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MAY 17 2002

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

Department of Water Resources

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

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WATER RESOURCES  
WESTERN REGION

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, 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<br>Right No(s). | Adjudication<br>Claim No(s). | Split | Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split |
|-----------------------|------------------------------|-------|-----------------------|------------------------------|-------|
|-----------------------|------------------------------|-------|-----------------------|------------------------------|-------|

63-10372

*Change Transfer*  
*ownership during*  
*processes*

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts. \$25.00
- 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) are 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)

*James Montandon / Boise Stage Stop*  
*HC 34 Box 55 Boise 83706*

4. New Owner/Claimant(s)

*Robert L. French*  
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

*1308 W. Robinhood Dr S14*

City, State and ZIP Code

*STOCKTON CA 95207*

New Telephone Number

*209 447-4417*  
*(208) 343-1367*

5. Date you acquired the property

*10/21/99*

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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<br>(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<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | _____                                                                      | _____                                                        |
| Stock                                                                                                                   | _____                                                                      | _____                                                        |
| Domestic                                                                                                                | _____                                                                      | _____                                                        |
| Other _____                                                                                                             | _____                                                                      | _____                                                        |
| <b>Total</b>                                                                                                            | _____                                                                      | _____                                                        |

| DESCRIPTION OF YOUR PORTION OF WATER RIGHT<br>(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<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | _____                                                                      | _____                                                        |
| Stock                                                                                                                   | _____                                                                      | _____                                                        |
| Domestic                                                                                                                | _____                                                                      | _____                                                        |
| Other _____                                                                                                             | _____                                                                      | _____                                                        |
| <b>Total</b>                                                                                                            | _____                                                                      | _____                                                        |

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

George W. Winge GM

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 \_\_\_\_\_ Date \_\_\_\_\_ Fee \_\_\_\_\_  
 Received by \_\_\_\_\_ Date \_\_\_\_\_ Receipt No. \_\_\_\_\_  
 Processed by \_\_\_\_\_ AJ Date \_\_\_\_\_ WR \_\_\_\_\_ Date \_\_\_\_\_

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JUN 9 7 2004

After Recording  
Return to:

Michael T. Spink  
Spink & Butler  
P.O. Box 639  
Boise, ID 83701

ADA COUNTY RECORDER  
J. DAVID NAVARRO  
BOISE, IDAHO

1999 OCT 21 PM 4:49

RECORDED - REQUEST OF

FEE 15<sup>00</sup> DEPUTY

99103592

99103592

FOR RECORDING INFORMATION

### UNITED STATES MARSHAL'S DEED

THIS DEED, made this 21 day of October, 1999, by James H. Benham, United States Marshal for the District of Idaho, by virtue of his office, and Robert L. French, 1308 West Robinwood Drive, Suite 14, Stockton, California 95207;

WHEREAS, by virtue of a sale conducted following the issuance of the December 28, 1993, Order of Sale, which order was issued pursuant to an amended Judgment entered September 2, 1993, by the United States District Court for the District of Idaho, in favor of the United States of America, plaintiff, and against the defendant Amistad, Inc., et.al.,

AND WHEREAS, the Order of Sale issued out of the above-named court, under the authority of which the U.S. Marshal was commanded to satisfy the judgment by levying on and selling all property which the defendant had a substantial nonexempt interest, and by executing upon the real property described below:

A portion of the Southeast quarter of Section 29, Township 1 North, Range 4 East, Boise-Meridian, Ada County, Idaho, and a portion of the Northeast quarter of Section 32, Township 1 North, Range 4 East, Boise-Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at the quarter corner common to said Sections 29 and 32, Township 1 North, Range 4 East, Boise-Meridian, Ada County, Idaho; thence South 89°58'00" East along the section line common to said Sections 29 and 32, 1636.00 feet to a point being a right-of-way marker on the West right-of-way of the Orchard Off Ramp, said point being marked by a concrete and brass cap designated P.O.S.L., said point being the REAL POINT OF BEGINNING; thence South 28°26'54" East along the West right-of-way of the Orchard Off Ramp,

124.00 feet to a point; thence leaving said right-of-way South 51°45'40" West 499.40 feet to a point; thence South 26°22'42" East 442.60 feet to a point on the Northerly right-of-way line of Orchard Road; thence south 51°45'40" West along the Northerly right-of-way line of Orchard Road, 250.00 feet to a point; thence leaving said right-of-way North 29°40'17" West 1962.97 feet to a point, said point being station 18 on the Southerly boundary of Indian Creek Reservoir as so designated in a complaint filed November 10, 1928, as Case No. 12138; thence North 82°35'00" East 370.00 feet to a point, said point being station 17 on the Southerly boundary of Indian Creek Reservoir as so designated in said complaint; thence South 79°17'00" East 563.27 feet to a point, said point being the intersection of the Southerly boundary of Indian Creek Reservoir and the Westerly boundary of Interstate 84 North right-of-way; thence leaving said Southerly boundary of Indian Creek Reservoir South 38°14'20" East along the Westerly boundary of said Interstate 84 North, 84.12 feet to a point, said point being a right-of-way marker on the Orchard Off Ramp; thence South 28°26'54" East along said Westerly boundary of said Orchard Off Ramp 697.36 feet to a point, said point being the REAL POINT OF BEGINNING.

EXCEPT ditch and road rights-of-way and any portion lying within Indian Creek Reservoir.

Real property situate in the County of Ada, State of Idaho, more particularly described as follows, to-wit:

A tract of land in the Northeast Quarter of Section 32, Township 1 North, Range 4 East, Boise Meridian, more particularly described as follows:

Beginning at the Quarter corner common to Sections 29 and 32, Township 1 North, Range 4 East, Boise Meridian; thence South 89°58' East 1,636 feet to a right-of-way marker on the West right-of-way of the Orchard Off Ramp, said point being marked by a concrete and brass cap designated P.O.S.L. indicating the POINT on section line; thence South 28°26'54" East a distance of 124 feet along the said right of way line to an iron pin, the TRUE POINT OF BEGINNING; thence South 51°45'40" West a distance of 499.4 feet to an iron pin; thence South 26°22'42" East a distance of 442.6 feet to an iron pin on the Northerly right of way line of the Orchard Road; thence North 51°45'40" East along the Northerly right of way line of the Orchard Road a distance of 453.6 feet to a concrete right of way monument on said right of way; thence North 16°13'25" East a distance of 86 feet to a right of way monument on the Westerly right of way of the Orchard Off Ramp; thence North 28°26'54" West along the Westerly right of way line of the Orchard Off Ramp, a distance of 389 feet to the TRUE POINT OF BEGINNING.

SAVE and EXCEPT that certain exception in Warranty Deed recorded on May 26, 1972, at 8:00 a.m. as Instrument No. 807426, records of Ada County, Idaho, as follows:

"Reserving unto the parties of the first part, their heirs, successors and assigns, the present interest of the parties of the first part in and to the oil, gas and other minerals in, upon, and under and that may be produced from the premises above described, subject to the right of the party of the second part to fully enjoy the surface estate therein, and expressly reserving to the parties of the first part the exclusive right to lease the above described premises for the purposes of oil, gas or other mineral development thereon subject to said right of the party of the second part to fully enjoy the said surface estate."

AND WHEREAS, in obedience to said Order of Sale, and after due public notice was given as required by law, the said Marshal did, on the 18<sup>th</sup> day of February, 1994 at 1:00 p.m., duly sell at public auction the premises described to Robert L. French for \$891,000, that being the highest and best bid and Robert L. French the highest and best bidder, whereupon the said Marshal gave to said purchaser such Certificate of Sale.

NOW THEREFORE, I, James H. Benham, United States Marshal for the District of Idaho, by virtue of my office, for and in consideration of \$891,000, have sold and by these presents do sell the real property situated in the County of Ada, State of Idaho:

A portion of the Southeast quarter of Section 29, Township 1 North, Range 4 East, Boise-Meridian, Ada County, Idaho, and a portion of the Northeast quarter of Section 32, Township 1 North, Range 4 East, Boise-Meridian, Ada County, Idaho, more particularly described as follows:

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IN WITNESS WHEREOF, said grantor as Marshal aforesaid, doth hereunto set his hand  
the day and year first above written.

**JAMES H. BENJAM**  
United States Marshal  
for the District of Idaho

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal at the City of Boise, State of Idaho, this 21 day of October, 1999.

NOTARY PUBLIC  
Residing at Boise, Idaho  
My Commission Expires:

000 0 2 2004