

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

FEB 04 2011

Notice of Change in Water Right Ownership

DEPARTMENT OF
WATER RESOURCES

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
73-111 A	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name:

David E. Giorgi Family Trust
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s):

Dennis K. Lee and Vernagae Lee, Trustees of The
Name of each new owner as listed on the conveyance document

Lee 2001 Revocable Trust, dated November 8, 2001

New owner continued ☐ and ☐ or ☐ and/or

P.O. Box 521

Mailing address

Altaville

City

209-736-4192

Telephone

Calif

State

ZIP

95221

stagrlee@goldrush.com

Email

4. If the water rights and/or adjudication claims were split, how did the division occur?

- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

5. Date you acquired the water rights and/or claims listed above: 8/2/10

6. This form must be signed and submitted with the following **REQUIRED** items:

- ☒ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
- ☒ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
- Filing fee (see instructions for further explanation):
 - o \$25 per *undivided* water right.
 - o \$100 per *split* water right.
 - o No fee is required for pending adjudication claims.

7. Signature:

Dennis Lee
Signature of new owner/claimant

owner
Title, if applicable

2/1/11
Date

- Signature:

Vernagae Lee
Signature of new owner/claimant

owner
Title, if applicable

2-1-11
Date

For IDWR Office Use Only:

Received by

SRF

Date

3/7/11

Receipt No.

C092545

Receipt Amt.

25.00

Approved by

Processed by

SN

Date

3/9/11

This instrument was filed for record at the request
of Lemhi Title
at 2:40 clock P on 8-3 2010
and duly filmed and indexed in the records of Lemhi
County
By Terri J. Morton Deputy
Fee 19.00
Return to _____

283636

WARRANTY DEED

242821
Custer County Req. of
Time 2:45 PM Date 8-2-2010
Barbara S. Tierney, Clerk
Deputy [Signature] # 19.00

FOR VALUE RECEIVED, DAVID E. GIORGI and BARBARA K. GIORGI, Co-Trustees of the DAVID E. GIORGI FAMILY TRUST (SCHEDULE B), THAT CERTAIN REVOCABLE TRUST AGREEMENT ENTERED INTO AS OF THE 11TH DAY OF NOVEMBER, 1982, Grantors, do hereby Grant, Bargain, Sell and Convey unto and THE LEE 2001 REVOCABLE TRUST, DENNIS K. LEE and VERNAGAE LEE, husband and wife, referred to as Trustees, whose address is Box 521, Altaville CA 95221, Grantees, the following described premises, in Custer and Lemhi Counties, Idaho, to-wit:

SEE EXHIBIT "A" ATTACHED

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said Grantees, their successors, administrators and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that they are free from all encumbrances save and excepting therefrom all covenants, conditions, easements and restrictions of record, as recorded in the records of Custer and Lemhi Counties, Idaho, and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: 8/2/10

DAVID E. GIORGI FAMILY TRUST
(SCHEDULE B), THAT CERTAIN
REVOCABLE TRUST AGREEMENT
ENTERED INTO AS OF THE 11TH DAY OF
NOVEMBER, 1982, by:

David E. Giorgi
David E. Giorgi, Co-Trustee

Barbara K. Giorgi
Barbara K. Giorgi, Co-Trustee

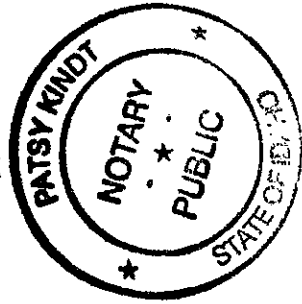
STATE OF Idaho)
County of Custer) SS:

On this 2 day of August, 2010, before me, a Notary Public in and for said State, personally appeared DAVID E. GIORGI and BARBARA K. GIORGI, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same.

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

242821

Patsy Kindt
Notary Public for Idaho
My Commission Expires: ~~3-16-17~~
3-24-16



242821

EXHIBIT "A"

ALL OF THE NW1/4NW1/4 IN SECTION 8, TOWNSHIP 15 N., RANGE 21 EAST, B.M. CUSTER COUNTY, IDAHO, LYING SOUTH OF THE PAHSIMAROI RIVER.

ALSO:

THIS TAX NUMBER (97) DESIGNATES THE FOLLOWING PIECE OR PARCEL OF LAND SITUATE, LYING AND BEING IN THE COUNTY OF LEMHI, STATE OF IDAHO, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO WIT:

ALL OF THAT PART OF THE NW1/4NW1/4, SECTION 8, TOWNSHIP 15 NORTH, RANGE 21 E.B.M., LYING AND BEING ON THE NORTH AND EAST SIDE OF THE PAHSIMAROI RIVER,

EXCEPTING AND RESERVING FROM THE LAST NAMED SUBDIVISION ABOVE DESCRIBED, A WATERING PLACE ON THE WEST LINE THEREOF, TWO RODS WIDE AND 32 RODS LONG.

ALSO:

THE NE1/4NW1/4 OF SECTION 8, TOWNSHIP 15 NORTH, RANGE 21 EAST, B.M., LEMHI COUNTY, IDAHO, LESS THE FOLLOWING:

A FRACTION OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER (NE1/4NW1/4) OF SECTION EIGHT (8), TOWNSHIP FIFTEEN (15) NORTH, RANGE TWENTY-ONE (21) EAST, BOISE MERIDIAN, LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT THE SOUTHEASTERLY CORNER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER (NE1/4NW1/4) OF SAID SECTION EIGHT (8), RUN THENCE SOUTH 89 DEGREES 55' WEST 126.0 FEET; THENCE NORTH 36 DEGREES 59' WEST 972.0 FEET; THENCE NORTH 48 DEGREES 15' WEST 813.95 FEET TO THE NORTHWESTERLY CORNER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER (NE1/4NW1/4) OF SECTION EIGHT (8), THENCE NORTH 89 DEGREES 55' EAST 1320.0 FEET TO THE NORTHEASTERLY CORNER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER (NE1/4NW1/4) OF SECTION EIGHT (8), THENCE SOUTH 0 DEGREES 05' WEST 1320.0 FEET TO THE POINT OF BEGINNING.

ALSO: AN EASEMENT FOR ACCESS TO A SPRING LOCATED IN THE SOUTHEASTERLY PORTION OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER (NE1/4NW1/4) OF SECTION EIGHT (8), TOWNSHIP FIFTEEN (15) NORTH, RANGE TWENTY-ONE (21) EAST, BOISE MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

COMMENCING AT THE SOUTHEASTERLY CORNER OF THE SAID NORTHEAST QUARTER OF THE NORTHWEST QUARTER (NE1/4NW1/4) OF SECTION EIGHT (8), RUN THENCE SOUTH 89 DEGREES 55' WEST 126.0 FEET TO THE POINT OF BEGINNING; CONTINUING THENCE SOUTH 89 DEGREES 55' WEST 156.3 FEET; THENCE NORTH 12 DEGREES 44' EAST 160.0 FEET; THENCE SOUTH 36 DEGREES 59' EAST 193.0 FEET TO THE POINT OF BEGINNING.

ALSO: THE RIGHT OF THE USE OF AN EXISTING ROAD ACROSS THE NORTHERLY PORTION OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER (NE1/4NW1/4) OF SECTION EIGHT (8), TOWNSHIP FIFTEEN (15) NORTH, RANGE TWENTY-ONE (21) EAST, BOISE MERIDIAN, EXTENDING FROM THE LEMHI COUNTY ROAD TO THE ABOVE DESCRIBED TRACT OF LAND FOR THE PURPOSES OF INGRESS AND EGRESS.

AND LESS THE FOLLOWING:

A FRACTION OF THE N1/2NW1/4 OF SECTION 8, TOWNSHIP 15 N., RANGE 21 E., BOISE MERIDIAN, LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

COMMENCING AT THE SOUTHEASTERLY CORNER OF THE NE1/4NW1/4 OF SAID SECTION 8, RUN THENCE S. 89 DEGREES 55' W., 126.0 FEET TO THE POINT OF BEGINNING, AND THE SOUTHEASTERLY CORNER OF THE TRACT OF LAND HERIN DESCRIBED; THENCE N. 36 DEGREES 59' W., 972.0 FEET; THENCE N. 48 DEGREES 15' W., 813.95 FEET TO THE NORTHWESTERLY CORNER OF THE NE1/4NW1/4 OF SECTION 8; THENCE S. 89 DEGREES 55' W. ALONG THE NORTHERLY BOUNDARY OF SECTION 8 TO A POINT ON THE NORTHEASTERLY RIGHT OF WAY LINE OF THE LEMHI COUNTY ROAD; THENCE SOUTHEASTERLY ALONG SAID RIGHT OF WAY LINE TO A POINT ON THE SOUTHERLY BOUNDARY OF THE NE1/4NW1/4 OF SECTION 8; THENCE N. 89 DEGREES 55' E. ALONG THE SOUTHERLY BOUNDARY OF THE NE1/4NW1/4 OF SECTION 8; THENCE N. 89 DEGREES 55' E. ALONG THE SOUTHERLY BOUNDARY OF THE NE1/4NW1/4 OF SECTION 8, A DISTANCE OF 156.3 FEET TO THE POINT OF BEGINNING.

SCHEDULE A

First American Title Insurance Company

*Lemhi Title & Abstract Company, Inc.
401 Main Street
Suite 2
Salmon, Idaho 83467*

File No.: 5011400-23515
Address Reference: Pahsimeroi, ID
Amount of Insurance: \$440,000.00

Policy No.: 5011400-23515

Premium: \$1,672.00

Date of Policy: August 3, 2010

Time of Policy: 2:42 pm

1. Name of Insured:

THE LEE 2001 REVOCABLE TRUST, DENNIS K. LEE AND VERNAGAE LEE, husband and wife, referred to as Trustees

2. The estate or interest in the Land that is insured by this policy is:

Fee Simple

3. Title is vested in:

THE LEE 2001 REVOCABLE TRUST, DENNIS K. LEE AND VERNAGAE LEE, husband and wife, referred to as Trustees

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

SEE CONTINUED SCHEDULE A

SCHEDULE B

File No.: 3010-10

Policy No.: 5011400-23515

EXCEPTIONS FROM COVERAGE

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

SECTION 1

1. Taxes or 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.
2. Any facts, rights, interest, or claims which are not known by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
3. Easements, claims of easement or encumbrances which are not shown by the public records.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the title including discrepancies, conflicts in boundary lines, shortage in area, or any other facts that would be disclosed by an accurate and complete land survey of the land, and that are not shown in the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patent or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the public records.
6. Any liens, or rights to a lien, for services, labor or material theretofore or hereafter furnished, imposed by law and not shown by the public records.

SECTION 2

7. General taxes and assessments for the year 2009 are paid. General taxes and assessments for the year 2010 are an accruing lien.
8. Any facts, rights, interests or claims which would be disclosed by a correct ALTA/ACSM survey.
9. Any adverse claim based on the assertion that some portion of said land is now, or at any time has been within the boundaries of the Pahsimeroi River or by reason of the fact that any portion or portions thereof have been rendered un-navigable by artificial means, or has accreted to such portions so created.
10. Reservations in United States Patent.
11. Reservations contained in Warranty Deed from Charles G Black to Louis A Wells, recorded February 22, 1916 as Instrument No. 16612, records of Lemhi County, Idaho.
12. Right of Way Deed granted to the State of Idaho, recorded June 23, 1961 as Instrument No. 95446, records of Lemhi County, Idaho.
13. Easement Agreement for the purposes of construction, operation, maintenance, alteration, renewal and removal of a self-cleaning fish screen and fish bypass granted to the State of Idaho for the use and benefit of the Department of Fish and Game, recorded June 12, 1959 as Instrument No. 91541.
14. Easements granted to Glen J Ellis and Lucille Ellis recorded March 7, 1973 as Instrument No. 123199, records of Lemhi County, Idaho.
15. Any adverse claims arising from Quitclaim Deed from David E Giorgi and Barbara K Giorgi, Co-Trustees

of the David E Giorgi Family Trust, dated November 11, 1982 to Judy Madsen, recorded November 11, 2008 as Instrument No. 278027, records of Lemhi County, Idaho.

16. Real Estate Mortgage to secure an original indebtedness of \$150,000.00, dated August 2 and any other amounts and/or obligations secured thereby.
- Recorded: August 3, 2010 Instrument No.: 283637
- Mortgagor: The Lee 2001 Revocable Trust, Dennis K. Lee and Vernagae Lee, husband and wife, referred to as Trustees
- Mortgagee: David E. Giorgi and Barbara K. Giorgi, Co-Trustees of the David E. Giorgi Family Trust (Schedule B), that certain revocable trust agreement entered into as of the 11th day of November, 1982

 First American Title	Owner's Policy of Title Insurance
	ISSUED BY First American Title Insurance Company
	POLICY NUMBER 5011400- 23515

Owner's Policy

Any notice of claim and any other notice or statement in writing required to be given to the Company under this policy must be given to the Company at the address shown in Section 18 of the Conditions.

COVERED RISKS

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE B, AND THE CONDITIONS, **FIRST AMERICAN TITLE INSURANCE COMPANY**, a California corporation (the "Company") insures, as of Date of Policy and, to the extent stated in Covered Risks 9 and 10, after Date of Policy, against loss or damage, not exceeding the Amount of Insurance, sustained or incurred by the Insured by reason of:

1. Title being vested other than as stated in Schedule A.
2. Any defect in or lien or encumbrance on the Title. This Covered Risk includes but is not limited to insurance against loss from
 - (a) A defect in the Title caused by
 - (i) forgery, fraud, undue influence, duress, incompetency, incapacity, or impersonation;
 - (ii) failure of any person or Entity to have authorized a transfer or conveyance;
 - (iii) a document affecting Title not properly created, executed, witnessed, sealed, acknowledged, notarized, or delivered;
 - (iv) failure to perform those acts necessary to create a document by electronic means authorized by law;
 - (v) a document executed under a falsified, expired, or otherwise invalid power of attorney;
 - (vi) a document not properly filed, recorded, or indexed in the Public Records including failure to perform those acts by electronic means authorized by law; or
 - (vii) a defective judicial or administrative proceeding.
 - (b) The lien of real estate taxes or assessments imposed on the Title by a governmental authority due or payable, but unpaid.
 - (c) Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments onto the Land of existing improvements located on adjoining land.
3. Unmarketable Title.
4. No right of access to and from the Land.

(Covered Risks Continued on Page 2)

In Witness Whereof, First American Title Insurance Company has caused its corporate name to be hereunto affixed by its authorized officers as of Date of Policy shown in Schedule A.

First American Title Insurance Company



Dennis J. Gilmore

Dennis J. Gilmore
President

Timothy Kemp

Timothy Kemp
Secretary

(This Policy is valid only when Schedules A and B are attached)

Copyright 2006-2009 American Land Title Association. All rights reserved. The use of this form is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited. Reprinted under license from the American Land Title Association.