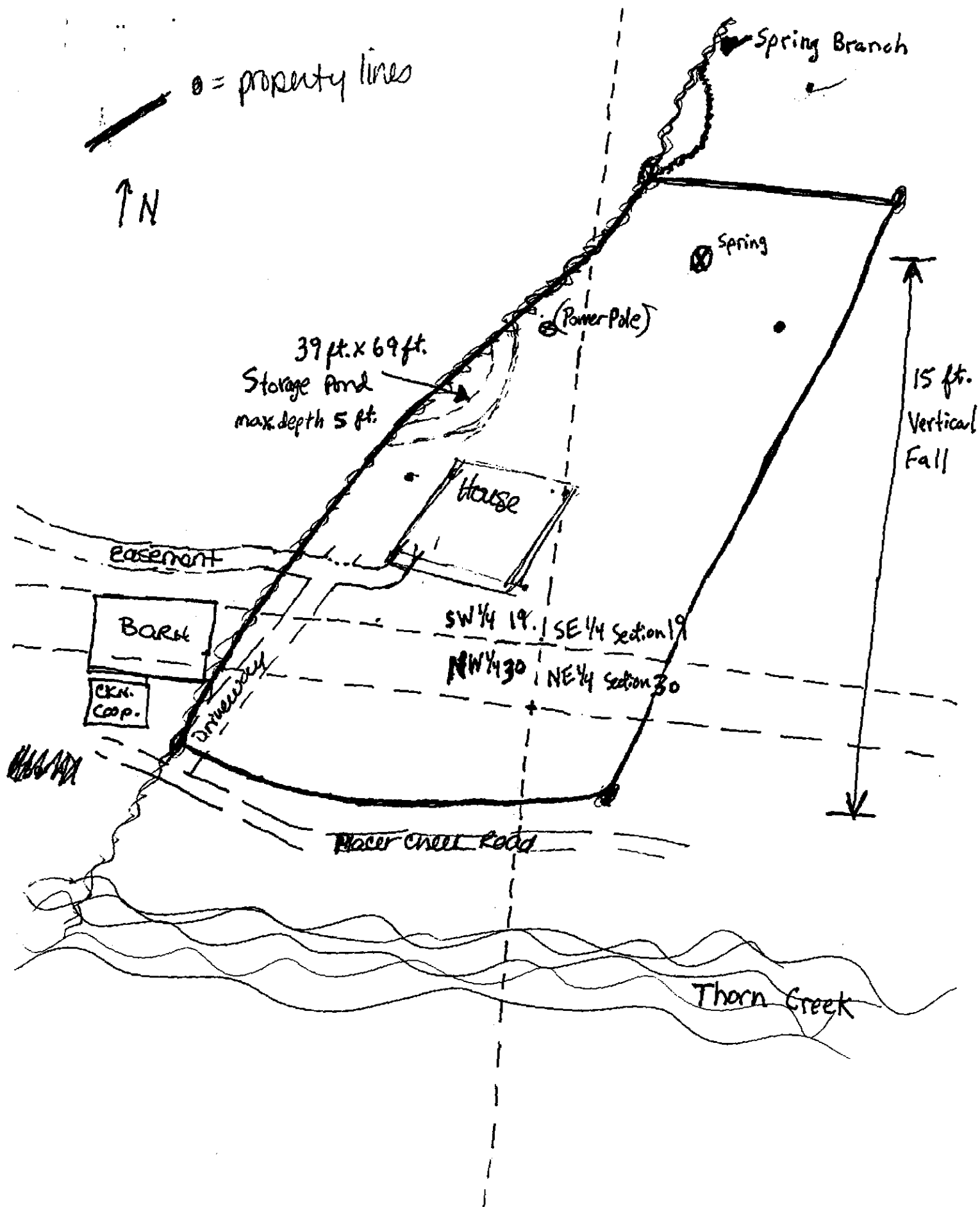
After April 13, 1998, mail still addressed to your old HCR and box will be delivered for one year. This will give you ample time to notify your correspondents of your proper address.

Thank you.



John Tusso, Jr.
Postmaster
Boise Idaho 83708-9998

POSTMASTER
770 S 13TH ST
BOISE ID 83708-9998
(208) 383-4201
FAX: (208) 383-4208



RECEIVED ✓

FEB 22 2000

Department of Water Resources

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 58091A~~ 63-05312 WR 58091A
 Adjudication Claim No(s): A63-05312 / A63-15692B
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 Steve & Betty Joplin
16 Placer Creek Road (HC 42 Box 1574)
4. New Owner/Claimant(s) David L. & Stephanie Arthaud
 New Mailing Address 16 Placer Creek Road
 City, State and ZIP Code Boise, ID 83716
 New Telephone Number 208 392-4444
- ✓ 5. Date you acquired the property Nov. 15, 1999
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 <u>0</u>	Number and type of stock <u>1</u>
Diversion rate in CFS <u>0.01</u>	Number of homes you acquired <u>1</u> Other uses _____

(See exhibit A - Legal Desc.)

7. Signature of New Owner(s) or Claimant(s) David L. Arthaud
Stephanie Arthaud
 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.

*modified 63-05312; RB modified 63-15692B, corrected
 done 5-17-00, no name connector 1/4 and/or 1/2*

✓ RA 3/27/00 NCAP A63-05312

1 of 1

Title File No.: 99-11-4202

WARRANTY DEED

FOR VALUE RECEIVED

DARRIN J. GOLDSTEIN and HEATHER M. GOLDSTEIN, husband and wife

GRANTOR(s), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto: DAVID L. ARTHAUD and STEPHANIE ARTHAUD, husband and wife

GRANTEES(s), whose current address is: 16 Placer Creek, Idaho City, Idaho 83631
the following described real property in Boise County, State of Idaho,
more particularly described as follows, to wit:

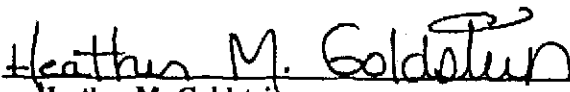
A portion of the South 1/2 of Section 19, and North 1/2 of Section 30,
Township 5 North, Range 5 East, Boise Meridian, Boise County, Idaho and more
particularly described on the attached Exhibit "A", which by this reference
becomes a part thereof, and which is comprised of 1 page.

63-05312
63-15692B

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantee(s) heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said Grantee(s), that Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: November 15, 1999


Darrin J. Goldstein

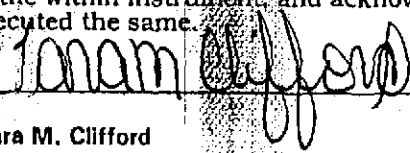

Heather M. Goldstein

STATE OF Idaho, County of Ada, ss.

On this 15th day of November in the year of 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared

Darrin J. Goldstein and Heather M. Goldstein

known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Signature: 

Name: Tara M. Clifford

Residing at: Meridian, Idaho

My commission expires: 06/18/04

Transnation Title & Escrow, Inc.

this escrow.

4. Unless specifically provided elsewhere in these instructions, the cancellation, transfer or purchase of fire or other casualty insurance shall be handled by the parties outside of this escrow.
5. You are authorized to deduct from seller's proceeds any additional interest due on loan payoffs to lender after closing if a loan payoff is being made as a part of the transaction. The parties understand that there may be adjustments on unusual recording fees after the signing of these instructions. You are further authorized to deduct same from seller's proceeds and/or deduct from buyer's funds any payments made by you for said recording fees.
6. All money received by you in this escrow is to be deposited in your trust account pending closing. Seller and/or Buyer hereby acknowledge and consent to the deposit of the escrow money in financial institutions with which Transnation has or may have other banking relationships and further consent to the retention by Transnation and/or its affiliates of any and all benefits Transnation Title and/or its affiliates may receive from such financial institutions by reason of their maintenance of said trust accounts.
7. These instructions are effective for 10 days from date hereof; and, thereafter, without written instructions to continue, you are authorized and instructed to cancel this escrow. I/We, jointly and severally, agree to pay your cancellation fee and all charges in connection therewith. In the event of cancellation of this escrow, all funds, except loan funds, shall be held subject to written cancellation instructions executed by all principals involved.
8. These escrow closing instructions may be executed in counterparts with like effect as if all signatures appeared on a single copy.
9. You are bound solely by the provisions set forth in these escrow instructions and the parties hereto understand that you are not a party to Earnest Money Receipt and Agreement dated October 30, 1999 (and Amendments thereto, if any) previously executed by the parties herein, and that said Earnest Money Receipt and Agreement (and Amendments thereto, if any) is (are) not a part of these escrow closing instructions. You are to be concerned only in the performance of your duties in compliance with these escrow closing instructions.
10. You are instructed to furnish to any broker or lender identified with this transaction or anyone acting on behalf of such lender, any information concerning this escrow upon request of said broker or lender.
11. Should any disputes arise between parties interested in property or funds covered by these instructions, you shall have the option to hold all matters pending in their then existing status or to join in or commence a court action, or to bring an action in interpleader, at your option. Upon your determination to hold this escrow open for determination of the rights of the parties, you will be relieved of all responsibility to proceed until the rights of the parties are settled in your satisfaction. Further, you as escrow holder, shall be entitled to continue to so refrain to act until (a) the parties hereto have reached an agreement in their differences and shall have notified the escrow holder in writing of such agreement or (b) the rights of the parties have been duly adjudicated by a Court of competent jurisdiction. It is further agreed that in the event of any suit or claim made against you by either or both parties to this escrow or in the event any suit is instituted by you to resolve your responsibility regarding conflicting claims of both parties to this escrow, that said parties, jointly and severally, shall be required to pay you all expenses, costs and reasonable attorney's fees incurred by you in connection therewith, whether suit is instituted by you or any of the parties hereto, or not.
12. In the event of any disagreement between the parties hereto, or demands of claims made upon you by the parties hereto or interested herein or by any other party you, as escrow holder, shall have the right to employ legal counsel to advise you and/or represent you in any suit or action brought affecting this escrow or the papers held in connection herewith or to bring an action in interpleader, at your option. The parties hereto shall be jointly and severally liable to you for any and all attorney's fees, costs, and disbursements incurred by you in connection with the employment of counsel in such conflict and, upon demand, the parties shall forthwith pay the same to you, as escrow holder. If you are required to institute suit to collect such sums as are owed to you pursuant to this or any other provision of this instruction, you shall further be entitled to payment by the parties found liable for such unpaid charges of any costs and attorney's fees incurred in the prosecution of such action.

DECLARATION OF ESCROW SERVICES:

Both Buyer and Seller acknowledge the following by their signatures below:

We have been specifically informed that Transnation Title, (hereinafter referred to as TRANS) is not licensed to practice law and no legal advice has been offered by TRANS or any of its employees. We have been further informed that TRANS is acting only as escrow holder and that it is forbidden by law from offering any advice to any party respecting the merits of this escrow transaction or the nature content of the documents executed herein, and that it has not done so.

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We further declare all instruments to which we are a party, if prepared by TRANS have been prepared under the direction of our attorneys or ourselves and particularly that copying legal descriptions from title reports into forms of deeds, etc., or reforming of legal descriptions or agreements is, or will be, solely at our direction or request.

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THE UNDERSIGNED HAVE READ AND FULLY UNDERSTAND THE FOREGOING ESCROW CLOSING INSTRUCTIONS AND ALSO THE DECLARATION SET FORTH ABOVE AND AGREE TO THE SAME.

Seller

Buyer

Darrin J. Goldstein

David L. Arthaud

Heather M. Goldstein

Stephanie Arthaud

63-05312

63-15692 B

The foregoing instructions have been acknowledged and received by TRANSNATION TITLE & ESCROW, INC.

By:

Dated:

Tara M. Clifford

11/15/99

EXHIBIT A

Being a portion of the South $\frac{1}{4}$ of Section 19, and North $\frac{1}{4}$ of Section 30, Township 5 North, Range 5 East, Boise Meridian, Boise County, Idaho described as follows:

Commencing at the $\frac{1}{4}$ corner common to Sections 19 and 30, Township 5 North, Range 5 East, Boise Meridian, marked by a set aluminum cap monument stamped "PLS 6373 2-K, $\frac{1}{4}$ 19/30, 1997";

Thence South $89^{\circ}47'44''$ West, 168.53 feet, along the South line of the Southwest $\frac{1}{4}$ of said Section 19, to the POINT OF BEGINNING;

Thence North $25^{\circ}44'08''$ East, 37.64 feet;

Thence North $30^{\circ}53'59''$ East, 109.45 feet, to the East line of a 4.25 acre tract of land identified by Record of Survey Instrument No. 150359;

Thence continuing North $30^{\circ}53'59''$ East, 6.27 feet, to a point on the centerline of the small spring branch;

Thence along said centerline, North $40^{\circ}18'08''$ East, 115.41 feet;

Thence North $35^{\circ}00'05''$ East, 92.70 feet, to a point on the South line of a 5.00 acre tract of land per Record of Survey Instrument No. 150359, records of Boise County, Idaho;

Thence leaving the centerline of said branch and along the South line of said 5.00 acre tract, North $89^{\circ}53'24''$ East, 162.75 feet, to a found $\frac{1}{4}$ " iron pin, at the Southwest corner of aforesaid 5.00 acre tract;

Thence South $18^{\circ}37'38''$ West, 410.78 feet;

Thence South $83^{\circ}48'12''$ West, 216.61 feet;

Thence North $69^{\circ}27'03''$ West, 68.11 feet;

Thence North $25^{\circ}44'08''$ East, 97.64 feet, to the South line of aforementioned 4.25 acre tract,

Thence continuing North $25^{\circ}44'08''$ East, 3.68 feet, to the POINT OF BEGINNING. Said property is designated as Parcel 1 on the Record of Survey which is recorded in Boise County, Idaho as Instrument No. 167 517.

Corners of said tract of land are marked as shown on said Record of Survey.

This conveyance includes the following water rights:

(a) Idaho Department of Water Resources claim No. A63-05312 for .04 CFS diverted from a spring located on said tract; and

(b) Idaho Department of Water Resources claim No. A63-15692 but only to the extent of $\frac{1}{2}$ of said claim or .01 CFS diverted from Thorn Creek.

But only to the extent that such water right claims are decreed in the pending Snake River Water Adjudication.

DJZ
HMG

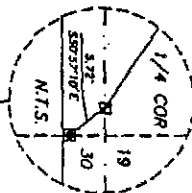
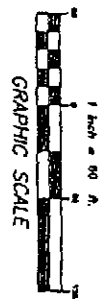
63-05312
63-15692B

RECORD OF SURVEY/LOT LINE ADJUSTMENT

A TRACT OF LAND SITUATED IN THE SOUTH 1/2 OF SECTION 19, AND THE NORTH 1/2 OF SECTION 30, TOWNSHIP 5 NORTH, RANGE 5 EAST, BOISE MERIDIAN, BOISE COUNTY, IDAHO.

Inst. # 167511

63-05312
63-15692B



R. OF S. 150359
(5.00 AC TRACT)

R. OF S. 150359
(4.25 AC TRACT)

SURVEY FOR:
SANDY H. SUGS &
MONICA CHANDLER
CHANDLER RANCH
MC 33 BOX 147
BOISE ID 83706
(208) 341-0078



NOVEMBER, 1997

2nd K Land Surveying
404 So. Washington Ave.
Emmett, Idaho 83617
(208) 365-4146
Fax: 365-4183



INDEX NO. 531-19-0-0-00-00
INDEX NO. 531-19-0-0-00-00

JOB No 112-07

LEGEND:

- FOUND BRASS CAP ADJACENT WITH STONE ALUMINUM
- FOUND 1/2" IRON PIN
- FOUND 1" IRON PIPE FOR DISTANCE SURVEY
- ✱ INSTR. NO. 150359
- ⊙ SET 5/8" IRON PIN W/ALUMINUM CAP PLS 4233
- SET 5/8" IRON PIN W/PLASTIC CAP PLS 4232
- ⊙ POWER POLE
- () RECORD DISTANCE
- ⊙ TREE STUMP
- ⊙ TREE

—BASIS OF BEARINGS—

(FOR G.L.S. PLAT DATED MAY 21, 1908)

NOTE:

2nd K LAND SURVEYING ASSURES NO LIABILITY FOR DEFECTS OR FUTURE COMPLAINTS OF NON-CONFORMANCE WITH CURRENT SURVEYING AND RECORDING STANDARDS AS THEY RELATE TO BUILDING PERMITS AND THE ISSUANCE THEREOF.

The Grantees herein have read and approved the following: 24 589

Title File No.: 99-11-4202

WARRANTY DEED

FOR VALUE RECEIVED

DARRIN J. GOLDSTEIN and HEATHER M. GOLDSTEIN, husband and wife

GRANTOR(s), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto: DAVID L. ARTHAUD and STEPHANIE ARTHAUD, husband and wife

GRANTEES(s), whose current address is: 16 Placer Creek, Idaho City, Idaho 83631
the following described real property in Boise County, State of Idaho,
more particularly described as follows, to wit:

A portion of the South 1/2 of Section 19, and North 1/2 of Section 30,
Township 5 North, Range 5 East, Boise Meridian, Boise County, Idaho and more
particularly described on the attached Exhibit "A", which by this reference
becomes a part thereof, and which is comprised of 1 page.

175297

INST# 175297
REQUEST mtw View
99 NOV 16 PM 4:12
BOISE COUNTY RECORDER
BY R. Hoppin
TYPE 31 FEE 6.00 / chg

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantee(s) heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said Grantee(s), that Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: November 15, 1999

Darrin J. Goldstein
Darrin J. Goldstein

Heather M. Goldstein
Heather M. Goldstein

[Signature]

STATE OF Idaho, County of Ada, ss.

On this 15th day of November in the year of
1999, before me, the undersigned, a Notary Public in and
for said State, personally appeared
Darrin J. Goldstein and Heather M.
Goldstein

known or identified to me to be the persons whose names
are subscribed to the within instrument, and acknowledged
to me that they executed the same.

Signature: Tara M. Clifford

Name: Tara M. Clifford

Residing at: Meridian, Idaho

My commission expires: 06/18/04

Transnation Title & Escrow, Inc.

EXHIBIT A

Being a portion of the South $\frac{1}{4}$ of Section 19, and North $\frac{1}{4}$ of Section 30, Township 5 North, Range 5 East, Boise Meridian, Boise County, Idaho described as follows:

Commencing at the $\frac{1}{4}$ corner common to Sections 19 and 30, Township 5 North, Range 5 East, Boise Meridian, marked by a set aluminum cap monument stamped "PLS 6373 2-K, $\frac{1}{4}$ 19/30, 1997";

Thence South $89^{\circ}47'44''$ West, 168.53 feet, along the South line of the Southwest $\frac{1}{4}$ of said Section 19, to the POINT OF BEGINNING;

Thence North $25^{\circ}44'08''$ East, 37.64 feet;

Thence North $30^{\circ}53'59''$ East, 109.45 feet, to the East line of a 4.25 acre tract of land identified by Record of Survey Instrument No. 150359;

Thence continuing North $30^{\circ}53'59''$ East, 6.27 feet, to a point on the centerline of the small spring branch;

Thence along said centerline, North $40^{\circ}18'08''$ East, 115.41 feet;

Thence North $35^{\circ}00'05''$ East, 92.70 feet, to a point on the South line of a 5.00 acre tract of land per Record of Survey Instrument No. 150359, records of Boise County, Idaho;

Thence leaving the centerline of said branch and along the South line of said 5.00 acre tract, North $89^{\circ}53'24''$ East, 162.75 feet, to a found $\frac{1}{4}$ " iron pin, at the Southwest corner of aforesaid 5.00 acre tract;

Thence South $18^{\circ}37'38''$ West, 410.78 feet;

Thence South $83^{\circ}48'12''$ West, 216.61 feet;

Thence North $69^{\circ}27'03''$ West, 68.11 feet;

Thence North $25^{\circ}44'08''$ East, 97.64 feet, to the South line of aforementioned 4.25 acre tract,

Thence continuing North $25^{\circ}44'08''$ East, 3.68 feet, to the POINT OF BEGINNING. Said property is designated as Parcel 1 on the Record of Survey which is recorded in Boise County, Idaho as Instrument No. 167 517.

Corners of said tract of land are marked as shown on said Record of Survey.

This conveyance includes the following water rights:

(a) Idaho Department of Water Resources claim No. A63-05312 for .04 CFS diverted from a spring located on said tract; and

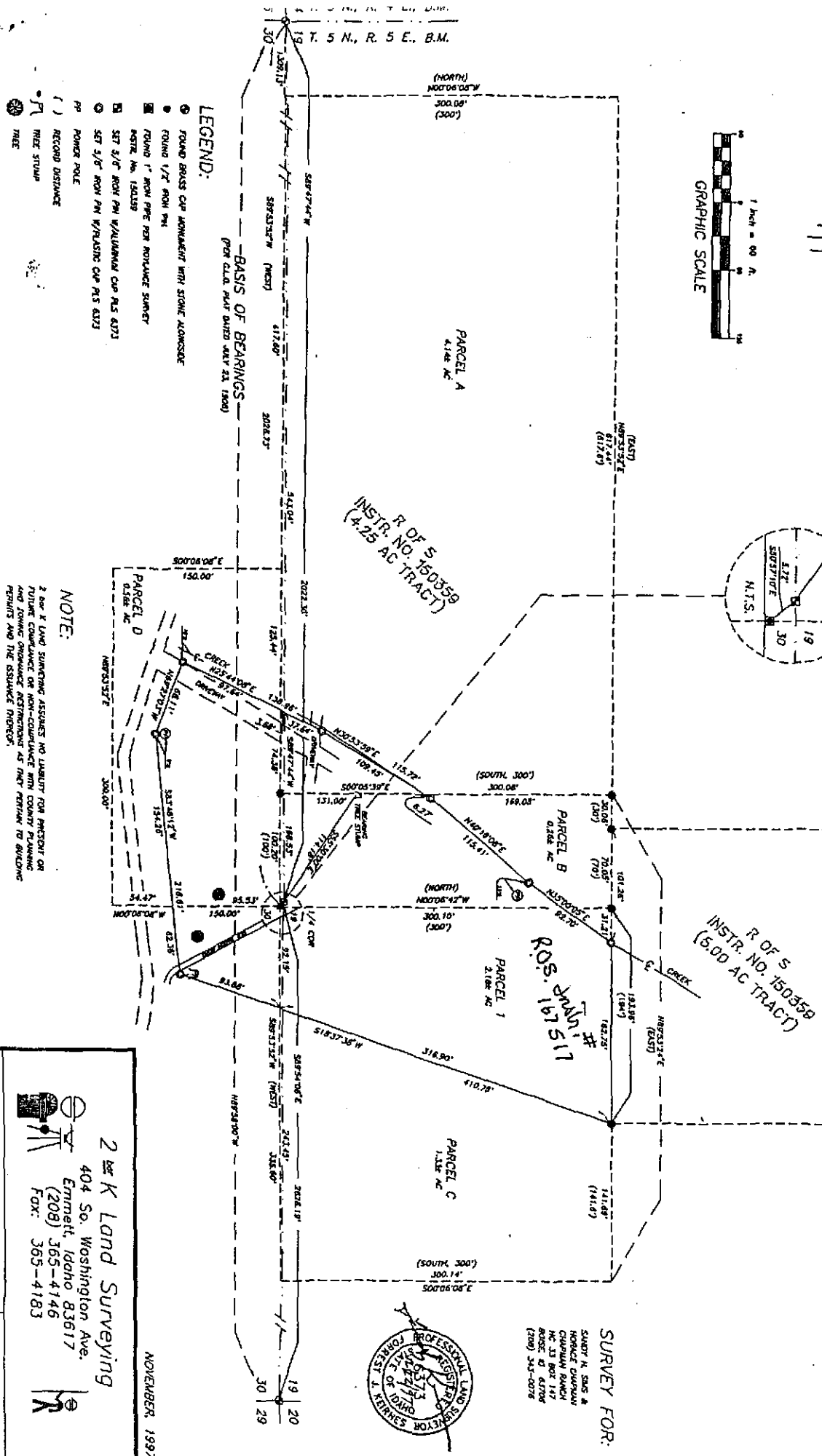
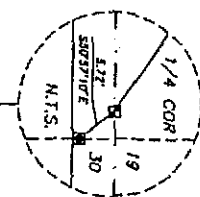
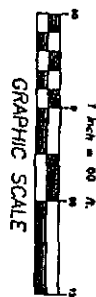
(b) Idaho Department of Water Resources claim No. A63-15692 but only to the extent of $\frac{1}{2}$ of said claim or .01 CFS diverted from Thorn Creek.

But only to the extent that such water right claims are decreed in the pending Snake River Water Adjudication.

JTJ OHA
IMG BLA

Inst. # 167517

A TRACT OF LAND SITUATED IN THE SOUTH 1/2 OF SECTION 19, AND THE NORTH 1/2 OF SECTION 30, TOWNSHIP 5 NORTH, RANGE 5 EAST, BOISE MERIDIAN, BOISE COUNTY, IDAHO.



SURVEY FOR:

SANDY A. SAMS
HORACE CHAPMAN
CHAPMAN RANCH
MC 33 BOX 147
BOISE ID 83708
(208) 345-0076

EXHIBIT B

2nd K Land Surveying

404 So. Washington Ave.

Emmett, Idaho 83
/2001) TCE 4140

Fax: 365-4183

INDEX No.	551-19-0-0-0-00-00
INDEX No	551-10-0-0-0-00-00

JOB No. 112-97

4/17/00

TECHNICAL SUPPORT BUREAU
PMO080 - PARCEL MASTER ENTRY/UPDATE

10:58:40

PARCEL: RP 05N05E196753 A SP MS SW UR RPT HO CB REL PARC DD YO
"X" to select> MH _ RC PP LD _ RI SL
NAME/ADDRESS LEGAL DESCRIPTION
ARTHAUD, DAVID L & STEPHANIE T5N R5E PRTN SEC 19
& PRTN SEC 30 TAX 85

16 PLACER CREEKCODE AREA 500

OWNER CODE

PARC TYPE

LOC CODE 500BOISE ID 83716EFFDATE 3012000

EXPDATE

CAT	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
12	1998	2160	AC	20450				
34	1998			88116	88116	44058		

TOTALS		2160		108566	88116	44058		
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F1=Help F3=Exit F4=Prmpt F5=Refrsh F6=Name F7=Lgl F8=Cat F9=Msc F24=More Keys

Postal Customer
HCR
Boise Idaho 83706

On Monday, April 13, 1998, your letter carrier will be moved from the Americana Annex, 714 S 14th Street, 83702, to our new Oregon Trail Station, 2208 E Summersweet Drive, 83716. At that time, any parcels, accountable mail, etc., held for your pick up will be at Oregon Trail Station.

Also at this time, **FOR THOSE OF YOU LIVING IN BOISE COUNTY ONLY**, you are to officially begin to use your GRID address which was assigned to you by Boise County, and **ALL CUSTOMERS LIVING ON HCR 33, 34, 35 OR 42 WILL HAVE YOUR ZIP CODE CHANGED TO 83716.**

After April 13, 1998, mail still addressed to your old HCR and box will be delivered for one year. This will give you ample time to notify your correspondents of your proper address.

1
Thank you.



John Tusso, Jr.
Postmaster
Boise Idaho 83708-9998

POSTMASTER
770 S 13TH ST
BOISE ID 83708-9998
(208) 383-4201
FAX (208) 383-4208

— = property lines

↑ N

Spring Branch

Spring

(Power Pole)

39 ft. x 69 ft.
Storage Pond
max. depth 5 ft.

House

Easement

Barn

Chk.
Coop.

Driveway

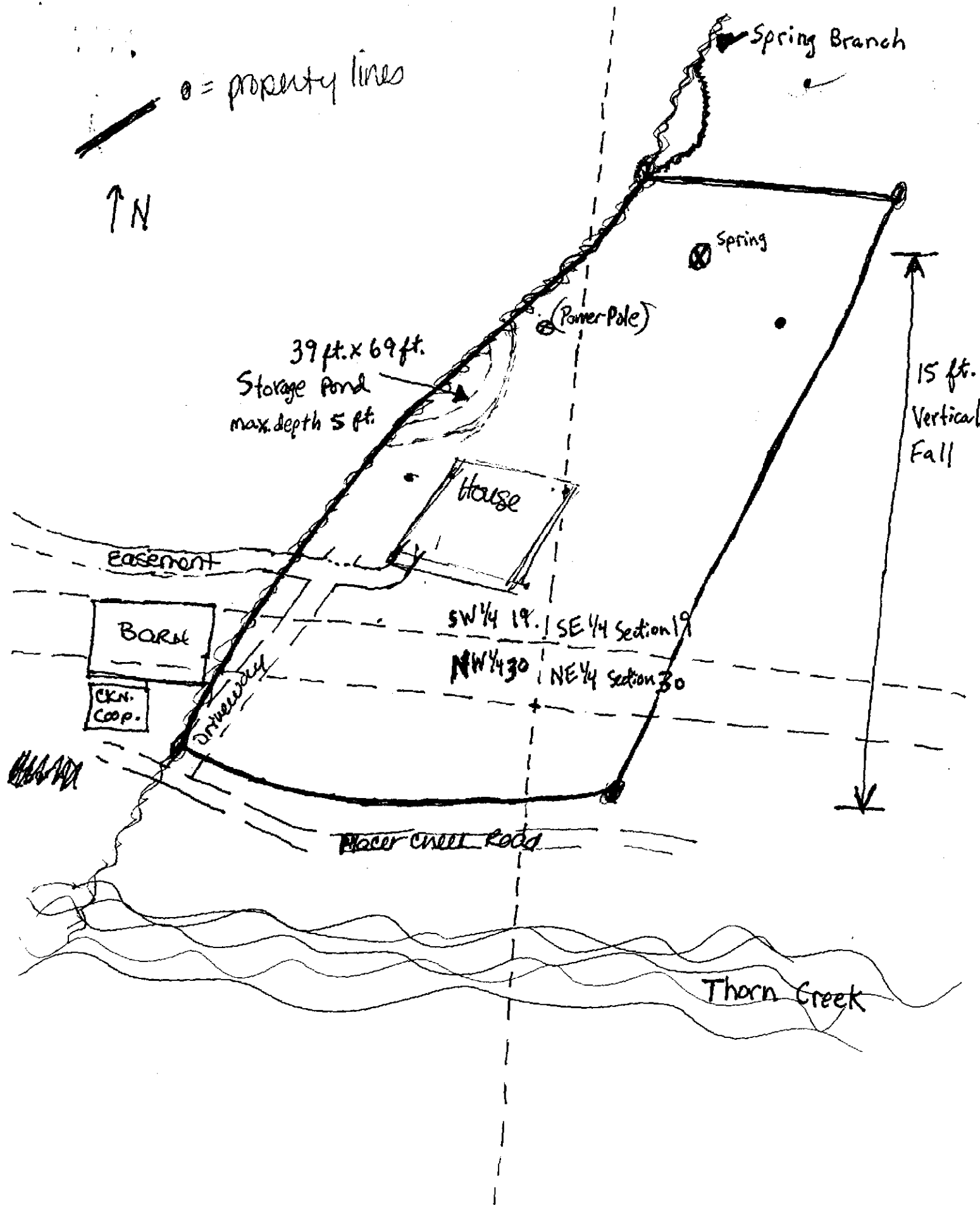
SW 1/4 19. | SE 1/4 Section 19

NW 1/4 30 | NE 1/4 Section 30

15 ft.
Vertical
Fall

Placer Creek Road

Thorn Creek



SPLIT RIGHT

04/10/2001

IDAHO DEPARTMENT OF WATER RESOURCES Adjudication Claim Report

WATER RIGHT NO. 63-15692

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	BETTY JOPLIN
Original Owner	STEVE JOPLIN
	HC 33 BOX 1574
	BOISE, ID 83706
	(208)392-4475

Priority Date: 04/30/1948
Basis: Beneficial Use
Status: Parent

<u>Source</u>	<u>Tributary to</u>
THORN CREEK	MORSE CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	3/15	11/01	0.02 CFS		

Total Diversion 0.02 CFS

Location of Point(s) of Diversion:

THORN CREEK NWNE Sec. 30 Township 05N Range 05E BOISE County

IRRIGATION Use:
Acre Limit: 2

Place(s) of use:

Place of Use Legal Description: IRRIGATION BOISE County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
05N	05E	19		SWSE	1
		30		NWNE	1

Total Acres: 2

Remarks:

- This claim has been split. See claim nos. 63-15692A & 63-15692B

Dates:

Licensed Date:

Claim Received Date:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Other Information:

Receipt Number(s): W002920

State or Federal: S

Owner Name Connector: OR

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False