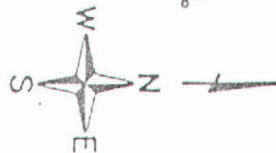


1977

ORCHARD VIEW SUBDIVISION

SITUATED IN THE SW 4, SEC. 16, T6N, R1W, BM, GEM CO., IDA.

SCALE 1"=200'



FRIEND AND PELKOLA
SURVEYING
BOISE, IDAHO

I HEREBY CERTIFY THIS TO BE A TRUE & EXACT COPY OF THE ORIGINAL.

FORWARDED L. FRIEND

EASEMENTS

ALL LOT LINES CORRESPOND TO PUBLIC RIGHT-OF-WAYS HAVE A 5 FEET WIDE PREPARED PAVEMENT UTILITIES, DRAINAGE AND INDICATION EASEMENT, 20 FEET WIDE EASEMENT CENTERED ON INTERIOR LOT LINES.

NOTES

SEE DEPT. OF INTERIOR - BUREAU OF LAND MANAGEMENT - 11-1-87 FOR BLACK CANYON CANAL RIGHT-OF-WAY. BUILDING AND OCCUPANT RESTRICTIONS - SEE GEM CO. UNDEVELOPED LANDS - FROM RESTRICTIVE COVENANTS.

STATE	COUNTY	SECTION	LEVEE
IDAHO	BOISE	16	1
IDAHO	BOISE	16	2
IDAHO	BOISE	16	3
IDAHO	BOISE	16	4
IDAHO	BOISE	16	5
IDAHO	BOISE	16	6
IDAHO	BOISE	16	7
IDAHO	BOISE	16	8
IDAHO	BOISE	16	9
IDAHO	BOISE	16	10
IDAHO	BOISE	16	11
IDAHO	BOISE	16	12
IDAHO	BOISE	16	13
IDAHO	BOISE	16	14
IDAHO	BOISE	16	15
IDAHO	BOISE	16	16
IDAHO	BOISE	16	17
IDAHO	BOISE	16	18
IDAHO	BOISE	16	19
IDAHO	BOISE	16	20

LEGEND

- SET 5/8" PIN
- SET 1/2" PIN
- EASEMENTS for utilities, living, B. & D.
- LOT NUMBER

CURVE DATA

C	R	A	T	L	CA	CA B.T.
1	20	60° 40' 00"	19.86	31.50	26.20	14.47 50' 00" E
2	20	60° 40' 00"	19.86	31.50	26.20	14.47 50' 00" E
3	20	60° 40' 00"	19.86	31.50	26.20	14.47 50' 00" E
4	20	60° 40' 00"	19.86	31.50	26.20	14.47 50' 00" E
5	20	60° 40' 00"	19.86	31.50	26.20	14.47 50' 00" E
6	20	60° 40' 00"	19.86	31.50	26.20	14.47 50' 00" E
7	20	60° 40' 00"	19.86	31.50	26.20	14.47 50' 00" E
8	20	60° 40' 00"	19.86	31.50	26.20	14.47 50' 00" E
9	20	60° 40' 00"	19.86	31.50	26.20	14.47 50' 00" E
10	20	60° 40' 00"	19.86	31.50	26.20	14.47 50' 00" E
11	20	60° 40' 00"	19.86	31.50	26.20	14.47 50' 00" E
12	20	60° 40' 00"	19.86	31.50	26.20	14.47 50' 00" E
13	20	60° 40' 00"	19.86	31.50	26.20	14.47 50' 00" E
14	20	60° 40' 00"	19.86	31.50	26.20	14.47 50' 00" E
15	20	60° 40' 00"	19.86	31.50	26.20	14.47 50' 00" E
16	20	60° 40' 00"	19.86	31.50	26.20	14.47 50' 00" E
17	20	60° 40' 00"	19.86	31.50	26.20	14.47 50' 00" E
18	20	60° 40' 00"	19.86	31.50	26.20	14.47 50' 00" E
19	20	60° 40' 00"	19.86	31.50	26.20	14.47 50' 00" E
20	20	60° 40' 00"	19.86	31.50	26.20	14.47 50' 00" E

RECEIVED

JUL 24 2000

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s).: 65-21944

Adjudication Claim No(s).: _____

2. The following REQUIRED information must be submitted with this form:

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant

Harry Spaulding & Marie Spaulding

4. New Owner/Claimant(s)

Rebelle P. Githens & Harriet E. Githens

Name Connector (Check one). [] and, [] or, [] and/or

New Mailing Address

2265 Cherry Lane

City, State and ZIP Code

Emmett, ID 83617

New Telephone Number

() _____

5. Date you acquired the property

June 26, 2000

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres you irrigate 8 Number and type of stock 2

Diversion rate in CFS 0.05 Number of homes 1 Other uses _____

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s)

Rebelle P. Githens
Harriet E. Githens

(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

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

MICROFILMED

Receipt # CD 51533
12.19.00 \$25.00
JBARRON

SEP 19 2001

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights. Required claims may be filed by a new owner.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office, or call 1-800-451-4129, if you would like more information or need help completing this form. Please attach additional sheets to the form if you require additional space to describe or explain any of the items on the form.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at Item 1. If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
2. The information described at Item 2 is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner of the water right and/or adjudication claim at Item 3.
4. The name, mailing address, and telephone number of the new owner(s) is entered at Item 4. Please indicate the relationship between multiple owners by using the connector 'and', 'or', or 'and/or'. If an 'and' is used, all parties must sign this form. If an 'and/or' or 'or' is used, all parties may sign. However, only one of the named parties is required to sign.
5. At Item 5, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. You may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at Item 6.

Please provide as much detail as possible concerning your water right: include the number of homes, irrigated acreage if more than 1/2 acre is irrigated, type and number of stock if your right is for stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

7. The new owner(s) must sign the form in the space(s) provided at Item 7. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

IDWR Western Region, 2735 Airport Way, Boise, ID 83705-5082 (208) 334-2190

IDWR Southern Region, 1341 Fillmore St. N., Twin Falls, ID 83301-3380 (208) 736-3033

IDWR Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, ID 83814-2615 (208) 769-1450

IDWR Eastern Region, 900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 (208) 525-7161

72-8226



WARRANTY DEED

For Value Received

MARIE B. SPAULDING, TRUSTEE, OR HER SUCCESSORS IN TRUST, OF THE MARIE B.
SPAULDING TRUST, U/T/A DATED THE 22ND DAY OF JUNE 1993 AND ANY AMENDMENTS
THERETO

hereinafter referred to as Grantor, does hereby grant, bargain, sell, and convey unto

LELAND P. GITTHENS and HARRIETT E. GITTHENS, husband and wife

hereinafter referred to as Grantee, whose current address is

2265 CHERRY LANE, EMMETT, ID 83617

the following described premises, to-wit

Lot 2 in Block 2 of AMENDED PLAT ORCHARD VIEW SUBDIVISION, according to the
Official Plat thereof, filed in Book 2 of Plats at Page 13, Official Records
of Gem County, Idaho

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

Dated: June 22, 2000.

MARIE B. SPAULDING, TRUSTEE, OR HER
SUCCESSORS IN TRUST, OF THE MARIE B
SPAULDING TRUST, U/T/A DATED THE 22ND
DAY OF JUNE 1993 AND ANY AMENDMENTS
THERETO

Sharon M. Johnson Stippich, Trustee
SHARON M. JOHNSON STIPPICH, TRUSTEE

Instrument # 212066

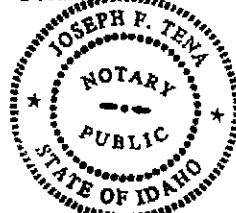
EMMETT GEM, IDAHO
2000-06-26 03:34:00 No. of Pages: 1
Recorded for: FIRST AMERICAN TITLE CO
SUSAN K. HOWARD Fee: 3.00
Ex-Office Recorder Deputy *[Signature]*
Index to DEED

STATE OF IDAHO)

ss

COUNTY OF GEM)

On This 26 day of June, in the year 2000, before me, a Notary Public in and for said State, personally
appeared SHARON M. JOHNSON STIPPICH, known or identified to me to be the person whose name is
subscribed to the within Instrument as the Trustee of the MARY B. SPAULDING TRUST, U/T/A DATED
THE 22ND DAY OF JUNE 1993 AND ANY AMENDMENTS THERETO., and acknowledged to me that
she executed the same as such Trustee.



Joseph F. Tena
Notary Public of Idaho
Residing at BOISE
Commission expires 11-12-04

MICROFILMED
SEP 19 2001

First American Title Company of Idaho

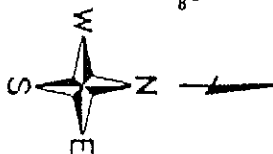
1977

ORCHARD VIEW SUBDIVISION

SITUATED IN THE SW 4, SEC. 16, T6N, R1W, BM, GEM CO., IDA

FRIEND AND PELKOLA
SURVEYING
BOISE, IDAHO

SCALE
1"=200'



I HEREBY CERTIFY THIS TO BE A TRUE & EXACT COPY OF THE ORIGINAL.

HOMER L. FRIEND

EASEMENTS

ALL LOT LINES ADJACENT TO PUBLIC RIGHT-OF-WAYS HAVE A 5 FEET WIDE PERMANENT PUBLIC UTILITIES EASEMENT AND A 10 FOOT WIDE EASEMENT FOR WETLAND LOT LINES.

NOTES

SEE DEPT. OF AGRICULTURE BUREAU OF RECLAMATION DRAWING NO. 1-1-1-1 FOR BLACK CANYON CANAL RIGHT-OF-WAY. BUILDING AND OCCUPANCY RESTRICTIONS FOR RESIDENTIAL DEVELOPMENT.

CURVE DATA

STATION	CH	CA	CA B/L
1	20	89° 42' 00"	10.84
2	20	90° 18' 24"	20.11
3	20	90° 18' 24"	20.11
4	20	90° 18' 24"	20.11
5	20	90° 18' 24"	20.11
6	20	90° 18' 24"	20.11
7	20	90° 18' 24"	20.11
8	20	90° 18' 24"	20.11
9	20	90° 18' 24"	20.11
10	20	90° 18' 24"	20.11
11	20	90° 18' 24"	20.11
12	20	90° 18' 24"	20.11
13	20	90° 18' 24"	20.11
14	20	90° 18' 24"	20.11
15	20	90° 18' 24"	20.11
16	20	90° 18' 24"	20.11
17	20	90° 18' 24"	20.11
18	20	90° 18' 24"	20.11
19	20	90° 18' 24"	20.11
20	20	90° 18' 24"	20.11
21	20	90° 18' 24"	20.11
22	20	90° 18' 24"	20.11
23	20	90° 18' 24"	20.11
24	20	90° 18' 24"	20.11
25	20	90° 18' 24"	20.11
26	20	90° 18' 24"	20.11
27	20	90° 18' 24"	20.11
28	20	90° 18' 24"	20.11
29	20	90° 18' 24"	20.11
30	20	90° 18' 24"	20.11
31	20	90° 18' 24"	20.11
32	20	90° 18' 24"	20.11
33	20	90° 18' 24"	20.11
34	20	90° 18' 24"	20.11
35	20	90° 18' 24"	20.11
36	20	90° 18' 24"	20.11
37	20	90° 18' 24"	20.11
38	20	90° 18' 24"	20.11
39	20	90° 18' 24"	20.11
40	20	90° 18' 24"	20.11
41	20	90° 18' 24"	20.11
42	20	90° 18' 24"	20.11
43	20	90° 18' 24"	20.11
44	20	90° 18' 24"	20.11
45	20	90° 18' 24"	20.11
46	20	90° 18' 24"	20.11
47	20	90° 18' 24"	20.11
48	20	90° 18' 24"	20.11
49	20	90° 18' 24"	20.11
50	20	90° 18' 24"	20.11
51	20	90° 18' 24"	20.11
52	20	90° 18' 24"	20.11
53	20	90° 18' 24"	20.11
54	20	90° 18' 24"	20.11
55	20	90° 18' 24"	20.11
56	20	90° 18' 24"	20.11
57	20	90° 18' 24"	20.11
58	20	90° 18' 24"	20.11
59	20	90° 18' 24"	20.11
60	20	90° 18' 24"	20.11
61	20	90° 18' 24"	20.11
62	20	90° 18' 24"	20.11
63	20	90° 18' 24"	20.11
64	20	90° 18' 24"	20.11
65	20	90° 18' 24"	20.11
66	20	90° 18' 24"	20.11
67	20	90° 18' 24"	20.11
68	20	90° 18' 24"	20.11
69	20	90° 18' 24"	20.11
70	20	90° 18' 24"	20.11
71	20	90° 18' 24"	20.11
72	20	90° 18' 24"	20.11
73	20	90° 18' 24"	20.11
74	20	90° 18' 24"	20.11
75	20	90° 18' 24"	20.11
76	20	90° 18' 24"	20.11
77	20	90° 18' 24"	20.11
78	20	90° 18' 24"	20.11
79	20	90° 18' 24"	20.11
80	20	90° 18' 24"	20.11
81	20	90° 18' 24"	20.11
82	20	90° 18' 24"	20.11
83	20	90° 18' 24"	20.11
84	20	90° 18' 24"	20.11
85	20	90° 18' 24"	20.11
86	20	90° 18' 24"	20.11
87	20	90° 18' 24"	20.11
88	20	90° 18' 24"	20.11
89	20	90° 18' 24"	20.11
90	20	90° 18' 24"	20.11
91	20	90° 18' 24"	20.11
92	20	90° 18' 24"	20.11
93	20	90° 18' 24"	20.11
94	20	90° 18' 24"	20.11
95	20	90° 18' 24"	20.11
96	20	90° 18' 24"	20.11
97	20	90° 18' 24"	20.11
98	20	90° 18' 24"	20.11
99	20	90° 18' 24"	20.11
100	20	90° 18' 24"	20.11

LEGEND

- SET 5/8" PIN
- SET 1/2" PIN
- EASEMENTS for utilities, imp. B. & P.
- BLOCK NUMBER
- LOT NUMBER

CODE AREA 2	LEV
STATE	LEV
COUNTY	LEV
SCHOOL	LEV
SCHOOL DIST	LEV
ADDITIONAL	LEV

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)
) PARTIAL DECREE PURSUANT TO
Case No. 39576) I.R.C.P. 54(b) FOR
) Water Right 65-21944

NAME AND ADDRESS: HARRY SPAULDING
MARIE SPAULDING
2265 CHERRY LN
EMMETT, ID 83617

SOURCE: GROUNDWATER

QUANTITY: 0.05 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 10/19/1977

POINT OF DIVERSION: T06N R01W S16 SENWSW Within Gem County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic 1 HOME	01-01 TO 12-31	0.05 CFS

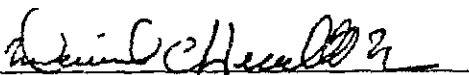
PLACE OF USE: Domestic T06N R01W S16 NWSW Within Gem County

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

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.


Daniel C. Hurlbutt, JR.
Presiding Judge
Snake River Basin Adjudication

MICROFILMED



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

July 30, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

LELAND P GITTHENS
HARRIET E GITTHENS
2265 CHERRY LN
EMMETT ID 83617

RE. Change of Ownership for Water Right

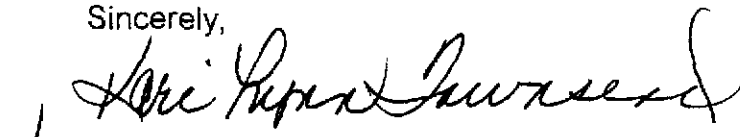
Dear Water Right Holder(s).

The department acknowledges receipt of correspondence changing ownership of the above referenced water right to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records. Also enclosed is a receipt for the \$25.00 filing fee.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,


for Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosures

MICROFILMED

SEP 19 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

December 8, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

LELAND P GITTHENS
HARRIET E GITTHENS
2265 CHERRY LANE
EMMETT ID 83617

RE: Change in Ownership of Water Right 65-21944

Dear Mr & Mrs. Gitthens:

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

Our review of your notice indicates that additional information is required before we can process the change. The information required is indicated below:

☒ **Filing Fee** of \$25 per water right

☐ **Filing Fee** of \$100 per water right for changes resulting from division of a water right

☐ **Signature**

☐ **Notarized Signature** for Assignment of Permit

☐ **Evidence of Water Right Ownership:** copy of Deed, Title Policy, Contract of Sale, or other legal document indicating your ownership of the property and/or water rights in question

☐ **Evidence of Security Interest:** copy of Deed of Trust, Mortgage, Contract of Sale or other legal document indicating your interest in the property and water rights in question

☐ **Security Interest Expiration Date**

☐ **Legal Description of Property**

☐ **Plat of Property or Survey Map** usually on file with the county

MICROFILMED
SEP 19 2001

_____ **USDA Farm Service Agency (formerly ASCS) Aerial Photo** with irrigated acres outlined and point(s) of diversion clearly marked

_____ **Description of Portion of Water Right** resulting from division of water right

Effective July 1, 2000, the legislature enacted House Bill No. 545 requiring a filing fee for a change in water right ownership. The fee is \$25 per water right, except for ownership changes resulting in the division of a water right, which is \$100 per water right. All ownership change notices received after June 30, 2000 must include the appropriate filing fees in order to be processed. We have determined that the filing fee for your notice will be \$25.00.

Because the Department cannot process the ownership change without proper fees, we will hold any action on your notice pending receipt of the necessary fees. If we do not receive the necessary fees within 30 days we will return your notice and all attachments and your notice will not be processed.

Please note that water right owners are required to report any change in water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage (<http://www.idwr.state.id.us>) on the Internet to obtain the proper forms and instructions.

Please feel free to contact the Department if you have any questions.

Sincerely,



Kari Lynn Townsend
Secretary

KLT:k

MICROFILMED
SEP 19 2001