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FEB 16 2010

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

DEPT. OF WATER RESOURCES
SOUTHERN 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 IDWR will produce new water right number(s) for the split(s).

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
72-146					
72-185	72-16814	✓			
	72-16815				
72-4222A	72-16816	✓			
	72-16817				
72-10120	72-16818	✓			
	72-16819				
	72-16820				
	72-16821				

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 on file with the county Planning and Zoning or Recorder's Office).
- OR**
- D. 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 or equivalent **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) GARTH & GLENIS CHIVERS
HC 63 BOX 171
CHALLIS, ID 83226

4. New Owner/Claimant(s) HOWARD R CUTLER & ZELLA M CUTLER
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address HC 67 BOX 2066

City, State and ZIP Code CHALLIS, ID 83226

New Telephone Number (208) 838-2366 Email: SUPPORT DATA

5. Date you acquired the property

4/11/2008

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 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 (you may copy this page, if 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 will not be split, skip this area and proceed to line 7)

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number <u>72-4222A</u>		
Irrigation	<u>≈ 3.65 cfs + or -</u>	<u>≈ 86 acres + or -</u>
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number <u>72-185A</u>		
Irrigation	<u>≈ 9.1 cfs + or -</u>	<u>≈ 86 acres + or -</u>
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number <u>72-10120</u>		
Irrigation	<u>≈ 7.87 cfs + or -</u>	<u>≈ 184 acres + or -</u>
Stock		
Domestic		
Other		
Totals		

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.

7. Signature(s) of New Owner(s) or Claimant(s)

(title if applicable)

(title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

Received by [Signature]
 Received by [Signature]
 Processed by _____ AJ

Date 2-16-2010
 Date 2/16/2010
 Date _____

Receipt Amt. \$250
 Receipt No. 5031281
 WR _____ Date _____

QUITCLAIM DEED

For Value Received

CHALLIS CREEK CATTLE CO LLC
P O Box 10, Challis, IDAHO

do hereby convey, release, remise and forever quitclaim unto

Howard R. Cutler & Zella M. Cutler

whose current address is

Hale 7, Box 2066, Challis, IDAHO 83226
the following described premises, to-wit:

Water Rights	Diversions Rate	Grantee's Portion
72-01854	10 cfs	14.74 cfs
72-10120	9.6 cfs	
72-4222A	4.0 cfs	
72-146	.02	0.2 cfs

The combined rights are limited to the
irrigation of 177.1 acres within an irrigation
season within the described property
of the warranty deed
together with their appurtenances.

Dated:

2/4/2010

Stephen Bay
Notary

STATE OF IDAHO, COUNTY OF

On this 4th day of February 2010,
before me, a notary public in and for the said State, personally appeared

Stephen Bay
NOTARY PUBLIC
STATE OF IDAHO
known to me to be the person
subscribed to the within instrument and acknowledged to
me that
Stephen Bay
Notary Public
Residing at Challis
Comm. Expires 5/31/2011

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record at
the request of Challis Creek Cattle Co., LLC

at - 4 - minutes past 12:00 o'clock P.M.,
this 4th day of February
2010, in my office, and duly recorded in Book
of Deeds at Page

Barbara C. Tierney
Ex-Officio Recorder

By

Blair
Deputy.

Fees \$ 3.00

Mail to:

238715

Custer County Reg. of
Alliance Title & Escrow
Time *2:31 P.M.* Date *4-15-2008*
Barbara C. Breadlove, Clerk
[Signature] \$ *21.00*
Deputy

WARRANTY DEED

THIS INDENTURE, made this 15TH day of APRIL, 2008,
between Challis Creek Cattle Company, LLC, an Idaho Limited Liability Company, as Grantor
and Howard R. Cutler and Zella M. Cutler, whose address is HC 67, Box 2066, Challis, Idaho
83226, as Grantees.

WITNESSETH: That the Grantor for value received, does by these presents, grant,
bargain, sell and convey unto Grantees, their heirs and assigns, all that certain lot, piece, or
parcel of land situate, lying and being in the County of Custer, State of Idaho and particularly
described on Schedule "A" attached hereto and by reference incorporated herein ("Property")
together with the following apportioned water rights and terms, restrictions and conditions which
Grantees, by acceptance hereof, expressly agree to-wit:

<u>Water Right</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Grantee's Portion</u>
Right 72-0185A	4-1-1887	10 cfs	6.9 cfs (apportioned)
Right 72-10120	6-1-1891	9.6 cfs	6.4 cfs (apportioned)
Right 72-4222A	6-1-1951	4.0 cfs	3.7 cfs (apportioned)
Right 72-146	11-1-1885	.02 cfs	.02 cfs

Excepting therefrom and reserving unto Grantor, its heirs and assigns, per
separate agreement with Grantee, all other appurtenant water rights, including 3.1
cfs of Water Right 72-185A, 3.2 cfs of Water Right 72-10120 and .3 cfs of Water
Right 72-4222A.

Together with other tenements, hereditaments, and appurtenances thereunto belonging or
in anywise appertaining including the rents, issues and profits thereto; and

SUBJECT TO: All of the taxes levied and assessed in 2007 and 2008 and all
such taxes and assessments levied or assessed in subsequent years;

SUBJECT TO: All City, County, State and Federal building and zoning laws,
ordinances and regulations;

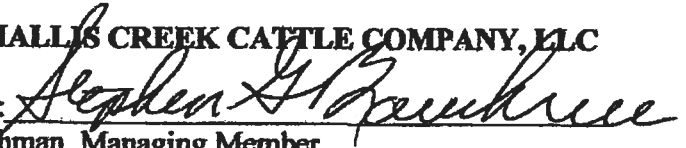
SUBJECT TO: All rights reserved in federal patents, state or railroad deeds,
restrictive covenants, rights of way and easements recorded against the Property,
rights of way, easements, discrepancies between fence lines and property
boundaries and other surveyed details shown on the Record of Survey by Wade
Surveying dated 01/08/2008 to be recorded contemporaneously herewith.

SUBJECT TO: the following additional terms, restrictions and conditions which
Grantees, by acceptance hereof, expressly agree:

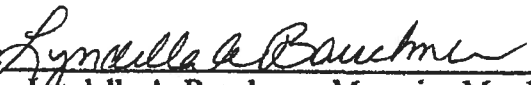
1. The conveyance to Grantees includes a valley pivot and wheel line located on the property described in Exhibit A and Grantor's pro-rata share in a diversion screen (based upon the quantity of water as apportioned and diverted by such screen) and scales located off of said property. All personal property is sold "as is" at their present locations. Grantees agree that if Grantees have not removed the scales, at Grantees' cost, from the adjacent property within eighteen (18) months of the date hereof, Grantees shall be deemed to have waived all right, title and interest in the scales and the same shall revert to Grantor or the then owner of said adjacent property, without compensation of any kind to Grantees.

Except as otherwise set forth herein, the Grantor hereby warrants the Property in the quiet and peaceable possession of the Grantees, their heirs and assigns, against all and every person or persons whomsoever, lawfully claiming or to claim the same.

CHALLIS CREEK CATTLE COMPANY, LLC

By: 

Stephen G. Bauchman, Managing Member

By: 

Lyndella A. Bauchman, Managing Member

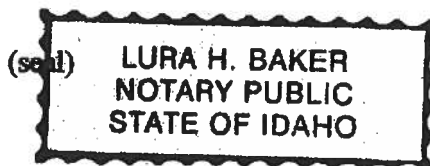
STATE OF IDAHO)

:ss

County of Custer)

On this 11th day of April, 2008, before me, the undersigned, a Notary Public in and for said State, personally appeared Stephen G. Bauchman and ~~Fyndella A. Bauchman~~, known or identified to me to be the managing members of the limited liability company who executed the instrument on behalf of said limited liability company and acknowledged to me that such limited liability company 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.



Lura H. Baker
NOTARY PUBLIC FOR IDAHO
Residing at: Clarton, ID
My Commission Expires: 12-12-09

STATE OF IDAHO)

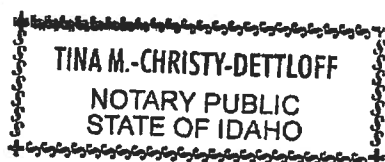
:ss

County of LEMHI)

On this 15TH day of April, 2008, before me, the undersigned, a Notary Public in and for said State, personally appeared ~~Stephen G. Bauchman~~ and Lyndella A. Bauchman, known or identified to me to be the managing members of the limited liability company who executed the instrument on behalf of said limited liability company and acknowledged to me that such limited liability company 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)



Tina Christy-Dettloff
NOTARY PUBLIC FOR IDAHO
Residing at: SALMON, ID
My Commission Expires: 2/23/2010

238715

217.12 FT.; N 89°58'48" W 90.89 FT. TO A POINT ON THE EASTERLY BOUNDARY OF SAID SECTION 2;

THENCE S 00°07'23" W ALONG SAID BOUNDARY A DISTANCE OF 3.35 FT. TO THE SE CORNER OF SAID GOVERNMENT LOT 1, SECTION 2

THENCE N 89°53'30" W ALONG THE SOUTHERLY BOUNDARY OF SAID GOVERNMENT LOTS 1 AND 2 IN SECTION 2 A DISTANCE OF 2445.88 FT. TO A POINT ON AN EXISTING FENCE;

THENCE N 20°54'24" E ALONG SAID FENCE A DISTANCE OF 945.35 FT. TO THE POINT OF BEGINNING.

LESS A PARCEL OF LAND LOCATED IN SAID SW1/4, SECTION 36. COMMENCING AT THE SW CORNER OF SAID SECTION 36, RUN THENCE N 48°36'17" E A DISTANCE OF 3159.94 FT. TO A 1/2" REBAR SET BY L.S. 3618 AND THE POINT OF BEGINNING;
THENCE THE FOLLOWING COURSES AND DISTANCES TO EXISTING 1/2" REBARS SET BY L.S. 3618:

N 22°03'54" W 177.32 FT.; N 89°24'04" E 318.07 FT.;

S 00°15'56" W 258.34 FT.; N 70°04'46" W 266.17 FT. TO THE POINT OF BEGINNING.

SUBJECT TO AND TOGETHER WITH: A 30 FT. WIDE EASEMENT FOR INGRESS AND EGRESS, 15 FT. ON EITHER SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE S 1/4 CORNER OF SAID SECTION 35 RUN THENCE S 09°29'24" E A DISTANCE OF 1249.97 FT. TO A POINT ON THE CENTERLINE OF BUCKBOARD LANE ON THE SOUTHERLY BOUNDARY OF GOVERNMENT LOT 2 OF SAID SECTION 2 AND THE POINT OF BEGINNING;

THENCE THE FOLLOWING COURSES AND DISTANCES ALONG SAID CENTERLINE:

N 23°57'36" E 153.36 FT.; N 21°50'13" E 704.61 FT.;

113.49 FT. ALONG A CURVE TO THE LEFT HAVING A CHORD OF N 05°34'50" E A DISTANCE OF 111.98 FT., A DELTA OF 32°30'48" AND A RADIUS OF 200.00 FT.;

N 10°40'34" W 307.61 FT.; 227.12 FT. ALONG A CURVE TO THE RIGHT HAVING A CHORD OF N 09°16'59" E A DISTANCE OF 222.56 FT., A DELTA OF 39°55'04" AND A RADIUS OF 326.00 FT.; N 29°14'28" E 55.62 FT.; 133.60 FT. ALONG A CURVE TO THE LEFT HAVING A CHORD OF N 18°51'18" E A DISTANCE OF 132.87 FT., A DELTA OF 20°46'20" AND A RADIUS OF 368.50 FT.;

N 08°28'08" E 465.77 FT. TO THE POINT OF TERMINUS.

PARCEL "C"

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER, SECTION 35, T. 14 N., R. 19 E., BOISE MERIDIAN, CUSTER COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS.

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 35 FROM WHICH THE SE CORNER OF SAID SECTION BEARS N 89°43'29" E A DISTANCE OF 2645.16 FT., THE BASIS OF BEARING OF THIS DESCRIPTION, RUN THENCE N 89°43'29" E A DISTANCE OF 1188.81 FT.;

THENCE N 01°15'47" E A DISTANCE OF 11.37 FT TO A POINT IN AN EXISTING FENCE INTERSECTION AND THE POINT OF BEGINNING;

THENCE N 88°20'13" W ALONG AN EXISTING FENCE A DISTANCE OF 705.87 FT. TO A POINT ON THE CENTERLINE OF BUCKBOARD LANE;

THENCE THE FOLLOWING COURSES AND DISTANCES ALONG SAID CENTERLINE:

174.73 FT. ALONG A CURVE TO THE RIGHT HAVING A CHORD OF N 13°53'13" E
A DISTANCE OF 172.65 FT., A DELTA OF 30°42'37" AND A RADIUS OF 326.00 FT.;

N 29°14'28" E 55.62 FT.; 133.60 FT. ALONG A CURVE TO THE LEFT HAVING
A CHORD OF N 18°51'18" E A DISTANCE OF 132.87 FT., A DELTA OF 20°46'20" AND A
RADIUS OF 368.50 FT.; N 08°28'08" E 465.77 FT.

THENCE N 89°40'04" E A DISTANCE OF 543.65 FT. TO A POINT ON AN EXISTING
FENCE EXTENDED;

THENCE S 01°15'46" W ALONG SAID FENCE A DISTANCE OF 826.40 FT. TO THE
POINT OF BEGINNING.

SUBJECT TO AND TOGETHER WITH: A 30 FT. WIDE EASEMENT FOR INGRESS AND
EGRESS, 15 FT. ON EITHER SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 35 RUN
THENCE S 09°29'24" E A DISTANCE OF 1249.97 FT. TO A POINT ON THE CENTERLINE
OF BUCKBOARD LANE ON THE SOUTHERLY BOUNDARY OF GOVERNMENT LOT 2 OF
SAID SECTION 2 AND THE POINT OF BEGINNING;

THENCE THE FOLLOWING COURSES AND DISTANCES ALONG SAID CENTERLINE:

N 23°57'36" E 153.36 FT.; N 21°50'13" E 704.61 FT.;

113.49 FT. ALONG A CURVE TO THE LEFT HAVING A CHORD OF N 05°34'50" E A
DISTANCE OF 111.98 FT., A DELTA OF 32°30'48" AND A RADIUS OF 200.00 FT.;

N 10°40'34" W 307.61 FT.; 227.12 FT. ALONG A CURVE TO THE RIGHT HAVING A
CHORD OF N 09°16'59" E A DISTANCE OF 222.56 FT., A DELTA OF 39°55'04" AND A
RADIUS OF 326.00 FT.; N 29°14'28" E 55.62 FT.; 133.60 FT. ALONG A CURVE TO
THE LEFT HAVING A CHORD OF N 18°51'18" E A DISTANCE OF 132.87 FT., A DELTA OF
20°46'20" AND A RADIUS OF 368.50 FT.; N 08°28'08" E 465.77 FT. TO THE POINT OF
TERMIUS.

Order No.: 3070804612C-D

**LEGAL DESCRIPTION
EXHIBIT 'A'**

PARCEL "A"

A PARCEL OF LAND LOCATED IN THE SE1/4, SECTION 35, THE SW1/4, SECTION 36, T. 14 N., R. 19 E. AND IN GOVERNMENT LOT 4, SECTION 1 AND GOVERNMENT LOTS 1 AND 2, SECTION 2, T. 13 N., R. 19 E., BOISE MERIDIAN, CUSTER COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS.

COMMENCING AT THE S 1/4 CORNER OF SAID SECTION 35 FROM WHICH THE SE CORNER OF SAID SECTION BEARS N 89°43'29" E A DISTANCE OF 2645.16 FT., THE BASIS OF BEARING OF THIS DESCRIPTION, RUN THENCE S 57°34'07" E A DISTANCE OF 632.61 FT. TO AN EXISTING 5/8" REBAR SET BY PLS 3577 AND THE POINT OF BEGINNING;

THENCE EAST A DISTANCE OF 14.98 FT. TO A POINT ON THE CENTERLINE OF BUCKBOARD LANE;

THENCE THE FOLLOWING COURSES AND DISTANCES ALONG SAID CENTERLINE:
22.70 FT. ALONG A CURVE TO THE LEFT HAVING A CHORD OF N 07°25'28" W A DISTANCE OF 22.69 FT., A DELTA OF 06°30'12" AND A RADIUS OF 200.00 FT.;

N 10°40'34" W 307.61 FT.; 52.39 FT. ALONG A CURVE TO THE RIGHT HAVING A CHORD OF N 06°04'21" W A DISTANCE OF 52.33 FT., A DELTA OF 09°12'27" AND A RADIUS OF 326.00 FT.;

THENCE S 88°20'13" E A DISTANCE OF 705.87 FT.;

THENCE N 01°15'46" E A DISTANCE OF 826.40 FT.;

THENCE N 89°40'04" E A DISTANCE OF 1440.22 FT. TO A POINT ON THE EASTERLY BOUNDARY OF SAID SECTION 35;

THENCE N 00°09'33" E ALONG SAID BOUNDARY A DISTANCE OF 82.50 FT.;

THENCE N 14°09'36" E A DISTANCE OF 1363.99 FT.;

THENCE N 89°33'28" E A DISTANCE OF 2317.91 FT. TO A POINT ON THE EASTERLY BOUNDARY ON THE SW1/4 OF SAID SECTION 36;

THENCE S 00°13'39" W ALONG SAID BOUNDARY A DISTANCE OF 276.07 FT. TO A POINT ON AN EXISTING FENCE LINE EXTENDED;

THENCE THE FOLLOWING COURSES AND DISTANCE ALONG SAID FENCE TO EXISTING 1/2" REBARS SET BY PLS 8795:

N 70°01'01" W 357.03 FT.; N 17°53'32" W 149.97 FT.;

S 89°55'16" W 361.44 FT.; S 88°59'40" W 566.63 FT.;

S 05°13'29" W 568.70 FT.; S 15°49'07" E 501.58 FT.;

S 62°29'55" E 175.94 FT.; S 13°32'55" W 318.59 FT.;

S 13°44'29" W 223.40 FT.; S 23°44'07" W 628.09 FT. TO A POINT ON THE

SOUTHERLY BOUNDARY OF SAID SECTION 36;

THENCE N 89°20'25" E ALONG SAID BOUNDARY A DISTANCE OF 70.54 FT. TO A POINT ON THE WESTERLY RIGHT-OF-WAY OF WARM SPRINGS ROAD;

THENCE THE FOLLOWING COURSES AND DISTANCES ALONG SAID RIGHT-OF-WAY:

164.31 FT. ALONG A CURVE TO THE LEFT HAVING A CHORD OF S 56°54'27" W A DISTANCE OF 161.74 FT., A DELTA OF 35°10'41" AND A RADIUS OF 267.62 FT.;

S 39°19'07" W 1392.92 FT.; 192.14 FT. ALONG A CURVE TO THE RIGHT HAVING A CHORD OF S 64°40'09" W A DISTANCE OF 185.93 FT., A DELTA OF 50°42'06" AND A RADIUS OF

222669

Custer County Reg. of,

Custer County, Idaho

Time 4:15 P.M. Date 5/27/98

Ethel M. Peck, Clerk

James T. Davis 27⁰⁰

Deputy

WARRANTY DEED

0222669

THIS INDENTURE, Made this 27 day of May, 1998, between GARTH T.

CHIVERS and GLENIS M. CHIVERS, husband and wife, of HC 63 Box 1771, Challis, ID 83226, the parties of the first part, and STEPHEN G. BAUCHMAN and LYNDELLA A.

BAUCHMAN, husband and wife, of 4075 W. Desert Inn Rd. #B, Las Vegas, NV 89102, dba Challis Creek Ranches, a sole proprietorship MS. Jen
He & the parties of the second part,

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of Ten and no/100 Dollars, lawful money of the United States of America, and other valuable consideration to them in hand paid by the parties of the second part, the receipt whereof is hereby acknowledged, have granted, bargained, sold and by these presents, do grant, bargain, sell and convey and confirm unto the said parties of the second part, and to their heirs and assigns, forever, the real property described on Exhibit "A" attached hereto and by reference made a part hereof, together with the water rights appurtenant thereto, also the irrigation system consisting of two Wade Rain ¼ mile wheel lines, approximately 850 feet of 6" aluminum mainline, one 3" handline 1 ¼ miles long, also 20 hanging steel gates, two squeeze chutes, and one Fairbanks 10'x8' scale with digital readout (Serial No. H 151141), but reserving to Sellers: (a) 3 ½ shares of the capital stock (with each share representing 30 miners inches of water) in the Challis Irrigation Company; (b) also reserving to Sellers the right to transport water from the said Challis Irrigation Company (approximately 36 miners inches) through a pipeline and across the easement described in that certain Grant of Easement dated November 26, 1997 and given by Gary Chamberlain to the Sellers herein, and which easement is recorded in the records of Custer County, Idaho, as Instrument No. 0214722, for use upon real property owned by Sellers and described as Government Lot 4 in Section 1, Township 13 North, Range 19 East, Boise

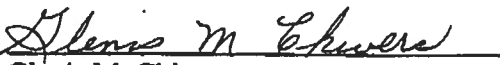
Meridian, in Custer County, Idaho; (c) also reserving to Sellers the right to transport water (approximately 10 miners inches) from Warm Spring Creek across the premises being sold through a channel which follows along the ~~county~~ ^{Logan} road to the ~~Thatcher~~ ^{Logan} property; (d) also reserving to Sellers the right of ingress and egress over and upon the present road passing through the premises, leading to the Hunt property; and (e) any other easements or rights of way of record or in existence on the premises, including but not limited to the Christensen pipeline and water right.

TO HAVE AND TO HOLD the said premises, together with all and singular the tenements, hereditaments, easements, and appurtenances thereunto belonging or in anywise appertaining, and the reversions, remainders, rents, issues and profits thereof; and all estate, right, title and interest in and to said premises, as well in law as in equity, of the said parties of the first part.

And the said parties of the first part, and their heirs, hereby warrant and agree to forever defend the parties of the second part, their heirs and assigns, in the quiet and peaceable possession of said premises against all and every person lawfully claiming an interest therein.

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

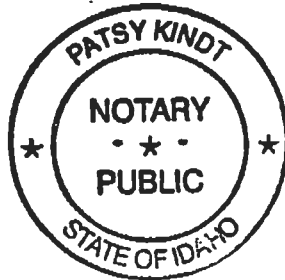

Garth T. Chivers


Glenis M. Chivers

STATE OF IDAHO,)
 ss.
County of Custer.)

On this 27 day of May, 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared GARTH T. CHIVERS and GLENIS M. CHIVERS, 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.



Patsy Kindt
Notary Public for Idaho
Residing at Challis, Idaho
My Commission Expires: 3/12/2004

TOWNSHIP 13 NORTH, RANGE 19 EAST, BOISE MERIDIAN, CUSTER COUNTY, IDAHO.

Section 1: Lot 4, EXCEPTING the County Road Right-of-way.

ALSO EXCEPTING THEREFROM a tract of land situated in Government Lot 4, Section 1, Township 13 North, Range 19 East, Boise Meridian, Custer County, State of Idaho, being more particularly described as follows: Commencing at the Northwest corner of Section 1, Township 13 North, Range 19 East, Boise Meridian, thence North 89°29'57" East, 1322.59 feet along the North line of Section 1, to the Northeast corner of Government Lot 4, Section 1; thence South 0°00'08" West, 16.96 feet along the East line of said Government Lot 4 to a point lying on the centerline of Hot Springs Road, the TRUE POINT OF BEGINNING; thence continuing along said East line South 0°00'08" West, 1242.72 feet to the Southeast corner of said Government Lot 4; thence North 89°37'32" West, 893.96 feet along the South line of said Government Lot 4 to a point lying on a fence; thence North 0°11'17" East, 255.28 feet on or along said fence to a point lying on the centerline of Hot Springs Road; thence the following courses along said centerline; North 39°15'13" East, 1146.00 feet to a point; 198.29 feet along a curve to the right, said curve having a Radius of 238.14 feet, a Delta of 47°42'32", and a Chord of 192.61 feet which bears North 60°43'21" East to the POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM a parcel of land in the W $\frac{1}{2}$ of Lot 4 described as: Commencing at the intersection of the South boundary line of said Lot 4 with the Southeasterly boundary line of the Challis Hot Springs Road, the POINT OF BEGINNING; thence East along said South boundary line of said Lot 4 a distance of 150 feet; thence North 150 feet to a point; thence West to the Southeasterly boundary line of said Challis Hot Springs County Road; thence Southwesterly along said Southeasterly boundary line of the Challis Hot Springs County Road to the POINT OF BEGINNING.

Section 2: Lot 1, Lot 2 LESS the following described tract: Commencing at the Southwest corner of said Lot 2; thence East 170 feet; thence North 20°20' East, 1069 feet; thence North 64°25' West, 600 feet; thence South 1261 feet to the POINT OF BEGINNING.

TOWNSHIP 14 NORTH, RANGE 19 EAST, BOISE MERIDIAN, CUSTER COUNTY, IDAHO

Section 25: A fraction of ~~W $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$~~ , Section 25, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho, described as follows: Commencing at the West $\frac{1}{4}$ corner of Section 25 from which the SW corner of Section 25 bears South 00°00'13" East run thence North 89°36'12" East, a distance of 1329.63 feet to the SW corner of the ~~SE $\frac{1}{4}$ NW $\frac{1}{4}$~~ , the POINT OF BEGINNING, thence North 00°05'48" East along the Westerly boundary of said ~~SE $\frac{1}{4}$ NW $\frac{1}{4}$~~ , a distance of 372.89 feet to the existing fence; thence along the existing fence South 89°24'33" East, a distance of 260.98 feet; thence South 65°09'20" East, a distance of 39.77 feet; thence South 41°34'25" East, a distance of 148.01 feet; thence South 36°21'08" East, a distance of 296.51 feet to the Southerly boundary of said ~~SE $\frac{1}{4}$ NW $\frac{1}{4}$~~ ; thence South 89°36'12" West along the Southerly boundary a distance of 571.68 feet to the POINT OF BEGINNING.

Section 25: ~~E $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$~~ LESS the following described tract: A fraction of the ~~SW $\frac{1}{4}$ SE $\frac{1}{4}$~~ , Section 25, Township 14 North, Range 19 East, Boise Meridian, more particularly described as follows:

Commencing at the South quarter corner of Section 25, run North 89°51' East, 69.79 feet along the South boundary of Section 25 to the POINT OF BEGINNING and corner No. 1, the Southwest corner of the tract of land herein described, continuing along said South boundary North 89°51' East, 452.88 feet to corner No. 2, a point on the West right-of-way line of Hot Springs Road; thence along said West right-of-way North 00°27' East, 90.83 feet; thence North 04°55' West, 100.00 feet; thence North 09°25' West, 100.00 feet; thence North 13°19' West, 100.00 feet; thence North 15°42' West, 100.00 feet; thence North 16°00' West, 232.77 feet to corner No. 3; thence South 89°51' West, 166.39 feet to a point on the existing fence line and corner No. 4; thence continuing along said fence line South 02°56' West, 246.49 feet to corner No.5; thence South 16°22' West, 480.54 feet to corner No.1, the POINT OF BEGINNING. Also EXCEPTING THEREFROM all those portions East of the County Road.

Section 36:

SW $\frac{1}{4}$ SE $\frac{1}{4}$ and that portion of the SW $\frac{1}{4}$ of Section 36, described as follows:

Beginning at a point on the East boundary line of said SW $\frac{1}{4}$ a distance of 24 rods South of the center of said Section 36; thence West 140 rods; thence in a straight line Southwesterly to a point on the West line of said Section 36, 56 rods North of the Southwest corner of said Section 36; thence South along said West boundary line 56 rods to the Southwest corner thereof; thence East along the South boundary line of said Section 36 to the Southeast corner of the Southwest quarter of said Section 36; thence North 136 rods along the East boundary line of said Southwest quarter to the POINT OF BEGINNING. EXCEPTING THEREFROM that portion described as: Beginning at a point that is South along the Section line 420.05 feet and West 2667.45 feet from the East quarter corner of Section 36, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho; running thence South 0°17'14" West 255.44 feet; thence North 70°03'02" West, 266.16 feet; thence North 21°59'54" West, 177.44 feet; thence North 89°26'23" East, 317.96 feet to the POINT OF BEGINNING.

TOWNSHIP 14 NORTH, RANGE 19 EAST, BOISE MERIDIAN, CUSTER COUNTY, IDAHO.

Section 35:

That part of the S $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 35 described as follows: Beginning at the Section Corner common to Sections 35 and 36 on the South line of Township 14 North, Range 19 East, Boise Meridian; thence North on the Section line between said Sections 35 and 36 a distance of 51 rods; thence West 160 rods to the center line of said Section 35; thence South 51 rods to the South line of said Section 35; thence East 160 rods along the Township line to the Place of Beginning.

EXCEPTING THEREFROM the following described parcels: from Section 2, Township 13 North, Range 19 East, Boise Meridian, Custer County, Idaho, and Section 35, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho.

ALSO EXCEPTING:

Beginning at a point South 89°38'35" West, 2259.39 feet along the North line of Section 2, Township 13 North, Range 19 East, Boise Meridian, and the South line of Section 35, Township 14 North, Range 19 East, Boise Meridian, from a brass cap monument set by land surveyor #4054 in September, 1980, to mark the corner common to Section 35 & 36, Township 14 North, Range 19 East, and Section 1 & 2, Township 13 North, Range 19 East, Boise Meridian; thence South 22°01'48" West, 245.99 feet along a fence to a fence intersect; thence continuing along said fence North 66°09'17" West, 126.08 feet to a fence corner; thence continuing along said fence North 18°58'27" East, 44.42 feet to a fence corner; thence continuing along said fence North 68°08'16" West, 193.24 feet to a fence corner; thence continuing along said fence North 0°09'04" East, 60.77 feet to a point lying on the South line of Section 35, Township 14 North, Range 19 East, and the North line of Section 2, Township 13 North, Range 19 East, Boise Meridian, thence continuing along said fence North 0°09'04" East, 792.44 feet to a fence intersect; thence continuing along said fence North 89°07'08" East, 465.29 feet to a point; thence South 14°28'32" West, 603.19 feet to a point; thence South 58° 41' 39" East, 133.44 feet to a point; thence South 22° 01' 43" West, 155.24 feet to a point on the South line of Section 35, Township 14 North, Range 19 East, and the North line of Section 2, Township 13 North, Range 19 East, Boise Meridian, THE POINT OF BEGINNING.

ALSO EXCEPTING:

Beginning at a point South 89°38'35" West, 2174.38 feet along the North line of Section 2, Township 13 North, Range 19 East, Boise Meridian, and the South line of Section 35, Township 14 North, Range 19 East, Boise Meridian, from a brass cap monument set by land surveyor #4054 in September, 1980, to mark the corner common to Section 35 & 36, Township 14 North, Range 19 East, and Section 1 & 2, Township 13 North, Range 19 East, Boise Meridian; thence South 10°34'54" East, 347.26 feet to a fence corner; thence North 64°55'23" West, 266.14 feet along said fence to a fence corner; thence North 22°01'48"

East, 245.99 feet to a point lying on the South line of Section 35, Township 14 North, Range 19 East, Boise Meridian, and the North line of Section 2, Township 13 North, Range 19 East, Boise Meridian; thence North 22°01'48" East, 155.24 feet to a point; thence South 10°34'54" East, 145.86 feet to a point on the South line of Section 35, Township 14 North, Range 19 East, Boise Meridian, and the North line of Section 2, Township 13 North, Range 19 East, Boise Meridian, THE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM a tract of land situated in the ~~SW-SE~~ Section 35, Township 14 North, Range 19 East, Boise Meridian, and the ~~NW-NE~~ Section 2, Township 13 North, Range 19 East, Boise Meridian, Custer County, State of Idaho; being more particularly described as follows:

Beginning at a point that is North 0°02'24" West, 38.94 feet and South 64°24'47" East, 14.91 feet from the South $\frac{1}{4}$ corner of Section 35; thence South 64°24'47" East, 584.39 feet to a point; thence South 20°21'10" West, 110.26 feet to a point lying in an existing fence line; thence North 64°55'04" West, 230.21 feet on or along said fence to a point; thence North 66°08'57" West, 126.12 feet on or along said fence line to a fence corner; thence North 18°57'05" East, 44.39 feet on or along said fence line to a fence corner; thence North 68°07'33" West, 193.30 feet on or along said fence line to a fence corner; thence North 0°03'03" East, 93.18 feet on or along said fence line to the POINT OF BEGINNING.

ALSO EXCEPTING a tract of land situated in the ~~SW-SE~~ Section 35, Township 14 North, Range 19 East, Boise Meridian, Custer County, State of Idaho; being more particularly described as follows:

Beginning at a point that is North 0°02'24" West, 38.94 feet along the West line of the ~~SW-SE~~ Section 35, from the South $\frac{1}{4}$ corner of Section 35; thence continuing along said West line North 0°02'24" West, 802.56 feet to a point; thence North 89°38'36" East, 14.73 feet to a point lying in an existing fence line; thence South 0°03'03" West, 809.10 feet on or along said fence line to a point; thence leaving said fence North 64°24'47" West, 14.91 feet to the POINT OF BEGINNING.

ALSO EXCEPTING

A tract of land situated in the NW-NE $\frac{1}{4}$, Section 2, Township 13 North, Range 19 East, Boise Meridian, Custer County, Idaho, being more particularly described as follows;

Beginning at a point that is South 0°03'38" West, 1222.10 feet and South 89°58'50" East, 170.00 feet from the North $\frac{1}{4}$ corner of Section 2, Township 13 North, Range 19 East, Boise Meridian; thence North 20°21'10" East, 958.74 feet to a point lying in an existing fence line; thence on or along said fence line South 64°55'04" East, 35.83 feet to a fence corner; thence on or along said fence line South 20°49'25" West, 945.46 feet to a point lying on the South line of the NW-NE $\frac{1}{4}$, said Section 2; thence leaving said fence line North 89°58'50" West, 29.79 feet along said South line to the POINT OF BEGINNING.