

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

AUG 06 2010

Department of Water Resources
Eastern Region

Notice of Change in Water Right Ownership

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?
34-4001	Yes ☒		Yes ☐		Yes ☐
<i>Split into</i>	Yes ☐		Yes ☐		Yes ☐
<i>34-141494</i>	Yes ☐		Yes ☐		Yes ☐
<i>34-14150</i>	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: John Theodore Rosenkrance
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Duffy Witmer
Name of each new owner as listed on the conveyance document

New owner continued Name connector ☐ and ☐ or ☐ and/or
P.O. Box 1321
Mailing address
Carpinteria CA 93014
City State ZIP
(208) 720-7662 duffwitmer@yahoo.com
Telephone 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: October 2, 2009

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):
 - \$25 per undivided water right.
 - \$100 per split water right.
 - No fee is required for pending adjudication claims.

7. Signature: Duffy Witmer 8/3/10
Signature of new owner/claimant Title, if applicable Date

Signature: _____
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by JRS Date 8/6/2010 Receipt No. E036030 Receipt Amt. \$100.-
Approved by _____ Processed by _____ Date _____

0204807

WARRANTY DEED

For Value Received JOHN T. ROSENKRANCE and LUCILLE ROSENKRANCE, the grantors, do hereby grant, bargain, sell and convey unto CASCADE SALES ASSOCIATES, INC., RETIREMENT TRUST BENEFIT OF JOHN W. OOSTING, the grantee, whose current address is 6001 Grand River Drive, Ada, Michigan 49301, the following described premises, in Custer County, Idaho, to-wit:

That portion of H.E. Survey 505 embracing a portion of approximately Sections 32 and 33 in Township 7 North, Range 21 East, Boise, Meridian, Custer County, Idaho, lying South of Copper Basin Road.

EXCEPTING ROAD RIGHT OF WAY.

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

Dated: This 27th day of August, 1993.

John T. Rosenkrance
JOHN T. ROSENKRANCE
Lucille Rosenkrance
LUCILLE ROSENKRANCE

STATE OF IDAHO)
County of Custer : ss
On this 27th day of August, 1993, before me, a Notary Public, personally appeared John T. Rosenkrance and Lucille Rosenkrance known or identified to me to be the person(s) whose name(s) are subscribed to the within instrument, and acknowledged to me that he 4 executed the same.

Carol Manning
Notary Public
Residing at Mackay, Id.
Commission Expires 9-15-95

STATE OF IDAHO, COUNTY OF CUSTER.
I hereby certify that this instrument was filed for record at the request of Cascade Land Title at 05:55 minutes past 3:00 o'clock P.M., this 30th day of August, 1993, in my office, and duly recorded in Book _____ of Deeds at page _____.

Ethel M. Peck
Ex-Officio Recorder

BY Margherita Deputy

Fee: \$ 3.00
Mail to:

QUITCLAIM DEED

For Value Received

CASCADE SALES ASSOCIATES, INC., RETIREMENT TRUST BENEFIT OF JOHN W. OOSTING,

do hereby convey, release, remise and forever quitclaim unto

JOHN W. OOSTING, TRUSTEE OF THE JOHN W. OOSTING RESTATED TRUST DATED MARCH 24, 1986,
as amended,
whose current address isP.O. BOX 6483, 121 Old Mill Road, Ketchum, Idaho 83340
the following described premises, to-wit:That portion of H.E. Survey 505 embracing a portion
of approximately Sections 32 and 33 in Township 7
North, Range 21 East, Boise, Meridian, Custer County,
Idaho, lying South of Copper Basin Road.

EXCEPTING ROAD RIGHT OF WAY.

together with their appurtenances.

Dated: 26 OCT 99, 1999Frederick P. Keller
Frederick P. Keller, TrusteeWilliam W. Muir, Jr.
William W. Muir, Jr., TrusteeMary Schumaker
Notary Public - Michigan
Allegan CountyMy Commission Expires: 8-7-2000STATE OF MICHIGAN, COUNTY OF Allegan
On this 26th day of October, 1999,
before me, a notary public in and for the said State, personally appeared Frederick P. Keller and
William W. Muir, Jr.known to me to be the persons whose names
subscribed to the within instrument, and acknowledged to
me that they executed the same.Mary Schumaker
Notary Public
Residing at Wayland, Michigan
Comm. Expires 8-7-2000

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record at
the request of Custer County titleat 45 minutes past 10 o'clock A.M.,
this 9th day of November,
1999, in my office, and duly recorded in Book
of Deeds at PageEthel M. Peck
Ex-Officio RecorderBy Janet Jangis
Deputy.
Fees 3.00
Mail to:

INSTRUMENT NO. 219842

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

Terry G. Hogue, Esq.
HOGUE & DUNLAP, L.L.P.
Post Office Box 460
Hailey, Idaho 83333

232545
Custer County Req. of
HOGUE & DUNLAP
Time 10:55 AM Date 10/1/2005
Ethel M. Peck, Clerk
Ruth Brunkes 9.00
Deputy

(space above line for Recorder's use)

QUITCLAIM DEED

FOR VALUE RECEIVED, I, John W. Oosting, Trustee of the John W. Oosting Restated Trust dated March 24, 1986, as amended, of Post Office Box 6483, Ketchum, Idaho 83340, (hereinafter referred to as "Grantor"), do hereby convey, release, remise and forever quitclaim to John W. Oosting as Trustee of the John W. Oosting Trust as amended and restated, an undivided fifty percent (50%) community property interest, and to Margaret H. Oosting, as Trustee of the Margaret H. Oosting Trust as amended and restated, an undivided fifty percent (50%) community property interest, of Post Office Box 6483, Ketchum, Idaho 83340, (hereinafter collectively referred to as "Grantee"), any and all interest I may have in the following described premises, situated in Custer County, Idaho, to wit:

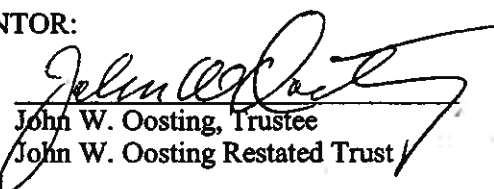
SEE EXHIBIT A attached hereto and incorporated herein.

TOGETHER WITH all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular the said premises, together with the appurtenances, unto the Grantee, and to Grantee's heirs and assigns forever.

DATED this 10th day of October, 2005.

GRANTOR:

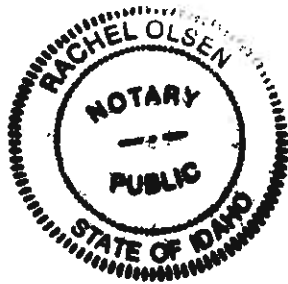

John W. Oosting, Trustee
John W. Oosting Restated Trust

232545

STATE OF IDAHO)
) ss.
County of Blaine)

On this 10th day of October, 2005, before me, the undersigned, a notary public in and for said state, personally appeared John W. Oosting, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his capacity as Trustee of the John W. Oosting Restated Trust dated March 24, 1986, as amended.

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



[Handwritten Signature]
Notary Public for Idaho
Residing at: Blaine County
Comm. expires: 7/2010

Z:\WPDATA\wills\oosting\custer county deed.wpd

QUITCLAIM DEED - 2

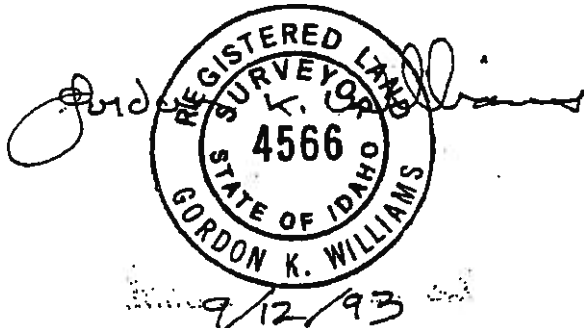
That portion of Homestead Entry Survey (H.E.S.) No. 505 lying south of Copper Basin Road and located within unsurveyed Township 7 North, Range 21 East, Boise Meridian, Custer County, Idaho. Said portion of H.E.S. No. 505 is more particularly described as follows;

Commencing at a Brass Cap marking Corner No. 3 of said H.E.S. No. 505;
thence S 00°33'16" W, 1269.66 feet along the east boundary of H.E.S. No. 505 to a Brass Cap marking Corner No. 4 of H.E.S. No. 505 and the True Point Of Beginning.

Thence S 63°10'00" W, 949.31 feet to a Brass Cap marking Corner No. 5 of H.E.S. No. 505;
thence N 66°55'00" W, 1428.07 feet along the southerly boundary of H.E.S. No. 505 to a point 33 feet south of the center-line of the Copper Basin Road; thence S 84°39'33" E, 1764.15 feet along a line parallel to and 33 feet south of the center-line of Copper Basin Road to a point on the east boundary of H.E.S. No. 505; thence S 00°33'16" W, 172.58 feet to the True Point Of Beginning.

The above described parcel contains 9.68 acres.

This description is based on a survey performed August 28, 1993
by Gordon K. Williams, P.L.S.
at the request of Tom Heinrich



RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
120 Second Ave. North/P O Box 7999
Ketchum, ID 83340

241597
Custer County Rec. of
First American Title Co
Time *2:35 P* M Date *10-2* 2009
Barbara C. Tierney, Clerk
[Signature] 6:00
Deputy

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: 313605K (mgm)

Date: September 24, 2009

For Value Received, **John W. Oosting, Trustee of The John W. Oosting Trust dated September 25, 1970 and amended and restated March 26, 1986 and April 27, 2005 and Margaret H. Oosting, Trustee of The Margaret H. Oosting Trust dated August 31, 1994 and amended and restated April 27, 2005**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Duffy Witmer, a single man**, hereinafter called the Grantee, whose current address is P.O. Box 1321, Carpinteria, CA 93014, the following described premises, situated in Custer County, Idaho, to-wit:

THAT PORTION OF HOMESTEAD ENTRY SURVEY (H.E.S.) NO. 505 LYING SOUTH OF COPPER BASIN ROAD AND LOCATED WITHIN UNSURVEYED SECTION 33, TOWNSHIP 7 NORTH, RANGE 21 EAST, BOISE MERIDIAN, CUSTER COUNTY, IDAHO, SAID PORTION OF H.E.S. NO. 505 IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A BRASS CAP MARKING CORNER NO. 3 OF SAID H.E.S. NO. 505, THENCE S. 00°33'16" W. 1269.66 FEET ALONG THE EAST BOUNDARY OF H.E.S. NO. 505 TO A BRASS CAP MARKING CORNER NO. 4 OF H.E.S. NO. 505 AND THE TRUE POINT OF BEGINNING; THENCE S. 63°10'00" W. 494.31 FEET TO A BRASS CAP MARKING CORNER NO. 5 OF H.E.S. NO. 505; THENCE N. 66°55'00" W. 1428.07 FEET ALONG THE SOUTHERLY BOUNDARY OF H.E.S. NO. 505 TO A POINT 33 FEET SOUTH OF THE CENTERLINE OF THE COPPER BASIN ROAD; THENCE S. 84°39'33" E. 1764.15 FEET ALONG A LINE PARALLEL TO AND 33 FEET SOUTH OF THE CENTERLINE OF THE COPPER BASIN ROAD TO A POINT ON THE EAST BOUNDARY OF H.E.S. NO. 505; THENCE S. 00°33'16" W. 172.58 FEET TO THE TRUE POINT OF BEGINNING.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

241597

John W. Oosting, Trustee of The John W.
Oosting Trust dated September 25, 1970 and
amended and restated March 26, 1986 and
April 27, 2005

John W. Oosting
John W. Oosting, Trustee

Margaret H. Oosting, Trustee of The
Margaret H. Oosting Trust dated August 31,
1994 and amended and restated April 27,
2005

Margaret H. Oosting
Margaret H. Oosting, Trustee

STATE OF Idaho)
) ss.
COUNTY OF Blaine)

On this Sept 30, 2009, before me, a Notary Public in and for said State, personally appeared **John W. Oosting**, known or identified to me to be the person whose name is subscribed to the within instrument as the **Trustee of John W. Oosting Trust**, and acknowledged to me that he/she/they executed the same as such **Trustee**.



Marla G. Mink

Notary Public for the State of Idaho
Residing at: Bellevue, ID
My Commission Expires: 03-02-2015

STATE OF Idaho)
) ss.
COUNTY OF Blaine)

On this Sept 30, 2009, before me, a Notary Public in and for said State, personally appeared **Margaret H. Oosting**, known or identified to me to be the person whose name is subscribed to the within instrument as the **Trustee of Margaret H. Oosting Trust**, and acknowledged to me that he/she/they executed the same as such **Trustee**.



Marla G. Mink

Notary Public for the State of Idaho
Residing at: Bellevue, ID
My Commission Expires: 03-02-2015

LEGAL DESCRIPTIONS

PARCEL 1

A Parcel of land being a portion of HES 505, located within un-surveyed Section 33, Township 7 North, Range 21 East, Blaine Meridian, Custer County, Idaho, said Parcel being more particularly described as follows:

COMMENCING at a 1968 BLM Brass Cap which marks Corner No. 5 of said H.E.S. 505;

thence N 86°54'06" W along the southerly boundary of said H.E.S. 505, 341.02 feet to the REAL POINT OF BEGINNING;

thence N 86°54'06" W along the southerly boundary of H.E.S. 505, 1073.98 feet to the southerly Right of Way of Copper Basin Road as described in Right of Way Deed Instrument #29358, records of Custer County;

thence S 84°40'09" E along said southerly Right of Way, 1089.21 feet;

thence S 16°47'47" W 334.39 feet, to the REAL POINT OF BEGINNING;

Said Parcel contains 4.10 acres more or less.

PARCEL 2

A Parcel of land being a portion of HES 505, located within un-surveyed Section 33, Township 7 North, Range 21 East, Blaine Meridian, Custer County, Idaho, said Parcel being more particularly described as follows:

COMMENCING at a 1968 BLM Brass Cap which marks Corner No. 5 of said H.E.S. 505, said Brass Cap being the REAL POINT OF BEGINNING;

thence N 86°54'06" W along the southerly boundary of said H.E.S. 505, 341.02 feet;

thence N 16°47'47" E 334.39 feet to the southerly Right of Way of Copper Basin Road as described in Right of Way Deed Instrument #29358, records of Custer County;

thence S 84°40'09" E along said southerly Right of Way, 662.87 feet to the southerly boundary of said H.E.S. 505;

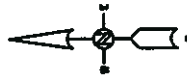
thence S 00°32'46" E along said easterly boundary, 109.16 feet to a 1968 BLM Brass Cap which marks Corner No. 4 of said H.E.S. 505;

thence S 63°09'48" W 464.38 feet to the REAL POINT OF BEGINNING.

Said Parcel contains 5.44 acres more or less.

LEGEND

- Property Boundary
- Found Brass Cap
- Found Aluminum Cap
- Set 3/8" Rebar w/ Cap
- Corner Repercussion Instrument Number

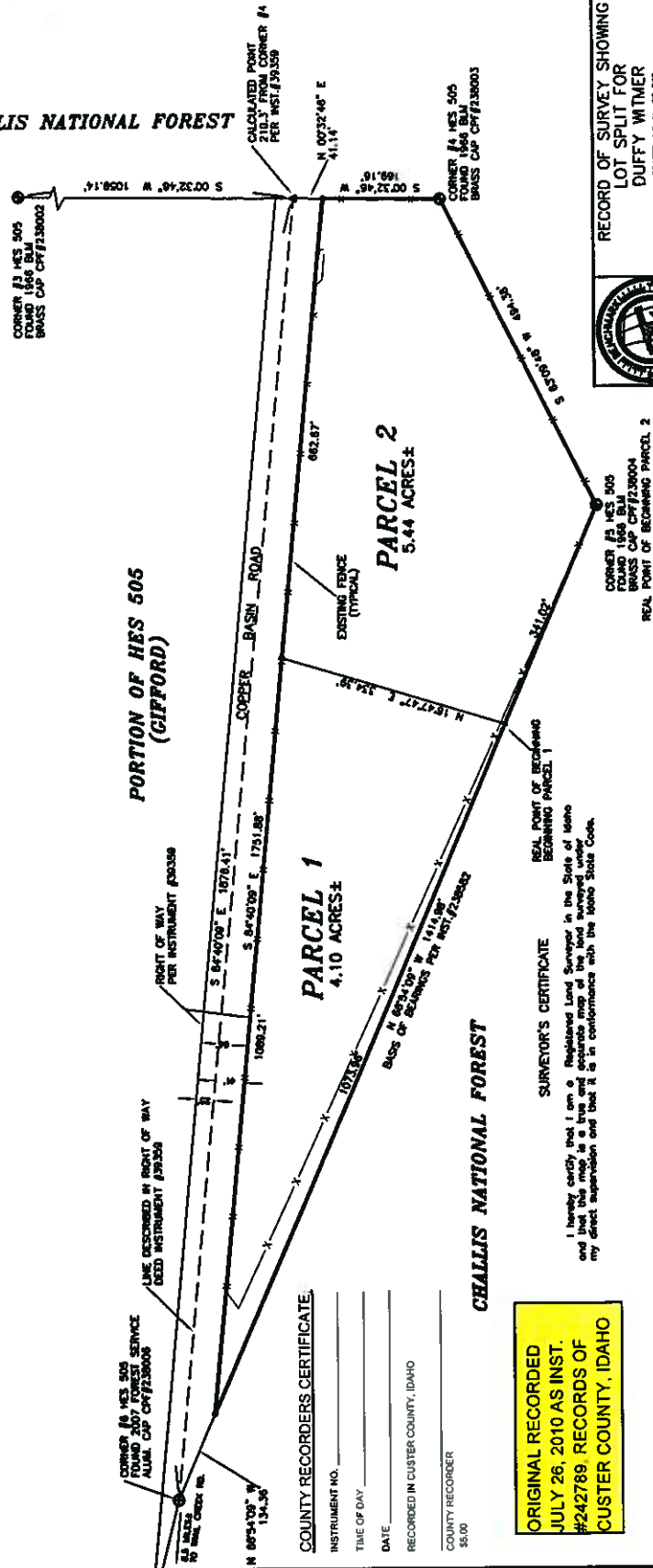


SCALE 1" = 100'

NOTES

1. FILE INFORMATION PROVIDED BY FIRST ALUMINUM TILE COMPANY ORDER #113000 DATED SEPTEMBER 11, 2004.
2. REFERENCE SURVEY: HES 505, BY U.S.F.S.
3. WHEREBY DEED INSTRUMENT DESCRIBES THE PROPERTY PROPERTY LINE (COPPER BASIN ROAD RIGHT OF WAY) AS BEING 33 FEET SOUTH OF AND PARALLEL TO THE CENTERLINE OF COPPER BASIN ROAD. HOWEVER, THE RIGHT OF WAY FOR COPPER BASIN ROAD THAT WAS OWNED TO THE UNITED STATES OF AMERICA, VIA AGRICULTURAL PASTURE, DESCRIBES THE RIGHT OF WAY AS BEING 25 FEET NORTH OF AND 41 FEET SOUTH OF A PROPERTY LINE AS DESCRIBED IN THE DEED INSTRUMENT #29358, RECORDS OF CUSTER COUNTY, IDAHO. THE PROPERTY LINE AS DESCRIBED IN THE DEED INSTRUMENT #29358, RECORDS OF CUSTER COUNTY, IDAHO, WAS DEED (HES 505) HAS RIGHT OF WAY OF HES 505 ASSIGNED TO THE LOSS RIVER MOUNTAIN DISTRICT IN HES 505, 2004.

CHALLIS NATIONAL FOREST



COUNTY RECORDERS CERTIFICATE

INSTRUMENT NO. _____
 TIME OF DAY _____
 DATE _____
 RECORDED IN CUSTER COUNTY, IDAHO _____
 COUNTY RECORDER _____
 \$5.00

ORIGINAL RECORDED
 JULY 26, 2010 AS INST.
 #242789, RECORDS OF
 CUSTER COUNTY, IDAHO

SURVEYOR'S CERTIFICATE

I, hereby certify that I am a Registered Land Surveyor in the State of Idaho and that this map is a true and accurate map of the land surveyed under my direct supervision and that it is in conformance with the Idaho State Code.

RECORD OF SURVEY SHOWING A
 LOT SPLIT FOR
 DUFFY WITMER

SECTION 33 TOWNSHIP 7 NORTH, RANGE 21 EAST
 CUSTER COUNTY, IDAHO

PREPARED FOR: DUFFY WITMER
 RECORD OF SURVEY: DUFFY WITMER
 PROJECT NO. 0150003 PLAT FILE 0150003.DWG SHEET 1 OF 1

DATE: 7/20/10

PREPARED BY: REICHMANN ASSOCIATES, P.A.
 1000 N. 10TH AVE., SUITE 200
 BOISE, IDAHO 83702-1010
 (208) 733-8811, 1-733-8814 (TOLL FREE)
 E-MAIL: reid@reidass.com