

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

OCT 17 2022

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP
Department of Water Resources
Eastern Region

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, see #7 of the instructions. DB ✓

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
75-10499	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: FIRST FEDERAL AMERICA BANK
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): DAVID AND MELISSA CRAIG
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or
- P.O. BOX 789 SALMON ID 83467
Mailing address City State Zip
- 503-789-8034 DAVID@SALMONVALLEYBREWERY.COM
Telephone Email

4. If the water rights and/or adjudication claims were split, how did the division occur?
☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
5. Date you acquired the water rights and/or claims listed above: 1-22-18

6. Do you own the land identified as the water right place of use? Yes ☒ No ☐
☐ If no, attach evidence that written notice of the change of water right ownership has been delivered to the landowner of record.

7. This form must be signed and submitted with the following **REQUIRED** items:
- ☒ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
 - ☒ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
 - ☒ Filing fee (see instructions for further explanation):
 - ☐ \$25 per undivided water right.
 - ☐ \$100 per split water right.
 - ☐ No fee is required for pending adjudication claims.
 - ☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
 - ☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

8. Signature: DAVID CRAIG OWNER 10-11-22
Signature of new owner/claimant Title, if applicable Date
- Signature: MELISSA CRAIG OWNER 10-11-22
Signature of new owner/claimant Title, if applicable Date

Received by JB Date 10/17/2022 For IDWR Office Use Only: Refunded Receipt No. 5048628 Receipt Amt. \$25.-

Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☐

Name on W-9 JB Approved by JB Processed by JB Date 3/10/2023

Declaration of Fact

I, Brent Godfrey affirm the following to be true:

1. Beginning in 1971, I was a regular golfer at Lake Creek Golf Course. I golfed there so regularly that I have solid memory of the layout and structures that existed at that time.
2. All 6 of the structures shown in the attached aerial photo did exist in 1971.
3. The structure labeled "Golf Course" contained a bathroom and was connected to the Lake Creek Water system.

X  Date 12/22/22



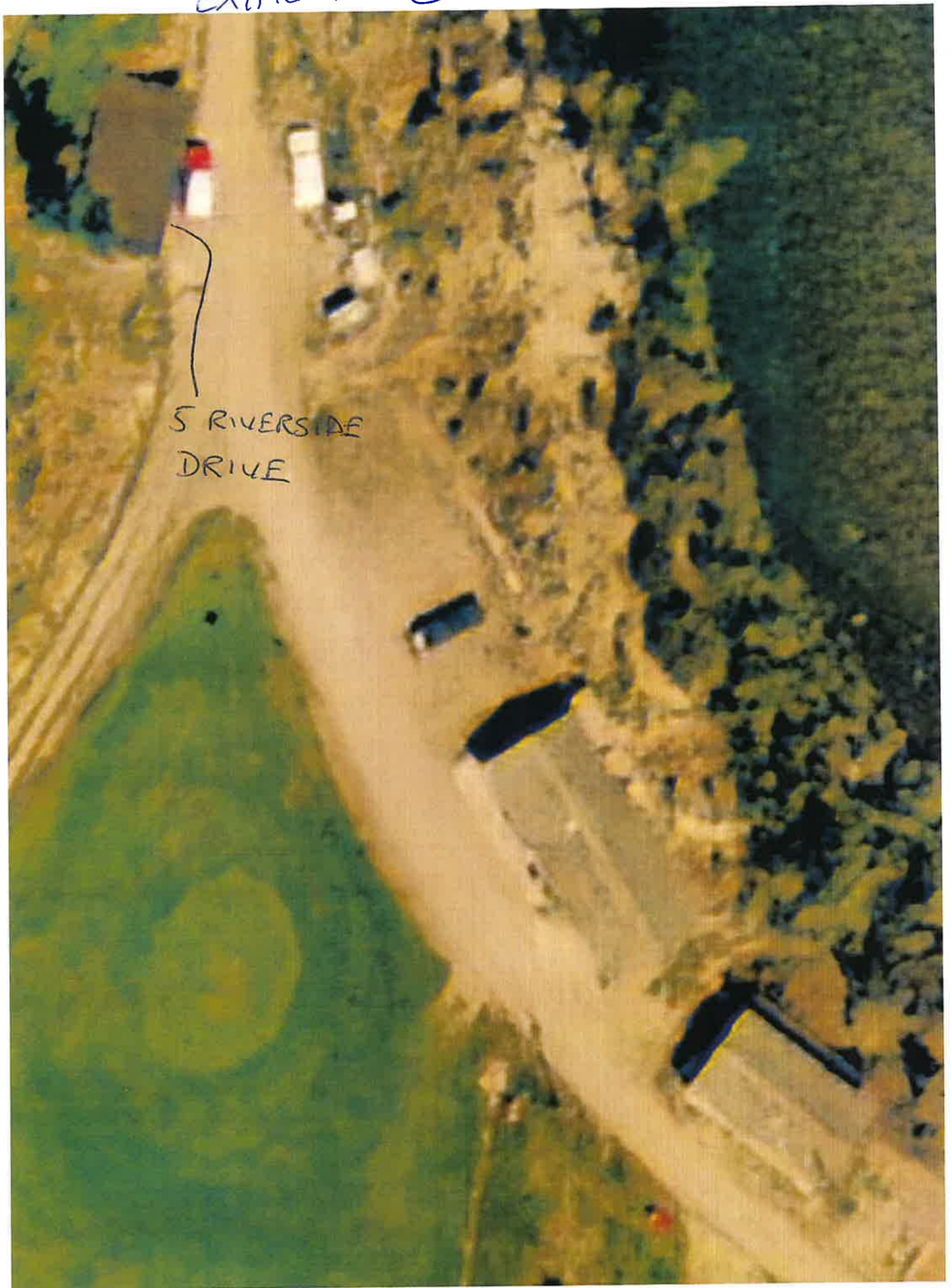
GOLF
COURSE

9-15-74

BLM-1-4 4-28-409



EXHIBIT C



WARRANTY DEED

Alliance Title & Escrow Corp. Order No.: 378375

FOR VALUE RECEIVED

Valeea Wise, aka Valeea R. Wise a married person, who acquired title as Valeea R. Steinbruegge

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

David W. Craig and Melissa D. Craig, husband and wife

whose current address is

PO Box 9
Newberg, OR 97132

the grantee(s), the following described premises, in Lemhi County, Idaho, TO WIT:

Parcel I:

Lots 1 and 2 of Block 3 of Lake Creek Subdivision No. 1 according to the Official Plat thereof filed for record in Book 2 of Plats at Page 12, Official Records of Lemhi County, Idaho.

Parcel II:

Block 1, Lake Creek Subdivision No. 1 recorded Book 12, Page 12, less lands of Leslie May Shumate (Tax #3841 filed as Instrument #232537), remainder parcel more particularly described as follows:

Beginning at the Southwest Corner of said Block 1, run thence N. 00° 15' 57" E., along the westerly line of said Block 1, the Basis of Bearing of this description, 118.65 feet to the intersection with the southerly line of said Tax #3841.
Thence along the southerly line of said Tax #3841, S. 81° 33' 49" E., 53.10 feet;
Thence along the easterly line of said Tax #3841, N. 35° 06' 37" E., 87.54 feet to the intersection with the northerly line of said Block 1;
Thence S. 89° 42' 24" E., 163.86 feet to the Northeast corner of said Block 1;
Thence S. 00° 14' 52" W., 250.64 feet to the Southeast corner of said Block 1;
Thence N. 75° 28' 03" W., 275.00 feet to the Point of Beginning;

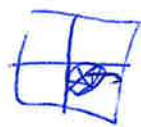
Lots 1, 2, 3, 4, 5, 6, 7, 8, 9 & 10 in Block 2, Lake Creek Subdivision, according to the Official Plat thereof filed for record in Book 2 of Plats at Page 12, Official Records of Lemhi County, Idaho.

Lot 10, Block 5, Lake Creek Subdivision No. 1, Lemhi County, Idaho.

Excepting therefrom the following:

A portion of Lot 10, Block 5, Lake Creek Subdivision No. 1, in Lemhi County, Idaho, more particularly described as follows:

Beginning at the Southwest corner of Lot 10, Block 5, Lake Creek Subdivision No. 1; thence along the west line of Lot 10, N. 00° 04' 29" W., 100.00 feet to the Northwest corner of said Lot 10; thence along the north line of Lot 10, N. 89° 56' 31" E., 191.44 feet; thence S. 48° 26' 33" W., 66.92 feet; thence S. 34° 45' 32" W., 67.80 feet to the south line of Lot 10; thence S. 89° 56' 31" W., 102.58 feet to the Point of Beginning.



Lots 1, 2 and 3, Block 9, First Addition to Lake Creek Subdivision, according to the Official Plat thereof filed for record in Book 2 of Plats at Page 19, Official Records of Lemhi County, Idaho.

Also:

2019-21E027202 A portion of the Northeast Quarter Southeast Quarter Section 2, T. 19 N., R. 21 E., Boise Meridian, Lemhi County, Idaho, less all that portion of Lake Creek Subdivision No. 1, recorded Book 12, Page 12 and lands of Leslie Shumate (Tax #3839), more particularly described as follows:

Beginning at the Southeast 1/16th corner of said Section 2, run thence N. 00°13'11" E., along the westerly line of said Northeast Quarter Southeast Quarter Section 2, the Basis of Bearing of this description (see Record of Survey Inst. No. 243788), 1320.86 feet to the Center-East 1/16th of said Section 2;
Thence S. 89° 37' 35" E., along the northerly line of said Northeast Quarter Southeast Quarter of Section 2, 743.27 feet to the intersection with the westerly line of Tax No. 3839;
Thence along the westerly and southerly boundary of the following courses:
S. 89° 03' 50" W., 38.36 feet; S. 81° 52' 18" E., 229.48 feet to the intersection with the westerly line of said Lake Creek Subdivision No. 1;
Thence along said westerly line the following courses:
S. 00° 10' 02" E., 112.15 feet to the Southwest corner of Block 1;
S. 30° 14' 58" W., 283.70 feet to the westerly corner of Lots 3 & 4, Block 2;
S. 12° 13' 57" W., 90.00 feet to the westerly corner of Lots 4 & 5, Block 2;
S. 23° 07' 57" W., 360.00 feet to the westerly corner of Lots 8 & 9, Block 2;
S. 09° 34' 57" W., 269.52 feet to the westerly corner of Lots 11 & 12, Block 2;
S. 23° 15' 51" W., 146.10 feet to the westerly corner of Lots 13 & 14, Block 2;
S. 33° 23' 17" W., 86.76 feet to the intersection with the southerly line of said Northeast Quarter Southeast Quarter, Section 2;
N. 89° 40' 07" W., 516.05 feet to the Point of Beginning.

Also:

A parcel of land located in the Northwest Quarter Southeast Quarter of Section 2, Township 19 N., Range 21 East, Boise Meridian, Lemhi County, Idaho, more particularly described as follows:
Beginning at the east quarter corner of Section 2, Township 19 N., R. 21 E., Boise Meridian, and running thence west 100 feet; thence S. 00° 01' E., 250.7 feet; thence N. 65° 00' E., 160 feet more or less to a point on the westerly bank of the Salmon River; thence northerly along the bank of the Salmon River 185.0 feet more or less to the Point of Beginning;

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: Jan 19th 2018

Valeca R. Wise
Valeca Wise

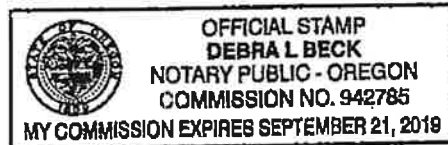
Jeffrey R. Wise
Jeffrey R. Wise

State of Oregon) ss
County of Union)

On this 19th day of January, 2018, before me, the undersigned, a Notary Public in and for said state, personally appeared Valeca Wise and Jeffrey R. Wise, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within Instrument and acknowledged to me that he/she/they executed same.

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

Debra L Beck
Notary Public for the State of Oregon
Residing at: La Grande, OR
Commission Expires: 09/21/2019



State of Idaho
Department of Water Resources

Water Right
75-10499

DOMESTIC

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.

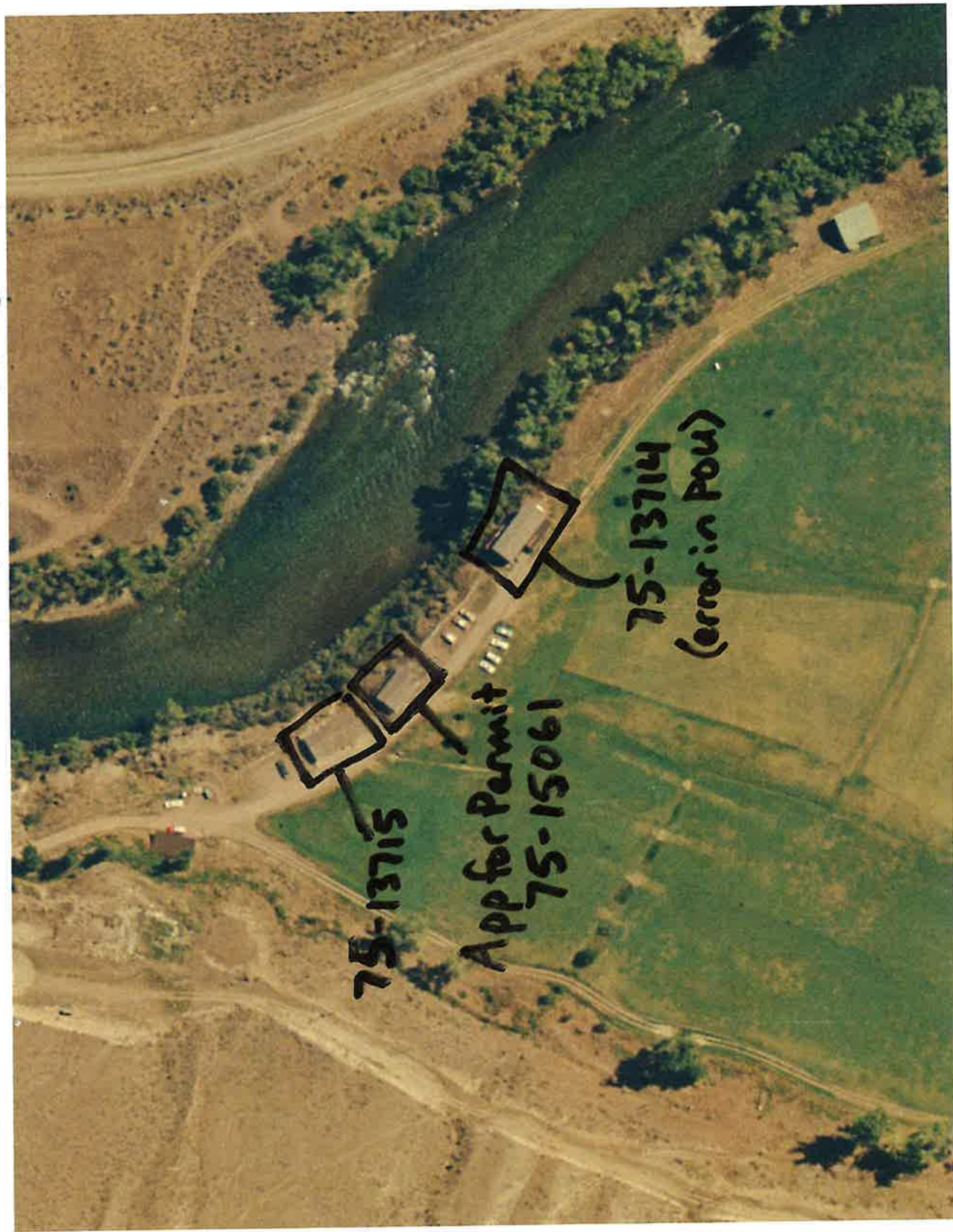


- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

0 0.05 0.1 0.2 Miles



9-15-74 USGS Photo



75-13715

App for Permit
75-15061

75-13714
(error in POU)

9-15-74 USGS Photo



★ COBALT News Events

By Elsie M. Schmuck

S. E. Park of Yellow Jacket was a Monday business caller and visitor at Cobalt and Salmon.

Mr. and Mrs. Winfield Adams were Monday business callers in Salmon.

Hugo Stiel of the Tin Cup Mine in the Yellow Jacket District was a Monday and Tuesday business caller in Cobalt and Salmon.

Mr. and Mrs. Abe Foster and Frank of Lemhi were Cobalt visitors Monday.

Mr. and Mrs. Royal Arbuckle were Tuesday business callers in Salmon.

John O'Connor of Salmon was in the Cobalt area briefly on Tuesday.

Mr. and Mrs. Gerald Robinson were Thursday evening business callers in Salmon where Mr. Robinson had medical treatment.

Billy Combs came home to Co-

balts Thursday after spending the past year attending high school at Los Angeles.

Mr. and Mrs. Ronald Olson of Brigham City, Utah, spent several days last week in the Cobalt area completing and visiting friends. The Olson family were formerly Cobalt residents for a number of years.

Albert Lamper of Salmon was a brief Cobalt visitor Friday afternoon.

Mr. and Mrs. Royal Arbuckle were Salmon business callers and shoppers Friday.

Mr. and Mrs. Alfred McCoy and Keith, Mr. and Mrs. Ed Budgett and daughters, spent Saturday and Monday on a fishing trip to Carlson Lake.

Claude Hopkins and Quintan Davis of the Yellow Jacket Mine were brief Cobalt business callers Friday.

Mr. Richard Benedict was a Thursday visitor in Salmon.

Russell Hyde and Delmar Brock were Saturday business callers in Salmon.

Mr. and Mrs. Alvin White and son spent Sunday in the Yellow Jacket area.

Mr. and Mrs. Harold Bolstad, Mr. and Mrs. Arnold Phillips and Mr. and Mrs. Jack Stacy spent the weekend at Meyers Cove. The Stacys returned to Cobalt Sunday but the rest of the party stayed a day longer, returning to Cobalt Monday.

Mr. and Mrs. Winfield Adams and family spent the Memorial Day weekend in Montana.

During the Memorial Day weekend, Mr. and Mrs. Kenneth Ziegler of Salmon moved into the company house formerly owned by Clinton Coppelmann.

Church Holds Loyalty Event

The Assembly of God Church has completed its annual loyalty campaign.

Theme of the campaign which continued seven Sundays was "You can count on me."

Each Sunday featured one of the following sub-themes: "I'll Come," "I'll Stay," "I'll Give," "I'll Pray," "I'll Serve," "I'll Tell Others," and a dedication day last Sunday.

WANT RESULTS—Try a Recorder-Berald Classified



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under the protective roof of

Stevens Insurance

Phone 756-2631 Salmon, Idaho

Save with Safeco's broad-risk Homeowner's Policy! No dangerous gaps, no costly overlaps. Yet it costs less than many "ordinary" policies! For the complete roof of protection, call us today.

W. G. Lee Rites Held On Monday

Funeral services for W. G. Lee, 76, were held at the Jones Funeral Home Monday, June 3, 1968, at 2 p.m. with Rev. Theodore Cox officiating.

Mr. Lee died May 29 in Steele Memorial Hospital where he had been confined for two weeks.

He was born in Salmon, July 23, 1891, one of a family of eight children born to Charles Douglas and Caroline Richards Lee. He received his schooling in Salmon attending a school where the present Ravindal ranch now is located.

Mr. Lee served in the Navy during World War I and then returned to Salmon to make his home on the Lee ranch until it was sold to Bill Clark during World War II. He then purchased the Mayfield place out St. Charles Street where he lived for a short time.

The place was sold and he went to Butte and was a guard at the State Penitentiary for several years. At this time he returned to Salmon and made his home four miles up the Lemhi.

On Oct. 29, 1953, he married Mary Rees and they continued to live in Salmon.

He is survived by his widow, Mary; one brother, Rev. George C. Lee of Missoula and several children.

Funeral services were given by Pastor Paul, Charles and Elaine Park.

Two vocal solos were sung by Mrs. R. B. Cavanaugh.

Burial took place in the Salmon Cemetery under auspices of the American Legion.



Rockwell D. Smith

Rockwell Smith Receives Honor

Rockwell D. Smith, son of Mr. and Mrs. D. L. Smith, Salmon, was honored at a speech and dinner department coffee hour at the University of Puget Sound.

Smith received the award for outstanding technical work in drama.

A graduate of Laurel Senior High School, Smith is a junior studying speech and drama at UPS, a Methodist-affiliated, liberal arts campus with 2,500 full-time students.

★ Local News

Mr. and Mrs. Eugene Edwards were visitors Sunday evening at the Williams Edwards home.

Mr. and Mrs. Carl Ziegler entertained at dinner Sunday evening for Mr. and Mrs. Frank Barsalou.

Mr. Marshall Watson returned home Sunday from a two-week vacation in California, Oregon and Washington.

Mr. and Mrs. Danny Heltzer and Danna were Thursday evening dinner guests of Mr. and Mrs. Bill Maxwell.

Mr. Jack Smith and Jackie and Mrs. Lou Brown were visitors in Missoula Tuesday and Wednesday.

Mr. and Mrs. Ross Perry and son, Donny, Idaho Falls, spent the weekend in Salmon with Mr. Annie Bean and Mr. and Mrs. Bill Smith.

Mr. Rex Mealy and son, Mike, are guests of her sister and brother-in-law Mr. and Mrs. Jack McKimby this week.

Guests at the Vesp Doble home this week are his mother, Mr. Nettie Dahl, Idaho Falls, and Mr. and Mrs. Lynne Dahl and family, Merrim.

Mr. and Mrs. Elmer Baxter were hosts at dinner Monday evening for Mr. and Mrs. Vargil Hunt, Vet Bartlett and Mr. and Mrs. Frank Barsalou.

Mr. and Mrs. Bill Maxwell and family attended graduation exercises at UPS in Pocatello last Friday where their son, Bill, was graduated with a bachelor of science degree in education.

Mackay Slates Rodeo, Races

Special to The Recorder-Berald

MACKAY — The Mackay Rodeo Assn will hold a rodeo queen contest and prize race meet at the Mackay Rodeo Grounds June 16. The contest will begin at 1 p.m.

A rodeo queen and two attendants will be chosen to reign over the two-day afternoon rodeo Saturday and Sunday, June 22-23.

Following the queen contest a five-event race meet for girls 12 to 24 years of age will be held. There is \$25 prize money plus all the \$250 entry fee for each race.

Car Recovered

City police Tuesday checked an auto parked on a city street and found that it had been abandoned. The vehicle was traced to a Los Angeles owner, Walter Miller, chief of police, said the FBI was notified.

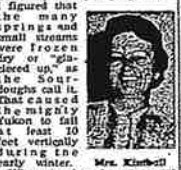
Mr. and Mrs. Glenn Hatch left Tuesday morning to return to Blackfoot after a two-week visit with Mr. and Mrs. Larry Bulls.

HOOK, LIAR and PLINKER

By Ethel Kimball

(More Alaska with Goffs)

It had seemed quite odd to me when old weather had let in the previous fall and heavy shore ice began to form to see old Yukon begin to fall and leave a sheet of sloping ice down to the water's edge. The river kept falling until there was 10 or 12 feet of ice from solidly to the sloping banks. I figured that the many springs and small streams were frozen dry or "glaciated" as the old-timers call it. That caused the mighty Yukon to fall at least 10 feet vertically in a matter of a few days.



When the days began to get quite long in early May the sun started to melt the accumulated snow and ice of a long winter. The old weather began to rise and break her icy shackles. The pressure of water under the ice became so great that it was broken loose at the edge and lifted as the water continued to raise. By the middle of May the ice had raised five or six feet, leaving a narrow channel of open water on each side of the river.

About the 24th of May the ice began to move down the river. Slowly at first, as it forms great ice jams on each turn of the river. Then as the relentless pressure breaks a jam and flows across a broad meadow down trees and brush as if they were match sticks. Again a big ice jam forms at the bend below Lone Bluff, and huge blocks of ice pile up 30 feet high. But the mighty river keeps plugging the ice in fantastic heaps and towers. It has to give way, and with a grinding roar the ice buckles and flows on. The ice gorge is on the move, once more!

It is an impressive and wonderful sight to see and hear the ice go on. Also, a "cheebach" becomes a bough when he has seen the ice run in the Yukon or any of the large rivers of the Northwest. It is a very proper imitation to the Worthy Clan of Seafarers!

Discouraged Diggers

As summer came again we



panionway states. He got part way up before he was taken down.

A hardened old seafarer yelled at him, "Git the G-L'er outta here, you stinking fool!"

"Who you yelling at? asked the man on the stairs between passes."

"I'm talking to you, you dirty stinker! Git on up them steps or I'll come help you up with the toe of my boot!"

"Come on and put me up, you blackie-blankie, so I can get on and put me up and you won't lie to tell about it. The way I feel right now, I don't care if I do die and I'd just as soon take you along with me. Come on you S-O-B's!"

And the sick man glared at around with glassy eyes, then went to the stairs.

"I just began to feel (I wasn't long till I'd be in the same fix as you), and thinking hard I climbed up to the main deck where several of the crew were looking around me in the storm bladders to keep the seas from coming aboard."

"I just manage to get across the deck, where the water was shooting in deep, and lean against one of the big seawater tanks. Then I was seasick."

(concluded next week)

The Recorder-Herald is well equipped to do your printing.

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New Scrubbable Rubber Latex Wall Paint

At last...a latex wall paint that really cleans clean! Finger prints, soil and smudges can be washed away quickly and easily. You can wash your walls new, over and over again. And its rich, flat finish will not polish or burnish...your walls stay beautiful!

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St. Charles & Shoup Phone 754-3322

Opening Saturday SALMON RIVER GOLF COURSE

WILL OPEN SATURDAY, JUNE 8

Our new Golf Course is ready for play, however, there are many improvements now under construction and we ask you to bear with us until these are completed.

The Golf Course is located 12 miles south of Salmon on Highway 93 at Lake Creek Resort. After crossing the Williams Lake Bridge, turn left to Golf Course.

WE INVITE EVERYONE Out To Enjoy a Round of Golf

We will have equipment for rent and our Golf Pro, Mr. Swede Peterson, will be glad to arrange for lessons — group or private.

GREEN FEES

\$200 WEEKDAYS \$300 WEEKENDS & HOLIDAYS
ANNUAL MEMBERSHIPS AVAILABLE
\$100.00 Per Family — \$75.00 Single Male — \$50.00 Single Female

The Staff At The Salmon River Golf Course Will Be Happy To Assist You In Anyway To Make Your Golf Game More Enjoyable.

ENJOY A CHALLENGING GAME AT THE SALMON RIVER GOLF COURSE



You're invited to a stirring "Command Performance"

You'll enjoy one of the great "Command Performances" of all time, when you take the keys to a new Cadillac and put it through your personal test drive. You'll experience the spirited response of Cadillac's famed 472 V-8 engine—the largest, smoothest V-8 in any production passenger car. And you'll control this great new performer with an ease you find hard to believe in a car of such stature. Cadillac's variable-ratio power steering, along with its stability and near-perfect balance provide a unique feeling of security under every driving condition. There's no better time than now to talk business with your authorized Cadillac dealer.

Ask your Cadillac dealer for a "Command Performance" test drive.



IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

10/21/2022

Water Right 75-10499

Owner Type **Name and Address**
Current Owner FIRST FEDERAL AMERICA BANK
 198 N MAIN
 LOGAN, UT 84321
 (208) 752-8893

Priority Date: 5/1/1968

Basis: Decreed

Status: Active

Source
SPRING

Tributary
LAKE CREEK

Beneficial Use	From	To	Diversion Rate	Volume
DOMESTIC	1/01	12/31	0.040 CFS	
	Total Diversion		0.040 CFS	

Source and Point(s) of Diversion:

SPRING L5(NESE) Sec. 2, Twp 19N, Rge 21E, LEMHI County

Place Of Use:

DOMESTIC within LEMHI County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
19N	21E	1																	
19N	21E	2													X L5				

Conditions of Approval:

1. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. RP 000690080130A

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

9/27/2022

Water Right 75-10499

Owner Type
 Current Owner

Name
 FIRST FEDERAL AMERICA BANK

Priority Date: 5/1/1968

Basis: Decreed

Status: Active

Source
 SPRING

Tributary
 LAKE CREEK

Beneficial Use
 DOMESTIC

From
 1/01

To
 12/31

Diversion Rate
 0.040 CFS

Volume

Total Diversion 0.040 CFS

Source and Point(s) of Diversion:

SPRING

L5(NESE)

Sec. 2, Twp 19N, Rge 21E, LEMHI County

Place Of Use:

DOMESTIC within LEMHI County

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
19N	21E	1																	
19N	21E	2													X L5				

Conditions of Approval:

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2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. RP 000690080130A

Combined Use Limits:

N/A

SubCase:

N/A

Water Supply Bank:

N/A

Water Right Report : 75-10499(Decreed/Active)

Water Right Owners

Owner Type	Name	Address	City	State	Postal Code
Current Owner	FIRST FEDERAL AMERICA BANK	198 N MAIN	LOGAN	UT	84321

Water Right Status

Priority Date : 5/1/1968
 Basis : Decreed
 Status : Active

Water Source

Source	Source Qualifier	Tributary	Tributary Qualifier
SPRING		LAKE CREEK	

Points Of Diversion (Location)

Source	Township	Range	Section	Govt. Lot	QQQ	QQ	Q	County	Diversion Type
SPRING	19N	21E	2	5				NE SE LEMHI	

Water Uses

Beneficial Use	From	To	Diversion Rate	Volume
DOMESTIC	1/01	12/31	0.04 CFS	
TOTAL			0.04 CFS	

Places of Use

Place of Use Legal Description : DOMESTIC (LEMHI county)

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
19N	21E	1	9				
19N	21E	2	5		NE	SE	

Conditions

Code Conditions

N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

RP 000690080130A

Dates

Licensed Date :
 Decreed Date : 11/3/2000
 Permit Proof Due Date :
 Permit Proof Made Date :
 Permit Approved Date :
 Permit Moratorium Expiration Date :
 Enlargment Use Priority Date :
 Enlargement Statute Priority Date :
 Application Received Date:

Other Information

State or Federal : S
 Water District Number : NWD
 Generic Max Rate Per Acre : 0
 Generic Max Volume Per Acre : 0
 Civil Case Number :
 Decree Plaintiff :
 Decree Defendant :
 Swan Falls Trust or Nontrust :
 Swan Falls Dismissed :

SHERIFF'S DEED ON FORECLOSURE

THIS INDENTURE, Made this 26 day of June, 1977, between WILLIAM N. BAKER, Sheriff of Lemhi County, State of Idaho, party of the first part, and FIRST FEDERAL SAVINGS AND LOAN ASSOCIATION, Logan, Utah, a corporation organized and existing under and by virtue of the laws of the United States of America with its principal place of business in Logan, Cache County, Utah, party of the second part;

WITNESSETH:

WHEREAS, in and by a certain Decree of Foreclosure and Order of Sale of the District Court of the Seventh Judicial District of the State of Idaho, in and for the County of Lemhi, dated the 3rd day of May, 1976, and filed of record in said Court the 6th day of May, 1976, in a certain action then pending in said Court, wherein First Federal Savings and Loan Association, Logan, Utah is Plaintiff and Salmon Syndicate Trust aka Salmon Syndicate Trust #1, an Idaho Trust, C. Rick Miles, single, Eva Miles, single, Beverly N. Miles, single, Salmon 45, Inc., an Idaho Corporation, Blaine J. White and Freda White, husband and wife, James H. Hill and James W. Hill and Jane Doe Hill, husband and wife, State of Idaho, Laddy Thomas Drake and Verna H. Drake, husband and wife, Incorporated Land of Enchantment Investment, a New Mexico corporation, Western American Investment Co. of Albuquerque, a New Mexico corporation, Charles Marko, Ronald E. Glenn, C. A. Fritsinger, Imperial Trust, an Arizona trust, Avco Financial Services One, Inc., a Utah corporation, Avco Financial Services of Idaho Falls, Inc. an Idaho corporation, Glenn Tickner and Louise Tickner, husband and wife, Daniel M. Tyler and Thaco B. Tyler, husband and wife, Eric Tyler and Launa Tyler, husband and wife, Dale Lee Wells and Sherry Ellen Wells, husband and wife, Paul G. Rapier and Corinne Rapier, husband and wife, Lane W. Wright and Jane Doe Wright, husband and wife, are defendants, it is among other things, ORDERED, ADJUDGED and DECREED that all and singular the mortgaged premises described in the Decree of Foreclosure and Order of Sale be sold at public auction by the Sheriff of the said County of Lemhi, in the manner required by law and according to the course and practice of said court; that any party to the action might become a purchaser at said sale; that said sheriff should issue the usual certificate and deed to the purchaser or purchasers, as required by law; and,

WHEREAS, an Execution in Foreclosure was duly issued out of the above entitled court on the 26 day of May, 1976, which execution was delivered to said sheriff, whereby he was, among other things, commanded that the said property therein described should be sold and the said decree carried out in full and,

WHEREAS, the said sheriff did, on the 7th day of June, 1976, after due public notice had been given as required by the laws of this state and the course and practice of said Court, duly sell at public auction in the said County of Lemhi, agreeable to said Decree of Foreclosure and Order of Sale and Execution in Foreclosure, and the provisions of law, the premises in said Judgment of Decree hereinafter described, which premises were fairly struck off to First Federal Savings and Loan, Logan, Utah, a corporation, for the aggregate sum of \$355,810.45, it being the highest bidder

and that being the highest bid for the same; and,

WHEREAS, the said purchaser thereupon paid the said sheriff his fees and disbursements on said sale and directed that the balance thereof be applied in satisfaction of the judgment obtained by it; and

WHEREAS, the said sheriff thereupon made and issued the usual certificate in duplicate of said sale, in due form of law, and delivered one copy thereof to the purchaser, First Federal Savings and Loan, Logan, Utah, a corporation, and caused the other to be filed in the office of the County Recorder of the County of Lemhi; and

WHEREAS, more than twelve months have elapsed since the date of said sale and no redemption has been made of the premises so sold, as aforesaid, by or on behalf of said judgment debtors, listed above or any other defendant, by or on behalf of any other person;

NOW, THIS INDENTURE WITNESSETH: That the said party of the first part, as Sheriff, in order to carry into effect the sale so made in pursuance of said Decree of Foreclosure and Order of Sale, and in conformity to the statute in such cases made and provided, and also in consideration of the premises and the sum of \$355,816.45, receipt whereof is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto the said party of the second part, and to its successors and assigns forever, all those certain lots, pieces, or parcels of land, situate, lying and being in the County of Lemhi, State of Idaho, and bounded and particularly described as follows, to-wit:

Block 3, Lots 24, 25, all in Mobile Acres Subdivision.

Block 1, and Lot 10, Block 5, and Lot 1, Block 4, all in Lake Creek Subdivision, and a fraction of Lot 9, Section 2, and a fraction of Lot 5, and a fraction of the Southeast Quarter of the Northeast Quarter and a fraction of the Northeast Quarter of the Southeast Quarter of Section 2, Township 19 North, Range 21 East of the Boise Meridian, more particularly described as follows: Beginning at the East Quarter corner of said Section 2, and running thence South 22° 08' West 266.8 feet to the point of beginning; thence South 29° 58' West 270 feet; thence South 11° 57' West 90 feet; thence South 22° 51' West 360 feet; thence South 9° 18' West 270 feet; thence South 24° 51' West 270 feet; thence South 33° 08' West 540 feet; thence South 40° 18' West 630 feet; thence South 41° 12' West 100.9 feet to a point on the Westerly boundary of said Lot 5; thence South 0° 01' East along said Westerly boundary 139.3 feet to a point which lies 80 feet Northerly from the Southerly boundary of Section 2; thence North 61° 23' East 748.8 feet; thence North 55° 41' East 1000 feet; thence along a 6° 20' curve to the left 475 feet; thence North 28° 47' East 90 feet; thence North 9° 47' East 90 feet; thence North 9° 13' West 90 feet; thence North 21° 13' West 90 feet; thence North 25° 13' West 90 feet; thence North 29° 13' West 90 feet; thence North 39° 13' West 90 feet; thence North 52° 13' West 40 feet; thence North 38° 53' West 100 feet; thence North 16° 30' West 132 feet; thence South 16° 48' West 13.7 feet to the

point of beginning.

Beginning at the Northwest corner of Lot 6, Block 5, Lake Creek Subdivision, and running thence West 270 feet; thence South 936 feet; thence East 132 feet to the Southwest corner of Lot 3, Block 2, of the Lake Creek Subdivision; thence North 29° 58' East 270 feet; thence North 0° 01' West 696.7 feet to the point of beginning, containing 5.42 acres more or less.

Beginning at the East Quarter corner of Section 2, Township 19 North, Range 21 East of the Boise Meridian, and running thence West 100 feet; thence South 3° 01' East 250.7 feet; thence North 65° 00' East 160 feet more or less to a point on the Westerly bank of the Salmon River; thence Northerly along the bank of the Salmon River 185.0 feet more or less to the point of beginning, containing 0.65 acres more or less.

Lots 10 and 12, in Block 3, and Lots 5, 24, 30, 33, and 34, in Block 4, the South 85 feet of Lot 1 Block 5, Lake Creek Subdivision No. 1, Lemhi County, State of Idaho.

All of Lot 4 and that portion of Lots 1, 2, and 5 and the South Half of the Northeast Quarter and the Northeast Quarter of the Southeast Quarter of Section 2, Township 19 North, Range 21 East of the Boise Meridian, lying South and Westerly of Lake Creek Subdivision #1 and the 1st addition to Lake Creek Subdivision, containing approximately 90.0 acres.

The East Half of the Southwest Quarter of the Southeast Quarter of Section 34, Township 20 North, Range 21 East of the Boise Meridian.

The South 85 feet of Lot 1, Block 5, and Lot 24, Block 4, and Lot 1, Block 7, all in Lake Creek Subdivision.

Lots 16, 17, 22, 23, 24, 25, 26, 27, and 28, Block 3, all in Mobile Acres Subdivision.

Lots 1, 2, 3, and 4 of Section 1; in Township 19 North, Range 21 East of the Boise Meridian. Also, Lots 7, 8, and 10 of Section 36, Township 20 North, Range 21 East of the Boise Meridian. EXCEPTING from the above described land the following: A fraction of Lots 3, 4, and 7 in Section 1, Township 19 North, Range 21 East of the Boise Meridian, lying South of Twelve Mile Creek and West of U.S. Highway No. 93, more particularly described as follows, to-wit: Commencing at the intersection of the North boundary of said Section 1 and the Westerly right-of-way line of U.S. Highway No. 93, and running thence Southwesterly along the right-of-way of U.S. Highway No. 93 a distance of 561 feet to a point on the Southerly side of Twelve and the point of beginning of the tract of land hereby conveyed; thence North 86° 30' West 635.0 feet; thence North 65° 50' West 457.0 feet to a point on the Easterly bank of the Salmon River; thence meandering the Easterly bank of the Salmon River in a Southerly direction 1,617 feet more or less to a point on the Southerly side of the South Branch of Twelve Mile Creek; thence East 400.0 feet to the Westerly right-of-way line of U.S. Highway No. 93; thence North 31° 29' East along the Westerly right-of-way line of U.S. Highway No. 93 a distance of 1,622 feet to the point of beginning. Containing 25.4 acres. EXCEPTING THEREFROM.

the following Partial Release dated November 3, 1967: An exclusive easement for a road, including an existing road, to be located, constructed, reconstructed, improved, used, and maintained over, upon, along, and across the following described premises situated in the County of Lemhi, State of Idaho; to-wit: A strip of land 66 feet in width traversing the following described real property: Lots 2 and 3 of Section 1, Township 19 North, Range 21 East of the Boise Meridian. The said strip being 33 feet in width on each side of a centerline as located and to be constructed on the ground, with as much additional width as required for adequate protection of cuts and fills. The said centerline being more particularly described as follows: Beginning at a point on the North boundary of Lot 3 of said Section 1, said point lying North 89° 00' 48" West 1,023.14 feet from the South Quarter Section corner of Section 36, Township 20 North, Range 21 East of the Boise Meridian; thence along the following courses and distances:

Bearing	Tangent Distance In Feet	Curve L-R	Central Angle	Radius In Feet	Arc Distance In Feet
S 55° 35' 50" E	29.30				
S 55° 29' 29" E	141.10				
N 88° 18' 13" E	318.24	L	36° 11' 48"	400	252.70
N 75° 48' 32" E	75.84	L	12° 30' 11"	550	120.02
N 88° 11' 29" E	376.91	R	12° 22' 57"	400	86.45
N 88° 11' 29" E	376.91	L	06° 17' 22"	1000	109.77
N 81° 54' 07" E	353.86				

Ending at a point on the North boundary of Lot 2, Section 1, said point bearing South 88° 26' 40" East 788.35 feet from the South Quarter Section corner, Section 36, Township 20 North, Range 21 East of the Boise Meridian. The boundary lines of said right-of-way and easement shall be prolonged or shortened to begin on and end on and conform to the property lines. Totals: Length 1,864.28 feet; Area 2.8 acres. ALSO EXCEPTING THEREFROM a fraction of Lots 7 and 8, Section 36, Township 20 North, Range 21 East of the Boise Meridian, more particularly described as follows, to-wit: Commencing at the Southwest corner of said Lot 8, and running thence North 1° 08' East along the Westerly boundary of said Lot 8 a distance of 685.2 feet to the point of beginning; thence North 76° 19' West 357.8 feet; thence North 83° 00' West 226.2 feet; thence North 87° 33' West 225.3 feet; thence North 30° 42' West 100.0 feet more or less to a point on the Southeasterly bank of the Salmon River; thence along the Southeasterly bank of the Salmon River in a Northeasterly direction 1825.0 feet; thence Southerly 57.5 feet more or less to a point on the Northwesterly right-of-way line of U.S. Highway No. 93; thence Southwesterly along the Northwesterly right-of-way line of U.S. Highway No. 93 a distance of 692.0 feet more or less to a point which lies North 81° 20' East from the point of beginning; thence South 81° 20' West 365.0 feet more or less to the point of beginning, containing 12.91 acres. ALSO EXCEPTING THEREFROM the Northwest Quarter of Lot 2, Section 1, Township 19 North, Range 21 East of the Boise Meridian. ALSO EXCEPTING THEREFROM all that part of Lot 7, Section 1, Township 19 North, Range 21 East of the Boise Meridian lying East of U.S. Highway No. 93 as now located.

Lots 1 through 19, Block 7; Lots 1 through 8 and 13 through 21, Block 8; Lots 1, 2, 3, 5, and 9, Block 9; Lots 1 and 9, Block 10; and Lot 11, Block 11; all in Lake Creek Subdivision, Lemhi County, Idaho.

Lots 8 and 10 of Section 1, Lot 6 of Section 2, and Lots 1 and 2 of Section 11; all in Township 19 North, Range 21 East of the Boise Meridian.

Together with the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and also all the estate, right, title or interest, property, possession, claim and demand, whatsoever, as well in law as in equity of the said party of the first part and the said defendants, listed above, or any other defendant, of in and to said premises, and each part and parcel thereof.

TO HAVE AND TO HOLD, all and singular, the said premises hereby conveyed, or intended so to be, together with the appurtenances, unto the said party of the second part, and to its successors and assigns forever to its own proper use and benefit and behoof forever.

IN WITNESS WHEREOF, the said party of the first part to these presents has hereunto set his hand and seal the day and year first above written.

William N. Baker
Sheriff, Lemhi County, Idaho

STATE OF IDAHO)
County of Lemhi) ss.

On the 10 day of June, 1977, before me, William N. Baker, a Notary Public for the State of Idaho, personally appeared William N. Baker, known to me to be the Sheriff of Lemhi County, Idaho and to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same as such Sheriff of Lemhi County, Idaho.

Eleanor Alden, Clerk
William N. Baker
Residing at: Salmon, Idaho



This instrument was filed for record at the request of Sherman
Dunlap & Co.
at 11:00 o'clock AM
June 10 1977
and duly filed and indexed in the file of Deeds
Records of Lemhi County, Idaho
Eleanor Alden
Ex-Officio Recorder
Lila J. King
Deputy
Page 52 of 54

USE COUNTY
BOOK

FILED

SPECIAL WARRANTY DEED

WASHINGTON FEDERAL SAVINGS BANK formerly known as First Federal Savings and Loan Association of Logan, Utah, Grantor, of Logan, County of Cache, State of Utah, hereby CONVEYS AND WARRANTS against all claiming by, through or under it, but without other warranty express or implied, to **TIMOTHY R. MULLEN and STEPHEN J. BROWNING**, Grantees of 551 Los Alamitos Drive, St. George, Utah 84770, for the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the following described tracts of land in Lemhi County, State of Idaho:

Lot 15, Block 4, Lake Creek Subdivision #1, according to the official plat thereof, filed for record in Book 2 of Plats at page 12, records of Lemhi County, Idaho.

All of Block 1 of Lake Creek Subdivision No. 1 according to the official plat thereof, filed for record in Book 2 of Plats at page No. 12, records of Lemhi County, Idaho.

Lot 10 of Block 5 of Lake Creek Subdivision No. 1 according to the official plat thereof, filed for record in Book 2 of Plats at page No. 12, records of Lemhi County, Idaho.

Lot 13 of Block 8 of Lake Creek Subdivision First Addition, according to the official plat thereof, filed for record in Book 2 of Plats at page No. 19, records of Lemhi County, Idaho.

Lots 1, 2, 3, 5 & 9 of Block 9 of Lake Creek Subdivision First Addition, according to the official plat thereof, filed for record in Book 2 of Plats at page No. 19, records of Lemhi County, Idaho.

Lots 1 and 9 of Block 10 of Lake Creek Subdivision First Addition, according to the official plat thereof, filed for record in Book 2 of Plats at page No. 19, records of Lemhi County, Idaho.

A parcel of land located in the Northeast Quarter Southeast Quarter of Section 2, Township 19 North, Range 21 East, Boise Meridian, Lemhi County, Idaho, more particularly described as follows:

Beginning at the East Quarter Corner of Section 2, Township 19 North, Range 21 East of the Boise Meridian, and running thence West 100 feet; Thence South 0 Degrees 01' East 250.7 feet; Thence North 65 Degrees 00' East 160 feet more or less to a point on the Westerly Bank of the Salmon River; Thence Northerly along the Bank of the Salmon River 185.0 feet more or less to the point of beginning.

Subject to:

Also including: See Exhibit "A" attached hereto

- (1) Rights or claims of parties in possession not shown by the public records.
- (2) Encroachments, overlaps, boundary line disputes and any other matters which would be disclosed by an accurate survey or inspection of the premises including, but not limited to, insufficient or impaired access or matters contradictory to any survey plat shown by the public records.
- (3) Easements or claims of easements not shown by the public records.
- (4) (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water.
- (5) Taxes or special assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
- (6) General taxes for the year 1993 and subsequent years, which are an accruing lien, not yet due and payable.
- (7) Easements, reservations, restrictions and dedications as the same appear on the official plat of said subdivision.
- (8) Easement to Idaho Power Company, a corporation, for powerlines and incidental purposes recorded January 4, 1968, as Instrument No. 107752, records of Lemhi County, Idaho (affects Block 1, Lake Creek Subdivision).

- (9) Easement to Idaho Power Company, a corporation, for powerlines and incidental purposes recorded September 20 1991, as Instrument No. 211745, records of Lemhi County, Idaho (affects Lot 15, Block 4 Lake Creek Subdivision #1).
- (10) Easement to Idaho Power Company, a corporation, for powerlines and incidental purposes recorded September 20, 1991, as Instrument No. 211746, records of Lemhi County, Idaho (affects Northeast Quarter Southeast Quarter of Section 2, Township 19 North, Range 21 East).
- (11) Lack of a right of access to and from the land. Right of access to and from the land, if any, is not established of record and assurance of such right of access is excluded from any warranty.
- (12) Terms and Conditions contained in Corporation Warranty Deed recorded May 9, 1966, as Instrument No. 104356, records of Lemhi County, Idaho.
- (13) Affidavit of Record recorded as instrument no. 207594 at 1:45 p.m. on August 22, 1990 in the records of the Recorder of Lemhi County, Idaho.
- (14) Terms, conditions and claims in that Warranty Deed dated August 13, 1987 recorded as instrument no. 204427 at 3:00 p.m. on December 4, 1989 in the records of the Recorder of Lemhi County, Idaho.

GRANTOR also quit claims the following described real property and water rights to GRANTEE, subject to paragraphs 1 through 12 above and:

subject to any and all liens, encumbrances, rights-of-way and claims of any third parties, including but not limited to claims for rights-of-way and/or easements by prescription, adverse use, implication, necessity and/or oral and/or written grant; and

subject to easements, licenses, conditions, restrictions in use, ownership or operation of the property, and subject to, boundary line disputes and discrepancies in the legal description, whether any of the foregoing are recorded or unrecorded and all matters of record:

Lot 24 of Block 4 of Lake Creek Subdivision #1, according to the official Plat thereof, filed for record in Book 2 of Plats at page no. 12, records of Lemhi County, Idaho.

The Southerly 85 of Lot 1, Block 5 of Lake Creek Subdivision #1, according to the official Plat thereof, filed for record in Book 2 of Plats at page no. 12, records of Lemhi County, Idaho.

Lot 1 of Block 7 of Lake Creek Subdivision First Addition, according to the official Plat thereof, filed for record in Book 2 of Plats at page no. 19, records of Lemhi County, Idaho.

All of Lot 4 and that portion of Lots 1, 2 and 5 and the South Half of the Northeast Quarter and the Northeast Quarter of the Southeast Quarter of Section 2, Township 19 North, Range 21 East of the Boise Meridian, lying South and Westerly of Lake Creek Subdivision #1 and the First Addition to Lake Creek Subdivision.

Water rights as and if owned by Grantor to the spring and water system on Block 8, Lot 13 of the First Addition to Lake Creek Subdivision No. 1, and subject to rights of other lot and home owners.

That interest owned, if any, in Permit No. 75-07560, which permit requires proof of construction of works and application to beneficial use prior to March 1, 1994.

Together with any and all right, title and interest of Grantor, if any, in water and water rights and ditch rights appurtenant to any or all of the above described real property.

WITNESS, the hand of said Grantor, this 7th day of October, A.D. 1993.

Signed in the presence of <u>Brenda McNeil</u>	) WASHINGTON FEDERAL SAVINGS))) By <u>[Signature]</u>) Its <u>Vice President</u>
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STATE OF UTAH)
 : ss.
County of Cache)

Entry No. RECORDING DATA Fee \$

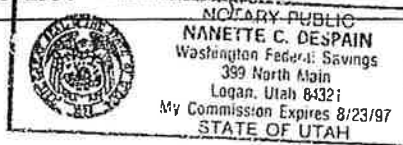
On the 7th day of October, A.D. 1993 personally appeared before me Brian D. Anderson, who, being by me duly sworn, did say that he is the Vice President of Washington Federal Savings Bank formerly known as First Federal Savings and Loan Association of Logan, Utah, a federal savings bank, and that said instrument was signed in behalf of said bank by authority of a resolution of the Board of Directors or its Bylaws, and the aforesaid officer acknowledged to me that said bank executed the same.

RECORDED _____ INDEXED _____
PLATTED _____ ABSTRACTED _____
COMPARED _____ DELIVERED _____

Nanette C. Despain
NOTARY PUBLIC

Commission Expires: 8/23/1997
Residing in Logan

MPJ/ffab/cullen2.swd



State of Idaho)
County of Lemhi)

ss No. 220367

This instrument was filed for record at the request of American Land Title at 2:50 o'clock P.m. 10-28 1993 and duly filed and indexed in the records of Lemhi County

Alberta Wiederrick

Ex-Officio Recorder

By Terril J. Johnson Deputy

Fees: 12.00

EXHIBIT "A"

A FRACTION OF LOT NINE (9), SECTION ONE (1), AND A FRACTION OF LOT FIVE (5), AND A FRACTION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE1/4SE1/4) OF SECTION TWO (2), IN TOWNSHIP NINETEEN (19) N., RANGE TWENTY-ONE (21) E., BOISE MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

COMMENCING AT THE EAST QUARTER (1/4) CORNER OF SAID SECTION TWO (2), RUN THENCE SOUTH 22 DEGREES 08' WEST, 266.8 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 29 DEGREES 58' WEST, 270.0 FEET; THENCE SOUTH 11 DEGREES 57' WEST, 90.0 FEET; THENCE SOUTH 22 DEGREES 51' WEST, 360.0 FEET; THENCE SOUTH 9 DEGREES 18' WEST, 270.0 FEET; THENCE SOUTH 24 DEGREES 51' WEST, 270.0 FEET; THENCE SOUTH 33 DEGREES 08' WEST, 540.0 FEET; THENCE SOUTH 40 DEGREES 18' WEST, 630.0 FEET; THENCE SOUTH 41 DEGREES 12' WEST, 100.8 FEET TO A POINT ON THE WESTERLY BOUNDARY OF SAID LOT FIVE (5); THENCE SOUTH 0 DEGREES 01' EAST ALONG SAID WESTERLY BOUNDARY, 139.3 FEET TO A POINT WHICH LIES 80.0 FEET NORTHERLY FROM THE SOUTHERLY BOUNDARY OF SECTION TWO (2), THENCE NORTH 6 DEGREES 23' EAST, 748.8 FEET; THENCE NORTH 55 DEGREES 47' EAST, 1000.0 FEET; THENCE ALONG A 6 DEGREES 20' CURVE TO THE LEFT, 475.0 FEET; THENCE NORTH 28 DEGREES 47' EAST, 90.0 FEET; THENCE NORTH 9 DEGREES 47' EAST, 90.0 FEET; THENCE NORTH 9 DEGREES 13' WEST, 90.0 FEET; THENCE NORTH 21 DEGREES 13' WEST, 90.0 FEET; THENCE NORTH 29 DEGREES 13' WEST, 90.0 FEET; THENCE NORTH 39 DEGREES 13' WEST, 90.0 FT.; THENCE NORTH 52 DEGREES 13' WEST, 490.0 FEET; THENCE NORTH 38 DEGREES 53' WEST, 100.0 FEET; THENCE NORTH 16 DEGREES 39' WEST, 132.0 FEET; THENCE SOUTH 16 DEGREES 48' WEST, 13.7 FEET TO THE POINT OF BEGINNING, LEMHI COUNTY, IDAHO.

WARRANTY DEED

For Value Received TIMOTHY R. CULLEN AND STEPHEN J. BROWNING

the grantor s, do hereby grant, bargain, sell and convey unto WILLIAM D. STEINBRUEGGE III
AND VALEEA R. STEINBRUEGGE, HUSBAND AND WIFE
67 N. SHORE DRIVE, SALMON, IDAHO 83467

the grantee s, the following described premises, in LEMHI County Idaho, to wit:

SEE ATTACHED EXHIBIT "A"

State of Idaho) SS No. 258022
County of Lemhi)
This instrument was filed for record at the request
of Lemhi Title
at 10:40 o'clock am 3-29 2004
and duly filed and indexed in the records of Lemhi
County Terri J. Morton
Ex-Officio Recorder
By Brenda Cuthbert Deputy
Fee 9.00
Return to LT

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee s,
their heirs and assigns forever. And the said Grantor s do hereby covenant to
and with the said Grantees , that they are the owner s in fee simple of said premises; that they
are free from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: MARCH 23, 2004

Timothy R. Cullen
TIMOTHY R. CULLEN

Stephen J. Browning
STEPHEN J. BROWNING

State of Utah)

§

County of Kane)

On this 26th day of March 2004 personally appeared before me, Stephen J. Browning, proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is (are) subscribed to this instrument, and acknowledged that he (she) (they) executed the same.

S
E
A
L



NOTARY PUBLIC
CINDY GLOVER
98 WEST CENTER
KANAB, UT 84741
MY COMM. EXP. 12-02-05
STATE OF UTAH

Cindy Glover
Notary Public

My Commission Expires 12-2-05

ATTACHED TO AND A PART OF A WARRANTY DEED

EXHIBIT "A"

LOTS ONE (1), TWO (2), THREE (3), FOUR (4), FIVE (5), SIX (6), SEVEN (7), EIGHT (8), NINE (9) AND TEN (10), IN BLOCK 2, LAKE CREEK SUBDIVISION, COUNTY OF LEMHI, STATE OF IDAHO.

LOT FIFTEEN (15), BLOCK FOUR (4), LAKE CREEK SUBDIVISION, COUNTY OF LEMHI, STATE OF IDAHO.

LOTS ONE (1), TWO (2) AND THREE (3), BLOCK 9, LAKE CREEK SUBDIVISION 1ST ADDITION, COUNTY OF LEMHI, STATE OF IDAHO.

ALSO:

A portion of the NE1/4SE1/4 Section 2, T. 19 N., R. 21 E., Boise Meridian, Lemhi County, Idaho, less all that portion of Lake Creek Subdivision No. 1 recorded Book 12, Page 12, and lands of Leslie Shumate (Tax #3839), more particularly described as follows:

Beginning at the Southeast 1/16th corner of said Section 2, run thence N00°13'11"E along the westerly line of said NE1/4SE1/4 Section 2, the Basis of Bearing of this description (see Record of Survey inst. No. 243788), 1320.86 feet to the Center-East 1/16th of said Section 2;

Thence S89°37'35"E along the northerly line of said NE1/4SE1/4 Section 2, 743.27 feet to the intersection with the westerly line of Tax No. 3839;

Thence along westerly and southerly boundary of the following courses; S09°03'50"W, 38.36 feet; S81°52'18"E, 229.48 feet to the intersection with the westerly line of said Lake Creek Subdivision No. 1;

Thence along said westerly line the following courses:

S00°10'02"E, 112.15 feet to the SW corner of Block 1;

S30°14'58"W, 283.70 feet to the westerly Corner of Lots 3 & 4, Block 2;

S12°13'57"W, 90.00 feet to the westerly Corner of Lots 4 & 5, Block 2;

S23°07'57"W, 360.00 feet to the westerly Corner of Lots 8 & 9, Block 2;

S09°34'57"W, 269.52 feet to the westerly Corner of Lots 11 & 12, Block 2;

S23°15'51"W, 146.10 feet to the westerly Corner of Lots 13 & 14, Block 2;

S33°23'17"W, 86.76 feet to the intersection with the southerly line of said

NE1/4SE1/4 Section 2;

N89°40'07"W, 516.05 feet to the Point of Beginning.

ALSO:

A portion of Lot 5 Section 2, T. 19 N., R. 21 E., Boise Meridian, Lemhi County, Idaho, less all that portion of Lake Creek Subdivision No. 1 recorded Book 12, Page 12, also less Lot 3B, Block 4, and Lot 5B, Block 3, Amended, Blocks 3 and 4, Lake Creek Subdivision No. 1 recorded Book 7, Page 51, more particularly described as follows:

Beginning at the South $1/16^{\text{th}}$ corner of said Section 1 and Section 2, T. 19 N., R. 21 E., Boise Meridian, from which the Meander Corner of said Sections, on the northerly side of the Salmon river bears $S00^{\circ}10'04''\text{E}$, 512.13 feet, the Basis of Bearing of this description, run thence $N89^{\circ}40'07''\text{W}$, 518.17 feet to the intersection with the southerly line of said Block 3;

Thence along the westerly line of said Block 3 the following courses;

$N25^{\circ}07'57''\text{E}$, 154.01 feet to the southerly Corner of Lots 11 and 12;

$N09^{\circ}34'57''\text{E}$, 269.52 feet to the southerly Corner of Lots 8 and 9;

$N23^{\circ}07'57''\text{E}$, 180.00 feet to the Southwest Corner of said Lot 5B;

Thence leaving said westerly line of Block 3, $N90^{\circ}00'00''\text{E}$ along the southerly line of said Lot 5B, 163.00 feet;

Thence $N84^{\circ}45'59''\text{E}$ along the southerly line of Said Lot 5B and Lot 3B, 173.16 feet to the intersection with the easterly line of said Section 2;

Thence $S00^{\circ}10'04''\text{E}$ along said easterly line, 589.51 feet to the Point of Beginning.

ALSO:

A portion of Lot 9 Section 1, T. 19 N., R. 21 E., Boise Meridian, Lemhi County, Idaho, less all that portion of Lake Creek Subdivision No. 1 recorded Book 12, Page 12, also less Lot 3B, Block 4, Amended, Blocks 3 and 4, Lake Creek Subdivision No. 1 recorded Book 7, Page 51, more particularly described as follows:

Beginning at the South $1/16^{\text{th}}$ corner of said Section 1 and Section 2, T. 19 N., R. 21 E., Boise Meridian, from which the Meander Corner of said Sections, on the northerly side of the Salmon river bears $S00^{\circ}10'04''\text{E}$, 512.13 feet, the Basis of Bearing of this description, run thence $N00^{\circ}10'04''\text{W}$ along the westerly line of said Section 1, 589.51 feet to the intersection with the southerly line of said Lot 3B;

Thence $N84^{\circ}45'59''\text{E}$ along said southerly line, 303.12 feet to the intersection with the westerly right-of-way of Riverside Drive;

Thence along said westerly right-of-way of Riverside Drive the following courses;

$S52^{\circ}34'07''\text{E}$, 89.95 feet; $S38^{\circ}33'21''\text{E}$, 89.86 feet; $S28^{\circ}56'03''\text{E}$, 90.00 feet;

$S24^{\circ}32'10''\text{E}$, 89.97 feet; $S20^{\circ}56'03''\text{E}$, 90.00 feet; $S08^{\circ}56'03''\text{E}$, 90.00 feet;

$S10^{\circ}15'17''\text{W}$, 90.46 feet; $S29^{\circ}03'57''\text{W}$, 90.00 feet; $S40^{\circ}33'59''\text{W}$, 95.02 feet;

$S44^{\circ}28'11''\text{W}$, 94.75 feet; $S47^{\circ}11'18''\text{W}$, 94.62 feet; $S50^{\circ}13'04''\text{W}$, 94.91 feet;

$S53^{\circ}03'57''\text{W}$, 95.00 feet; $S56^{\circ}12'10''\text{W}$, 176.96 feet to the intersection with said

westerly line of Section 1;

Thence leaving said westerly right-of-way $N00^{\circ}10'04''\text{W}$ along said westerly line of Section 1, 429.40 feet to the Point of Beginning.

Subject to an easement for the installation, maintenance, and use of a septic field, more particularly described as follows:

Commencing at the South Corner of Lots 5 and 6, Block 3, Lake Creek Subdivision No. 1, thence $S75^{\circ}08'02''\text{W}$, 30.78 feet to the intersection with the south right-of-way of Riverside Drive said Point being the Point of Beginning:

Thence $S28^{\circ}55'09''\text{E}$, 6.25 feet;

Thence $S08^{\circ}54'11''\text{W}$, 109.65 feet;

Thence $S56^{\circ}33'13''\text{E}$, 89.01 feet;

Thence $S33^{\circ}26'47''\text{W}$, 200.00 feet;

Thence $N56^{\circ}33'13''\text{W}$, 100.00 feet;

Thence $N33^{\circ}26'47''\text{E}$, 175.93 feet;

Thence $N08^{\circ}54'11''\text{E}$, 130.52 feet;

Thence $N28^{\circ}55'09''\text{W}$, 12.77 feet;

Thence $S52^{\circ}34'07''\text{E}$, 20.22 feet to the Point of Beginning.

WARRANTY DEED

For Value Received TIMOTHY R. CULLEN AND STEPHEN J. BROWNING

the grantor s, do hereby grant, bargain, sell and convey unto WILLIAM D. STEINBRUEGGE III
AND VALEEA R. STEINBRUEGGE, HUSBAND AND WIFE
67 N. SHORE DRIVE, SALMON, IDAHO 83467

the grantee s, the following described premises, in LEMHI County Idaho, to wit:

SEE ATTACHED EXHIBIT "A"

State of Idaho) SS No. 258022
County of Lemhi)
This instrument was filed for record at the request
of Lemhi Title
at 10:40 o'clock am 3-29 2004
and duly filed and indexed in the records of Lemhi
County Terri J. Morton
Ex-Officio Recorder
By Brenda C. Cullen Deputy
Fees 9.00
Return to LT

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee s,
their heirs and assigns forever. And the said Grantor s do hereby covenant to
and with the said Grantees, that they are the owners in fee simple of said premises; that they
are free from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: MARCH 23, 2004

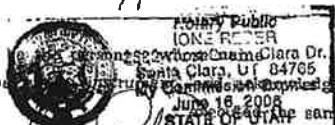
Timothy R. Cullen
TIMOTHY R. CULLEN

Stephen J. Browning
STEPHEN J. BROWNING

STATE OF ~~IDAHO~~ COUNTY OF Kane
On this Wed 35th day of March, 2004
before me, a notary public in and for said State, personally appeared

Timothy Cullen

known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.



Notary Public

Residing at
Comm. Expires June 18, 2008

STATE OF ~~IDAHO~~ COUNTY OF Lemhi
I hereby certify that this instrument was filed for record at the request of Lemhi Title

at 45 minutes past 3 o'clock p m.,
this 3 day of June
2004 in my office, and duly recorded in Book
of Deeds at page

Terri J. Morton
Ex-Officio Recorder

By Brenda C. Cullen Deputy
Fees \$ 9.00
Mail to:

INSTRUMENT NO. 258840

EXHIBIT "A"

LOTS ONE (1), TWO (2), THREE (3), FOUR (4), FIVE (5), SIX (6), SEVEN (7), EIGHT (8), NINE (9) AND TEN (10), IN BLOCK 2, LAKE CREEK SUBDIVISION, COUNTY OF LEMHI, STATE OF IDAHO.
 LOT FIFTEEN (15), BLOCK FOUR (4), LAKE CREEK SUBDIVISION, COUNTY OF LEMHI, STATE OF IDAHO.
 LOTS ONE (1), TWO (2) AND THREE (3), BLOCK 9, LAKE CREEK SUBDIVISION 1ST ADDITION, COUNTY OF LEMHI, STATE OF IDAHO.

ALSO:

A portion of the NE1/4SE1/4 Section 2, T. 19 N., R. 21 E., Boise Meridian, Lemhi County, Idaho, less all that portion of Lake Creek Subdivision No. 1 recorded Book 12, Page 12, and lands of Leslie Shumate (Tax #3839), more particularly described as follows:

Beginning at the Southeast 1/16th corner of said Section 2, run thence N00°13'11"E along the westerly line of said NE1/4SE1/4 Section 2, the Basis of Bearing of this description (see Record of Survey inst. No. 243788), 1320.86 feet to the Center-East 1/16th of said Section 2;

Thence S89°37'35"E along the northerly line of said NE1/4SE1/4 Section 2, 743.27 feet to the intersection with the westerly line of Tax No. 3839;

Thence along westerly and southerly boundary of the following courses;
 S09°03'50"W, 38.36 feet; S81°52'18"E, 229.48 feet to the intersection with the westerly line of said Lake Creek Subdivision No. 1;

Thence along said westerly line the following courses:

S00°10'02"E, 112.15 feet to the SW corner of Block 1;

S30°14'58"W, 283.70 feet to the westerly Corner of Lots 3&4, Block 2;

S12°13'57"W, 90.00 feet to the westerly Corner of Lots 4 & 5, Block 2;

S23°07'57"W, 360.00 feet to the westerly Corner of Lots 8 & 9, Block 2;

S09°34'57"W, 269.52 feet to the westerly Corner of Lots 11 & 12, Block 2;

S23°15'51"W, 146.10 feet to the westerly Corner of Lots 13 & 14, Block 2;

S33°23'17"W, 86.76 feet to the intersection with the southerly line of said

NE1/4SE1/4 Section 2;

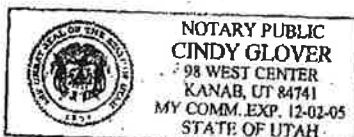
N89°40'07"W, 516.05 feet to the Point of Beginning.

State of Utah)

County of Kane)

On this 26th day of March 2004 personally appeared before me, Stephen J. Brining, proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is (are) subscribed to this instrument, and acknowledged that he (she) (they) executed the same.

S
E
A
L



Cindy Glover
 Notary Public

ATTACHED TO AND A PART OF A WARRANTY DEED

My Commission Expires 12-2-05

ALSO:

258022 258840

A portion of Section 2, T. 19 N., R. 21 E., Boise Meridian, Lemhi County, Idaho, less all that portion of Lake Creek Subdivision No. 1 recorded Book 12, Page 12, also less Lot 3B, Block 4, and Lot 5B, Block 3, Amended, Blocks 3 and 4, Lake Creek Subdivision No. 1 recorded Book 7, Page 51, more particularly described as follows:

Beginning at the South $1/16^{\text{th}}$ corner of said Section 1 and Section 2, T. 19 N., R. 21 E., Boise Meridian, from which the Meander Corner of said Sections, on the northerly side of the Salmon river bears $S00^{\circ}10'04''\text{E}$, 512.13 feet, the Basis of Bearing of this description, run thence $N89^{\circ}40'07''\text{W}$, 518.17 feet to the intersection with the southerly line of said Block 3;

Thence along the westerly line of said Block 3 the following courses;

$N25^{\circ}07'57''\text{E}$, 154.01 feet to the southerly Corner of Lots 11 and 12;

$N09^{\circ}34'57''\text{E}$, 269.52 feet to the southerly Corner of Lots 8 and 9;

$N23^{\circ}07'57''\text{E}$, 180.00 feet to the Southwest Corner of said Lot 5B;

Thence leaving said westerly line of Block 3, $N90^{\circ}00'00''\text{E}$ along the southerly line of said Lot 5B, 163.00 feet;

Thence $N84^{\circ}45'59''\text{E}$ along the southerly line of Said Lot 5B and Lot 3B, 173.16 feet to the intersection with the easterly line of said Section 2;

Thence $S00^{\circ}10'04''\text{E}$ along said easterly line, 589.51 feet to the Point of Beginning.

ALSO:

A portion of Lot 9 Section 1, T. 19 N., R. 21 E., Boise Meridian, Lemhi County, Idaho, less all that portion of Lake Creek Subdivision No. 1 recorded Book 12, Page 12, also less Lot 3B, Block 4, Amended, Blocks 3 and 4, Lake Creek Subdivision No. 1 recorded Book 7, Page 51, more particularly described as follows:

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Thence $N84^{\circ}45'59''\text{E}$ along said southerly line, 303.12 feet to the intersection with the westerly right-of-way of Riverside Drive;

Thence along said westerly right-of-way of Riverside Drive the following courses;

$S52^{\circ}34'07''\text{E}$, 89.95 feet; $S38^{\circ}33'21''\text{E}$, 89.86 feet; $S28^{\circ}56'03''\text{E}$, 90.00 feet;

$S24^{\circ}32'10''\text{E}$, 89.97 feet; $S20^{\circ}56'03''\text{E}$, 90.00 feet; $S08^{\circ}56'03''\text{E}$, 90.00 feet;

$S10^{\circ}15'17''\text{W}$, 90.46 feet; $S29^{\circ}03'57''\text{W}$, 90.00 feet; $S40^{\circ}33'59''\text{W}$, 95.02 feet;

$S44^{\circ}28'11''\text{W}$, 94.75 feet; $S47^{\circ}11'18''\text{W}$, 94.62 feet; $S50^{\circ}13'04''\text{W}$, 94.91 feet;

$S53^{\circ}03'57''\text{W}$, 95.00 feet; $S56^{\circ}12'10''\text{W}$, 176.96 feet to the intersection with said westerly line of Section 1;

Thence leaving said westerly right-of-way $N00^{\circ}10'04''\text{W}$ along said westerly line of Section 1, 429.40 feet to the Point of Beginning.

Subject to an easement for the installation, maintenance, and use of a septic field, more particularly described as follows:

Commencing at the South Corner of Lots 5 and 6, Block 3, Lake Creek Subdivision No. 1, thence $S75^{\circ}08'02''\text{W}$, 30.78 feet to the intersection with the south right-of-way of Riverside Drive said Point being the Point of Beginning:

Thence $S28^{\circ}55'09''\text{E}$, 6.25 feet;

Thence $S08^{\circ}54'11''\text{W}$, 109.65 feet;

Thence $S56^{\circ}33'13''\text{E}$, 89.01 feet;

Thence $S33^{\circ}26'47''\text{W}$, 200.00 feet;

Thence $N56^{\circ}33'13''\text{W}$, 100.00 feet;

Thence $N33^{\circ}26'47''\text{E}$, 175.93 feet;

Thence $N08^{\circ}54'11''\text{E}$, 130.52 feet;

Thence $N28^{\circ}55'09''\text{W}$, 12.77 feet;

Thence $S52^{\circ}34'07''\text{E}$, 20.22 feet to the Point of Beginning.

Quitclaim Deed

Instrument # 291732 # Pages: 4
LEMHI COUNTY, Idaho
Oct 25, 2012 4:55:18 pm Fee: \$ 19.00
For: VALEEA R STEINBRUEGGE
TERRI J. MORTON, Recorder
JEDWARDS, Deput

For Value Received

William Steinbruegge, a/k/a William D. Steinbruegge, III

does hereby convey, release, remise and forever quit claim unto:

Valeea R. Steinbruegge

Whose current address is:

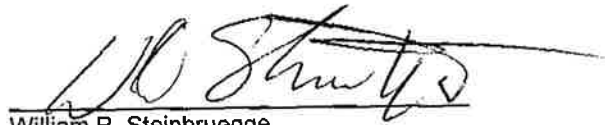
133 Corbett Lane
Salmon, ID 83467

the following described parcel located in Lemhi County, Idaho to-wit:

Lot 19, Block 4, Lake Creek Subdivision.

Together with continued Schedule "A" (Consisting of three additional pages)

Dated: September 17, 2012



William R. Steinbruegge
a/k/a William D. Steinbruegge, III

STATE OF Oregon, COUNTY OF Malheur

On this 17 th day of Sept., 2012, before me, a notary public in and for said State, personally appeared

William Steinbruegge, a/k/a William D. Steinbruegge, III

Known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.



Notary Public
Residing at: Ontario Oregon
Comm. Expires: Feb. 3, 2015



ALSO:

A portion of Section 2, T. 19 N., R. 21 E., Boise Meridian, Lemhi County, Idaho, less all that portion of Lake Creek Subdivision No. 1 recorded Book 12, Page 12, also less Lot 3B, Block 4, and Lot 5B, Block 3, Amended, Blocks 3 and 4, Lake Creek Subdivision No. 1 recorded Book 7, Page 51, more particularly described as follows:

Beginning at the South 1/16th corner of said Section 1 and Section 2, T. 19 N., R. 21 E., Boise Meridian, from which the Meander Corner of said Sections, on the northerly side of the Salmon river bears S00°10'04"E, 512.13 feet, the Basis of Bearing of this description, run thence N89°40'07"W, 518.17 feet to the intersection with the southerly line of said Block 3;

Thence along the westerly line of said Block 3 the following courses;

N25°07'57"E, 154.01 feet to the southerly Corner of Lots 11 and 12;

N09°34'57"E, 269.52 feet to the southerly Corner of Lots 8 and 9;

N23°07'57"E, 180.00 feet to the Southwest Corner of said Lot 5B;

Thence leaving said westerly line of Block 3, N90°00'00"E along the southerly line of said Lot 5B, 163.00 feet;

Thence N84°45'59"E along the southerly line of Said Lot 5B and Lot 3B, 173.16 feet to the intersection with the easterly line of said Section 2;

Thence S00°10'04"E along said easterly line, 589.51 feet to the Point of Beginning.

ALSO:

A portion of Lot 9 Section 1, T. 19 N., R. 21 E., Boise Meridian, Lemhi County, Idaho, less all that portion of Lake Creek Subdivision No. 1 recorded Book 12, Page 12, also less Lot 3B, Block 4, Amended, Blocks 3 and 4, Lake Creek Subdivision No. 1 recorded Book 7, Page 51, more particularly described as follows:

Beginning at the South 1/16th corner of said Section 1 and Section 2, T. 19 N., R. 21 E., Boise Meridian, from which the Meander Corner of said Sections, on the northerly side of the Salmon river bears S00°10'04"E, 512.13 feet, the Basis of Bearing of this description, run thence N00°10'04"W along the westerly line of said Section 1, 589.51 feet to the intersection with the southerly line of said Lot 3B;

Thence N84°45'59"E along said southerly line, 303.12 feet to the intersection with the westerly right-of-way of Riverside Drive;

Thence along said westerly right-of-way of Riverside Drive the following courses;

S52°34'07"E, 89.95 feet; S38°33'21"E, 89.86 feet; S28°56'03"E, 90.00 feet;

S24°32'10"E, 89.97 feet; S20°56'03"E, 90.00 feet; S08°56'03"E, 90.00 feet;

S10°15'17"W, 90.46 feet; S29°03'57"W, 90.00 feet; S40°33'59"W, 95.02 feet;

S44°28'11"W, 94.75 feet; S47°11'18"W, 94.62 feet; S50°13'04"W, 94.91 feet;

S53°03'57"W, 95.00 feet; S56°12'10"W, 176.96 feet to the intersection with said westerly line of Section 1;

Thence leaving said westerly right-of-way N00°10'04"W along said westerly line of Section 1, 429.40 feet to the Point of Beginning.

Subject to an easement for the installation, maintenance, and use of a septic field, more particularly described as follows:

Commencing at the South Corner of Lots 5 and 6, Block 3, Lake Creek Subdivision No. 1, thence S75°08'02"W, 30.78 feet to the intersection with the south right-of-way of Riverside Drive said Point being the Point of Beginning:

Thence S28°55'09"E, 6.25 feet;

Thence S08°54'11"W, 109.65 feet;

Thence S56°33'13"E, 89.01 feet;

Thence S33°26'47"W, 200.00 feet;

Thence N56°33'13"W, 100.00 feet;

Thence N33°26'47"E, 175.93 feet;

Thence N08°54'11"E, 130.52 feet;

Thence N28°55'09"W, 12.77 feet;

Thence S52°34'07"E, 20.22 feet to the Point of Beginning.

ALSO:

Taylor Mountain Surveying
903 Waller St.
Salmon, Idaho 83467
(208) 756-8321

PROPERTY DESCRIPTION FOR STEINBRUEGGE

Block 1, Lake Creek Subdivision No. 1 recorded Book 12, Page 12, less lands of Leslie May Shumate (Tax #3841 filed as Instrument # 232537), remainder parcel more particularly described as follows:

Beginning at the Southwest Corner of said Block 1, run thence $N00^{\circ}15'57''E$ along the westerly line of said Block 1, the Basis of Bearing of this description, 118.65 feet to the intersection with the southerly line of said Tax #3841

Thence along the southerly line of said Tax #3841 $S81^{\circ}33'49''E$, 53.10 feet;

Thence along the easterly line of said Tax #3841 $N35^{\circ}06'37''E$, 87.54 feet to the intersection with the northerly line of said Block 1:

Thence $S89^{\circ}42'24''E$, 163.86 feet to the NE Corner of said Block 1;

Thence $S00^{\circ}14'52''W$, 250.64 feet to the SE Corner of said Block 1;

Thence $N75^{\circ}28'03''W$, 275.00 feet to the Point of Beginning.

Said parcel contains 1.20 acres.

The above described is based on public records and is subject to change once a complete boundary survey is completed.

ALSO:

LOT 10, BLOCK 5, LAKE CREEK SUBDIVISION NO. 1, LEMHI COUNTY, IDAHO.

EXCEPTING THEREFROM THE FOLLOWING:

A PORTION OF LOT 10, BLOCK 5, LAKE CREEK SUBDIVISION NO. 1, IN LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 10, BLOCK 5, LAKE CREEK SUBDIVISION NO. 1; THENCE ALONG THE WEST LINE OF LOT 10, $N.00^{\circ}04'29''W.$, 100.00 FEET TO THE NORTHWEST CORNER OF SAID LOT 10; THENCE ALONG THE NORTH LINE OF LOT 10, $N.89^{\circ}56'31''E.$, 191.44 FEET; THENCE $S.48^{\circ}26'33''W.$, 66.92 FEET; THENCE $S.34^{\circ}45'32''W.$, 67.80 FEET TO THE SOUTH LINE OF LOT 10; THENCE $S.89^{\circ}56'31''W.$, 102.58 FEET TO THE POINT OF BEGINNING.

ALSO:

A PARCEL OF LAND LOCATED IN THE NE $\frac{1}{4}$ SE $\frac{1}{4}$ OF SECTION 2, TOWNSHIP 19 N., RANGE 21 EAST, BOISE MERIDIAN, LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE EAST QUARTER CORNER OF SECTION 2, TOWNSHIP 19 NORTH, RANGE 21 EAST, BOISE MERIDIAN, AND RUNNING THENCE WEST 100 FEET; THENCE $S.00^{\circ}01'E.$, 250.7 FEET; THENCE $N.65^{\circ}00'E.$, 160 FEET MORE OR LESS TO A POINT ON THE WESTERLY BANK OF THE SALMON RIVER; THENCE NORTHERLY ALONG THE BANK OF THE SALMON RIVER 185.0 FEET MORE OR LESS TO THE POINT OF BEGINNING.

EXHIBIT "A"

LOTS ONE (1), TWO (2), THREE (3), FOUR (4), FIVE (5), SIX (6), SEVEN (7), EIGHT (8), NINE (9) AND TEN (10), IN BLOCK 2, LAKE CREEK SUBDIVISION, COUNTY OF LEMHI, STATE OF IDAHO.
LOT FIFTEEN (15), BLOCK FOUR (4), LAKE CREEK SUBDIVISION, COUNTY OF LEMHI, STATE OF IDAHO.
LOTS ONE (1), TWO (2) AND THREE (3), BLOCK 9, LAKE CREEK SUBDIVISION 1ST ADDITION, COUNTY OF LEMHI, STATE OF IDAHO.

ALSO:

A portion of the NE1/4SE1/4 Section 2, T. 19 N., R. 21 E., Boise Meridian, Lemhi County, Idaho, less all that portion of Lake Creek Subdivision No. 1 recorded Book 12, Page 12, and lands of Leslie Shumate (Tax #3839), more particularly described as follows:

Beginning at the Southeast 1/16th corner of said Section 2, run thence N00°13'11"E along the westerly line of said NE1/4SE1/4 Section 2, the Basis of Bearing of this description (see Record of Survey inst. No. 243788), 1320.86 feet to the Center-East 1/16th of said Section 2;

Thence S89°37'35"E along the northerly line of said NE1/4SE1/4 Section 2, 743.27 feet to the intersection with the westerly line of Tax No. 3839;

Thence along westerly and southerly boundary of the following courses;

S09°03'50"W, 38.36 feet; S81°52'18"E, 229.48 feet to the intersection with the westerly line of said Lake Creek Subdivision No. 1;

Thence along said westerly line the following courses:

S00°10'02"E, 112.15 feet to the SW corner of Block 1;

S30°14'58"W, 283.70 feet to the westerly Corner of Lots 3 & 4, Block 2;

S12°13'57"W, 90.00 feet to the westerly Corner of Lots 4 & 5, Block 2;

S23°07'57"W, 360.00 feet to the westerly Corner of Lots 8 & 9, Block 2;

S09°34'57"W, 269.52 feet to the westerly Corner of Lots 11 & 12, Block 2;

S23°15'51"W, 146.10 feet to the westerly Corner of Lots 13 & 14, Block 2;

S33°23'17"W, 86.76 feet to the intersection with the southerly line of said,

NE1/4SE1/4 Section 2;

N89°40'07"W, 516.05 feet to the Point of Beginning.

C. TOM ARKOOSH
RODEN & ARKOOSH
Attorneys at Law
802 West Bannock, Suite 900
P.O. Box 2110
Boise, Idaho 83701
Telephone: 208-336-7930

ATTORNEYS FOR PLAINTIFF

RANDALL C. BUDGE
RACINE, OLSON, NYE, COOPER
& BUDGE, CHARTERED
P.O. Box 1391/Center Plaza
Pocatello, Idaho 83204
Telephone: 208-232-6101

ATTORNEYS FOR DEFENDANT

State of Idaho
County of Laramie

as No. 209652

This instrument was filed for record at
the request of Roden & Arkoosh
at 4:10 o'clock P on February 11 1991
and duly filed and indexed in the
records of Laramie County

Alberta Wiederrick

Ex-Officio Recorder

by Deanna Day Deputy

Fees \$2.00

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO

ALBERT WILLIAM BROWN and DIANE)
E. BROWN, husband and wife,)

Plaintiffs,)

vs.)

FIRST FEDERAL SAVINGS AND LOAN)
ASSOCIATION of Logan, a Utah)
corporation, and DOES 1)
through X,)

Defendants.)

Case No. 88-1393

SUBSTITUTE
AFFIDAVIT OF RECORD

COME NOW Albert William Brown, a married individual and
resident of the State of California, and Brian Chadaz, as vice-
president of an on behalf of First Federal Savings and Loan
Association of Logan, a Utah corporation, whose address is 198 N.
Main, Logan, Utah 84321, and on their oath and by their personal

AFFIDAVIT OF RECORD

knowledge, depose and say:

1. That both parties hereto own real property in Lake Creek No. Subdivision 1, Lemhi County, Idaho, and have entered a stipulation and agreement in Brown v. First Federal Savings and Loan Association, et al., Case No. 88-1393, in the United States District Court for the District of Idaho, which is set forth in Paragraph 2 hereof, and is binding upon the parties heirs, successors, and assigns.

2. That the parties acknowledge and agree that a spring arises upon Block 8, Lot 13, of First Addition to Lake Creek Subdivision No. 1, which property is owned by First Federal Savings and Loan Association of Logan, and is collected thereon in a cement collection box and septic tank. The water therefrom flows into a distribution line which runs in an easterly direction along Riverside Drive and supplies water for culinary purposes to seven existing users including Albert William Brown's residence located on Lot 1, Block 5 of Lake Creek Subdivision No. 1, and an outlet in the area in said subdivision known as the golf course area which is owned by First Federal Savings and Loan Association of Logan. The parties acknowledge and agree that they each shall have a continuing right, but not any obligation, to operate, maintain, service and repair the existing water system to provide water to their respective properties. This agreement is without prejudice to and shall have no effect on the parties existing or future water rights or claims in said spring. Further, both parties agree that either party may install a separate line from the spring to their place of use

should they desire to do so. Said line may be either adjacent and parallel to the existing line or across the property of the installing party, or a combination of both.

Albert William Brown
ALBERT WILLIAM BROWN

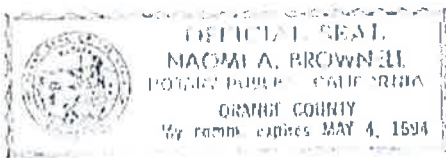
FIRST FEDERAL SAVINGS AND
LOAN ASSOCIATION OF LOGAN,
a Utah corporation

By: Brian Chadaz
BRIAN CHADAZ
Vice-President

STATE OF CALIFORNIA)
) ss.
County of Orange)

On this 28th day of January, 1991, before me,
a Notary Public in and for said State, personally appeared ALBERT
WILLIAM BROWN, 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 official seal hereto affixed the day
and year first above written.



Naomi A. Brownell
Notary Public for California
Residing at: 1801412
My Commission Expires: 5/4/94



IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

March 06, 2023

DAVID CRAIG
MELISSA CRAIG
PO BOX 789
SALMON ID 83467-0789

Re: Change in Ownership for Water Right No(s): 75-10499

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records and has enclosed a computer-generated report for you.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Idaho Code §§ 42-222 and 42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department, or from the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208) 497-3787.

Sincerely,

Jonie Barg
Technical Records Specialist 1

Enclosure(s)

cc: WATER DISTRICT 170

James Cefalo
Idaho Department of Water Resources
900 North Skyline Drive Suite A
Idaho Falls, Idaho 83402

1/17/23

David Craig
5 Riverside Drive
Salmon, Idaho 83467

Dear Mr. Cefalo,

I was looking through documents in preparation for Tuesday's hearing and discovered that I had received a letter from you regarding our application to update the ownership of water right 75-10499 (separate matter) dated 11/15/22 that had never been opened. I forwarded you additional information regarding this application including an aerial photo and testimony from a local individual with personal knowledge of the development. Had I seen your letter dated 11/15/22, I would have done a better job of addressing your concerns in my 12/29/22 letter.

There are a couple of additional points I would like you to consider. In your second paragraph, you outline how the bank filed claim 75-10499 on May 3rd, 1990 with a priority date of May 1, 1968. There are currently ten users on the Lake Creek Spring. In 1990, two of those had not been built yet, Hawkins (2002) and Kort (2012). Of the other eight, only one can show a chain of deeds back to the bank, and that is us. The other seven users are all on properties that were NEVER owned by First Federal America Bank. I included the foreclosure deed in my original application that included the full legal description for what was acquired by First Federal America Bank. None of the other seven users occupied lots in 1990 that were included in the foreclosure. The only user besides Craig that is on land included in that foreclosure sale is Kort (Tri-west Leasing). Their use did not start until 2012. You state in your letter that you cannot determine where the home covered by water right 75-10499 was located. It would have to have been located on property owned by the applicant, First Federal America Bank. In 1990, our house was the only use located on said property.

You also state that you have received no conclusive evidence that the water system existed in May, 1968. I thought I had included a newspaper article from the Salmon Herald from 1967 that states that the domestic water system was completed in 1966, and also that 28 lots had been sold and 4 homes were slated to begin construction. Those four homes correspond with Barrett, Aksland, Leyba, and Kittrel, all of which were complete by 1971 (Brent Godfrey Declaration).

In paragraph 5, you speculate about the fact that two water rights exist with the same priority date. That should not be considered unusual. The water system was originally intended to serve the 150 plus lots in the subdivision. The May 1, 1968 priority date fits with the likely date that the system was placed into service. I am actually surprised there are only two as several were likely connected before the water was turned on. Water right 75-13715 is currently Sadie Barrett's water right. The original holder of water right 75-13715 was Thompson. The water right clearly designates the point of use as being lot 3 block 4 lake creek subdivision, which always was and still is the Aksland property. It appears the Department likely gave the Aksland water right to Barrett in error. You should review the original transfer application by Barrett as the chain of deeds will not go back to Thompson if this is true.

In paragraph 7 you make what I consider to be a fatal flaw in your dispute of our application. You state in your letter "At this point, you have provided copies of deeds tracing ownership of your property back to First Federal America Bank. That does not eliminate the ambiguity, however, because everyone in the subdivision can trace ownership back to First Federal". This statement is not supported by the evidence we submitted. First Federal never owned the lots that were sold and developed with exception of lot 5 block 4. They foreclosed on the golf course and lots that were unsold as of 1977. Lot 5 block 4 was the only developed lot included in the foreclosure. It was included because it was owned and resided in by the golf course owners (Rick and Eva Miles). If you examine the foreclosure deed, you will find that no other developed lots were part of that transfer. The only uses (historical or present) on any of the property that was owned by First Federal are the Craig Residence, the Leyba Residence, and the Kort Residence. We have submitted evidence showing our house was present in 1971. Kort's house was built in 2012, has a corresponding 2012 water right, and they support the conclusion that 75-10499 belongs to us and not them. At the time First America Federal Bank applied for 75-10499, they no longer owned lot 5 block 4. Furthermore, the owner of Lot 5 block 4 applied for a separate water right in 2000 and was granted water right 75-13714.

Furthermore, water right 75-10499 was granted by decree which clearly lists the Point of use as 19N 21E Section 1 NE $\frac{1}{4}$ of SE $\frac{1}{4}$ and section 2 NE $\frac{1}{4}$ of SE $\frac{1}{4}$. From 1968 to Present there has been one structure and only one structure located in these 16th sections. That structure has been connected to the Lake Creek Water System for that entire period and is our home.

Thank You,

David Craig

JAN 03 2023

Idaho Department of Water Resources
900 North Skyline Drive Suite A
Idaho Falls, Idaho 83402

12/29/22

Department of Water Resources
Eastern Region

David Craig
5 Riverside Drive
Salmon, Idaho 83467

Dear Department,

The purpose of this letter is to provide additional information to support our pending transfer of ownership request for domestic water right #75-10499. I was able to get a high-resolution Aerial photo from USGS from 1974 that clearly shows what was present at that time. You can see trees around our house that are beginning to shadow the structure (Exhibit C). The lower quality aerial that you possess from 1984 is not definitive because of its inferior resolution, the amount the trees would have grown in ten years, and the lighting that existed when the 1984 photo was taken. The 1974 photo clearly shows our house. I was also able to locate a local gentleman who has first-hand knowledge of what was there in 1971. His name is Brent Godfrey, and he began golfing there in 1971. He was so enamored with golf that he golfed there every day, sometimes playing the course 7 or 8 times a day. He was also employed by the golf course to mow the greens and fairways. I met with him and showed him the 1974 aerial photos. He was 100% certain that what shows in the 1974 photo is exactly what existed in 1971. No new structures were built during the time that he golfed there which included the period from 1971 to 1974 when the included aerial photos were taken. As you can see on the enlarged section of the photo, there are six structures. Those structures correspond with Craig, Barrett, Aksland, Leyba, Shumate, and Kittrell. The Aksland and Leyba structures have since been replaced. Mr Godfrey signed the attached declaration attesting to these facts, including the fact that our house was connected to and using the Lake Creek Water System. The fact that the Bank listed water right 75-10499 as being for a single home when going through adjudication is not contrary to our application. By 1990 when the Bank went through the adjudication process, the golf course was long gone. There only existed a single structure on the Bank's property which is our current home. At the time of application, the structure had either already been converted to a home, or the Bank intended for it to be converted into a home. While the structure that became our home existed prior to 1971 (Brent Godfrey indicated that it was an older building in 1971), it received a priority date of May 15, 1968 because that is when it was hooked up to the Lake Creek Water System. Please let me know if this additional information is sufficient to finish processing our application.

Sincerely,



David Craig



Governor Brad Little

Director Gary Spackman

November 15, 2022

David and Melissa Craig
PO Box 789
Salmon, ID 83467

RE: Proposal to Update Ownership Records for Water Right 75-10499

Dear Mr. Craig:

On October 17, 2022, you filed a Notice of Change in Water Right Ownership, proposing to update the ownership records for water right 75-10499. I reviewed the notice and determined that it did not include sufficient evidence of ownership. On October 21, 2022, Jonie Barg from our Idaho Falls office returned the notice unprocessed and refunded the associated filing fee. On November 1, 2022, you sent a letter asking the Department to reconsider its decision to return your ownership change notice. This letter is intended to provide a detailed summary of why your notice of ownership change was returned and offer some suggestions of additional information you may provide to support your claim of ownership.

On May 3, 1990, First Federal America Bank filed Claim No. 75-10499 in the Snake River Basin Adjudication (SRBA). The claim described year-round domestic use at one home with a priority date of May 1, 1968. The claim described the point of diversion as a spring tributary to Lake Creek located in the south half of the NE1/4 of Section 2 and noted that the spring was located in Lot 13, Block 8, 1st Addition to Lake Creek Subdivision No. 1. The claim described the place of use as Government Lot 9, Section 1 and Government Lot 5, Section 2, T19N, R21E.

On November 3, 2000, the SRBA Court issued a decree for water right 75-10499. The decreed point of diversion was described as Government Lot 5 (NESE), Section 2, T19N, R21E. Lot 13, Block 8 of the Lake Creek Subdivision is not in Government Lot 5 of Section 2. I cannot find any evidence or explanation why the decreed point of diversion differs from the claimed point of diversion. The decreed place of use matches the claimed place of use (Govt Lot 9, Section 1 and Govt Lot 5, Section 2). These two government lots cover more than forty acres and contain more than fifty individual subdivision lots.

At this point, the Department does not know where the single home covered by water right 75-10499 is (or was) located. We have received multiple notices from property owners proposing to update ownership for water right 75-10499 but have not received any conclusive evidence of the water system existing in May 1968.

On June 23, 1997, Kenneth and Eloisa Thompson filed Claim No. 75-13715 in the SRBA. The claim described year-round domestic use at one home with a priority date of May 1,

1968. The claimed point of diversion was a spring located in the NENESE of Section 2. The claimed place of use was located in the NESE of Section 2. The Department's adjudication file includes a hand-written note stating that the Thompson home was located on Lot 3, Block 4 of the Lake Creek Subdivision, a property now owned by Aksland. It is strange that the Thompson claim would list the identical priority date as the First Federal claim. Were there two homes connected to the spring source on the exact same day? It is possible that water rights 75-10499 and 75-13715 represent the same beneficial use, domestic use at one home.

You assert that there was only one domestic use in existence when First Federal acquired the entire subdivision property. The claim filed by Thompson appears to refute that assertion. Unfortunately, we don't have aerial imagery stretching back to 1968 to confirm where the home or homes were located in 1968. The 1992 aerial imagery show structures on properties currently owned by Leyba and Askland. A 1991 Affidavit recorded with Lemhi County states that the spring was providing water to seven homes at that time. It is not clear whether any of these seven homes were the one home covered by water right 75-10499.

As noted, the place of use described in water right 75-10499 is broad and ambiguous. The Department will not update the ownership records for the right without documentary evidence confirming the location of the one home authorized by the water right. At this point, you have provided copies of deeds tracing ownership of your property back to First Federal America Bank. That does not eliminate the ambiguity, however, because everyone in the subdivision can trace ownership back to First Federal. You assert that the golf course buildings were the only domestic uses from the spring in the late 1970s, but that assertion does not seem to be supported by other documents. For example, the USGS Quadrangle Map, created from 1985 aerial photos, shows symbols for buildings on the Aksland (Lot 3 Block 4), Leyba (Lot 5 Block 4) and Kittrell (Lot 10 Block 4) properties but no buildings in the area of your property.

To update ownership records for water right 75-10499, we need documentary evidence confirming the location of the one home receiving water under water right 75-10499 in May 1968. This could include aerial photography of the area from the late-1960s, surveys or plats of the area from the late-1960s showing the location of existing homes, the original diagrams or plans for the water system, affidavits from people who were familiar with or associated with the property in 1968, or an order from an Idaho Court quieting title to water right 75-10499 and confirming that you are the current owner of the water right.

Your ownership change notice can be re-filed with the additional evidence of ownership if you are able to find supporting documents. Feel free to contact me if you have any questions.

Sincerely,



James Cefalo
208-525-7161

RECEIVED

NOV 07 2022

Department of Water Resources
Eastern Region

November 1, 2022

Jonie Barg

Idaho Department of Water Resources

900 N Skyline Drive, Suite A

Idaho Falls, Idaho 83402-1718

Dear Ms. Barg,

I received your letter denying our request for change in water right ownership. I have to respectfully disagree with your decision and believe that our situation requires further investigation. You make the statement that the water right we requested (75-10499) is appurtenant to Lot 13 Block 8 Lake Creek Subdivision 1st Amended. How can the water right belong to a lot that has never used any water? The lot that you reference is not even in the described point of use area, nor is it anywhere close to the mapped point of use in your system. The lot you reference is actually the lot where the source is located and thus would be the Source or POD. There is not and has never been any buildings or other domestic water use on the lot that you referenced. I had attached a letter of explanation and a copy of a affidavit of record that references the water use by the entity that is still named on our water right. The lot you referenced contains the source spring and is owned by Tri-West Leasing aka Gilbert and Kathy Kort. Between us and them, we own most all of the property owned by First Federal America Bank when the water right was assigned to them. Until 2012, the only point of use on the bank property was ours. There are now two points of use on the original property as the Korts live in a house constructed in 2012 with a separate 2012 water right. The Korts are friends of ours and we have both talked and investigated who 75-10499 should belong to, including consulting a water rights attorney in Idaho Falls (we did this together). Mr Kort has also spoke with you guys on the phone. Since he owns the lot that you say the water right belongs to, it is safe to say that it belongs to one of us. Our joint conclusion (Kort and Craig) is that the water right belongs to us (David and Melissa Craig). This conclusion is based on the following facts.

1. The water right is in the name of the bank that at the time of the water right assignment owned both the Kort (Tri West Leasing) parcels and the Craig Parcels. Mr Kort called IDWR and inquired about what happens to the water right when a property is split and sold to two owners and the point of use is on one and the point of diversion is on the other. It was explained that the water right belongs to the property with the point of use. That's clearly the Craig Parcel.
2. The point of use as described in the water right is clearly the portion that belongs to Craig and does not include the portion belonging to Kort.
3. The reference (#3) to lot 13 block 8 on the water right has to be a clerical error as that is the source location and has never had a domestic use on it.
4. The golf course existed prior to any other domestic users in the area and was operated on the property that was foreclosed by First America Federal Bank. The development of the spring and installation of piping for our property and others in Lake Creek Subdivision was installed by the golf course owners, who did the actual subdivision as well. The original connections to the spring serviced the clubhouse and maintenance shop for the golf course operation. At the time that First Federal America Bank foreclosed, this was the only domestic use on the golf course property. We literally are still using the same physical connection to the same structure.
5. When the Kort residence was built in 2012, a separate water right was applied for and issued. If 74-10499 was their water right they would have used it rather than apply for a new one. Furthermore, IDWR would not have issued 2 domestic use water rights for the same property.

6.

In conclusion, water right 75-10499 has to belong to someone. It legally should belong to the property that was using it at the time that it was applied for. That is us. Please let us know what we need to do to get this change of ownership successfully processed.

Thank you,

A handwritten signature in black ink, appearing to read 'DC' followed by a stylized flourish.

David Craig



IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

October 24, 2022

DAVID CRAIG
MELISSA CRAIG
PO BOX 789
SLAMON ID 83467

RE: Change in Ownership
Water Rights: 75-10499

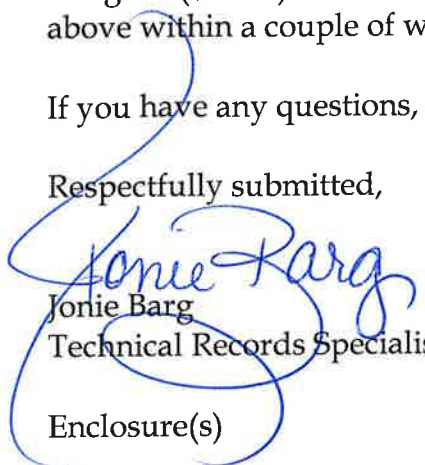
Dear Sir/Madam:

On October 17, 2022, you filed a Notice of Change in Water Right Ownership (ownership change) with the Idaho Department of Water Resources (IDWR), seeking to update the ownership records for the water rights listed above. After an initial review, we determined that your property is not appurtenant to the water right. Please see the conditions of the water right according to the parcel number this water right is appurtenant to Lot 13 Block 8 Lake Creek Subdivision 1st Amended. If you believe this is in error, you needed to provide additional evidence of ownership, specifically evidence that you are the owner of the original 1968 home being serviced by the spring. The department has attached a proof report for your review.

We are returning your original ownership change and have initiated a refund of your filing fee (\$25.00). The refund from the state of Idaho will arrive at the address listed above within a couple of weeks.

If you have any questions, feel free to contact me at (208) 525-7161.

Respectfully submitted,



Jonie Barg

Technical Records Specialist

Enclosure(s)

From: [Barg, Jonie](#)
To: [IdwrPayable](#)
Subject: Refund Request
Date: Friday, October 21, 2022 9:31:00 AM
Attachments: [Receipt\(1\).PDF](#)

Good morning!

I have a refund request as follows:

Receipt number: E048628
Amount: \$25.00
Payable to Melissa Craig
PO Box 789
Salmon ID 83467

Reason: Ownership Change filed for 1 water right, paid \$25.00. Water right is not appurtenant to their property so the application is being returned unprocessed. Therefore the y are entitled to a full refund.

Thank you so much for your time. Let me know if you have any questions.

Have a great day!!!



IDAHO DEPARTMENT OF
WATER RESOURCES

Jonie Barg | Technical Records Specialist

900 N Skyline Drive Ste. A, Idaho Falls, ID 83402

Phone number: (208) 525-7161

Fax number: (208) 525-7177

Email: jonie.barg@idwr.idaho.gov

Website: www.idwr.idaho.gov

10-11-22

Idaho Department of Water Resources

900 N Skyline Drive Suite A

Idaho Falls, Id 83402-1718

David and Melissa Craig

PO Box 789

Salmon, Id 83467

Dear IDWR,

This letter is to provide additional information and clarification for the water change in ownership application included. The water right requesting transfer is currently in the name of First Federal America Bank. The bank acquired this water right in 1977 through foreclosure on a fairly large tract of land that was being operated as a golf course. The mapped point of use shown on the water right includes land we have acquired and land that we do not own. It essentially shows the entire area that was used as a golf course. The golf course used water for domestic purposes for two structures, a club house building and a service building. Both of these buildings are located on property that we acquired. The Clubhouse building burnt down just prior to the foreclosure in 1977 and was never replaced. The service building has remained in place and in use continuously from the 1968 priority date to present. In 2021 the service building was remodeled into a single family residence with an October 22, 2021 certificate of occupancy date from Lemhi County. The residence made no changes to the water connection and uses the original water connection that was installed prior to 1968. We own the only property that had a domestic use water connection in the mapped point of use area in 1968. As a result, we are confident that water right 75-10499 belongs to the property that we currently own.

Sincerely,



David Craig