

08/18/2006

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

RIGHT NUMBER: 67-14762

NAME AND ADDRESS: RACHEL M CUTLER
525 WICKHAM FEN WAY
BOISE ID 83709

SOURCE: RUSH CREEK

TRIBUTARY: WEISER RIVER

QUANTITY: 0.059 CFS

This right when combined with other rights from the same point(s) of diversion is limited to a total combined diversion rate of 2.38 cfs.

PRIORITY DATE: 05/23/1903

POINT OF DIVERSION:

T15N R03W S34 SWSW Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 10/31	0.059 CFS

PLACE OF USE: IRRIGATION Within WASHINGTON County

T14N R03W S02 Lot 4 NWNW 4.70

4.7 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed



Idaho Department of Water Resources

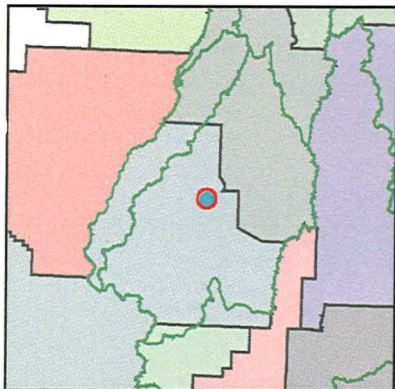
SRBA Recommendation:

67-14762

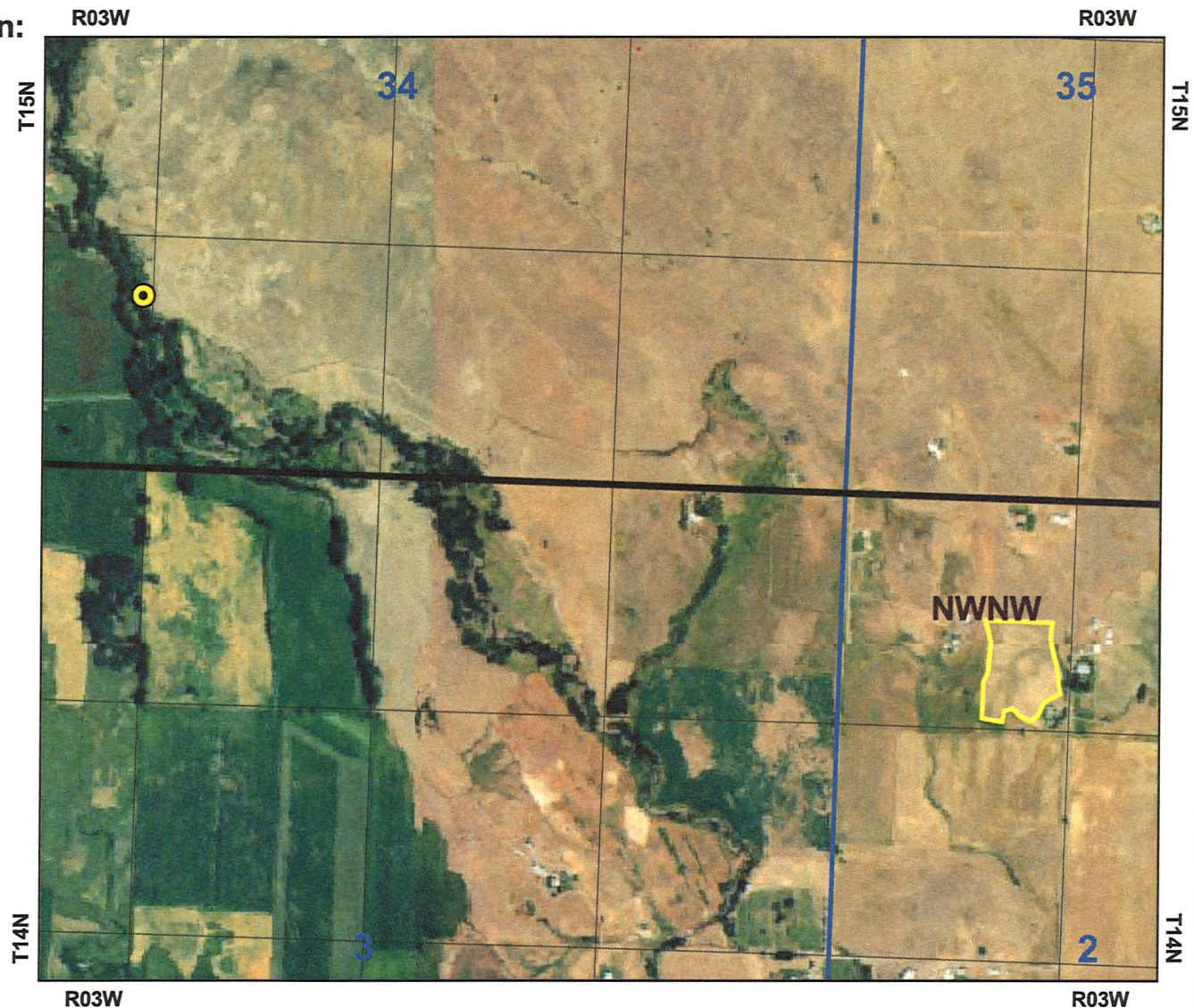
(Irrigation)

Legend

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



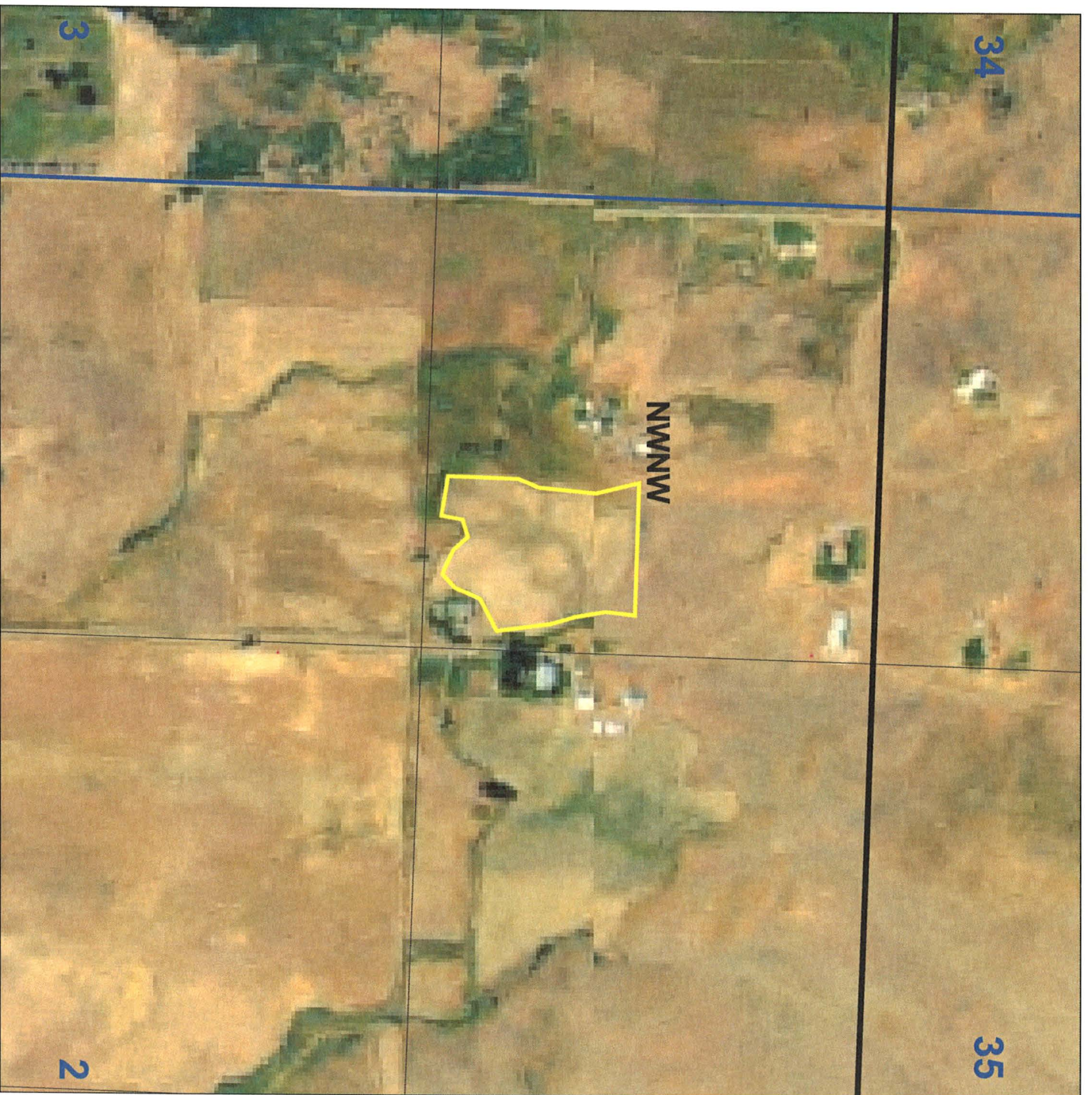
Washington County
IDWR Basin 67



0 0.4 0.8 Miles

Prepared by C. Saxton
On Friday, August 18, 2006
1987/88 Aerial Photography

67-14762



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14762 V1

WATER RIGHT NUMBER: 67-14762 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	RACHEL M CUTLER 525 WICKHAM FEN WAY BOISE, ID 83709 (208)376-9992

Priority Date: 05/23/1903

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
RUSH CREEK	WEISER RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 10/31	0.059 CFS	
	<u>Total Diversion:</u>	0.059 CFS	

Location of Point(s) of Diversion

RUSH CREEK	SW1/4SW1/4	Sec. 34, Twp 15N, Rge 03W, B.M.
WASHINGTON 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	
14N	03W	2																	4.7
																			L 4

Total Acres: 4.7

Conditions of Approval:

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.
2. 178 This right when combined with other rights from the same point(s) of diversion is limited to a total combined diversion rate of 2.38 cfs.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES
 Adjudication Recommendation Report 67-14762 V1

Comments:

1. csaxton 8/17/2006 Split of 67-297A
 Comment: See ECVR and file for 67-297A
2. csaxton 8/17/2006 Copied From Claim (1)
 Comment: This right is a split from former right 67-297A.

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>
Summary			08/17/2006	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	8/17/2006 4:14:11 PM	csaxton	Updated shape
POU	8/17/2006 4:15:11 PM	csaxton	Updated shape for Active POU
POU	8/17/2006 4:15:18 PM	csaxton	Updated PLS for Active POU
Summary	8/17/2006 4:17:31 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 5. Does this right have any combined use limits with other rights? (Yes) 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?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14762 V1

POU	8/18/2006 8:45:58 AM	csaxton	Updated shape for Active POU
POD	8/17/2006 4:14:36 PM	csaxton	Updated PLS
POU	8/18/2006 8:46:06 AM	csaxton	Updated PLS for Active POU

Water Supply Bank:

Split History for 67-297

WR History

67-297	Thelen
0.25	cfs
20	ac
	afa

*Calculated @ 5/8 " per acre

Claim History

67-297	Thelen
0.25	
20	

67-297A	Cutler
0.09	
7	
0.012857	
67-297B	Pattee
0.08	
10	
67-14727	Kirby
0.085	
5.9	

Sum CFS =	0.255
Sum Ac =	22.9

Extra CFS =	-0.005
Extra Ac =	-2.9

Claim History

67-14762	Cutler
0.062	
4.8	
67-14763	McLaughlin
0.028	
2.2	
67-297B	Pattee
0.08	
10	
67-14727	Kirby
0.085	
5.9	

Sum CFS =	0.255
Sum Ac =	22.9

Extra CFS =	-0.005
Extra Ac =	14.1

Recommendation

67-297A	Cutler	67-14762	Cutler
0.085		0.059	
6.8		4.7	
0.0125		67-14763	McLaughlin
		0.026	
		2.1	
67-297B	Pattee	67-297B	Pattee
0.08		0.08	
6.4		6.4	
67-14727	Kirby	67-14727	Kirby
0.085		0.085	
6.8		6.8	

Sum CFS =	0.25
Sum Ac =	20

Extra CFS =	0
Extra Ac =	0

Sum CFS =	0.250
Sum Ac =	20

Extra CFS =	0.000
Extra Ac =	0

Page #	Parcel #	Name	Inches	File #	Original Owner	Priority
32	14N03W02	MCLAUGHLIN,	4.25	297	Wm Thelan	5/3/1903
31	14N03W02	BERT PATEE	4.00	297	Wm Thelan	5/23/1903
31	14N03W02	KIRBY, KEVIN	4.25	297	Wm Thelan	5/23/1903

nd round service but has not filed a claim yet

Split/Overlap Analysis - Recommendation

Water Right Number: 67-297A

Diversion Rate: 0.085 CFS

[illegible]

67-297A (6.8 ac & 0.09 cfs)	Cutler (2.1 ac & 0.03 cfs)
	McLaughlin (4.7 ac & 0.06 cfs)

Right No:	Rate of Diversion	Irrigated Acres	CFS / Acre
67-297A	0.085	6.8	0.013
Cutler	0.03	2.1	0.013
McLaughlin	0.06	4.7	0.013

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 67-14762
Date Received: 9/27/1989
Receipt No:
Received By:

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

1. Name of Claimant(s)

RACHEL M CUTLER Phone: (208)376-9992

525 WICKHAM FEN WAY
BOISE ID USA 83709

2. Date of Priority: 05/23/1903

3. Source: RUSH CREEK Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
15N	03W	34	SE SW	WASHINGTON	

5. Description of diverting works:

DIV. THRU DITCHES BY GRAVITY FLOW FOR FLOOD IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.062	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
14N	03W	2	NW	NW	4	IRRIGATION 4.8
Section Acres						4.8

Total Acres 4.8

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:

14. Remarks:

It appears that receipt number W006225 is associated with this claim. However that receipt is for \$145. Fees for this claim would be \$57.

THIS CLAIM IS A SPLIT OF WATER RIGHT NO. A67-00297 WHICH COVERED 20 ACRES OF IRRIGATION FOR 12.5". THE WATERMASTER RECORDS SHOW THAT THE CUTLER FAMILY HAS BEEN RECEIVING 4.25" OF WATER UNDER THIS RIGHT FOR THIS PROPERTY. SINCE THE MUIR-ALLISON DECREE WAS ISSUED AT 5/8THS OF AN INCH PER ACRE THIS WOULD BE ENOUGH FOR 7.0 ACRES OF IRRIGATION. LICENSE NO. 67-02000 APPEARS TO BE SUPERCEDED BY THIS DECREE.

This right is a split from former right 67-297A.

15. Basis of Claim: Decreed

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.

Split/Overlap Analysis - CLAIM

Water Right Number: 67-297A

Diversion Rate: 0.09 CFS

[illegible]

67-297A (7.0 ac & 0.09 cfs)	Cutler (2.2 ac & 0.03 cfs)
	McLaughlin (4.8 ac & 0.06 cfs)

Right No:	Rate of Diversion	Irrigated Acres	CFS / Acre
67-297A	0.09	7	0.013
Cutler	0.03	2.2	0.013
McLaughlin	0.06	4.8	0.013

Memorandum

Date: August 18, 2006

To: File 67-297A, 67-14762, and 67-14763

From: Craig L. Saxton

Change of ownership was submitted by McLaughlin but the signature page was not signed. However, along with the change of ownership, a completed change of address form was submitted with signatures of both Clinton and Judy McLaughlin. Consider the signatures on the change of address form applicable to the change of ownership and process the change.

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

RECEIVED

JUN 15 2006

WATER RESOURCES
WESTERN REGION

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

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case 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
67-297A					

OK to
split
C.S.

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)

RACHEL M. CULTER
DECEASED

4. New Owner/Claimant(s)

CLINTON & JUDY McLAUGHLIN

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

New Mailing Address

3002 CEMETERY ROAD

City, State and ZIP Code

CAMBRIDGE, ID. 83610

New Telephone Number

(208-257-3960)

5. Date you acquired the property

JUNE 16, 1994

SCANNED

JUN 19 2006

6-14-2006

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 _____		
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	_____	_____

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) _____

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 eg Date 6-15-06 Fee 0
 Receipted by _____ Date _____ Receipt No. _____
 Processed by CS AJ Date 6-17-06 WR _____ Date _____

SCANNED

JUN 19 2006

RECEIVED

JUN 15 2006

WATER RESOURCES
WESTERN REGION

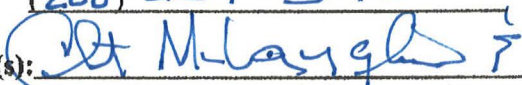
SNAKE RIVER BASIN ADJUDICATION
CHANGE IN ADDRESS OF NOTICE OF CLAIM

Water Right Number(s): 67-297A

Previous Mailing Address: ~~525~~ RACHEL M. CUTLER
(DECEASED)
525 WICKHAM FENWAY
BOISE, ID 83709

New Mailing Address: CLINT AND JUDY McLAUGHLIN
3002 CEMETERY ROAD
CAMBRIDGE, ID. 83610

Telephone Number: (208) 257-3960

Signature of all Claimant(s): 

Please print your name below your signature.
CLINT McLAUGHLIN
JUDY McLAUGHLIN

6-14-06

Please mail or FAX this completed form to the office nearest you:

Adjudication Bureau
Idaho Dept. of Water Resources
1910 Northwest Blvd., Ste. 210
Coeur d'Alene, ID 83814-2615
Ph. 208/769-1450 or
FAX 208/769-1454

Adjudication Bureau
Idaho Dept. of Water Resources
2735 Airport Way
Boise, ID 83705-5082
Ph. 208/334-2190 or
FAX 208/334-2348

Adjudication Bureau
Idaho Dept. of Water Resources
1341 Fillmore St., Ste. 200
Twin Falls, ID 83301-3380
Ph. 208/525-7161 or
FAX 208/736-3037

Adjudication Bureau
Idaho Dept. of Water Resources
900 N. Skyline, Ste. A
Idaho Falls, ID 83402-3653
Ph. 208/736-3033 or
FAX 208/525-7177

Adjudication Bureau
Idaho Dept. Of Water Resources
322 E. Front St.
P.O. Box 83720
Boise, Id 83720-0098
Ph 208/287-4800
FAX 208/287-6701

SS
ADDRESS FM.doc
Revised 12/3/04

IDWR Use Only:
Data Entry: _____

Date: _____

SCANNED

JUN 19 2006

WARRANTY DEED

INSTRUMENT NO. 176727
PAGE 1 OF 2

For Value Received

GARY L. HASTRITER, a single person

The grantor, do es hereby grant, bargain, sell and convey unto

CLINTON A. MCLAUGHLIN AND JUDY A. MCLAUGHLIN, husband and wife

the grantee s, whose current address is

3002 CEMETERY ROAD, CAMBRIDGE, ID 83610

the following described premises, in WASHINGTON

County Idaho, to-wit:

SEE ATTACHED EXHIBIT "A"

Together with all water, water rights, ditches and ditch rights appurtenant thereto and in anywise belonging.

Subject to all valid outstanding reservations, easements, rights of way, restrictions, dedications, mineral leases, mineral reservations and mineral conveyances of record.

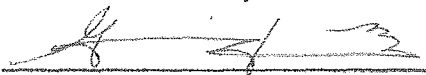
SCANNED

JUN 18 2006

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, that he is the owner in fee simple of said premises; that they are free
from all incumbrances

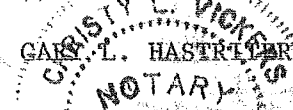
and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: JUNE 16, 1999


GARY L. HASTRITER

STATE OF IDAHO, COUNTY OF WASHINGTON

On this 16th day of JUNE, 1999,
before me, a notary public in and for the said State, personally
appeared


GARY L. HASTRITER
NOTARY PUBLIC
STATE OF IDAHO

known or identified to me to be the person whose name
subscribed to the within instrument, and acknowledged to me
that HE executed the same.

Residing at
Comm. Expires

WEISER
11/4/2003

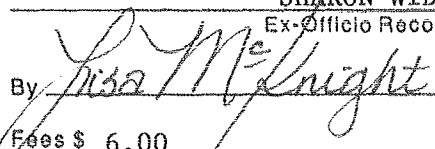
Notary Public
, Idaho

STATE OF IDAHO, COUNTY OF WASHINGTON

I hereby certify that this instrument was filed for record at the
request of WEISER VALLEY TITLE

at 01 minutes past SIXTEEN o'clock P.M.,
this 16TH day of JUNE
1999, in my office, and duly recorded in ~~BOOK~~
of Deeds at ~~BOOK~~ BY #176727

SHARON WIDNER
Ex-Officio Recorder

By 

Fees \$ 6.00

Mall to: WEISER VALLEY TITLE

Cmp. Index
Cmp. Rel.
Film
Compare
Card Rel.
Deputy Bk. Rel.
Up-date
Return
Copy

EXHIBIT "A"

FILE NO.:100-99-7061

PARCEL 1:

The North 187.00 feet of the following described tract of land:

A parcel of land situated within Government Lot 4 of Section 2, Township 14 North, Range 3 West, Boise Meridian, more particularly described as follows:

Beginning at the Northeast corner of Government Lot 4 of Section 2, Township 14 North, Range 3 West, Boise Meridian;

thence South $0^{\circ}07'16''$ West, a distance of 697.48 feet along the East line of said Lot 4;

thence North $89^{\circ}33'19''$ West, parallel to the South line of said Lot 4, a distance of 499.46 feet;

thence North $0^{\circ}19'46''$ East (formerly North $0^{\circ}39'52''$ East), a distance of 697.56 feet to a point on the North line of said Lot 4;

thence South $89^{\circ}32'43''$ East, a distance of 496.93 feet (formerly 497 feet) along the North line of said Lot 4 to the POINT OF BEGINNING.

PARCEL 2:

A parcel of land situated within Government Lot 4 of Section 2, Township 14 North, Range 3 West, Boise Meridian, more particularly described as follows:

Beginning at the Northeast corner of Government Lot 4 of Section 2, Township 14 North, Range 3 West, Boise Meridian;

thence South $0^{\circ}07'16''$ West, a distance of 697.48 feet along the East line of said Lot 4;

thence North $89^{\circ}33'19''$ West, parallel to the South line of said Lot 4, a distance of 499.46 feet;

thence North $0^{\circ}19'46''$ East (formerly North $0^{\circ}39'52''$ East), a distance of 697.56 feet to a point on the North line of said Lot 4;

thence South $89^{\circ}32'43''$ East, a distance of 496.93 feet (formerly 497 feet) along the North line of said Lot 4 to the POINT OF BEGINNING.

EXCEPTING the North 187.00 feet of the above described parcel of land.

SCANNED

JUN 19 2006

TRANS TYPE	SI IND.	INF. END	CODE	CODE	CODE	CODE	REISSUE AMOUNT	PROP. ST. TYPE
							\$	

OWNERS

SCHEDULE A

OFFICE FILE NUMBER	POLICY NUMBER	DATE OF POLICY	AMOUNT OF INSURANCE	PREMIUM AMOUNT
100-99-7061	13-0488-106-00959	JUNE 16, 1999 AT 16:01 P.M.	\$175,000.00	\$780.00

1. Name of Insured:
CLINTON A. MCLAUGHLIN AND JUDY A. MCLAUGHLIN.
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:
CLINTON A. MCLAUGHLIN and JUDY A. MCLAUGHLIN, husband and wife.
4. The land herein described is encumbered by the following mortgage or trust deed, and assignments:
NONE.
and the mortgages or trust deeds, if any, shown in Schedule B hereof.
5. The land referred to in this Policy is described as follows:
WASHINGTON COUNTY, IDAHO:

SEE ATTACHED EXHIBIT "A"

EXHIBIT "A"

Policy Number: 13-0488-106-00959

File Number: 100-99-7061

PARCEL 1:

The North 187.00 feet of the following described tract of land:

A parcel of land situated within Government Lot 4 of Section 2, Township 14 North, Range 3 West, Boise Meridian, more particularly described as follows:

Beginning at the Northeast corner of Government Lot 4 of Section 2, Township 14 North, Range 3 West, Boise Meridian;

thence South 0°07'16" West, a distance of 697.48 feet along the East line of said Lot 4;

thence North 89°33'19" West, parallel to the South line of said Lot 4, a distance of 499.46 feet;

thence North 0°19'46" East (formerly North 0°39'52" East), a distance of 697.56 feet to a point on the North line of said Lot 4;

thence South 89°32'43" East, a distance of 496.93 feet (formerly 497 feet) along the North line of said Lot 4 to the POINT OF BEGINNING.

PARCEL 2:

A parcel of land situated within Government Lot 4 of Section 2, Township 14 North, Range 3 West, Boise Meridian, more particularly described as follows:

Beginning at the Northeast corner of Government Lot 4 of Section 2, Township 14 North, Range 3 West, Boise Meridian;

thence South 0°07'16" West, a distance of 697.48 feet along the East line of said Lot 4;

thence North 89°33'19" West, parallel to the South line of said Lot 4, a distance of 499.46 feet;

thence North 0°19'46" East (formerly North 0°39'52" East), a distance of 697.56 feet to a point on the North line of said Lot 4;

thence South 89°32'43" East, a distance of 496.93 feet (formerly 497 feet) along the North line of said Lot 4 to the POINT OF BEGINNING.

EXCEPTING the North 187.00 feet of the above described parcel of land.

SCHEDULE B

Policy Number: 13-0488-106-00959

File Number: 100-99-7061

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

General Exceptions:

1. Rights or claims of parties in possession not shown by the public records.
2. Encroachments, overlaps, boundary line disputes, and any other matters which would be disclosed by an accurate survey or inspection of the premises including, but not limited to, insufficient or impaired access or matters contradictory to any survey plat shown by the public records.
3. Easements, or claims or easements, not shown by the public records.
4. Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matter excepted under (a), (b), or (c) are shown by the public records.
6. Taxes or special assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records. Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.

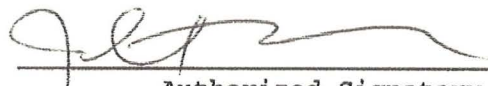
Special Exceptions: The mortgage, if any, referred to in Item 4 of Schedule A.

7. Taxes for 1999 are an accruing lien and not yet due or payable.

CONTINUED

Countersigned

SCHEDULE B (STANDARD COVERAGE)
OWNERS FORM


Authorized Signatory

SCANNED

JUN 19 2006

SCHEDULE B CONTINUED

Policy Number: 13-0488-106-00959

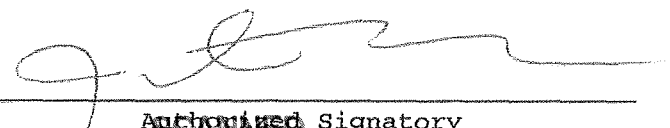
File Number: 100-99-7061

8. Liens, levies and assessments of the Cambridge Irrigation District, Water District No. 67, or any and all irrigation districts or laterals, and the rights, powers and easements of said district as by law provided.
9. An Easement for power lines and incidental purposes in favor of Idaho Power Company, as set forth in an instrument recorded April 8, 1948, Book 69, page 83, records of said County.
10. An Easement for power lines and incidental purposes in favor of Idaho Power Company, as set forth in an instrument recorded December 13, 1978, as Instrument No. 115521, records of said County.

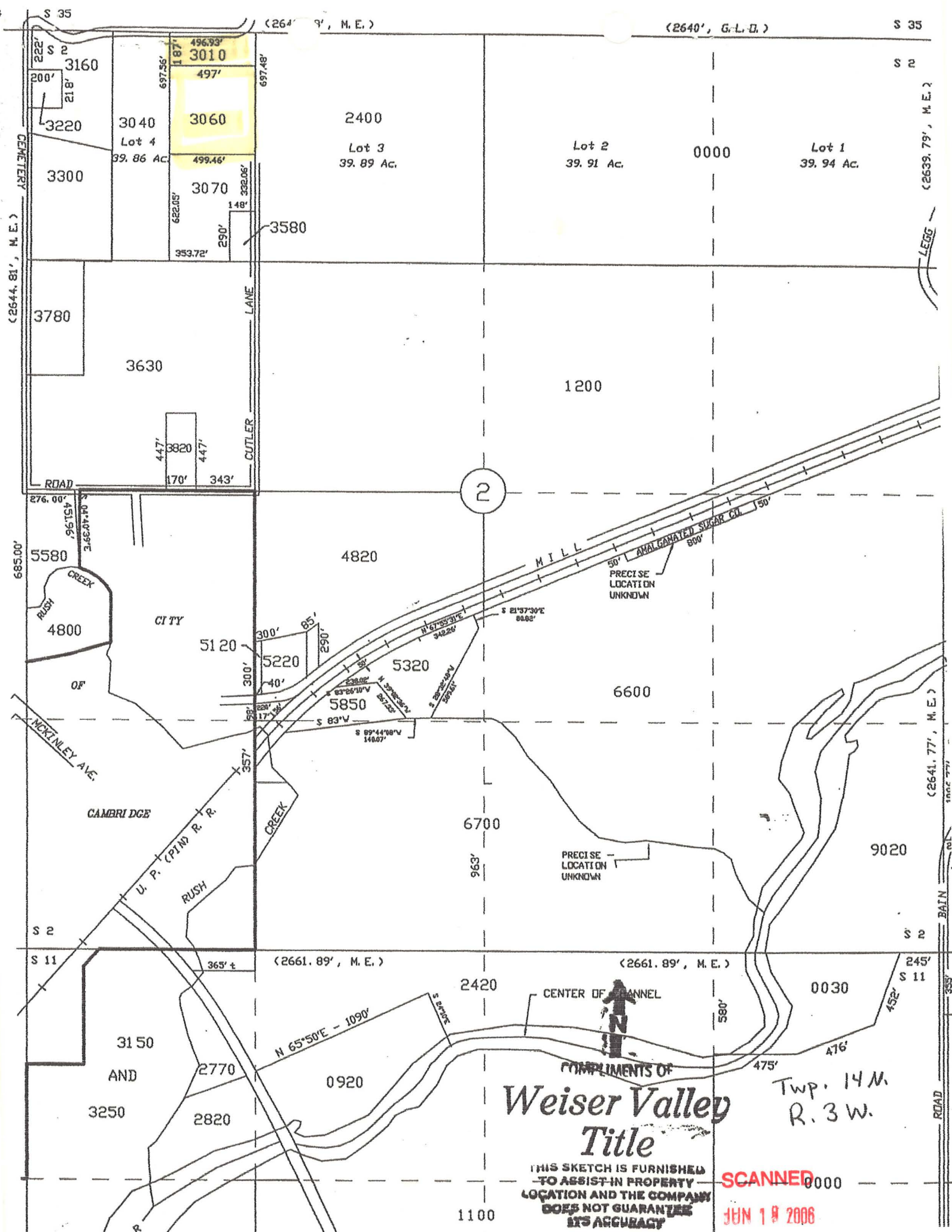
Corrected August 6, 1979, Instrument No. 117787.
Corrected October 16, 1981, Instrument No. 125029.
11. An Easement for power lines and incidental purposes in favor of Idaho Power Company, as set forth in an instrument recorded July 14, 1980, as Instrument No. 120417, records of said County.
12. Right-of-way for Road along the North line as shown on the Official Plat of Kincaid Heights, recorded in Book 1, Plats, pages 140 and 141, official records.
13. Easement for public road and utilities granted to Washington County in document recorded May 4, 1998 as Instrument No. 172768, official records.

End Schedule B

Countersigned



Authorized Signatory



COMPLIMENTS OF
**Weiser Valley
Title**

THIS SKETCH IS FURNISHED
TO ASSIST IN PROPERTY
LOCATION AND THE COMPANY
DOES NOT GUARANTEE
ITS ACCURACY

SCANNED
JUN 19 2006

Twp. 14 N.
R. 3 W.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

June 16, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

Clinton & Judy McLaughlin
3002 Cemetery Road
Cambridge, ID 83610

RECEIVED

JUN 19 2006

DEPARTMENT OF
WATER RESOURCES

RE: Water Right No. 67-297A

Dear Claimant(s):

This office has received your Notice of Change of Water Right Ownership recently submitted. We also received check number 16820 in the amount of \$25; however, we are returning it to you, as the ownership change fee is not required for this particular water right claim. This claim has not yet been decreed by the SRBA Court. The ownership change is being processed and a copy will be mailed to you upon completion.

Thank you for your patience and cooperation. If you have any questions regarding this letter, feel free to contact this office at (208) 334-2190

Sincerely,

Liberty Gagnon
Office Specialist 1
Adjudication Section
Western Region

LG: lg

Enclosures

CLINTON McLAUGHLIN
JUDY A. McLAUGHLIN
3002 CEMETERY ROAD PH. 208-257-3960
CAMBRIDGE, ID 83610

19-8140/3250

16820

Date 6-14-06

Pay to the
Order of

IDWR

\$25.00

Twenty five - AND - 00/100 DOLLARS

BECU

Your Financial Cooperative

Boeing Employees' Credit Union
P.O. Box 97050, Seattle, WA 98124-9750
24 Hour Automated Services
206-439-7000 or 800-527-3301
www.becu.org

Memo WATER RIGHTS

Member

MP

SCANNED

JUN 19 2006

WATER RIGHTS OWNER NAME CHANGE

CURRENTLY REGISTERED UNDER:

RACHEL M. CUTLER -- DECEASED

NEW OWNER

CLINTON & JUDY MCLAUGHLIN

3002 CEMETERY ROAD

CAMBRIDGE, IDAHO 83610 WASHINGTON COUNTY

REGISTERED WATER RIGHTS NUMBER

67-297A

DATA RECIEVED FROM: ROGER MEYER _ WATERMASTER

RECEIVED

JUN 15 2006

WATER RESOURCES
WESTERN REGION

SCANNED

JUN 19 2006