

RECEIVED

AUG 22 2005

WATER RESOURCES
WESTERN 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 division of the existing water right or adjudication claim record will be required.

Water Right No(s)	Adjudication Claim No(s)	Split	Water Right No(s)	Adjudication Claim No(s)	Split
65-00718	65-00718				

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** of other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**. See Attachment I for a list of the four relevant deeds.
- 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(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county)
OR
 If your water right(s) and/or adjudication claim(s) is for ten or more acres or irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) State of Idaho, Department of Lands
Statehouse
Boise, ID 83720
4. New Owner/Claimant(s) State of Idaho, Department of Parks and Recreation
 Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
 New Mailing Address PO Box 83720
 City, State and ZIP Code Boise, ID 83720--0065
 New Telephone Number (208) 334-4199
5. Date you acquired the property 11/13/2000 (0.7793859 interest); 3/27/2001 (remaining 0.2206141 interest)

- 6 If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners you must describe in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF YOUR WATER RIGHT (If the right(s) will not be split, skip this area and proceed to Item 7)		
Water Right and/or Adjudication Claim Number NOT APPLICABLE		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, home etc.)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF YOUR WATER RIGHT (If the right(s) will not be split, skip this area and proceed to Item 7)		
Water Right and/or Adjudication Claim Number NOT APPLICABLE		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, home etc.)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other	_____	_____
Total	_____	_____

- 7 Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Michael C. Dett

**DEPUTY ATTORNEY GENERAL ON BEHALF OF
IDaho DEPT. OF PARKS & RECREATION**

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by lg Date 8/22/05 Fee \$25.00
 Receipted by _____ Date _____ Receipt No _____
 Processed by _____ AJ Date _____ WR _____ Date _____

W033317

This is to certify that this is a true and correct copy of this document, the original of which is on file with the Idaho Department of Lands (IDL)

W. Cheld
IDL Representative

5-5-04
Date

Instrument # 251044

VALLEY COUNTY, CASCADE, IDAHO

2000-11-15 11:19:58 No. of Pages: 2

Recorded for: AMERITITLE

LELAND G. HEINRICH

Fee: 6.00

Ex-Officio Recorder Deputy W. Cheld

Index to: DEEDS

(for recorder's use)

DEED

IDL/IDPR Land Exchange
(Ponderosa Park - Phase I)

THIS INDENTURE made this 13th day of November, 2000 by and between HOWELL-MURDOCK DEVELOPMENT CORPORATION, 1087 West River Street, Suite 250, Boise, Idaho 83702, party of the first part, hereinafter referred to as "Grantor", and the IDAHO DEPARTMENT OF PARKS AND RECREATION, an agency of the State of Idaho whose address is PO Box 83720, Boise ID 83720-0065, party of the second part, hereinafter referred to as "Grantee";

WITNESSETH, That the Grantor does hereby convey and confirm in fee unto the said Grantee and its successors and assigns forever, all of Grantor's undivided 0.7793859 interest as Tenant in Common in and to the following described real property situate in Valley County, Idaho, to-wit:

Parts of Government Lot 7 of Section 34, Township 19 North, Range 3 East, Boise Meridian, specifically being Lots 39 through 44, inclusive, and a Reserved Lot, West Peninsula Lots. Larger parcel boundaries are identified specifically per Record of Survey 151135 dated August, 1986. The entire aforementioned property being more particularly described as follows:

Commencing at the south one quarter (¼) corner of said Section 34; thence South 89°44'30" West a distance of 1,886.01 feet along the south boundary of said Section 34 to a set aluminum cap; thence North 16°33'00" East, 70.00 feet to a point, said point being the REAL POINT OF BEGINNING; thence North 73°27'00" West, 225.52 feet; thence North 7°56'00" East, 54.25 feet; thence North 2°17'00" East, 128.20 feet; thence North 20°51'00" East, 61.50 feet; thence North 33°10'00" East, 43.00 feet; thence North 53°31'00" East, 84.30 feet; thence North 35°47'00" East, 26.50 feet; thence North 59°37'00" East, 66.20 feet; thence North 46°44'00" East, 78.80 feet; thence North 32°22'00" East, 66.73 feet; thence South 66°34'30" East, 184.52 feet; thence South 40°28'00" West, 240.00 feet; thence South 16°33'00" West, 312.00 feet returning to the real point of beginning, the above described area containing 2.827 acres, more or less.

TO HAVE AND TO HOLD the above-described premises and parcel of land and granted real property unto HOWELL-MURDOCK DEVELOPMENT CORPORATION, and its successors

IDL/IDPR Land Exchange
(Ponderosa Park - Phase I)
Page 2 of 2

and assigns forever, subject only to the following:

Rights-of-way thereon reserved to the United States for ditches and canals constructed by the authority of the United States (Act of August 30, 1890; 26 State 391; U S C. 945) on all lands.

State of Idaho Easement No. 5163-B issued on September 16, 1992 to Payette Lakes Water and Sewer District for a buried sewer line as it crosses Government Lot 7 of Section 34, Township 19 North, Range 3 East, B.M

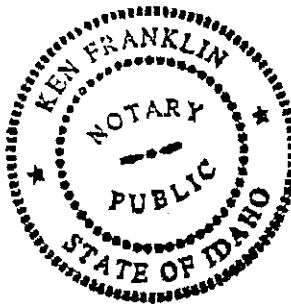
GRANTOR: HOWELL-MURDOCH DEVELOPMENT CORPORATION,

By: *Kevin A. Howell*
KEVIN A. HOWELL, President

STATE OF IDAHO)
) ss.
COUNTY OF ADA)

On this 13th day of NOVEMBER in the year 2000, before me, *Ken Franklin* personally appeared KEVIN A. HOWELL known or identified to me to be the PRESIDENT of HOWELL-MURDOCH DEVELOPMENT CORPORATION, and the person who executed the instrument on behalf of said corporation, and acknowledged to me that said corporation executed the same.

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



Ken Franklin
NOTARY PUBLIC for Idaho
Residing at *Borse*, Idaho
My Commission expires: *10/5/04*

This is to certify that this is a true and correct copy of this document, the original of which is on file with the Idaho Department of Lands (IDL).

W. Chel
IDL Representative

5504
Date

STATE OF IDAHO DEED

Deed No. 13425
IDL/IDPR Land Exchange
(Ponderosa Park -- Phase I)

THIS INDENTURE made this 9th day of November, 2000 by and between **STATE OF IDAHO, DEPARTMENT OF LANDS**, 954 West Jefferson, P.O. Box 83720, Boise, Idaho 83720-0050, acting by and through the State Board of Land Commissioners, party of the first part, hereinafter referred to as "Grantor", and **HOWELL-MURDOCK DEVELOPMENT CORPORATION**, 1087 West River Street, Suite 250, Boise, Idaho 83702, party of the second part, hereinafter referred to as "Grantee";

WITNESSETH, That the Grantor in accordance with Section 58-138, Idaho Code, does hereby convey and confirm in fee unto the said Grantee and its successors and assigns forever, an undivided 0.7793859 interest as Tenant in Common with Grantor in and to the following described real property situate in **Valley County, Idaho**, to-wit:

Parts of Government Lot 7 of Section 34, Township 19 North, Range 3 East, Boise Meridian, specifically being Lots 39 through 44, inclusive, and a Reserved Lot, West Peninsula Lots. Larger parcel boundaries are identified specifically per Record of Survey 151135 dated August, 1986. The entire aforementioned property being more particularly described as follows:

Commencing at the south one quarter (1/4) corner of said Section 34; thence South 89°44'30" West a distance of 1,886.01 feet along the south boundary of said Section 34 to a set aluminum cap; thence North 16°33'00" East, 70.00 feet to a point, said point being the REAL POINT OF BEGINNING; thence North 73°27'00" West, 225.52 feet; thence North 7°56'00" East, 54.25 feet; thence North 2°17'00" East, 128.20 feet; thence North 20°51'00" East, 61.50 feet; thence North 33°10'00" East, 43.00 feet; thence North 53°31'00" East, 84.30 feet; thence North 35°47'00" East, 26.50 feet; thence North 59°37'00" East, 66.20 feet; thence North 46°44'00" East, 78.80 feet; thence North 32°22'00" East, 66.73 feet; thence South 66°34'30" East, 184.52 feet; thence South 40°28'00" West, 240.00 feet; thence South 16°33'00" West, 312.00 feet returning to the real point of beginning, the above described area containing 2.827 acres, more or less.

TO HAVE AND TO HOLD the above-described premises and parcel of land and granted real property unto **HOWELL-MURDOCK DEVELOPMENT CORPORATION**, and its successors and assigns forever, subject only to the following:

Rights-of-way thereon reserved to the United States for ditches and canals constructed by the authority of the United States (Act of August 30, 1890; 26 State. 391; U.S.C. 945) on all lands.

State of Idaho Easement No. 5163-B issued on September 16, 1992 to Payette Lakes Water and Sewer District for a buried sewer line as it crosses Government Lot 7 of Section 34, Township 19 North, Range 3 East, B.M.

Instrument # 251043

VALLEY COUNTY, CASCADE, IDAHO

2000-11-15 11:17:31 No. of Pages: 2

Recorded for : STATE OF IDAHO

LELAND G. HEINRICH

Fee: 0.00

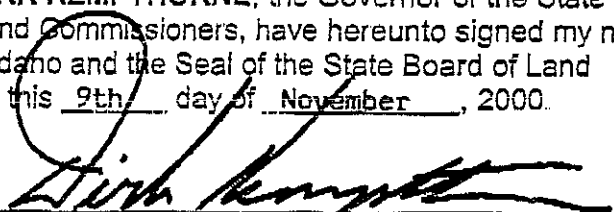
Ex-Officio Recorder Deputy

Index to: MISCELLANEOUS RECORD

L. Heinrich

State of Idaho Deed No. 13425
 IDL/IDPR Land Exchange
 (Ponderosa Park - Phase I)
 Page 2 of 2

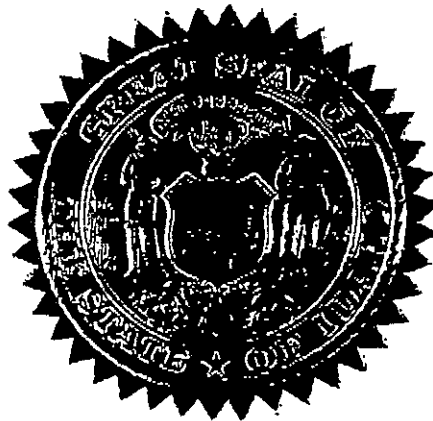
IN WITNESS WHEREOF, I, DIRK KEMPTHORNE, the Governor of the State of Idaho and President of the State Board of Land Commissioners, have hereunto signed my name and caused the Great Seal of the State of Idaho and the Seal of the State Board of Land Commissioners to be hereunto affixed, this 9th day of November, 2000.


 Governor of Idaho and President of the State
 Board of Land Commissioners

COUNTERSIGNED:

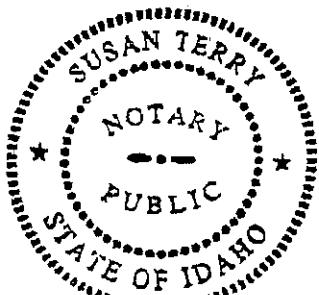

 Secretary of State

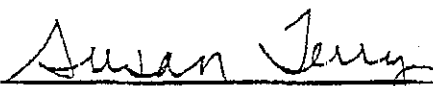

 Director, Department of Lands



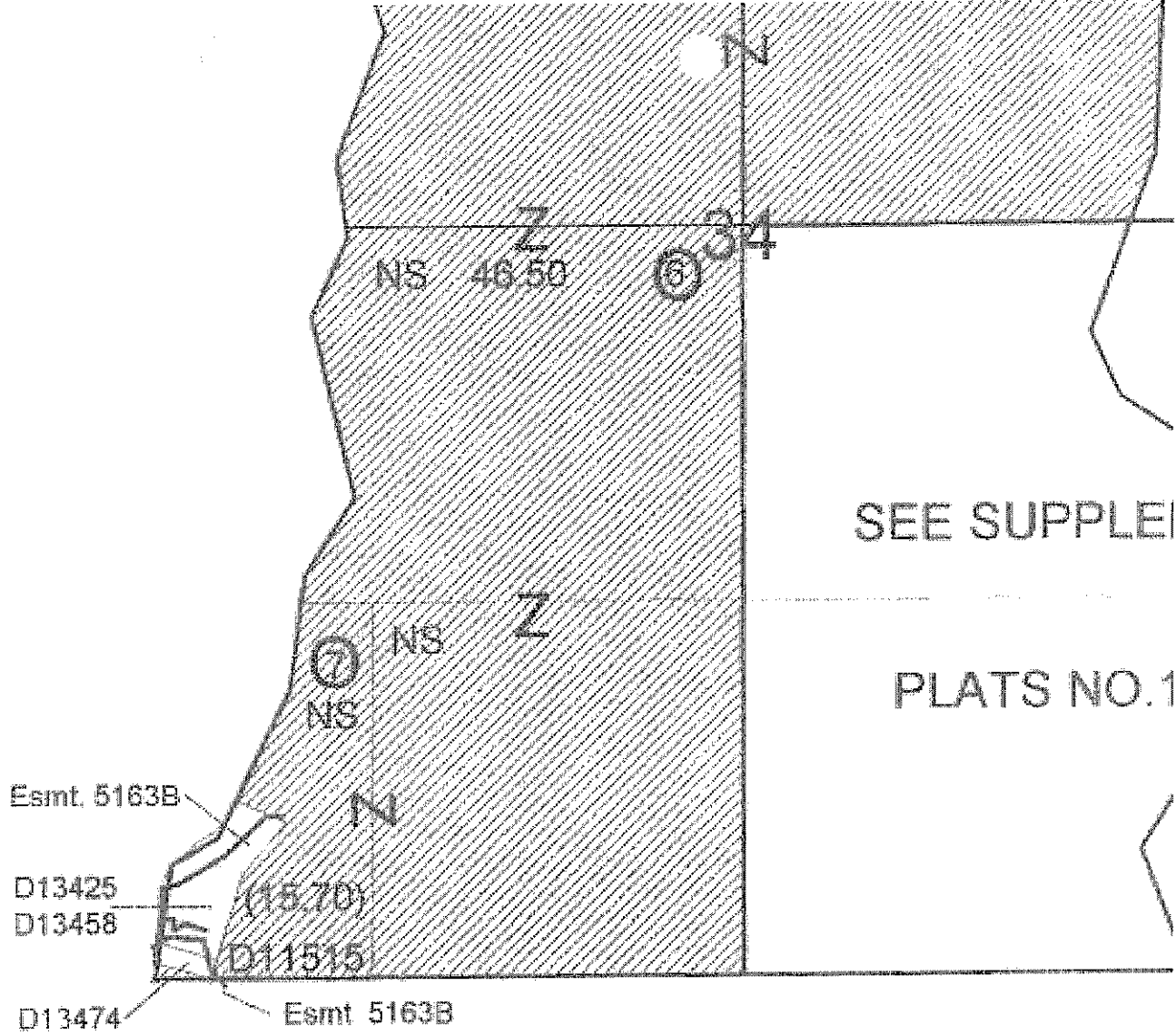
STATE OF IDAHO)
 (ss.
 County of Ada)

On this 9th day of November, in the year 2000, before me, a Notary Public in and for said State, personally appeared DIRK KEMPTHORNE, known to me to be the Governor of the State of Idaho and President of the State Board of Land Commissioners, and PETE T. CENARRUSA, known to me to be the Secretary of State of Idaho, and STANLEY F. HAMILTON, known to me to be the Director of the Department of Lands of the State of Idaho, who executed the said instrument and acknowledged to me that such State of Idaho executed the same.




 Notary Public for the State of Idaho
 Residing at: Nampa ID
 My Commission Expires: 8.30.05

L.O. SURVEY



WATER RIGHT-----	WR	CROPLAND-----
TEMPORARY PERMIT-----	TP	GRAZING-----
ACQUIRED R/W-----	ACQ R/W	MISCELLANEOUS COMM-----
		MISCELLANEOUS-----
		RESIDENCE-----

Instrument # 253401

VALLEY COUNTY, CASCADE, IDAHO

2-28 03:02:10 No. of Pages: 6

Recorded for: AMERITITLE

LEONARD G. HEINRICH

Ex-Officio Recorder Deputy

Index to: DEEDS

Fee: 0.00

CORRECTION DEED

This is to certify that this is a true and correct copy of this document, the original of which is on file with the Idaho Department of Lands (IDL)

Michael
IDL Representative

5-5-2004
Date

IDL/IDPR Land Exchange
(Ponderosa Park - Phase II)

THIS CORRECTION DEED is made by and between **MARILYN MAY SARGENT STERN**, a widow, N. 32215 Hwy. 395, Deer Park, WA 99006, and **DALE A. SARGENT**, a single man, HC 1, Box 389, Naples, Idaho 83847, parties of the first part, hereinafter referred to as "Grantors", and, the **IDAHO DEPARTMENT OF PARKS AND RECREATION**, an agency of the State of Idaho whose address is P.O. Box 83720, Boise, Idaho 83720-0065, party of the second part, hereinafter referred to as "Grantee", to correct an error contained in that certain DEED between the parties hereto which was recorded in Valley County Idaho on February 6, 2001 as instrument No. 252547, and it is hereby further agreed that this CORRECTION DEED shall replace and supercede said DEED;

WITNESSETH, That the Grantors do hereby convey and confirm in fee unto the said Grantee and its successors and assigns forever the following described real property situate in **Valley County**, Idaho, to-wit:

PARCEL #1:

An undivided 0.2206141 interest as Tenant in Common in and to the following described real property situate in Valley County, Idaho, to-wit:

Parts of Government Lot 7 of Section 34, Township 19 North, Range 3 East, Boise Meridian, specifically being Lots 39 through 44, inclusive, and a Reserved Lot, West Peninsula Lots. Larger parcel boundaries are identified specifically per Record of Survey 151135 dated August, 1986. The entire aforementioned property being more particularly described as follows:

Commencing at the south one quarter (¼) corner of said Section 34; thence South 89°44'30" West a distance of 1,886.01 feet along the south boundary of said Section 34 to a set aluminum cap; thence North 16°33'00" East, 70.00 feet to a point, said point being the REAL POINT OF BEGINNING; thence North 73°27'00" West, 225.52 feet; thence North 7°56'00" East, 54.25 feet; thence North 2°17'00" East, 128.20 feet; thence North 20°51'00" East, 61.50 feet; thence North 33°10'00" East, 43.00 feet; thence North 53°31'00" East, 84.30 feet; thence North 35°47'00" East, 26.50 feet; thence North 59°37'00" East, 66.20 feet; thence North 46°44'00" East, 78.80 feet; thence North 32°22'00" East, 66.73 feet; thence South 66°34'30" East, 184.52 feet; thence South 40°28'00" West, 240.00 feet; thence South 16°33'00" West, 312.00 feet returning to the real point of beginning, the above described area containing 2.827 acres, more or less.

This undivided 0.2206141 interest (22.06141%) constitutes the balance of the undivided interest in such property after the conveyance to Grantee of an undivided

STERN/SARGENT DEED

Page 1 of 6

0.7793859 interest (77.93859%) by instrument No. 251044 recorded November 15, 2000 records of Valley County, Idaho.

PARCEL #2:

An undivided .015294435 interest (1.5294435%) as Tenant in Common in and to the following described real property situate in Valley County, Idaho, to-wit:

A parcel of land situated in Government Lots 1 and 2 of Section 4 of Township 18 North, Range 3 East, Boise Meridian, more particularly described as follows:

Commencing at a brass cap marking the $\frac{1}{4}$ corner common to Section 3 and 4, Township 18 North, Range 3 East, Boise Meridian, City of McCall, Valley County, Idaho, the REAL POINT OF BEGINNING: Thence South $0^{\circ}08'35''$ West, a distance of 1,325.17 feet to an aluminum cap marking the South $\frac{1}{16}$ corner common to said Sections 3 and 4; thence North $89^{\circ}54'56''$ West, 969.71 feet along the south boundary of said Government Lot 2 to an aluminum cap marking the southeast corner of Parcel A as shown on that particular Record of Survey, Inst. No. 156310 on file in the office of the Recorder of Valley County, Idaho; thence North $47^{\circ}26'15''$ West, 320.83 feet along the north boundary of said Parcel A to an aluminum cap on the east right-of-way of Davis Avenue; thence 201.47 feet along a non-tangent curve to the left whose long chord bears South $17^{\circ}52'15''$ West, 199.93 feet, whose radius is 470.00 feet and delta angle is $24^{\circ}33'36''$ along said right-of-way to an aluminum cap; thence South $16^{\circ}01'20''$ West, 27.34 feet to an aluminum cap marking the southwest corner of said Parcel A; thence North $89^{\circ}54'56''$ West, 49.57 feet to a $\frac{5}{8}$ inch rebar marking the southeast $\frac{1}{16}$ corner of said Section 4; thence North $89^{\circ}47'34''$ West, 185.34 feet to an aluminum cap marking the southeast corner of Parcel B as shown on said Record of Survey; thence North $27^{\circ}14'12''$ West, 108.36 feet along the boundary of said Parcel B to an aluminum cap; thence North $64^{\circ}37'01''$ West, 32.93 feet along the boundary of said Parcel B to an aluminum cap; thence South $59^{\circ}10'08''$ West, 52.65 feet along the boundary of said Parcel B to an aluminum cap; thence North $5^{\circ}52'51''$ East, 165.03 feet along the east boundary of Parcels D and E, said Record of Survey to an aluminum cap; thence North $68^{\circ}45'54''$ West, 28.12 feet along the boundary of said Parcel E to an aluminum cap; thence South $69^{\circ}05'22''$ West, 57.43 feet along the boundary of said Parcel E to an aluminum cap; thence North $60^{\circ}58'28''$ West, 53.28 feet along the boundary of said Parcel E to a point; thence South $80^{\circ}51'04''$ West, 13.01 feet along the boundary of said Parcel E to an aluminum cap; thence North $6^{\circ}57'20''$ West, 55.52 feet along the high water mark of Payette Lake; thence North $6^{\circ}32'25''$ East, 40.84 feet along said high water mark; thence North $2^{\circ}58'44''$ East, 218.38 feet along said high water mark; thence North $15^{\circ}34'43''$ West, 56.42 feet along said high water mark; thence North $1^{\circ}08'25''$ East, 165.40 feet along said high water mark; thence North $6^{\circ}16'08''$ West, 260.10 feet along said high water mark; thence North $1^{\circ}22'05''$ West, 157.97 feet along said high water mark; thence North $18^{\circ}33'55''$ East, 51.13 feet along said high water mark; thence North $50^{\circ}14'32''$ East, 161.52 feet along said high water mark; thence North $34^{\circ}21'00''$

East, 86.87 feet along said high water mark; thence North 62°57'30" East, 120.14 feet along said high water mark; thence South 42°01'22" East, 2.00 feet to an aluminum cap; thence continuing South 42°01'22" East, 42.12 feet to an aluminum cap; thence South 57°26'22" East, 239.84 feet to an aluminum cap; thence South 33°24'53" East, 279.21 feet to an aluminum cap; thence North 88°58'05" East, 482.63 feet to an aluminum cap on the center line of Davis Avenue; thence North 34°25'25" East, 601.53 feet along said center line to an aluminum cap; thence North 44°12'05" West, 28.48 feet to an aluminum cap; thence North 35°58'02" East, 250.90 feet to an aluminum cap; thence South 89°57'58" East, 163.10 feet to an aluminum cap; thence South 0°02'02" West, 499.98 feet returning to the real point of beginning, containing 53.125 acres, more or less. Bearings based on Record of Survey Inst. No. 156312.

TO HAVE AND TO HOLD the above-described premises and parcel of land and granted real property unto **Grantee**, and its successors and assigns forever, subject only to the following:

AS TO PARCEL No. 1

1. Rights-of-way thereon reserved to the United States for ditches and canals constructed by the authority of the United States (Act of August 30, 1890; 26 Stat. 391; U.S.C. 945) on all lands.
2. State of Idaho Easement No. 5163-B issued on September 16, 1992 to Payette Lakes Water and Sewer District for a buried sewer line as it crosses Government Lot 7 of Section 34, Township 19 North, Range 3 East, B.M.

AS TO PARCEL NO. 2

1. Rights-of-way thereon reserved to the United States for ditches and canals constructed by the authority of the United States (Act of August 30, 1890; 26 Stat. 391; U.S.C. 945) on all lands.
2. State of Idaho Easement No. 342 issued on October 17, 1931 to McCall Light and Power Co. (now Idaho Power Co.) for a power line.
3. State of Idaho Easement No. 4114 issued on March 10, 1970 to Idaho Telephone Company for a buried and overhead telephone line. This easement was subsequently assigned to GTE Northwest, Inc., and then assigned to Citizens' Utilities Company on May 18, 1993.
4. State of Idaho Easement No. 4413 issued on January 3, 1974 to Idaho Telephone Company for a buried telephone line. This easement was subsequently assigned to GTE Northwest, Inc., and then assigned to Citizens' Utilities Company on May 18, 1993.

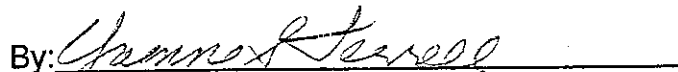
5. State of Idaho Easement No. 4615 issued on July 21, 1976 to City of McCall for a road.
6. State of Idaho Easement No. 4808 issued on August 30, 1979, to City of McCall for a buried water pipeline.
7. State of Idaho Easement No. 5185 issued on April 19, 1984 to City of McCall for a buried sewerline.
8. Right of Way Easement created by State of Idaho Deed, recorded in Valley County, Idaho on February 6, 2001 as Instrument No. 252546, for vehicular and pedestrian traffic over and across the existing access roads known as Davis Avenue, Agate Street, University Loop and Miles Standish Road as more particularly described and shown on the Records of Survey recorded in the records of Valley County, Idaho as Instrument Nos. 244454 and 235858.

DATED: This 27 day of March, 2001.


MARILYN MAY SARGENT STERN


DALE A. SARGENT

STATE OF IDAHO
DEPARTMENT OF PARKS AND RECREATION

By: 
YVONNE S. FERRELL

STATE OF WASHINGTON)
) ss.
County of Spokane)

On this date before me, the undersigned notary public for such state personally appeared MARILYN MAY SARGENT STERN, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.

WITNESS my hand and seal on March 19th, 2001

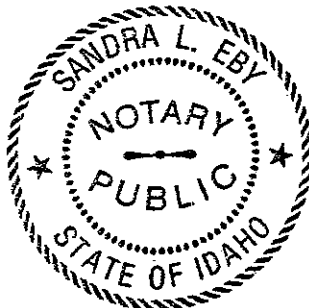
LS

Marie Stauffer
NOTARY PUBLIC
Residing at: *Deer Park*
Commission expires: *4-1-2004*

STATE OF IDAHO)
) ss.
County of Boundary)

On this date before me, the undersigned notary public for such state personally appeared DALE A. SARGENT, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

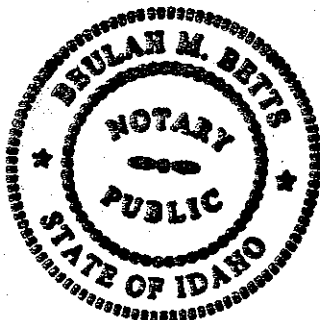
WITNESS my hand and seal on March 20, 2001.



Sandra L Eby
NOTARY PUBLIC
Residing at: *Bonneau Ferry ID*
Commission expires: *7-13-05*

STATE OF IDAHO)
(ss.
County of Ada)

On this 27th day of March, in the year 2001, before me, a Notary Public in and for said State, personally appeared YVONNE S. FERRELL known to me to be the Director of the Department of Parks and Recreation of the State of Idaho, who executed the said instrument and acknowledged to me that such Department of Parks and Recreation of the State of Idaho executed the same.



Beulah M. Betts
Notary Public for the State of Idaho
Residing at: Boise, Idaho
My Commission Expires: 9/19/06

Instrument # 252546

VALLEY COUNTY, CASCADE, IDAHO

2001-02-06 03:11:58 No. of Pages: 5

Recorded for: AMERITITLE

LELAND G. HEINRICH

Ex-Officio Recorder Deputy

MISCELLANEOUS RECORD

Fee: 0.00

STATE OF IDAHO DEED



This is to certify that this is a true and correct copy of this document, the original of which is on file with the Idaho Department of Lands (IDL).

IDL Representative

55-04
Date

Deed No. 13458

IDL/IDPR Land Exchange

(Ponderosa Park - Phase II)

THIS INDENTURE made this 25th day of January, 2001 by and between **STATE OF IDAHO, DEPARTMENT OF LANDS**, 954 West Jefferson, P.O. Box 83720, Boise, Idaho 83720-0050, acting by and through the State Board of Land Commissioners, party of the first part, hereinafter referred to as "Grantor", and **MARILYN MAY SARGENT STERN**, a widow, N. 32215 Hwy. 395, Deer Park, WA 99006, and **DALE A. SARGENT**, a single man, HC 1, Box 389, Naples, Idaho 83847, parties of the second part, hereinafter referred to as "Grantees";

WITNESSETH, That the Grantor in accordance with Section 58-138, Idaho Code, does hereby convey and confirm in fee unto the said Grantees and their successors and assigns forever the following described real property:

PARCEL #1:

Grantor's remaining undivided 0.2206141 interest as Tenant in Common in and to the following described real property situate in **VALLEY COUNTY**, Idaho, to-wit:

Parts of Government Lot 7 of Section 34, Township 19 North, Range 3 East, Boise Meridian, specifically being Lots 39 through 44, inclusive, and a Reserved Lot, West Peninsula Lots. Larger parcel boundaries are identified specifically per Record of Survey 151135 dated August 1986. The entire aforementioned property being more particularly described as follows:

Commencing at the south one quarter (1/4) corner of said Section 34; thence South 89°44'30" West a distance of 1,886.01 feet along the south boundary of said Section 34 to a set aluminum cap; thence North 16°33'00" East, 70.00 feet to a point, said point being the REAL POINT OF BEGINNING; thence North 73°27'00" West, 225.52 feet; thence North 7°56'00" East, 54.25 feet; thence North 2°17'00" East, 128.20 feet; thence North 20°51'00" East, 61.50 feet; thence North 33°10'00" East, 43.00 feet; thence North 53°31'00" East, 84.30 feet; thence North 35°47'00" East, 26.50 feet; thence North 59°37'00" East, 66.20 feet; thence North 46°44'00" East, 78.80 feet; thence North 32°22'00" East, 66.73 feet; thence South 66°34'30" East, 184.52 feet; thence South 40°28'00" West, 240.00 feet; thence South 16°33'00" West, 312.00 feet returning to the real point of beginning, the above described area containing 2.827 acres, more or less.

Grantor's remaining undivided 0.2206141 interest (22.06141%) in such property constitutes the balance of Grantor's interest therein, after Grantor's conveyance of an undivided 0.7793859 interest (77.93859%) by instrument No. 251043 recorded November 15, 2000 records of **VALLEY COUNTY**, Idaho.

PARCEL #2:

An undivided .015294435 interest (1.5294435%) as Tenant in Common in and to the following described real property situate in **VALLEY COUNTY**, Idaho, to-wit:

A parcel of land situated in Government Lots 1 and 2 of Section 4 of Township 18 North, Range 3 East, Boise Meridian, more particularly described as follows:

Commencing at a brass cap marking the ¼ corner common to Section 3 and 4, Township 18 North, Range 3 East, Boise Meridian, City of McCall, Valley County, Idaho, the REAL POINT OF BEGINNING: Thence South 0°08'35" West, a distance of 1,325.17 feet to an aluminum cap marking the South 1/16 corner common to said Sections 3 and 4; thence North 89°54'56" West, 969.71 feet along the south boundary of said Government Lot 2 to an aluminum cap marking the southeast corner of Parcel A as shown on that particular Record of Survey, Inst. No. 156310 on file in the office of the Recorder of Valley County, Idaho; thence North 47°26'15" West, 320.83 feet along the north boundary of said Parcel A to an aluminum cap on the east right-of-way of Davis Avenue; thence 201.47 feet along a non-tangent curve to the left whose long chord bears South 17°52'15" West, 199.93 feet, whose radius is 470.00 feet and delta angle is 24°33'36" along said right-of-way to an aluminum cap; thence South 16°01'20" West, 27.34 feet to an aluminum cap marking the southwest corner of said Parcel A; thence North 89°54'56" West, 49.57 feet to a 5/8 inch rebar marking the southeast 1/16 corner of said Section 4; thence North 89°47'34" West, 185.34 feet to an aluminum cap marking the southeast corner of Parcel B as shown on said Record of Survey; thence North 27°14'12" West, 108.36 feet along the boundary of said Parcel B to an aluminum cap; thence North 64°37'01" West, 32.93 feet along the boundary of said Parcel B to an aluminum cap; thence South 59°10'08" West, 52.65 feet along the boundary of said Parcel B to an aluminum cap; thence North 5°52'51" East, 165.03 feet along the east boundary of Parcels D and E, said Record of Survey to an aluminum cap; thence North 68°45'54" West, 28.12 feet along the boundary of said Parcel E to an aluminum cap; thence South 69°05'22" West, 57.43 feet along the boundary of said Parcel E to an aluminum cap; thence North 60°58'28" West, 53.28 feet along the boundary of said Parcel E to a point; thence South 80°51'04" West, 13.01 feet along the boundary of said Parcel E to an aluminum cap; thence North 6°57'20" West, 55.52 feet along the high water mark of Payette Lake; thence North 6°32'25" East, 40.84 feet along said high water mark; thence North 2°58'44" East, 218.38 feet along said high water mark; thence North 15°34'43" West, 56.42 feet along said high water mark; thence North 1°08'25" East, 165.40 feet along said high water mark; thence North 6°16'08" West, 260.10 feet along said high water mark; thence North 1°22'05" West, 157.97 feet along said high water mark; thence North 18°33'55" East, 51.13 feet along said high water mark; thence North 50°14'32" East, 161.52 feet along said high water mark; thence North 34°21'00"

East, 86.87 feet along said high water mark; thence North 62°57'30" East, 120.14 feet along said high water mark; thence South 42°01'22" East, 2.00 feet to an aluminum cap; thence continuing South 42°01'22" East, 42.12 feet to an aluminum cap; thence South 57°26'22" East, 239.84 feet to an aluminum cap; thence South 33°24'53" East, 279.21 feet to an aluminum cap; thence North 88°58'05" East, 482.63 feet to an aluminum cap on the center line of Davis Avenue; thence North 34°25'25" East, 601.53 feet along said center line to an aluminum cap; thence North 44°12'05" West, 28.48 feet to an aluminum cap; thence North 35°58'02" East, 250.90 feet to an aluminum cap; thence South 89°57'58" East, 163.10 feet to an aluminum cap; thence South 0°02'02" West, 499.98 feet returning to the real point of beginning, containing 53.125 acres, more or less. The bearings are based on Record of Survey Inst. No. 156312.

RESERVING unto the Grantor, its successor and assigns forever, a right of way easement for vehicular and pedestrian traffic to access real property owned by Grantor in Sections 3 and 4 of Township 18 North, Range 3 East, Boise Meridian and Section 34 of Township 19 North, Range 3 East, Boise Meridian (such easement being appurtenant to, running with, and benefiting said properties), over and across the existing access roads known as Davis Avenue, Agate Street, University Loop and Miles Standish Road as more particularly described and shown on the Records of Survey recorded in the records of Valley County, Idaho as Instrument Nos. 244454 and 235858.

This reserved right of way easement shall in addition be appurtenant to, run with, and benefit the following described real property:

The real property described in the following State of Idaho Deeds recorded in Valley County, Idaho:

<u>State Deed #</u>	<u>Instrument #</u>
12889	204794
13162	226888
12847	201277
12357	162235

In addition, those real properties described as Parcel 15 (Brandt) (lease #5078) in State of Idaho Deed No. 13415, recorded as Instrument No. 249277, records of Valley County, Idaho, and Parcel 15 (Thomason) in State Deed No. 13280, recorded as Instrument No. 237297, records of Valley County, Idaho.

TO HAVE AND TO HOLD the above-described premises and parcel of land and granted real property unto **Grantees**, and their successors and assigns forever, subject only to the following encumbrances:

AS TO PARCEL No. 1

1. Rights-of-way thereon reserved to the United States for ditches and canals constructed by the authority of the United States (Act of August 30, 1890; 26 Stat. 391; U.S.C. 945) on all lands.
2. State of Idaho Easement No. 5163-B issued on September 16, 1992 to Payette Lakes Water and Sewer District for a buried sewer line as it crosses Government Lot 7 of Section 34, Township 19 North, Range 3 East, B.M.

AS TO PARCEL NO. 2

1. Rights-of-way thereon reserved to the United States for ditches and canals constructed by the authority of the United States (Act of August 30, 1890; 26 Stat. 391; U.S.C. 945) on all lands.
2. State of Idaho Easement No. 342 issued on October 17, 1931 to McCall Light and Power Co. (now Idaho Power Co.) for a power line.
3. State of Idaho Easement No. 4114 issued on March 10, 1970 to Idaho Telephone Company for a buried and overhead telephone line. This easement was subsequently assigned to GTE Northwest, Inc., and then assigned to Citizens' Utilities Company on May 18, 1993.
4. State of Idaho Easement No. 4413 issued on January 3, 1974 to Idaho Telephone Company for a buried telephone line. This easement was subsequently assigned to GTE Northwest, Inc., and then assigned to Citizens' Utilities Company on May 18, 1993.
5. State of Idaho Easement No. 4615 issued on July 21, 1976 to City of McCall for a road.
6. State of Idaho Easement No. 4808 issued on August 30, 1979, to City of McCall for a buried water pipeline.
7. State of Idaho Easement No. 5185 issued on April 19, 1984 to City of McCall for a buried sewerline.

State of Idaho Deed No. 13458
IDL/IDPR Land Exchange
(Ponderosa Park – Phase II)
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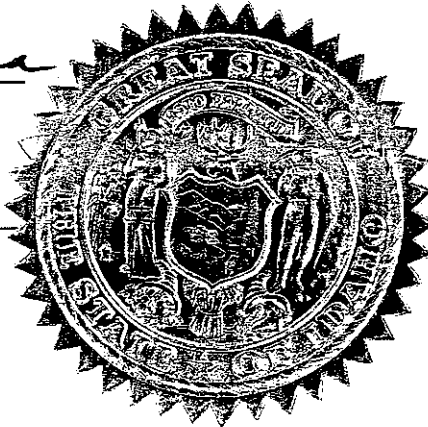
IN WITNESS WHEREOF, I, DIRK KEMPTHORNE, the Governor of the State of Idaho and President of the State Board of Land Commissioners, have hereunto signed my name and caused the Great Seal of the State of Idaho and the Seal of the State Board of Land Commissioners to be hereunto affixed, this 25th day of January, 2001.

Governor of Idaho and President of the State
Board of Land Commissioners

COUNTERSIGNED:

Pete T. Casarrese
Secretary of State

Winston Alligins
Acting Director, Department of Lands



STATE OF IDAHO)
(ss.
County of Ada)

On this 25th day of January, in the year 2001, before me, a Notary Public in and for said State, personally appeared **DIRK KEMPTHORNE**, known to me to be the Governor of the State of Idaho and President of the State Board of Land Commissioners, and **PETE T. CENARRUSA**, known to me to be the Secretary of State of the State of Idaho, and, **WINSTON A. WIGGINS**, known to me to be the Acting Director of the Department of Lands of the State of Idaho, who executed the said instrument and acknowledged to me that such State of Idaho executed the same.

Notary Public for the State of Idaho
Residing at: _____
My Commission Expires: _____