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OCT 01 2009

DEPT. OF WATER RESOURCES
SOUTHERN REGION

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

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

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)
PD 37-21130 → 37-22321					
PD 37-21137 → 37-22311					
PD 37-21139 → 37-22316					

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)	Old Cutters, Inc. P.O. Box 4944, Ketchum, Idaho 83340
4. New Owner/Claimant(s)	City of Hailey, Idaho
New Mailing Address	115 S. Main St.
City, State and ZIP Code	Hailey, Idaho 83333
New Telephone Number	(208) 788-4221
Email:	

SUPPORT DATA

IN FILE # 37-22311

March 23, 2009

5. Date you acquired the property _____

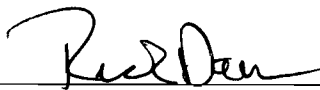
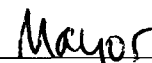
6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water 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)
37-21130 Water Right and/or Adjudication Claim Number		
Irrigation	0.19 CFS	31 acres within the 66 acre place of use
Stock		
Domestic		
Other		
Totals		
37-21137 Water Right and/or Adjudication Claim Number		
Irrigation	1.50 CFS	31 acres within the 66 acre place of use
Stock		
Domestic		
Other		
Totals		
37-21139 Water Right and/or Adjudication Claim Number		
Irrigation	0.18 CFS	31 acres within the 66 acre place of use
Stock		
Domestic		
Other		
Totals	The POU for the 3 rights is changing from agriculture to a subdivision,	

and the 31 acres is comprised of the lot acres, less streets and other amenities,
as shown in the attached plat map.

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) _____

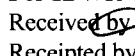



(title if applicable)

(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 
 Received by SRF
 Processed by _____ AJ

Date 10-1-09
 Date 9-30-09
 Date _____

Receipt Amt. \$300
 Receipt No. C089388
 WR _____ Date _____

SCANNED
6/12/09

COPY

GRANT DEED FOR WATER RIGHTS

FOR VALUE RECEIVED, OLD CUTTERS, INC., an Idaho corporation ("Grantor"), whose address is P.O. Box 4944, Ketchum, Idaho 83340, does hereby grant, bargain, sell, convey and assign unto CITY OF HAILEY, IDAHO, a municipal corporation ("Grantee"), whose address is 115 S. Main St., Hailey, Idaho 83333, the following described portions of Water Right Nos. 37-21130, 37-21137 and 37-21139 (hereinafter these portions are referred to as the "Water Rights"):

0.19 cfs of Water Right No. 37-21130, 1.50 cfs of Water Right No. 37-21137 and 0.18 cfs of Water Right 37-21139, used for the irrigation of 31 acres within the 66 acre place of use for such water rights, pursuant to the partial decrees for such water rights issued January 21, 2009 in *In Re SRBA*, Twin Falls District Court Case No. 39576, copies of which are attached hereto as Exhibits A, B and C, respectively.

IN WITNESS WHEREOF, the Grantor has executed this Deed this 23 day of March, 2009.

OLD CUTTERS, INC.

By: J. Campbell
John Campbell, President

STATE OF IDAHO)
) ss.
County of Blaine)

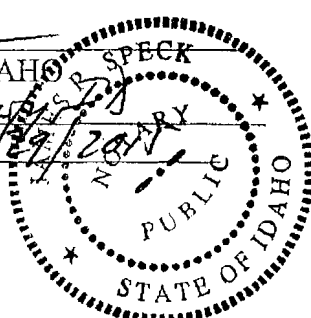
On this 23rd day of March, 2009, before me, a Notary Public for said County and State, personally appeared John Campbell, known or identified to me to be the president of Old Cutters, Inc., and the person who executed the foregoing instrument on behalf of said company and acknowledged to me he executed the same on behalf of said company.

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

Instrument # 567328

HAILEY, BLAINE, IDAHO
3-2009 01:27:30 No. of Pages: 4
Recorded for: CITY OF HAILEY
LYNN DRAGE Fee: 0.00
-Officio Recorder Deputy
ex to: GRANT DEED

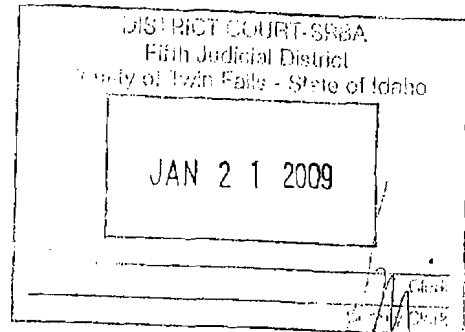
J. D. Speck
NOTARY PUBLIC FOR IDAHO
Residing at: Blaine, Campbell
My commission expires: 1/29/2015



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 19576)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 37-21130



NAME AND ADDRESS: OLD CUTTERS INC
PO BOX 4944
KETCHUM, ID 83340

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 0.41 CFS

PRIORITY DATE: 03/24/1983

POINT OF DIVERSION: T03N R18E S20 SWNW Within Blaine County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	0.41 CFS

PLACE OF USE: Irrigation Within Blaine County

T02N R18E S03	SWSW 20.0	
S04	NESE 21.0	NWSE 3.0
	SESE 22.0	
66.0 Acres Total		

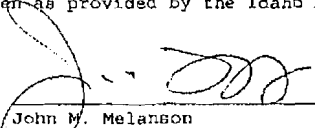
Right Nos. 37-21130, 37-21137, and 37-21139 are limited to the
irrigation of a combined total of 66.0 acres in a single
irrigation season.

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

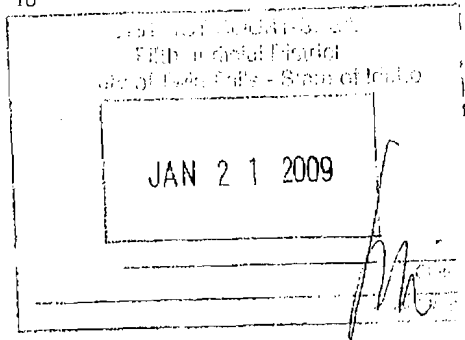
With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance
with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a
final judgment and that the court has and does hereby direct that the above judgment or order shall be a final
judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 37-21137



NAME AND ADDRESS: OLD CUTTERS INC
PO BOX 4944
KETCHUM, ID 83340

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 3.20 CFS

PRIORITY DATE: 03/24/1983

POINT OF DIVERSION: T03N R18E S20 SWNW Within Blaine County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	3.20 CFS

PLACE OF USE:	Irrigation	Within Blaine County
	T02N R18E S03	SWSW 20.0
	S04	NESE 21.0 NWSE 3.0
	SESE 22.0	
	66.0 Acres Total	

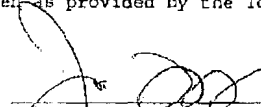
Right Nos. 37-21130, 37-21137, and 37-21139 are limited to the
irrigation of a combined total of 66.0 acres in a single
irrigation season.

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance
with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a
final judgment and that the court has and does hereby direct that the above judgment or order shall be a final
judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 37-21139

THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO
County of Twin Falls - State of Idaho

JAN 21 2009

NAME AND ADDRESS: OLD CUTTERS INC
PO BOX 4944
KETCHUM, ID 83340

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 0.39 CPS

PRIORITY DATE: 03/24/1883

POINT OF DIVERSION: T03N R18E S20 SWNW Within Blaine County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	0.39 CPS

PLACE OF USE:	Irrigation	SWNW	Within Blaine County
	T02N R18E S03	SWSW 20.0	
	S04	NESE 21.0	NWSE 3.0
		SESE 22.0	
	66.0 Acres Total		

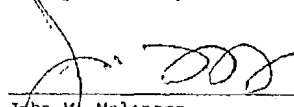
Right Nos. 37-21130, 37-21137, and 37-21139 are limited to the
irrigation of a combined total of 66.0 acres in a single
irrigation season.

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance
with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a
final judgment and that the court has and does hereby direct that the above judgment or order shall be a final
judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

SCANNED
6/12/09

COPY

WHEN RECORDED RETURN TO:

Instrument # 567327

HAILEY, BLAINE, IDAHO

5-13-2008 01:21:45 No. of Pages: 1

Recorded for: CITY OF HAILEY

JOLYNN DRAGE

Fee: 0.00

Ex-Officio Recorder Deputy

Index to: PARTIAL SATISFACTION OF MORTGAGE

76

PARTIAL RELEASE OF MORTGAGE

MOUNTAIN WEST BANK, as mortgagee under that Mortgage granted by OLD CUTTERS, INC., dated December 4, 2006, recorded on December 4, 2006 as Instrument No. 542505, records of Blaine County, Idaho, modified on October 10, 2008 by that Modification of Mortgage, recorded October 14, 2008 as Instrument No. 562232, records of Blaine County, Idaho, and modified again on November 10, 2008 by that Modification of Mortgage, recorded on November 10, 2008 as Instrument No. 562846, records of Blaine County Idaho (collectively the "Mortgage"), releases from the lien of the Mortgage the following described water rights:

0.19 cfs of Water Right No. 37-21130, 1.5 cfs of Water Right No. 37-21137 and 0.18 cfs of Water Right 37-21139, used for the irrigation of 31 acres within the 66 acre place of use for such water rights, pursuant to the partial decrees for such water rights issued January 21, 2009 in *In Re SRBA*, Twin Falls District Court Case No. 39576.

In all other respects, the Mortgage remains in full force and effect on the property that is not released.

DATED: March 19, 2009.

MOUNTAIN WEST BANK

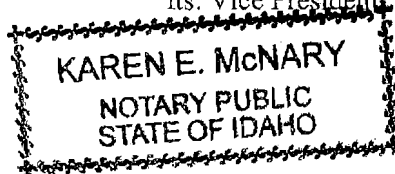
By:

Dale Chaney

Dale Chaney

Its: Vice President

STATE OF IDAHO)
)
County of Blaine) ss.



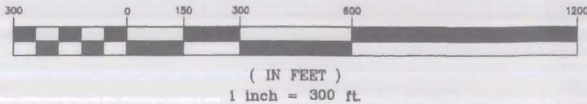
On this 19 day of MARCH, 2009, before me KAREN E. McNary, a notary public in and for the State of Idaho, personally appeared DALE CHANEY, known or identified to me (or proved to me on the oath of _____), to be vice president and authorized agent for MOUNTAIN WEST BANK that executed the within and foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of MOUNTAIN WEST BANK, duly authorized by MOUNTAIN WEST BANK through its board of directors or otherwise, for the uses and purposes therein mentioned, and on oath stated that he or she is authorized to execute said instrument and in fact executed this said instrument on behalf of MOUNTAIN WEST BANK.

Karen E. McNary
Notary Public for Idaho
Residing at: Hailey, ID
Commission expires: 9-28-10

A PLAT SHOWING
OLD CUTTERS SUBDIVISION

A REPLAT OF LOTS 1A, 2A, 3 & 4, A REPLAT OF DREXLER RANCH SUBDIVISION, AND A PORTION OF LOT 4, BUCKHORN SUBD. 2ND ADDITION
LOCATED WITHIN SECTIONS 3 & 4, T.2 N., R.18 E., B.M., CITY OF HAILEY, BLAINE COUNTY, IDAHO

OCTOBER 2007
GRAPHIC SCALE



LEGEND

- SUBDIVISION BOUNDARY
- LOT LINES
- INTERIOR ROAD CENTERLINES
- EXTERIOR ROAD CENTERLINES
- RED AVALANCHE ZONE BY ALPINE
- BLUE AVALANCHE ZONE BY ALPINE
- PONDS/CANALS
- SHARED ACCESS EASEMENT AS SHOWN
- CENTERLINE EXISTING CANALS
- 20' CANAL MAINTENANCE EASEMENT
- 30' HIGH DITCH MAINTENANCE EASEMENT
- BLAINE COUNTY GIS CONTROL AND TIES
- WATER WORKS & POND ACCESS AND MAINTENANCE EASEMENT
- BLM LAND
- FOUND SURVEY MONUMENT
- SET 5/8" REBAR
- PROPOSED BRIDGE

PARCEL TABLE

PARCEL	DESCRIPTION	AREA
A	PUBLIC PARK	5.08 Ac.
B	OPEN SPACE	77.10 Ac.
C	10' PUBLIC PEDESTRIAN ESMT., 20' HIAWATHA CANAL ESMT. & 20' PED. & DRIVEWAY R.O.W. = COMMON AREA	1.53 Ac.
D	26' PUBLIC ALLEY & 20' HIAWATHA CANAL ESMT. = COMMON AREA	.66 Ac.
E	36' PRIVATE STREET & PUBLIC ACCESS EASEMENT = COMMON AREA	.42 Ac.

NOTES

- 1) BASIS OF BEARINGS IS IDAHO STATE PLANE COORDINATE SYSTEM, NAD83(1992) AT GRID IN US SURVEY FEET. COMBINED PROJECT SCALE FACTOR IS 0.999701, GROUND DISTANCES WILL BE SLIGHTLY LONGER.
- 2) SEE PAGE 4 FOR ADDITIONAL NOTES.

HEALTH CERTIFICATE: Sanitary restrictions as required by Idaho Code Title 50, Ch. 13, have been satisfied. Sanitary restrictions may be reimposed in accordance with Idaho Code Title 50, Ch. 13, Sec. 50-1326, by issuance of a Certificate of Disapproval.

11-27-2007
Date

Robert McNamee
South Central District Health Dept., EHS

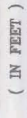


OLD CUTTERS SUBDIVISION

OCTOBER 2007

(IN FEET)

(IN FEET)



SUBDIVISION BOUNDARY

- SUBDIVISION BOUNDARY



6S9 | S10

OLD CUTTERS SUBDIVISION
ALPINE ENTERPRISES INC.
KETCHUM, IDAHO
SHEET 2 OF 5

A PLAT SHOWING
OLD CUTTERS SUBDIVISION

A REPLAT OF LOTS 1A, 2A, 3 & 4, A REPLAT OF DREXLER RANCH SUBDIVISION, AND A PORTION OF LOT 4, BUCKHORN SUBD. 2ND ADDITION
LOCATED WITHIN SECTIONS 3 & 4, T.2 N., R.18 E., B.M., CITY OF HAILEY, BLAINE COUNTY, IDAHO
OCTOBER 2007

NOTES

3) A 10' WIDE PUBLIC UTILITY EASEMENT EXISTS ON BOTH SIDES OF ALL PUBLIC STREETS WITHIN THE LOTS. THE ENTIRE PRIVATE STREET IS A PUBLIC UTILITY EASEMENT FOR THE BENEFIT OF LOT 12, BLOCK 2 AND LOT 2, BLOCK 3, AND NON-MOTORIZED PUBLIC ACCESS EASEMENT TO PARCEL B. A 13' SNOW STORAGE EASEMENT EXISTS WITHIN THE RIGHT OF WAY ON BOTH SIDES OF ALL 60' PUBLIC ROADWAYS. ON THE SOUTH SIDE OF THE 36' WIDE PRIVATE STREET A 5' SNOW STORAGE EASEMENT EXISTS, BETWEEN THE EDGE OF PAVEMENT AND THE SIDEWALK, ON THE NORTH SIDE OF THE PRIVATE ROADWAY A 6' WIDE SNOW STORAGE EASEMENT EXISTS WITHIN THE ROAD R.O.W., AND A 4' WIDE SNOW STORAGE EASEMENT EXISTS ADJACENT TO THE R.O.W. ON THE PRIVATE PROPERTY. ALL ALLEYS HAVE A 9' WIDE SNOW STORAGE EASEMENT ON EACH SIDE, 5' OF WHICH EXISTS ON ADJACENT PRIVATE PROPERTY AND 4' OF WHICH IS WITHIN THE PRIVATE ALLEY RIGHT OF WAY. THE PRIVATE ALLEYS ARE COMMON AREA.

4) THIS SUBDIVISION IS SUBJECT TO THE HIAWATHA CANAL/OLD CUTTERS SUBDIVISION MAINTENANCE AGREEMENT RECORDED AS INSTRUMENT NO. 548870, IN THE RECORDS OF BLAINE COUNTY, IDAHO. THIS AGREEMENT PROVIDES, WITHOUT LIMITATION, THAT (a) THE HOMEOWNERS ASSOCIATION SHALL BE RESPONSIBLE FOR MAINTENANCE OF THOSE PORTIONS OF THE HIAWATHA CANAL WITHIN THE SUBDIVISION, EXCEPT FOR SILT REMOVAL, (b) THE CANAL USERS HAVE THE RIGHT TO PLACE SILT AND DEBRIS REMOVED FROM THE HIAWATHA CANAL WITHIN THE CANAL EASEMENT SHOWN ON THIS PLAT AND IT IS THE RESPONSIBILITY OF THE ADJACENT LOT OWNER TO REMOVE SAME IF THEY WISH TO DO SO, AND (c) NO STRUCTURES OR FENCE SHALL BE CONSTRUCTED WITHIN THE CANAL EASEMENT AND ADDITIONAL SETBACKS SHOWN ON THE PLAT. CONSULT THE AGREEMENT FOR A COMPLETE LIST OF RIGHTS, RESPONSIBILITIES AND RESTRICTIONS WITH REGARD TO THE HIAWATHA CANAL. THE WESTERLY 10' OF THE CANAL EASEMENT LIES WITHIN BUTTERCUP SUBDIVISION, WITH THE REMAINING 20' WITHIN THE BOUNDARY OF OLD CUTTERS SUBDIVISION.

5) THIS SUBDIVISION IS SUBJECT TO THE HIAWATHA HIGH DITCH/OLD CUTTERS SUBDIVISION MAINTENANCE AGREEMENT RECORDED AS INSTRUMENT NO. 548869, IN THE RECORDS OF BLAINE COUNTY, IDAHO. THIS AGREEMENT PROVIDES, WITHOUT LIMITATION, THAT (A) THE HOMEOWNERS ASSOCIATION SHALL BE RESPONSIBLE FOR MAINTENANCE OF THOSE PORTIONS OF THE HIGH DITCH WITHIN THE SUBDIVISION, EXCEPT FOR SILT REMOVAL, (B) THE HIGH DITCH CANAL USERS HAVE THE RIGHT TO PLACE MATERIALS REMOVED FROM THE HIGH DITCH WITHIN OR OUTSIDE OF THE HIGH DITCH CANAL EASEMENT SHOWN ON THIS PLAT AND IT IS THE RESPONSIBILITY OF THE ADJACENT LOT OR PARCEL OWNERS TO REMOVE SAME IF THEY WISH TO DO SO AND, (C) NO STRUCTURE OR FENCE SHALL BE CONSTRUCTED OUTSIDE OF THE BUILDING ENVELOPES SHOWN ON THE PLAT FOR THOSE LOTS ADJACENT TO THE HIGH DITCH EASEMENT. CONSULT THE AGREEMENT FOR A COMPLETE LIST OF RIGHTS, RESPONSIBILITIES AND RESTRICTIONS WITH REGARD TO THE HIGH DITCH. NO STRUCTURE, FENCE OR OTHER IMPROVEMENT SHALL BE CONSTRUCTED WITHIN TEN (10) FEET OF THE HIGH DITCH CANAL EASEMENT ON ANY PARCEL OR LOT WITHIN THE SUBDIVISION ADJACENT TO THE HIGH DITCH.

6) THE 20' WIDE DRIVEWAY EASEMENTS SHOWN ARE SHARED BY THE LOTS THAT SPLIT THE EASEMENT AREA. LOTS WITH PLATTED DRIVEWAY EASEMENTS SHALL ACCESS ONLY THROUGH THESE SHARED DRIVEWAY EASEMENTS.

7) NO MORE THAN ONE-HALF ACRE OF ANY SINGLE FAMILY LOT IN THE SUBDIVISION MAY BE IRRIGATED BY HAILEY CITY WATER.

8) PARCEL A IS A PUBLIC PARK AND IS UNBUILDABLE, EXCEPT FOR RESTROOMS, PLAY STRUCTURES, PICNIC SHELTERS, OR OTHER SUCH RECREATIONAL STRUCTURES, AND BRIDGES. PARCEL B WILL BE CONVEYED TO THE CITY OF HAILEY.

9) A 26' WIDE ACCESS AND MAINTENANCE EASEMENT EXISTS CENTERED ON THE PROPERTY LINE BETWEEN LOTS 4 & 5, BLOCK B, AND A 15' WIDE ACCESS EASEMENT EXISTS ON LOT 14, BLOCK 2, FOR NON-MOTORIZED PUBLIC ACCESS TO PARCEL B.

10) THE TRAIL ON THE EAST SIDE OF THE HIGH DITCH IS A 3 SEASON TRAIL AND WILL BE CLOSED IN THE WINTER FOR BIG GAME HABITAT.

11) THIS PROPERTY IS ADJACENT TO ACTIVE PRODUCTIVE AGRICULTURAL LAND. RESIDENTS AND PURCHASERS SHOULD BE AWARE THAT AGRICULTURAL PRACTICES AND OPERATIONS OCCURRING DAY AND NIGHT ARE ALLOWED AND MAY RESULT IN DUST, ODORS, USE AND APPLICATION OF AGRICULTURAL CHEMICALS, SPRAYING, GROUND PREPARATION, HARVESTING, ETC. IN ADDITION, THE ROADS ACCESSING THIS PROPERTY ARE USED BY AGRICULTURAL VEHICLES. SUCH PRACTICES AND USES ARE NORMAL FUNCTIONS ON AGRICULTURAL LANDS AND ARE NOT CONSIDERED NUISANCES.

12) THERE SHALL BE NO FURTHER SUBDIVISION OF SINGLE FAMILY LOTS. COTTAGE AND DUPLEX LOTS SHALL BE FURTHER SUBDIVIDED PURSUANT TO ORDINANCE 821.

13) AVALANCHE LINES SHOWN ARE PER ALPINE ENTERPRISES INC., NO PERMANENT STRUCTURES SHALL BE PLACED WITHIN THE AVALANCHE ZONES AND THE AREAS SHOULD BE AVOIDED DURING WINTER MONTHS.

14) LOTS SHOWN WITH BUILDING ENVELOPES ARE INTENDED TO INSURE THAT NO IMPROVEMENTS ARE CONSTRUCTED IN HILLSIDE OVERLAY AND AVALANCHE AREAS. ALL PERMANENT STRUCTURES SHALL BE WITHIN THE DESIGNATED BUILDING ENVELOPES AS SHOWN

15) ALL FENCES WITHIN BLOCKS 1, 2, 3, B, AND 12 SHALL COMPLY WITH STATE OF IDAHO FISH AND GAME RECOMMENDATIONS THAT THE TOP STRAND LINE OF THE FENCE SHALL BE NO GREATER THAN 38 INCHES AND THE LOWEST STRAND SHALL BE AT LEAST 16 INCHES ABOVE GROUND.

16) TWO ADDITIONAL PARKING SPACES ARE REQUIRED PER DWELLING UNIT FOR ALL DWELLINGS ON PRIVATE STREETS (LOT 1, BLOCK 3 & LOTS 13 & 14, BLOCK 2).

17) ACCESS TO GARAGES ON ALL LOTS ADJACENT TO AN ALLEY SHALL BE FROM THE ADJACENT ALLEY.

18) A SEWER LINE EASEMENT AGREEMENT EXISTS BETWEEN MARATHON PARTNERS, OLD CUTTERS INC. AND THE CITY OF HAILEY; RECORDED IN BLAINE COUNTY AS INSTRUMENT #546901.

19) CONDITIONS, COVENANTS, AND RESTRICTIONS FOR OLD CUTTERS SUBDIVISION ARE RECORDED IN BLAINE COUNTY AS INSTRUMENT #552633

20) LOT OWNERS ARE RESPONSIBLE FOR CONTROL OF NOXIOUS WEEDS PER STATE REGULATIONS.

21) LOT OWNERS MAY NOT RESTRICT THE FLOW OF WATER WITHIN ANY OF THE CANALS, DITCHES OR PONDS. THIS INCLUDES BUT IS NOT LIMITED TO PLANTING OF REEDS, RUSHES, CATTAILS, AND COTTONWOODS.

22) PURSUANT TO SECTION 4.11 OF HAILEY ORDINANCE 821, FUTURE TOWNHOUSE AND COTTAGE PLATS SHALL DESIGNATE DEED RESTRICTED SUBLOTS.

23) PARCEL C IS THE 20' HIAWATHA CANAL EASEMENT, THE ADJACENT 10' PEDESTRIAN EASEMENT AND THE 20' PEDESTRIAN AND DRIVEWAY R.O.W. EXCLUSIVE OF DEDICATED ROADS AND IS TO BE OWNED BY THE HOMEOWNERS ASSOCIATION.

24) PARCEL D IS THE 28' PRIVATE ALLEY AND THE ADJACENT 20' HIAWATHA CANAL EASEMENT EXCLUSIVE OF DEDICATED ROADS AND IS TO BE OWNED BY THE HOMEOWNERS ASSOCIATION.

25) THE WATERWORKS AND POND MAINTENANCE EASEMENT DESIGNATED ON THE PLAT IS FOR THE CITY OF HAILEY AND OLD CUTTERS HOMEOWNERS ASSOCIATION, INC. TO ACCESS AND MAINTAIN THE DITCHES, PONDS, PUMPS, AND PIPELINES WHICH DELIVER, CARRY AND STORE WATER FROM THE HIGH DITCH THROUGH LOTS 13 AND 14, BLOCK 2, LOTS 1, B AND 9, BLOCK 3, AND LOTS 14 AND 15, BLOCK 1 TO THE HIAWATHA CANAL FOR IRRIGATION AND AESTHETIC PURPOSES.

26) THE HOMEOWNERS ASSOCIATION WILL BE RESPONSIBLE FOR THE MAINTENANCE OF THE CULVERT UNDER THE PRIVATE STREET AND THE CULVERT UNDER CD OLENA DRIVE.

CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD DIR.
C1	67.14	210.00	18°19'03"	33.86	66.85	S80°40'41"W
C2	57.98	210.00	15°49'08"	29.18	57.80	N82°15'13"W
C3	58.04	210.00	15°50'11"	29.21	57.86	N66°25'34"W
C4	102.16	210.00	27°52'27"	52.11	101.16	N44°34'15"W
C5	16.85	110.00	8°46'33"	8.44	16.83	S30°42'15"E
C6	21.44	140.00	8°46'33"	10.74	21.42	S30°42'15"E
C7	26.04	170.00	8°46'33"	13.04	26.01	S30°42'15"E
C8	51.00	170.00	17°11'16"	25.69	50.81	N26°29'54"W
C9	60.00	200.00	17°11'16"	30.22	59.77	N26°29'54"W
C10	55.05	230.00	13°42'48"	27.66	54.92	N28°14'08"W
C11	8.02	420.00	1°05'38"	4.01	8.02	S18°27'05"E
C12	36.02	420.00	4°54'52"	18.02	36.01	S21°27'20"E
C13	120.35	450.00	15°19'24"	60.54	119.99	S25°33'58"E
C14	21.42	480.00	2°33'24"	10.71	21.42	S19°10'58"E
C15	20.01	480.00	2°23'18"	10.01	20.01	S21°39'19"E
C16	86.95	480.00	10°22'42"	43.59	86.83	S28°02'19"E
C17	68.28	420.00	9°18'54"	34.22	68.21	S28°34'13"E
C18	29.77	87.23	19°33'07"	15.03	29.62	S76°59'26"W
C19	17.23	37.79	26°07'05"	8.77	17.08	S76°59'26"W
C20	69.67	94.37	42°18'04"	36.51	68.10	N66°01'21"E
C21	24.55	130.37	10°47'23"	12.31	24.51	N81°45'22"E
C22	18.43	18.00	58°39'28"	10.11	17.63	N74°18'35"W
C23	31.42	20.00	90°00'00"	20.00	28.28	S00°01'09"W
C24	80.03	1080.00	4°14'44"	40.03	80.01	N31°06'18"W
C25	106.52	1020.00	5°59'00"	53.31	106.47	N30°14'10"W
C26	100.07	1020.00	5°37'16"	50.07	100.03	N24°26'02"W
C27	107.20	1080.00	5°41'14"	53.64	107.16	N26°08'19"W
C28	106.15	1080.00	5°37'53"	53.12	106.11	N20°28'46"W
C29	100.32	1020.00	5°38'06"	50.20	100.27	N18°48'21"W
C30	35.87	1020.00	2°00'53"	17.94	35.87	N14°58'52"W
C31	69.55	1080.00	3°41'24"	34.79	69.54	N15°49'07"W
C32	67.92	430.00	9°03'00"	34.03	67.85	S18°29'55"E
C33	63.18	400.00	9°03'00"	31.66	63.12	S18°29'55"E
C34	58.44	370.00	9°03'00"	29.28	58.38	S18°29'55"E
C35	29.45	20.00	84°21'28"	18.12	26.86	N19°09'19"E
C36	31.23	20.00	89°27'49"	19.81	28.15	S67°45'20"E
C37	3.30	200.00	0°56'45"	1.65	3.30	S61°48'25"W
C38	18.27	200.00	5°13'58"	9.14	18.26	S64°53'47"W
C39	33.39	20.00	95°38'32"	22.07	29.64	N70°50'41"W
C40	31.60	20.00	90°32'11"	20.19	28.42	S22°14'40"W
C41	30.36	200.00	8°41'52"	15.21	30.33	N18°40'29"W
C42	49.89	200.00	14°17'37"	25.08	49.76	N07°10'44"W
C43	56.18	140.00	22°59'29"	28.47	55.80	N11°31'40"W
C44	39.67	20.00	113°38'41"	30.59	33.48	N56°47'24"E
C45	83.45	230.00	20°47'20"	42.19	82.99	N76°46'55"W
C46	9.05	230.00	2°15'16"	4.53	9.05	N88°18'13"W
C47	37.25	170.00	12°33'11"	18.70	37.17	N83°09'15"W
C48	31.13	170.00	10°29'25"	15.61	31.08	N71°37'58"W
C49	23.16	20.00	66°21'19"	13.08	21.89	S33°12'36"E
C50	51.58	125.00	23°38'41"	26.16	51.22	S78°12'36"E
C51	39.20	95.00	23°38'41"	19.89	38.93	S78°12'36"E
C52	47.89	155.00	17°42'05"	24.14	47.70	S75°14'18"E
C53	29.34	20.00	84°03'24"	18.03	26.78	N42°03'38"W
C54	31.42	20.00	90°00'00"	20.00	28.28	S44°58'04"W
C55	31.42	20.00	90°00'00"	20.00	28.28	N44°58'04"E
C56	31.42	20.00	90°00'00"	20.00	28.28	S45°01'56"E
C57	30.78	260.00	6°47'00"	15.41	30.76	N03°25'26"W
C58	17.56	200.00	5°01'47"	8.78	17.55	N02°32'49"W
C59	62.70	200.00	17°57'42"	31.61	62.44	N14°02'34"W
C60	54.94	260.00	12°06'24"	27.57	54.84	N12°52'08"W
C61	18.61	260.00	4°06'05"	9.31	18.61	N20°58'23"W
C62	31.23	20.00	89°27'49"	19.81	28.15	N67°45'20"W
C63	31.60	20.00	90°32'11"	20.19	28.42	S22°14'40"W
C64	31.23	20.00	89°27'49"	19.81	28.15	N67°45'20"W
C65	31.60	20.00	90°32'11"	20.19	28.42	S22°14'40"W

C66	54.89	200.00	15°43'26"	27.62	54.71	N15°09'42"W
C67	25.37	200.00	7°16'03"	12.70	25.35	N03°39'57"W
C68	41.39	260.00	9°07'19"	20.74	41.35	N18°27'46"W
C69	45.22	260.00	9°57'53"	22.67	45.16	N08°55'09"W
C70	17.72	260.00	3°54'17"	8.86	17.72	N01°59'04"W
C71	31.42	20.00	90°00'00"	20.00	28.28	N44°58'04"E
C72	31.42	20.00	90°00'00"	20.00	28.28	S45°01'56"E
C73	31.42	20.00	90°00'00"	20.00	28.28	N45°01'56"W
C74	31.42	20.00	90°00'00"	20.00	28.28	S44°58'04"W
C75	31.42	20.00	90°00'00"	20.00	28.28	N45°01'56"W
C76	62.83	80.00	45°00'00"	33.14	61.23	N67°31'56"W
C77	62.83	80.00	45°00'00"	33.14	61.23	N22°31'56"W
C78	78.54	50.00	90°00'00"	50.00	70.71	N45°01'56"W
C79	87.08	217.00	22°59'29"	44.13	86.49	N11°31'40"W
C80	39.21	243.00	9°14'43"	19.65	39.17	N18°24'04"W
C81	45.96	243.00	10°50'13"	23.05	45.89	N08°21'36"W
C82	31.07	217.00	8°12'17"	15.56	31.05	N18°55'16"W
C83	76.27	243.00	17°59'01"	38.45	75.96	N14°01'55"W
C84	56.00	217.00	14°47'12"	28.16	55.85	N07°25'32"W
C85	21.24	243.00	5°00'28"	10.63	21.23	N02°32'10"W
C86	2.38	217.00	0°37'38"	1.19	2.38	N22°42'36"W
C87	69.65	217.00	18°23'28"	35.13	69.36	N13°12'03"W
C88	15.05	217.00	3°58'23"	7.53	15.04	N02°01'07"W
C89	3.45	243.00	0°48'49"	1.73	3.45	N00°26'20"W
C90	58.51	243.00	13°47'42"	29.40	58.37	N07°44'36"W
C91	35.55	243.00	8°22'58"	17.81	35.52	N18°49'56"W
C92	72.95	200.00	20°53'59"	36.89	72.55	N10°28'55"W
C93	7.30	200.00	2°05'30"	3.65	7.30	N21°58'40"W
C94	68.97	260.00	15°11'53"	34.69	68.76	N07°37'52"W
C95	35.37	260.00	7°47'36"	17.71	35.34	N19°07'37"W
C96	124.91	80.00	89°27'49"	79.25	112.61	N67°45'20"W
C97	78.07	50.00	89°27'49"	49.53	70.38	N67°45'20"W
C98	31.23	20.00	89°27'49"	19.81	28.15	N67°45'20"W
C99	80.44	200.00	23°02'36"	40.77	79.90	N77°54'33"W
C100	13.95	230.00	3°28'28"	6.98	13.94	N19°38'30"W
C101	12.34	243.00	2°54'33"	6.17	12.34	N01°29'13"W
C102	31.42	20.00	90°00'00"	20.00	28.28	N44°58'04"E
C103	31.42	20.00	90°00'00"	20.00	28.28	S45°01'56"E
C104	15.82	210.00	4°19'02"	7.92	15.82	N28°28'30"W
C105	107.94	1280.00	4°49'53"	54.00	107.90	N30°28'04"W
C106	107.14	1280.00	4°47'45"	53.60	107.11	N25°39'14"W
C107	43.11	1280.00	1°55'46"	21.55	43.10	N22°17'28"W
C108	63.00	1280.00	2°49'12"	31.51	62.99	N19°54'58"W
C109	101.26	1280.00	4°31'58"	50.66	101.24	N16°14'24"W

LINE TABLE		
LINE	LENGTH	BEARING
L1	36.57	S00°44'06"W
L2	56.55	S89°41'18"E
L3	30.10	N71°31'09"E
L4	30.10	N71°31'09"E
L5	29.02	N71°31'09"E
L6	33.81	S71°31'09"W
L7	17.74	S26°18'59"E
L8	7.41	S35°05'32"E
L9	20.52	N26°18'59"W
L10	24.09	N66°57'18"E
L11	27.33	N66°57'18"E
L12	3.42	N

CERTIFICATE OF OWNERSHIP

This is to certify that the undersigned is the owner in fee simple of the following described parcels of land:
Parcels of land located within Sections 3 & 4, Township 2 North, Range 18 East, Boise Meridian, City of Halley, Blaine County, Idaho; more particularly described as follows:

LOTS 1A, 2A, 3 & 4, A REPLAT OF DREXLER RANCH SUBDIVISION AND, A PARCEL OF LAND WITHIN THE SW¼ OF THE NE¼, SECTION 4, T.2N., R.18E., B.M., AND ALSO WITHIN LOT 4 BUCKHORN SUBDIVISION SECOND ADDITION, BLAINE COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT A BLM BRASS CAP MARKING THE SOUTHEAST CORNER OF SAID SW¼ OF THE NE¼, WHICH CORNER IS ALSO THE CE ¼ CORNER OF SAID SECTION 4 AND WHICH POINT IS THE REAL POINT OF BEGINNING:
THENCE NORTH 89°42'50" WEST 291.01 FEET TO THE NORTHWEST CORNER OF THE DREXLER RANCH;
THENCE NORTH 23°17'51" WEST 37.31 FEET ALONG THE CENTERLINE OF THE HIAWATHA CANAL AND ALONG THE SOUTHERLY BOUNDARY OF SAID LOT 4, BUCKHORN SUBDIVISION SECOND ADDITION;
THENCE NORTH 89°50'20" EAST 306.07 FEET ALONG A FENCE TO THE EAST BOUNDARY OF SAID SW¼ OF THE NE¼, SAID SECTION 4;
THENCE SOUTH 0°27'55" WEST 36.58 FEET ALONG SAID EAST BOUNDARY OF THE SW¼ OF THE NE¼, SECTION 4 TO THE POINT OF BEGINNING, CONTAINING 0.24 ACRES, MORE OR LESS; TO BE REPLATTED AS OLD CUTTERS SUBDIVISION.

The Easements indicated hereon are not dedicated to the Public unless specifically designated on the Plat, and the right to use said Easements is hereby reserved for the Public Utilities and for any other uses indicated hereon and no permanent structures are to be erected within the lines of said Easement. We do hereby certify that all Lots in this Plat will be eligible to receive water service from an existing water distribution system and that the existing water distribution system has agreed in writing to serve all of the lots shown within this plat, subject to Note 7 of this plat. Except as otherwise shown on this plat, the Roadways shown hereon as PUBLIC are Dedicated to the City of Halley.

It is the intent of the owner, OLD CUTTERS, INC., an Idaho Corporation, to hereby include said land in this plat.

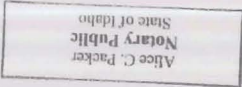
OLD CUTTERS, INC., an Idaho Corporation

By: J. C. W.
JOHN CAMPBELL, PRESIDENT

ACKNOWLEDGMENT

STATE OF Idaho)
COUNTY OF Blaine) ss
On this 22 day of October, 2007, before me, a Notary Public in and for said State, personally appeared John Campbell, President of Old Cutters Inc., known or identified to me, to be the Corporation executed the instrument, and acknowledged to me that such Corporation 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.



Alice C. Packer
Notary Public in and for said State
Residing at
Ketchum
August 24, 2007
My Commission Expires

SURVEYOR'S CERTIFICATE

I, Bruce Smith, a duly licensed Professional Land Surveyor in the State of Idaho, do hereby certify that this plat, is a true and accurate map of the land surveyed under my direct supervision and that it is in accordance with the Idaho State Code relating to plats and surveys.



COUNTY SURVEYOR'S APPROVAL

I, Jim W. Koonce, County Surveyor for Blaine County, Idaho, have checked the foregoing plat and computations for making the same and have determined that they comply with the laws of the State of Idaho relating thereto.

Jim W. Koonce 10/23/07
Jim W. Koonce

APPROVAL OF CITY COUNCIL

The foregoing plat was approved and the dedication of the Public Roadways accepted by the City Council and Mayor of Halley on this 26th day of November, 2007.

Heather Dawson
City Clerk

CITY ENGINEER'S APPROVAL

The foregoing plat was approved by James Halley City Engineer for the City of Halley on this 26th day of November, 2007.

James Halley
City Engineer

COUNTY TREASURER'S APPROVAL

The taxes on the foregoing parcel of land have been paid to this date and this plat of OLD CUTTERS SUBDIVISION, is hereby approved this 27 day of November, 2007.

William A. Webb
Blaine County Treasurer

COUNTY RECORDER'S CERTIFICATE

STATE OF IDAHO)
COUNTY OF BLAINE) ss
This is to certify that the foregoing plat was filed in the office of the Recorder of Blaine County, Idaho, on this _____ day of _____, 2007, at _____ M., and duly recorded in Plat Book _____, Instrument # 553634

HALEY, BLAINE, IDAHO
2007-11-29 10:02:00 No. of Pages: 5
Recorded for: ALPINE ENTERPRISES INC
JOLYNN DRAGE
Ex-Officio Recorder Deputy
Fee: 14.00

Ex-officio Recorder