

01/09/2004

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 23-10218
NAME AND ADDRESS: DANIEL J BOSCHAE
PO BOX56
IRWIN ID 83428
SOURCE: GROUND WATER TRIBUTARY:
QUANTITY: 0.080 CFS
The quantity of water under this right shall not exceed 13,000 gallons per day.
PRIORITY DATE: 12/24/1972
POINT OF DIVERSION:
T01N R44E S35 SWNENW Within BONNEVILLE County
PURPOSE AND PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.080 CFS

PLACE OF USE: DOMESTIC Within BONNEVILLE County
T01N R44E S35 NENW

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

The quantity of water decreed for this water right is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: Beneficial Use
USE; 2 HOMES. RPO45500010010.

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 23-10218
Date Received: 1/9/2004
Receipt No: E010368
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

DANIEL J BOSCHAE Phone: (208) 483-0033
PO BOX56
IRWIN ID USA 83428

2. Date of Priority: 12/24/1972

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:
Township Range Section 1/4 of 1/4 of 1/4 Lot County Type
01N 44E 35 SW NE NW BONNEVILLE

5. Description of diverting works:
well: 100 ft deep, 6" casing, 1 hp pump.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
DOMESTIC	01/01	12/31	0.08	

7. Total Quantity Appropriated is:
0.08 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:
Number of homes: 2

10. Place of use:
Township Range Section 1/4 of 1/4 Lot Use Acres
01N 44E 35 NE NW DOMESTIC

11. Place of use in counties: BONNEVILLE

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:
Receipt no. E010368. RPO45500010010.

15. Basis of Claim: Beneficial Use

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this
of _____ 20__

Notary Public

Residing at _____

My commission Expires _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Identification No. A23-10218
Date Received 9/13/89
Receipt Number E010368

NOTICE OF CLAIM
TO A
WATER RIGHT

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day.

RECEIVED

SEP 13 1989

Department of Water Resources
Eastern District Office

RECEIVED

SEP 13 1989

Department of Water Resources
Eastern District Office

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) Park, Marvin or Rayola Phone (307) 883-2261

Mailing Address Box 32 Etwa, WY Zip 83118

2. Date of Priority (Only one per claim) Dec 24 1972 Month/Day/Year

3. Source of water supply (Check one) ☒ Groundwater or Other () (a) _____
which is tributary to (b) _____
Name or kind of source

4. Location of point of diversion is: Township _____ Range _____

Section 35 1/4 of NE 1/4 of NW 1/4, Govt. Lot _____, BM

County of Bonn Lot 1 Block 1 Park Lane
Sec 35, T 1N, R 44

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the dates changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. Well - pump 100' deep 6" casings 1 Horse p.

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For <u>Domestic</u> purposes from	Month/Day <u>Jan-1</u> to	Month/Day <u>Dec 31</u>	amount <u>0.04</u> (cfs)
	(Both dates are inclusive)		
For <u>Domestic</u> purposes from	"	"	amount <u>0.04</u>

7. Total quantity claimed 0.08 (cfs)

8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) One (1) well - 2 households 1 horse - Sometime winter.



Lot 1-Block 1 Part Water Addition - Bonn. Co - N 1/2 of Section 35
T. 1 N. R. 4 E B M

10. Place of use is: Township: _____ Range _____
Section 35 + 1N, ~~14~~ R 44 1/4, Govt. Lot _____, B.M., RPO 45500010010
County of Bonn. for (Circle One) Domestic Stock Domestic and Stock

Additional places of use, if any _____
11. In which county (ies) are lands listed above as place of use located? _____

12. Do you own the property listed above as place of use? Yes X No ~~_____~~
If your answer is No, describe in Remarks below the authority you have to claim this water right.
13. Describe any other water rights used at the same place and for the same purposes as described above. None ()
Own one house - father owns No. 2

14. Remarks: used for one household - used AS backup for
Second house

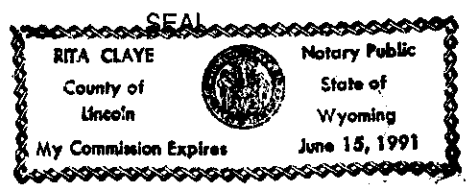
15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree
Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____
16. Signature (s) _____
Number of Attachments _____
By signing I/We acknowledge reading the notice on the back of this claim form.
I/We wish to receive for a small annual fee monthly copies of the docket sheet.
YES _____ NO X

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.
Signature of Claimant (s) Maurice Parks Date Aug 13-89
Layola Dick Date Aug 13-89

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
document in the space below as _____ of _____
Title _____ Organization _____
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____
Title and Organization _____
State of Idaho/or _____ }
County of _____ } SS.
Subscribed and sworn (or affirmed) before me this 13 day of August 1989



Notary Public Rita Claye
Residing at Etos, Wyoming Lincoln County
My Commission Expires June 15, 1991

Last Name _____ Ident No. _____
Copies: White-State, Yellow-Claimant



State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

Date: August 29, 1989

Marvin and Rayola Park
Box 32
Etna, WY 83118

RE: Water Right Claim Returned

Dear Mr. and Mrs. Park:

The Idaho Department of Water Resources (IDWR) is returning your check #1107 (\$25.00) and Notice of Claim to a Water Right because of insufficient information. All items on the claim form must be correctly completed and fees submitted before the IDWR can process the claim.

Please correct the items identified below and return the corrected forms to the IDWR within 30 days of the date of this letter. Failure to return the corrected forms within the 30-day period may result in an assessment of an additional \$50.00 late-fee for each claim.

- Items #4 and #10: The location of the well and place of use must be defined to at least the 1/4 of 1/4 Section (40-acre tract). If you do not know the precise description, you may indicate the locations on the enclosed map or submit your own map showing the positions within the Section.
- Item #5: A description of the diversion works must be entered, e.g. well/pump. Indicate the well dimensions, i.e. depth, casing and pump size (if known).
- Item #9: A separate Notice of Claim and \$25.00 fee must be submitted for each house because they are owned by different parties. If you are only claiming the water for your house, you must change the number of households to "one". Explain in "Remarks" (Item #14) the well is also used for a second house. The amounts in Items #6 and #7 should also reflect the flow rate for one house (0.04 cfs). The priority date (Item #2) should be the date the claimed house was connected to the well.
- Item #10: You indicated that you also use the well for stock. If so, stock purposes should be claimed in Item #6, and the number and type of stock must be listed in Item #9.

- Item #12: Only one box must be checked. If you are claiming the water for your house, check "yes".

I have enclosed new forms for you to complete for each house if necessary. If you have any questions, please call Tony Olenichak, Water Right Agent, at (208)-525-7161.

Sincerely,

Tony Olenichak
for Ernest Carlsen

Ernest Carlsen
Adjudication Supervisor

Enclosure

4/5/1980

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAMTANT'S NAME PARK CLAIM NT. NO. A23-10218

DATE RECEIVED _____ CK # _____ AMOUNT \$ _____ YES _____ NO _____ Required Info? *

- 1. Is the name and address complete with zip code? _____ YES _____ NO _____ *
- 2. Is a priority date entered? _____ YES _____ NO _____ *
- Is the priority date acceptable in view of mandatory filing dates? _____ *
- See Adjudication Memos #1 and #4 to determine if a Permit is required. _____ *
- 3. (a) Is a source entered? _____ YES _____ NO _____ *
- (b) Is a tributary to entered? (if required) _____ N/A _____ *
- 4. Is the legal description of the p.d. sufficient? _____ YES _____ NO _____ *
- 5. Is there a description of the diverting works? _____ YES _____ NO _____ *
- 6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. _____ *
- Is the period of use included? _____ YES _____ NO _____ *
- Is a quantity claimed for each use? _____ YES _____ NO _____ *
- 7. Is a total quantity claimed entered? _____ YES _____ NO _____ *
- 8. If required is a consumptive use entered? _____ YES _____ NO _____ *
- Is the consumptive use correct? _____ YES _____ NO _____ *
- 9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. _____ N/A _____ *
- 10. Is (are) the place(s) of use and purpose(s) indicated? _____ YES _____ NO _____ *
- 11. Is (are) the county(ies) entered? _____ YES _____ NO _____ *
- 12. Is the ownership of p.u. checked? _____ YES _____ NO _____ *
- 13. Are other water rights listed or "none" indicated? _____ YES _____ NO _____ *
- 14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) _____ N/A _____ *
- 15. Is the basis of the claim indicated? _____ YES _____ NO _____ *
- 16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) _____ N/A _____ *
- 17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. _____ YES _____ NO _____ *
- 18. Has the claim been signed, sealed, and dated by a notary? _____ YES _____ NO _____ *
- 19. Was this claim filed on time, or was an extension granted? _____ YES _____ NO _____ *
- 20. Is the fee enclosed correct? _____ YES _____ NO _____ *
- 21. If this claim is based on an existing water right, has the identification number been entered? _____ N/A _____ *
- 22. Should this claim be data entered? _____ YES _____ NO _____ *

Claim checked by: JT Date: 1-31-91
Claim must be returned to claimant: _____ (Yes) _____ (No)
Claimant must be notified of modifications: _____ (Yes) _____ (No)

Receipt Prepared by: _____ Date: _____
Claim data entered by: _____ Date: _____
Sent to claimant by: _____ Date: _____
Checked by: _____ Date: _____

Comments: #4 & 10 need 1/4's - Try Bonville Platt Book,
D.E.V. LTR. RPN:

01/09/2004

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 23-10218

DANIEL J BOSCHAE

PO BOX56

IRWIN ID 83428

Telephone Number: (208) 483-0033

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

X I AGREE with this proposed recommendation: no changes need to be made.

DATE: 3-16-04

SIGNATURE: Daniel J Boschae

Please print your name: DANIEL J. BOSCHAE

IDWR Regional Office,

01/09/2004

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 23-10218

NAME AND ADDRESS: DANIEL J BOSCHAE
PO BOX56
IRWIN ID 83428

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.080 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 12/24/1972

POINT OF DIVERSION:
T01N R44E S35 SWNENW Within BONNEVILLE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

DOMESTIC

PERIOD OF USE

01/01 12/31

QUANTITY

0.080 CFS

PLACE OF USE: DOMESTIC Within BONNEVILLE County
T01N R44E S35 NENW

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

The quantity of water decreed for this water right is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use
USE; 2 HOMES. RPO45500010010.

3/31/03
ABR

23-10218 BU

I. RECEIPT # ED10368 SHOWS PAYMENT OF \$25⁰⁰.

APPARENTLY NO REFUND WAS MADE.

WHAT IS THIS RECEIPT FOR? _____

II. NO RECORD OF CLAIM IN DATA BASE (WR/AS)

ALSO NO PARTIAL DEGREE ISSUED.

III. NO OTHER CLAIM UNDER MARVIN /RAYOLA PARK.

IV. RPN 45500010010 IS SHOWN BY BONNEVILLE CO. TO
BELONG TO LOH WOODARD JR., 2700 NIELSON WY #421,
SANTA MONICA CA 90405.

* SEARCH OF WR/AS DATA BASE SHOWS NO CLAIM OR
RECORD FOR PARK OR WOODARD - YET THE
RECEIPT FROM PARK INDICATES PAYMENT MADE
9/14/1989 FOR \$25⁰⁰

V. C/O LETTER SENT 4/1/03, (ATTACHED).

4/23/03 MAIL RETURNED 'NOT DELIVERABLE': ATTACHED.

1/9/04
THIS CLAIM DOES NOT APPEAR ON THE SRBA DATABASE. APPEARS
TO BE A DATA ENTRY OVERSIGHT. CLAIM IS DATA ENTERED TODAY
IN THE NAME OF THE MOST RECENT OWNER, MR. BOSCHAE (SEE %
ATTACHED).

VI. RECOMMEND AS CLAIMED -

POLL DETERMINED BY BONNI CO ASSESSOR THEME.

RPO 45500010010

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

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

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
23-10-218					

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

1. Name and Address of Former
Owner/Claimant(s)

LON Woodard JR

4. New Owner/Claimant(s)

DANIEL T. BOSCHAE

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

PO BOX 56

City, State and ZIP Code

IRWIN ID 83428

New Telephone Number

(208) 483-0033

5. Date you acquired the property

6-10-2000

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

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	✓	_____
Stock	_____	_____
Domestic	✓	_____
Other _____	_____	_____
Total	.08	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____

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

Signature of New Owner(s) or Claimant(s) David J. Kuchel
(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 _____	Date _____	Fee _____
Receipted by _____	Date _____	Receipt No. _____
Processed by _____ AJ	Date _____	WR _____ Date _____

WHEN RECORDED, MAIL TO:
Bank of Jackson Hole
PO Box 7000
Jackson, WYOMING 83002

This Instrument was prepared by:
Bank of Jackson Hole
PO Box 7000
Jackson, WYOMING 83002
307-732-3067

Loan Number: 30470935

Order Number:

(Space Above This Line For Recording Data)

DEED OF TRUST

DEFINITIONS

Words used in multiple sections of this document are defined below and other words are defined in Sections 3, 11, 13, 18, 20 and 21. Certain rules regarding the usage of words used in this document are also provided in Section 16.

(A) "Security Instrument" means this document, which is dated **August 22, 2003**, together with all Riders to this document.

(B) "Borrower" is **Daniel J. Boschae, an unmarried person**. Borrower is the trustor under this Security Instrument.

(C) "Lender" is **Bank of Jackson Hole**, organized and existing under the laws of **Wyoming**. Lender's address is **PO Box 7000, Jackson, WYOMING 83002**. Lender is the beneficiary under this Security Instrument.

(D) "Trustee" is .

(E) "Note" means the promissory note signed by Borrower and dated **August 22, 2003**. The Note states that Borrower owes Lender **ONE HUNDRED SIXTY-FOUR THOUSAND and no/100 Dollars (U.S. \$164,000.00)** plus interest. Borrower has promised to pay this debt in regular Periodic Payments and to pay the debt in full not later than **September 1, 2033**.

(F) "Property" means the property that is described below under the heading "Transfer of Rights in the Property."

(G) "Loan" means the debt evidenced by the Note, plus interest, any prepayment charges and late charges due under the Note, and all sums due under this Security Instrument, plus interest.

(H) "Riders" means all Riders to this Security Instrument that are executed by Borrower. The following Riders are to be executed by Borrower (check box as applicable):

☐ Adjustable Rate Rider

☐ Balloon Rider

☐ 1-4 Family Rider

☐ Other (Specify) -



Condominium Rider



Planned Unit Development Rider



Biweekly Payment Rider



Second Home Rider



VA Rider

(I) "Applicable Law" means all controlling applicable federal, state and local statutes, regulations, ordinances and administrative rules and orders (that have the effect of law) as well as all applicable final, non-appealable judicial opinions.

(J) "Community Association Dues, Fees, and Assessments" means all dues, fees, assessments and other charges that are imposed on Borrower or the Property by a condominium association, homeowners association or similar organization.

(K) "Electronic Funds Transfer" means any transfer of funds, other than a transaction originated by check, draft, or similar paper instrument, which is initiated through an electronic terminal, telephonic instrument, computer, or magnetic tape so as to order, instruct, or authorize a financial institution to debit or credit an account. Such term includes, but is not limited to, point-of-sale transfers, automated teller machine transactions, transfers initiated by telephone, wire transfers, and automated clearinghouse transfers.

(L) "Escrow Items" means those items that are described in Section 3.

(M) "Miscellaneous Proceeds" means any compensation, settlement, award of damages, or proceeds paid by any third party (other than insurance proceeds paid under the coverages described in Section 5) for: (i) damage to, or destruction of, the Property; (ii) condemnation

or other taking of all or any part of the Property; (iii) conveyance in lieu of condemnation; or (iv) misrepresentations of, or omissions as to, the value and/or condition of the Property.

(N) "Mortgage Insurance" means insurance protecting Lender against the nonpayment of, or default on, the Loan.

(O) "Periodic Payment" means the regularly scheduled amount due for (i) principal and interest under the Note, plus (ii) any amounts under Section 3 of this Security Instrument.

(P) "RESPA" means the Real Estate Settlement Procedures Act (12 U.S.C. §2601 et seq.) and its implementing regulation, Regulation X (24 C.F.R. Part 3500), as they might be amended from time to time, or any additional or successor legislation or regulation that governs the same subject matter. As used in this Security Instrument, "RESPA" refers to all requirements and restrictions that are imposed in regard to a "federally related mortgage loan" even if the Loan does not qualify as a "federally related mortgage loan" under RESPA.

(Q) "Successor in Interest of Borrower" means any party that has taken title to the Property, whether or not that party has assumed Borrower's obligations under the Note and/or this Security Instrument.

TRANSFER OF RIGHTS IN THE PROPERTY

This Security Instrument secures to Lender: (i) the repayment of the Loan, and all renewals, extensions and modifications of the Note; and (ii) the performance of Borrower's covenants and agreements under this Security Instrument and the Note. For this purpose, Borrower irrevocably grants and conveys to Trustee, in trust, with power of sale, the following described property located in the County of Bonneville:

Lot 1 in Block 1 of Park Lane Addition, according to the official plat thereof, recorded April 22, 1981 as Instrument No. 605205, filed in Official Records of Bonneville County, Idaho.

Parcel Identification Number:

which currently has the address of **141 Park Lane
Irwin, IDAHO 83428**

("Property Address"):

TOGETHER WITH all the improvements now or hereafter erected on the property, and all easements, appurtenances, and fixtures now or hereafter a part of the property. All replacements and additions shall also be covered by this Security Instrument. All of the foregoing is referred to in this Security Instrument as the "Property."

BORROWER COVENANTS that Borrower is lawfully seized of the estate hereby conveyed and has the right to grant and convey the Property and that the Property is unencumbered, except for encumbrances of record. Borrower warrants and will defend generally the title to the Property against all claims and demands, subject to any encumbrances of record.

THIS SECURITY INSTRUMENT combines uniform covenants for national use and non-uniform covenants with limited variations by jurisdiction to constitute a uniform security instrument covering real property.

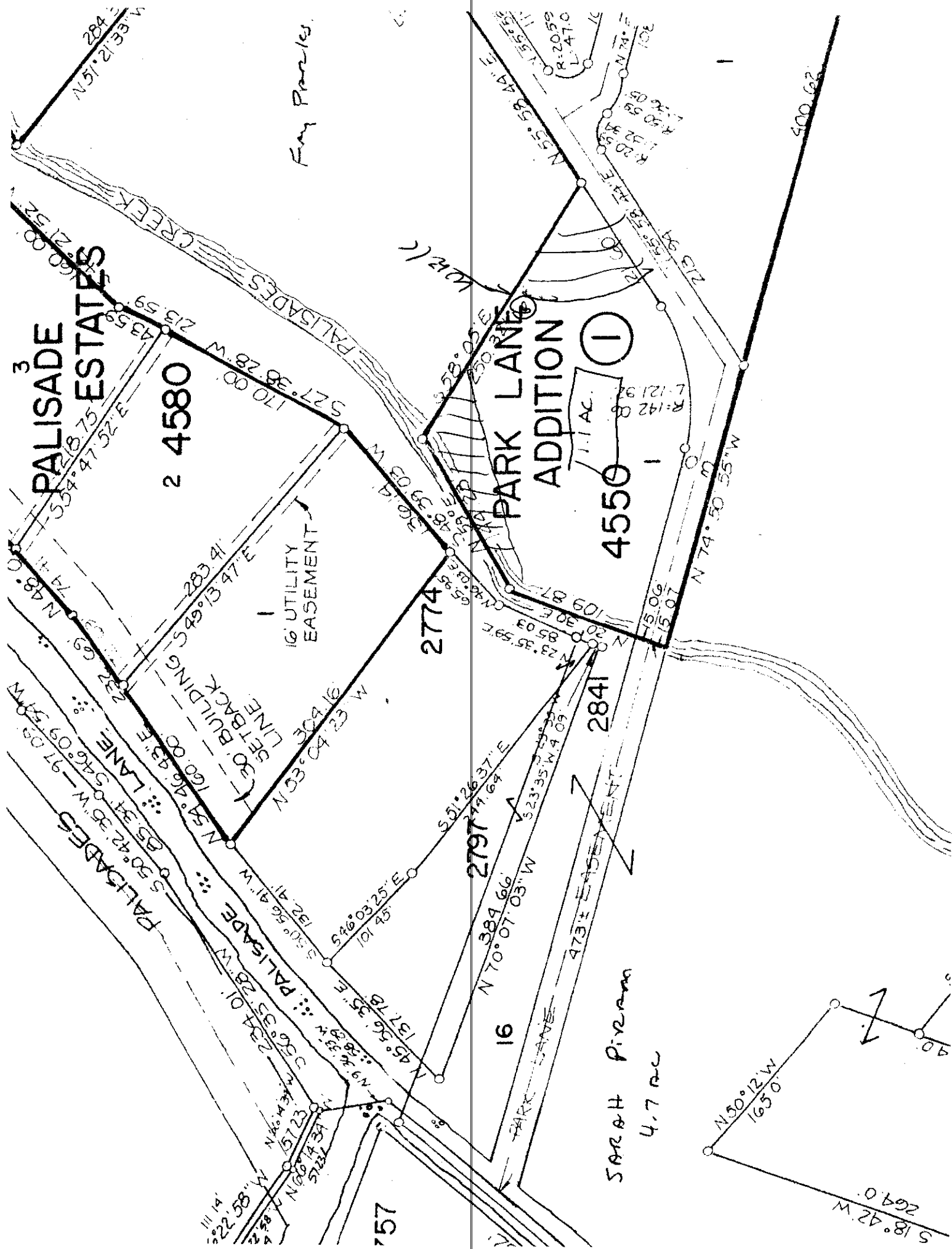
UNIFORM COVENANTS. Borrower and Lender covenant and agree as follows:

1. Payment of Principal, Interest, Escrow Items, Prepayment Charges, and Late Charges. Borrower shall pay when due the principal of, and interest on, the debt evidenced by the Note and any prepayment charges and late charges due under the Note. Borrower shall also pay funds for Escrow Items pursuant to Section 3. Payments due under the Note and this Security Instrument shall be made in U.S. currency. However, if any check or other instrument received by Lender as payment under the Note or this Security Instrument is returned to Lender unpaid, Lender may require that any or all subsequent payments due under the Note and this Security Instrument be made in one or more of the following forms, as selected by Lender: (a) cash; (b) money order; (c) certified check, bank check, treasurer's check or cashier's check, provided any such check is drawn upon an institution whose deposits are insured by a federal agency, instrumentality, or entity; or (d) Electronic Funds Transfer.

Payments are deemed received by Lender when received at the location designated in the Note or at such other location as may be designated by Lender in accordance with the notice provisions in Section 15. Lender may return any payment or partial payment if the payment or partial payments are insufficient to bring the Loan current. Lender may accept any payment or partial payment insufficient to bring the Loan current, without waiver of any rights hereunder or prejudice to its rights to refuse such payment or partial payments in the future, but Lender is not obligated to apply such payments at the time such payments are accepted. If each Periodic Payment is applied as of its scheduled due date, then Lender need not pay interest on unapplied funds. Lender may hold such unapplied funds until Borrower makes payment to bring the Loan current. If Borrower does not do so within a reasonable period of time, Lender shall either apply such funds or return them to Borrower. If not applied earlier, such funds will be applied to the outstanding principal balance under the Note immediately prior to foreclosure. No offset or claim which Borrower might have now or in the future against Lender shall relieve Borrower from making payments due under the Note and this Security Instrument or performing the covenants and agreements secured by this Security Instrument.

2. Application of Payments or Proceeds. Except as otherwise described in this Section 2, all payments accepted and applied by Lender shall be applied in the following order of priority: (a) interest due under the Note; (b) principal due under the Note; (c) amounts due under Section 3. Such payments shall be applied to each Periodic Payment in the order in which it became due. Any remaining amounts shall be applied first to late charges, second to any other amounts due under this Security Instrument, and then to reduce the principal balance of the Note.

If Lender receives a payment from Borrower for a delinquent Periodic Payment which includes a sufficient amount to pay any late charge due, the payment may be applied to the delinquent payment and the late charge. If more than one Periodic Payment is outstanding, Lender may apply any payment received from Borrower to the repayment of the Periodic Payments if, and to the extent that, each payment



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern District Office
900 N. Skyline Dr.
Idaho Falls, ID 83402-1718

Return Service Requested

RECEIVED
APR 18 2003
Department of Water Resources
Eastern Region

NOT DELIVERABLE
AS ADDRESSED,
UNABLE TO FORWARD

1670 U.S. POSTAGE
8943500-370 APR 02 2003
9868 MAILED FROM ZIP CODE 83402
PB3523907

NO SUCH MAILING PERMITTED
DATTED WITH POSTAGE
UNABLE TO FORWARD
ROUTE NUMBER
INITIALS

90405#4014 23402/1714



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

April 1, 2003

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

LON WOODARD JR
2700 NIELSON WY #421
SANTA MONICA CA 90405

RE: CHANGE IN OWNERSHIP FOR 23-10218

Dear Mr. Woodard:

It has come to our attention that you may have recently purchased a tract of land in Bonneville County. The property to which I am referring was most recently owned by Marvin Park. The legal description is as follows:

T01N, R44E, S35, N1/2

This property was filed on in the Snake River Basin Adjudication (SRBA), and we recommend that if, in fact, you now own the property in question, you file a "Change in Ownership" with this department in order that we may send all further correspondence to the appropriate owner(s).

Enclosed is a Change in Ownership form. Please fill out the form completely, sign and date it and return it to my attention along with a "copy" of your Warranty Deed and legal description of the property you have purchased.

If you have questions regarding this matter, please call 525-7161.

Respectfully submitted,

Jennifer Crabtree
Technical Records Specialist
Enclosure(s)

References

Contact
Help
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Rules

Query
Tools

Data
Entry
Standards

Screen
ID 394

Process:
Receipt
Search

Step:
View
Detail

Receipt Details for ID E010368

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payee
9/14/1989 8:44:07 AM	9/14/1989	Eastern	\$25.00	Ch...
Payer: PARK, MARVIN/RAYOLA				

Account Information:

Check #	Account #	Credit Card Name	Author
1107			
Card Expiration Date	Credit Card Transaction #		

Comment: ADJUDICATION FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$25.00	ADJUDICATION FEE	410162	9337		00	6490

Refund(s):

Amount	Payee	Date	Document Number
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Steps:

[Select Receipt](#)

Screen ID
394

TIN, WAXE

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BOSCHAE, DANIEL J

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