

12/12/2006

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

RIGHT NUMBER: 75-4121A
NAME AND ADDRESS: KATHLEEN STEELE
PO BOX 52
NORTH FORK ID 83466
JOSEPH C STEELE
PO BOX 52
NORTH FORK ID 83466

SOURCE: SALMON RIVER TRIBUTARY: SNAKE RIVER
QUANTITY: 0.800 CFS
PRIORITY DATE: 07/27/1897
POINT OF DIVERSION:

T24N R21E S34 SWSE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	0.790 CFS
STOCKWATER	04/01 11/01	0.010 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T24N R21E S34	NWNE	11.00	T24N R21E S34	SWNE	18.00
T24N R21E S34	SENE	1.00	T24N R21E S34	NESW	1.00
T24N R21E S34	NWSE	2.00			

STOCKWATER same as IRRIGATION

33 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.

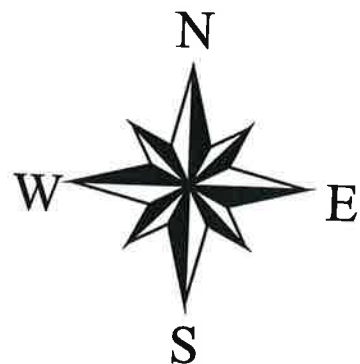
Property is within Homestead Entry Survey No. 101.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

75-4121A



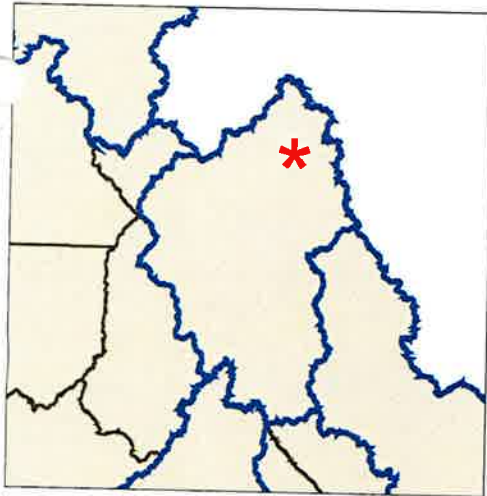
-  Theme19.shp
-  Lemhi taxlots
-  GCDB24N21E GCDB
-  Foster.shp
-  Pod.shp
-  Administrative BasinsAdminbas.shp



Idaho Department of Water Resources



Adjudication Claim Number: **75-4121 A**



Legend

-  Section Lines
-  24N21E GCDB
-  23N21E GCDB



Prepared by M. Van Bussum
On Tuesday, May 10, 2005
1991 Aerial Photography

0 0.4 0.8 Miles

A horizontal scale bar with markings at 0, 0.4, and 0.8 miles.



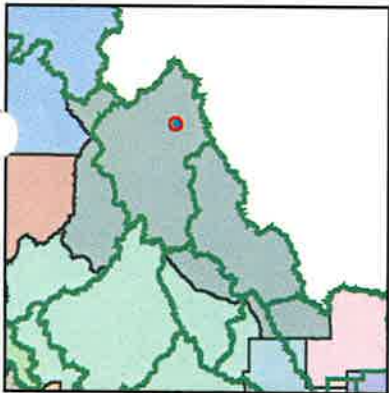
Idaho Department of Water Resources

Adjudication Claim:

75-4121A

Legend

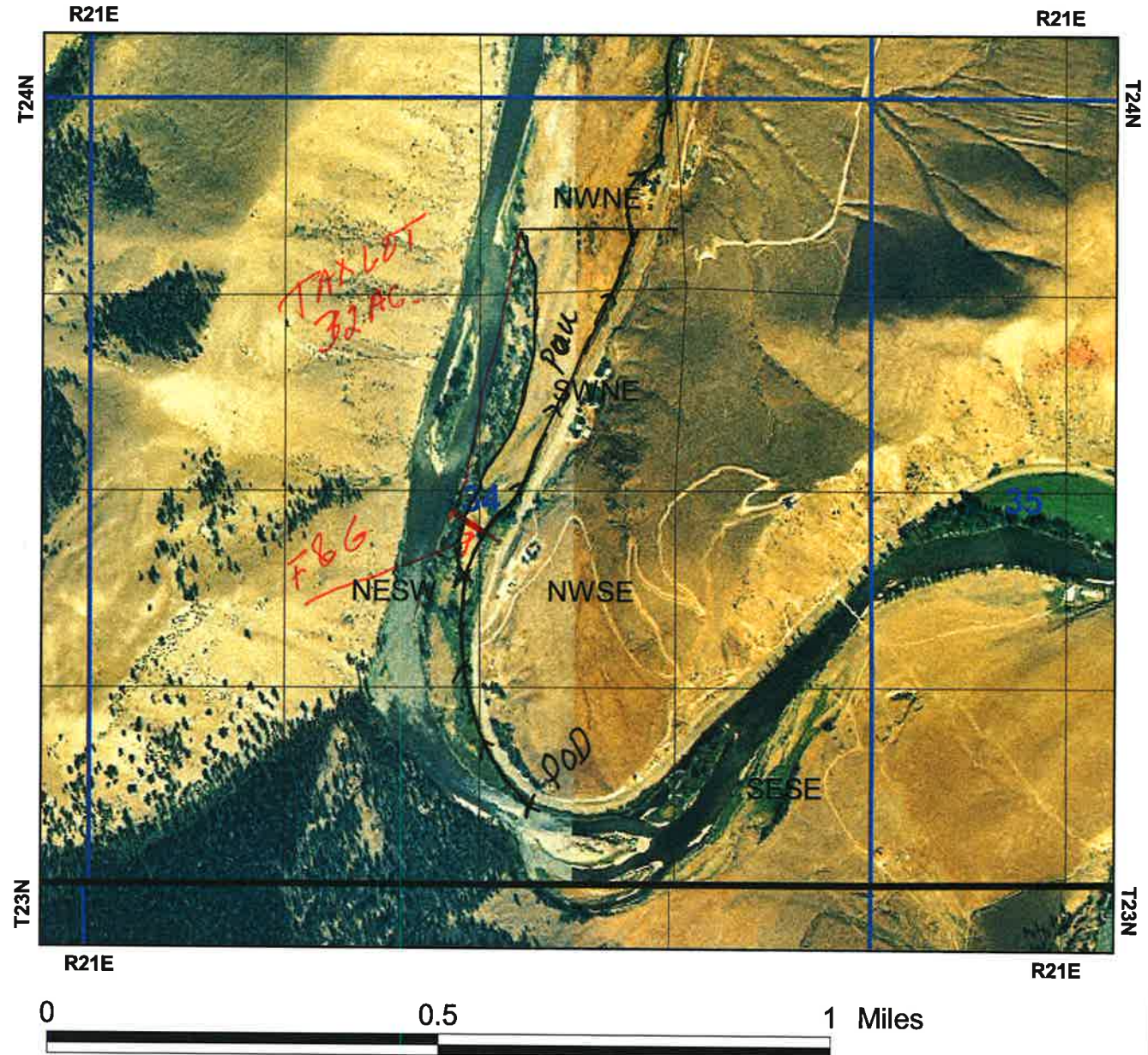
-  Townships
-  PLS Sections
-  Quarter Quarters



Lemhi County
IDWR Basin 75



Prepared by R. Brown
On Sunday, March 5, 2006
1987/88 Aerial Photography



Owner: KATHLEEN STEELE

NOTE: Only one owner is listed. There may or may not be more than this in the IDWR database.



Idaho Department of Water Resources

SRBA Recommendation:

75-4121A

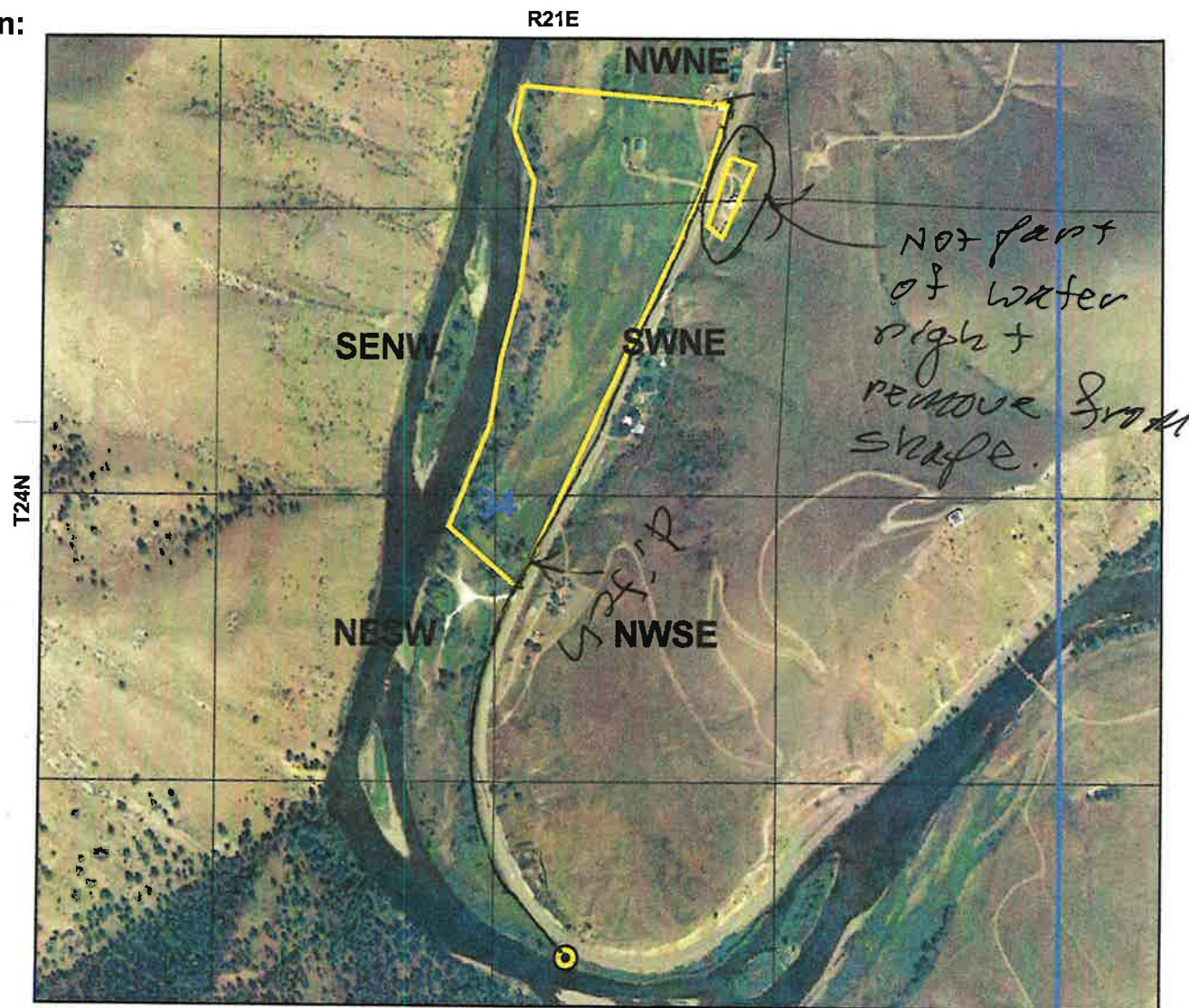
(Irrigation)

Legend

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



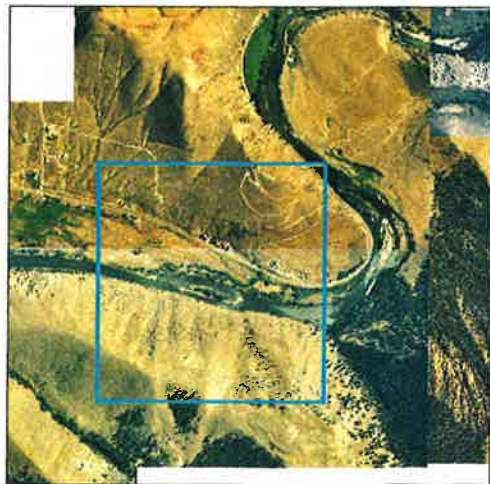
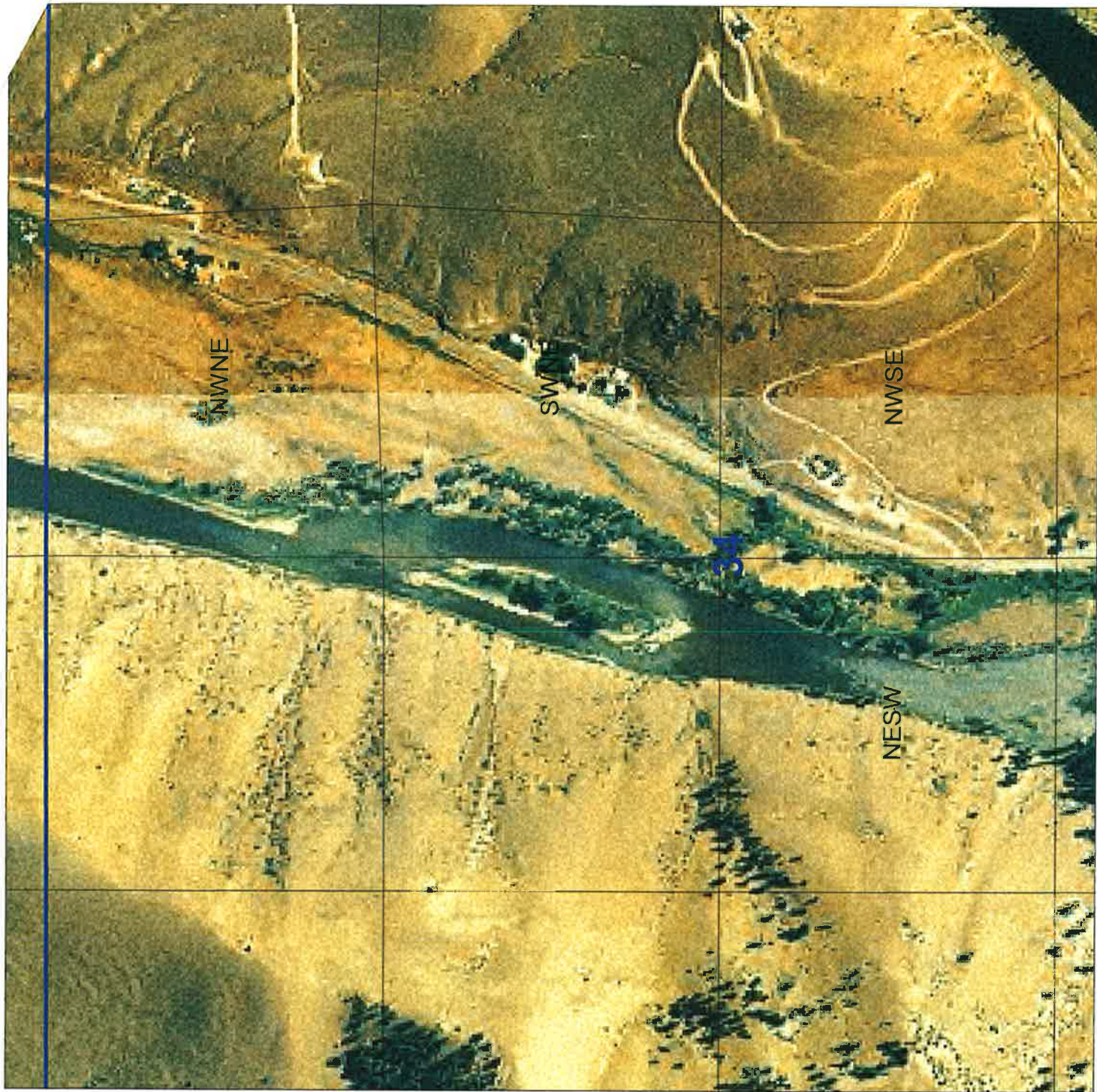
Lemhi County
IDWR Basin 75



0 0.3 0.6 Miles

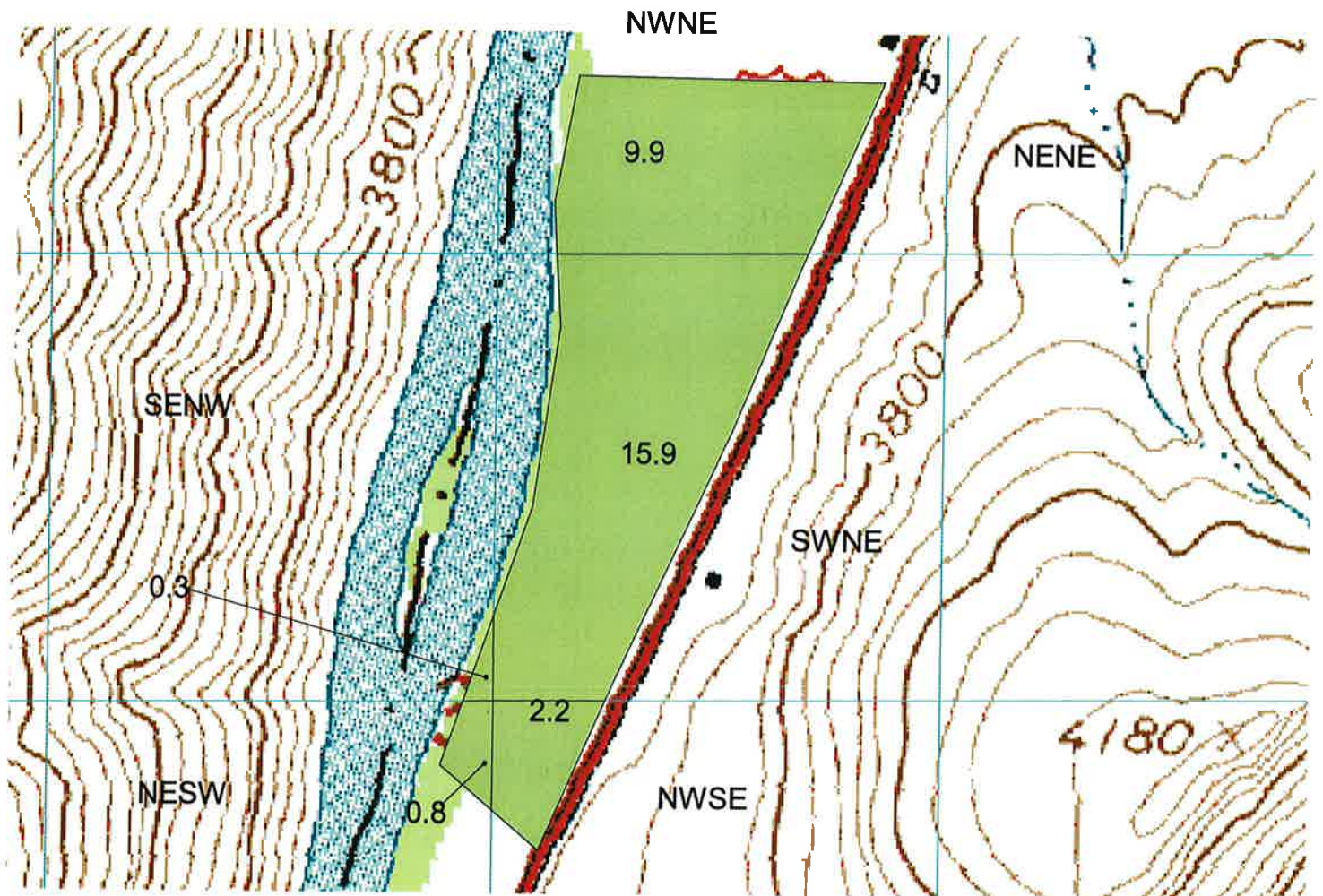
Prepared by M. Ciscell
On Sunday, November 19, 2006
2004 Aerial Photography

75-4121A



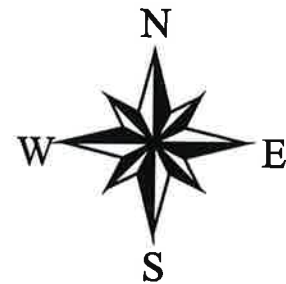
Idaho Department of Water Resources

Holcomb Division No. 2 Lot 5



0 1320 Feet

Township 24N Range 21E
Section 34



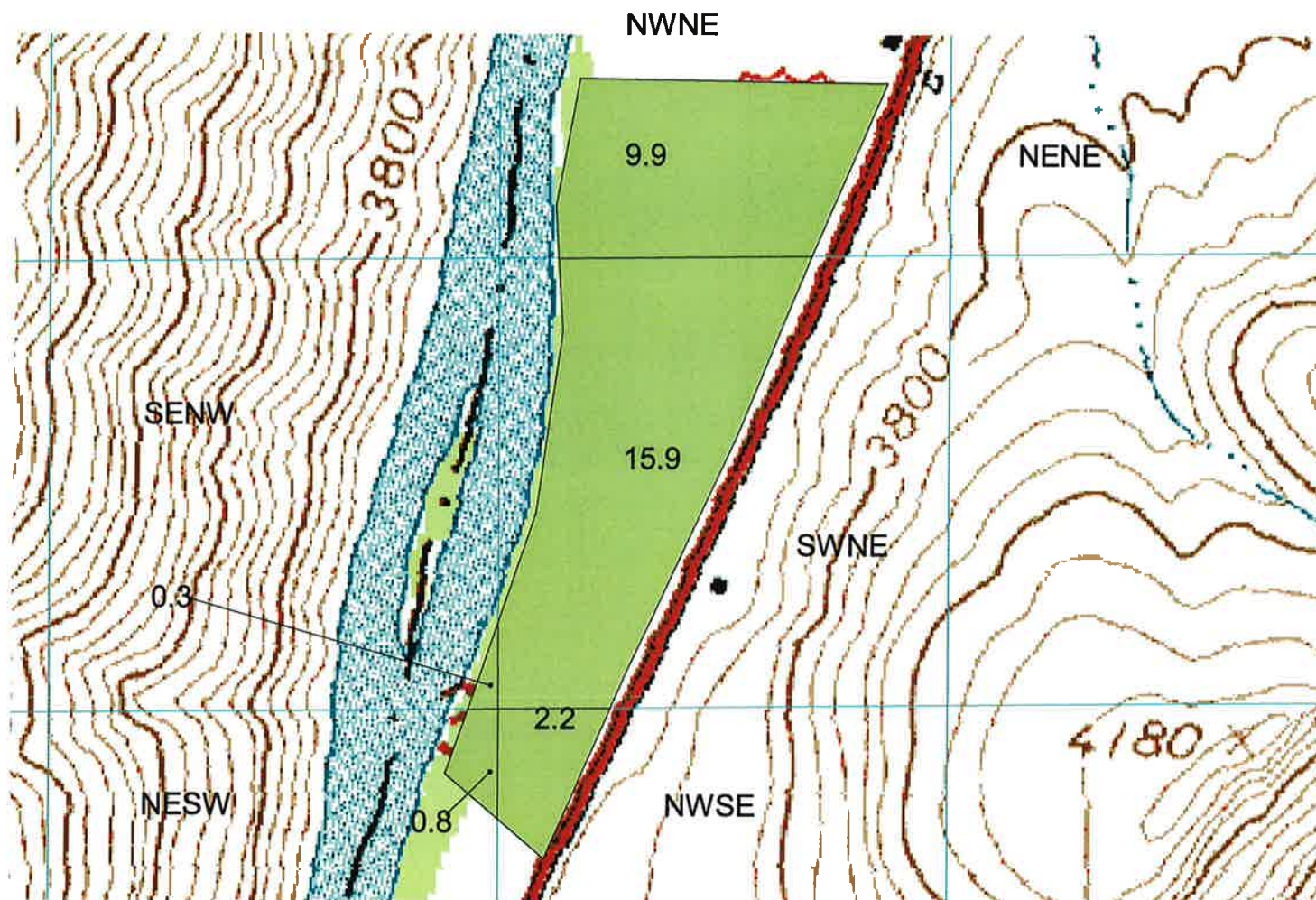
Prepared Using Metes And
Bounds Description From
Subdivision Plat, Overlaid
On USGS Map

GIS Illustration based on
1987/88 NAPP Photography
Prepared by Bryce A. Contor
December, 1999

Idaho Department of Water Resources

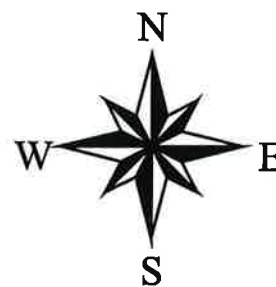
Holcomb Division No. 2

Lot 5



0 1320 Feet

Township 24N Range 21E
Section 34

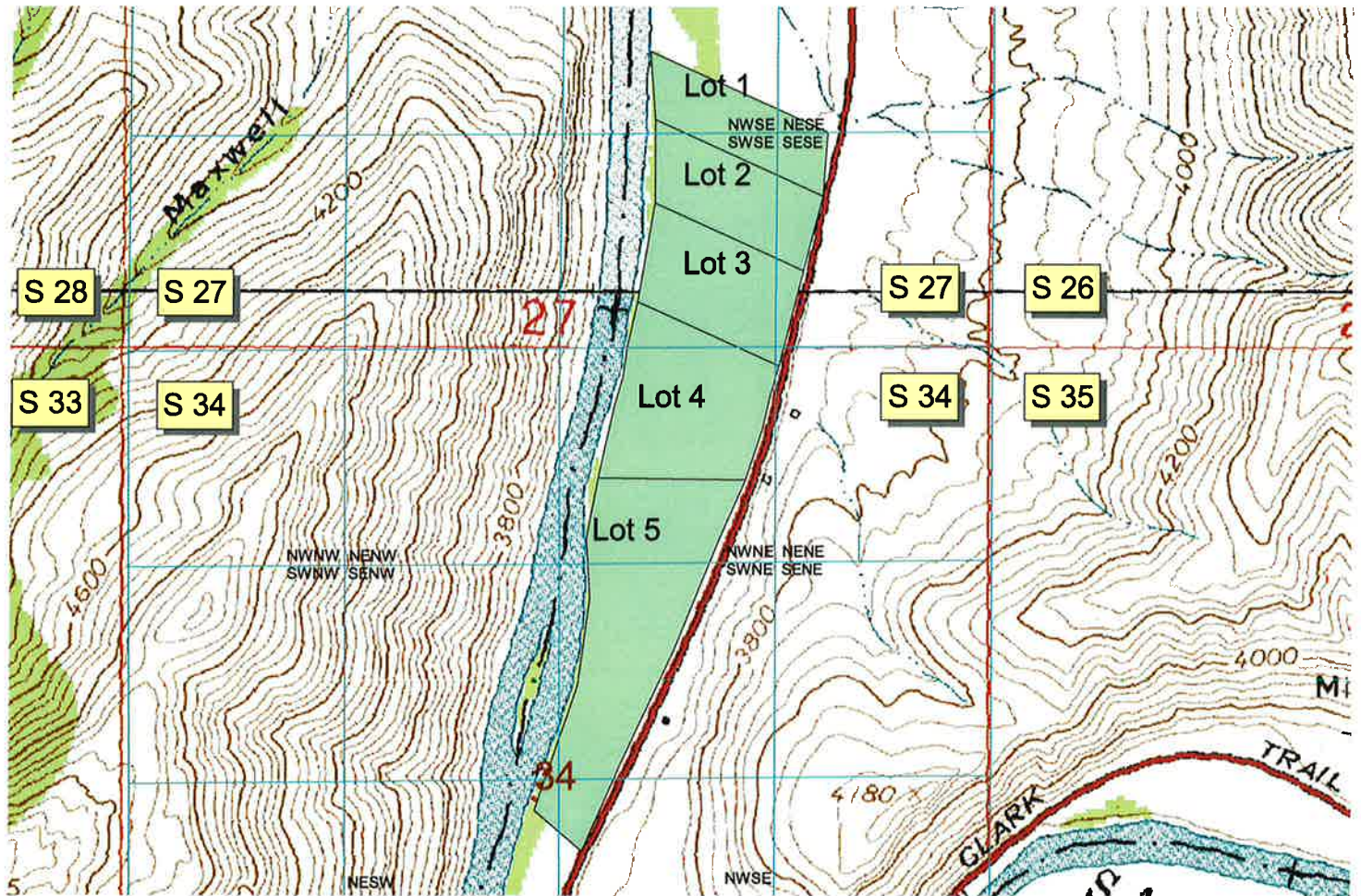


Prepared Using Metes And
Bounds Description From
Subdivision Plat, Overlaid
On USGS Map

GIS Illustration based on
1987/88 NAPP Photography
Prepared by Bryce A. Contor
December, 1999

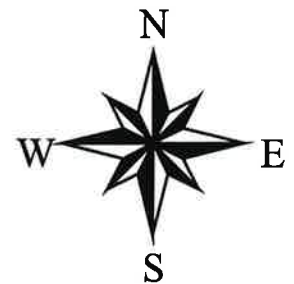
Idaho Department of Water Resources

Holcomb Division No. 2



0 1320 Feet

Township 24N Range 21E
Sections 27 and 34



Prepared Using Metes And
Bounds Description From
Subdivision Plat, Overlaid
On USGS Map



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 762-2800

Fax: (208) 762-2819

Web Site: www.idwr.idaho.gov

JAMES E. RISCH
Governor

KARL J. DREHER
Director

December 12, 2006

Kathleen Steele
PO Box 52
North Fork, Idaho 83466

Re: Claim 75-4121A

Dear Mrs. Steele:

Enclosed is a new map and a preliminary recommendation reflecting the comments you made on the Notice of Error Reply.

In regards to stock water, the original Statutory Claim 75-4121 claimed 0.05 cfs. Claim 75-4121 was later split into five separate ownerships, all claiming stock water. Therefore the distribution would be 0.01 cfs per split. Also, a ditch loss figure of 0.13 cfs was added to the irrigation diversion allotment. If you have any questions or if you feel any of the corrections are incorrect, feel free to contact me at this office.

Sincerely,

Keith E. Franklin
Water Resources Agent

Encl/kf

Estimating Conveyance Loss using the Worstell Method

Claim No.

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 = 4' (as per client)

i = 2.0 ft/day (as per client)

ditch length (mi.) = 1,320' = 0.25 miles

Conveyance Loss:

$S = (4)(2)(0.0667) = 0.5336 \text{ cfs/mile}$

Loss = 0.1334 cfs

$(0.5336 \text{ cfs/mile})(0.25 \text{ miles}) = 0.1334 \text{ cfs}$

$(33 \text{ AC})(0.02 \text{ cfs/AC}) = 0.66 \text{ cfs}$

ditch loss = +0.13

stock water

0.79 cfs

+ 0.01 cfs ← Per original claim

0.80 cfs

Claimed: 1.32 cfs

Recommend: 0.80 cfs

**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: 75-4121A

KATHLEEN STEELE

PO BOX 52

NORTH FORK ID 83466

Telephone Number: (208)965-2641

JOSEPH C STEELE

PO BOX 52

NORTH FORK ID 83466

Telephone Number: (208)865-2641

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

1. priority date 4. ditch loss calculations

2. stock water

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

1. priority date should be July 1897 as shown on attached paper work.

2. stock water should be .02 cfs

3. shape file need changed as per map in file, Acreage = 33.22 Ac. Tax lot

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

4. Ditch loss: $W = 4 \text{ ft}$, $1.5' + 0.20' \text{ per day}$

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

DATE: Dec 7, 2006 SIGNATURE: Kathleen Steele

Please print your name: KATHLEEN S STEELE

AJ0749NP
No. A75-04121A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 01/06/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JOSEPH STEELE PO BOX 52 NORTH FORK ID 83466 (208) 865-2641	07/01/1913	IRRIGATION STOCKWATER	04-01 11-01 04-01 11-01	1.980 CFS 0.020 CFS	
TOTAL DIVERSION:					1.980 CFS	

C KATHLEEN STEELE
PO BOX 52
NORTH FORK ID 83466
(208) 965-2641

Water Source: SALMON RIVER

Tributary to: SNAKE RIVER

Stage: STATUTORY CLAIM

Point(s) of Diversion: T24N R21E S34 SESE

LEMHI County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE								
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
			:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	
24N	21E	34	:		10		18	:					:	02				:			03		:	33.0
TOTAL ACRES																							33.0	

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

POU County: LEMHI

Non-Irrigation Uses: S/30 RANGE CATTLE, 15 HORSES.

Other Rights: N/A

Remarks: GEN STOCKWATER USES FOR 30 RANGE CATTLE & 15 HORSES
ORIGINAL SPLIT OF A75-04121 DID NOT INCLUDE ALL OF ORIGINAL
CLAIM. AS PART OF ASSIGNING REMAINING PORTION, DIVERSION RATE
ON A75-04121A WAS ADJUSTED FROM 1.32 TO 1.98 CFS. BAC 7/22/1999.

OWNERSHIP CHANGED PER WARRANTY DEED 232753 1/5/00. BCONTOR.

PLACE OF USE KNOWN AS HOLCOMB SUBDIVISION NO. 2 LOT 5.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

July 25, 2005

Department of Water Resources
State of Idaho
322 East Front Street
P.O. Box 83720
Boise, ID 83720-0098

Subj: Evidence of Water Right Claim 75-04121A

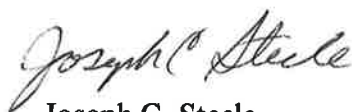
Dear Water Resource Agent:

The enclosures are documented evidence of water right usage for my property. The original owner and first private owner, George Kern, purchased the land from the United States with water rights. The United States had water rights, including an irrigation ditch which George agreed to complete for his use when he purchased the property. His original purchase was made in July 1897, and the water was to be used for a brewery. He later used the water, as evidenced by the Real Property Assessment Roll, Year 1914, for irrigation and to water cattle, horses and a hog. George sold the property, with water rights, in 1915 to Henry Newman.

I believe that this is sufficient documentation for the 1913 priority date listed on my property. If needed, I can continue to track water usage through the subsequent owners. I would contest, though, that the priority date should be listed as early as when the United States first obtained it since the United States maintains water rights on its properties.

If any other documentation supporting my priority date is required, please let me know.

Sincerely,



Joseph C. Steele



Kathleen S. Steele

Box 52

North Fork, ID 83466

Encl: Copy of George Kern water rights from county clerk
Copy of Real Property Assessment Roll, Year 1914 for George Kern
Copy of Sale to Henry E. Newman, with water rights
Letter from Butch England

July 18, 2005

Department of Water Resources
State of Idaho
322 East Front Street
P.O. Box 83720
Boise, ID 83720-0098

Subj: Evidence of Water Right Claim 75-04121A

Dear Water Resource Agent:

I have lived in Lemhi County most of my life and currently still reside here. During this time I have personally witnessed the use of water on the claimant's property in the Holcomb Subdivision. The irrigation ditch has been there a long time, well before I moved here. Maynard Holcomb was one of the owners of this property, and he used the water for many years to irrigate his hay field and small orchard and to water his livestock.

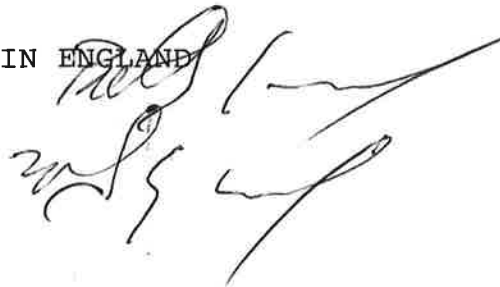
Maynard subdivided and sold the property to several folks. Lot 5, the claim in question, was sold to Henry Savage in 1990. Henry allowed livestock to be kept on the property while he owned it, and the livestock owner used the water for his animals. Henry then deeded the property to his son-in-law and daughter, Joe and Kathleen Steele, in 1996.

The Steele's have used the ditch ever since to water livestock run on the property, to flood irrigate the field, and to water the orchard on the property. There is an offshoot of the main ditch that runs the center of the property that Steele uses for irrigation as well so the whole field is irrigated.

If you have any further questions concerning the property and the use of water on it the property, please contact me at (208) 756-3481.

Sincerely,

Butch England aka MARVIN ENGLAND
28 Tower Creek Road
Salmon, ID 83467



SCANNED

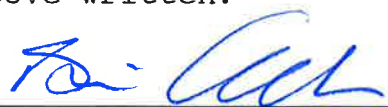
AUG 08 2005

STATE OF IDAHO

COUNTY OF Lemhi--ss

On this 19th day of JULY 2005, before me the undersigned a Notary Public in and for said state personally appeared BUTCH ENGLAND AKA MARVIN ENGLAND known to me to be the person(s) whose name(s) are subscribed to the within instrument and acknowledged to me that they executed the same.

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



Notary Public for Idaho, residing at Salmon, Idaho
My commission expires: 2/29/2009



SCANNED

AUG 08 2005

Notice of Water Right Location.

To whom it may concern. Notice is hereby given: That Hogle, Demout, & Kern, proprietors of the Gibbonsville Brewery, Gibbonsville, County of Lemhi, State of Idaho, have this 27th day of July 1897, appropriated & hereby claim the use of water of North Fork of Salmon River, to the extent of five cubic feet per second, flowing at the point of intended diversion, which said point of intended diversion is particularly described as follows: Ditch: Taken out below the Helene and Idaho Mining & Milling Company's Ditch. The aforesaid persons claiming the water there flowing to the extent of five cubic feet on the East side of the North Fork of the Salmon River. That the special purpose or purposes for which said water is claimed is for Domestic purposes.

The place of intended use is at the Gibbonsville Brewery. That the general course of the proposed canal or conduit is North to South. The length of said proposed canal or conduit is Nineteen Hundred feet.

That it is intended to complete the works for the diversion & use of said water as aforesaid within Thirty days.

A copy of this notice was duly posted at or near the point of intended diversion on the Twenty-seventh day of July 1897.

Witness hand at Gibbonsville, County of Lemhi, State of Idaho, this 27th day of July 1897.

Appropriators & Claimants:

John C. Hogle.

Robert Demout.

George Kern.

State of Idaho } ss.
County of Lemhi }

George Kern, being first duly sworn, deposes & says: That he is of lawful age & one of the appropriators & claimants of the Water Right described in the within foregoing notice & whose name is subscribed thereto. That the statements in said notice are true, & that the original notice, of which the foregoing is a true copy, was posted in a conspicuous place at or near the point of intended diversion at 8 o'clock P.M. the 27th day of July 1897.

Subscribed and sworn to before me this 27th day of July, 1897.

E. W. Nover

(Seal)

Notary Public

State of Idaho } ss.
County of Lemhi }

I hereby certify that this instrument was filed for record at the request of J. C. Hogle et al at 6 o'clock P.M. this 28 day of July, 1897, in my office & duly recorded in Book "B" of Water Rights, at page 252.

J. P. Clough

Ex-officio Recorder.

By O. J. Clough

Deputy.

SCANNED

AUG 08 2005

THIS INSTRUMENT, made this 13th day of November in the year of our Lord one thousand nine hundred and fifteen between George Kern and Eliza Kern, husband and wife, of Salmon, County of Lemhi, State of Idaho, the parties of the first part, and Henry E. Newman, of Salmon, County of Lemhi, State of Idaho, the party of the second part,

Witnesseth, that the said parties of the first part, for and in consideration of Thirteen Thousand and no/100 Dollars, lawful money of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, have GRANTED, BARGAINED and SOLD and by these presents do GRANT, BARGAIN, SELL, CONVEY and CONFIRM unto the said party of the second part, and to his heirs and assigns forever, all those certain lots, pieces or parcels of land, situated in the County of Lemhi, State of Idaho, and particularly described as follows, to wit: The northwest quarter of the northeast quarter of the northeast quarter and the west half of the northeast quarter of the northeast quarter of the northeast quarter of Section thirty-four in Township twenty-four north of Range twenty-one east of the Boise Meridian, Idaho, and that portion of said Section thirty-four and Section Twenty-seven, said Township and Range, designated by the Surveyor-General as H. E. Survey No. 50, more particularly bounded and described as follows:

Beginning at corner No. 1, from which corner of Sections twenty-six, twenty-seven, thirty-four and thirty-five, said Township and Range bears south eighty-nine degrees, fifty-four minutes east ten and two-hundredths chains distant; thence north two minutes west twenty-five chains to corner No. 2; thence north eighty-nine degrees, fifty-three minutes west twenty-one and seventy-two hundredths chains to corner No. 3; thence meandering east bank of Salmon River south two degrees, fifteen minutes west two and fourteen hundredths chains, south forty-five minutes west eight chains, south seven degrees, forty-five minutes west fifteen chains, south sixteen degrees, forty-five minutes west eight and five-tenths chains, south three degrees, thirty minutes west six chains, south seven degrees, fifteen minutes west fourteen chains, south nineteen degrees west twelve chains, south fifteen degrees, thirty minutes west twelve chains, south nine degrees, thirty minutes west four and twelve-hundredths chains to corner No. 4; thence south eighty-nine degrees, fifty-eight minutes east sixteen and thirty-three-hundredths chains to corner No. 5; thence north two minutes west twenty-five chains to corner No. 6; thence south eighty-nine degrees, fifty-seven minutes east five chains to corner No. 7; thence north two minutes west ten chains to corner No. 8; thence south eighty-nine degrees, fifty-six minutes east five chains to corner No. 9; thence north two minutes west twenty chains to corner No. 10; thence south eighty-nine degrees, fifty-four minutes east ten and two-hundredths chains to corner No. 1, the place of beginning, containing one hundred forty-nine and fifty-one-hundredths acres, acres, according to the official plats of the survey of said land returned to the General Land Office by the Surveyor-General;

Together with all water, water rights, ditches and ditch rights appurtenant to said land or heretofore used thereupon.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining, and the reversion and reversions, remainder and remainder, rents, issues and profits thereof, and also all estate, right, title, interest in and to the said property, possession, claim and demand whatsoever, as well in law as in equity, of the said parties of the first part, of in or to the said premises, and every part and parcel thereof, with the appurtenances to have and hold, all and singular, the above mentioned and described premises, together with the appurtenances, unto the party of the second part, and to his heirs and assigns forever. And the said parties of the first part, and their heirs, the said premises in the quiet and peaceful possession of the said party of the second part, his heirs and assigns, against the said parties of the first part and their heirs, against all and every person and persons whomsoever, lawfully claiming or to claim, the same shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, sealed and delivered in the presence of
L. E. Glennon
Rev. Stamps: \$6.50: L.E.G.: 11/13/15.

Geo. Kern (SEAL)
Eliza Kern (SEAL)

STATE OF IDAHO,
County of Lemhi,--ss.

On this 13th day of November in the year 1915, before me L. E. Glennon a Notary Public in and for the said County, personally appeared George Kern and Eliza Kern known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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

(SEAL)

L. E. Glennon, Notary Public for the State
of Idaho, residing at Salmon.

Recorded at the request of H. E. Newman at 10 minutes past 3 o'clock P. M. November 23rd 1915 in Book W of Deeds, on page 557, Records of Lemhi County, Idaho.

J. L. Kirtley, Jr., County Recorder.

By *W. W. Simmonds* Deputy

SCANNED

AUG 08 2005

- Overstep. Regression

1967. Dolcomb → Ney.

1980. Ney → Taylor.

1984 Taylor → Ney.
* water rights

1991. Ney → Faulkner.

1996. Faulkner → Montgomery.

2004 Montgomery → Schultz.

WARRANTY DEED

For Value Received, MAYNARD B. HOLCOMB and ESTHER L. HOLCOMB, husband and wife, WARREN M. HOLCOMB and LENORA HOLCOMB, husband and wife,

the grantors, do hereby grant, bargain, sell and convey unto

DALE F. NEY and OPAL M. NEY, husband and wife, and JOHN H. TROWBRIDGE, a married man,

the grantee, the following described premises, ~~to wit~~ in Lemhi County, Idaho, to wit:

A fraction of H.E.S. No. 101, in Section 27, Township 24 North, Range 21 E., Boise Meridian, more particularly described as follows, to wit:

Commencing at Corner No. 1 of Said H.E.S. No. 101, run thence S. 1 deg. 00' W. 148.0 feet to a point on the southwesterly right-of-way line of U.S. Highway No. 93, and the point of beginning of the tract hereby conveyed; continuing thence S. 1 deg. 00' W. 238.7 feet; thence E. 41 deg. 48' E. 718.2 feet to a point on the southwesterly right-of-way line of U.S. Highway No. 93; thence northwesterly along said right-of-way line 613.4 feet to the point of beginning, containing 5.0 acres, EXCEPTING THEREFROM that part of the NW 1/4 of Section 27 which lines southwesterly of U.S. Highway No. 93.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs, and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that said premises are free from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.
Dated: April 14, 1967.

Maynard B. Holcomb & Warren M. Holcomb
Esther L. Holcomb & Lenora Holcomb

STATE OF IDAHO, COUNTY OF LEMHI

On this 14th day of April, 1967, before me, a notary public in and for said State, personally appeared Maynard B. Holcomb, Esther L. Holcomb, Warren M. Holcomb and Lenora Holcomb, all

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

Fredrick Hapker
Notary Public

Residing at Salmon, Idaho
Comm. Expires 10/1/67

STATE OF IDAHO, COUNTY OF Lemhi

I hereby certify that this instrument was filed for record at the request of The Idaho First National Bank at 17 minutes past 4th day of May 1967, in my office, and duly recorded in ~~XXX~~ File of Deeds ~~XXXXXX~~

Eleanor Aldous
Ex-Officio Recorder

2.00 Paid
to:

SCANNED
OCT 25 2004

INSTRUMENT No. 106244

6-1494
(48)

WARRANTY DEED-Joint Tenancy

Printed and sold by
Dorran Printing Co., 613 N. 6th St., Kansas City, Mo. 64101

THIS INDENTURE, Made this 21st day of May A.D. 19 80
between DALE F. NEY and OPAL M. NEY, husband and wife,

of Wyandotte County, in the State of Kansas, of the first part, and
GLENN W. TAYLOR and NORMA A. TAYLOR, husband and wife, as joint tenants
with the right of survivorship and not as tenants in common,

of _____ County, in the State of Nevada, of the second part;

WITNESSETH, That said parties of the first part, in consideration of the sum of _____
DOLLARS,

the receipt whereof is hereby acknowledged, do _____ by these presents, GRANT, BARGAIN, SELL and CONVEY
unto said parties of the second part, as joint tenants with the right of survivorship and not as tenants in common,
all the following described REAL ESTATE, situated in the
County of Lemhi and State of Idaho, to-wit:

SEE ATTACHED EXHIBIT "A"

TO HAVE AND TO HOLD THE SAME, Together with all and singular the tenements, hereditaments and
appurtenances thereunto belonging or in anywise appertaining, forever, as joint tenants with the right of
survivorship and not as tenants in common:

And said grantor DALE F. NEY and OPAL M. NEY, husband and wife,
for themselves, their heirs, executors and administrators, do _____ hereby
covenant, promise and agree to and with said parties of the second part that at the delivery of these presents
They Are _____ Their _____ own right of an
absolute and indefeasible estate of inheritance, in fee simple, of and in all and singular the above granted and
described premises, with the appurtenances; that the same are free, clear, discharged and unincumbered of and
from all former and other grants, titles, charges, estates, judgments, taxes, assessments and incumbrances, of any
nature or kind whatsoever;

and that They will WARRANT AND FOREVER DEFEND the same unto said parties of the
second part, as joint tenants with the right of survivorship and not as tenants in common, against said parties
of the first part, Their heirs, and all and every person or persons whomsoever lawfully claiming
or to claim the same.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their
hands _____, the day and year first above written.

Dale F. Ney
DALE F. NEY
Opal M. Ney
OPAL M. NEY

SCANNED
OCT 25 2004

152258
WARRANTY DEED

STATE OF KANSAS, COUNTY OF WYANDOTTE, ss.

BE IT REMEMBERED, That on this 21st day of May, A. D., 1980

before me, the undersigned, a Notary Public in and for the County and State aforesaid, came
DALE F. NEY and OPAL M. NEY, husband and wife,

who are personally known to me to be the same person S who executed the foregoing instrument, and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my
notarial seal on the day and year last above written.



My Commission expires _____, 19____

STATE OF KANSAS, COUNTY OF _____, ss.

BE IT REMEMBERED, That on this _____ day of _____, A. D., 19____

before me, the undersigned, a _____ in and for the County and State aforesaid, came

who _____ personally known to me to be the same person _____ who executed the foregoing instrument, and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my
_____ seal on the day and year last above written.

My Commission expires _____, 19____

SCANNED

OCT 25 2008

INDEXED

152258

WARRANTY DEED

JOINT TENANCY

FROM

TO

Recorded in Transfer Record in my office this

_____ day of _____, 19____

County Clerk

Deputy

STATE OF KKKKKXX

Lemhi Idaho } ss.

Request of American Land Title

Received for record on the 22nd day of

May _____, 1980

2:03 o'clock P. M., and duly recorded in

rd DEEDS at KKKKKX

Eleanor Aldous

Register of Deeds

Deputy

6.00 pd

Printed and sold by
Printing Co., 612 N. 6th St., Kansas City, Kansas 66101

2- records 6-16-80

EXHIBIT "A"

PARCEL NO. 2:

A fraction of H.E.S. No. 101, in Section 27, Township 24 N., Range 21 E., Boise Meridian, Lemhi County, Idaho, more particularly described as follows, to-wit:

Commencing at the Meander Corner of the North boundary of said Section 27, which point is Corner No. 1 of H.E.S. No. 101, run thence S. 1° 00' W., 148.0 feet to a point on the Westerly Right-of-Way line of U.S. Highway No. 93 and the POINT OF BEGINNING; continuing thence S. 1° 00' W., 1087.5 feet; thence S. 30° 30' E., 336.5 feet; thence S. 9° 00' E., 170.6 feet; thence N. 41° 48' E., 1054.9 feet to a point on the Westerly Right-of-Way line of U.S. Highway No. 93; thence N. 48° 12' W. along said Westerly Right-of-Way line, a distance of 1485.8 feet to the POINT OF BEGINNING.

EXCEPTING THEREFROM: That part of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ and the SE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 27 lying on the Westerly side of U.S. Highway No. 93.

ALSO EXCEPTING: The following tract of land which is being conveyed by separate deed: A fraction of H.E.S. No. 101, in Section 27, Township 24 N., Range 21 E., Boise Meridian, as follows:

Commencing at Corner No. 1 of said H.E.S. No. 101, run thence S. 1° 00' W., 148.0 feet to a point on the Southwesterly Right-of-Way line of U.S. Highway No. 93, and the POINT OF BEGINNING of the tract hereby conveyed; continuing thence S. 1° 00' W., 938.7 feet; thence N. 41° 48' E., 718.2 feet to a point on the Southwesterly Right-of-Way line of U.S. Highway No. 93; thence Northwesterly along said Right-of-Way line, 613.4 feet to the POINT OF BEGINNING.

EXCEPTING THEREFROM: That part of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 27 which lies Southwesterly of U. S. Highway No. 93. . .

SCANNED

OCT 25 2004

JOINT TENANCY

STATE OF KANSAS

County

This instrument was filed for record on the _____ day of _____ A.D. 19____ at _____ o'clock _____ M., and duly recorded in Book _____ of Deeds, at page _____

Register of Deeds.
By _____ Deputy.

FEES

Register of Deeds,
for recording, \$_____
County Clerk, for Transfer
Total: \$_____

Entered in Transfer Record
In my office, this _____
day of _____ A.D. 19____

County Clerk.

THIS INDENTURE, made this _____ day of _____ May, A.D. 1980, between NEYTRO, INC.,

a corporation duly organized, incorporated and existing under and by virtue of the laws of the State of Idaho and having its principal place of business at Lemhi County, in the State of Idaho of the first part, and GLENN W.

TAYLOR and NORMA A. TAYLOR, husband and wife, as joint tenants with the right of survivorship and not as tenants in common, of _____ County, in the State

of Nevada of the second part:

WITNESSETH, That said party _____ of the first part, in consideration of the sum of _____ and _____ DOLLARS the receipt of which is hereby acknowledged, do _____ by these presents,

Grant, Bargain, Sell, and convey unto said parties _____ of the second part, their heirs and assigns, all the following-described real estate, situated in Lemhi County and State of Idaho, to wit:

PARCEL NO. I:

A fraction of H.E.S. No. 101, in Section 27, Township 24 N., Range 21 E., Boise Meridian, more particularly described as follows, to-wit:

Commencing at Corner No. 1 of said H.E.S. No. 101, run thence S. 1° 00' W., 148.0 feet to a point on the Southwesterly Right-of-Way line of U.S. Highway No. 93, and the POINT OF BEGINNING of the tract hereby conveyed; continuing thence S. 1° 00' W., 938.7 feet; thence N. 41° 48' E., 718.2 feet to a point on the Southwesterly Right-of-Way line of U.S. Highway No. 93; thence Northwesterly along said Right-of-Way line, 613.4 feet to the POINT OF BEGINNING.

EXCEPTING THEREFROM: That part of the NW¼, NE¼, NW¼, of Section 27 which lies Southwesterly of U.S. Highway No. 93.

TO HAVE AND TO HOLD THE SAME, Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, forever.

And said grantor for itself, its successors and assigns, does hereby covenant, promise and agree, to and with said parties of the second part, that at the delivery of these presents it is lawfully seized in its own right, of an absolute and inalienable estate of inheritance, in fee simple, of and in all and singular the above granted and described premises, with the appurtenances; that the same are free, clear, discharged and unincumbered of and from all former and other grants, titles, charges, estates, judgments, taxes, assessments and incumbrances, of what nature or kind soever;

and that it will warrant and forever defend the same unto said parties _____ of the second part, their heirs and assigns, against said party of the first part, its successors and assigns, and all and every person or persons whomsoever, lawfully claiming or to claim the same.

IN WITNESS WHEREOF, the said party of the first part has hereunto caused this Deed to be signed on its behalf by its _____ President thereunto duly authorized so to do, and has caused its corporate seal to be hereunto affixed the day and year first above written.

(Corporate Seal)

NEYTRO, INC.
By _____
DALE F. NEY President

STATE OF KAN

BE IT REMEMBERED

before me, the undersig

came DALE F

Idaho

sonally known to me to
said corporation, and si
poration.

(SEAL)



(This form is printed by the Kansas Bar Association solely for the use of its Members)





KANSAS BAR ASSOCIATION

TO

FROM

CORPORATION DEED
GENERAL WARRANTY

152256

No. _____
State of Idaho) ss
County of Lemhi)

This instrument was filed for
record at the request of _____
American Land Title Co.

at 2:01 o'clock P. M.
May 22 19 80

and duly filmed and indexed in the
file of DEEDS
Records of Lemhi County, Idaho.
Eleanor Aldous

Ex-Officio Recorder
By *Doris E. Alonge*
4.00 pd Deputy

re-recorded
6-16-80 INDEXED

STATE OF KANSAS WYANDOTTE COUNTY, ss.

BE IT REMEMBERED, That on this 21st day of May A.D. 1980

before me, the undersigned, a Notary Public in and for the County and State aforesaid
came DALE F. NEY President of NEYTRO, INC.

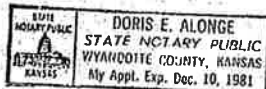
_____ a corporation duly organized, incorporated and existing under and by virtue of the laws of
Idaho, who is personally known to me to be such officer, and who is per-
sonally known to me to be the same person who executed, as such officer, the within instrument of writing on behalf of
said corporation, and such person duly acknowledged the execution of the same to be the act and deed of said cor-
poration.

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed my official seal the day
and year last above mentioned.

Doris E. Alonge Notary Public.

Term expires _____, 19____

(SEAL)



WARRANTY DEED

For Value Received GLENN W. TAYLOR, a single man

the grantor . does hereby grant, bargain, sell and convey unto DALE F. NEY and OPAL NEY
husband and wife,

whose current address is 5041 Rowland Avenue, Kansas City, KA 66104

the grantees, the following described premises, in LEMHI County Idaho, to wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

This deed is an absolute conveyance of title, in effect as well as in form and is not intended as a mortgage, trust conveyance, or security of any kind. This is a deed given in lieu of foreclosure, the consideration being set out and more fully described in the Stipulation between the parties dated October 1, 1984, filed in Civil Case No. 6289 in the District Court of the Seventh Judicial District of the State of Idaho, in and for the County of Lemhi.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees,
their heirs and assigns forever. And the said Grantor does hereby covenant to and
with the said Grantee s that he the owner in fee simple of said premises; that they are free
from all incumbrances

and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: Oct 1, 1984

Glenn W. Taylor

STATE OF IDAHO, COUNTY OF Lemhi
On this 1st day of October, 1984,
before me, a notary public in and for said State, personally
appeared

GLENN W. TAYLOR

known to me to be the person whose name is
subscribed to the within instrument, and acknowledged to
me that he executed the same.

Residing at Salmon, Idaho
Comm. Expires 10/86 STATE

Notary Public

STATE OF IDAHO } ss NO. 173554
COUNTY OF LEMHI }

This instrument was filed for record at the request of
Dale Ney
at 3:52 P.M. Oct. 1 19 84
and duly filed and indexed in the
DEED Records of Lemhi County,
Idaho.

Alberta Wiederrick

Ex Officio Recorder

By John McKinney Deputy

Fees 5.00 pd

SCANNED

OCT 25 2004

A fraction of H.E.S. No. 101, in Section 27, Township 24 N., Range 21 E., Boise Meridian, more particularly described as follows, to-wit:
Commencing at Corner No. 1 of said H.E.S. No. 101, run thence S. 1° 00' W., 148.0 feet to a point on the Southwesterly Right-of-Way line of U.S. Highway No. 93, and the POINT OF BEGINNING of the tract hereby conveyed; continuing thence S. 1° 00' W., 938.7 feet; thence N. 41° 48' E., 718.2 feet to a point on the Southwesterly Right-of-Way line of U.S. Highway No. 93; thence Northwesterly along said Right-of-Way line, 613.4 feet to the POINT OF BEGINNING. EXCEPTING THEREFROM: That part of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 27 which lies Southwesterly of U.S. Highway No. 93.

PARCEL NO. 2:

A fraction of H.E.S. No. 101, in Section 27, Township 24 N., Range 21 E., Boise Meridian, Lemhi County, Idaho, more particularly described as follows, to-wit:
Commencing at the Meander Corner of the North boundary of said Section 27, which point is Corner No. 1 of H.E.S. No. 101, run thence S. 1° 00' W., 148.0 feet to a point on the Westerly Right-of-Way line of U.S. Highway No. 93 and the POINT OF BEGINNING; continuing thence S. 1° 00' W., 1087.5 feet; thence S. 30° 30' E., 336.5 feet; thence S. 9° 00' E., 170.6 feet; thence N. 41° 48' E., 1054.9 feet to a point on the Westerly Right-of-Way line of U.S. Highway No. 93; thence N. 48° 12' W. along said Westerly Right-of-Way line, a distance of 1485.8 feet to the POINT OF BEGINNING. EXCEPTING THEREFROM: That part of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ and the SE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 27 lying on the Westerly side of U.S. Highway No. 93. ALSO EXCEPTING: The following tract of land which is being conveyed by separate deed: A fraction of H.E.S. No. 101, in Section 27, Township 24 N., Range 21 E., Boise Meridian, as follows:
Commencing at Corner No. 1 of said H.E.S. No. 101, run thence S. 1° 00' W., 148.0 feet to a point on the Southwesterly Right-of-Way line of U.S. Highway No. 93, and the POINT OF BEGINNING of the tract hereby conveyed; continuing thence S. 1° 00' W., 938.7 feet; thence N. 41° 48' E., 718.2 feet to a point on the Southwesterly Right-of-Way line of U.S. Highway No. 93; thence Northwesterly along said Right-of-Way line, 613.4 feet to the POINT OF BEGINNING. EXCEPTING THEREFROM: That part of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 27 which lies Southwesterly of U.S. Highway No. 93. . .

TOGETHER with all the improvements now or hereafter erected on the property, and all easements, rights, appurtenances, rents, royalties, mineral, oil and gas rights and profits, water, water rights and all fixtures now or hereafter attached to the property, all of which, including replacements and additions thereto, shall be deemed to be and remain a part of the property.

SCANNED

OCT 25 2004

WARRANTY DEED

For Value Received NORMA A. TAYLOR, a single woman

the grantor , does hereby grant, bargain, sell and convey unto DALE F. NEY and OPAL NEY
husband and wife,

whose current address is 5041 Rowland Avenue, Kansas City, Kansas 66104

the grantee S, the following described premises, in.....LEMHI.....County Idaho, to wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee S,
their heirs and assigns forever. And the said Grantor does hereby covenant to and
with the said Grantee S, that s he the owner in fee simple of said premises; that they are free
from all incumbrances

and that she will warrant and defend the same from all lawful claims whatsoever.

Dated: 10/1/84

Norma A. Taylor

STATE OF IDAHO, COUNTY OF Jefferson
On this 1st day of October, 1984,
before me, a notary public in and for said State, personally
appeared

NORMA A. TAYLOR

known to me to be the person whose name is
subscribed to the within instrument, and acknowledged to
me that she executed the same.

John L. McKinney
Notary Public
Residing at Salmon, Idaho
Comm. Expires Lifetime

STATE OF IDAHO } ss NO. 173555
COUNTY OF LEMHI }

This instrument was filed for record at the request of
Dale Ney
on 3:53 P. M. Oct. 1 19 84
duly filed and indexed in the
DEED Records of Lemhi County,
Idaho.

Alberta Wiederrick
Ex-Officio Recorder
By John McKinney Deputy
Fees: 6.00 pd

John McKinney

SCANNED

OCT 25 2004

EXHIBIT "A"

PARCEL NO. 1.

A fraction of H.E.S. No. 101, in Section 27, Township 24 N., Range 21 E., Boise Meridian, more particularly described as follows, to-wit:

Commencing at Corner No. 1 of said H.E.S. No. 101, run thence S. 1° 00' W., 148.0 feet to a point on the Southwesterly Right-of-Way line of U.S. Highway No. 93, and the POINT OF BEGINNING of the tract hereby conveyed; continuing thence S. 1° 00' W., 938.7 feet; thence N. 41° 48' E., 718.2 feet to a point on the Southwesterly Right-of-Way line of U.S. Highway No. 93; thence Northwesterly along said Right-of-Way line, 613.4 feet to the POINT OF BEGINNING. EXCEPTING THEREFROM: That part of the NW¼NE¼NW¼NE¼ of Section 27 which lies Southwesterly of U.S. Highway No. 93.

PARCEL NO. 2:

A fraction of H.E.S. No. 101, in Section 27, Township 24 N., Range 21 E., Boise Meridian, Lemhi County, Idaho, more particularly described as follows, to-wit:

Commencing at the Meander Corner of the North boundary of said Section 27, which point is Corner No. 1 of H.E.S. No. 101, run thence S. 1° 00' W., 148.0 feet to a point on the Westerly Right-of-Way line of U.S. Highway No. 93 and the POINT OF BEGINNING; continuing thence S. 1° 00' W., 1087.5 feet; thence S. 30° 30' E., 336.5 feet; thence S. 9° 00' E., 170.6 feet; thence N. 41° 48' E., 1054.9 feet to a point on the Westerly Right-of-Way line of U.S. Highway No. 93; thence N. 48° 12' W. along said Westerly Right-of-Way line, a distance of 1485.3 feet to the POINT OF BEGINNING.

EXCEPTING THEREFROM: That part of the NW¼NE¼NW¼NE¼ and the SE¼NE¼NW¼NE¼ of Section 27 lying on the Westerly side of U.S. Highway No. 93.

ALSO EXCEPTING: The following tract of land which is being conveyed by separate deed: A fraction of H.E.S. No. 101, in Section 27, Township 24 N., Range 21 E., Boise Meridian, as follows:

Commencing at Corner No. 1 of said H.E.S. No. 101, run thence S. 1° 00' W., 148.0 feet to a point on the Southwesterly Right-of-Way line of U.S. Highway No. 93, and the POINT OF BEGINNING of the tract hereby conveyed; continuing thence S. 1° 00' W., 938.7 feet; thence N. 41° 48' E., 718.2 feet to a point on the Southwesterly Right-of-Way line of U.S. Highway No. 93; thence Northwesterly along said Right-of-Way line, 613.4 feet to the POINT OF BEGINNING. EXCEPTING THEREFROM: That part of the NW¼NE¼NW¼NE¼ of Section 27 which lies Southwesterly of U.S. Highway No. 93. . . .

SCANNED

OCT 25 2004

ly

TOGETHER with all the improvements now or hereafter erected on the property, and all easements, rights, appurtenances, rents, royalties, mineral, oil and gas rights and profits, water, water rights, and all fixtures now or hereafter attached to the property, all of which, including replacements and additions thereto, shall be deemed to be and remain a part of the property.

This deed is an absolute conveyance of title, in effect as well as in form and is not intended as a mortgage, trust conveyance or security of any kind. This is a deed given in lieu of foreclosure, the consideration being set out and more fully described in the Stipulation between the parties dated October 1, 1984, filed in Civil Case No. 6289 in the District Court of the Seventh Judicial District of the State of Idaho in and for the County of Lemhi.

ly

SCANNED
OCT 25 2004

WARRANTY DEED

For Value Received

DALE F. NEY AND OPAL NEY, husband and wife

the grantor s, do hereby grant, bargain, sell and convey unto

JOHN FAULKNER, a married man dealing with his sole and separate property

whose current address is

P.O. BOX 277
GLENCOE, CA 95232

the grantee, the following described premises, in LEMHI County Idaho, to wit:
A FRACTION OF H.E.S. NO. 101, IN SECTION 27, T. 24 N., R. 21 E., BOISE MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

COMMENCING AT THE MEANDER CORNER OF THE NORTH BOUNDARY OF SAID SECTION 27, WHICH POINT IS CORNER NO. 1 OF H.E.S. NO. 101, RUN THENCE S. 1° 00' W. 148.0 FEET TO THE POINT ON THE WESTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 93 AND THE POINT OF BEGINNING; CONTINUING THENCE S. 1° 00' W. 1087.5 FEET; THENCE S. 30° 30' E. 336.5 FEET; THENCE S. 9° 00' E. 170.6 FEET; THENCE N. 41° 48' E. 1054.9 FEET TO THE POINT ON THE WESTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 93; THENCE N. 48° 12' W. ALONG SAID WESTERLY RIGHT OF WAY LINE A DISTANCE OF 1465.8 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PART OF THE NW 1/4 NE 1/4 NW 1/4 NE 1/4 AND THE SE 1/4 NE 1/4 NW 1/4 NE 1/4 OF SECTION 27 LYING ON THE WESTERLY SIDE OF U.S. HIGHWAY NO. 93.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor s do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that they are free from all incumbrances

and that the Y will warrant and defend the same from all lawful claims whatsoever.

Dated: June 19, 1991

DALE F. NEY

OPAL NEY

KANSAS
STATE OF IDAHO, COUNTY OF LEMHI
On this 19 day of JUNE, 1991,
before me, a notary public in and for said State, personally
appeared

DALE F. NEY AND OPAL NEY

known to me to be the person s whose name s are
subscribed to the within instrument, and acknowledged to
me that they executed the same

Notary Public
Notary Public
KANSAS
Expiring at
Comm. Expires

State of Idaho)
County of Lemhi) ss No. 210619

This instrument was filed for record at
the request of Alberta Wiedersick
at two o'clock PM June 19, 1991
and duly filed and indexed in the
records of Lemhi County

Alberta Wiedersick

Ex-Officio Recorder

By Alberta Wiedersick Deputy

Fees: \$2.00

Furnished by the AMERICAN LAND TITLE CO., Pocatello, Idaho

SCANNED
OCT 25 2004

Warranty Deed

For Value Received

JOHN P. FAULKNER, A MARRIED MAN DEALING WITH HIS SOLE AND SEPARATE PROPERTY

the grantor, does hereby grant, bargain, sell and convey unto

PATRICK J. MONTGOMERY AND FERMENA MONTGOMERY, HUSBAND AND WIFE, d/b/a
WAGONHAMMER CAMPGROUND

whose current address is

96 WHITE TAIL LANE
CLANCY, MT 59634

the grantee S, the following described premises, in LEMHI

County Idaho, to wit:

SEE ATTACHED EXHIBIT "A"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee S,
their heirs and assigns forever. And the said Grantor do es hereby covenant to and with the said
Grantee S, that he is the owner in fee simple of said premises; that they are free from all incumbrances

and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: OCTOBER 1, 1996

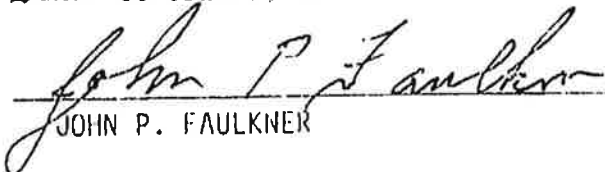

JOHN P. FAULKNER

EXHIBIT "A"

A PARCEL OF LAND LOCATED IN H.E.S. NO. 101, SECTION 27, T. 24 N., R. 21 E., BOISE MERIDIAN, LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT CORNER 1 OF SAID H.E.S. 101 FROM WHICH CORNER 2 OF SAID H.E.S. BEARS S. 89 DEGREES 28' 11" E., 178.11 FT., THE BASIS OF BEARING OF THIS DESCRIPTION, RUN THENCE S. 01 DEGREES 31' 49" W. A DISTANCE OF 138.04 FT. TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF U.S. HIGHWAY 93 AND THE POINT OF BEGINNING;

THENCE 94.88 FT. ALONG A CURVE TO THE RIGHT HAVING A CHORD OF S. 48 DEGREES 51' 11" E., 94.87 FT., A DELTA OF 01 DEGREES 37' 16", A RADIUS OF 3353.51 FT.;

THENCE CONTINUING ALONG SAID RIGHT-OF-WAY S. 48 DEGREES 02' 33" E. A DISTANCE OF 154.32 FT. TO A POINT ON THE LINE BETWEEN CORNERS 2 & 3;

THENCE S. 00 DEGREES 50' 13" E. ALONG SAID LINE, A DISTANCE OF 40.00 FT. TO CORNER 3 OF SAID H.E.S. 101;

THENCE N. 89 DEGREES 17' 44" E. ALONG THE LINE BETWEEN CORNERS 3 & 4, A DISTANCE OF 43.31 FT. TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF U.S. HIGHWAY 93;

THENCE S. 48 DEGREES 02' 33" E. ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 399.65 FT. TO A POINT ON THE LINE BETWEEN CORNERS 4 & 5;

THENCE S. 00 DEGREES 44' 21" W. ALONG SAID LINE, A DISTANCE OF 54.49 FT. TO CORNER 5 OF SAID H.E.S. 101;

THENCE S. 89 DEGREES 02' 39" E. ALONG THE LINE BETWEEN CORNERS 5 & 6, A DISTANCE OF 62.47 FT. TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF U.S. HIGHWAY 93;

THENCE S. 48 DEGREES 02' 33" E. ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 356.38 FT. TO A POINT ON THE LINE BETWEEN CORNERS 6 & 7;

THENCE S. 00 DEGREES 12' 03" E. ALONG SAID LINE, A DISTANCE OF 75.75 FT.;

THENCE S. 38 DEGREES 38' 06" W. A DISTANCE OF 1073.64 FT.;

THENCE N. 08 DEGREES 28' 11" W. A DISTANCE OF 305.18 FT.;

THENCE N. 29 DEGREES 58' 11" W. A DISTANCE OF 336.50 FT.;

THENCE N. 01 DEGREES 31' 49" E. A DISTANCE OF 1087.55 FT. TO THE POINT OF BEGINNING.

Warranty Deed

For Value Received

JOHN P. FAULKNER, A MARRIED MAN DEALING WITH HIS SOLE AND SEPARATE PROPERTY

the grantor, does hereby grant, bargain, sell and convey unto

PATRICK J. MONTGOMERY AND FERMENA MONTGOMERY, HUSBAND AND WIFE, d/b/a
WAGONHAMMER CAMPGROUND
whose current address is
96 WHITE TAIL LANE
CLANCY, MT 59634

the grantee S, the following described premises, in LEMHI County Idaho, to wit:

SEE ATTACHED EXHIBIT "A"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee S,
their heirs and assigns forever. And the said Grantor do es hereby covenant to and with the said
Grantee S, that he is the owner in fee simple of said premises; that they are free from all incumbrances

and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: OCTOBER 1, 1996

John P. Faulkner
JOHN P. FAULKNER

STATE OF IDAHO, COUNTY OF LEMHI

On this 30th day of Sept, 1996
before me, a notary public in and for said State, personally appeared

JOHN P. FAULKNER

NOTARY

known to me to be the person whose name is
subscribed to the within instrument, and acknowledged to me that
he executed the same.

Laurie M. Santee
LAURIE M. SANTEE
Notary Public
Residing at Salmon, Idaho

Comm. Expires 6-19-2001

State of Idaho)
County of Lemhi) SS No. 231309

This instrument was filed for record at the request
of *Debbie Little*
at 11:50 o'clock A.M. 9-30-1996
and duly filed and indexed in the records of Lemhi
County

Alberta Wiederrick
Ex-Officio Recorder
P. *Laurie J. Morton* Deputy
For *600*
Return to

EXHIBIT "A"

A PARCEL OF LAND LOCATED IN H.E.S. NO. 101, SECTION 27, T. 24 N., R. 21 E., BOISE MERIDIAN, LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT CORNER 1 OF SAID H.E.S. 101 FROM WHICH CORNER 2 OF SAID H.E.S. BEARS S. 89 DEGREES 28' 11" E., 178.11 FT., THE BASIS OF BEARING OF THIS DESCRIPTION, RUN THENCE S. 01 DEGREES 31' 49" W. A DISTANCE OF 138.04 FT. TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF U.S. HIGHWAY 93 AND THE POINT OF BEGINNING;

THENCE 94.88 FT. ALONG A CURVE TO THE RIGHT HAVING A CHORD OF S. 48 DEGREES 51' 11" E., 94.87 FT., A DELTA OF 01 DEGREES 37' 16", A RADIUS OF 3353.51 FT.;

THENCE CONTINUING ALONG SAID RIGHT-OF-WAY S. 48 DEGREES 02' 33" E. A DISTANCE OF 154.32 FT. TO A POINT ON THE LINE BETWEEN CORNERS 2 & 3;

THENCE S. 00 DEGREES 50' 13" E. ALONG SAID LINE, A DISTANCE OF 40.00 FT. TO CORNER 3 OF SAID H.E.S. 101;

THENCE N. 89 DEGREES 17' 44" E. ALONG THE LINE BETWEEN CORNERS 3 & 4, A DISTANCE OF 43.31 FT. TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF U.S. HIGHWAY 93;

THENCE S. 48 DEGREES 02' 33" E. ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 399.65 FT. TO A POINT ON THE LINE BETWEEN CORNERS 4 & 5;

THENCE S. 00 DEGREES 44' 21" W. ALONG SAID LINE, A DISTANCE OF 54.49 FT. TO CORNER 5 OF SAID H.E.S. 101;

THENCE S. 89 DEGREES 02' 39" E. ALONG THE LINE BETWEEN CORNERS 5 & 6, A DISTANCE OF 62.47 FT. TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF U.S. HIGHWAY 93;

THENCE S. 48 DEGREES 02' 33" E. ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 356.38 FT. TO A POINT ON THE LINE BETWEEN CORNERS 6 & 7;

THENCE S. 00 DEGREES 12' 03" E. ALONG SAID LINE, A DISTANCE OF 75.75 FT.;

THENCE S. 38 DEGREES 38' 06" W. A DISTANCE OF 1073.64 FT.;

THENCE N. 08 DEGREES 28' 11" W. A DISTANCE OF 305.18 FT.;

THENCE N. 29 DEGREES 58' 11" W. A DISTANCE OF 336.50 FT.;

THENCE N. 01 DEGREES 21' 49" E. A DISTANCE OF 1097.50 FT. TO THE POINT OF BEGINNING.

Additional Documentation

Proof of Business indicating
need of irrigation

1. 1969 - Per Tax Receipts Improvements
2. 1970 - Per " " Improvements
3. 1971 Early Spring K&A Registration
'indicating built in 1969-1970

1969 →

Proof of the beginning of
establishing a business on
said property.
Per Tax Receipts.

Value of Improvements indicating
the structure for the Campground

1969 - \$ 1721.00

1970 \$ 1746.00

Per- Mary Ann Heiser
Henri County Treasurer
& Tax Collector

Interest\$.....
TOTAL\$.....

business
proof

This receipt is valid only upon clearance of check or draft.

Page 147 A Line 10

FINAL TAX RECEIPT
OFFICE OF TAX COLLECTOR
LEMHI COUNTY, IDAHO

4231

Salmon, Idaho, 1971

Received the full amount of all state, county, city, school and other taxes for the year 1970 due upon the following described property in Lemhi County, as shown by the assessment rolls of said County, From:

Acres	Value of Land	Value of Improvements	Total
4.59			459

HOLCOMB MAYNARD ETAL C/ D & O NEY
BOX 1096
SALMON IDAHO 83467 27 24 21
291 27 24 21
FR T 1200

PERSONAL PROPERTY				Amount	
No.	Value		Value		
Imp. on Gov't. Land		Merchandise		State Bond	
Equity State Land		Tractors		County	11 48
Cattle, Registered		Tools, Implements		Salmon City	
Registered Bulls		Farm Implements		Leadore	
Milk Cows		Machinery		School Dist. No. 291	16 05
Cattle, Rge. & Com.		Furn. & Fixtures		Sch. Dist. No. B 292	
Yearlings				Sch. Dist. No. A 181	
				Sheep Commission	
				Livestock D.C.	
				Brand Inspection	
				Fire Protection	
				Lemhi Irrig. Dist.	
Horses					
Sheep, Reg.					
Sheep, Common		Total Per. Prop.			
Hicks		Total Real Prop.	459		
Hicks		GRAND TOTAL	459		
		Exemptions		TOTAL TAX	27 53
		Assessed Value	459		
				Pd. 1st Collection	
				Pd. 2nd Collection	
		Estimated Market Value	2588	TOTAL PAID	21 12
Your taxes are not paid for the years					
19....., 19....., 19....., 19....., 19....., 19.....					
Tax Collector					
Deputy					
TOTAL PAID					

4231

1970

Final Payment Stub

Date 6/15, 1971
Name

Maynard Holcomb etal

% D. & O. Ney

Address

State Bond\$
County\$1148
Salmon City\$
Leadore\$
School Dist. No. 291\$1605
Sch. Dist. No. B 292\$
Sch. Dist. No. A 181\$
Sheep Commission\$
Livestock D.C.\$
Brand Inspection\$
Fire Protection\$
Lemhi Irrig. Dist.\$
.....\$
.....\$
.....\$

Final Installment\$75
Delinquency 2nd Half\$
Penalty 2nd Half\$
Total Delinquency\$28
Interest\$336
TOTAL\$344

Check ☐ Cash ☐ M.O. ☐
Page 147 A Line 10

4231

Installment Tax Receipt

LEMHI COUNTY, IDAHO

Salmon, Idaho, 19.....
Received from

Maynard Holcomb etal

% D. & O. Ney

the sum of \$.....
being one-half of the taxes described in the Final Tax Receipt bearing the same number and year as this stub. Final receipt will be delivered to the Taxpayer upon payment of balance of said taxes prior to the 20th day of June, 1971. If not then paid, a penalty of 10 per cent of the remaining one-half, together with interest at the rate of ten per cent per annum will be added thereto. If the First Installment became delinquent, the above amount includes two per cent penalty and eight per cent interest per annum from the first Monday of January, 1971.

Tax Collector

Deputy

Delinquency 1st Half\$
Penalty 1st Half\$
Total Delinquency\$

Interest\$
TOTAL\$

Check ☐ Cash ☐ M.O. ☐
Page 147 A Line 10

4231

1970

Partial Payment Stub

Date....., 19.....
Name

Maynard Holcomb etal

Address

State Bond\$
County\$574
Salmon City\$
Leadore\$
School Dist. No. 291\$1605
Sch. Dist. No. B 292\$
Sch. Dist. No. A 181\$
Sheep Commission\$
Livestock D.C.\$
Brand Inspection\$
Fire Protection\$
Lemhi Irrig. Dist.\$
.....\$
.....\$
.....\$

One-Half Orig. Tax\$1377
Delinquency 1st Half\$
Penalty 1st Half\$28
Total Delinquency\$405
Interest\$
TOTAL\$

Check ☐ Cash ☐ M.O. ☐
Page 147 A Line 10

Re-Proof of Registration

KOA CAMP GROUND

KOA-Management
PH-(406)-248-7444

listed as - Wagonhammer Springs
Outfitters.

Year - 1971 - early Spring or Summer
listed under Salmon.

Previous Owners STATEMENT
Re: water rights

Neighbor Statement
Re: irrigation in River

Statement from previous owner
Montgomery
Re: water usage for irrigation
& water rights
Montgomery
& Faulkner

Page 1 of 1

Abner Schultz

From: "Monty" <pmontgomery@dmcalaska.org>
To: "Wagonhammer Campground" <wagonhammer@earthlink.net>
Sent: Wednesday, June 22, 2005 11:05 AM
Subject: Water

Hi Folks,

Good to hear from you. Hope camping business is going good and you guys are enjoying the place. I remember a few June months that for two weeks or more it did nothing but rain. Unfortunately it made for one hell of a crop of mosquitoes when that happened. If anyone complains about mosquitoes, tell them to make a trip to Alaska and see what real mean hungry mosquitoes are like.

As far as water rights, I don't know much other than what I was told from Faulkner. And that was basically one could pump out of the river for the lawn as long as it was a small lawn pump. Indicating not bigger than a 2" discharge type pump. I don't where he got this info or who, if anyone, he talked to about this. I never questioned what he told me and just assumed he knew what he was talking about. He told me that he used both the well pump and a small electric pump for watering the lawn when needed but I don't know what year he was doing that as he indicated the first year was spent cleaning the place up. He didn't have any information on previous owners and told me that we he purchased it, it was overgrown with weeds & trees and had not been used as a campground for several years or longer. He did tell me that there had been a place to pump water out of the river behind where your new shop is now located and towards the bend in the river. Apparently he had found a pipe and some wiring that he thought was used for that purpose.

Neighbor Documentation
of Pump usage at Wagonhammer
Campgrounds.

06/27-05

I am a neighbor-licensed
to run the river -

I have seen pumps in the
river for at least 25 years
at the Wagonhammer Property
assuming they are for
irrigation.

Jacob P. Smith

P.O. Box 116

North Fork ID. 83466

(208) 865-2372

1199

Instrument 104891

1200

Maynard & Esther L. Holcomb & Warren M. & Lenora Holcomb to Habile A. & Gracie W.

The following described real estate, situated in the County of Lemhi, State of Id to wit:

A fraction of H. E. S. No. 101, in Section 27, Township 24 North, Range 21 East, Meridian, more particularly described as follows, to wit:

Commencing at Corner No. 1 of H. E. S. No. 101 run thence S. 1 deg. 00' W. 1087.5 feet thence S. 30 deg. 30' E. 336.5 feet, thence S. 9 deg. 00' E. 183.1 feet to the point of beginning, and the Northwestern corner of the tract of land hereby conveyed; then thence S. 9 deg. 00' E. 212.9 feet; thence S. 7 deg. 30' W. 90.8 feet; thence S. 45' E. 1101.1 feet, more or less, to a point on the Westerly right of way line of Highway No. 93; thence Northerly along said right of way 200.0 feet; thence N. 61 45' W. 1142.9 feet to the point of beginning, containing 7.64 acres.

Maynard B. & Esther L. Holcomb & Warren M. & Lenora Holcomb to Dale F. & Opal M.

A fraction of H. E. S. No. 101, in Section 27, T. 24 N., R. 21 E., BLine Meridian more particularly described as follows, to wit:

Commencing at the meander corner of the North Boundary of said Section 27, which is Corner No. 1 of H. E. S. No. 101, run thence S. 1 deg 00' W. 148.0 feet to the point on the westerly right of way line of U. S. Highway No. 93 and the point of beginning; continuing thence S. 1 deg. 00' W. 1087.5 feet; thence S. 30 deg. 30' E. 336.5 feet; thence S. 9 Deg. 00' E. 170.6 feet; thence N. 41 deg. 48' E. 1054.9 feet to the point on the Westerly right of way line of U. S. Highway No. 93; thence N. 12' W. along said Westerly right of way line a distance of 1485.8 feet to the point of beginning. Containing approximately 16 acres.

Excepting therefrom that part of ~~NE 1/4 NW 1/4 NE 1/4~~ and the ~~SE 1/4 NW 1/4 NE 1/4~~ of Section 27 lying on the Westerly side of U. S. Highway No. 93.

16-acre - Deed
Maynard B. & Esther L. Holcomb & Warren M. & Lenora Holcomb to Dale F. & Opal M. Ney
A fraction of H. E. S. No. 101, in Section 27, T. 24 N., R. 21 E., Boise Meridian,
more particularly described as follows, to wit:

Commencing at the meander Corner of the North Boundary of said Section 27, which point
is Corner No. 1 of H. E. S. No. 101, run thence S. 1 deg 00' W. 148.0 feet to the
point on the Westerly right of way line of U. S. Highway No. 93 and the point of
beginning; continuing thence S. 1 deg. 00' W. 1087.5 feet; thence S. 30 deg. 30' E.
336.5 feet; thence S. 9 Deg. 00' E. 170.6 feet; thence N. 41 deg. 48' E. 1054.9 feet
to the point on the Westerly right of way line of U. S. Highway No. 93; thence N. 48 de
12' W. along said Westerly right of way line a distance of 1485.8 feet to the point of
beginning. Containing approximately 16 acres.

Excepting therefrom that part of NW ¹/₄ and the SE ¹/₄ of Section 27
lying on the Westerly side of U. S. Highway No. 93.

R. B. Cavaness & Jessie F. Cavaness to Nancy Anne Houver & Natalie Lane Houver
The following described premises, to wit;

A fraction of Lot 6 in Section 6, T. 21 N., R. 22 E.,
Boise Meridian, more particularly described as follows, to
wit:

Commencing at the West quarter corner of said Section 6,
run thence N. 89°20' E. along the North boundary of said Lot 6
a distance of 228.71 feet to the point of beginning; continuing
thence N. 89°20' E. 130.0 feet; thence S. 0°40' E. 364.5 feet;
thence N. 81°18' W. 131.8 feet; thence N. 0°40' W. 343.06 feet
to the point of beginning, containing 1.06 acres.

together with all water and water rights, ditch and ditch
rights used in connection therewith or improvements thereon.

A- Filing Fee.

B- Deed Title Policy - Contract
of Sale
Legal Description

WARRANTY DEED

258120

FOR VALUE RECEIVED, PATRICK J. MONTGOMERY and FERMENA MONTGOMERY, husband and wife, the Grantors, do hereby grant, bargain, sell and convey unto ABNER SCHULTZ and SHIRLEY SCHULTZ, husband and wife, whose current address is 3850 Colt Drive, Lake Havasu City, AZ 86404, the Grantees, the following described premises, in Lemhi County, Idaho, to-wit:

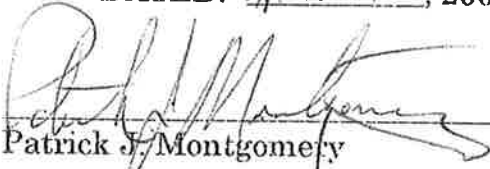
See attached Exhibit "A."

SUBJECT TO:

-  1. An easement for public utilities granted to Idaho Power Company, a corporation, recorded October 30, 1967 as Instrument No. 107463, records of Lemhi County, Idaho.
-  2. Fence Line Agreement as shown of Record of Survey dated September 22, 1996 by Laurence J. Wade and being unrecorded.
-  3. Any adverse claim based on the assertion that some portion of said land is unsurveyed lands of the United States.
-  4. Any adverse claim based on the assertion that some portion of said land is now, or at any time has been within the boundaries of the Salmon River or by reason of the fact or claim that any portion or portions thereof have been rendered un-navigable by artificial means, or has accreted to such portions so created.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees that they are the owners in fee simple of said premises; that they are free from all encumbrances and that they will warrant and defend the same from all lawful claims whatsoever.

DATED: April 1, 2004.


Patrick J. Montgomery


Fermina Montgomery

OWNER'S POLICY

SCHEDULE A

Order Number	Policy Number	Date of Policy	Amount of Insurance	Premium Amount
307042201L-G	72106-792451	April 1, 2004 At 3:34PM	\$165,000.00	\$800.00

1. Name of Insured:

Abner Schultz and Shirley Schultz

2. The estate or interest in the land which is covered by this policy is:

Fee Simple

3. Title to the estate or interest in the land is vested in:

Abner Schultz and Shirley Schultz, husband and wife

4. The land referred to in this policy is described as follows:

A PARCEL OF LAND LOCATED IN H.E.S. NO. 101, SECTION 27, T. 24 N., R. 21 E., BOISE MERIDIAN, LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT CORNER 1 OF SAID H.E.S. 101 FROM WHICH CORNER 2 OF SAID H.E.S. BEARS S. 89° 28' 11" E., 178.11 FT., THE BASIS OF BEARING OF THIS DESCRIPTION, RUN THENCE S. 01° 31' 49" W. A DISTANCE OF 138.04 FT. TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF U.S. HIGHWAY 93 AND THE POINT OF BEGINNING;

THENCE 94.88 FT. ALONG A CURVE TO THE RIGHT HAVING A CHORD OF S. 48° 51' 11" E., 94.87 FT., A DELTA OF 01° 37' 16", A RADIUS OF 3353.51 FT.;

THENCE CONTINUING ALONG SAID RIGHT-OF-WAY S. 48° 02' 33" E. A DISTANCE OF 154.32 FT. TO A POINT ON THE LINE BETWEEN CORNERS 2 & 3;

THENCE S. 00° 50' 13" E. ALONG SAID LINE, A DISTANCE OF 40.00 FT. TO CORNER 3 OF SAID H.E.S. 101;

THENCE N. 89° 17' 44" E. ALONG THE LINE BETWEEN CORNERS 3 & 4, A DISTANCE OF 43.31 FT. TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF U.S. HIGHWAY 93;

THENCE S. 48° 02' 33" E. ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 399.65 FT. TO A POINT ON THE LINE BETWEEN CORNER 4 & 5;

THENCE S. 00° 44' 21" W. ALONG SAID LINE, A DISTANCE OF 54.49 FT. TO CORNER 5 OF SAID H.E.S 101;

THENCE S. 89° 02' 39" E. ALONG THE LINE BETWEEN CORNERS 5 & 6, A DISTANCE OF 62.47 FT. TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF U.S. HIGHWAY 93;

THENCE S. 48° 02' 33" E. ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 356.38 FT. TO A POINT ON THE LINE BETWEEN CORNERS 6 & 7;

THENCE S. 00° 12' 03" E. ALONG SAID LINE, A DISTANCE OF 75.75 FT.;

THENCE S. 38° 38' 06" W. A DISTANCE OF 1073.64 FT.;

THENCE N. 08° 28' 11" W. A DISTANCE OF 305.18 FT.;

THENCE N. 29° 58' 11" W. A DISTANCE OF 336.50 FT.;

THENCE N. 01° 31' 49" E. A DISTANCE OF 1087.50 FT. TO THE POINT OF BEGINNING.

END OF SCHEDULE A

BILL OF SALE

This is to certify that PATRICK J. MONTGOMERY and FERMENA MONTGOMERY, husband and wife, of 1615 Kassi Court, Fairbanks, AK 99709, Sellers, for good and valuable consideration, the receipt of which is hereby acknowledged, have this 1 day of April, 2004, sold to ABNER SCHULTZ and SHIRLEY SCHULTZ, husband and wife, of 3850 Colt Drive, Lake Havasu City, AZ 86404, Buyers, all that property described on Exhibit "A" attached hereto and incorporated herein by reference.

Sellers covenant that they are the lawful owners of said property; that said property is free from all encumbrances, that they have the right to sell said property; and that they will warrant and defend the same against the lawful claims and demands of all persons.

IN WITNESS WHEREOF, Seller has executed this bill of Sale effective

April 1, 2004


Patrick J. Montgomery


Fermina Montgomery

REAL ESTATE SALES CONTRACT

This Agreement is made on the 8th day of Nov. 2003 between Abner & Shirley Schultz, of 3850 Colt Drive, Lake Havasu City, AZ. 86404 ("Buyer") and Patrick J. & Fernena A. Montgomery, of 1615 Kassi Court, Fairbanks, AK. 99709 ("Seller").

Seller hereby agrees to sell and deliver Wagonhammer Campground, parcel number RP24N21E270602A located near North Fork, Idaho to Buyer, on or before April 1, 2003, the following:

* See attached listing of said property to be sold with the land and attached plot plan.

Buyer agrees to purchase the goods and make payment in the amount of \$175,000.00, less a non-refundable \$5,000.00 cashiers check for earnest deposit. Deposit is to be mailed to the seller upon buyer signing this agreement.

Goods shall be deemed received by Buyer upon receipt of cashiers check for \$170,000.00 at closing April 1, 2003 at a title company to be arranged by buyer, all associated closing costs to be 50/50 split between buyer and seller.

Until such time as said goods have been received by Buyer, all risk of loss from any casualty to said goods shall be on Seller.

Seller warrants that the goods are now free from any lien or law suit, other than said loan held by previous owner, and that he neither knows nor has reason to know of any outstanding title or claim of title hostile to his rights in the goods.

Buyer has the right to examine the goods on arrival and has April 1, 2004 to notify Seller of any claim for damages on account of the condition, grade or quality of the goods. Said notice must specifically set forth the basis of the claim. Failure to either give notice to Seller within the stipulated period of time or to set forth specifically the basis of the claim will constitute acceptance of the goods.

In any action or suit to enforce any right or remedy under this Agreement or to interpret any provision of this Agreement, the prevailing party shall be entitled to recover its costs, including reasonable attorney's fees.

Abner Schultz
Abner Schultz, Buyer

Date: 11-8-03

Shirley Schultz
Shirley Schultz, Buyer

Date: 11-8-03

Patrick J. Montgomery
Patrick J. Montgomery, Seller

Date: NOV 8, 2003

Fernena A. Montgomery
Fernena A. Montgomery, Seller

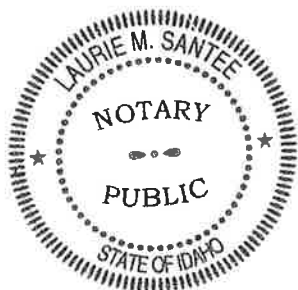
Date: 11-8-03

Idaho
STATE OF ~~ALASKA~~)
County of Lemhi) SS

258120

On this 1st day of April, 2004, before me, a Notary Public in and for said State, personally appeared PATRICK J. MONTGOMERY and FERMENA MONTGOMERY, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

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



Laurie M. Santee
Notary Public for ~~Alaska~~ Idaho
Residing at Salmon, ID
Commission Expires: 6-19-07

258120

State of Idaho)
County of Lemhi) SS No. 258120

This instrument was filed for record at the request
of Alliance Title

at 3:34 o'clock p.m. 4-1 2004

and duly filed and indexed in the records of Lemhi
County

Terri J. Norton
Ex-Officio Recorder

By Brenda C. Strong Deputy
Fee 900

Return to AT

LEGAL DESCRIPTION
EXHIBIT 'A'

A PARCEL OF LAND LOCATED IN H.E.S. NO. 101, SECTION 27, T. 24 N., R. 21 E., BOISE MERIDIAN, LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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THENCE S. 00° 50' 13" E. ALONG SAID LINE, A DISTANCE OF 40.00 FT. TO CORNER 3 OF SAID H.E.S. 101;

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THENCE S. 38° 38' 06" W. A DISTANCE OF 1073.64 FT.;

THENCE N. 08° 28' 11" W. A DISTANCE OF 305.18 FT.;

THENCE N. 29° 58' 11" W. A DISTANCE OF 336.50 FT.;

THENCE N. 01° 31' 49" E. A DISTANCE OF 1087.50 FT. TO THE POINT OF BEGINNING.

Aerial Photo
USDA Farm Service Agency
with irrigated acres outlined
and points)

9 @ 94

23/1808



THIS MAP BEARS A SURVEY MADE AT THE LAND OFFICE IN OREGON, WITH THE RECORDS IN CHARGE, AND TO THE 95TH LAND CO. SURVEYED ON 6-12-00. THE ADJ. SURVEY

SURVEYOR'S CERTIFICATE

Property boundary runs down the middle of the river
Slicing through part of the large island

Fence separating
Campground from
neighbor's property

LINE	BEARING	DISTANCE
1	N 89° 28' 11" E	178.11
2	N 88° 17' 44" E	43.31
3	S 00° 50' 13" E	40.00
4	S 00° 44' 21" E	54.08
5	S 00° 44' 21" E	88.07
6	S 00° 44' 21" E	177.71

WAGONHAMMER
K.O.A. CAMP GROUNDS
17.02 ACRES

THE LOCATION OF
CORNER 4 HAS
BEEN DETERMINED
BY A SURVEY

CORNER 5 HAS NOT
BEEN DETERMINED
BY A SURVEY

Property crosses
up hillside and extends
a short distance

SCALE 1" = 100' (X)



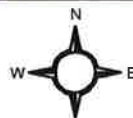
5

5 00' 00"



Empty Text

June / Aug
2004





8501
1974

75-4121

Form 42-206 (2-1-89) (Rev. 1988)

Re-Wagonhammer Campground

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

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

Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case 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
	75-421				

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) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

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

*Patrick J. Fermea Montgomery
1615 Kassi Ct Fairbanks AK 99709*

4. New Owner/Claimant(s)

ABNER = SHIRLEY SCHULTZ

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

New Mailing Address

P.O. Box 173

City, State and ZIP Code

North Fork Idaho 83416

New Telephone Number

209 815 2477

5. Date you acquired the property

April 11 2004

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

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number <u>75 - 4121</u>		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	<u>.77 cfs</u>	<u>16 ac</u>
Stock	_____	_____
Domestic	_____	_____
Other	_____	_____
Total	<u>.77 cfs</u>	_____

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

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

Shirley Jones

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

For Office Use Only

Received by _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

Proof of Irrigation. 1970
Re - Real Property Assessment Roll

Per - Mary Ann Heiser
hemhi County Treasurer -
Tax Collector
PH - 156-2816 x231

1972-

Said Property - became
T 1200 - 1972 - 16 acres

1996- Attached Survey -

by Faulkner - 17682 acres

Source...

Mary Ann Heiser
Hemlock County Treasurer.

Mary Ann has all of our files -
readily available if there are
any questions.

Ph- 756-2816 X 231

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

CLAIM NO(s). A75-04121A

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.: A0014982 GPS 068

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

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

0.02 cfs/acre
75-4121 stock 0.05 cfs
1
A B C D E F
0.01 cfs for stock
total .05

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

☐ SYSTEM DIAGRAM INCLUDED ☐ NA

☐ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: _____

FIELD EXAMINER: _____

Print Name

Jack F. Ellis

Signature

Warranty Deed

For Value Received ZELMA C. SAVAGE, a single woman,

the grantor do hereby grant, bargain, sell and convey unto
JOSEPH C. STEELE AND KATHLEEN S. STEELE,
husband and wife

whose current address is 11411 Joshua Dr, Yuma AZ

the grantee S, the following described premises, in Lemhi County Idaho, to wit:

Lot Five (5) Holcomb Subdivision No. Two (2), Lemhi County, ID

The above conveyance is made free and clear of all other encumbrances except: Rights of way and easements, reservation in Federal patents and state deeds, or other restrictions imposed by law, building and use restrictions of records, building and zoning regulations and ordinances of any governmental unit whether of sight or of records.

This is a gift deed

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said GranteeS, their heirs and assigns forever. And the said Grantor do hereby covenant to and with the said Grantee S, that she is the owner in fee simple of said premises; that they are free from all incumbrances

and that she will warrant and defend the same from all lawful claims whatsoever.

Dated: March 4 1997

Zelma C. Savage
ZELMA C. SAVAGE

STATE OF IDAHO, COUNTY OF Lemhi--ss
On this 14th day of March, 19 97
before me, a notary public in and for said State, personally appeared
ZELMA C. SAVAGE

known to me to be the person whose name is
subscribed to the within instrument, and acknowledged to me that
she executed the same.

Residing at Salmon Notary Public
Comm. Expires 2-19-2003, Idaho

232753

State of Idaho)
County of Lemhi) SS No. _____
This instrument was filed for record at the request
of Bill Allen Escrow
at 2:00 o'clock P.m. 3-11 19 97
and duly filed and indexed in the records of Lemhi
County
Alberta Wierwick
Ex-Officio Recorder
By Jane S. Adams Deputy
Fee 3.00
Return to Bill Allen Escrow

REVENUE STAMPS

For Value Received, Namely: \$8,000.00, MAYNARD B. HOLCOMB and ESTHER L. HOLCOMB, husband and wife, and WARREN M. HOLCOMB and LENORA HOLCOMB, husband and wife,

the grantors, do hereby grant, bargain, sell and convey unto

DALE F. NEY and OPAL M. NEY, husband and wife,

the grantees, the following described premises, ~~to wit:~~ in Lemhi County, Idaho, to wit:

A fraction of H.E.S. No. 101, in Section 27, T. 24 N., R. 21 E., Boise Meridian, more particularly described as follows, to wit:

Commencing at the Meander Corner of the North boundary of said Section 27, which point is Corner No. 1 of H.E.S. No. 101, run thence S. 1°00' W. 148.0 feet to a point on the Westerly Right-of-Way line of U.S. Highway No. 93 and the point of beginning; continuing thence S. 1°00' W. 1087.5 feet; thence S. 30°30' E. 336.5 feet; thence S. 9°00' E. 170.6 feet; thence N. 41°48' E. 1054.9 feet to a point on the Westerly Right-of-Way line of U.S. Highway No. 93; thence N. 48°12' W. along said Westerly Right-of-Way line a distance of 1485.8 feet to the point of beginning.

EXCEPTING THEREFROM that part of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ and the SE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 27 lying on the Westerly side of U.S. Highway No. 93.

Also EXCEPTING the following tract of land which is being conveyed by separate deed: A fraction of H.E.S. No. 101, in S. 27, T. 24 N., R. 21 E.B.M., as follows: Commencing at Corner No. 1 of said H.E.S. No. 101, run thence S. 1 deg. 00' W. 148.0 feet to a point on the Southwesterly right-of-way line of U.S. Highway No. 93, and the point of beginning of the tract hereby conveyed; continuing thence S. 1 deg. 00' W. 938.7 feet; thence N. 41 deg. 48' E. 718.2 feet to a point on the Southwesterly right-of-way line of U.S. Highway No. 93; thence Northwesterly along said right-of-way line 613.4 feet to the point of beginning, containing 5.0 acres, excepting that part of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ of S. 27 which lies Southwesterly of U.S. Highway No. 93.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that said premises are free from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.
Dated: April 4, 1966.

Maynard B. Holcomb

Warren M. Holcomb

Esther L. Holcomb

Lenora Holcomb

STATE OF IDAHO, COUNTY OF LEMHI

On this 4th day of April, 1966, before me, a notary public in and for said State, personally appeared Maynard B. Holcomb and Esther L. Holcomb, husband and wife, and Warren M. Holcomb and Lenora Holcomb, husband and wife,

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

Residing at Salmon, Idaho
Comm. Expires 1/67

STATE OF IDAHO, COUNTY OF Lemhi

I hereby certify that this instrument was filed for record at the request of Lemhi Title & Abstract Co.

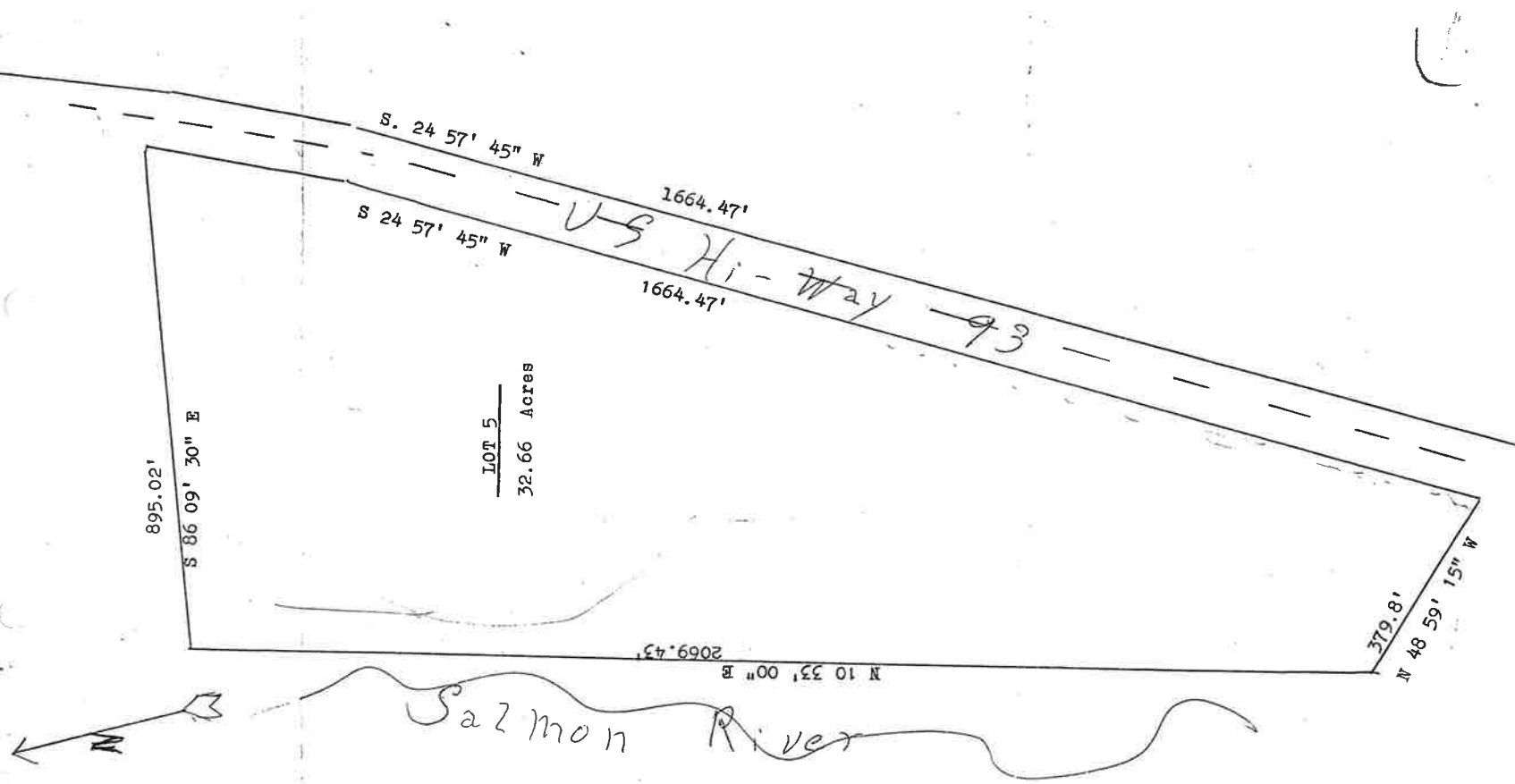
at 33 minutes past 4 o'clock P.M.,
this 14th day of July, 1972, in my office, and duly recorded in Book File
of Deeds 10000

Calvin Aldous

Ex-Officio Recorder

By _____
Fees \$ 1.00 Paid Deputy.
Mail to:

INSTRUMENT NO. 120703



WARRANTY DEED

For Value Received MAYNARD HOLCOMB and ESTHER L. HOLCOMB
husband and wife,

the grantor s, do hereby grant, bargain, sell and convey unto
HENRY C. SAVAGE and ZELMA C. SAVAGE, husband and wife,
1026 E 800 N, Shelley, Idaho 83274
the grantee s, the following described premises, in Lemhi County Idaho, towit:

Lot Five (5), Holcomb Subdivision No. Two (2) Lemhi County,
Idaho.

The above conveyance is made free and clear of all other
encumbrances except: Rights of way and easements,
reservations in Federal patents and state deeds, or other
restrictions imposed by law, building and use restrictions
of record, building and zoning regulations and ordinances
of any governmental unit.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees,
their heirs and assigns forever. And the said Grantors do hereby covenant to
and with the said Grantees, that they are the owner in fee simple of said premises; that they
are free from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: June 20, 1990

Maynard Holcomb
MAYNARD HOLCOMB

Esther L. Holcomb
ESTHER L. HOLCOMB

STATE OF IDAHO, COUNTY OF

On this 20th day of June, 1990,
before me, a notary public in and for said State, personally
appeared MAYNARD HOLCOMB and
ESTHER L. HOLCOMB,
husband and wife,

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

Residing at Salmon, Idaho
Comm. Expires 2-19-91

Notary Public

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for re-
cord at the request of Bill Allen

at 55 minutes past 2 o'clock P. M.,
this 20 day of June
1990, in my office, and duly recorded in Book 111
of Deeds at page

Albert W. Wadsworth
Ex-Officio Recorder

By Mary Allen Deputy.

Fees \$ 3.00 Pl.
Mail to:

INSTRUMENT NO. 206905

LEMHI TITLE & ABSTRACT - SALMON, IDAHO



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

January 18, 2000

JOSEPH & KATHLEEN STEELE
PO BOX 52
NORTH FORK ID 83466

RE: NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP
NOTICE OF CLAIM TO A WATER RIGHT A75-04121A

Dear Mr. & Mrs. Steele:

The request for Change of Water Right Ownership concerning the above-referenced Notice of Claim has been processed and the Department's records updated to reflect you as the new claimant.

The enclosed report shows this change along with the elements of the water right being claimed. Please review this report and contact this office if there are corrections or questions.

Please keep this report for your records.

Respectfully yours,

Jennifer Crabtree
Technical Records Specialist

Enclosure

DELOG BC 1-5-00
OK- bac REC 1/6/00
JAN 03 2000
Department of Water Resources
Eastern Region

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

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right or Adjudication Claim No(s): 475-04121A
 2. The following **REQUIRED** information must be submitted with this form:
 - A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**
 - AND
 - B. **PLAT OF PROPERTY** or **SURVEY MAP** for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
 - OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a **USDA Farm Service Agency AERIAL PHOTO** with irrigated acres outlined and point(s) of diversion clearly marked.
 3. Name and Address of Former Owner/Claimant Zelma Savage
PO Box 98 North Fork ID 83466
 4. New Owner/Claimant(s) Joseph & Kathleen Steele
Name Connector (Check one): ☐ and, ☐ or, ☒ and/or
New Mailing Address PO Box 52
City, State and ZIP Code North Fork ID 83466
New Telephone Number (208) 865-2641
 5. Date you acquired the property March 4 1997
 6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
Number of acres you irrigate _____ Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ Other uses _____
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
 7. Signature of New Owner or Claimant(s) Joseph C Steele Jr.
Kathleen Steele
- Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign this form.
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

Δ ownership 475-04121A
Boyle A. Carter
1/6/00

1) Chain of title

- owner of record - AT - Henry C. Zelma Savage
- deed 232753 Zelma Savage → Joseph?

Kathleen Stoltz

2) Pou -

deed shows "Holcomb Division 2 lots"

Presbyterian records? map in file confirms
POU of claim = lots 5

3) OK - BAC

To: A75-04121
A75-04121A
A75-04121B
A75-04121C
A75-04121D
Fr: Bryce A. Contor
Date: 12/23/1999
Re: Splits, Change of Ownership, Amended Claims

A75-04121 E
A75-04121 F
Bryce

History:

1. Original water right was a beneficial use claim for approximately 88 acres. From this claim, record A75-02141 was prepared. There is no corresponding signed claim. This water right covered basically the full extent of what is now Holcomb Division No. 2.
2. Claim A75-04121A was originally filed by Maynard and Ester Holcomb on what appears to be only Lot 5 of Holcomb Division No. 2, approximately 33 acres. In 1990, ownership was changed to Henry and Zelma Savage.
3. Claim A75-04121B was originally filed by Glen and Terry Goddard. The claim referenced Lots 1 and 2 of Holcomb Division No. 1. An October 1999 amended claim by Glen and Terry Goddard clarifies that this should be Lots 1 and 2 of Holcomb Division No. 2. However, the legal description claims only land in T24N R21E Section 27 SWSE. The attached map shows that Lots 1 and 2 actually extend also into the NESE, NWSE, SWSE, and SESE of section 27.
4. These two claims left the original water right underclaimed by about 30 acres.
5. In July of 1999, David and Vickie Neinke presented a change of ownership form and adequate documentation showing their purchase of Lot 4. I erroneously assumed that record A75-04121 represented an original adjudication claim and that splits A75-04121A and B had failed to distribute all of the original claim. Consequently, I created A75-04121C for Lot 4 and assigned it to Neinkes. I also created claim A75-04121D for Lot 3 and assigned it to Holcombs, who I thought had been the original claimants for the full original right.
6. In December of 1999, I looked at a change of ownership request from Robert Rowland, who presented documentation of a chain of title for Lot 3 from Holcombs to himself, with a request to change ownership of claim A75-02141D. I also found documentation in file A75-04121B that indicates Rowland is also now the owner of Lot 2, which would be part of claim A75-04121B.

Action Needed:

1. A75-04121A:

No action needed.

2. A75-04121B

Claim needs to be split to accommodate sale of Lot 2 to Rowland.
Lot 2 portion needs ownership changed to Rowland.

Both claims need to be amended to reflect correct legal description of POU.

→ A75-04121 E
→ A75-04121 F

3. A75-04121C

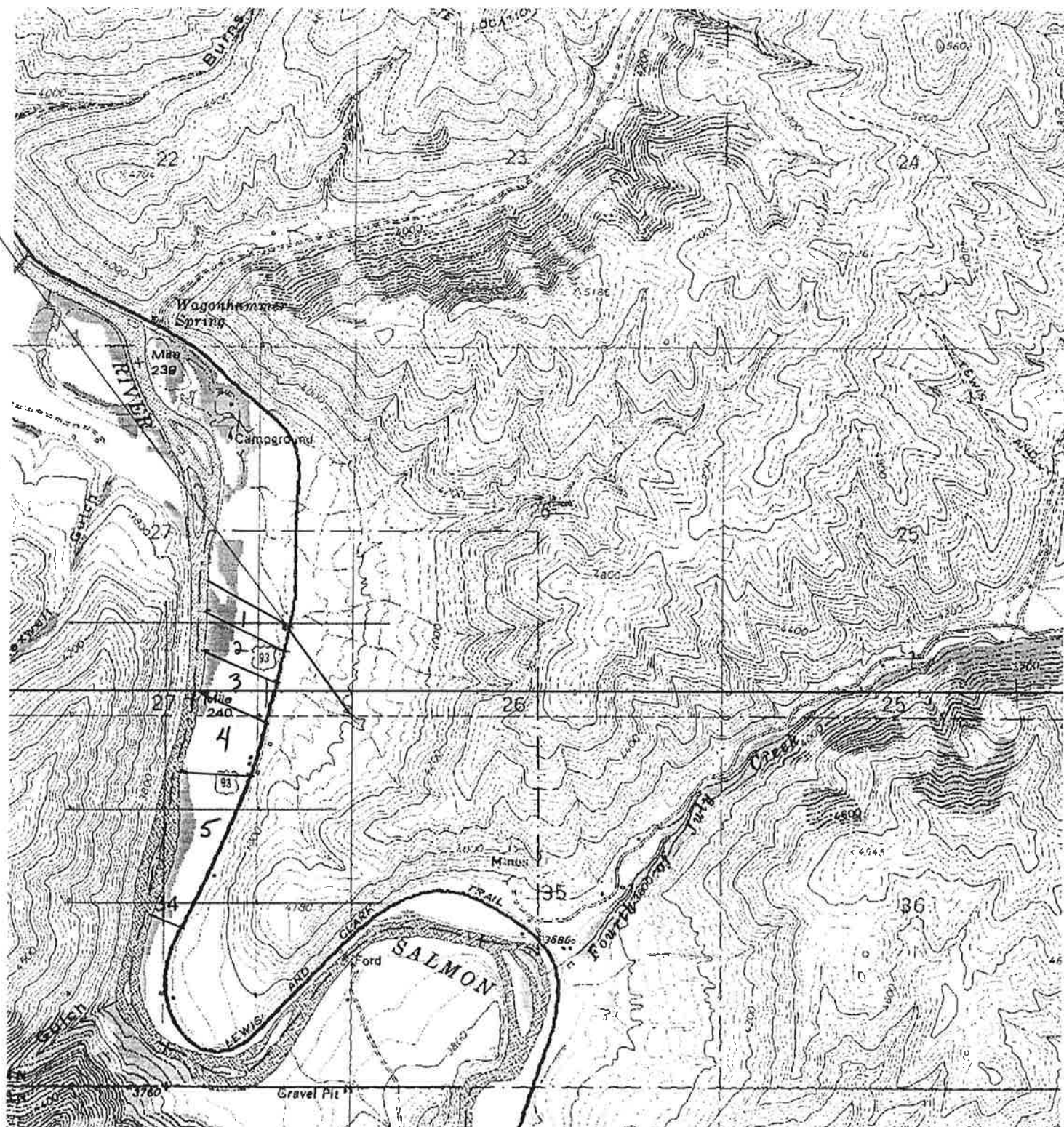
Neinke's need to sign a claim.

4. A75-04121D

Rowland needs to sign a claim.

Individual files contain copies of new or amended claims and correspondence I have sent out to accomplish these needed actions.

Idaho Department of Water Resources



Prepared from plat map in file A75-04121 B 12/23/99 B. Contor



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

August 23, 1999

DAVID & VICKIE NEINKE
HC 10 BOX 46-B
NORTH FORK ID 83466

RE: CHANGE IN OWNERSHIP FOR A75-04121

Dear Mr. and Mrs. Neinke:

The request for Change in Ownership for a portion of the above-referenced Notice(s) of Claim has been processed with the new Notice(s) reflecting you as one of the claimants.

Since the Change in Ownership involved just a portion of the Notice(s) of Claim, the right was split as follows:

A75-04121A, 1.98 cfs, 33 acres, Savage
A75-04121B, 1.26 cfs, 21 acres, Goddard
A75-04121C, 1.19 cfs, 19.9 acres, Neinke
A75-04121D, 0.85 cfs, 14.1 acres, Holcomb

Enclosed for your records is a typed Notice(s) reflecting your portion of the right. Review the Notice(s) and if you have other corrections or questions, please contact this office.

Respectfully submitted,

Jennifer Hoagland
Technical Records Specialist

Enclosure

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
24N	21E	34	NE	NE	1A	10.0
			NE	NE	2A	10.0
			NE	NE	3A	2.0
			NE	NE	4A	3.0
Section Acres						35.0
Total Acres						37.0

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:
N/A

14. Remarks:
STOCKWATER USES FOR 30 RANGE CATTLE & 15 HORSES

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

(a.) By signing below, I/we acknowledge that I/we have received, read and understood the form entitled "now you will receive notice in the Snake River Basin Adjudication." (b.) I/we do not wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/we do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): James C. [Signature] Date: 10-9-90

Date: _____

A75-04121A

Page 2

Date: 10/09/90

State of ID.
County of X
Subscribed
of [Signature]

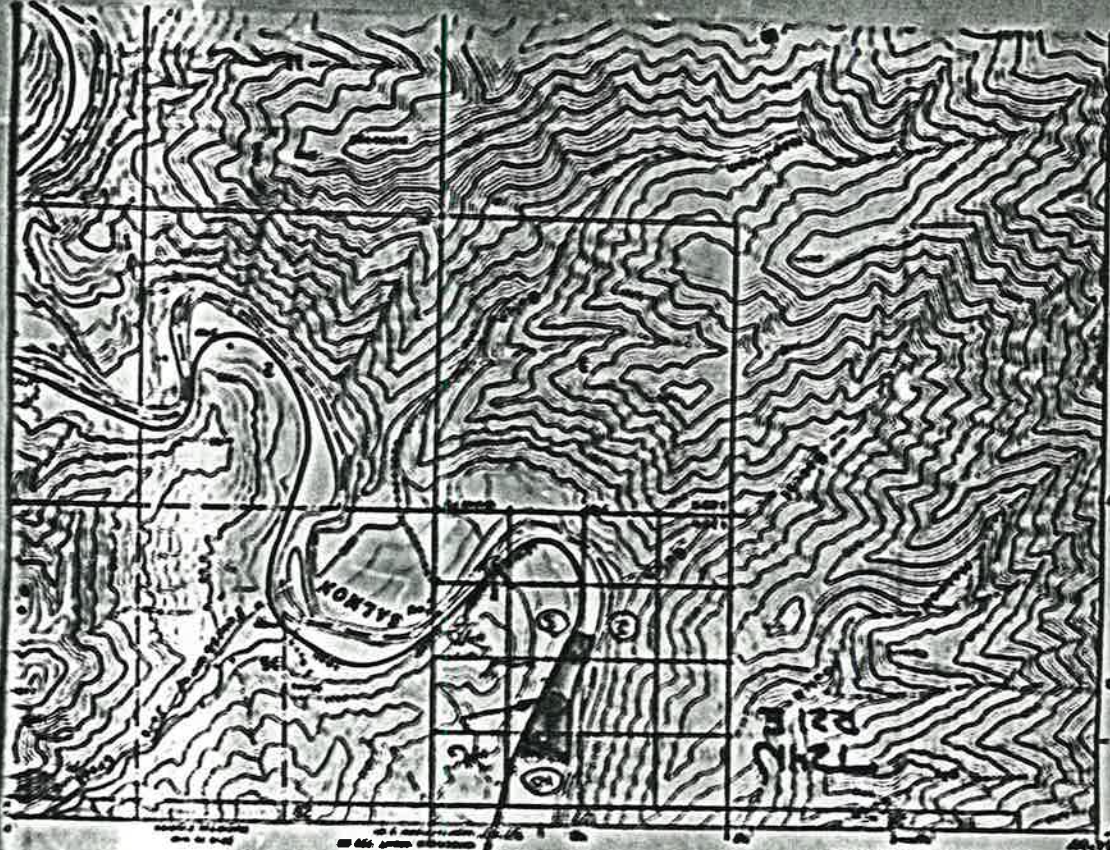
A75-04121A

32x

A75-04121A

32x10

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY



A75-04121A

25x10

32x10

A75-04121A

1. Name: RAYMOND P. O. NORTH
2. Address: NORTH
3. Date of Priority:
4. Source: SALMON R.
5. Point of Diversion:
6. Description of ditch: 24 in
7. Purpose: IRRIGATION STOCKWATER
8. Total Quantity Available: 1,220 c.f.
9. Total Consumptive Use: 8/30 RANOS CATT.

IN THE DISTRICT COURT
IN BE THE GENERAL ADJ.
OF RIGHTS TO THE USE
OF WATER
MAY 15 1939

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

07/22/99 09:08:09
Page 1

Water Right Number - A75-04121A

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
SAVAGE

HENRY C

1 - 1026 E 800 N
2 -
3 -

State- ID Zip- 83274

SAVAGE

ZELMA

City- SHELLEY
Phone - 208-346-6071
1 - 1026 E 800 N
2 -
3 -

State- ID Zip- 83274

*** O - ORIGINAL OWNER ***
HOLCOMB

MAYNARD

1 - P O BOX 797
2 -
3 -
City- NORTH FORK
Phone - 208-865-2288
1 - P O BOX 797
2 -
3 -

State- ID Zip- 83466

HOLCOMB

ESTER L

City- NORTH FORK
Phone - 208-865-2288

State- ID Zip- 83466

+ - - Priority Date - - +
07/01/1913

+ - - Region - - - +
15 EASTERN

+ - - Stage - - - +
S - STATUTORY CLAIM

+ - - Status - - - - +

+ - - - - Source - - - - - +
SALMON RIVER

+ - - - - Tributary - - - - - +
SNAKE RIVER

+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County
24N 21E 34 SE SE (59) LEMHI

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 11/01 1.980
04 - STOCKWATER 04/01 11/01 0.020

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
1.980 0.0

+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County
24N 21E 34 NW NE 10.0 01 IRRIGATION (59) LEMHI
24N 21E 34 SW NE 18.0 01 IRRIGATION (59) LEMHI
24N 21E 34 NE SW 2.0 01 IRRIGATION (59) LEMHI
24N 21E 34 NW SE 3.0 01 IRRIGATION (59) LEMHI

Total Acres: 33.0

Prefix Translation: ADJUDICATION CLAIM

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 04/17/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- E006875	Water District	-
		PQU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	-
				Notice of Error Flag	-

7/22/99

A75-04121A
A75-04121B
A75-04121C
A75-04121D

As part of the
split of CPO I
changed Div. rate
on A
Bac

Emigration

	CFs	acres
Original	5.28	88
A	1.98	33
B	1.26	21
C - Nicks	1.19	19.9
D - Holcomb	0.85	14.1

Original claim
 $\frac{5.28}{88} = \frac{0.06}{\text{acre}}$

Savage - A
 $\frac{1.32}{33} = \frac{0.04}{\text{acre}}$

Goldard - B
 $\frac{1.26}{21} = \frac{0.06}{\text{acre}}$

CHANGE IN OWNERSHIP

Page 1

This form is solely for purposes of notifying IDWR of a change in ownership of an adjudication claim.

[] Water Right Number(s): A75-04121A

[] Name and Address of
Former Claimant(s): MAYNARD HOLCOMB
P.O. Box 797
NORTH FORK, ID 83466

[] New Claimant(s): HENRY C AND/OR ZELMA C. SAVAGE

[] New Mailing Address: 1026 E 800 N
SHELLEY, ID 83274

New Telephone Number: (208) 346-6071

[] Does the change in ownership result in a splitting of the
water right claimed? yes X no
If yes, then describe the portion of the water right that is
now claimed by the new owner:

[] Attach proof of ownership
Describe proof attached: DEED (copy)
(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 claimant.)

[] Signature of New Claimant(s): Zelma C. Savage

Date: 10-9-90



HOLCOMB [REDACTED]

P. O. BOX 797 - NORTH FORK, IDAHO 83466 - (208) 865-~~2288~~ 2288F

August 28, 1990

Henry C. Savage
Zelma C. Savage
1026 E. 800 N.
Shelley, Id. 83274
Ph. 346-6071

Dear Friends:

I called the Idaho Water Resources yesterday and asked them what was necessary for us to do to get the water right changed to your name? They said for you to bring the WARRANTY DEED to their office to prove you were the owner and they would change it over to you. They said the water always goes with the land anyway. The claim number is A75-04121A . I think you will need this number when you go in. I don't know if you will need any of these papers that I am sending you but you might.

Thanks

Maynard Holcomb
Maynard Holcomb

MICROFILMED
DEC 15 1992

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: A75-04121A

Date Received: 4/17/1989

Receipt No: E006875

Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HENRY C. SAVAGE 208-346-6071
Address: 1026 E 800 N
SHELLEY, ID 83274

AND/OR
Name: ZELMA SAVAGE 208-346-6071
Address: 1026 E 800 N
SHELLEY, ID 83274

2. Date of Priority: JUL 01, 1913

3. Source: SALMON RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
24N	21E	34	SE	SE			LEMHI

5. Description of diverting works:
DAM & DITCH TO POU FOR FLOOD IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.320		
STOCKWATER	04/01	11/01	0.020		

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

8. Total consumptive use is 82.5 Acre Feet Per Annum.

9. Non-irrigation uses:
S/30 RANGE CATTLE, 15 HORSES.

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DEC 15 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
24N	21E	34	NW	NE		IRR	10.0
			SW	NE		IRR	18.0
			NE	SW		IRR	2.0
			NW	SE		IRR	3.0

Section Acres 33.0

Total Acres 33.0

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:
N/A

14. Remarks:
STOCKWATER USES FOR 30 RANGE CATTLE & 15 HORSES

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): *John C. Savage* Date: 10-9-90

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 9th day
of Oct 19 90

Seal

Betty J. Thompson
Notary Public

Residing at BETTY J. THOMPSON, NOTARY PUBLIC
RESIDING AT IDAHO FALLS, IDAHO
My Commission Expires MY COMMISSION EXPIRES: 6-30-94

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: A75-04121A
Date Received: 4/17/1989
Receipt No: E006875
Received By: _____

MAY 15 1989

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: MAYNARD HOLCOMB 208-865-2288
Address: P. O. BOX 797
NORTH FORK, ID 83466

OR

Name: ESTER L. HOLCOMB 208-865-2288
Address: P. O. BOX 797
NORTH FORK, ID 83466

2. Date of Priority: JUL 01, 1913

3. Source: SALMON RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
24N	21E	34	SE	SE			LEMHI

5. Description of diverting works:
DAM & DITCH TO POU FOR FLOOD IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.320		
STOCKWATER	04/01	11/01	0.020		

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

8. Total consumptive use is 82.5 Acre Feet Per Annum.

9. Non-irrigation uses:
S/30 RANGE CATTLE, 15 HORSES.

A75-04121A

Page 1

Date: 05/05/89

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DEC 15 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
24N	21E	34	NW	NE		IRR	10.0
			SW	NE		IRR	18.0
			NE	SW		IRR	2.0
			NW	SE		IRR	3.0
Section Acres							33.0
Total Acres							33.0

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:
N/A

14. Remarks:
STOCKWATER USES FOR 30 RANGE CATTLE & 15 HORSES

15. Basis of Claim: STATUTORY CLAIM

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): x Maynard Holcomb Date: 5-11-89
_____ Date: _____

State of Idaho)
County of Lemhi) SS.

Subscribed and sworn (or affirmed) before me this 11th day

of May 19 89

Seal

Melissa J. Cole
Notary Public

Residing at Salmon

My Commission Expires 3/7/94

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: A75-04121A
Date Received: 4/17/1989
Receipt No: E006875
Received By: 1021

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MAYNARD HOLCOMB 208-865-2288
Address: P. O. BOX 797
NORTH FORK, ID 83466

OR
Name: ESTER L. HOLCOMB 208-865-2288
Address: P. O. BOX 797
NORTH FORK, ID 83466

2. Date of Priority: OCT 03, 1916

3. Source: SALMON RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
24N	21E	34	SE	SE			LEMHI

5. Description of diverting works:
DAM & DITCH TO POU FOR FLOOD IRRIGATION.

6. Water is used for the following purposes:

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IRRIGATION	04/01	11/01	1.320		
STOCKWATER	04/01	11/01	0.020		

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

8. Total consumptive use is 82.5 Acre Feet Per Annum.

9. Non-irrigation uses:
S/30 RANGE CATTLE, 15 HORSES.

A75-04121A

Page 1

Date: 04/17/89

A7504121A



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DEC 15 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
24N	21E	34	NW	NE		IRR	10.0
			SW	NE		IRR	18.0
			NE	SW		IRR	2.0
			NW	SE		IRR	3.0
Section Acres							33.0
Total Acres							33.0

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:
N/A

14. Remarks:
STOCKWATER USES FOR 30 RANGE CATTLE & 15 HORSES

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): X Maynard Holcomb Date: X 4-17-89

Date: _____

State of Idaho)
County of BOONEVILLE) SS.

Subscribed and sworn (or affirmed) before me this 17 day
of April 19 89

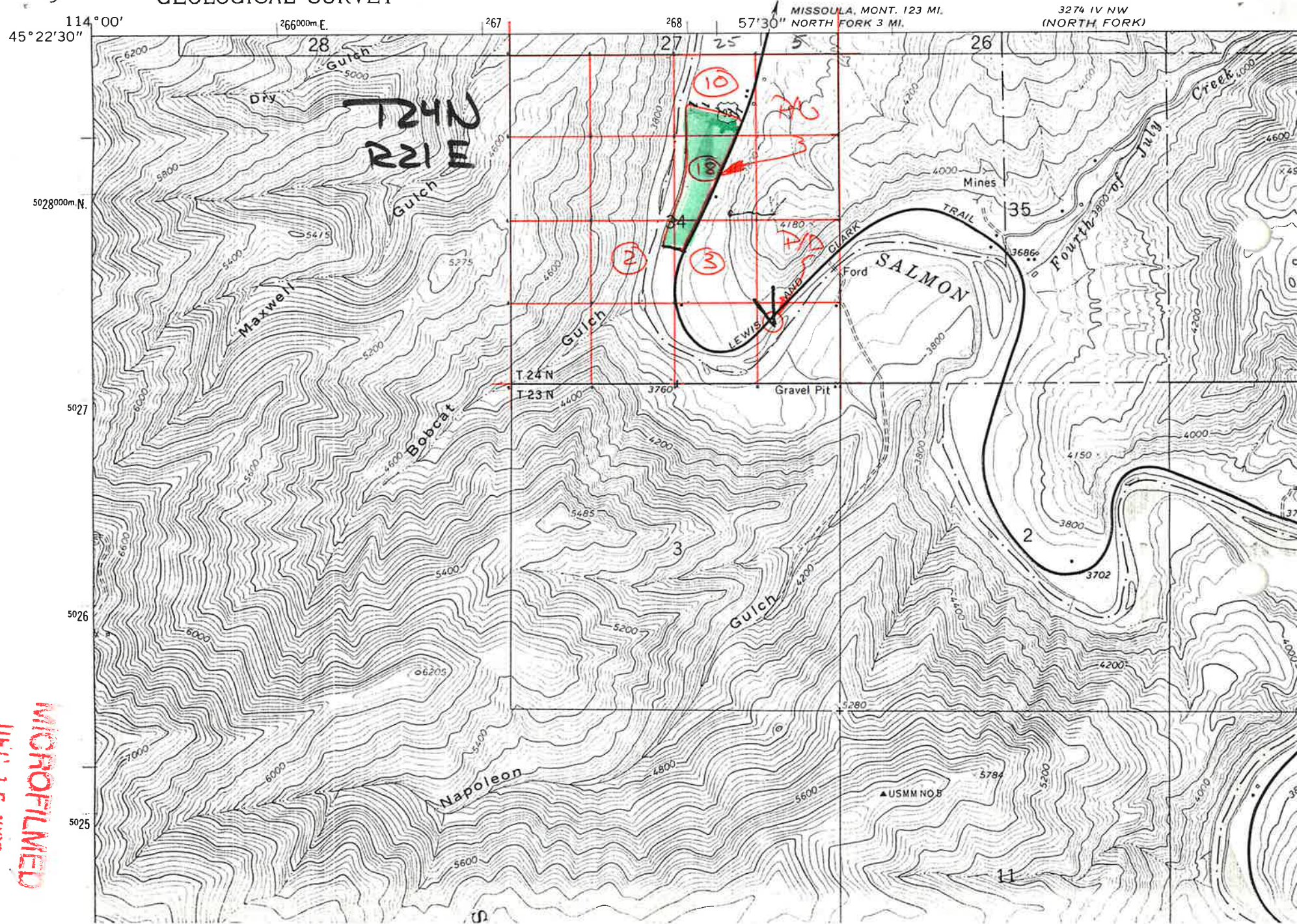
[Signature]
Notary Public



Residing at IDAHO FALLS
My Commission Expires 9-12-94

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

A75-04121A



MICROFILMED
DEC 15 1992