

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 37-22119
Date Received: 11/6/1989
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

THOMAS D HICKEY Phone: (208)788-9307
LOUISE HICKEY Phone: (208)788-9307
PO BOX 2312
SUN VALLEY ID USA 83353

2. Date of Priority: 03/24/1883

3. Source: BIG WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
03N	18E	20	SW NW	BLAINE	

5. Description of diverting works:

HIAWATHA CANAL HEADGATE, 5-1/2 MI. CANAL, 3 MI. DITCH TO POU

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.545	
STOCKWATER	04/01	11/01	0.02	
RECREATION	04/01	11/01	0.545	
AESTHETIC	04/01	11/01	0.545	

7. Total Quantity Appropriated is:
0.545 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
03N	18E	10	NE NW	RECREATION	
			NW NW	RECREATION	

SW	NW	RECREATION	
SE	NW	RECREATION	
NE	NW	IRRIGATION	5
NW	NW	IRRIGATION	5
SW	NW	IRRIGATION	5
SE	NW	IRRIGATION	5
NE	NW	STOCKWATER	
NW	NW	STOCKWATER	
SW	NW	STOCKWATER	
SE	NW	STOCKWATER	
NE	NW	AESTHETIC	
NW	NW	AESTHETIC	
SW	NW	AESTHETIC	
SE	NW	AESTHETIC	
		Section Acres	20
		Total Acres	20

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

14. Remarks:

PORTIONS OF PROPERTY BEING SOLD TO: JAMES ROSEFELD, P.O. BOX 665, HONAUNAU, HI 96726 THOMAS HICKEY, P.O. BOX JAMES W. PHILLIPS, P.O. BOX 864, HAILEY, ID 83333
 ***** 8/28/95, DJ: REVIEW OF SUBMITTED CLAIM SHOWED DATA ENTRY OMISSION OF 10 AC IRR IN SENW SEC 10, CORRECTED THIS DAY.

This right is a split from former right 37-577CE.

15. Basis of Claim: Decreed

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

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)
A37-00577CE					

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)	Robert and Fern Young 17513 S.E. 133rd, Renton WA 98052
4.	New Owner/Claimant(s)	Thomas and Louise Hickey
	New Mailing Address	P.O. Box 3312
	City, State and ZIP Code	Sun Valley, ID 83353
	New Telephone Number	(208) 788-9307

5. Date you acquired the property

4-3-1992

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 <u>A 37-00577CE</u>		
Irrigation	<u>.480</u>	<u>13.5 acres</u>
Stock	<u>.020</u>	<u>25 horses/cow</u>
Domestic		
Other	<u>.480</u>	<u>recreation & AS Phelic</u>
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)



(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 KKC

Date _____

Receipt Amt. -Received by -

Date _____

Receipt No. -Processed by KKC/TDB-AJDate 1-25-07

WR _____ Date _____

CORRECTION
WARRANTY DEED

THIS INDENTURE made this 18 day of July, 1992, between Robert Young and Fern Young, husband and wife, of Renton Washington hereinafter called the Grantor(s), for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, hereby grants, sells, conveys and warrants unto Thomas Hickey and Louise L. Hickey, husband and wife, as joint tenants with rights of survivorship, whose current address is P.O. Box 2312, Sun Valley, Idaho 83353, hereinafter jointly called the Grantee, the following described premises situated in Blaine County, Idaho, to wit:

Lot 2, Block 1 of Marvin Gardens No. 1 Subdivision, Lot 1 amended, 1984, Blaine County, Idaho, according to the official plat thereof, recorded October 25, 1984, as Instrument No. 257550, records of Blaine County, Idaho. Together with 24 inches of March 24, 1883 water rights under original decree to W.T. Riley.

TOGETHER WITH all and singular improvements, water rights, ditch rights, easements, tenements, hereditaments and appurtenances thereto, SUBJECT TO restrictions, easements, liens, and encumbrances of record; overlaps and encroachments of adjoining premises; and assessments and taxes not yet payable.

TO HAVE AND TO HOLD, the said premises, together with the appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. Grantor, for himself and his heirs and assigns, does hereby covenant to and with the said Grantee, his heirs and assigns, that the Grantor is the owner in fee simple of said premises; that said premises is free of liens and encumbrances, except as above described; and, that Grantor will warrant and defend the quiet and peaceable possession of same by the Grantee, his heirs and assigns forever, against every person lawfully claiming the same and shall warrant and by these presents forever defend.

STATE OF WASHINGTON,)
) ss.
County of King.)

On this 18 day of July, 1992, before me,
a Notary Public in and for said State, personally appeared Fern
Young ^{Proved as} known to me to be the person whose name is subscribed to the
foregoing document, and acknowledged that she executed the same.

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

Theresa L. Hickey
NOTARY PUBLIC FOR WASHINGTON
Residing at: As shown
Commission expires: 7-10-95

JWP/nm/hickey.dee



DATED this 3RD day of January, 2007.

January, 2007.

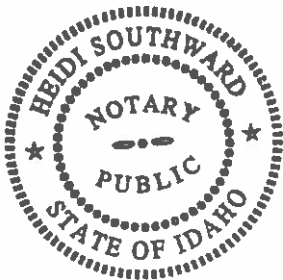
Thomas Hickey

Thomas Hickey

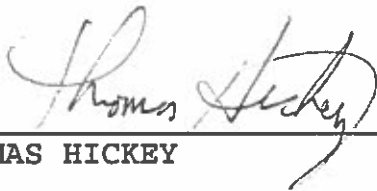
STATE OF IDAHO)
 ss.
County of)

On this 3 day of January, 2007, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared THOMAS HICKEY, known to me to be the person whose name is subscribed to the foregoing Power of Attorney, and acknowledged to me that she executed the same.

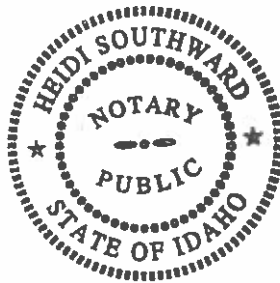
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

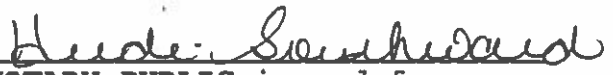


Heidi Southward
NOTARY PUBLIC in and for
the State of Idaho
residing at: Hailey
Commission expires: 1-18-11


THOMAS HICKEY

SUBSCRIBED AND SWORN TO before me this 3rd day of January,
2007.




NOTARY PUBLIC in and for
the State of Idaho
residing at: Hailey
Commission expires: 1-18-11

Downloaded from <http://ajph.org/> on November 10, 2014

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

KNOW ALL MEN BY THESE PRESENTS, that I, LOUISE HICKEY, the undersigned, of Hailey, Idaho, do hereby make, constitute, and appoint FRITZ X. HAEMMERLE of Hailey, Idaho, 83333, my true and lawful attorney in fact for me and in my name, place, and on my behalf, and for the use and benefit:

1. To exercise and all documents necessary for filing and/or amending a claim(s) for water rights(s) or with regard to any claim I have filed in the Snake River Basin Adjudication:

2. I grant to said attorney in fact full power and authority to do, take, and perform all and every act and thing whatsoever requisite, proper, or necessary to be done, in the exercise of any of the rights and powers herein granted, as fully to all intents and purposes as I might or could do if personally present, with full power of substitution or revocation, hereby ratifying and confirming all that said attorney in fact, or substitute or substitutes, shall lawfully do or cause to be done by virtue of this Power of Attorney and rights and powers herein granted;

3. The rights, powers, and authority of said attorney in fact herein granted shall commence and be in full force and effect on this 3rd day of January, 2007, and such rights, powers, and authority shall remain in full force and effect thereafter during the remainder of my life or until said power conveyed is terminated by the undersigned.

DATED this 3 day of January, 2007.

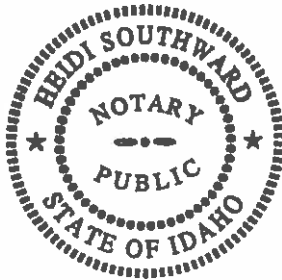
Louise Hickey
Louise Hickey

ORIGINAL

STATE OF IDAHO)
 ss.
County of)

On this 3 day of January, 2007, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared LOUISE HICKEY, known to me to be the person whose name is subscribed to the foregoing Power of Attorney, and acknowledged to me that she executed the same.

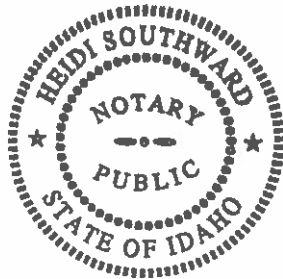
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Heidi Southward
NOTARY PUBLIC in and for
the State of Idaho
residing at: Hailey
Commission expires: 1-18-11

Louise Hickey
LOUISE HICKEY

SUBSCRIBED AND SWORN TO before me this 3rd day of January,
2007.



Heidi Southward
NOTARY PUBLIC in and for
the State of Idaho
residing at: Hailey
Commission expires: 1-18-11

01/30/2007

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

RIGHT NUMBER: 37-22119
NAME AND ADDRESS: THOMAS D HICKEY
PO BOX 2312
SUN VALLEY ID 83353

LOUISE HICKEY
PO BOX 2312
SUN VALLEY ID 83353

VERIFIED BY KKC

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER
QUANTITY: 0.480 CFS
The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
PRIORITY DATE: 03/24/1883
POINT OF DIVERSION:

T03N R18E S20 SWNW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.480 CFS
STOCKWATER	04/15 10/31	0.020 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T02N R18E S10	NENW	7.20	T02N R18E S10	SENE	3.40
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STOCKWATER in BLAINE County

T02N R18E S10	NENW	T02N R18E S10	SENE
---------------	------	---------------	------

10.6 ACRES TOTAL

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

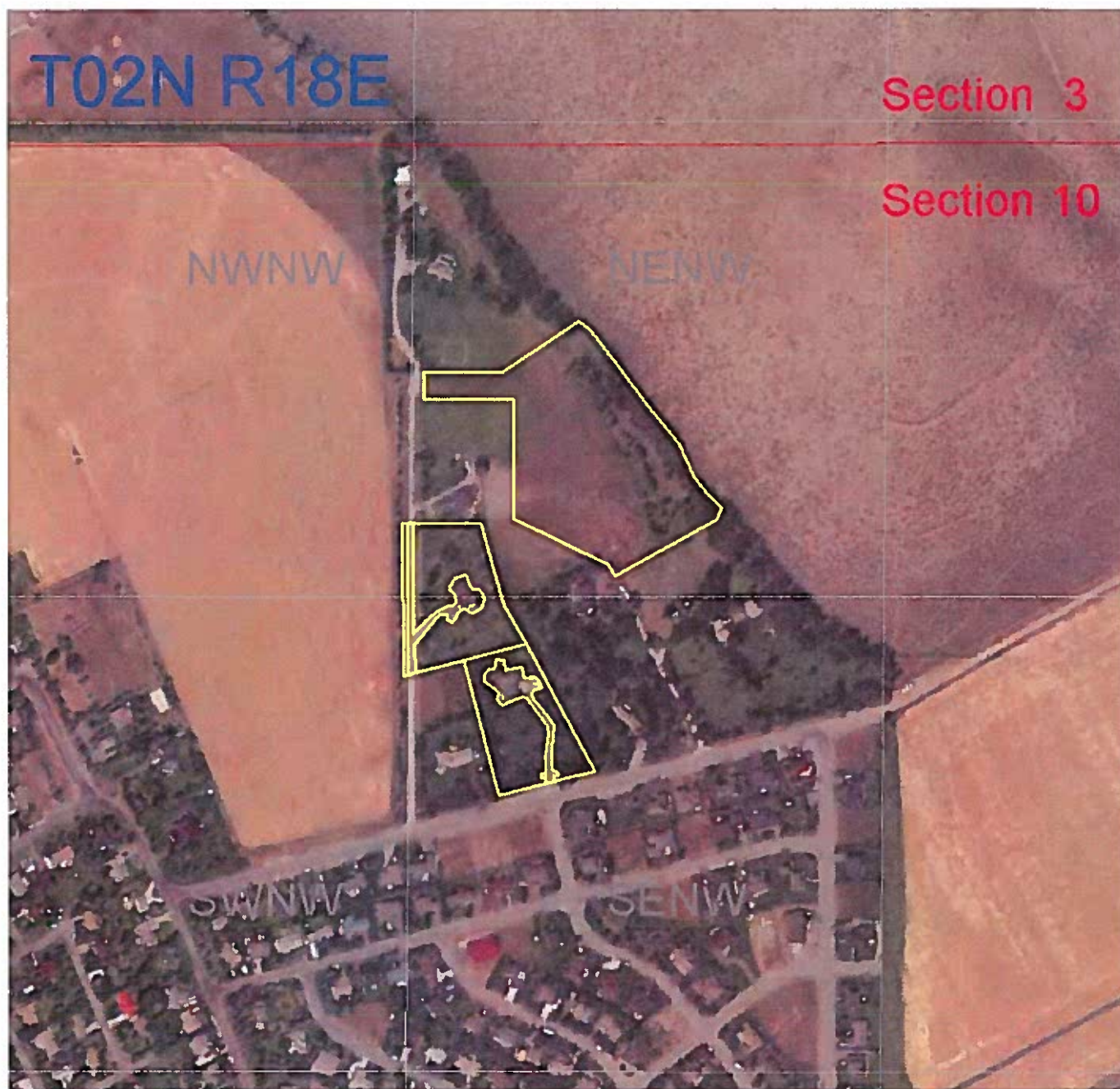
The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

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: BASIS OF CLAIM - Decreed

Idaho Department of Water Resources

37-22119



Legend

- ⊙ Point of Diversion
- Place of Use
- GCDB
- Section Lines
- Township Boundaries

528 0 528 Feet



GIS Place of Use Presentation
Photography: 2004 NAIP
Data Entry: 01/25/2006
T. D. Baker

AFFIDAVIT

I, THOMAS HICKEY, being sworn upon oath, state as follows:

1. I make the statements and averments contained herein of my own personal knowledge and would testify to the facts as presented herein if called upon to do so.

2. By way of general background, I was involved in the development of the Marvin Gardens Subdivision No.1, Blaine County, Idaho, and the Replat thereof along with James W. and Evelyn Phillips and Charles M. and Connie Johnson. Initially, the real property and water rights were owned by Robert and Fern Young (the "Youngs"). The real property was purchased and developed in stages under a contract of sale from the Youngs. First, while the Youngs still owned the property, it was subdivided into large lots with the recording of the Marvin Gardens Subdivision No. 1 Plat. Later, Lot 4 of that subdivision was re-subdivided into four smaller lots with the recording of the Replat of the Marvin Gardens Subdivision. Each of those four smaller lots were sold with the water rights reserved in each of the deeds of conveyance.

3. Currently, me and my wife, Louise Hickey, are the owners of Lot 2 of the Replat of Marvin Gardens Subdivision, according to the official plat thereof on file in the records of Blaine County, Idaho, ("said Replat") and we are the owners of the water rights appurtenant to said Lot 2 and to Lot 4 and Lot 8 of said Replat. A copy of said Replat is attached hereto as Exhibit A, with those Lots 2, 4 and 8 outlined in yellow.

4. We acquired said Lot 2 by Warranty Deed dated July 17, 1992, and a copy of that deed is attached hereto as Exhibit B.

5. We acquired the water rights appurtenant to Lot 4 and Lot 8 of said Replat by Quit Claim Deed dated April 30 1999, a copy of which is attached hereto as Exhibit C.

6. My predecessors-in-interest acquired the water rights appurtenant to Lot 4 and Lot 8 (which water rights were transferred to us by attached Exhibit C) as follows:

A. Robert and Fern Young conveyed Lot 4 of Marvin Gardens Subdivision No. 1 by Warranty Deed to James W. and Evelyn Phillips and James and Alice Rosenfeld, (collectively

"Phillips/Rosenfeld"). A copy of that deed is attached hereto as Exhibit D-1 and a copy of the Marvin Gardens Subdivision No. 1 Subdivision plat is attached hereto as Exhibit D-2.

B. Thereafter, Phillips/Rosenfeld recorded said Replat subdividing Lot 4 of Marvin Gardens Subdivision No. 1 into four lots smaller (Replat is attached Exhibit A).

C. Phillips/Rosenfeld sold Lots 4, 7, 8 and 9 of the Replat, each time reserving the water rights as set forth in the Warranty Deeds, copies of which are attached hereto as Exhibits E, F, G and H, respectfully.

D. Then by Quit Claim Deed (attached Exhibit C) Phillips/Rosenfeld transferred the water rights appurtenant to Lot 4 and Lot 8 to me and my wife. At the same time, Phillips/Rosenfeld, by similar quit claim deed, transferred the water right appurtenant to Lot 7 and 9 of the Replat to Charles M. and Connie Johnson.

E. When my wife and I received our deed to Lot 2 from the Youngs in 1992 (attached Exhibit B), the deed referred to 24 inches of March 24, 1883 W.T Riley water rights, and included in that 24 inches were the water rights appurtenant to not only Lot 2, but also to Lot 4 and Lot 8, calculated on a pro-rata basis based upon irrigated acres of each of the three lots and totaling 24 miners inches.

7. Currently, the water rights appurtenant to each of the lots is as follows:

A. Lot 2, Marvin Gardens Subdivision: .3225 cfs

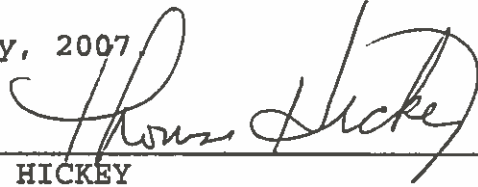
B. Lot 4, Marvin Gardens Subdivision: .0716 cfs

C. Lot 8, Marvin Gardens Subdivision: .0859 cfs

8. Also, I have read the Affidavit of Charles M. Johnson of even date herewith, who, along with his wife Connie, acquired Lot 1, of said Replat from Robert and Fern Young at the same time as I did. And, as with my deed, the Johnson deed refers to 24 inches of inches of March 24, 1883 W.T Riley water rights, and included therein are the water rights appurtenant to Lot 1, Lot 7 and Lot 9

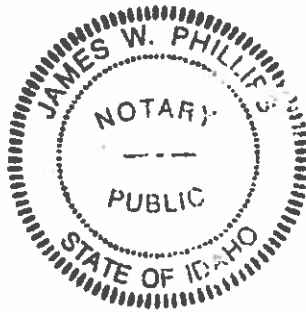
of Replat. I concur with his statements and his claim of ownership to those water rights of appurtenant to Lots 1, Lot 7 and Lot 9 of said Replat calculated on a pro-rata basis based upon irrigated acres of each of those three lots and totalling 24 miners inches as set forth in his Affidavit.

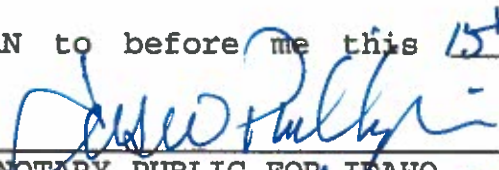
DATED this 15th day of January, 2007.



THOMAS HICKEY

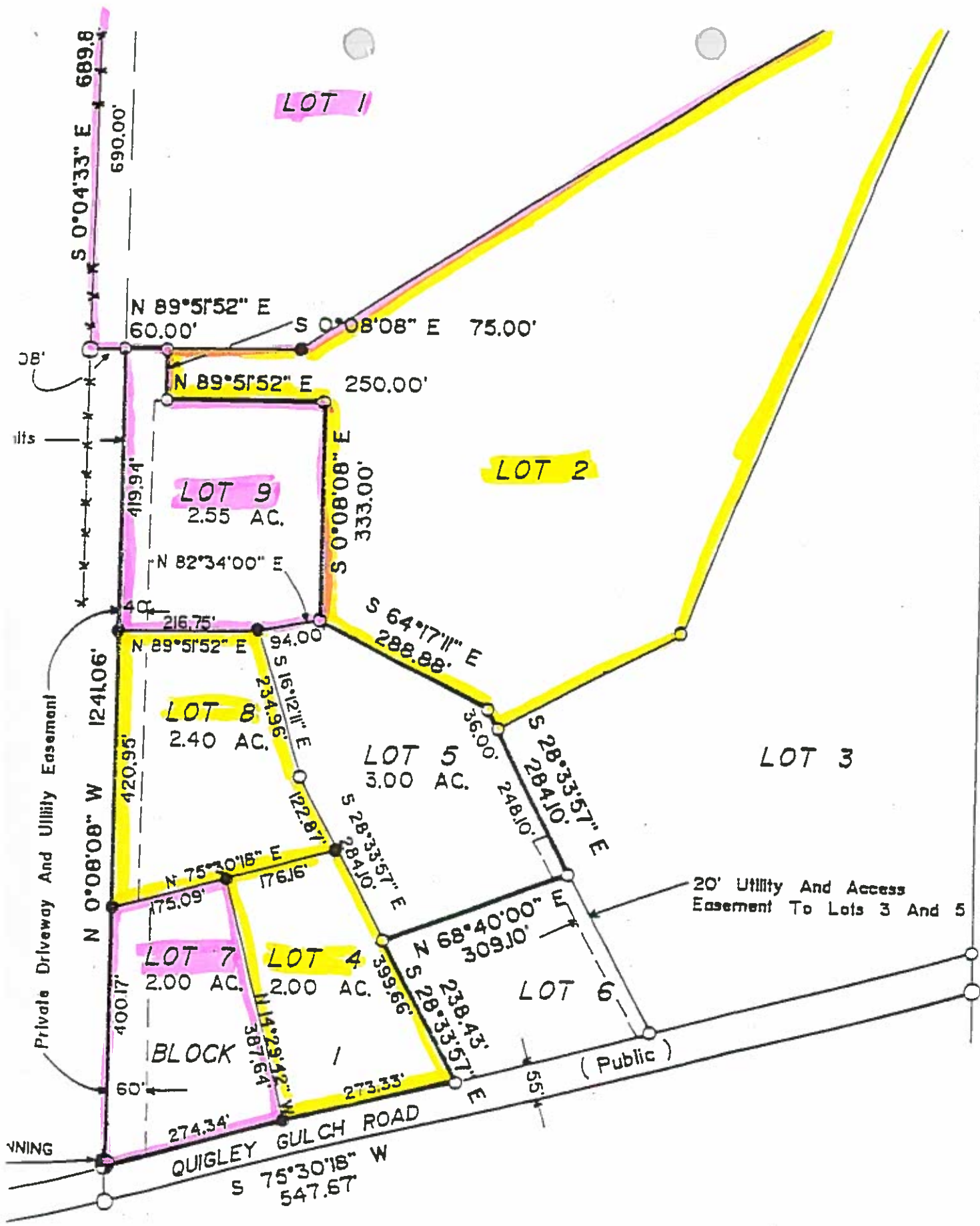
SUBSCRIBED AND SWORN to before me this 15th day of January, 2007.




NOTARY PUBLIC FOR IDAHO

Residing at:

Commission expires: 11-06-09



Johnson

Nickey

EXHIBIT A

FILED 11 1911

CORRECTION
WARRANTY DEED

THIS INDENTURE made this 18 day of July, 1992, between Robert Young and Fern Young, husband and wife, of Renton Washington hereinafter called the Grantor(s), for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, hereby grants, sells, conveys and warrants unto Thomas Hickey and Louise L. Hickey, husband and wife, as joint tenants with rights of survivorship, whose current address is P.O. Box 2312, Sun Valley, Idaho 83353, hereinafter jointly called the Grantee, the following described premises situated in Blaine County, Idaho, to wit:

Lot 2, Block 1 of Marvin Gardens No. 1 Subdivision, Lot 1 amended, 1984, Blaine County, Idaho, according to the official plat thereof, recorded October 25, 1984, as Instrument No. 257550, records of Blaine County, Idaho. Together with 24 inches of March 24, 1883 water rights under original decree to W.T. Riley.

TOGETHER WITH all and singular improvements, water rights, ditch rights, easements, tenements, hereditaments and appurtenances thereto, SUBJECT TO restrictions, easements, liens, and encumbrances of record; overlaps and encroachments of adjoining premises; and assessments and taxes not yet payable.

TO HAVE AND TO HOLD, the said premises, together with the appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. Grantor, for himself and his heirs and assigns, does hereby covenant to and with the said Grantee, his heirs and assigns, that the Grantor is the owner in fee simple of said premises; that said premises is free of liens and encumbrances, except as above described; and, that Grantor will warrant and defend the quiet and peaceable possession of same by the Grantee, his heirs and assigns forever, against every person lawfully claiming the same and shall warrant and by these presents forever defend.

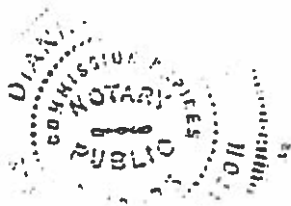
STATE OF WASHINGTON,)
)
County of King.) ss.

On this 18 day of July, 1992, before me,
a Notary Public in and for said State, personally appeared Fern
Young ^{Proved to be} known to me to be the person whose name is subscribed to the
foregoing document, and acknowledged that she executed the same.

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

Anna L. Hickey
NOTARY PUBLIC FOR WASHINGTON
Residing at: *Seattle*
Commission expires: *7-12-95*

JWP/nm/hickey.dee



QUIT CLAIM DEED
(Water Rights)

FOR VALUE RECEIVED, James Rosenfeld and Alice K. Rosenfeld of Honaunau, Hawaii, and James Phillips and Evelyn Phillips, husband and wife, of Hailey, Idaho do hereby convey, release, remise and forever quit claim unto Thomas Hickey and Louise Hickey ("Grantees") of Hailey, Idaho, whose mailing address is P.O. Box 2312, Sun Valley, Idaho 83353, all right, title and interest in and to the water rights, including, without limitation, the March 24, 1883, the water rights decreed to W.T. Riley in Frost V. Alturas Water Co. deeded by Emma K. Donovan and J.J. Donovan to Gus Johnson December 5, 1927, at Book 128, page 63, records of Blaine County, Idaho, and ditch rights appurtenant to or used on or with regard to certain real property situate in Blaine County, Idaho, more particularly described as follows:

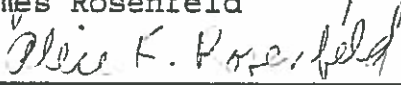
Lot 4, Block 1, and Lot 8, Block 1, A Replat of
Lots 4 and 5 Marvin Gardens Subdivision No. 1,
Blaine County, Idaho, according to the plat
thereof on file as Instrument No 283527, records
of Blaine County, Idaho.

These water rights were filed on by Robert and Fern Young as SRBA Claim # A37-05577CE, and a Notice of Change of Water Right Ownership to the above named Grantees has been previously filed by the Youngs.

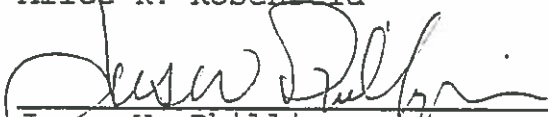
DATED this 30th day of April, 1999.



James Rosenfeld



Alice K. Rosenfeld



James W. Phillips



Evelyn B. Phillips

STATE OF Hawaii,)
County of Hawaii) ss.

On this 30th day of April, 1999, before me, a Notary Public in and for said State, personally appeared James Rosenfeld, a divorced man, known to me to be the person who name is subscribed to the within instrument, and acknowledged to me that he executed the same.

S. P. Gacayan S.P. GACAYAN
NOTARY PUBLIC for 3rd Judicial Court
Residing at Kamuela, HI
Commission expires 12-7-99

L.S.

STATE OF Hawaii,)
County of Hawaii) ss.

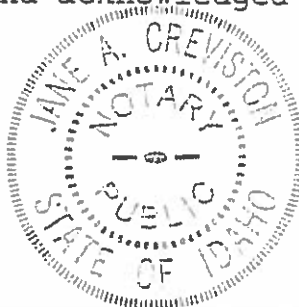
On this 30th day of April, 1999, before me, a Notary Public in and for said State, personally appeared Alice K. Rosenfeld, a divorced woman, known to me to be the person who name is subscribed to the within instrument, and acknowledged to me that she executed the same.

S. P. Gacayan S.P. GACAYAN
NOTARY PUBLIC for 3rd Judicial Court
Residing at Kamuela, HI
Commission expires 12-7-99

L.S.

STATE OF IDAHO,)
County of Blaine) ss.

On this 20th day of April, 1999, before me, a Notary Public in and for said State, personally appeared James W. Phillips and Evelyn B. Phillips, husband and wife, known to me to be the persons who name are subscribed to the within instrument, and acknowledged to me that they executed the same.



Jane A. Creviston
NOTARY PUBLIC for IDAHO
Residing at Hailey
Commission expires 3-22-2003

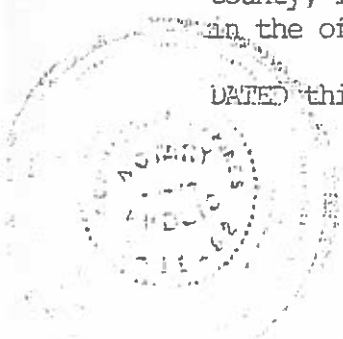
WARRANTY DEED

THIS INDENTURE, made this 10th day of March, 1988, in the year of our Lord one thousand nine hundred and eighty eight, between Robert Young and Fern Young, husband and wife, of 17315 SE 133rd Renton, County of King, State of Washington, the parties of the first part and James and Evelyn Phillips, husband and wife, of Hailey, Idaho, ^{Box 814 YSBE3} and James and Alice K. Rosenfeld, husband and wife, of Honaunau, ^{Box 665 96726} Hawaii, as tenants in common, the party of the second part;

WITNESSETH, that the said parties of the first part, for and in consideration of the sum of One Dollar (\$1.00) and other valuable consideration of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, have granted, bargained and sold, and by these presents do grant, bargain, sell convey and confirm unto the said party of the second part, and its heirs and assigns forever, all the following described real estate, situated in Blaine County, State of Idaho, to wit:

Lot 4, Marvin Gardens Subdivision, No. 1, Amended, Blaine County, Idaho, according to the official plat thereof recorded in the office of the Blaine County Recorder, Hailey, Idaho.

DATED this 10th day of March, 1988.


Robert Young
ROBERT YOUNG

DATED this 10th day of March, 1988.

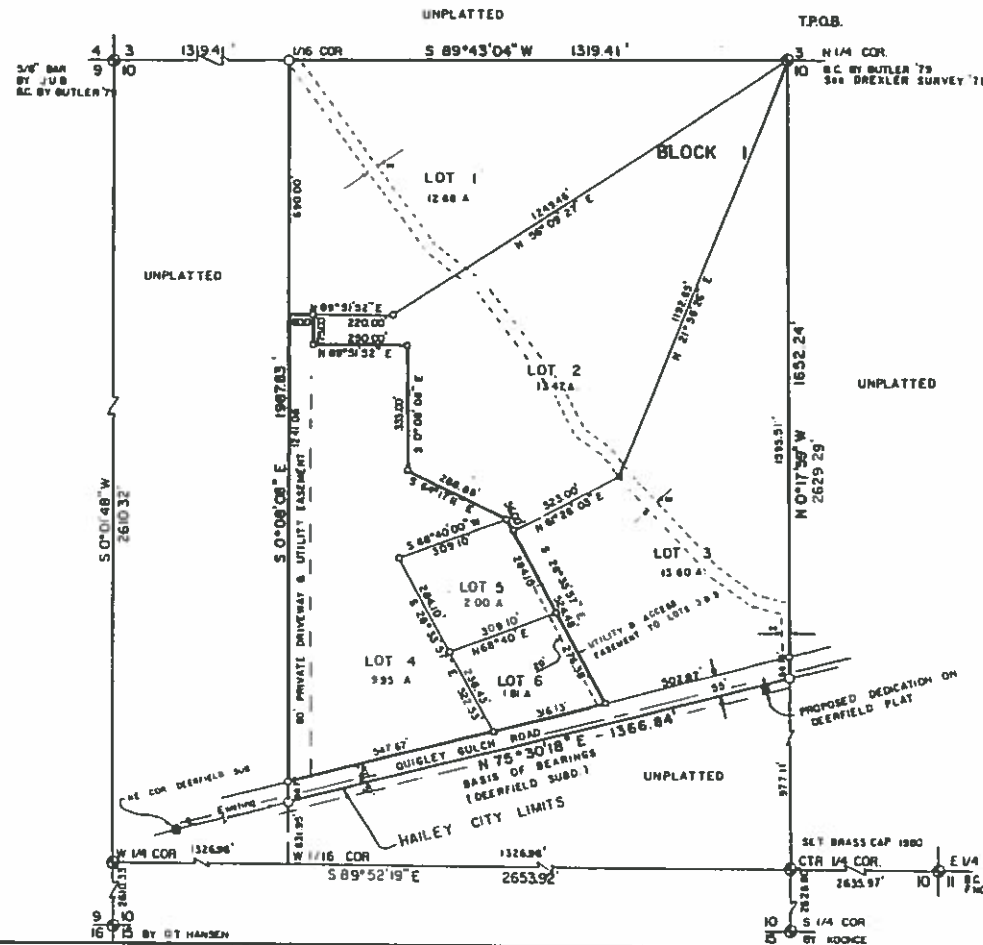
Fern Young
FERN YOUNG

PLAT SHOWING MARVIN GARDENS NO. 1 SUBDIVISION

A PORTION OF THE NW 1/4, SEC. 10, T2N, R18E, B.M.
BLAINE COUNTY, IDAHO 1980



LOTS 4, 5 & 6 AMENDED
APRIL 1981



LEGEND

- Set 5/8" x 30" Rebar W/ Plastic # 3621
- Set 1/2" x 24" Rebar W/ Plastic # 3621
- End 1/2" Rebar
- ⊙ Brass Cap
- - - - - Canal Maintenance Easement
- - - - - Utility Easement

NOTE:

1. The 60' wide private driveway may be utilized for future public access when the parcel to the West is developed.
2. There shall be a 10' utility easement centered on all side and rear lot lines of lots 3 and 4, and a 10' utility easement centered on all lot lines of lots 1 and 2.
3. Lot 5 may not be further subdivided.

AMENDED MARVIN GARDENS SUBD
SAWTOOTH ENGINEERS
KETCHUM, IDAHO

CERTIFICATE OF OWNERSHIP

This is to certify that we are the owners in fee simple of the following described parcel of land:

A parcel of land within the NW 1/4, Section 10, T. 2 N., R. 18 E., S. 4 M., Blaine County, Idaho, being more particularly described as follows: Commencing at the 5/8" bar marking the West 1/16 corner of said Sections 3 and 10, thence S 0°08'08" E 690.00 feet to the TRUE POINT of BEGINNING; thence continuing S 0°08'08" E 1241.06 feet; thence N 75°30'18" E 863.80 feet; thence N 28°33'57" W 560.48 feet; thence N 64°17'11" W 288.88 feet; thence N 0°08'08" W 333.00 feet; thence S 89°51'52" W 250.00 feet; thence N 0°08'08" W 75.00 feet; S 89°51'52" W 60.00 feet to the TRUE POINT of BEGINNING, containing 13.76 acres, more or less.

We, the owners, do hereby include said land in this plat of Marvin Gardens Subdivision. Quigley Gulch Road as shown on this plat is hereby dedicated for the use of public forever.

Robert Young

Fern Young

Howard Knight

Constance Knight

Quigley Land Co.
James W. Phillips, President

James W. Phillips

APPROVAL OF BLAINE COUNTY PLANNING AND ZONING

The foregoing plat was approved by the Blaine County Planning and Zoning Commission on this 21st day of April, 1981.

Sam D. Slott
Administrator

APPROVAL OF BLAINE COUNTY COMMISSIONERS

The foregoing plat was approved by the Blaine County Board of Commissioners on this 21st day of April, 1981.

Ray Sweet
Chairman

ACKNOWLEDGEMENT

STATE OF _____ }
COUNTY OF _____ } ss

On this _____ day of _____, 19____, before me, a Notary Public in and for said state personally appeared the person whose name _____ subscribed to the Owner's Certificate and acknowledged to me that _____ executed the same.

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

Notary Public

SURVEYOR'S CERTIFICATE

I, Richard D. Fosbury, a duly licensed land surveyor in the State of Idaho, do hereby certify that this plat of Marvin Gardens Subdivision is a true and accurate map of the land surveyed under my direct supervision and that it is in accordance with the Idaho State Code relating to plats and surveys.



SANITARY RESTRICTIONS

COUNTY ENGINEER'S APPROVAL

I, Jim W. Koonce, County Engineer for Blaine County, Idaho, have checked the foregoing plat and computations for making the same and have determined that they comply with the laws of the State of Idaho relating thereto.



APPROVAL OF CITY ZONING COMMISSION

The foregoing plat was approved by the Hailey, Idaho, City Zoning Commission on this 7 day of April, 1981.

Chairman

APPROVAL OF CITY COUNCIL

The foregoing plat was approved by the City Council of Hailey, Idaho on this 15 day of April, 1981.

City Clerk

CITY ENGINEER'S APPROVAL

The foregoing plat was approved by Harold J. Cox, City Engineer for the City of Hailey, Idaho on this 17th day of May, 1981.

City Engineer



COUNTY TREASURER'S APPROVAL

The taxes on the foregoing parcel of land have been paid to this date and the plat of is hereby approved this 17th day of July, 1981.

Blaine County Treasurer
Marjorie Annen

COUNTY RECORDERS CERTIFICATE

STATE OF IDAHO } ss 2/7 201
COUNTY OF BLAINE }

This is to certify that the foregoing plat was filed in the office of the Recorder of Blaine County, Idaho on this 16 day of July, 1981, at 11:45 AM, and duly recorded in Plat Book _____, at page _____.

Ex-officio Recorder

Marvin Gardens Subd. Amended
Sheet 2 of 2



BCT #1776

This form furnished by
Blaine County Title, Inc

WARRANTY DEED

For Value Received

JAMES PHILLIPS and EVELYN PHILLIPS, husband and wife and JAMES ROSENFELD and
ALICE K. ROSENFELD, husband and wife

the Grantor hereby grant, bargain, sell, convey and warrant unto

THOMAS A. PYLE, an unmarried man

the Grantee whose current address is: P.O. Box 94, Ketchum, Idaho 83340

the following described premises, to-wit:

Lot 4 in Block 3 of A REPLAT OF LOTS 4 AND 5, MARVIN GARDENS NO. 1 SUBDIVISION,
Blaine County, Idaho, according to the official plat thereof, recorded 11
218, as Instrument No. 205222, records of Blaine
County, Idaho.

NO WATER RIGHTS OR DITCH RIGHTS SHALL BE CONVEYED WITH THE TRANSFER OF THE ABOVE
DESCRIBED PROPERTY. NO FURTHER SUBDIVIDING OF THE ABOVE DESCRIBED PROPERTY.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said 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 incumbrances and that he will warrant and defend the same from all
lawful claims whatsoever.

Dated: March 17, 1988

James Phillips by Evelyn Phillips
JAMES PHILLIPS BY EVELYN PHILLIPS,
HIS ATTORNEY IN FACT
Evelyn Phillips
EVELYN PHILLIPS

James Rosenfeld
JAMES ROSENFELD
Alice K. Rosenfeld
ALICE K. ROSENFELD

STATE OF IDAHO COUNTY OF IDAHO
On this 15 day of MARCH, 1988
before me, a Notary Public in and for said State, personally appeared

EVELYN PHILLIPS

STATE OF IDAHO COUNTY OF
I HEREBY CERTIFY That the instrument was duly and legally executed
in and to the said parties and for the purposes and to the effect

a _____
the _____
p. _____
c. _____

NOTARY PUBLIC
E

Witness my hand and seal of said Notary Public at Ketchum, Idaho, this 15th day of March, 1988.
Notary Public in and for the State of Idaho

Thomas A. Pyle

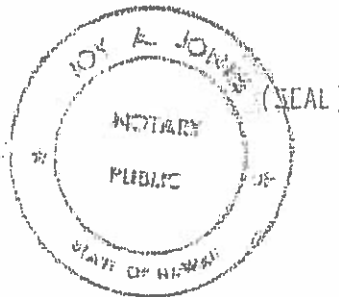
STATE OF HAWAII

COUNTY OF Honolulu

* On this 22nd day of MARCH, 19 88, before me,
the undersigned, a Notary Public, in and for said State, personally
appeared JAMES ROSENFELD and ALICE K. ROSENFELD, husband and wife

known to me and/or identified to me on the basis of satisfactory
evidence to be the person(s) whose name is/are subscribed to the
within instrument and acknowledged to me that they executed
the same.

[Signature]
NOTARY PUBLIC
Residing at: Kailua, Kona, Hawaii
Commission Expires: 1/28/89



293403
HAWAII COUNTY
CLARENCE
15-0001
98 APR 5 PM 2 44
DEPUTY



BCT #1809

This form furnished by
Blaine County Title, Inc.

WARRANTY DEED

For Value Received

JAMES PHILLIPS and EVELYN PHILLIPS, husband and wife and JAMES ROSENFELD and
ALICE K. ROSENFELD, husband and wife

the Grantor hereby grant, bargain, sell, convey and warrants unto

JOHN D. MILLS and ALMA L. MILLS, Husband and Wife

the Grantee whose current address is: P.O. Box 231, Ketchum, Idaho 83340

the following described premises, to-wit:

Lot 7, Block 1, A REPLAT OF LOTS 4 AND 5 MARVIN GARDENS NO. 1 SUBDIVISION,
Blaine County, Idaho, according to the official plat thereof, recorded
April 5, 1988, as Instrument No. 293527, records of Blaine County, Idaho.

NO WATER RIGHTS OR DITCH RIGHTS SHALL BE CONVEYED WITH THE TRANSFER OF THE
ABOVE DESCRIBED PROPERTY. NO FURTHER SUBDIVIDING OF THE ABOVE DESCRIBED
PROPERTY.

SUBJECT TO: A Lien dated March 16, 1988, executed by JOHN V. CARTER and
GEORGINE CARTER, JAMES PHILLIPS, EVELYN PHILLIPS, JAMES ROSENFELD and
ALICE ROSENFELD, as Owners to BLAINE COUNTY, IDAHO, recorded April 5,
1988, as Instrument No. 293529, records of Blaine County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said 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 incumbrances and that he will warrant and defend the same from all
lawful claims whatsoever.

Dated: April 5, 1988

[Signature]
JAMES PHILLIPS, EVELYN PHILLIPS, JAMES ROSENFELD and ALICE K. ROSENFELD

BY: R. KEITH ROARK, THEIR ATTORNEY-IN-FACT.

STATE OF IDAHO, COUNTY OF

On this _____ day of _____, 19____,
before me, a Notary Public in and for said State, personally appeared

STATE OF IDAHO, COUNTY OF

EXHIBIT F

WARRANTY DEED

GRANTORS, James W. Phillips and Evelyn B. Phillips, husband and wife, and James Rosenfeld and Alice Rosenfeld, husband and wife, (hereinafter referred to as Grantors) for a good and valuable consideration, the receipt of which hereby acknowledged, does hereby grant bargain, sell and convey unto David Town and Debra Town, husband and wife, whose current address is, City of Hailey, County of Blaine, State of Idaho as Grantees, and to Grantees' heirs and assigns forever, all the following described real estate located in County of Blaine, Idaho:

Lot 8, A Replat of Lots 4 and 5 Marvin Gardens No. 1 Subdivision according to the Official Plat thereof on file in the records of Blaine County, Idaho April 5, 1988, as Instrument No. 293527, exclusive of all water and ditch rights which shall be retained by the Sellers. Said property shall not be further subdivided as a covenant running with the land in perpetuity, and subject to Blaine County fire equipment fee as noted on said plat.

TOGETHER with all improvements, easements, hereditaments and appurtenances thereto.

GRANTORS, for themselves, their heirs and assigns does hereby covenant, warranty and shall defend the quiet and peaceable possession of said premises by the Grantees, their heirs and assigns forever against the lawful claims of all persons.

In construing this deed, and where the context so requires, the singular includes the plural and the masculine, the feminine and the neuter.

IN WITNESS WHEREOF, Grantors have hereunto subscribed their names to this instrument this 4th day of October, 1988.



JAMES W. PHILLIPS

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

On this 11 day of October, 1988, before me, a Notary Public in and for the said County and State, personally appeared JAMES W. PHILLIPS and EVELYN B. PHILLIPS known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

GIVEN UNDER MY HAND AND SEAL, the day and year in this certificate first above-written.

NOTARY PUBLIC FOR IDAHO

Residing at: _____

Commission expires: _____

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

On this 11 day of October, 1988, before me, a Notary Public in and for said County and State, personally appeared R. KEITH ROARK, Esq., known to me to be the person whose name subscribed to the within instrument as the attorney in fact of JAMES ROSENFELD and ALICE ROSENFELD, and acknowledge to me that he subscribed the names of JAMES ROSENFELD and ALICE ROSENFELD thereto as principal, and his own name as attorney in fact.

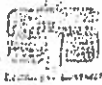
GIVEN UNDER MY HAND AND SEAL, the day and year in this certificate first above-written.

NOTARY PUBLIC FOR IDAHO

Residing at: _____

Commission expires: _____

302653
BLAINE COUNTY T178
BLAINE CO. REQUEST
OF: _____
109 APR 31 PM 4 08
MARY GREEN CLEER
FEES \$9.25



WARRANTY DEED

GRANTORS, James W. Phillips and Evelyn B. Phillips, husband and wife, and James Rosenfeld and Alice Rosenfeld, husband and wife, (hereinafter referred to as Grantors) for a good and valuable consideration, the receipt of which hereby acknowledged, does hereby grant bargain, sell and convey unto Skip C. Conner and Leslie D. Conner, husband and wife, whose current address is, City of Hailey, County of Blaine, State of Idaho as GRANTEE, and to grantee's heirs and assigns forever, all the following described real estate located in County of Blaine, Idaho:

Lot 9, A Replat of Lots 4 and 5 Marvin Gardens No. 1 Subdivision according to the Official Plat thereof on file in the records of Blaine County, Idaho April 5, 1988, as Instrument No. 293527, being 2.55 acres, more or less, exclusive of all water and ditch rights which shall be retained by the Sellers. Said property shall not be further subdivided as a covenant running with the land in perpetuity, and subject to Elaine County fire equipment fee as noted on said plat.

TOGETHER with all improvements, easements, hereditaments and appurtenances thereto. Conveying hereby 2.55 acres, more or less

GRANTORS, for themselves, their heirs and assigns does hereby covenant, warranty and shall defend the quiet and peaceable possession of said premises by the grantee, their heirs and assigns forever against the lawful claims of all persons.

In construing this deed, and where the context so requires, the singular includes the plural and the masculine, the feminine and the neuter.

IN WITNESS WHEREOF, Grantors has hereunto subscribed their name to this instrument this 5th day of August, 1988.


James W. Phillips


Evelyn B. Phillips

James Rosenfeld - Attorney-in-Fact

Alice Rosenfeld - Attorney-in-Fact

200877
RECEIVED
JAN 17 1977
FBI - NEW YORK
JAN 17 1977
JAN 17 1977

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

On this 5 day of August, 1988, before me, a Notary Public in and for the said County and State, personally appeared R. KEITH ROARK, Esq., known to me to be the person whose name subscribed to the within instrument as the attorney in fact of JAMES W. PHILLIPS AND EVELYN B. PHILLIPS, and acknowledged to me that he subscribed the name of JAMES W. PHILLIPS AND EVELYN B. PHILLIPS thereto as principal, and his own name as attorney in fact.

GIVEN UNDER MY HAND AND SEAL, the day and year in this certificate first above-written.

[Signature]
NOTARY PUBLIC FOR IDAHO
Residing at Blaine, ID
Commission expires 11/97

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

On this 5 day of August, 1988, before me, a Notary Public in and for said County and State, personally appeared R. KEITH ROARK, Esq., known to me to be the person whose name subscribed to the within instrument as the attorney in fact of JAMES ROSENFELD AND ALICE ROSENFELD, and acknowledged to me that he subscribed the name of JAMES ROSENFELD AND ALICE ROSENFELD thereto as principal, and his own name as attorney in fact.

GIVEN UNDER MY HAND AND SEAL, the day and year in this certificate first above-written.

[Signature]
NOTARY PUBLIC FOR IDAHO
Residing at Blaine, ID
Commission expires 11/97