

01/08/2007

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

RIGHT NUMBER: 75-14169

NAME AND ADDRESS: DAVID R OSGOOD
1115 HWY 93 S
SALMON ID 83467

SHARON J OSGOOD
1115 HWY 93 S
SALMON ID 83467

SOURCE: TWELVEMILE CREEK

TRIBUTARY: SALMON RIVER

QUANTITY: 0.100 CFS

PRIORITY DATE: 03/14/1889

POINT OF DIVERSION:

T19N R21E S1 NWNENW Lot 3 Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.100 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T20N R21E S36 Lot 10 SWSW	1.80	T20N R21E S36	SESW	0.20
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2 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

08/10/2006

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

RIGHT NUMBER: 75-14169
NAME AND ADDRESS: DAVID R OSGOOD
1115 HWY 93 S
SALMON ID 83467

SHARON J OSGOOD
1115 HWY 93 S
SALMON ID 83467

SOURCE: TWELVEMILE CREEK TRIBUTARY: SALMON RIVER
QUANTITY: 0.040 CFS *Increase to 0.10 - for 2.5"/acre*
PRIORITY DATE: 03/14/1889
POINT OF DIVERSION:

T19N R21E S1 NWNENW Lot 3 Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/01 10/31

QUANTITY
0.040 CFS

*See
37.4505 for
justification
D. Turn.))*

PLACE OF USE: IRRIGATION Within LEMHI County

T20N R21E S36 Lot 10 SWSW 1.80 T20N R21E S36 SESW 0.20

2 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

07/30/2004

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

RIGHT NUMBER: 75-14169
NAME AND ADDRESS: DAVID R OSGOOD
1115 HWY 93 S
SALMON ID 83467

SHARON J OSGOOD
1115 HWY 93 S
SALMON ID 83467

SOURCE: TWELVEMILE CREEK TRIBUTARY: SALMON RIVER
QUANTITY: 0.040 CFS
PRIORITY DATE: 03/14/1889
POINT OF DIVERSION:

T19N R21E S1 NWNENW Lot 3 Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.040 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T20N R21E S36 Lot 10 SWSW	1.8	T20N R21E S36	SESW	0.2
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2 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: Beneficial Use

11/20/2006

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

RIGHT NUMBER: 75-14169
NAME AND ADDRESS: DAVID R OSGOOD
1115 HWY 93 S
SALMON ID 83467
SHARON J OSGOOD
1115 HWY 93 S
SALMON ID 83467

SOURCE: TWELVEMILE CREEK TRIBUTARY: SALMON RIVER
QUANTITY: 0.040 CFS
PRIORITY DATE: 03/14/1889
POINT OF DIVERSION: T19N R21E S1 NWNEW Lot 3 Within LEMHI County
PURPOSE AND PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/01 10/31	0.040 CFS
PLACE OF USE:	<u>IRRIGATION in LEMHI County</u>		
	T20N R21E S36 Lot 10 SWSW 1.80	T20N R21E S36	SESW 0.20
	2 ACRES TOTAL		

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use



Idaho Department of Water Resources

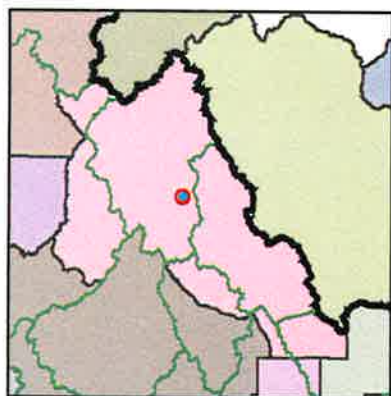
SRBA Recommendation:

75-14169

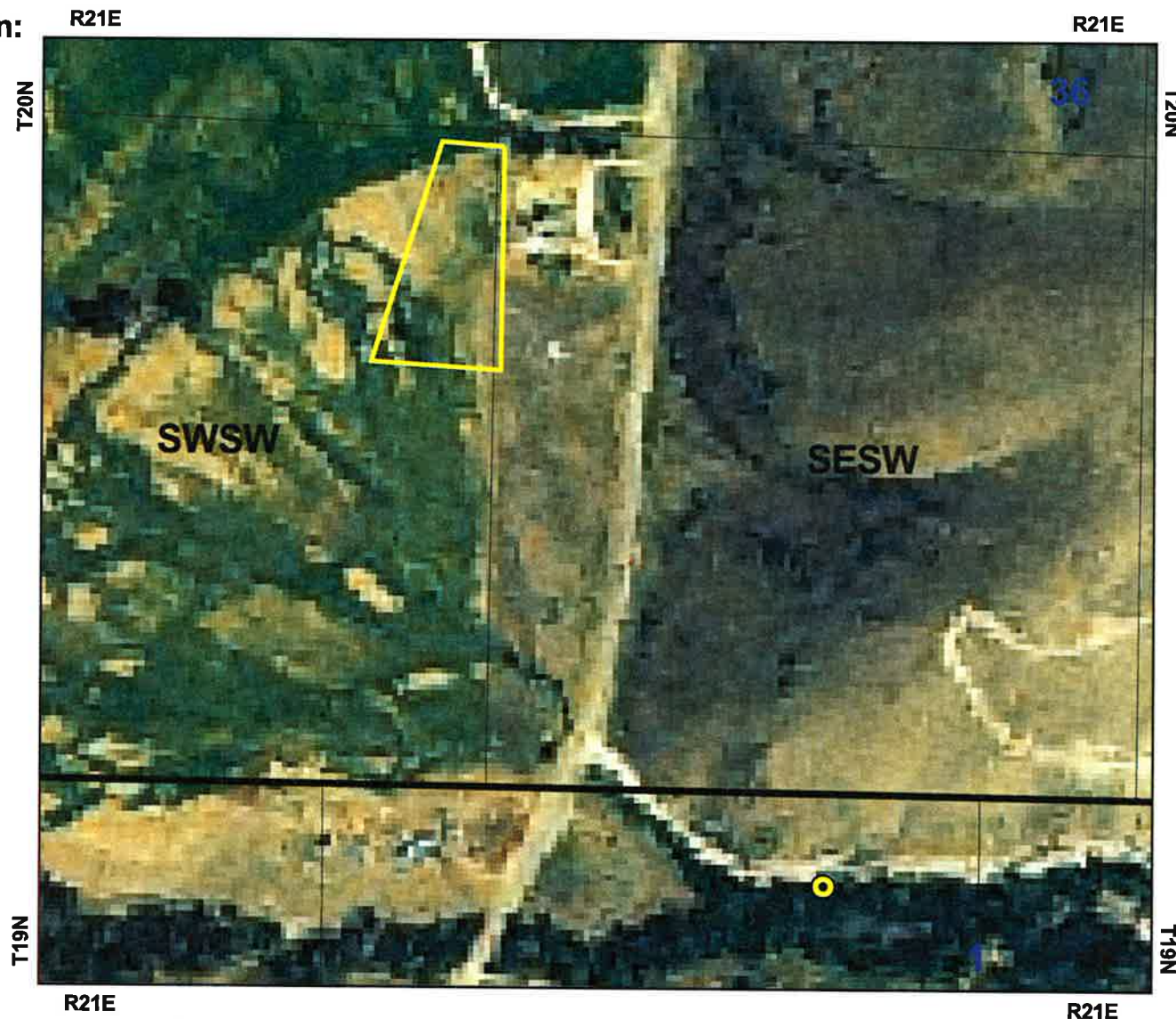
(Irrigation)

Legend

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



Lemhi County
IDWR Basin 75



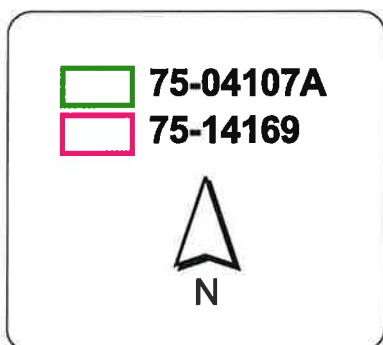
0 0.1 0.2 Miles

Prepared by C. Saxton
On Monday, January 8, 2007
2004 Aerial Photography

Idaho Dept. of Water Resources
Water Right No. 75-4107A, 75-14169
David and Sharon Osgood



0.2 0 0.2 0.4 Miles



GIS Presentation
Prepared by R. Brown
July 30, 2004

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 75-14169 V1

WATER RIGHT NUMBER: 75-14169 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	IRENE HUTCHINGS 1141 HWY 93 S SALMON, ID 83467 (208)756-2545
Original Owner	MARVIN C HUTCHINGS 1141 HWY 93 S SALMON, ID 83467 (208)756-2545
Current Owner	DAVID R OSGOOD 1115 HWY 93 S SALMON, ID 83467 (208)756-3968
Current Owner	SHARON J OSGOOD 1115 HWY 93 S SALMON, ID 83467 (208)756-3968

Priority Date: 03/14/1889

Basis: Beneficial Use

Status: Active

Source

TWELVEMILE CREEK

Tributary

SALMON RIVER

Beneficial Use

IRRIGATION

From To

04/01 to 10/31

Diversion Rate

0.100 CFS

Annual VolumeTotal Diversion: 0.100 CFSLocation of Point(s) of Diversion

TWELVEMILE CREEK

L3 (NW1/4NE1/4NW1/4)

Sec. 1, Twp 19N, Rge 21E, B.M.

LEMHI County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
20N	21E	36											1.8	.2					2.0
													L 10						

Total Acres: 2

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 75-14169 V1

1. C18 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.

Remarks:Comments:

1. rbrown 7/30/2004 POD
Comment: Updated shape

2. rbrown 7/30/2004 POD
Comment: Updated PLS

3. rbrown 7/30/2004 POU
Comment: Updated Shape

4. DTUTHILL 1/6/2007 Quan
Comment: Rate of flow increased to 2.5 in per acre per documentation in 75-4505, for a total of 0.10 cfs for this water right.

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag:
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Contacts	7/30/2004 8:01:29 AM	rbrown			Active
Priority Date	7/30/2004 8:02:09 AM	rbrown			Active
POD	7/30/2004 8:02:35 AM	rbrown			Active
Source	7/30/2004 8:04:25 AM	rbrown			Active
POU	7/30/2004 8:05:01 AM	rbrown			Active
Use	7/30/2004 8:06:10 AM	rbrown			Active
Season	7/30/2004 8:06:33 AM	rbrown			Active
Quantity	7/30/2004 8:07:43 AM	rbrown			Active
Summary			07/30/2004	rbrown	Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 75-14169 V1

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Contacts	7/30/2004 8:01:29 AM	rbrown	(No) 1. Do you want to schedule an appointment? Comment for 1: SITE VISIT 7/27/2004
POD	7/30/2004 8:02:35 AM	rbrown	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
Priority Date	7/30/2004 8:02:10 AM	rbrown	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date claimed after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required? Description for Question 12/13 - copy of recording by Manfull in file
Source	7/30/2004 8:04:26 AM	rbrown	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required? Description for Question 10 - site visit by Bob Foster 7/22/2004

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 75-14169 V1

POU	7/30/2004 8:05:02 AM	rbrown	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required? Description for Question 13 - aerial photography, site visit and warranty deed
Use	7/30/2004 8:06:11 AM	rbrown	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required? Description for Question 10,11,12 - site visit 7/27/2004
Season	7/30/2004 8:06:33 AM	rbrown	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administrativly determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
Quantity	7/30/2004 8:07:43 AM	rbrown	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (Yes) 7. Is a flow measurement required? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (No) 12. Is a Quantity remark or condition required? Description for Question 7 - computation in file; recommended 1"/acre for sprinkler irrigation

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 75-14169 V1

Summary	7/30/2004 8:09:49 AM	rbrown	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 5. Does this right have any combined use limits with other rights? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (Yes) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
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Water Supply Bank:

Fax # 287-6700
 5 pages including cover page

To: Dave Hill

From: Dave & Sharon Osgood

Revised on 1/6/07 and
 called Sharon Osgood to
 report results.
 Dave 1/6/07

We object:

1- Not enough water. We Osgoods &
 Carney are last division on ditch.
 75-14164 # 11, and 0.06 for 75-4107 (amt claimed)

2- We object to Montero using our
 water right number as we never sold
 him any land and neither did Sticks.
 But he is using our point of use.

3- Our neighbors to the south Craig
 Rafter his property hasn't been irrigated
 in 12 years we've been here, and they
 received more water than us, also
 they are only irrigating about 1/2 acre
 they only own a little over 1 acre.

Recommended
 for disallow

Asked
 Kate to
 clean out

Recommended
 0.1 @
 2.5"/ac for

11/20/2006

NOTICE OF ERROR
REPLY

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

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

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

Water right number: 75-14169

DAVID R OSGOOD
1115 HWY 93 S
SALMON ID 83467
Telephone Number: (208)756-3968

SHARON J OSGOOD
1115 HWY 93 S
SALMON ID 83467
Telephone Number: (208)756-3968

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

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

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

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

DATE: _____ SIGNATURE: Sharon J Osgood

Please print your name: SHARON J OSGOOD

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

No enough water from big ditch
couldn't get .040 cfs water to us.

Tuthill, Dave

To: Knoblock, Ken
Subject: 75-14427

Hi, Ken. I am reviewing a NOE from Osgoods (75-14169 and 75-4107A). In their NOE they point out that their neighbors the Monteros should not be receiving part of their early water right. As I look at Montero, they have one claim that is recommended for disallowal (75-4107) and another that is presently recommended as a valid BU right (75-14427). It appears that the one that is recommended has a POD of NENW S1, but a POU which is upstream at SESE S36 T20N R21E. Would you please check this one out?

Thanks, Dave

11/19/2007

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

RIGHT NUMBER: 75-14169

NAME AND ADDRESS: DAVID R OSGOOD
1115 HWY 93 S
SALMON ID 83467

SHARON J OSGOOD
1115 HWY 93 S
SALMON ID 83467

SOURCE: TWELVEMILE CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.100 CFS

PRIORITY DATE: 03/14/1889

POINT OF
DIVERSION: T19N R21E S1 NWNENW Lot 3 Within LEMHI County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/01 10/31	0.100 CFS
PLACE OF USE:	<u>IRRIGATION in LEMHI County</u>		
	T20N R21E S36 Lot 10 SWSW 1.80	T20N R21E S36	SESW 0.20

2 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

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.

75-14169
 RECEIVED
 JUL 12 2004
 DEPARTMENT OF
 WATER RESOURCES

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case 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
	75-4505	☒			

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)

MARVIN C. HUTCHINGS & IRENE D. HUTCHINGS

4. New Owner/Claimant(s)

DAVID R. OSGOOD SHARON J. OSGOOD
 Name Connector (Check one: ☐ and, ☐ or, ☒ and/or

New Mailing Address

1115 Hwy. 93 South

City, State and ZIP Code

SALMON, ID 83467

New Telephone Number

208, 756-3968

5. Date you acquired the property

4/9/04

SCANNED

JUL 12 2004

6. If the change in ownership ~~is~~ is 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>75-4505</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>.049 cfs</u>	<u>1 ac</u>
Stock		
Domestic		
Other		
Total	<u>.049 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)

[Handwritten Signature]

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

SCANNED

JUL 12 2004

WARRANTY DEED

258262

For Value Received MARVIN C. HUTCHINGS AND IRENE D.
HUTCHINGS, husband and wife,

the grantors, do hereby grant, bargain, sell and convey unto
DAVID OSGOOD AND SHARON/OSGOOD, Husband and wife,
1115 Highway 93 S., Salmon ID 83467

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

SEE EXHIBIT "A" ATTACHED HERETO:

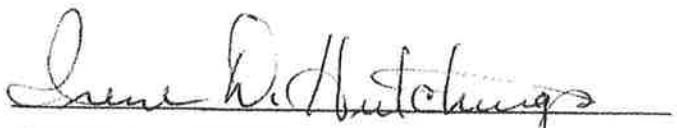
The above conveyance is made free and clear of all other encumbrances except: Rights of way and easements, reservation in Federal patents and state deeds, or other restrictions imposed by law, building and use restrictions of records, building and zoning regulations and ordinances of any governmental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

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 S do hereby covenant to
and with the said Grantee S, that they the owner S 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: April 9 2004


MARVIN C. HUTCHINGS


IRENE D. HUTCHINGS

STATE OF IDAHO, COUNTY OF Lemhi--ss
On this 9th day of April, 182004
before me, a notary public in and for said State, personally appeared
MARVIN C. HUTCHINGS

STATE OF IDAHO, COUNTY OF Lemhi
I hereby certify that this instrument was filed for record at the request of Bill Allen Escrow

SCANNED

JUL 12 2004

INSTRUMENT

SEE EXHIBIT "A" ATTACHED HERETO:

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 record.

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 s do hereby covenant to and with the said Grantee s, that they the owner s in fee simple of said premises; that they are free from all incumbrances

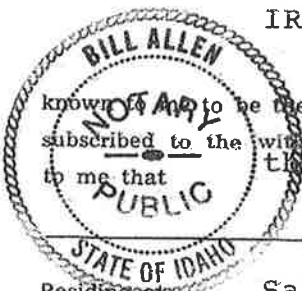
and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: April 9 2004

Marvin C. Hutchings
MARVIN C. HUTCHINGS

Irene D. Hutchings
IRENE D. HUTCHINGS

STATE OF IDAHO, COUNTY OF Lemhi--ss
On this 9th day of April, 1920, 04
before me, a notary public in and for said State, personally appeared
MARVIN C. HUTCHINGS
and
IRENE D. HUTCHINGS



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.

Residing at
Comm. Expires

Salmon
4/9/2004

Notary Public
, Idaho

STATE OF IDAHO, COUNTY OF Lemhi
I hereby certify that this instrument was filed for record at the request of Bill Allen Escrow
at 52 minutes past 1 o'clock p.m.,
this 14 day of April
19 , in my office, and duly recorded in Book
of Deeds at page

Ex-Officio Recorder

By

Alice Dickson

Deputy.

Fees \$

6.00

Mail to:

EXHIBIT "A"

A parcel of land located in the SE1/4SW1/4, Section 36, T. 20 N., R. 21 E., Boise Meridian, Lemhi County, Idaho, more particularly described as follows;

Beginning at the NW Corner of Lot 1, Block 1, Salmon River Highlands Subdivision from which the SW Corner of Lot 7, Block 1 of said subdivision bears S 01°08'38"W a distance of 700.00 ft., the Basis Of Bearing of this description, run thence S 01°08'38"W along the westerly boundary of Block 1 of the Salmon River Highlands Subdivision a distance of 444.37' to a point on the westerly boundary of Lot 5 of said block and said subdivision;

Thence N 87°48'14"W a distance of 255.29 ft.;

Thence N 16°07'51"E a distance of 457.70 ft.;

Thence S 87°49'49"E a distance of 136.90 ft. to the NW Corner of Lot 1 and the POINT OF BEGINNING.

TOGETHER WITH: a 30 ft. wide easement for ingress and egress, 15 ft. on either side of the following described centerline.

Commencing at the POINT OF BEGINNING of the above described parcel run thence N 87°49'49"W a distance of 16.25 ft. to the POINT OF BEGINNING of this easement;

Thence N 35°18'39"E a distance of 76.99 ft. to a point on the centerline of an existing road;

Thence the following courses and distances along said centerline:

64.58 ft. along a curve to the right having a chord of

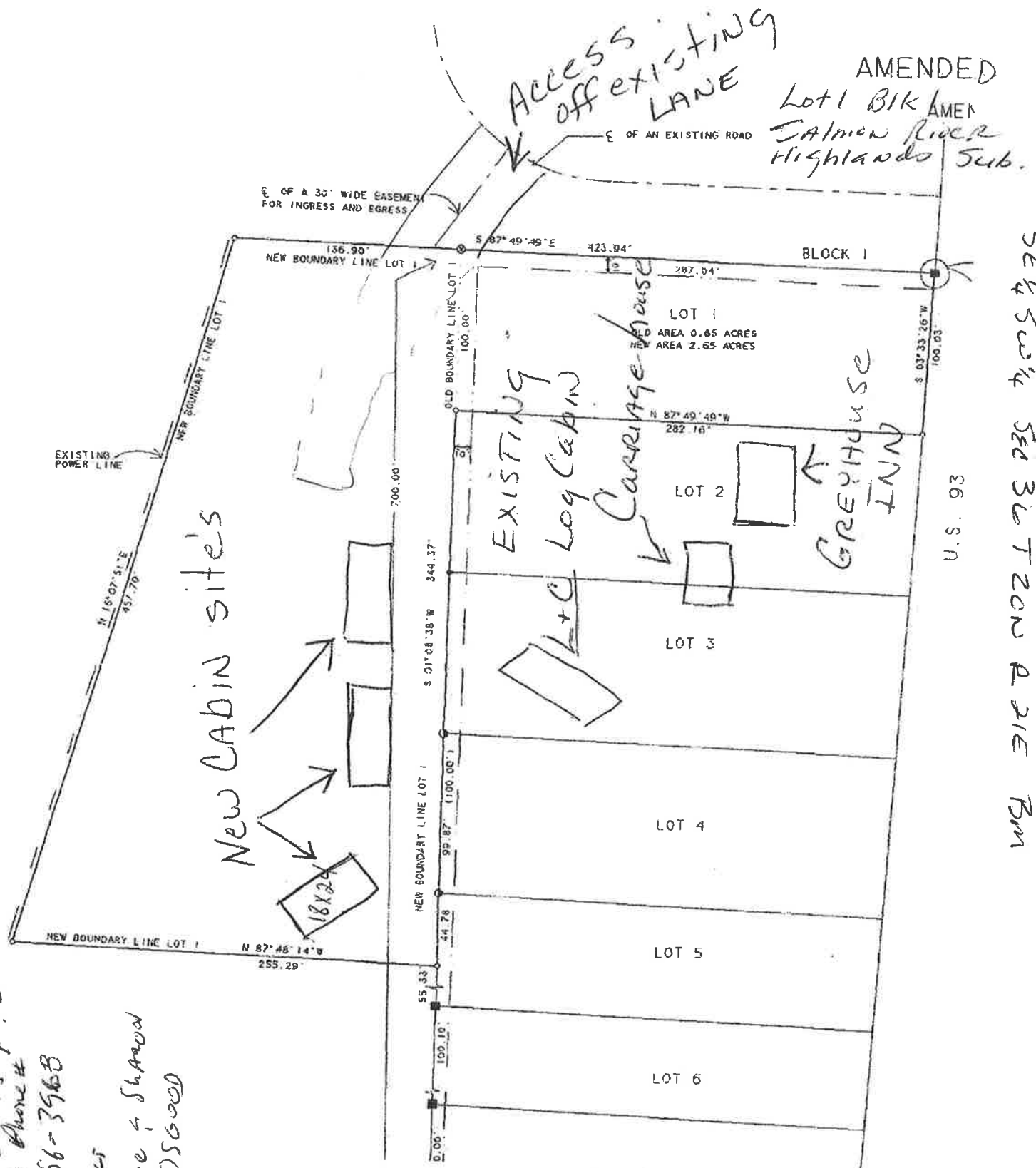
S 71°21'53"E 63.67 ft., a delta of 33°21'04" and a radius of 110.95 ft.;

S 88°02'25"E 201.60 ft. to a

point on the westerly Right-Of-Way of U.S. Highway 93.

SCANNED

JUL 12 2004



SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 36 T20N R21E Bm

U.S.S.

SCANNED

JUL 12 2004

114541-196-1411

Please try to
Fax to us
At well as p.z.
our phone#
208756-3968
Thanks
Dave & Sarah
056000

Our FAX# 756-1477

Amended:
Please try to
FAX to us
As well as PIZ.
Our phone#
208-756-3968
Thanks
Dave & Sharon
OSGOOD



SCANNED

11/11 12 2604

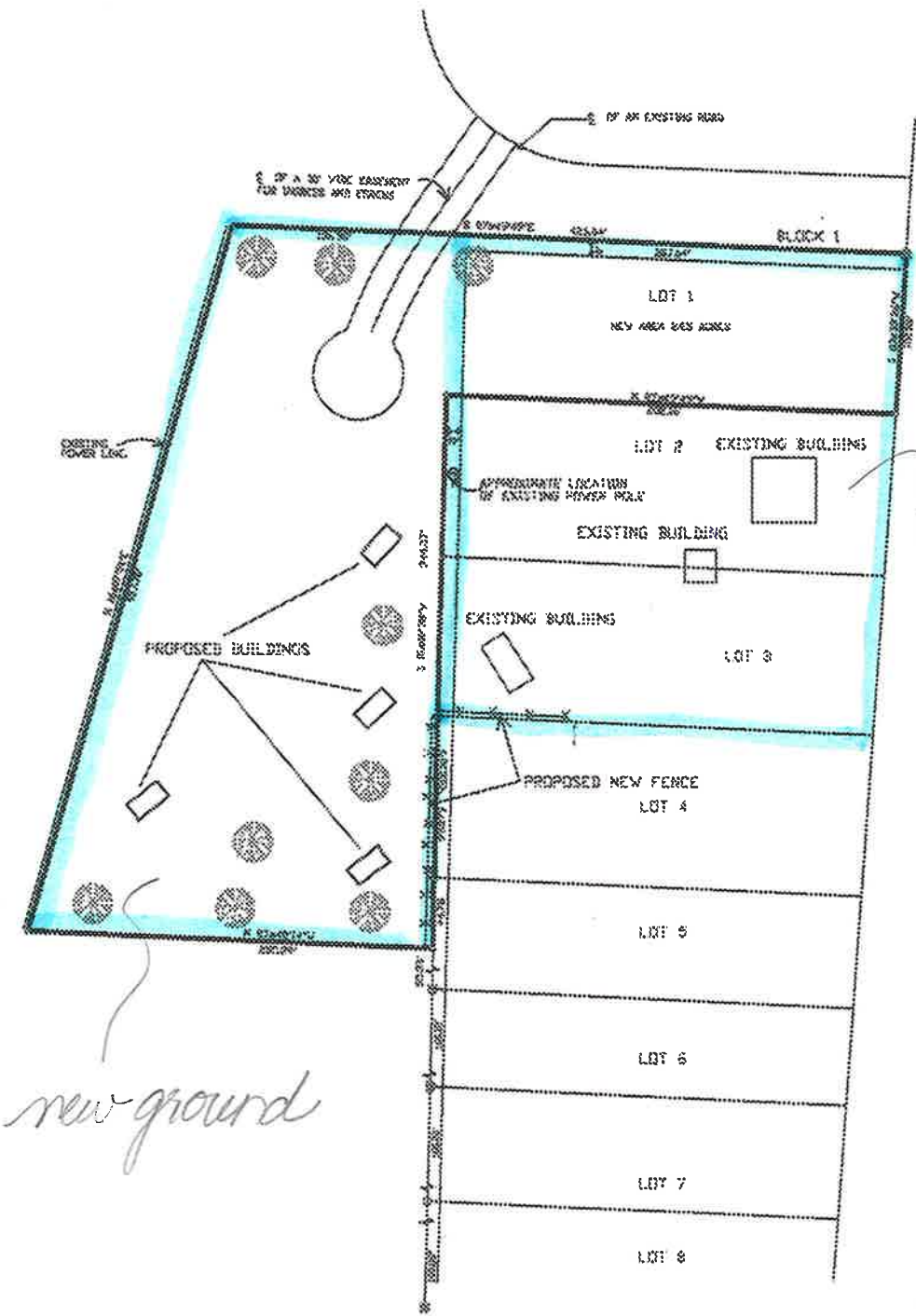
SE 1/4 Sec 36 T20N R21E BM

75-14169

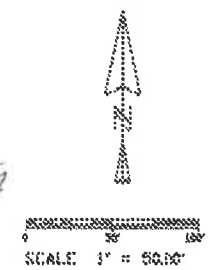
7/27/04 Copy of plat from Sharon Argood

SCANNED

AUG 03 2004



existing property



LEGEND.

- CALCULATED POINT (NOT SET)
- 1/4" x 1/4" BOARD WITH A YELLOW PLASTIC CAP MARKED WITH PLS 5000
- 1/4" BOARD
- 1/4" BOARD SET BY 1.2 979
- 1/4" BOARD
- PROPOSED CENTER
- 1/4" BOARD (267.04')
- BOARD BEARING AND DISTANCE.

FOR PROPOSED GREYHOUND EXPANSION UNDEVELOPED DRIVE AND PARKING LOT	
DATE: 6/15/04	BOOK: 28: 10
FILE: 4450000	SHEET: 10: 10
SURVEY FIRM: WADE SURVEYING	
WADE SURVEYING	
100 S. WASHITA	OKLAHOMA, TOWN OF
606-750-0074	606-750-0074

June 16, 2004

75-4505, 75-14147

Marvin and Irene Hutching
1141 Hwy 93 S
Salmon, ID 83467

RESPONSE DEADLINE
JULY 23, 2004

Re: Evidence of Priority Date

Dear Claimant:

The Notice of Claim to a Water Right (claim) identified with the number shown above your name has been filed in the Snake River Basin Adjudication (SRBA). The claim indicates your water usage is based on "Beneficial Use" or a "Statutory Claim." Water rights of this type are established by the historic use of water, dating back to when water was first used for the purpose claimed. The date of first use, known as the priority date, has not been confirmed. **Proof must be provided by the claimant supporting the priority date claimed and the historic use of the water.**

Enclosed you will find a computer printout of your claim and the pamphlet entitled "Evidence of Priority." The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

PLEASE NOTE: If no evidence is submitted, IDWR will recommend the SRBA Court decree the claim be disallowed. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement should be in the form of a notarized affidavit.

Please submit the required evidence supporting the priority date and the historic use by the date shown above, referencing all documents with the corresponding claim number. Send the documents to the address noted on the back of the pamphlet. If you have questions not covered by this letter or the enclosed pamphlet, please contact this office. Our toll free number is 1-800-451-4129.

If you no longer own the property to which the claim is appurtenant, please forward this correspondence to the present owner, or return it to Idaho Department of Water Resources (IDWR). If you have received this correspondence from the previous owner of the property, it is recommended that you file a Change of Ownership form with IDWR in order to receive future mailings and to participate in the adjudication.

Sincerely,

Roxanne Brown
Sr. Water Resource Agent

Enclosures

75-4107A
75-14168
75-14169
75-14170



SCANNED

AUG 03 2004