

01/10/2008

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 79-14207

NAME AND ADDRESS: CHAMBERLAND INC
13694 HWY 95 S
WHITEBIRD ID 83554

SOURCE: CARVER CREEK

TRIBUTARY: SALMON RIVER

QUANTITY: 0.020 CFS

The quantity of water under this right for domestic use shall not exceed
13,000 gallons per day.

PRIORITY DATE: 07/01/1877

POINT OF
DIVERSION:

T25N R01E S14 SENE Lot 4 Within IDAHO County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	02/15 11/30	0.020 CFS
DOMESTIC	01/01 12/31	0.020 CFS

PLACE OF USE: IRRIGATION in IDAHO County

T25N R01E S14 Lot 4 SENE 0.80

DOMESTIC in IDAHO County

T25N R01E S14 Lot 4 SENE

0.8 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.

The quantity of water decreed for this water right for domestic use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

This right is a split from former right 79-10064.



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

RECEIVED

JAN 09 2008

DEPARTMENT OF
WATER RESOURCES

KEN MATTICE
23 HIDDEN VALLEY RD
MONROVIA CA 91016

December 28, 2007

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

RECEIVED
JAN 22 2008
IDWR/North

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim to a Water Right #79-14207

Dear Mr. Mattice:

We have been advised you may be the current owner of the property and water right claim referenced above. Before we can modify our records to reflect your ownership of the water right, we require the enclosed Notice of Change of Water Right Ownership form be submitted. I have enclosed that form for your use.

Please remember to enclose your Warranty Deed with the legal description of your property attached (usually Exhibit A). This property is currently owned by Chamberland, Inc.

Since this claim is still pending before the court, there is no fee to change the ownership. Please send the completed ownership change to my attention at this office.

Please call me toll-free at 1-800/451-4129 if you have any questions.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

ss:file

Enclosure:

Notice of Change in Water Right Ownership Form

SCANNED

JAN - 9 2008

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

RECEIVED
 JAN 22 2008
 IDWR/North

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 (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case IDWR will produce new water right number(s) for the split(s).

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
	79-19207				

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 on file with the county Planning and Zoning or Recorder's Office).

OR

D. If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency or equivalent **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)

4. New Owner/Claimant(s)

KEN MATTICE

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

New Mailing Address

23 HIDDEN VALLEY ROAD

City, State and ZIP Code

MONROVIA CA 91016

New Telephone Number

(626) 358-1754

5. Date you acquired the property

OCTOBER 05 2006

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 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 (you may copy this page, if 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 will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		

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.

7. Signature(s) of New Owner(s) or Claimant(s)

Ken Mattice

(title if applicable)

(title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

Received by _____

Date _____

Receipt Amt. _____

Received by _____

Date _____

Receipt No. _____

Processed by _____ AJ

Date _____

WR _____ Date _____

Township 25 North, Range 1 East, Boise Meridian, Idaho County, Idaho
Section 14: A parcel of property located within Government Lot 4,
more particularly described from a survey as follows:

Commencing at the Northeast corner of said Section 14;
thence N 89°39'45" W, 1306.192 feet to the East 1/16
corner;
thence S 10°29'07" E, 1569.541 feet to a found property
corner;
thence S 00°03'37" E, 180.265 feet to the Initial Point
of Beginning;
thence S 83°46'01" E, 217.295 feet to a point on the
westerly R.O.W. line of U.S. 95;
thence along a curve with the following data:

Delta = 00°59'16"

R = 1085.916 feet

L = 18.721 feet

Long Ch. = 18.721 feet

T = 9.361 feet

Long Ch Bearing - S 06°43'37" W to P.S.C. Sta.
276+90.40

thence S 09°20'37" W, 89.327 feet to a found brass cap
R.O.W. monument;
thence S 19°22'00" W, 118.860 feet along said R.O.W. to
a set property corner;
thence N 82°46'45" W, 166.787 feet to a point on the
highwater line of the Salmon River;
thence N 03°00'38" E, 108.225 feet along the mean
highwater meander line of the Salmon River;
thence N 00°03'37" W, 113.421 feet along the mean
highwater line of the Salmon River back to the Initial
Point of Beginning.
Sometimes known as Assessor's Tax No. 74.



Survey Co. Inc.

312 W. South St.
Grangeville, ID 83520
Dist. (208) 983-2517
Fax (208) 983-1279
email: greg@idahoandsurvey.com

July 26, 2006

Description for
Kelley Chamberlain
Job No. JYG0106

SCHEDULE A

Easement No. 2

This easement lies in Government Lot 4 of Section 14, Township 25 North, Range 1 East of the Boise Meridian, Idaho County, Idaho and is more particularly described as follows:

BEGINNING at a brass cap Highway right-of-way monument 60.00 feet left of centerline Station 276+00 for U. S. Highway 95 as shown on the Record of Survey filed as Inst. No. 311641 (S-296), Records of Idaho County, Idaho;

thence South $19^{\circ} 23' 06''$ West along said right-of-way a distance of 91.49 feet;

thence leaving said right-of-way and bearing North $26^{\circ} 29' 41''$ West a distance of 27.86 feet;

thence North $19^{\circ} 23' 06''$ East a distance of 70.34 feet;

thence North $9^{\circ} 21' 43''$ East a distance of 87.04 feet;

thence North $6^{\circ} 44' 43''$ East a distance of 18.18 feet to a point on the north boundary of Parcel B as shown on said Record of Survey Inst. No. 311641;

thence South $83^{\circ} 45' 56''$ East along said north boundary a distance of 20.00 feet to the northeast corner of said Parcel B, also being a point on the westerly right-of-way for U. S. Highway 95;

thence South $6^{\circ} 44' 43''$ West along said right-of-way a distance of 18.82 feet;

thence South $9^{\circ} 21' 43''$ West continuing along said right-of-way a distance of 89.25 feet to the **POINT OF BEGINNING**, containing 0.086 acres, more or less.

Greg Chamberlain
PROFESSIONAL LAND SURVEYOR
3627
JUL 26 2006
STATE OF IDAHO
GREG L. SCHMER

SCANNED

JAN - 9 2001



Survey Co. Inc.

332 W. South St.
Grangeville, ID 83530
Bus. (208) 983-2517
Fax (208) 983-1279
email: greg@skinnerlandsurvey.com

July 26, 2006

Description for
Kelley Chamberlain
Job No. JYG0106

SCHEDULE B

Easement No. 1

This easement lies in Government Lot 4 of Section 14, Township 25 North, Range 1 East of the Boise Meridian, Idaho County, Idaho and is more particularly described as follows:

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thence South $19^{\circ} 23' 06''$ West along said right-of-way a distance of 94.67 feet to the **TRUE POINT OF BEGINNING**;

thence continuing South $19^{\circ} 23' 06''$ West along said right-of-way a distance of 24.19 feet to the southeast corner of "Parcel B" as shown on the aforementioned Record of Survey;

thence North $82^{\circ} 47' 48''$ West along the south boundary of said Parcel B a distance of 53.31 feet;

thence North $75^{\circ} 10' 04''$ East a distance of 63.01 feet to the **TRUE POINT OF BEGINNING**, containing 0.014 acres, more or less.



SCANNED

JAN - 9 2008

01/10/2008

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 79-14207

NAME AND ADDRESS: CHAMBERLAND INC
13694 HWY 95 S
WHITEBIRD ID 83554

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<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
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DOMESTIC	01/01 12/31	0.020 CFS

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DOMESTIC in IDAHO County

T25N R01E S14 Lot 4 SENE

0.8 ACRES TOTAL

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WATER RESOURCES

KEN MATTICE
23 HIDDEN VALLEY RD
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December 28, 2007

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Governor

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Sally Sherman
Technical Records Specialist
Adjudication Bureau

ss:file

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Notice of Change in Water Right Ownership Form

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JAN - 9 2008

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

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 IDWR/North

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3. Name and Address of Former Owner/Claimant(s)

4. New Owner/Claimant(s)

KEN MATTICE

Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

23 HIDDEN VALLEY ROAD

City, State and ZIP Code

MONROVIA CA 91016

New Telephone Number

(626) 358-1754

OK. CA 1-10-08

5. Date you acquired the property

OCTOBER 05 2006

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7. Signature(s) of New Owner(s) or Claimant(s)

Ken Mattice

(title if applicable)

(title if applicable)

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For IDWR Office Use Only:

Received by _____

Date _____

Receipt Amt. _____

Receipted by _____

Date _____

Receipt No. _____

Processed by _____ AJ

Date _____

WR _____ Date _____

Township 25 North, Range 1 East, Boise Meridian, Idaho County, Idaho
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thence S 00°03'37" E, 180.265 feet to the Initial Point
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thence S 83°46'01" E, 217.295 feet to a point on the
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thence along a curve with the following data:

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Long Ch. = 18.721 feet
T = 9.361 feet

Long Ch Bearing - S 06°43'37" W to P.S.C. Sta.
276+90.40

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R.O.W. monument;
thence S 19°22'00" W, 118.860 feet along said R.O.W. to
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highwater line of the Salmon River;
thence N 03°00'38" E, 108.225 feet along the mean
highwater meander line of the Salmon River;
thence N 00°03'37" W, 113.421 feet along the mean
highwater line of the Salmon River back to the Initial
Point of Beginning.

Sometimes known as Assessor's Tax No. 74.

SCANNED

JAN - 9 2008

Survey Co. Inc.

312 W. South St.
Grangeville, ID 83520
Ph: (208) 983-2517
Fax: (208) 983-1279
email: greg@idahoandsurvey.com

July 26, 2006

Description for
Kelley Chamberlain
Job No. JYG0106

SCHEDULE A

Easement No. 2

This easement lies in Government Lot 4 of Section 14, Township 25 North, Range 1 East of the Boise Meridian, Idaho County, Idaho and is more particularly described as follows:

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thence South 19° 23' 06" West along said right-of-way a distance of 91.49 feet;

thence leaving said right-of-way and bearing North 26° 29' 41" West a distance of 27.86 feet;

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thence North 9° 21' 43" East a distance of 87.04 feet;

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Greg L. Skinner

3627
JULY 2006
GREG L. SKINNER

SCANNED

JAN - 9 2008



Survey Co. Inc.

312 W. South St.
Grangeville, ID 83530
Bus. (208) 983-2517
Ext (208) 983-1279
email: gmg@skinnerlandsurvey.com

July 26, 2006

Description for
Kelley Chamberlain
Job No. JYG0106

SCHEDULE B

Easement No. 1

This easement lies in Government Lot 4 of Section 14, Township 25 North, Range 1 East of the Boise Meridian, Idaho County, Idaho and is more particularly described as follows:

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thence North $82^{\circ} 47' 48''$ West along the south boundary of said Parcel B a distance of 53.31 feet;

thence North $75^{\circ} 10' 04''$ East a distance of 63.01 feet to the **TRUE POINT OF BEGINNING**, containing 0.014 acres, more or less.



SCANNED

JAN - 9 2008

454697

CORRECTION WARRANTY DEED

THIS INDENTURE, made on this 26th day of April, 2007, by and between CHAMBERLAND, INC., an Idaho corporation, of HCl Box 41, White Bird, ID 83554, hereinafter referred to as the Grantor, and KEN L. MATTICE and FRANCOISE G. MATTICE, husband and wife, of 23 Hidden Valley Road, Monrovia, CA 91016, hereinafter referred to as the Grantees.

WITNESSETH:

WHEREAS, previously a Warranty Deed was executed by this Grantor on the 12th day of October, 2006 in favor of these Grantees of the real property hereinafter described, which document was recorded on the 13th day of October, 2006 as Idaho County Instrument #451453, which original Warranty Deed included certain road right of way easements which were shown on Idaho County Survey #S-296, but which easements in the original draft of the Deed were reversed; and,

WHEREAS, the Grantor desires to make the corrections in this amended Warranty Deed and otherwise keep the effective date of the grants in place.

NOW, THEREFORE, the said Grantor, for and in consideration of the original sum of Ten Dollars (\$10.00), lawful money of the United States of America, and other good and valuable considerations to it in hand paid earlier by the Grantees, and in consideration of the Grantor's participation in a Section 1031 Exchange pursuant to the terms of the Internal Revenue Code, the receipt whereof was already acknowledged, and the Grantor earlier having granted, bargained, sold, and does by these presents grant, bargain, sell, confirm, and correct a description unto the Grantees, their heirs and assigns, forever, the following described real property, and rights therein, including the corrected easement rights, situate in the County of Idaho, State of Idaho, to wit:

See Schedule C, attached hereto and hereby incorporated by this reference; which parcel was shown as Parcel B on a Record of Survey, which survey was recorded on February 27, 1984 as Instrument #311641, being survey #S-296;

EXCEPTING AND RESERVING UNTO THE GRANTOR an easement and right of way shown hereto as Schedule B, being corrected Easement #2, which provides access down river to Parcel A shown in said Survey #S-296, and also reserving unto the Grantor corrected Easement #1, Schedule A hereto, which provides access up river to Parcel C shown in said Survey #S-296;

ALSO GRANTING TO THESE GRANTEEES the joint right to use those easements where the same pass through the Schedule C property with a

SCANNED

Instrument # 454697

IDAHO COUNTY, IDAHO, JAN - 9 2008

2007-04-26 02:26:15 No. of Pages: 7

Recorded for : IDAHO COUNTY TITLE

ROSE E. GEHRING Fee: 21.00

Ex-Officio Recorder Deputy *Rose E. Gehring*

true and accurate Surveyor's drawing or the location of the easements on Schedule C. That Surveyor's drawing is attached hereto as Schedule D;

In all other ways, except by the correction and reversal of the two easements, the original Warranty Deed which is repeated herein shall remain in full force and effect, with an effective date of October 12, 2006 and this Deed dates back to that date.

TOGETHER WITH an undivided one-third interest of water rights benefiting this property, which are reflected in Idaho Water License #79-7069 and #79-7063; and,

EXCEPTING AND RESERVING an Easement and Right of Way along the Western most side of the property herein conveyed as Schedule C for water pipeline purposes so that the irrigation water generated from the water rights above-described, which water enters Parcel C on Survey #S-296, will then be transported down river by said pipeline through Parcel B (a/k/a Schedule C property) and be jointly used on Parcel A, all as is shown in said Survey, which is Instrument #311641.

TOGETHER WITH, all and singular, the tenements, hereditaments, and appurtenances therunto belonging or in anywise appertaining, the reversion and reversions, the remainder and remainders, rents, issues and profits thereof, and all estate, right, title, and interest in and to the said property as well in law as in equity of the said Grantor.

TO HAVE AND TO HOLD, all and singular, the above-mentioned and described premises, together with the appurtenances unto the said Grantees, their heirs and assigns, forever.

And the said Grantor, for itself, its heirs, executors, and administrators, does covenant, grant, bargain, and agree to and with the said Grantees, their heirs and assigns, that at the time of the ensailing and delivery of these presents it was well seized of the premises above conveyed as of good, sure, perfect, absolute, and indefeasible estate of inheritance, in fee simple, and have good right, full power and lawful authority to grant, bargain, sell, and convey the same in the manner and form aforesaid, and that the same are free and clear from all and former grants, bargains, liens, taxes, assessments, and encumbrances of whatever kind or nature whatsoever, *EXCEPT*:

- 1) General taxes for the year 2006, which are a lien, not yet due and payable.
- 2) Rights and easements in favor of the public for recreational uses of the Salmon River.
- 3) Any claim arising from the difference in mean high water line of Salmon River and the meander line as shown by Government Survey or the State of Idaho.
- 4) Easement, including the terms and conditions thereof, by and between Thos. Pogue and Mary A. Pogue, his wife, and The Pacific Telephone and Telegraph Company, a California corporation, recorded April 18, 1931 under Instrument No. 95383, Book 59 page 371; and, assigned to Idaho Telephone Company, recorded September 30, 1968 under Instrument No. 232099, all records of Idaho County, Idaho.

SCANNED

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- 5) Right of Way Deed, including the terms and conditions set forth, by and between David R. Walters and Lois Walters, his wife, and State of Idaho, recorded November 30, 1953 under Instrument No. 178488, Book 86 page 686, records of Idaho County, Idaho.
- 6) All rights of way for public utilities as the same now exist over and across the herein-described property.
- 7) Matters as shown on Survey No. S-296, recorded February 27, 1984 under Instrument No. 311641, records of Idaho County, Idaho.
- 8) Right of Way Easement, including the terms and conditions thereof, by and between Chamberland, Inc. and Idaho County Light & Power Cooperative Association, Inc., a corporation, recorded July 28, 2006, under Instrument No. 449901, records of Idaho County, Idaho.
- 9) Subject to any corrections of that Exchange Deed which are recorded as Instrument No. 451337, records of Idaho County, Idaho.

And that the above bargained premises, in the quiet and peaceable possession of the said Grantees, their heirs and assigns, against all and every person or persons lawfully claiming or to claim whole or any part thereof, the said Grantor will and shall WARRANT AND FOREVER DEFEND.

That this Deed is given by Grantor to Grantees not on account of any default in any security agreements or arrangements which pertain to the real property hereinabove written and described, but is given for full consideration paid by Grantees to Grantor.

IN WITNESS WHEREOF, the said Grantor has hereunto set its hand and seal the day and year first above written.

CHAMBERLAND, INC.

By


KELLY CHAMBERLAIN, President

STATE OF IDAHO)
County of Idaho) ss

On this 26th day of April, 2007, before me, a Notary Public in and for said County and State, personally appeared KELLEY CHAMBERLAIN, the President of CHAMBERLAND, INC., known to me to be the person whose name is subscribed to the within instrument and he acknowledged to me that he freely executed the same for and on behalf of said corporation.

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

(NOTARY SEAL)

LEZLIE MOUDY
Notary Public
State of Idaho

Notary Public for the State of Idaho,
Residing at Glenside 10, therein.
My commission expires 3/2/11