

09/27/2002

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

RIGHT NUMBER: 29-4491

NAME AND ADDRESS: CHARLES E WINTER
4297 LOWER FORDS CK RD
OROFINO ID 83544

JENNIE L WINTER
4297 LOWER FORDS CREEK RD
OROFINO ID 83544

SOURCE: UNNAMED STREAM

TRIBUTARY: SINKS

QUANTITY: 0.05 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 06/26/1916

POINT OF DIVERSION:

T07S R36E S26 SENWNW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC		
IRRIGATION	04/01 10/31	0.030 CFS
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE: T07S R36E S26 NWNW 2.0

DOMESTIC same as IRRIGATION
STOCKWATER same as IRRIGATION

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.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: Beneficial Use

02/08/2002

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

RIGHT NUMBER: 29-4491

NAME AND ADDRESS: JENNIE L WINTER
4297 LOWER FORDS CREEK RD
OROFINO ID 83544

ALVIN N STANGER
PO BOX 335
INKOM ID 83245

ALFRED NEIL STANGER
PO BOX 146
BURLINGTON WY 82411

CALVERT STANGER
13957 MALT RD
CALDWELL ID 83607

LYNN D STANGER
6242 N 25TH E HITT RD
IDAHO FALLS ID 83401

TOM STANGER
1365 CAYUSE DR
HELENA MT 59602

VIRGIL STANGER
3204 LUCIO AVE
EUREKA CA 95501

7/18/02
Kimisa Reconn
Whw cb comes
[Signature]

SOURCE: UNNAMED STREAM

TRIBUTARY: SINKS

QUANTITY: 0.05 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 06/26/1916

POINT OF DIVERSION:

T07S R36E S26 SWNNWN Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC		
IRRIGATION	04/01 10/31	0.030 CFS
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE:

IRRIGATION Within BANNOCK County → 20

T07S R36E S26 NWNW 1.0

DOMESTIC same as IRRIGATION
STOCKWATER same as IRRIGATION

20 ACRES TOTAL

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

02/08/2002

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
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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
STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
USE.

EXPLANATORY MATERIAL: Beneficial Use



APR 05 2005

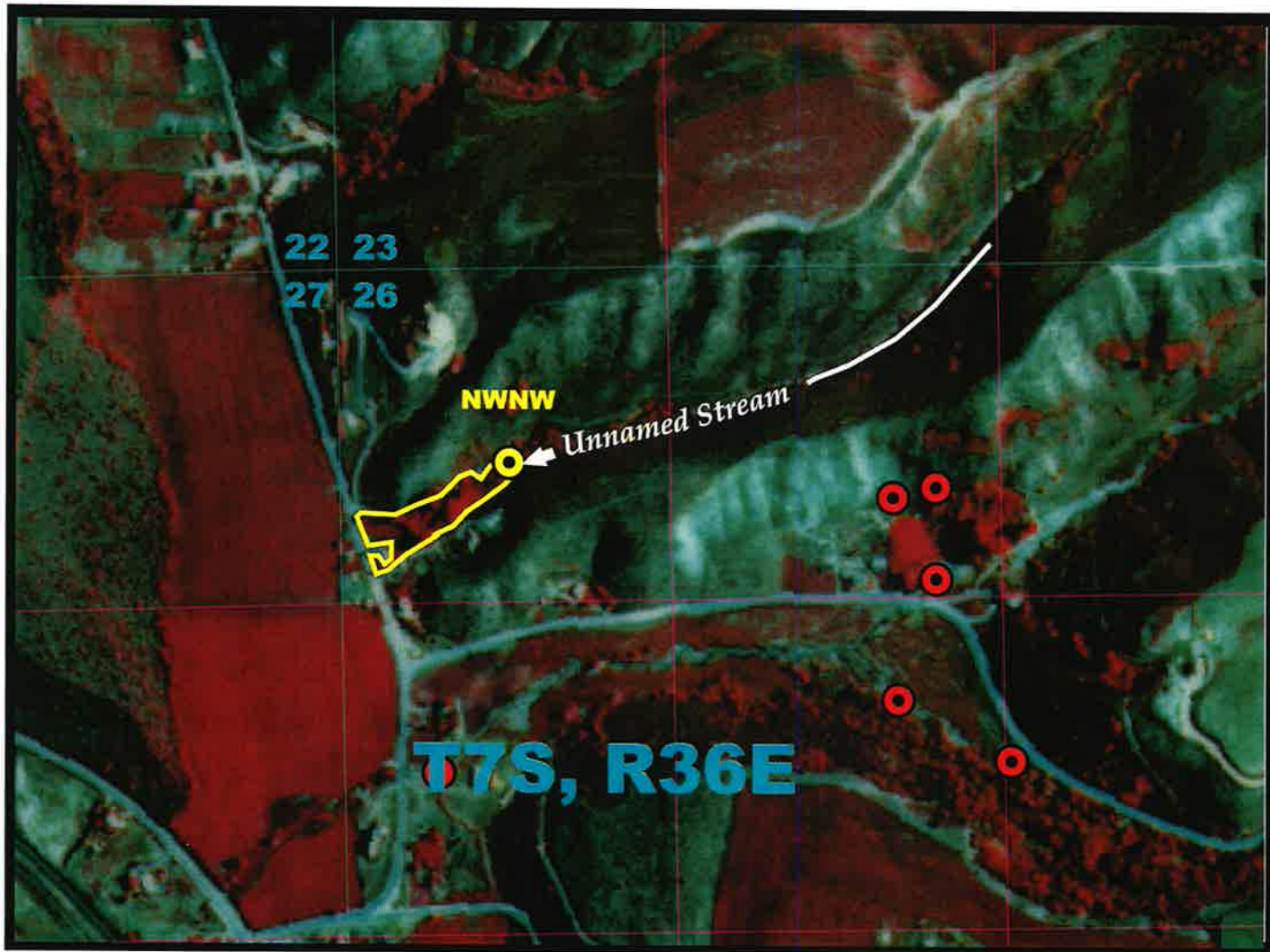
SCANNED

State of Idaho

Department of Water Resources

Eastern Region

Water Right(s): 29-04491



Place of Use: T7S, R36E
(part of) Sec. 26 NWNW

Point(s) of Diversion: T7S, R36E
Sec. 26 SENWNW



LEGEND

- Point of Diversion**
- SESE** **Place of Use**
- Section**
- Quarter-Quarter**

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

In Re SRBA) Subcase No. 29-4491 and 29-13557
)
Case No. 39576)
)
) AFFIDAVIT OF ALLEN RUBERRY
)
)
_____)

State of Idaho)
) ss.
County of Ada)

COPY

Allen Ruberry, being first duly sworn, deposes and states as follows:

1. My name is Allen Ruberry. I am a Senior Water Resources Agent with the Adjudication Bureau of the Idaho Department of Water Resources ("IDWR" or the "Department"). This affidavit is based upon my own personal knowledge.
2. My work address is Idaho Department of Water Resources, 900 North Skyline Drive, Suite A, Idaho Falls, Idaho 83402. I reside in Idaho Falls, Idaho.
3. My educational background is as follows: BS Geology, Boise State Univ. 1980; Assoc. Degree, Civil Engineering, Idaho State Univ., 1979; Cert. Drafting and Design, 1968.
4. My Department of Water Resources work experience includes the following: 1975 to 1977, IDWR, Hydrologic Aid, Adjudication Bureau; 1979 to 1980, IDWR, Water Resource Agent, Dam Safety; 1993 to Present IDWR, Sr. Water Resource Agent, Adjudication Bureau.

FILED

AFFIDAVIT OF ALLEN RUBERRY - Page 1

SCANNED

APR 06 2005

5. As part of my duties as Senior Water Resources Agent, I conduct field investigations for water right claims filed in the Snake River Basin Adjudication. I was the primary investigator on the above claims.

6. Mr. Moon and Ms. Sluder did not file an objection to the Department's recommendation for the Winters' water right.

7. The Winters filed an objection to the Department's recommendation of Mr. Moon and Ms. Sluder's water right.

8. I originally recommended to the Winters, 0.05 cfs for claim no. 29-4491: 0.03 cfs for irrigation and 0.02 cfs stockwater. I recommended 0.03 cfs to Mr. Moon and Ms. Sluder for claim no. 29-13557. I understood that these original recommendations had not been changed at the time I was assisting the parties at the initial hearings. Attached hereto as Exhibit A are the original recommendations contained in the Basin 29 Director's Report.

9. At the initial hearings on this matter, I assisted Charles and Jenny Winters (the "Winters") and Mr. Moon and Ms. Sluder to reach an amicable settlement.

10. I suggested to Mr. Moon and Ms. Sluder that they change the priority date on their water right to be one day later than the Winters' priority date. I told the Moons that in practical terms, they would get any water in the creek over and above the Winters' water right amount.

11. I explained the stockwater portion of the claim to Mr. Moon and Ms. Sluder. I told them that the stockwater stays in the streambed.

12. Standard Forms 5 were developed and filed with the SRBA District Court on April 22, 2005, to reflect the agreement. Attached hereto as Exhibit B is a copy of the SF5 filed on April 22, 2005 by the parties with IDWR's concurrence.

SCANNED

APR 06 2005

PROFILED

13. I have since learned that prior to the initial hearings, an Amended Director's Report was filed in water right no. 29-4491 increasing the Winters' water right amount to 0.08 cfs. My supervisor, Ernest Carlsen made the changed recommendation. The Winters filed a Motion to Amend their claim and this motion was heard in February 3, 2004. The motion was granted. The Amended Director's Report was filed February 6, 2004. Objections to the Amended Director's Report were due March 19, 2004. No objections were filed.

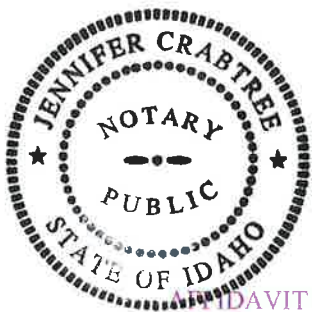
14. Mr. Moon called me sometime November 30, 2004, and that is when I first learned that the Winters had an amount of 0.08 cfs on their water right. I was surprised to learn that this change had been made because I believe the Winters are only entitled to 0.05 cfs. During this conversation I directed Mr. Moon to call IDWR's attorney, Candice M. McHugh on what procedure if any he may have to remedy the situation.

15. During my conversations with Mr. Moon, he expressed concerns about how to enforce his water right against the Winters. I informed him that the only way to enforce his water right was to be part of a water district and hire a Watermaster, but that was not my role at IDWR. I told him to call Mr. Roger Warner with the Idaho Falls office of the Department of Water Resources.

DATED this 28th day of March, 2005.


ALLEN RUBERRY
Senior Water Resources Agent, IDWR

SUBSCRIBED AND SWORN to before me this 28 day of March, 2005.




Notary Public for Idaho
Residing at Boise
My Commission Expires: 9/23/09

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☒ **Quantity**
Should be: .08 cfs (.06 cfs irrigation; .02 cfs stockwater)
4. ☒ **Priority Date**
Should be: June 20, 1916
5. ☐ **Point(s) of Diversion**
Should be: _____
6. ☐ **Instream Flow Description**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☐ **Place of Use**
Should be: _____

11. **I object because:**

- ☐ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTION(S):** Objectors have provided
to IDWR sufficient documentation to support the quantity and priority date
demanding herein.

PROFILED

SCANNED
APR 05 2006

Ruberry, Allen

From: Saxton, Craig
Sent: Tuesday, July 09, 2002 4:11 PM
To: Ruberry, Allen
Subject: 29-04491

Hey Al,

Got a call from Jenney Winters concerning her SRBA claim 29-04491. She originally called and spoke with Mr. Carlsen/Carlson (I don't know if it was Ernie or Dave). She was referred to me since she has an Inkom address, but while I was on the phone with her I found that you have already made a recommendation. Just as a heads up, her concern is that she wants 5 acres. I was stupid and told her that you had already recommended 1 acre. She will be contacting you with questions.

Have a good one,

Craig.

MAILING:
JENNY WINTER (208) 435-4466
4297 LOWER FORDS CREEK RD
ORONO RD 83544

c/o SENT 7/12/02 - RECEIVED 8/02/02

PROFILED

SCANNED
APR 06 2006

29-04491 Statutory Claim

I. EVIDENCE OF Priority supports CLAIMED DATE, 6/26/1916.

Q: → II. CLAIMED AS Irrig. Dom. & Str. Confirm USBS, AND Ac.

III. VISIT POD / POH. CONVEYANCE SYSTEM? DITCHES

X NO MEASUREMENTS RECD < 0.20 cfs

11/02/01 FIELD EXAM. LOCATED POD AND DITCH CONVEYANCE SYSTEM. POH IS AREA BEHIND HS AND SMALL AREA ON SO. SIDE ALSO LARGER AREA ON NORTH SIDE - ALL DITCH FOR PASTURE.

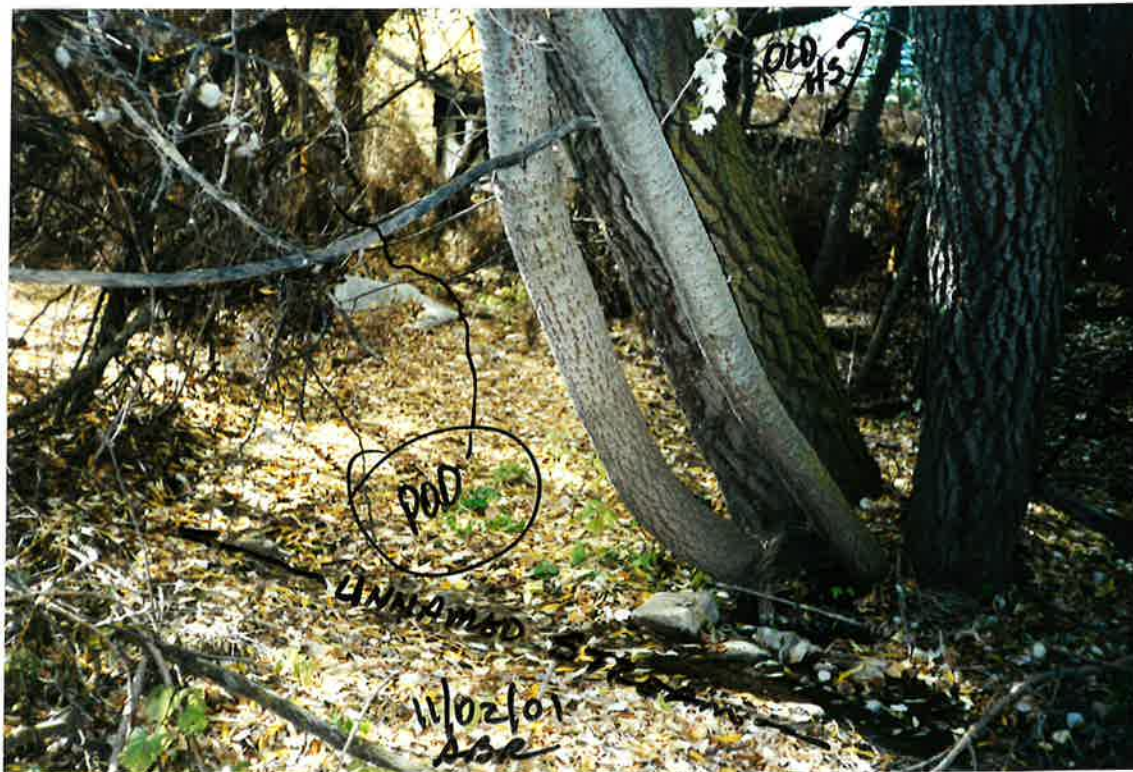
POD IS A DITCH FROM MAIN STREAM (UNNAMED) NEAR AN OLD ABANDONED HS upstream from POH. SWNNWNW

RECOMMEND USBS: Irrig. AND Stock - NO DOMESTIC USE.

PROFILED

SCANNED

APR 05 2006





State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 2, 2002

JENNIE & CHARLES WINTER
4297 LOWER FORDS CREEK RD
OROFINO ID 83544

RE: WATER RIGHT OWNERSHIP CHANGE FOR 29-4491 & CHECK NO 1084
FOR \$25

Dear Mr. & Mrs. Winter:

I am returning the above referenced check because a fee is not required to change the ownership of an adjudication claim.

Sincerely,

Jennifer Crabtree

Technical Records Specialist

Enclosure

WELLS FARGO

JENNIE L. WINTER
GENE WINTER
4297 LOWER FORDS CR. RD. 435-4466
OROFINO, ID 83544

1084

DATE August '02

PAY TO THE ORDER OF J D W R \$25⁰⁰

Twenty five & no/100 DOLLARS

Wells Fargo Bank Northwest, N.A.
210 Michigan Ave.
Orofino, ID 83544
www.wellsfargo.com

MEMO Filing Fee # 29-4491 Jennie L. Winter MP

ESTATE

SCANNED
APR 06 2006

PROFILED

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

DELOG
AR
8/2/02

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
	29-4491				

RECEIVED

AUG 02 2002

Department of Water Resources
Eastern Region

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)

Grant C. Stanger

Alvin Stanger et al

4. New Owner/Claimant(s)

Jennie L & Charles E Winter husband & wife

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

New Mailing Address

4297 Lower Fords Creek Rd

City, State and ZIP Code

Orfino, ID 83544

New Telephone Number

(208) 435-4466

5. Date you acquired the property

July 13 '02

PROFILED

SCANNED

APR 06 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

INSTRUCTIONS FOR FILING NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

This form has been prepared to assist all claimants and owners of water rights to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. All claimants and owners of water rights are required to notify the Department of Water Resources (IDWR) of any change in mailing address or change in ownership of all or part of a water right. In addition, all purchasers of water rights within a pending general adjudication area must inquire whether a notice of claim has been filed and, if not, shall file a notice of claim if necessary.

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

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter the number(s) at **Item 1**. Corresponding water right and adjudication claim numbers should be listed next to each other on the form. You may have purchased only a portion of the water right(s) held by the seller. If so, the water right(s) held by the seller may need to be "split" to provide you your share of each right. Indicate if a split is required by checking in the space provided next to each water right.

If you receive water from a municipal provider, an irrigation district or other water delivery organization, where the water rights are held by the organization, please do not use this form to record a change. You may need to contact the water delivery organization to determine if any action is necessary.

If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If adjudication claims for the rights are required and have not been filed, IDWR will so advise you.

2. The information described at **Item 2** is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner/claimant(s) of the water right(s) at **Item 3**.
4. The name, mailing address, and telephone numbers of the new owner/claimant(s) is entered at **Item 4**. Please indicate the relationship between multiple owners by using the connector "and", "or", or "and/or." If an "and" is used, all parties must sign this form. If an "and/or" or "or" is used, all parties may sign; however, only one of the named parties is required to sign.
5. At **Item 5**, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. You may have purchased only a portion of the water right(s) held by the seller. If this 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. For each water right requiring a split between owners, fill in the appropriate spaces in the box(es) at **Item 6**. Copy the page as many times as necessary to fully describe each water right after the change. Include documentation as necessary to describe nonstandard agreements or arrangements regarding division of the water right(s). **If the water right(s) will not be split, skip Item 6 and go to Item 7.**
7. The new owner(s) must sign the form in the space(s) provided at **Item 7**. If an "and" connector is used at **Item 4**, all parties must sign this form. If an "and/or" or "or" connector is used, all parties may sign; however, only one of the named parties is required to sign. If someone other than the owner signs the notice, evidence of authority to sign for the owner must be attached. If the new owner is a corporation or other organization, the person signing the notice must be an officer of the corporation or otherwise have authority to sign for the organization and must include their title with the signature.
8. The filing fee is \$25 per water right, except for those water rights which will be divided as a result of the change in ownership. The filing fee for division of a water right is \$100 per water right to be divided. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

SCANNED

APR 09 2006

RESERVED FOR THE
My
No. **20213727**
Recorded at request of
RACINE, OLSON
Date: **7-3-02 1:20 PM**
Official Record Book **814**
Bannock County Recorder
Fee **9.00** Deputy **By**

20213727

3-2

Page one

Exhibit A
Addendum to Property Description
Quit Claim Deed
October 21, 1998

The following tracts of land have been sold or otherwise separated from the property described on the original copy of Quit Claim Deed dated October 21, 1998:

#1

A tract of land in the NW 1/4 NW 1/4, Section 26, T. 7 S., R. 36 E., B.M., Bannock County, Idaho, more particularly described as follows:

Beginning at the North 1/16 Corner between Sections 26 & 27, T. 7 S., R. 36 East B.M.; Thence S. 89° 52' 42" E. along the North 1/16 line of Section 26, 186.83 feet to a 1/2" iron pin on the Easterly Right-of-Way line of Inkorn Road, said point being the True Point of Beginning;

Thence continuing S. 89° 52' 42" E. " along the North 1/16 line of Section 26, 578.04 feet to a 3/4" iron pin;

Thence N. 14° 14' 39" E. 499.07 feet to a 3/4" iron pin;

Thence S. 67° 07' 22" W., 608.81 feet to a 1/2" iron pin;

Thence S. 53° 15' 05" W., 213.68 feet to a 1/2" iron pin on the Easterly Right of Way line, 139.78 feet to the True Point of Beginning, and containing 4.75 acres, more or less.

SUBJECT to the easements levied and assessed for 1977 and subsequent years;

SUBJECT to the easements, rights of way, reservations and restrictions of record against the above described real property.

SCANNED

APR 06 2006

#2

A TRACT OF LAND IN THE NORTHWEST QUARTER, SECTION 26, TOWNSHIP 7 SOUTH, RANGE 36 E.B.M., MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at the Northwest corner of said Section 26; thence East 392.9 feet; thence S 89° 06' E. 318.0 feet; thence S. 0° 31' W. 279.3 feet; thence S. 45° 39' W. 937.2 feet; thence N. 15° 53' W. 147.0 feet; more or less, to the west line of N. 0° 08' E. 798.4 feet, more or less, to the point of beginning.

Subject to easement in favor of Idaho Power Company for power lines

#3

Beginning at an iron pipe marking the North one-sixteenth corner of Section 26. T. 7S., N. 36E., B.M., Bannock County, Idaho; thence South 89° 52' 42" East 764.57 feet along the Southerly boundary of the NW 1/4 NW 1/4 of said section 26 to an iron pin; also said point being the Real Point of beginning; thence along the following courses and distances to the iron pins; Thence North 14° 05' 53" East 498.56 feet; thence East 435.00 feet; thence South 0° 18' 40" West 484.52 feet; thence West 95.83 feet; thence North 89° 52' 42" West 456.98 feet to the point of beginning; comprising 5.49 Acres more or less.

#4

A tract of land in the NW1/4NW1/4, Section 26 T. 7 South, Range 36 East, Boise Meridian, Bannock County, Idaho, more particularly described as follows:

Beginning at a point on the Northeasterly line of Inkorn Road, said point is West 240.50 feet and South 16° 11' 14" East, 1,169.55 feet from the Northwest corner of Section 26, Township 7 South, Range 36 East Boise Meridian; thence North 68° 15' East, 188.00 feet; thence South 35° 32' East, 59.70 feet; thence South 53° 15' West, 213.68 feet, more or less, to the Northeasterly line of Inkorn Road; thence North 16° 45' West on the Northeasterly line of Inkorn Road, a distance of 95.50 feet, more or less, to the Point of Beginning.

Benning County Records

3-2

20213941

Page one

Exhibit A
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Quit Claim Deed
October 21, 1998

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Thence continuing S. 89° 52' 42" E. " along the North 1/16 line of Section 26, 578.04 feet to a 3/4" iron pin;

Thence N. 14° 14' 39" E. 499.07 feet to a 3/4" iron pin;

Thence S. 67° 07' 22" W., 608.81 feet to a 1/2" iron pin;

Thence S. 58° 15' 05" W., 213.68 feet to a 1/2" iron pin on the Easterly Right of Way line, 139.78 feet to the True Point of Beginning, and containing 4.75 acres, more or less.

SUBJECT to the easements levied and assessed for 1977 and subsequent years;

SUBJECT to the easements, rights of way, reservations and restrictions of record against the above described real property.

SCANNED

APR 06 2006

#2

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Beginning at the Northwest corner of said Section 26; thence East 392.9 feet; thence S 89° 06' E. 318.0 feet; thence S. 0° 31' W. 279.3 feet; thence S. 45° 39' W. 937.2 feet; thence N. 15° 58' W. 147.0 feet; more or less, to the west line of N. 0° 08' E. 798.4 feet, more or less, to the point of beginning.

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QUITCLAIM DEED

20213726

FOR VALUE RECEIVED, LYNN DENNIS STANGER, whose address is 6242 N. 25th East, Idaho Falls, Idaho 83401 (hereinafter "Grantor"), does hereby convey, release, remise and forever quit claim unto JENNIE L. WINTER, whose address is 4297 Lower Fords Creek Road, Orofino, Idaho 83544 (hereinafter "Grantee"), the following described premises, to wit:

The Northwest Quarter (NW 1/4) of the Northwest Quarter (NW 1/4) and the North Fifty (50) rods of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of Section Twenty-Six (26) in Township seven (7) South, Range 36 East Boise Meridian, in Bannock County, State of Idaho, Less those parcels described in Exhibit A, Addendum to Property Description which is attached to this document.

together with its appurtenances.

DATED this 2 day of July, 2002.

Lynn Dennis Stanger
LYNN DENNIS STANGER

STATE OF IDAHO)
County of Bannock) : SS

On this 2nd day of July, 2002, before me the undersigned Notary Public in and for said State, personally appeared LYNN DENNIS STANGER, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he subscribed the same.

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

written -
NOTARY SEAL

Emil R. Bader
NOTARY PUBLIC FOR IDAHO
Residing at: Vocatello
My Commission expires: 1-24-03

(SEAL)

No. 20213726
Recorded at request of:
RACINE, OLSON
Date: 7-3-02 1:20 PM
Official Record Book 814
Bannock County Recorder
Fee 9.00 Deputy By

SCANNED

APR 05 2003

Exhibit A
Addendum to Property Description
Quit Claim Deed
October 21, 1998

The following tracts of land have been sold or otherwise separated from the property described on the original copy of Quit Claim Deed dated October 21, 1998:

#1

A tract of land in the NW 1/4 NW 1/4, Section 26, T. 7 S., R. 36 E., B.M., Bannock County, Idaho, more particularly described as follows:

Beginning at the North 1/16 Corner between Sections 26 & 27, T. 7 S., R. 36 East B.M.; Thence S. 89° 52' 42" E. along the North 1/16 line of Section 26, 186.83 feet to a 1/2" iron pin on the Easterly Right-of-Way line of Inkorn Road, said point being the True Point of Beginning;

Thence continuing S. 89° 52' 42" E. " along the North 1/16 line of Section 26, 578.04 feet to a 3/4" iron pin;

Thence N. 14° 14' 39" E. 499.07 feet to a 3/4" iron pin;

Thence S. 67° 07' 22" W., 608.81 feet to a 1/2" iron pin;

Thence S. 58° 15' 05" W., 213.68 feet to a 1/2" iron pin on the Easterly Right of Way line, 139.78 feet to the True Point of Beginning, and containing 4.75 acres, more or less.

SUBJECT to the easements levied and assessed for 1977 and subsequent years;

SUBJECT to the easements, rights of way, reservations and restrictions of record against the above described real property.

SCANNED

APR 06 2006

#2

A TRACT OF LAND IN THE NORTHWEST QUARTER, SECTION 26, TOWNSHIP 7 SOUTH, RANGE 36 E.B.M., MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at the Northwest corner of said Section 26; thence East 392.9 feet; thence S 89° 06' E. 318.0 feet; thence S. 0° 31' W. 279.3 feet; thence S. 45° 39' W. 937.2 feet; thence N. 15° 58' W. 147.0 feet; more or less, to the west line of N. 0° 08' E. 798.4 feet, more or less, to the point of beginning.

Subject to easement in favor of Idaho Power Company for power lines

#3

Beginning at an iron pipe marking the North one-sixteenth corner of Section 26. T. 7S., N. 36E., B.M., Bannock County, Idaho; thence South 89° 52' 42" East 764.57 feet along the Southerly boundary of the NW 1/4 NW 1/4 of said section 26 to an iron pin; also said point being the Real Point of beginning; thence along the following courses and distances to the iron pins; Thence North 14° 05' 53" East 498.56 feet; thence East 435.00 feet; thence South 0° 18' 40" West 484.52 feet; thence West 95.83 feet; thence North 89° 52' 42" West 456.98 feet to the point of beginning; comprising 5.49 Acres more or less.

#4

A tract of land in the NW1/4NW1/4, Section 26 T. 7 South, Range 36 East, Boise Meridian, Bannock County, Idaho, more particularly described as follows:

Beginning at a point on the Northeasterly line of Inkorn Road, said point is West 240.50 feet and South 16° 11' 14" East, 1,169.55 feet from the Northwest corner of Section 26, Township 7 South, Range 36 East Boise Meridian; thence North 68° 15' East, 188.00 feet; thence South 35° 32' East, 59.70 feet; thence South 58° 15' West, 213.68 feet, more or less, to the Northeasterly line of Inkorn Road; thence North 16° 45' West on the Northeasterly line of Inkorn Road, a distance of 95.50 feet, more or less, to the Point of Beginning.

SCANNED

APR 05 2006

3-1
QUITCLAIM DEED

20215047

FOR VALUE RECEIVED, VIRGIL LEON STANGER, whose address is 201A McCray Street #168, Hollister, California 95023 (hereinafter "Grantor"), does hereby convey, release, remise and forever quit claim unto JENNIE L. WINTER, whose address is 4297 Lower Fords Creek Road, Orofino, Idaho 83544 (hereinafter "Grantee"), the following described premises, to wit:

The Northwest Quarter (NW 1/4) of the Northwest Quarter (NW 1/4) and the North Fifty (50) rods of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of Section Twenty-Six (26) in Township seven (7) South, Range 36 East Boise Meridian, in Bannock County, State of Idaho, Less those parcels described in Exhibit A, Addendum to Property Description which is attached to this document.

together with its appurtenances.

DATED this 13 day of July, 2002.

Virgil Leon Stanger
VIRGIL LEON STANGER

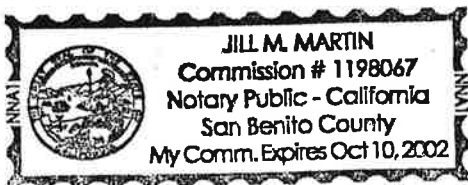
STATE OF CALIFORNIA)
County of San Benito) : ss

On this 13 day of July, 2002, before me the undersigned Notary Public in and for said State, personally appeared VIRGIL LEON STANGER, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he subscribed the same.

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

(SEAL)

Jill M Martin
NOTARY PUBLIC FOR CALIFORNIA
Residing at: Postnet, Hollister CA 95023
My Commission expires: 10/10/02



3-2

20215047

Page one

Exhibit A
Addendum to Property Description
Quit Claim Deed
October 21, 1998

The following tracts of land have been sold or otherwise separated from the property described on the original copy of Quit Claim Deed dated October 21, 1998:

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A tract of land in the NW 1/4 NW 1/4, Section 26, T. 7 S., R. 36 E., B.M., Bannock County, Idaho, more particularly described as follows:

Beginning at the North 1/16 Corner between Sections 26 & 27, T. 7 S., R. 36 East B.M.; Thence S. 89° 52' 42" E. along the North 1/16 line of Section 26, 186.83 feet to a 1/2" iron pin on the Easterly Right-of-Way line of Inkorn Road, said point being the True Point of Beginning;

Thence continuing S. 89° 52' 42" E. " along the North 1/16 line of Section 26, 578.04 feet to a 3/4" iron pin;

Thence N. 14° 14' 39" E. 499.07 feet to a 3/4" iron pin;

Thence S. 67° 07' 22" W., 608.31 feet to a 1/2" iron pin;

Thence S. 58° 15' 05" W., 213.68 feet to a 1/2" iron pin on the Easterly Right of Way line, 139.78 feet to the True Point of Beginning, and containing 4.75 acres, more or less.

SUBJECT to the easements levied and assessed for 1977 and subsequent years;

SUBJECT to the easements, rights of way, reservations and restrictions of record against the above described real property.

NO 20215047

RECORDED AT REQUEST OF

Racine Law
2002 JUL 23 AM 9 30

OFFICIAL RECORD BOOK NO. *814*

BANNOCK COUNTY IDAHO

LARRY W CHAN RECORDER

FEE *9* DEPUTY *RP*

SCANNED

APR 03 2006

3-3
20215047

Page 2

#2

A TRACT OF LAND IN THE NORTHWEST QUARTER, SECTION 26, TOWNSHIP 7 SOUTH, RANGE 36 E.B.M., MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at the Northwest corner of said Section 26; thence East 392.9 feet; thence S 89° 06' E. 318.0 feet; thence S. 0° 31' W. 279.3 feet; thence S. 45° 39' W. 937.2 feet; thence N. 15° 58' W. 147.0 feet; more or less, to the west line of N. 0° 08' E. 798.4 feet, more or less, to the point of beginning.

Subject to easement in favor of Idaho Power Company for power lines

#3

Beginning at an iron pipe marking the North one-sixteenth corner of Section 26. T. 7S., N. 36E., B.M., Bannock County, Idaho; thence South 89° 52' 42" East 764.57 feet along the Southerly boundary of the NW 1/4 NW 1/4 of said section 26 to an iron pin; also said point being the Real Point of beginning; thence along the following courses and distances to the iron pins; Thence North 14° 05' 53" East 498.56 feet; thence East 435.00 feet; thence South 0° 18' 40" West 484.52 feet; thence West 95.83 feet; thence North 89° 52' 42" West 456.98 feet to the point of beginning; comprising 5.49 Acres more or less.

#4

A tract of land in the NW 1/4 NW 1/4, Section 26 T. 7 South, Range 36 East, Boise Meridian, Bannock County, Idaho, more particularly described as follows:

Beginning at a point on the Northeasterly line of Inkorn Road, said point is West 240.50 feet and South 16° 11' 14" East, 1,169.55 feet from the Northwest corner of Section 26, Township 7 South, Range 36 East Boise Meridian; thence North 68° 15' East, 188.00 feet; thence South 35° 32' East, 59.70 feet; thence South 58° 15' West, 213.68 feet, more or less, to the Northeasterly line of Inkorn Road; thence North 16° 45' West on the Northeasterly line of Inkorn Road, a distance of 95.50 feet, more or less, to the Point of Beginning.

SCANNED

APR 09 2006

31

QUITCLAIM DEED

20214154

FOR VALUE RECEIVED, THOMAS HYRUM STANGER, whose address is 1365 Cayuse, Helena, Montana 59601 (hereinafter "Grantor"), does hereby convey, release, remise and forever quit claim unto JENNIE L. WINTER, whose address is 4297 Lower Fords Creek Road, Orofino, Idaho 83544 (hereinafter "Grantee"), the following described premises, to wit:

The Northwest Quarter (NW 1/4) of the Northwest Quarter (NW 1/4) and the North Fifty (50) rods of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of Section Twenty-Six (26) in Township seven (7) South, Range 36 East Boise Meridian, in Bannock County, State of Idaho, Less those parcels described in Exhibit A, Addendum to Property Description which is attached to this document.

together with its appurtenances.

DATED this 2nd day of July, 2002.

Thomas Hyrum Stanger
THOMAS HYRUM STANGER

STATE OF MONTANA)
 : SS
County of Lewis & Clark)

On this 2 day of July, 2002, before me the undersigned Notary Public in and for said State, personally appeared THOMAS HYRUM STANGER, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he subscribed the same.

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

(SEAL)

NOTARY SEAL

Wanda L. Douglas
NOTARY PUBLIC FOR MONTANA
Residing at: Helena Montana
My Commission expires: February 13, 2005

No. 20214154
Recorded at request of Vacine Law
Date: 7.10.02 1:24 PM
Official Record Book 814
Bannock County Recorder
Fee 9 Deputy BP

SCANNED

APR 06 2006

312
20214154

Page one

**Exhibit A
Addendum to Property Description
Quit Claim Deed
October 21, 1998**

The following tracts of land have been sold or otherwise separated from the property described on the original copy of Quit Claim Deed dated October 21, 1998:

#1

A tract of land in the NW 1/4 NW 1/4, Section 26, T. 7 S., R. 36 E., B.M., Bannock County, Idaho, more particularly described as follows:

Beginning at the North 1/16 Corner between Sections 26 & 27, T. 7 S., R. 36 East B.M.; Thence S. 89° 52' 42" E. along the North 1/16 line of Section 26, 186.83 feet to a 1/2" iron pin on the Easterly Right-of-Way line of Inkorn Road, said point being the True Point of Beginning;

Thence continuing S. 89° 52' 42" E " along the North 1/16 line of Section 76, 578.04 feet to a 3/4" iron pin;

Thence N. 14° 14' 39" E. 499.07 feet to a 3/4" iron pin;

Thence S. 67° 07' 22" W., 608.81 feet to a 1/2" iron pin;

Thence S. 58° 15' 05" W., 213.68 feet to a 1/2" iron pin on the Easterly Right of Way line, 139.78 feet to the True Point of Beginning, and containing 4.75 acres, more or less.

SUBJECT to the easements levied and assessed for 1977 and subsequent years;

SUBJECT to the easements, rights of way, reservations and restrictions of record against the above described real property.

SCANNED

APR 06 2006

#2

A TRACT OF LAND IN THE NORTHWEST QUARTER, SECTION 26, TOWNSHIP 7 SOUTH, RANGE 36 E.B.M., MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at the Northwest corner of said Section 26; thence East 392.9 feet; thence S 89° 06' E. 318.0 feet; thence S. 0° 31' W. 279.3 feet; thence S. 45° 39' W. 937.2 feet; thence N. 15° 58' W. 147.0 feet; more or less, to the west line of N. 0° 08' E. 798.4 feet, more or less, to the point of beginning.

Subject to easement in favor of Idaho Power Company for power lines

#3

Beginning at an iron pipe marking the North one-sixteenth corner of Section 26. T. 7S., N. 36E., B.M., Bannock County, Idaho; thence South 89° 52' 42" East 764.57 feet along the Southerly boundary of the NW 1/4 NW 1/4 of said section 26 to an iron pin; also said point being the Real Point of beginning; thence along the following courses and distances to the iron pins; Thence North 14° 05' 53" East 498.56 feet; thence East 435.00 feet; thence South 0° 18' 40" West 484.52 feet; thence West 95.83 feet; thence North 89° 52' 42" West 456.98 feet to the point of beginning; comprising 5.49 Acres more or less.

#4

A tract of land in the NW1/4NW1/4, Section 26 T. 7 South, Range 36 East, Boise Meridian, Bannock County, Idaho, more particularly described as follows:

Beginning at a point on the Northeasterly line of Inkorn Road, said point is West 240.50 feet and South 16° 11' 14" East, 1,169.55 feet from the Northwest corner of Section 26, Township 7 South, Range 36 East Boise Meridian; thence North 68° 15' East, 188.00 feet; thence South 35° 32' East, 59.70 feet; thence South 58° 15' West, 213.68 feet, more or less, to the Northeasterly line of Inkorn Road; thence North 16° 45' West on the Northeasterly line of Inkorn Road, a distance of 95.50 feet, more or less, to the Point of Beginning.

QUITCLAIM DEED

FOR VALUE RECEIVED, CALVERT LEE STANGER, whose address is 13957 Malt Road, Caldwell, Idaho 83607 (hereinafter "Grantor"), does hereby convey, release, remise and forever quit claim unto JENNIE L. WINTER, whose address is 4297 Lower Fords Creek Road, Orofino, Idaho 83544 (hereinafter "Grantee"), the following described premises, to wit:

The Northwest Quarter (NW 1/4) of the Northwest Quarter (NW 1/4) and the North Fifty (50) rods of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of Section Twenty-Six (26) in Township seven (7) South, Range 36 East Boise Meridian, in Bannock County, State of Idaho, Less those parcels described in Exhibit A, Addendum to Property Description which is attached to this document.

together with its appurtenances.

DATED this 2 day of July, 2002.

Calvert Lee Stanger
CALVERT LEE STANGER

STATE OF IDAHO)
 : ss
County of Oneida)

On this 2 day of July, 2002, before me the undersigned Notary Public in and for said State, personally appeared CALVERT LEE STANGER, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he subscribed the same.

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

Harvey Drum
NOTARY PUBLIC FOR IDAHO

(SEAL.)

Residing at: 211 main st Marsing ID 83639
My Commission expires: 10-17-2002

3-2

20213851

Page one

Exhibit A
Addendum to Property Description
Quit Claim Deed
October 21, 1998

The following tracts of land have been sold or otherwise separated from the property described on the original copy of Quit Claim Deed dated October 21, 1998:

#1

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Beginning at the North 1/16 Corner between Sections 26 & 27, T. 7 S., R. 36 East B.M.; Thence S. 89° 52' 42" E. along the North 1/16 line of Section 26, 186.83 feet to a 1/2" iron pin on the Easterly Right-of-Way line of Inkorn Road, said point being the True Point of Beginning;

Thence continuing S. 89° 52' 42" E. " along the North 1/16 line of Section 26, 578.04 feet to a 3/4" iron pin;

Thence N. 14° 14' 39" E. 499.07 feet to a 3/4" iron pin;

Thence S. 67° 07' 22" W., 608.81 feet to a 1/2" iron pin;

Thence S. 58° 15' 05" W., 213.68 feet to a 1/2" iron pin on the Easterly Right of Way line, 139.78 feet to the True Point of Beginning, and containing 4.75 acres, more or less.

SUBJECT to the easements levied and assessed for 1977 and subsequent years;

SUBJECT to the easements, rights of way, reservations and restrictions of record against the above described real property.

SCANNED

APR 06 2013

20213851
Recorded at request of:
Racine Chartered
Date: 7-5-02 11:14 AM
Official Record Book 814
Bannock County Recorder
Fee 9.00 Deputy *SNW*

3-3

20213851

Page 2

#2

A TRACT OF LAND IN THE NORTHWEST QUARTER, SECTION 26, TOWNSHIP 7 SOUTH, RANGE 36 E.B.M., MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at the Northwest corner of said Section 26; thence East 392.9 feet; thence S 89° 06' E. 318.0 feet; thence S. 0° 31' W. 279.3 feet; thence S. 45° 39' W. 937.2 feet; thence N. 15° 58' W. 147.0 feet; more or less, to the west line of N. 0° 08' E. 798.4 feet, more or less, to the point of beginning.

Subject to easement in favor of Idaho Power Company for power lines

#3

Beginning at an iron pipe marking the North one-sixteenth corner of Section 26. T. 7S., N. 36E., B.M., Bannock County, Idaho; thence South 89° 52' 42" East 764.57 feet along the Southerly boundary of the NW 1/4 NW 1/4 of said section 26 to an iron pin; also said point being the Real Point of beginning; thence along the following courses and distances to the iron pins; Thence North 14° 05' 53" East 498.56 feet; thence East 435.00 feet; thence South 0° 18' 40" West 484.52 feet; thence West 95.83 feet; thence North 89° 52' 42" West 456.98 feet to the point of beginning; comprising 5.49 Acres more or less.

#4

A tract of land in the NW1/4NW1/4, Section 26 T. 7 South, Range 36 East, Boise Meridian, Bannock County, Idaho, more particularly described as follows:

Beginning at a point on the Northeasterly line of Inkorn Road, said point is West 240.50 feet and South 16° 11' 14" East, 1,169.55 feet from the Northwest corner of Section 26, Township 7 South, Range 36 East Boise Meridian; thence North 68° 15' East, 188.00 feet; thence South 35° 32' East, 59.70 feet; thence South 58° 15' West, 213.68 feet, more or less, to the Northeasterly line of Inkorn Road; thence North 16° 45' West on the Northeasterly line of Inkorn Road, a distance of 95.50 feet, more or less, to the Point of Beginning.

SCANNED

APR 06 2006

0091E

5-1
QUITCLAIM DEED

98020866

A298-10
R298-04

THIS QUITCLAIM DEED, Executed this day of October , 1998 (year),

by first party, Grantor, Grant Calvert Stanger

whose post office address is 1784 N. Inkorn Road, Inkorn Idaho 83245

to second party, Grantee, See Exhibit B Attached

whose post office address is

See Exhibit B Attached

WITNESSETH, That the said first party, for good consideration and for the sum of
One and no/100 Dollars (\$1.00) paid by the said second
party the receipt whereof is hereby acknowledged, does hereby remise, release and quitclaim
unto the said second party forever, all the right, title, interest and claim which the said first party
has in and to the following described parcel of land, and improvements and appurtenances there-
to in the County of Bannock , State of Idaho to wit:

The Northwest Quarter (NW¼) of the Northwest Quarter (NW¼) and the
North Fifty (50) rods of the Northeast Quarter (NE) of the Northwest
Quarter NW¼ of Section Twenty-Six (26) in Township seven (7) South,
Range 36 East Boise Meridian, in Bannock County, State of Idaho, Less
those parcels described in Exhibit A, Addendum To Property Description
Which is attached to this document.

(1)

Rev. 6/98

If your state requires 8 1/2" x 11" forms, cut off the bottom of this page at the dotted line.



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© E-Z Legal Forms. Before you use this form, read it, fill in all blanks, and make whatever changes are necessary to your particular transaction. Consult a lawyer if you doubt the form's fitness for your purpose and use. E-Z Legal Forms and the retailer make no representation or warranty, express or implied, with respect to the merchantability of this form for an intended use or purpose.

98020866

00015

IN WITNESS WHEREOF, The said first party has signed and sealed these presents the day and year first above written. Signed, sealed and delivered in presence of:

Angela V. Jensen
Signature of Witness

Angela V. Jensen
Print name of Witness

Signature of Witness

Print name of Witness

Grant Stanger
Signature of First Party

Print name of First Party

Signature of First Party

Print name of First Party

State of Idaho
County of Bannock
On Oct 22, 1998 before me, Sherry Holman-deller, Public Notary
appeared Grant Stanger
personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.
WITNESS my hand and official seal.

Sherry Holman-deller
Signature of Notary

Affiant Known Produced ID
Type of ID _____
(Seal)

NOTARY SEAL

State of _____
County of _____
On _____ before me, _____
appeared _____
personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.
WITNESS my hand and official seal.

Signature of Notary

Affiant Known Produced ID
Type of ID _____
(Seal)

Signature of Preparer

Print Name of Preparer

Address of Preparer

(2)

If your state requires 8 1/2" x 11" forms, cut off the bottom of this page at the dotted line.

98020866
RECORDED AT REQUEST OF
Grant Stanger
OCT 22 PM 2 42
OFFICIAL & BOOK NO. 723
COUNTY CLERK
FEE \$5.00
DUTY OK

00917

5-3
DR

98020866

Exhibit B
Grantees of
Quit Claim Deed
Grant C. Stanger
October 21, 1998

Alvin Noel Stanger
548 Stuart Road
Inkom, Idaho 83245

Alfred Neil Stanger
Box 146
Burlington, Wyoming 82411

Lynn Dennis Stanger
6242 N. 25th East
OIdaho Falls, Idaho 83401

Virgil Leon Stanger
2024 Hazelwood Lane
Eureka, CA 95501

Jennie L. Winter
4297 Lower Fords Creek road
Orofino, ID 83544

Thomas Hyrum Stanger
1365 Cayuse
Helena, Montana 59601

Calvert Lee Stanger
18820, Unit C1
Hospital N. Drive 23
Orofino, Idaho 83544

5-4
Exhibit A
Addendum to Property Description
Quit Claim Deed
October 21, 1998

The following tracts of land have been sold or otherwise separated from the property described on the original copy of Quit Claim Deed dated October 21, 1998:

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Thence continuing S. 89° 52' 42" E. " along the North 1/16 line of Section 76, 578.04 feet to a 3/4" iron pin;

Thence N. 14° 14' 39" E. 499.07 feet to a 3/4" iron pin;

Thence S. 67° 07' 22" W., 608.31 feet to a 1/2" iron pin;

Thence S. 58° 15' 05" W., 213.68 feet to a 1/2" iron pin on the Easterly Right of Way line, 139.78 feet to the True Point of Beginning, and containing 4.75 acres, more or less.

SUBJECT to the easements levied and assessed for 1977 and subsequent years;

SUBJECT to the easements, rights of way, reservations and restrictions of record against the above described real property.

#2

5-5

A TRACT OF LAND IN THE NORTHWEST QUARTER, SECTION 26, TOWNSHIP 7 SOUTH, RANGE 36 E.B.M., MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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#3

Beginning at an iron pipe marking the North one-sixteenth corner of Section 26. T. 7S., N. 36E., B.M., Bannock County, Idaho; thence South 89° 52' 42" East 764.57 feet along the Southerly boundary of the NW 1/4 NW 1/4 of said section 26 to an iron pin; also said point being the Real Point of beginning; thence along the following courses and distances to the iron pins; Thence North 14° 05' 53" East 498.56 feet; thence East 435.00 feet; thence South 0° 18' 40" West 484.52 feet; thence West 95.83 feet; thence North 89° 52' 42" West 456.98 feet to the point of beginning; comprising 5.49 Acres more or less.

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T7S, R36E
Sec. 26 NWNW

Unnamed Stream

OLD HOUSE



11/02/01
Ald



IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 29

Diversion Description

RIGHT ID
POD ID
Quad
Claim Type
Easting
Northing
GPSID

Assumptions

Invoice #

Phase-0 (No Attention)
Phase-I (Ready to Go to Field)
Phase-II (Site Visit - Data Missin
Phase-III (Complete w/issues)
Phase-IV (Total Complete)

Linked
Photos

EPE (ft)

Date (M/D/Y)

Time

Flow Rate (CFS)

0

Open Channel Flow

☐ Complete one box from both Area and Calculation sections

Cross Sectional Area

☐ Circular Channel

- ☐ Less than half full
☐ Half full
☐ More than half full
☐ Full

Diameter

Depth

☐ Rectangular Channel

Width

Depth

Flow Calculation

☐ Continuity

Velocity

☐ Orifice

(Use only for head over a pipe flowing full with free discharge)

Depth of Water
above orifice
centerline

☐ Weir

(Use only for water flowing freely over weir)

Height of water
above nappe

Width of weir

☐ Manning (If used, include photo of representative channel section)

Channel Slope

Channel
Description

Concrete lined	.016
Smooth earth	.025
Earth	.033
Rough bed, weeds on sides	.04
Smooth natural stream	.033
Rough natural stream	.1

Pumped System

☐

HP

Pressure Head (psi)

Elevation Head (ft)

Motor Mfg

Motor Serial #

Pump Type

Pump Mfg

Pump Serial#

New Contact Information

☐

New Contact Comments

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SCANNED

MAY 18 2001

RECEIVED

FEB 16 2001

Department of Water Resources
Eastern Region

Re: The General Adjudication of Rights to
the Water from the Snake River Basin Water System
Identification No.: 29-4491

FILE →

I, Grant Stanger, b.. 1908, moved to Inkom, Idaho in 1926, at which time I became acquainted with Thomas H. (Harry) Hintz, former owner of property which I later bought located as follows:

The north half of the northwest quarter of Section 26, in Township 7
South of Range 34 East of the Boise Meridian, in Idaho, containing 80
acres, according to the official plat of the survey of said lands,
returned to the General Land office by the Surveyor General

I observed Harry Hintz using water from the spring located at the top of the dry wash which flowed into a ditch that had been previously built to accommodate the flow of water alongside his house for convenient domestic use insofar as he hauled it into the house for washing, bathing, etc. Harry used a second spring located about 200 feet above the house for silt-free drinking water, which I continued to use for drinking water when I moved there. Harry also used the stream from the canyon dry wash to water livestock and to irrigate his plum trees and corn and potato patch.

I submit this knowledge that water rights existed as referred to on pages 4 and 27 of Abstract of Title, No. 2761 evidenced by the existing ditches and water therein used on the 80 acres:

p. 4 . . . together with all ditch and water rights of every nature
however evidenced used upon said lands or any part thereof, or
belonging to the same . . . (Mortgage recorded 6/26/1916)

Mortgage recorded 6K48 of Mortgage Book 25 of Mortgages, at p. 506 . . . p. 175

p. 27 - Granting words: Grant, bargain, sell and convey, dated Nov. 7,
1924

... Together with all ditch and water rights of every nature, however evidenced, used on said lands or belonging to the same. (copies attached)

I testify that the ditch existed and carried water at the time I knew Harry Hintz in 1926 and that it was still in use when I came to live on the 80 acres. I and/or members of my family have continued use of same ditch and water for domestic purposes, irrigation, and livestock watering from the time I moved there in 1939 until the present time.

s/ *Brant C. Stanger*
by *Jennie L. Winter*

Date *13 Feb. '01*



Christine J. Young
NOTARY PUBLIC

FOR THE STATE OF IDAHO

My Commission Expires 13th May 2005

This document was signed by
Jennie L. Winter in the presence
of Brant C. Stanger today, 2/13/01.

MORTGAGE.

Mortgagor, -- Joseph Millard, a single man,
Mortgagee, -- The Bannock Abstract & Trust Company, a
corporation.
Date, -- June 20, 1916.
Consideration, -- Two Hundred Dollars.
Recorded, -- June 26, 1916, at 1:05 P.M. in Book
"25" of Mortgages, at page 506 of the Re-
cords of Bannock County, State of Idaho.
Acknowledged, -- Before Ida Woffington, a Notary Public in
and for Bannock County, State of Idaho,
June 20, 1916. (Seal)
Witness, -- Ida Woffington.

DESCRIPTION AND REMARKS.

The north half of the northwest quarter of Section 26, in Township 7 South of Range 36 East of the Boise Meridian, in Idaho, containing 80 acres, according to the official plat of the survey of the said lands, returned to the General Land Office by the Surveyor General,

together with all improvements, privileges and appurtenances there unto belonging and all rights of homestead exemption, together with all ditch and water rights of every nature, however evidenced, used upon said lands or any part thereof, or belonging to the same or to said mortgagor for use thereon, or which may hereafter be acquired for such use during the life or before full payment of the obligation secured hereby.

This grant is intended as a mortgage to secure the payment of one certain promissory note for the sum of \$200.00, due June 20, 1921, with interest at the rate of 8 per cent per annum, from July 1, 1916,

Entry No. 20

Instrument No. 111810

Sheet No. 23

Thomas H. Hints, a single man,

REAL ESTATE MORTGAGE

to

Dated Nov 7, 1924.

J. B. Bernhart.

Filed Nov 7, 1924 at 4:10 P.M.

Recorded Book 48 Mtgs, page 175

Consideration: \$375.00

Acknowledged in Bannock County, State of Idaho, on the 7th day of November, 1924 by Thomas H. Hints before D. W. Standrod Jr., a Notary Public in and for said county and state, residing at Pocatello, Idaho. (SEAL)

Granting words: Grant, Bargain, Sell and Convey.

Description: The Northwest quarter of the Northwest Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$) and the following described tract, to-wit: Beginning at the northeast (NE) corner of the northeast-quarter of the northwest quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$) and running thence south a distance of sixty (60) rods; running thence west at right angles a distance of eighty (80) rods; running thence north at right angles a distance of sixty (60) rods; running thence east at right angles a distance of eighty (80) rods, to the place of beginning; all of said lands being within the North half (N $\frac{1}{2}$) of the Northwest quarter (NW $\frac{1}{4}$) of Section twenty-six (26) in township seven (7) South, Range thirty-six (36) East of the Boise Meridian, and containing seventy (70) acres.

Together with all ditch and water rights of every nature, however evidenced, used on said lands or belonging to the same.

Given to secure the payment of a certain promissory note of ever date for \$375.00 with interest at the rate of ten per cent per annum from date until paid, and payable \$30.00 per month beginning December 7th, 1924 together with interest.

Thomas H. Hints.

27

Re: The General Adjudication of Rights to
the Water from the Snake River Basin Water System
Identification No.: 29-4491

I, Naomi Stanger, having come to live in Inkom, Idaho since 1926, and having known Grant Stanger as a resident of 1784 N. Inkom Road since that time, have personal knowledge of the fact that Grant Stanger used the stream of water which originates at the top of the dry wash that cuts through his property and flows year round, the point of origination being approximately 600 feet above his fence line, more or less. Grant Stanger used this water for irrigation, domestic purposes, and watering livestock, beginning in 1939, when he first moved to his home on Inkom Road, he and/or members of his family have continued to use it until the present time.

s/ Naomi Stanger

Date 14 Feb '01

Re: The General Appropriation
of Rights to the State System
the Snake River Basin State System
Identification no: 29-4491

I, Wade Pridock, have personal
knowledge of and can testify to the
fact that Grant Stanger and his
family used the stream of water
which originates, just above his
fence line, approximately $\frac{1}{8}$ of a
mile since I moved here in 1945
until the present time.

Wade Pridock
2-12-01

(Internet)

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 RIGHT TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number _____

Date Received _____

Receipt Number _____

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

RECEIVED
JUN 20 2016
TWIN FALLS DISTRICT COURT

Please type or print clearly

1. Name of Claimant(s) Jennie L. Winter and Charles E. Winter Phone (208) 435-4466
Mailing Address 4297 Lower Fords Creek Road, Orofino, Idaho 83544 Zip 83544
2. Date of Priority (only one (1) per claim) June 20, 1916
3. Source of water supply (a) Unnamed stream
which is tributary to (b) Sinks
4. a. Location of existing point of diversion is: Township 7S Range 36E Section 26
SW 1/4 of NW 1/4 of NW 1/4, Govt. Lot, _____ B.M., County of Bannock
Additional points of diversion if any: _____
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 enlargement in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. _____
Headgate to gravity ditches.

SCANNED

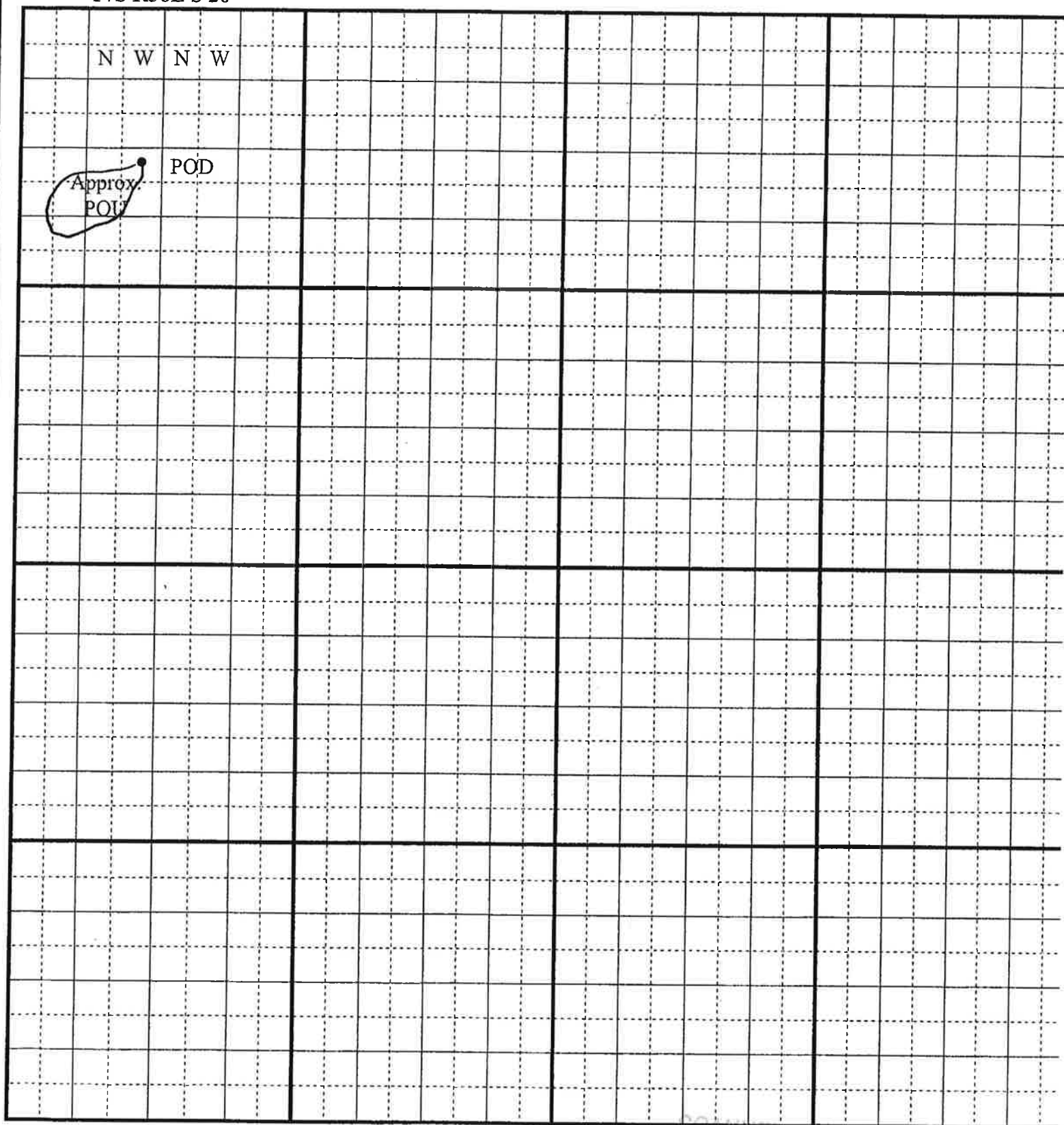
APR 06 2006

PROFILED

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

Scale: 2 inches equals 1 mile

T7S R36E S 26



Last Name Winter

Ident. No. _____

APR 06 2006

6. Water is claimed for the following purposes

(both dates are inclusive) (cfs) (acre feet)

For Irrigation purposes from 4/1 to 10/31 amount .06 or

For Stockwater purposes from 1/1 to 12/31 amount .02 or

For purposes from to amount or

For purposes from to amount or

7. Total quantity claimed (a) .08 (cfs) and/or (b) (acre feet)

8. Total consumptive use claimed is N/a 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 horses

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
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7S	36E	26						2											2
7S	36E	26						S											

Total number of acres irrigated 2

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

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 describe above.

or None (X)

14. Remarks:

Documents to support this (Amended) Notice of Claim include the same documents filed with the original Notice of Claim and all documents subsequently submitted to IDWR for inclusion in this water right file. These documents include the original mortgage for the property (dated June 20, 1916), subsequent deeds showing ownership, and affidavits regarding water use.

Last Name Winter Ident. No.

SCANNED

APR 05 2006

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

If applicable provide IDWR Water Right Number 29-4491

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 ☒ X

wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments 0

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s)

Janet R. Montanoso
Charles E. Winter

Date

21 October '03

Date

21 Oct 03

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



Subscribed and sworn (or affirmed) before me this

21st

day of

OCTOBER

2003

Notary Public

Residing at

Janet R. Montanoso
OROFINO, Idaho
9/9/2009

My Commission Expires

17. Notice of Appearance:

Please Print Name

Notice is hereby given that I, Deborah E. Nelson 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

Deborah E. Nelson

Address

601 W. Bannock Street, Boise, Idaho 83701

Date

10/31/03

Last Name

Winter

Ident. Number

SCANNED

APR 06 2006

SCANNED

MAY 18 2001

#55⁰⁰

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 29-4491
Date Received: 2/8/01
Receipt No: E026461
Received By: DC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

JENNIE L WINTER Phone: (208)435-4466

4297 LOWER FORDS CREEK RD
OROFINO ID USA 83544

ALVIN N STANGER Phone: (208)775-4925

PO BOX 335

INKOM ID USA 83245

ALFRED NEIL STANGER Phone:

PO BOX 146
BURLINGTON WY USA 82411

CALVERT STANGER Phone:

13957 MALT RD
CALDWELL ID USA 83607

LYNN D STANGER Phone: (208)528-7914

6242 N 25TH E HITT RD
IDAHO FALLS ID USA 83401

TOM STANGER Phone:

1365 CAYUSE DR
HELENA MT USA 59602

VIRGIL STANGER Phone: 707-443-5350

3204 LUCIO AVE
EUREKA CA USA 95501

A2904491



2. Date of Priority: 06/26/1916

3. Source: UNNAMED STREAM Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
----------	-------	---------	-----------------------	--------	------

07S 36E 26

NW NW

BANNOCK

5. Description of diverting works:

HEADGATE TO DITCH/POND/PUMPED TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.1	
STOCKWATER	01/01	12/31	0.04	
DOMESTIC	01/01	12/31	0.04	

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

8. Total consumptive use:

9. Non-irrigation uses:
Number of homes: 1

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07S	36E	26	NW	NW	IRRIGATION	5
					Section Acres	5
					Total Acres	5

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:

14. Remarks:

STOCKWATER, 25 CATTLE, 10 HORSES

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 ~~X~~ 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) Jennie J. Winter Date: 8 Feb 01

Alvin D. Stanger Date: 01-02-08
Gym D. Stanger 8 Feb 001

State of Idaho)
County of Bonneville) SS.

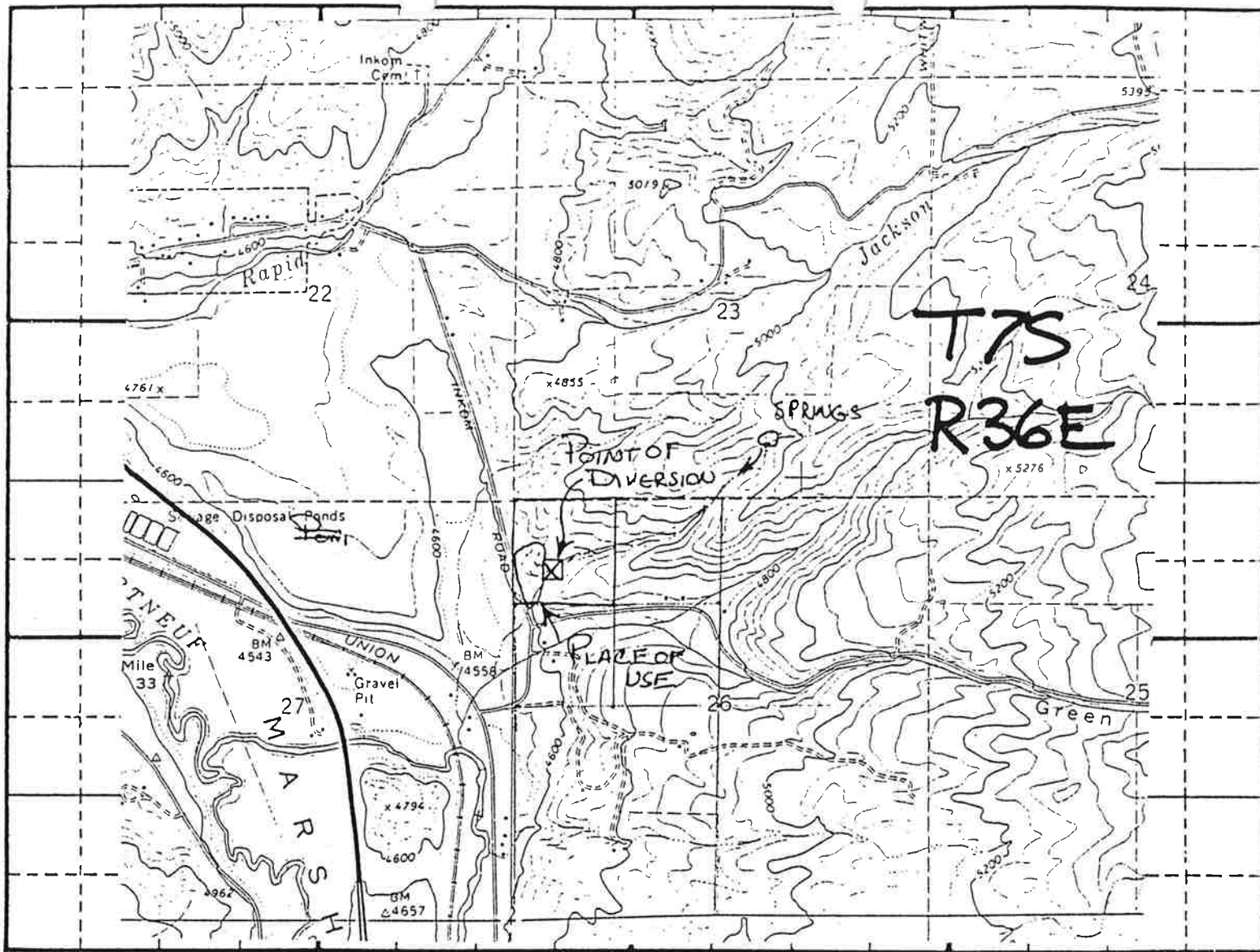
Subscribed and sworn (or affirmed) before me this
of FEB 2001

[Signature]

Notary Public

Residing at Rigby, Id

My commission Expires 2/26/2002



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Bannock) ss.

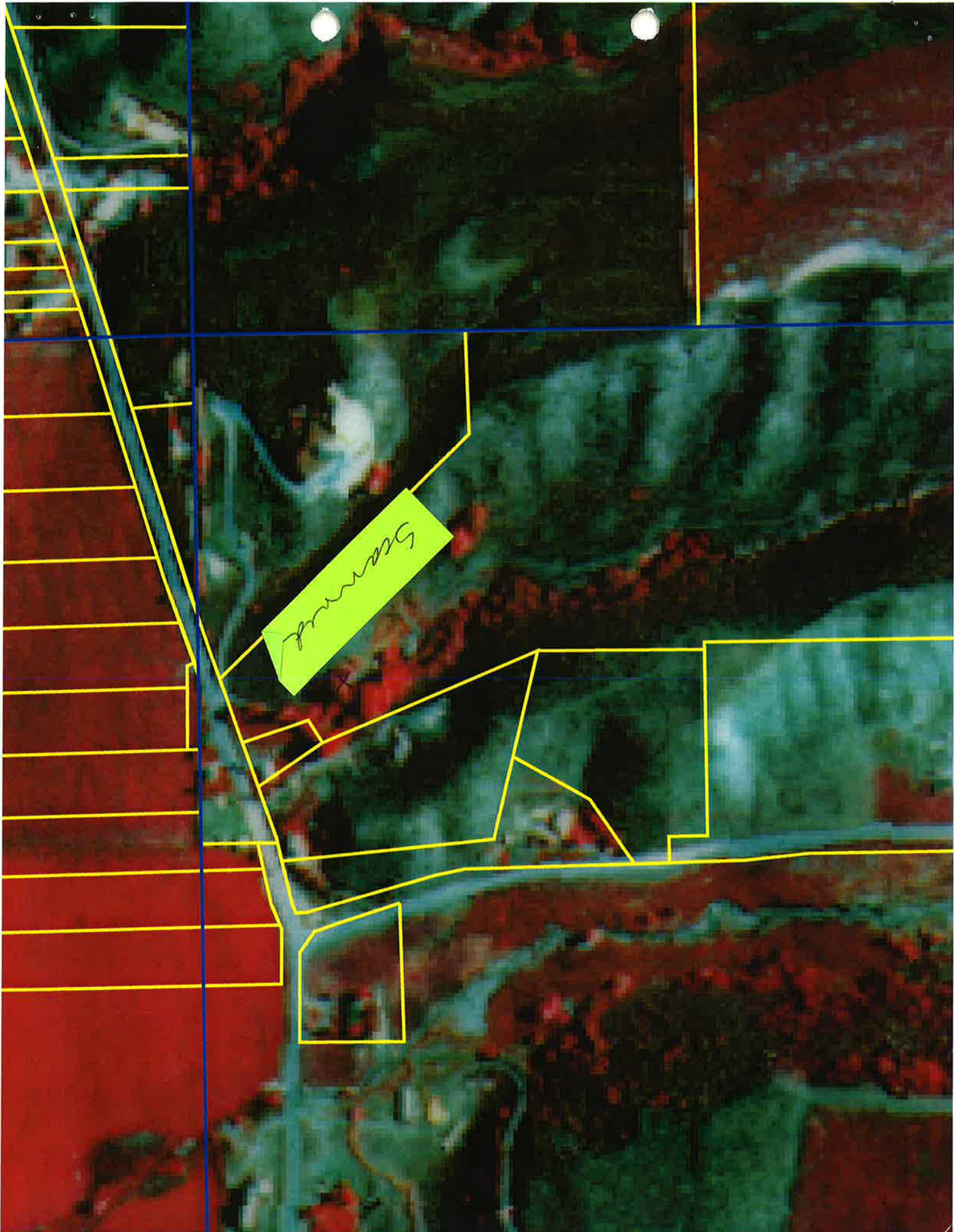
Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 10th day of August, 19 87.

Grant Stanger
(Claimant)

William Wray
Notary Public
Residing at Idaho Falls

My commission expires 5/29/1991



1515 Lincoln Road (New Address)
Idaho Falls Id. 83401

208-523-7186 P.O. Box 4401
Pocatello, Idaho 83201

State of Idaho
Department of Water Administration
State House Annex
Boise, Idaho 83707

Gentlemen:

Lately there has been a lot of publicity about "under-ground water". Since the purchase of my property about 30 years ago, I have been using for household and garden purposes water from a spring. This was piped into my house years ago and is our water supply.

If this is considered in the same light as a well, and I should file on it, will you please send me the necessary papers?

As a matter for your information, I have in my possession an Abstract of Title No. 2078 which is a record of the property since 1917 until 1944. In this abstract is a certificate for a Patent filed June 15, 1917, Instrument 138081, showing the original owner at that time had complete title to his land, together with accrued water rights for mining, agriculture, and other purposes and rights to ditches and reservoirs used in connection with such water rights. Other papers (changes of ownership, etc) show water rights always mentioned.

I have always looked upon this information as my right to any water on the place. However with all this talk about people filing on wells, etc. my wife and I thought we should ask to be sure.

We appreciate any help you can give us in this matter and if necessary, do want to file on the spring as it is our water supply. It does not flow anywhere except into our house.

Sincerely,

Grant C. Stanger