

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

**RECEIVED**  
**DEC 04 2002**  
 Department of Water Resources  
 Eastern Region

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

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

| Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split | Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split |
|-----------------------|------------------------------|-------|-----------------------|------------------------------|-------|
|                       | 74-1588                      |       |                       |                              |       |
|                       | 74-1595                      |       |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):  
**PLAT OF PROPERTY** or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).  
**OR**

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) SAM P. AND BARBARA MCKINNEY
- Box 52, Lemhi ID 83465
4. New Owner/Claimant(s) Adrian Rand and Dorothy H. Robison
- Name Connector (Check one): ☐ and, ☐ or, ☒ and/or
- New Mailing Address 6978 S. 2000 W
- City, State and ZIP Code Rexburg ID 83440
- New Telephone Number ( 208 356-6478 )
5. Date you acquired the property 11/15/2002

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

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

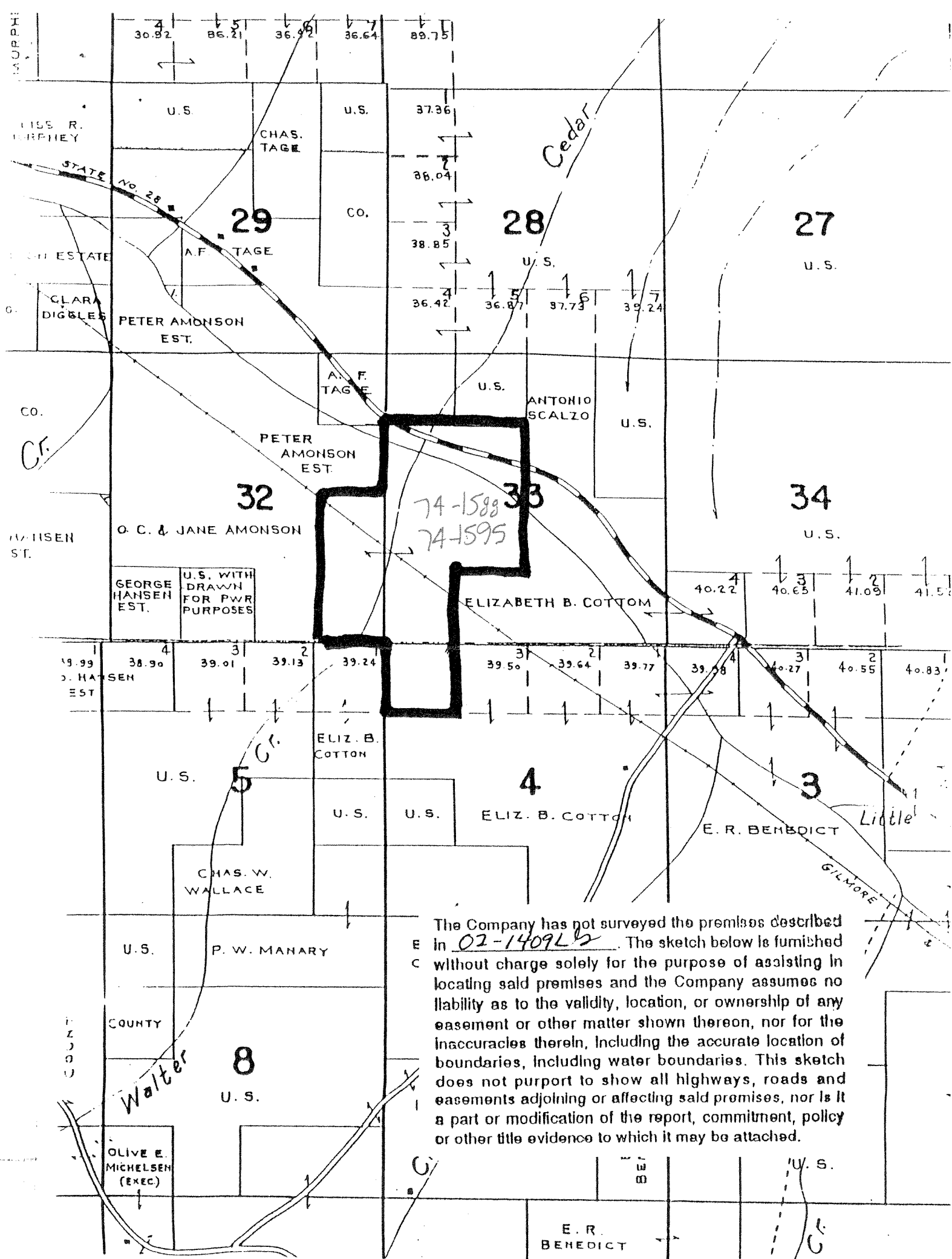
| DESCRIPTION OF YOUR PORTION OF WATER RIGHT<br>(If the right(s) will not be split, skip this area and proceed to item 7) |                                                                            |                                                              |
|---------------------------------------------------------------------------------------------------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

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

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

**For Office Use Only**  
 Received by E. O. Date 12-9-02 Fee \$ n/a  
 Receipted by \_\_\_\_\_ Date \_\_\_\_\_ Receipt No. \_\_\_\_\_  
 Processed by \_\_\_\_\_ AJ Date \_\_\_\_\_ WR \_\_\_\_\_ Date \_\_\_\_\_

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AMERICAN LAND TITLE ASSOCIATION  
OWNER'S POLICY  
(10-17-92)

RECEIVED  
DEC 04 2002  
Department of Water Resources  
Eastern Region

Policy No. 72106-

296564

CHICAGO TITLE INSURANCE COMPANY

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE B AND THE CONDITIONS AND STIPULATIONS, CHICAGO TITLE INSURANCE COMPANY, a Missouri corporation, herein called the Company, insures, as of Date of Policy shown in Schedule A, against loss or damage, not exceeding the Amount of Insurance stated in Schedule A, sustained or incurred by the insured by reason of:

1. Title to the estate or interest described in Schedule A being vested other than as stated therein;
2. Any defect in or lien or encumbrance on the title;
3. Unmarketability of the title;
4. Lack of a right of access to and from the land.

The Company will also pay the costs, attorneys' fees and expenses incurred in defense of the title, as insured, but only to the extent provided in the Conditions and Stipulations.

*In Witness Whereof*, CHICAGO TITLE INSURANCE COMPANY has caused this policy to be signed and sealed as of Date of Policy shown in Schedule A, the policy to become valid when countersigned by an authorized signatory.

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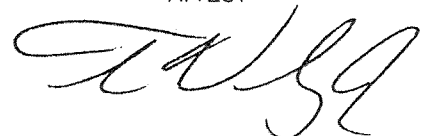
CHICAGO TITLE INSURANCE COMPANY

By:



President

ATTEST



Secretary



## OWNER'S POLICY

### SCHEDULE A

| Order Number | Policy Number | Date of Policy                    | Amount of Insurance | Premium Amount |
|--------------|---------------|-----------------------------------|---------------------|----------------|
| 307021409L-G | 72106-296564  | November 18,<br>2002<br>At 3:53PM | \$320,000.00        | \$1,250.00     |

1. Name of Insured:

**Adrian Rand Robison and Dorothy H. Robison**

2. The estate or interest in the land which is covered by this policy is:

**Fee Simple**

3. Title to the estate or interest in the land is vested in:

**Adrian Rand Robison and Dorothy H. Robison, Husband and Wife**

4. The land referred to in this policy is described as follows:

**TOWNSHIP 16 NORTH, RANGE 25 EAST, BOISE MERIDIAN, LEMHI COUNTY, IDAHO.**

**SECTION 4: LOT 4.**

**TOWNSHIP 17 NORTH, RANGE 25 EAST, BOISE MERIDIAN, LEMHI COUNTY, IDAHO.**

**SECTION 32: E1/2SE1/4.**

**SECTION 33: S1/2NW1/4, N1/2SW1/4, SW1/4SW1/4.**

**EXCEPTING THEREFROM:**

**A PARCEL OF LAND LOCATED IN THE NW1/4, SECTION 33, T. 17 N., R. 25 E., BOISE MERIDIAN, LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**COMMENCING AT THE N1/16 CORNER OF SECTIONS 32 AND 33, FROM WHICH THE NW CORNER OF SAID SECTION 33 BEARS N. 01° 09' 00" W. A DISTANCE OF 1343.10 FT., THE BASIS OF BEARING OF THIS DESCRIPTION, RUN THENCE S. 67° 29' 13" E. A DISTANCE OF 1329.53 FT. TO THE POINT OF BEGINNING;**

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THENCE N. 06° 47' 48" W. A DISTANCE OF 202.40 FT. TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF AN EXISTING COUNTY ROAD;

THENCE S. 81° 28' 50" E. ALONG SAID RIGHT-OF-WAY A DISTANCE OF 315.33 FT.;

THENCE S. 25° 05' 15" W. A DISTANCE OF 269.31 FT.;

THENCE N. 62° 42' 14" W. A DISTANCE OF 195.48 FT. TO THE POINT OF BEGINNING;

SUBJECT TO:

A 20 FT. WIDE WATER LINE EASEMENT 10 FT. ON EITHER SIDE OF THE FOLLOWING DESCRIBED CENTERLINE;

COMMENCING AT THE SE CORNER OF THE ABOVE DESCRIBED PARCEL RUN THENCE N. 25° 05' 15" E. ALONG THE EASTERLY BOUNDARY OF SAID PARCEL A DISTANCE OF 94.78 FT. TO THE POINT OF BEGINNING;

THENCE S. 67° 22' 52" E. A DISTANCE OF 104.19 FT.

A 20 FT. WIDE POWER LINE EASEMENT 10 FT. ON EITHER SIDE OF THE FOLLOWING DESCRIBED CENTERLINE;

COMMENCING AT THE SE CORNER OF THE ABOVE DESCRIBED PARCEL RUN THENCE N. 25° 05' 15" E. ALONG THE EASTERLY BOUNDARY OF SAID PARCEL A DISTANCE OF 113.97 FT. TO THE POINT OF BEGINNING;

THENCE THE FOLLOWING COURSES AND DISTANCES ALONG SAID CENTERLINE;

S. 52° 57' 36" E. 103.09 FT.; N. 65° 26' 18" E. 49.08 FT.;

N. 40° 22' 26" E. 201.70 FT. TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF A COUNTY ROAD;

A 30 FT. WIDE EASEMENT FOR INGRESS AND EGRESS, 15 FT. ON EITHER SIDE OF THE FOLLOWING DESCRIBED CENTERLINE;

COMMENCING AT THE SE CORNER OF THE ABOVE DESCRIBED PARCEL RUN THENCE N. 25° 05' 15" E. ALONG THE EASTERLY BOUNDARY OF SAID PARCEL A DISTANCE OF 249.88 FT. TO THE PC OF A CURVE AND THE POINT OF BEGINNING;

THENCE 36.15 FT. ALONG SAID CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 60° 57' 02", A RADIUS OF 33.99 FT. AND A TANGENT OF 20.00 FT. TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF A COUNTY ROAD.

ALSO EXCEPTING THEREFROM RIGHT-OF-WAY FOR HIGHWAY AS DISCLOSED IN DEED RECORDED DECEMBER 12, 1932 IN BOOK 30 AT PAGE 266 AND DEED RECORDED NOVEMBER 30, 1950 IN BOOK 44 AT PAGES 468-469.

END OF SCHEDULE A

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## OWNER'S POLICY

Order No: 307021409L-G

Policy No: 72106-296564

### SCHEDULE B PART I

#### EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

##### General Exceptions:

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 easement, not shown by the public records.
4. Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
5. (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, whether or not the matters excepted under (a), (b), or (c) are shown by the public records.
6. Taxes or special assessments which are not shown as existing liens by the public records of any taxing authority that levies taxes or assessments on real property or by the public records. Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.

### SCHEDULE B PART II

##### Special Exceptions:

7. Taxes, including any assessments collected therewith, for the year 2002, which are a lien not yet payable.
8. An easement for the purpose shown below and rights incidental thereto as set forth in document:  
Granted to: Idaho Power Company, a corporation.  
Purpose: Public Utilities.  
Recorded: March 24, 1947.  
Book C at Page 635.
9. An easement for the purpose shown below and rights incidental thereto as set forth in document:  
Granted to: The State of Idaho, Department of Fish and Game.  
Purpose: Self Cleaning Fish Screen.  
Recorded: February 20, 1959.  
Book E at Page 110.

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10. An easement for the purpose shown below and rights incidental thereto as set forth in document:

Granted to: The State of Idaho, Department of Fish and Game.

Purpose: Self Cleaning Fish Screen.

Recorded: August 31, 1961.

Book E at Pages 497-498.

11. A Mortgage to secure an indebtedness as shown below and any other obligations secured thereby:

Amount: \$160,000.00.

Mortgagor: Adrian Rand Robison and Dorothy H. Robison, Husband and Wife.

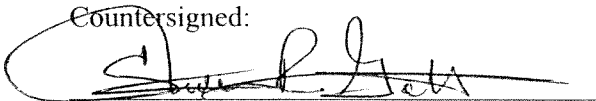
Mortgagee: Sam P. McKinney and Barbara G. McKinney, Husband and Wife.

Recorded: November 18, 2002.

Instrument No.: 252472 of Official Records.

END OF SCHEDULE B

Countersigned:

A handwritten signature in black ink, appearing to read "Sam P. McKinney", written over a horizontal line.

Authorized Signature

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LEGAL DESCRIPTION  
EXHIBIT 'A'

TOWNSHIP 16 NORTH, RANGE 25 EAST, BOISE MERIDIAN, LEMHI  
COUNTY, IDAHO.

SECTION 4: LOT 4.

TOWNSHIP 17 NORTH, RANGE 25 EAST, BOISE MERIDIAN, LEMHI  
COUNTY, IDAHO.

SECTION 32: E1/2SE1/4.

SECTION 33: S1/2NW1/4, N1/2SW1/4, SW1/4SW1/4.

EXCEPTING THEREFROM:

A PARCEL OF LAND LOCATED IN THE NW1/4, SECTION 33, T. 17 N.,  
R. 25 E., BOISE MERIDIAN, LEMHI COUNTY, IDAHO, MORE  
PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE N1/16 CORNER OF SECTIONS 32 AND 33,  
FROM WHICH THE NW CORNER OF SAID SECTION 33 BEARS N. 01° 09' 00"  
W. A DISTANCE OF 1343.10 FT., THE BASIS OF BEARING OF THIS  
DESCRIPTION, RUN THENCE S. 67° 29' 13" E. A DISTANCE OF 1329.53 FT.  
TO THE POINT OF BEGINNING;

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