

11/20/2006

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

RIGHT NUMBER: 75-4117E

NAME AND ADDRESS: GORDON LANGE
PO BOX 504
OAKLEY UT 84055

SOURCE: SPRINGS
UNNAMED STREAM

TRIBUTARY: MOGG DITCH
TRIBUTARY: MOGG DITCH

QUANTITY: 0.210 CFS

PRIORITY DATE: 03/10/1928

POINT OF DIVERSION:
T21N R22E S19 SENW Within LEMHI County
T21N R22E S19 SENW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.210 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T21N R22E S18 Lot 4 SESW 9.70

9.7 ACRES TOTAL

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

11/15/2006

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

RIGHT NUMBER: 75-4117E

NAME AND ADDRESS: GORDON LANGE
PO BOX 504
OAKLEY UT 84055

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PERIOD OF USE:

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use



Idaho Department of Water Resources

SRBA Recommendation:

75-4117E

(Irrigation)

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Lemhi County
IDWR Basin 75

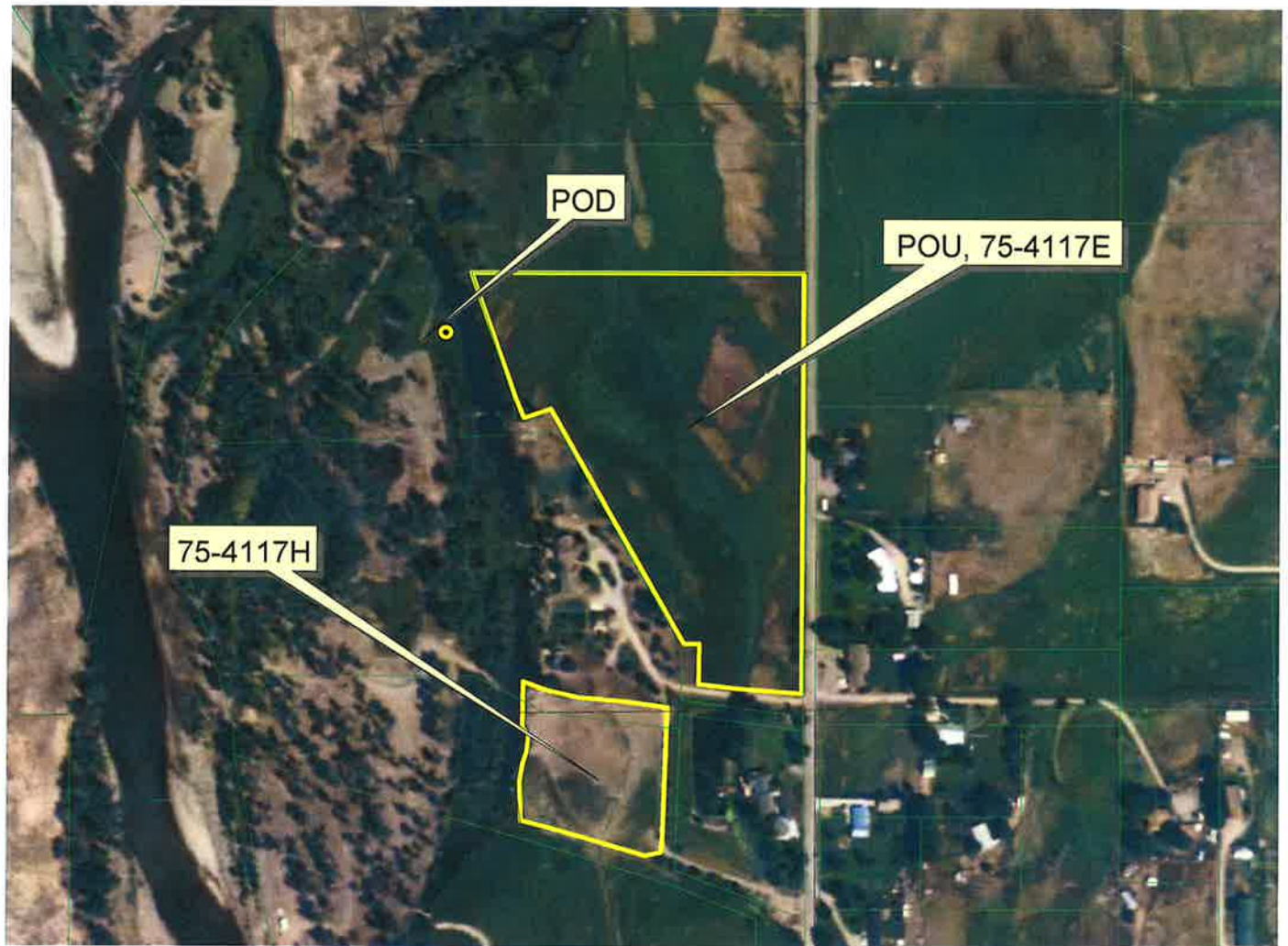


0 0.1 0.2 Miles

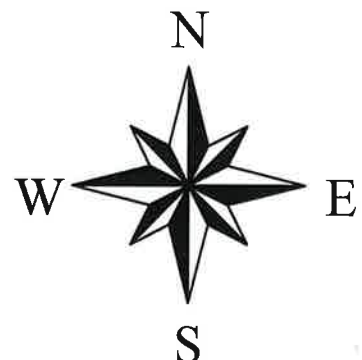


Prepared by M. Ciscell
On Sunday, November 19, 2006
2004 Aerial Photography

75-4117E



-  Lemhi taxlots
-  GCDB21N22E GCDB
-  GCDB21N21E GCDB
-  Pou.shp
-  Pod.shp
-  Administrative BasinsAdminbas.shp



Estimating Conveyance Loss using the Worstell Method

Claim No. 75-4117E

Formula: $S = (w)(i)(0.0667)$

Where: S = loss in cfs per mile

w = top width of the high water mark in feet

i = loss rate in feet per day (see Table)

Type of soil	i (ft/day)
medium clay loam	0.5 - 1.5
impervious clay	0.5
medium soils	1.0
somewhat pervious soils	1.5 - 2.0
gravels	2.5 - 5.0

Worksheet:

w = 3' assumed

i = 1 ft/day

ditch length (mi.) = $570' = 0.11$ miles

Conveyance Loss:

$S = (3)(1)(0.0667) = 0.2 \text{ cfs/mile}$

Loss = 0.02 cfs

$0.2 \text{ cfs/mile} \times 0.11 \text{ miles} = 0.02 \text{ cfs}$

$(9.7 \text{ ac})(0.02 \text{ cfs/ac}) = 0.19 \text{ cfs irrigation}$
ditch loss

$= +0.02 \text{ cfs}$

0.21 cfs Total

Claimed = 0.74 cfs

Recommended = 0.21 cfs total

11/20/2006

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: 12/13/2006

Water right number: 75-4117E

GORDON LANGE

PO BOX 504

OAKLEY UT 84055

Telephone Number: (801)783-5638

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

____ I AGREE with this proposed recommendation: no changes need to be made.

DATE: _____ SIGNATURE: _____

Please print your name: _____

IDWR Regional Office, 7600 Mineral Drive, Suite 100, Coeur D' Alene, ID 83815, 2087622800



State of Idaho

DEPARTMENT OF WATER RESOURCES

7600 Mineral Drive, Suite 100 • Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800 • Fax: (208) 762-2819 • Web Site: www.idwr.idaho.gov

NORTHERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

March 13, 2007

Gordon R. Lange
1579 W. Silver Springs Rd.
Park City, UT 84098

SCANNED

MAR 13 2007

Re: 75-4117E

Dear Gordon:

This packet was mailed to Box 504, Oakley, UT and was returned to our office. The county records show that your address as above. In order for you to receive future correspondence you need to file the enclosed change of address form and return it to this office.

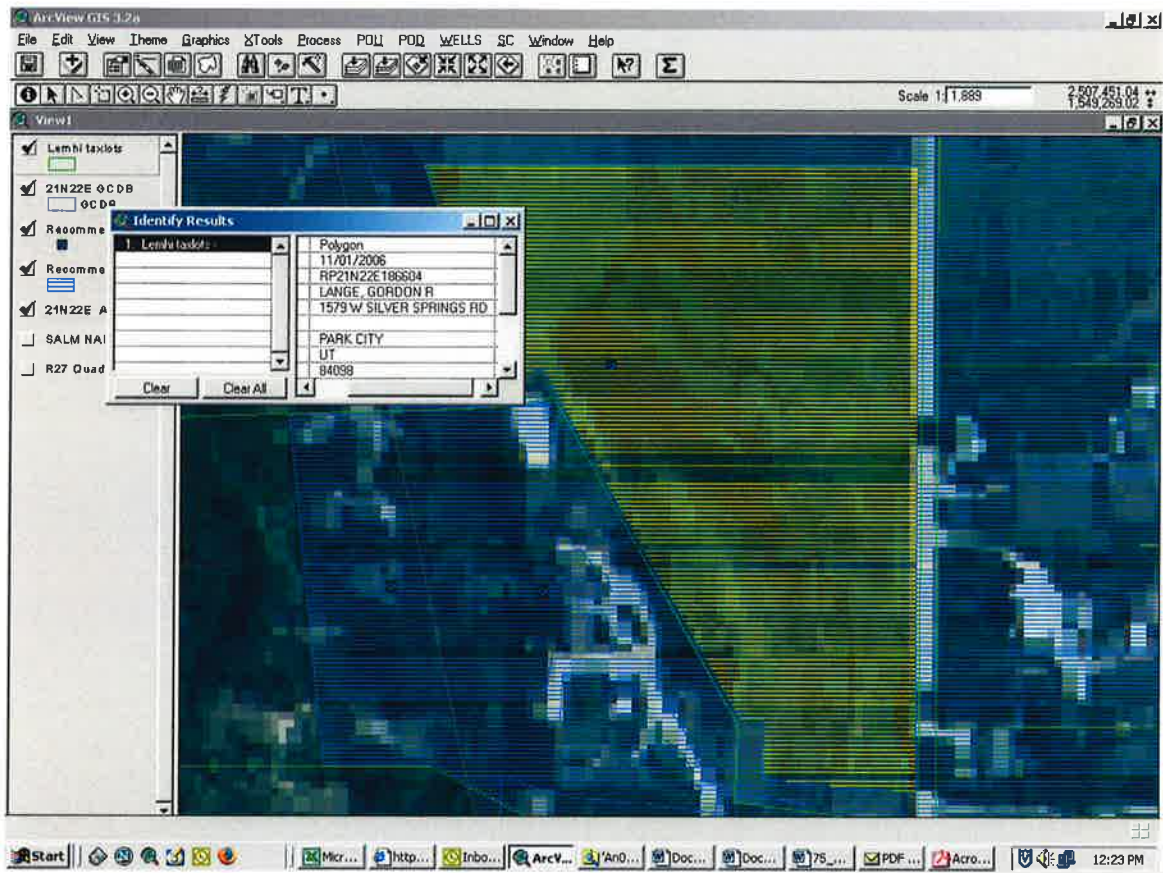
Sincerely,

A handwritten signature in black ink, appearing to read 'Kenneth Knoblock', written over a horizontal line.

Kenneth Knoblock
Water Rights Supervisor

KK: cm

Encl.





State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A • Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

EASTERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

April 11, 2007

GORDON LANGE
1579 SILVER SPRINGS RD
PARK CITY UT 84098

RE: Notice of Change of Address for 75-4117E and Notice of Completed Administrative Proceeding (NCAP)

Dear Mr. Lange:

On March 19, 2007, the Idaho Department of Water Resources (IDWR) received a change of address for the above referenced water right(s). Based on this change, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated.

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,

Jennifer Crabtree
Technical Records Specialist

Enclosure

SCANNED

JAN 13 2014

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

In Re SRBA

)
)
)
Water Rights: 75-4117E

Case No. 39576

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following Administrative proceeding:

☒ Address change

☐ Substitution of Party

☐ I.C. § 42-222 transfer

☐ point of diversion ☐ place of use

☐ period of use ☐ nature of use

☐ split of water right ☐ change in ownership

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: 4-11-07

Ernest Carlson

Signature of IDWR Representative

SCANNED

JAN 13 2014

CERTIFICATE OF MAILING

I certify that on April 13, 2007, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707

2. One copy to:

Claimant/Seller for Substitution of Party or attorney of record:
GORDON LANGE
1579 SILVER SPRINGS RD
PARK CITY UT 84098

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
N/A

4. One copy to:

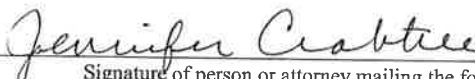
Each party in the subcase, or attorney of record
N/A

5. One copy each to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

6. One Copy to:

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

04/06/2007

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

RIGHT NUMBER: 75-4117E

NAME AND ADDRESS: GORDON LANGE
1579 SILVER SPRINGS RD
PARK CITY UT 84098

SOURCE: SPRINGS
UNNAMED STREAM

TRIBUTARY: MOGG DITCH
TRIBUTARY: MOGG DITCH

QUANTITY: 0.210 CFS

PRIORITY DATE: 03/10/1928

POINT OF
DIVERSION: T21N R22E S19 SENW Within LEMHI County
T21N R22E S19 SENW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.210 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T21N R22E S18 Lot 4 SESW 9.70

9.7 ACRES TOTAL

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

SCANNED

JAN 13 2014

208 525 7177

**SNAKE RIVER BASIN ADJUDICATION
CHANGE IN ADDRESS OF NOTICE OF CLAIM**needs
NCAPWater Right Number(s): 75-4117EPrevious Mailing Address: Gordon Lange
P.O. Box 504
Oakley, UT 84055New Mailing Address: Gordon Lange
1579 Silver Springs Rd
Park City, UT 84098Telephone Number: (435) 655-8443Signature of all Claimant(s): Gordon R Lange
Please print your name below your signature.
Gordon LangeDE DONE
Cm 4-6-07**Please mail or FAX this completed form to the office nearest you:****Adjudication Bureau
Idaho Dept. of Water Resources
7600 N. Mineral Dr., Ste. 100
Coeur d'Alene, ID 83815
Ph. 208/762-2800 or
FAX 208/762-2819****Adjudication Bureau
Idaho Dept. of Water Resources
2735 Airport Way
Boise, ID 83705-5082
Ph. 208/334-2190 or
FAX 208/334-2348****Adjudication Bureau
Idaho Dept. of Water Resources
1341 Fillmore St., Ste. 200
Twin Falls, ID 83301-3380
Ph. 208/736-3033 or
FAX 208/736-3037****Adjudication Bureau
Idaho Dept. of Water Resources
900 N. Skyline, Ste. A
Idaho Falls, ID 83402-3653
Ph. 208/525-7161 or
FAX 208/525-7177****Adjudication Bureau
Idaho Dept. Of Water Resources
322 E. Front St.
P.O. Box 83720
Boise, ID 83720-0098
Ph 208/287-4800
FAX 208/287-6700**SS
ADDRESS FM.doc
Revised 12/07/06IDWR Use Only:
Data Entry: _____Date: **SCANNED**

JAN 13 2014

Received Time Mar. 19. 8:53AM

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

CLAIM NO(s). 75-4117E

1. ☒ No Change NAME IS SAME

☐ NEW OWNER: _____

☒ No Change ADDRESS

☐ NEW ADDRESS: _____

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

Priority date, per claimant, is: _____

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

3. ☒ No Change — SAME SOURCE

☐ Source is different than that claimed:

Source found: _____

4. ☒ No Change — POINT OF DIVERSION

☐ Point of diversion is different than the claim and/or new P/D's:
GPS Site Tag No.: A0017213

Township _____	Range _____	Section _____	<u>1/4</u>	<u>1/4</u>	<u>1/4</u>
Township _____	Range _____	Section _____	<u>1/4</u>	<u>1/4</u>	<u>1/4</u>

5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS
☐ Incomplete description, list below:

headgate, ditch to place of use

6. ☒ No Change - WATER USES
☐ Different uses, (list uses found):

Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____

7. ☒ No Change - TOTAL VOLUME

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

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

8. ☒ No Change - NON-IRRIGATION USES:

☐ Changes Exam found:

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

Additional comments: _____

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

Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____

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

no water diverted at time of exam

☐ SYSTEM DIAGRAM INCLUDED ☐ NA
☒ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: *9-20-06*

FIELD EXAMINER: *Bob Foster*
Print Name

Bob Foster
Signature



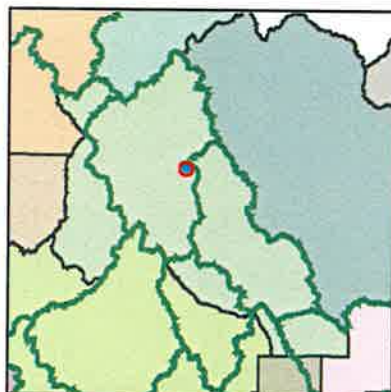
Idaho Department of Water Resources

SRBA Claim:

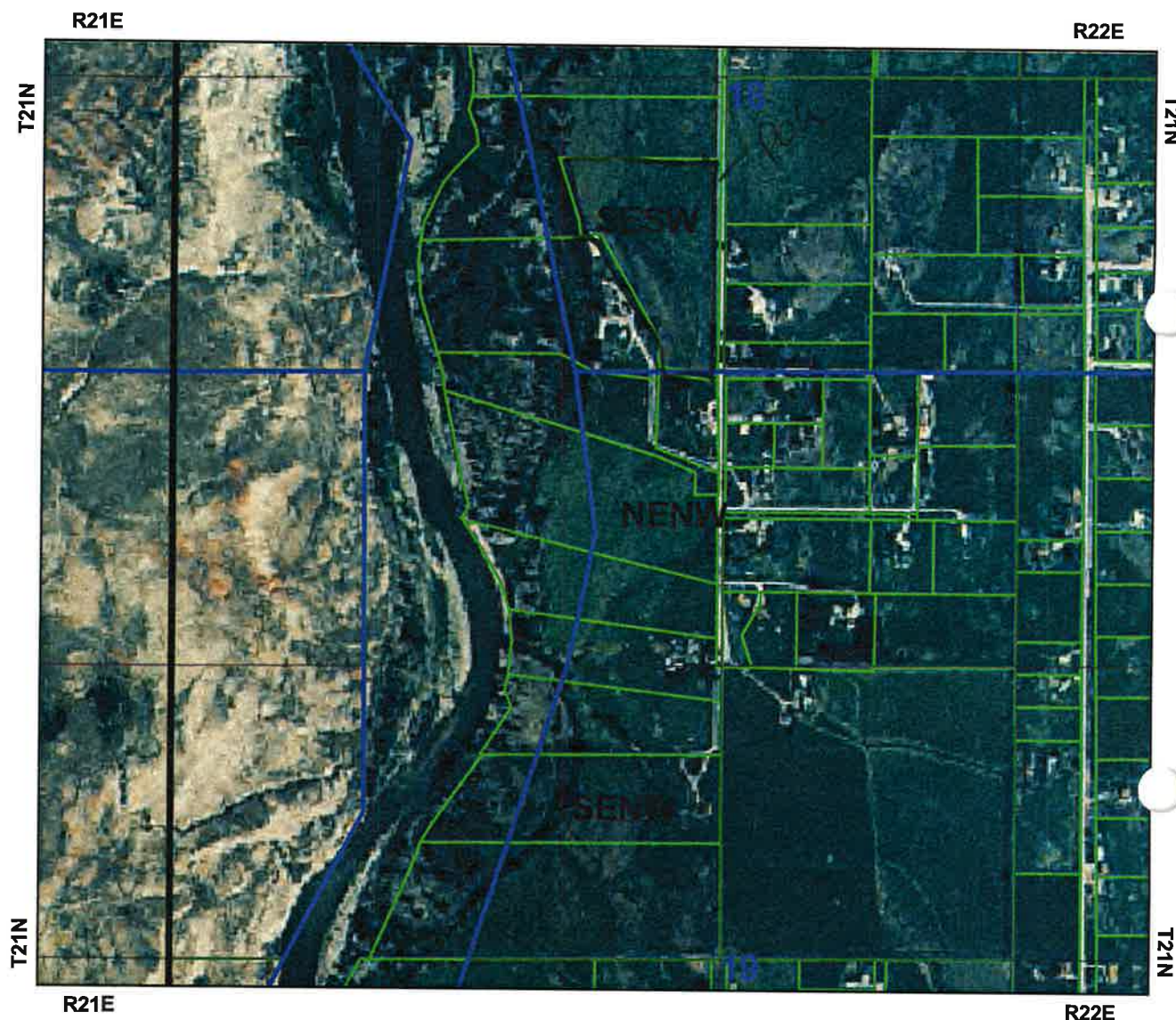
75-4117E

Legend

-  Townships
-  PLS Sections
-  Quarter Quarters
-  Parcels



Lemhi County
IDWR Basin 75



0 0.3 0.6 Miles

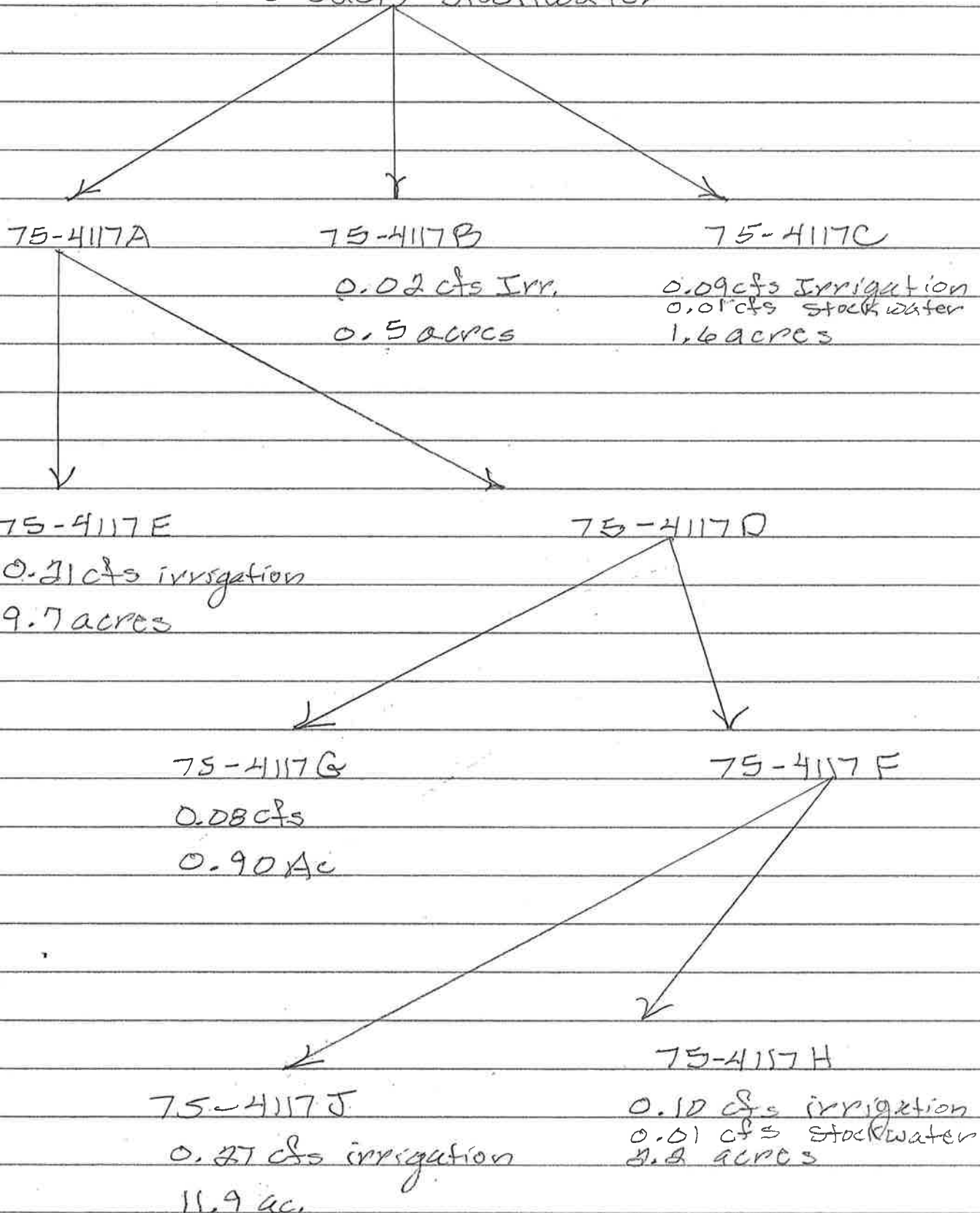
Prepared by R. Brown
On Tuesday, May 16, 2006
1987/88 Aerial Photography

Recommended
Parent Claim

75-4117

2.1 cfs Irrigation, 30 Ac.

0.02 cfs Stockwater



SCANNED

OCT 08 2001

JULY 21, 1994

GORDON LANGE
BOX 504
OAKLEY UT 84055

RE: CHANGE IN OWNERSHIP FOR A75-04117A

Dear Mr. Lange:

The request for Change in Ownership concerning the Notice(s) of Claim in the above reference has been processed and the Notice(s) (A75-04117A) has been split as follows:

A75-04117D, Jakich, 1.34 cfs, 19 acres
A75-04117E, Lange, 0.74 cfs, 10.5 acres

Review the Notice and if there are other corrections or questions, feel free to contact this office (525-7161). **If there are no questions, please keep this Notice for your records.**

Respectfully submitted,

Gregory J. Taylor
Sr. Water Agent, Adjudications

GT:jt

Enclosure: Notice(s) of Claim

cc: Leonard Jakich

MICROFILMED
NOV 18 1996



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED

JUL 19 1994

Department of Water Resources
Eastern District Office

DATE OF CLOSING: July 7, 1994

LEGAL DESCRIPTION OF PROPERTY: Township 21 N Range 22 E Sec. 18 SE 1/4 SW 1/4
Section 19, NE 1/4 of NW 1/4 of 1/4 Govt. Lot , BM.
Lot , Block , Subdivision/Townsite .
If you have additional legal descriptions, please attach separate sheet.

JUL 19 1994
Department of Water Resources
Southern Region Office

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s)
Assigned by IDWR:

Ident. Number A75-04117A

☐ Name and Address of Former
Owner/Claimant(s)(Seller):

Leonard JakichRoute 1, Box 153Salmon, Id 83467

☐ New Owner/Claimant
(Purchaser):

Gordon Lange

☐ New Mailing Address:

Box 504Oakley, Ut. 84055

☐ New Telephone Number: (801) 783-5638

☐ Does the change in ownership result in a splitting of the water right owned/claimed? ☒ yes ☐ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

746 C.F.S for 10.58 Acres26.9 Acre Feet Per Annum

☐ Attach proof of
ownership, describe
proof attached:

Statement of Settlement, Deed of Trust, Discription

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New
Owner/Claimant(s)

Gordon R. LangeDate 7/12/94

Date

☐ Signature of Former
Owner/Claimant(s):

Date

Date

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

Claim Numbers of Split, if any:

MICROFILMED
NOV 18 1996

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

STATEMENT OF SETTLEMENT
Buyer's

Property Address: PTN SEC 18 & 19-21-22 SALMON, ID 83467
Seller: LEONARD JAKICH AND ADELINE YVONNE JAKICH
Purchaser: GORDON R. LANGE AND LORI LANGE
Settlement Date: 07/07/94
Date of Proration: 07/07/94

Legal Description:

SEE LEGAL DESCRIPTION AS PER COMMITMENT FOR TITLE INSURANCE

JUL 18 1994
Department of Water Resources
Southern Region Office

File No: 6-6087-G

COPY

Description	Debit	Credit
Contract Sales Price	65,000.00	
Deposit or earnest money		2,000.00
New loan from		45,500.00
CURRENT TAXES 01/01/94 to 07/06/94		19.35
Settlement Fee to AMERICAN LAND TITLE CO., INC.	117.50	
CLERICAL FEE	25.00	
Recording Fees	12.00	
Sub-Totals	65,154.50	47,519.35
Balance due from Buyer		17,635.15
TOTALS	65,154.50	65,154.50

The 1993 taxes are pro-rated on the 1992 tax amount. The signatories herein, hereby acknowledge that there may be a difference between the amount of taxes pro-rated and the actual amount of taxes. It is further acknowledged that under the Idaho Code Sections 63-203, "Taxpayers Property Declaration", (personal property); 63-403, "New and Additional Assessments"; 63-3905, "Reporting", (newly constructed improvements), additional taxes may be levied. We further agree to hold American Land Title Company harmless for any such pro-ration differences. We further agree to hold American Land Title Company harmless for any additional taxes which may be levied. Taxes will be re-adjusted between the buyer and seller when actual tax statements become available and same is hereby agreed to by the signatories hereon.

WE HEREBY ACKNOWLEDGE RECEIPT OF THE ABOVE STATEMENT.

APPROVED and ACCEPTED


GORDON R. LANGE


LORI LANGE

AMERICAN LAND TITLE CO., INC.

MICROFILMED
NOV 18 1996

6-6087-G

DEED OF TRUST

THIS DEED OF TRUST, Made this 7th day of JULY, 1994,
BETWEEN GORDON R. LANGE AND LORI LANGE, husband and wife
herein called GRANTOR,
whose address is P.O. BOX 504, OAKLEY, UT 84055
The American Land Title Co., Inc., herein called TRUSTEE, and LEONARD JAKICH AND ADELINE
YVONNE JAKICH, husband and wife
herein called BENEFICIARY,
whose address is RT. 1, BOX 153, SALMON, ID 83467
WITNESSETH: That Grantor does hereby irrevocably GRANT, BARGAIN, SELL AND CONVEY TO TRUSTEE IN TRUST, WITH
POWER OF SALE, that property in the County of LEMHI, State of Idaho, described as
follows, and containing not more than twenty acres:

SEE ATTACHED EXHIBIT "A"

COPY

TOGETHER WITH the rents, issues and profits thereof, SUBJECT, HOWEVER, to the right, power and authority hereinafter given to and conferred upon
Beneficiary to collect and apply such rents, issues and profits,

For the Purpose of Securing payment of the indebtedness evidenced by a promissory note, of even date herewith, executed by Grantor in the sum of
FORTY-FIVE THOUSAND FIVE HUNDRED AND NO/100----- Dollars, (\$ 45,500.00),
JULY 7, 2001

final payment due
and to secure payment of all such further sums as may hereafter be loaned or advanced by the Beneficiary herein to the Grantor herein, or any or either
of them, while record owner of present interest, for any purpose, and of any notes, drafts or other instruments representing such further loans, advances
or expenditures together with interest on all such sums at the rate therein provided. Provided, however, that the making of such further loans, advances
or expenditures shall be optional with the Beneficiary, and provided, further, that it is the express intention of the parties to this Deed of Trust that it
shall stand as continuing security until paid for all such advances together with interest thereon.

A. To protect the security of this Deed of Trust, Grantor agrees:

1. To keep said property in good condition and repair; not to remove or demolish any building thereon; to complete or restore promptly and in
good and workmanlike manner any building which may be constructed, damaged or destroyed thereon and to pay when due all claims for labor per-
formed and materials furnished therefor; to comply with all laws affecting said property or requiring any alterations or improvements to be made thereon;
not to commit or permit waste thereof; not to commit, suffer or permit any act upon said property in violation of law; to cultivate, irrigate, fertilize, fumi-
gate, prune and do all other acts which from the character or use of said property may be reasonably necessary, the specific enumerations herein not ex-
cluding the general.

2. To provide, maintain and deliver to Beneficiary fire insurance satisfactory to and with loss payable to Beneficiary. The amount collected under
any fire or other insurance policy may be applied by Beneficiary upon any indebtedness secured hereby and in such order as Beneficiary may deter-
mine, or at option of Beneficiary the entire amount so collected or any part thereof may be released to Grantor. Such application or release shall not cure
or waive any default or notice of default hereunder or invalidate any act done pursuant to such notice.

3. To appear in and defend any action or proceeding purporting to affect the security hereof or the rights or powers of Beneficiary or Trustee; and
to pay all costs and expenses, including cost of evidence of title and attorney's fees in a reasonable sum, in any such action or proceeding in which
Beneficiary or Trustee may appear.

4. To pay: at least ten days before delinquency all taxes and assessments affecting said property, when due, all encumbrances, charges and liens,
with interest, on said property or any part thereof, which appear to be prior or superior hereto; all costs, fees and expenses of this Trust. In addition to
the payments due in accordance with the terms of the note hereby secured the Grantor shall at the option, and on demand of the Beneficiary, pay each
month 1/12 of the estimated annual taxes, assessments, insurance premiums, maintenance and other charges upon the property, nevertheless in trust
for Grantor's use and benefit and for the payment by Beneficiary of any such items when due. Grantor's failure so to pay shall constitute a default
under this trust.

5. To pay immediately and without demand all sums expended by Beneficiary or Trustee pursuant to the provisions hereof, with interest from date of ex-
penditure at the rate of interest specified in the above described promissory note.

6. Should Grantor fail to make any payment or to do any act as herein provided, then Beneficiary or Trustee, but without obligation so to do and
without notice to or demand upon Grantor and without releasing Grantor from any obligation hereof, may: make or do the same in such manner and to such
extent as either may deem necessary to protect the security hereof, Beneficiary or Trustee being authorized to enter upon said property for such purposes;
appear in and defend any action or proceeding purporting to affect the security hereof or the rights or powers of Beneficiary or Trustee; pay, purchase,
contest or compromise any encumbrance, charge or lien which in the judgment of either appears to be prior or superior hereto; and, in exercising any
such powers, or in enforcing this Deed of Trust by judicial foreclosure, pay necessary expenses, employ counsel and pay his reasonable fees.

B. It is mutually agreed that:

1. Any award of damages in connection with any condemnation for public use of or injury to said property or any part thereof is hereby assigned
and shall be paid to Beneficiary who may apply or release such moneys received by him in the same manner and with the same effect as above pro-
vided for disposition of proceeds of fire or other insurance.

2. By accepting payment of any sum secured hereby after its due date, Beneficiary does not waive his right either to require prompt payment when due
of all other sums so secured or to declare default for failure so to pay.

3. At any time or from time to time, without liability therefor and without notice, upon written request of Beneficiary and presentation of this
Deed and said note for endorsement, and without affecting the personal liability of any person for payment of the indebtedness secured hereby, Trustee

EXHIBIT "A"

A PARCEL OF LAND LOCATED IN THE SE4 SW4, SECTION 18, NE4 NW4, SECTION 19, T. 21 N., R. 22 E., BOISE MERIDIAN, LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH 1/4 CORNER OF SAID SECTION 18, RUN THENCE S. 31 DEGREES 00' 32" W. A DISTANCE OF 50.75 FT. TO THE POINT OF BEGINNING.

THENCE THE FOLLOWING COURSES AND DISTANCES ALONG AN EXISTING FENCE;

N. 82 DEGREES 30' 52" W. 267.54 FT.;

N. 01 DEGREES 05' 01" E. 145.35 FT.;

N. 29 DEGREES 34' 32" W. 545.03 FT.;

S. 81 DEGREES 02' 35" W. 91.39 FT.;

N. 06 DEGREES 30' 36" W. 82.87 FT.;

N. 18 DEGREES 20' 06" W. 284.91 FT.;

THENCE S. 89 DEGREES 59' 51" E. A DISTANCE OF 728.18 FT. TO A POINT ON THE WESTERLY RIGHT-OF-WAY OF S. ST. CHARLES STREET;

THENCE S. 00 DEGREES 25' 30" W. ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 992.74 FT. TO THE POINT OF BEGINNING.

MICROFILMED

NOV 18 1996

POLAR COORDINATE X-COR Y-COR (CHAINS)		ANGLE			BEARING ANGLE DIRECTION	DIST (FT)	CUMULATIVE ACRES
		DEGREES	MINUTES	SECONDS			
40.00	0.00						
39.60	-0.66	31.00	0.00	32.00	SW	50.75	0.01
35.73	-0.15	82.00	30.00	52.00	NW	257.54	0.11
35.78	2.05	1.00	5.00	1.00	NE	145.35	1.04
31.70	9.23	29.00	34.00	32.00	NW	545.03	5.54
30.33	9.02	81.00	2.00	35.00	SW	91.39	5.34
30.19	10.27	6.00	30.00	36.00	NW	82.87	6.56
28.83	14.36	18.00	20.00	6.00	NW	284.91	10.86
39.87	14.36	89.00	59.00	51.00	SE	728.18	10.86
39.75	-0.68	0.00	25.00	30.00	SW	992.74	10.57

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A75-04117A 2.08 c/s, 29.5 Acres
 = 0.0705 c/s/Acre

A75-04117D (JAKILM)

1.34 19 Acres

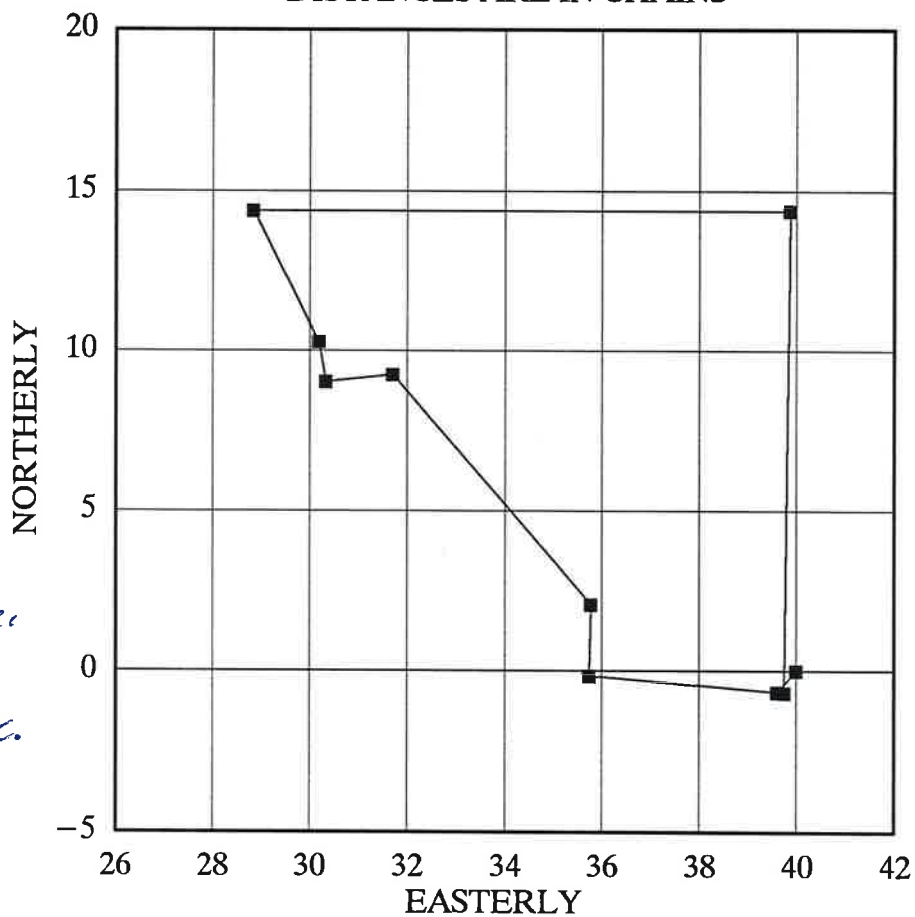
A75-04117E (LANGE)

0.74 c/s 10.5 Acres

SE SW ^{Sec.} 10 Ac.

NW NE 19 0.5 Ac.

METES & BOUNDS POLAR LOCATION PLOT
 DISTANCES ARE IN CHAINS



MICROFILMED
 NOV 18 1996

SCANNED

OCT 0 2001

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: A75-04117E

Date Received: 5/ 1/1990

Receipt No: X777777

Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: GORDON LANGE
Address: PO BOX 504
OAKLEY UT

801-783-5638

84055

2. Date of Priority: MAR 10, 1928

3. Source: SPRINGS
UNNAMED STREAM

Trib. to: MOGG DITCH
MOGG DITCH

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
21N	22E	19	SE		NW		LEMHI

5. Description of diverting works:
HEADGATE & DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.740		

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

A.F.A.

8. Total consumptive use is 26.2 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
21N	22E	18	SE	SW		IRR	10.0

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A7504117E



10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	10.0
		19	NE	NW	IRR	0.5
					Section Acres	0.5
					Total Acres	10.5

11. Place of use in counties: LEMHI

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

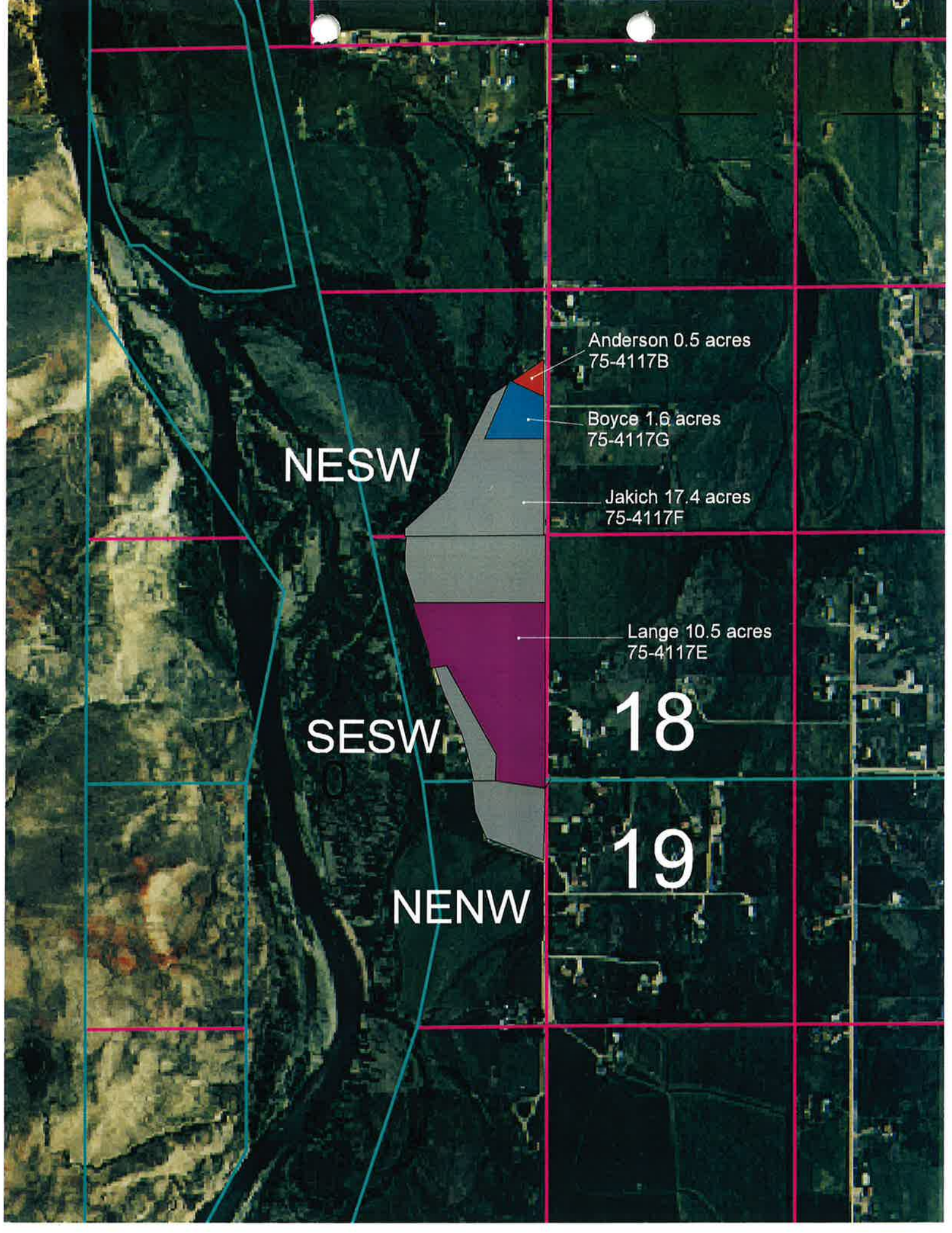
13. Other Water Rights Used:

14. Remarks:

IDWR NOTE: THIS CLAIM HAS BEEN MODIFIED. IT HAS BEEN SPLIT
INTO A75-04117A FOR 2.08 CFS FOR 29.5 ACRES FOR LEONARD JAKICH
AND A75-04117B FOR .04 CFS FOR 0.5 ACRES FOR DAVID OR JEAN CALLEN
RVW, 5/2/90
THIS RIGHT PAID FOR UNDER RECEIPT #M006840. CHANGE IN OWNERSHIP
7-21-94 GJT.

15. Basis of Claim: STATUTORY CLAIM

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NOV 18 1996



Anderson 0.5 acres
75-4117B

Boyce 1.6 acres
75-4117G

Jakich 17.4 acres
75-4117F

Lange 10.5 acres
75-4117E

NESW

SESW

NENW

18

19