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JUN 29 2004

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

RECEIVED

JUN 30 2004

DEPARTMENT OF
WATER RESOURCESDepartment of Water Resources
Southwest Region

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

- 1 Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case 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
A12-00109A-DECREED AS 72-106C					
A12-00106A	72-106L				
	72-106M				

- 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 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 of 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)

Patsy L. Strickland 95446
 19479 - Hidden Valley Road, Guerneville, CA

- 4 New Owner/Claimant(s)

CHRISTOPHER & DEBRA JAMES CO-TRUSTEES OF FIRSTFRUITS
 Name Connector (Check one) ☐ and, ☐ or, ☐ and/or
 FOUNDATION

New Mailing Address

Po Box 1190

City, State and ZIP Code

CHALLIS, ID 83226

New Telephone Number

(208) 879-4560

- 5 Date you acquired the property

11-25-2002

- 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 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 _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF 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 _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

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

*Christopher W. James, Trustee
for Fruitful Foundation*

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 Hawth Date 6/29/04 Fee 50.00
 Received by Hawth Date 6/29/04 Receipt No SC-26872
 Processed by _____ AJ Date _____ WR _____ Date _____

RECEIVED

JUN 29 2004

Denyer 1 1 7 11 12



First American Title Company of Idaho

7311 POTOMAC DRIVE • BOISE, IDAHO 83704 • (AREA 208) 375-0700 • FAX 322-5597

BUYER'S CLOSING STATEMENT

Escrow: FA-49130TSL
Escrow Officer: Tina L. Smith
FINAL

Order: B46536
Date: 11/21/2002
Closing Date: 11/25/2002

ESCROW STATEMENT OF: Christopher W. James and Debra E. James, Co-Trustees of First Fruits Foundation, UDT September 29, 1986.

SELLER: Candant Mobility Government Financial Services Corp oration by Burrow Services

Property Address: Garden Creek Road, Challis, ID 83226

<u>ITEMS</u>	<u>DEBITS</u>	<u>CREDITS</u>
TOTAL CONSIDERATION	175,000.00	
OTHER CONSIDERATION: Repair Credit		1,362.00
DEPOSIT HELD BY Cabin Creek Realty		5,000.00
<u>PRORATIONS/ADJUSTMENTS</u>	<u>FROM</u>	<u>TO</u>
County Taxes, TAX ACCOUNT RPL4N18E356610		
CURRENT YEAR TAXES AT \$714.22	11/25/02	1/01/03
	72 40	
<u>TITLE CHARGES TO First American Title Company</u>		
Deed Recording Fee		9.00
<u>ESCROW CHARGES</u>		
Escrow Fee	285.00	
BALANCE DUE ESCROW		169,004.40
TOTALS	\$ 175,366.40	\$ 175,366.40

Christopher W. James and Debra E. James,
Co-Trustees of First Fruits Foundation,
UDT September 29, 1986.

BY: _____
Christopher W. James, Co-Trustee

BY: _____
Debra E. James, Co-Trustee

Order No.
Escrow No. _____
Loan No. _____

0226054
Custer County Reg. of
CC T
Time 3:00 PM Date 11-27-2002
Ethel M. Peck Clerk
Ethel M. Peck \$ 6.00
Deputy

WHEN RECORDED MAIL TO GRANTEE:
Burrow Services Corporation
520 W. Palmdale Boulevard, Suite O
Palmdale, CA 93551

1364598 State of Idaho
APN: RP14N18E356610

WARRANTY DEED

For Value Received Ronald L. Dunton and Carol L. Van Dorn, husband and wife, the grantors, do hereby grant, bargain, sell and convey unto, Cendant Mobility Government Financial Services Corporation, the grantees, whose current address is:

Garden Creek Road Challis, Idaho 83226
the following described premises, to wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenants to and with the said Grantees, that they are the owners in fee simple of said premises; that said premises are free from all encumbrances except current year taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that they will warrant and defend the same from all claims whatsoever.

Dated: November 1, 2002

Ronald L. Dunton
Ronald L. Dunton

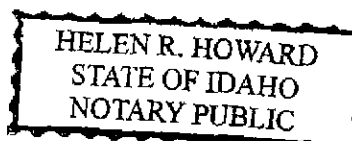
Carol L. Van Dorn
Carol L. Van Dorn

STATE OF Idaho
COUNTY OF CUSTER SS.

On Nov 7, 2002 before me, HELEN HOWARD a notary public, personally appeared, Ronald L. Dunton and Carol L. Van Dorn, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature Helen R. Howard My Commission Expires: 3/20/04



CENDANT File No. 1364598

Property Address: Garden Creek Road, Challis, ID 83226

EXHIBIT "A"

TRACT I

A fraction of the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 35, Township 14 North, Range 18 E.B.M., Custer County, Idaho, described as: Beginning at the SE corner of said Section 35; thence 1321.38 feet west to the SE corner of said SW $\frac{1}{4}$ SE $\frac{1}{4}$, the TRUE POINT OF BEGINNING; thence N. 45°00' W. 974.45 feet to a point on the southerly right-of-way of the Garden Creek Road; thence S. 52°12'05" W., 277.55 feet along said right-of-way to the northeasterly line of the land described as Tract II in the Deed to David W. Edminston, et. ux., recorded April 23, 1976, as instrument no. 142030, records of Custer County, Idaho; thence the following 3 courses along said Edminston land: S. 45°00' E., 69.50 feet; thence S 46°44' W., 111.00 feet; thence S. 45°00' E. 556.82 feet to a point on the south boundary line of said SW $\frac{1}{4}$ SE $\frac{1}{4}$; thence E. 546.29 feet to the True Point of Beginning. Except county road

TRACT II:

A fraction of the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 35, Township 14 North, Range 18 E.B.M., Custer County, Idaho, described as: Beginning at the SE corner of said Section 35; thence 1321.38 feet west to the SE corner of said SW $\frac{1}{4}$ SE $\frac{1}{4}$; thence N. 0°02'15" E. along the east line of said SW $\frac{1}{4}$ SE $\frac{1}{4}$, 1074.80 feet to a point on the north right-of-way of the Garden Creek Road the REAL POINT OF BEGINNING; thence continuing N. 0°02'15" E., 247.25 feet to the NE corner of the SW $\frac{1}{4}$ SE $\frac{1}{4}$; thence S. 89°58'15" W., 1322.08 feet to the NW corner of the SW $\frac{1}{4}$ SE $\frac{1}{4}$; thence S. 0°00'30" W. along the west line of said SW $\frac{1}{4}$ SE $\frac{1}{4}$, 389.40 feet, more or less, to the most northerly corner of the land described as Tract II in the Deed to David W. Edminston, et. ux., recorded April 23, 1976, as instrument no. 142030, records of Custer County, Idaho; thence S. 45°00' E., along the northeasterly line of said Edminston land 533.63 feet to a point on the northerly right-of-way line of said Garden Creek Road; thence the following courses and distances along said north right-of-way; N. 52°12'05" E., 469.66 feet; thence 369.74 feet along a curve concave to the SE having a radius of S. 37°47'55" E. 825.00 feet and a central angle of 25°40'42"; thence N. 77°52'47" E. 31.60 feet; thence 222.36 feet along a curve concave to the NW having a radius of N. 12°07'13" W. 975.00 feet and a central angle of 13°04'02" to the Real Point of Beginning. Except county road.

Order No. _____
Escrow No. _____
Loan No. _____

WHEN RECORDED MAIL TO GRANTEE:

1364598 State of Idaho
APN: _____

0226055

Custer County Reg. of
CCT
Time 3:30 P M Date 11-27-2002
Ethel M. Peck, Clerk
Lina Laughlin 9th
Deputy

WARRANTY DEED

For Value Received Cendant Mobility Government Financial Services Corporation, the grantors, do hereby grant, bargain, sell and convey unto

Christopher W. James and Debra E. James, Co-Trustees of
First Fruits Foundation, UDT September 29, 1986

the grantees, whose current address is: Garden Creek Road, Challis, ID 83226

the following described premises, to wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenants to and with the said Grantees, that they are the owners in fee simple of said premises; that said premises are free from all encumbrances except current year taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that they will warrant and defend the same from all claims whatsoever.

Dated:

Diane Adair

Cendant Mobility Government Financial Services Corporation, BY Diane Adair
AUTHORIZED SIGNATORY OF BURROW
CLOSING MANAGEMENT CORPORATION
DBA BURROW SERVICES AS ATTORNEY-IN-FACT

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES SS.

On _____ before me, Katherine Owen personally appeared, Diane Adair, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.
WITNESS my hand and official seal

Signature _____ My Commission Expires: _____

ALL PURPOSE ACKNOWLEDGEMENT

State of CALIFORNIA
County of LOS ANGELES

On 11-15-02 before me, Katherine Owen
Date
Personally appeared Diane Adair

() personally known to me – OR – (xx) proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are/subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/he/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand & official seal.

Katherine Owen
Signature of Notary



ATTACHED LEGAL DESCRIPTION

Order No. B46536

TRACT I:

A fraction of the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 35, Township 14 North, Range 18 E.B.M., Custer County, Idaho, described as: Beginning at the SE corner of said Section 35; thence 1321.38 feet west to the SE corner of said SW $\frac{1}{4}$ SE $\frac{1}{4}$, the TRUE POINT OF BEGINNING; thence N. 45°00' W. 974.45 feet to a point on the southerly right-of-way of the Garden Creek Road, thence S. 52°12'05" W., 277.55 feet along said right-of-way to the northeasterly line of the land described as Tract II in the Deed to David W. Edminston, et. ux., recorded April 23, 1976, as instrument no. 142030, records of Custer County, Idaho, thence the following 3 courses along said Edminston land; S. 45°00' E. 69.50 feet; thence S. 46°44' W., 111.00 feet; thence S. 45°00' E. 556.82 feet to a point on the south boundary line of said SW $\frac{1}{4}$ SE $\frac{1}{4}$; thence E. 546.29 feet to the True Point of Beginning. Except county road.

TRACT II:

A fraction of the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 35, Township 14 North, Range 18 E.B.M., Custer County, Idaho, described as: Beginning at the SE corner of said Section 35; thence 1321.38 feet west to the SE corner of said SW $\frac{1}{4}$ SE $\frac{1}{4}$; thence N. 0°02'15" E. along the east line of said SW $\frac{1}{4}$ SE $\frac{1}{4}$, 1074.80 feet to a point on the north right-of-way of the Garden Creek Road the REAL POINT OF BEGINNING, thence continuing N. 0°02'15" E., 247.25 feet to the NE corner of the SW $\frac{1}{4}$ SE $\frac{1}{4}$, thence S. 89°58'15" W., 1322.06 feet to the NW corner of the SW $\frac{1}{4}$ SE $\frac{1}{4}$; thence S. 0°00'30" W. along the west line of said SW $\frac{1}{4}$ SE $\frac{1}{4}$, 389.40 feet, more or less, to the most northerly corner of the land described as Tract II in the Deed to David W. Edminston, et. ux., recorded April 23, 1976, as instrument no. 142030, records of Custer County, Idaho; thence S. 45°00' E., along the northeasterly line of said Edminston land 533.63 feet to a point on the northerly right-of-way line of said Garden Creek Road; thence the following courses and distances along said north right-of-way; N. 52°12'05" E., 469.68 feet; thence 369.74 feet along a curve concave to the SE having a radius of S. 37°47'55" E. 825.00 feet and a central angle of 25°40'42"; thence N. 77°52'47" E. 31.60 feet; thence 222.36 feet along a curve concave to the NW having a radius of N. 12°07'13" W. 975.00 feet and a central angle of 13°04'02" to the Real Point of Beginning. Except county road.

APPROVED
FOR RECORD

As for the water rights, below is a copy of the text from a mail I received:

As per the Snake River Basin Adjudication Judge on February 15, 2000:

In Re SRBA
Case No. 39576

Name and Address: Patsy L. Strickland
19479 Hidden Valley Road
Guerneville, CA 95446

Water Right 72-00106C

Source: Garden Creek

Tributary: Salmon River

Quantity: 0.03 CFS

Priority Date: 05/15/1890

Point of Diversion: T13N R18E S02 Lot 03 (SWNENW) Within Custer County

Purpose and Period of Use:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation	04-01 to 10-31	0.03 CFS = 1.5"
Stockwater	04-01 to 10-31	0.02 CFS = 1.0 "

Place of Use: Irrigation Within Custer County

T14N R18E S35 SWSE 2.0
2.0 Acres

Total Stockwater Within Custer County
T14N R18E S35 SWSE

Rule 54(b) CERTIFICATE

With respect to the issues determined by the above judgement 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 judgement and that the court has and does hereby direct that the above judgement or order shall be a final judgement upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

My office phone number is (949) 754-8840. Please give me a call if you have any questions.

Chris



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 7, 2004

CHRISTOPHER W JAMES
DEBRA E JAMES
PO BOX 1190
CHALLIS, ID 83226

RE. Change in Ownership of Water Rights 72-0109A and 72-0106A

Dear Mr and Mrs. James:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership

During the review of the documentation you submitted we found some discrepancies between that information and the information in the water right files. Snake River Basin Adjudication claim 72-00109A was recommended and decreed as 72-0106C, which is associated with the property for which you submitted a warranty deed. This ownership change has been processed accordingly, and you will find a report of that action attached

You also listed Snake River Basin Adjudication claim 72-0106A on your ownership change notice. Snake River Basin Adjudication claim 72-0106A was split into two claims and decreed as 72-0106L and 72-0106M, neither of which seem to be appurtenant to your property because the legal descriptions of their locations do not match that of your property. I have enclosed copies of the partial decrees 72-0106L and 76-0106M for your review. If you believe these, or other rights, are under your ownership, you will need to submit further evidence.

Because the Department cannot process the ownership change without proper documentation, we will hold any action on your notice pending receipt of the necessary information.

Please feel free to contact me at (208) 327-5452 if you have any questions.

Sincerely,

Erin Retelle
Water Resource Agent

Enclosures: 3