

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

Split
added.
Added
present
owner.
jc
1-4-06

DELOG
AR
8-25-05
RECEIVED
AUG 25 2005

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

Department of Water Resources
 Eastern Region

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (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 Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
A22-07341		✓			
22-45		✓			
22-15		✓			

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)

Garry ~~into~~ Bowen | John Cushman
 Rt 2 Box 1224, Driggs, ID 83404 (1981) LA

4. New Owner/Claimant(s)

Blake G Hall

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

New Mailing Address

2855 Sunnybrook Ln

City, State and ZIP Code

Idaho Falls, ID 83404

New Telephone Number

208-522-3001

5. Date you acquired the property

July 30, 1999

added
present
owner
per
split
memo.
jc

1-4-06

LAUREL P. HALL
 Director

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 (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number <u>A22-07341</u>		
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	<u>.34</u>	<u>17 acres</u>
Stock	<u>.009</u>	<u>4 horses 2 cows</u>
Domestic	<u>.018</u>	<u>2 houses</u>
Other	<u>~~.369~~</u>	
Total	<u>.367</u>	

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	_____	_____

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

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 _____

8/25/05

TAX MAS R INQUIRY - TETON COUNTY

PMPKEY: RP 04N44E021202 A YEAR 2004

BILL# 6910

TXPKEY: RP04N44E021202A

BILLED TO: HALL, BLAKE G

NAME HALL, BLAKE G

CODE AREA 8-0000

ACCT TYP

BANK

FLB

OWNER

PUP

ADDRESS

PO BOX 51630

IDAHO FALLS

ID 83405

MARKET VALUE

222,637

HARDSHIP

HOMEOWNER

NET MARKET

222,637

TAX AMOUNT

1,487.60

LEGAL

TAX #3505

SEC 2 T4N R44E

LESS: CIRCUIT

PLUS: SPECIALS

100.00

NET TAX BILLED

1,587.60

TAX PAYMENTS

1,587.60

TAX CANCELLED

SPEC CANCELLED

REMAINING TAX DUE

639

W 125 S

NEXT PARCEL# RP _____ A OR NEXT BILL# RP _____ 2004

F3=EXIT F14=OTHER TAXES F2=PRT SCREEN F5=PAYMNTS F6=TRANSACTIONS F24=MORE

8/25/05

0410 - PARCEL MASTER INQUIR

11:44:58

PARCEL: RP 04N44E021202 A

F9=MS

F12=RC

F17=DD F19=SP

LEGAL DESCRIPTION

HALL, BLAKE G

TAX #3505

SEC 2 T4N R44E

ProVal Area Number 1

CODE AREA 8-0000 OWNER CD

PARC TYPE LOC CODE

EFFDATE 5042000 EXPDATE

PREV PARCEL

PO BOX 51630

IDAHO FALLS ID 83405

639 W 125 S

CAT	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
3	2003	14300	AC	2617				
5	2003	4700	AC	197				
10	2003	1000	AC	10350				
32	1999			18726				
TOTALS		20000		222637				

ENTER NEXT PARCEL NUMBER RP A

FKeys: F2=TX F3=Exit F6=NM F7=LG
F8=CT F13=TM F18=HS F20=Src

T-7346

RECEIVED



134664
WARRANTY DEED

JUL 30 1999

TETON CO. ID
CLERK RECORDER

For Value Received GARRY L. BOWEN and NADA H. BOWEN, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

BLAKE G. HALL and LAUREL HALL, husband and wife
whose address is: 2855 SUNNYBROOK LANE, IDAHO FALLS, ID, 83404

Hereinafter called the Grantee, the following described premises situated in Teton County, Idaho, to-wit:

SEE ATTACHED EXHIBIT "A"

Subject to the Restriction, Covenants, and Provisions in Notice of Contract of Sale, recorded February 17, 1995, Recorder's No. 119168, Records of Teton County, Idaho AND recorded December 18, 1995, Recorder's No. 122419, Records of Teton County, Idaho

SUBJECT TO Restrictions and Covenants contained in Warranty Deed recorded February 18, 1998, Recorder's No. 129582, Records of Teton County, Idaho

Subject to reservations in United States and State Patents; existing and recorded Right-of-ways, Easements, Zoning, Building and Subdivision ordinances; Taxes and Assessments as prorated between the parties hereto.

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

Dated:

Garry L. Bowen
GARRY L. BOWEN

Nada H. Bowen
NADA H. BOWEN

STATE OF IDAHO)
COUNTY OF TETON)

On this 29th day of July, in the year 1999, before me, a Notary Public in and for said State, personally appeared GARRY L. BOWEN and NADA H. BOWEN, known or identified to me to be the person(s) whose name(s) are subscribed to the within instrument, and acknowledged to me that they executed the same

134664
FILED

AT THE REQUEST OF

First American
AT 41 MINUTES PAST 2 P.M.
DATE July 30, 1999
Nora Leigh
BY Nora Leigh
CLERK OF REC'D

Layne W. Price
Notary Public of Idaho
Residing at Idaho Falls, ID
Commission Expires 11-19-2000

LAYNE W. PRICE
NOTARY PUBLIC
STATE OF IDAHO

Teton County
My Commission Expires 11-19-2000

First American Title Company

134664

EXHIBIT "A"

Township 4 North, Range 44 East, Boise Meridian, Teton County, Idaho.
A portion of the North 1/2 of Section 2, described as:
Commencing at the Northeast corner of the SW1/4NE1/4 of said Section 2,
thence S 72°25'42" W. 1174.77 feet to the point of beginning;
thence West 408.19 feet;
thence N 38°20'00" W. 281.91 feet;
thence N 200.00 feet;
thence N 41°10'00" E. 30.00 feet;
thence N 74°00'00" E. 475.91 feet;
thence S 48°30'00" E. 140.00 feet;
thence South 482.41 feet to the point of beginning.

TOGETHER WITH a 30 foot wide easement for access and utilities lying
south of the following described North line;
Beginning at a point N 87°40'13" W. 1023.44 feet from the NE corner
SW1/4NE1/4 of said Section 2.
Thence N 48°30'00" W. 140.00 feet to the end of said North line.

ALSO

Township 4 North, Range 44 East, Boise Meridian, Teton County, Idaho.
A portion of the North 1/2 of Section 2, described as:
Commencing at the Northeast corner of the SW1/4NE1/4 of said Section 2,
thence S 72°25'42" W. 1174.77 feet to the point of beginning;
thence S 77°40'00" W. 927.55 feet;
thence S 67°46'38" W. 244.82 feet;
thence N 50.00 feet;
thence N 39°46'33" E. 193.98 feet;
thence N 35°55'23" E. 187.30 feet;
thence N 41°10'00" E. 479.67 feet;
thence S 200.00 feet;
thence S 38°20'00" E. 281.91 feet;
thence E 408.19 feet to the point of beginning.

ALSO another portion of the North 1/2 of Section 2, described as:
Commencing at the Northeast corner of the SW1/4NE1/4 of said Section 2,
thence S 72°25'42" W. 1174.77 feet to the point of beginning;
thence N 482.41 feet;
thence S 48°30'00" E. 130.00 feet;
thence S 83°40'00" E. 372.50 feet;
thence S 76°20'00" E. 232.00 feet;
thence N 88°00'00" E. 280.00 feet;
thence S 60°00'00" E. 100.00 feet;
thence S 0°18'18" W. 176.94 feet;
thence S 65°40'00" W. 448.05 feet;
thence N 70°40'00" W. 453.30 feet;
thence S 77°40'00" W. 227.78 feet to the point of beginning.

SUBJECT TO a 30 foot county road and utility easement being the 30
feet directly South of the following described line;
Beginning at a point N 87°40'13" W. 1023.44 feet from the NE corner
SW1/4NE1/4 of said section 2.
Thence S 83°40'00" E. 372.5 feet;
thence S 76°20'00" E. 232.00 feet;
thence N 88°00'00" E. 280.00 feet;
thence S 60°00'00" E. 100.00 feet to the easternmost property line.

ALSO SUBJECT TO a 20 foot diversion and irrigation underground pipeline
easement being 10 feet on each side of the following described
centerline;
Beginning at a point S 77°40'00" W 1495.00 feet from the NE corner
SW1/4NE1/4 of said section 2, thence S 56°00'00" E. 148.27 feet to the
Southern property line.

D.J.B.
A.A.B.

134664

FEB 17 1995

TETON Co. Id.
Clerk

119188

MEMORANDUM OF CONTRACT OF SALE

NOTICE IS GIVEN THAT THE UNDERSIGNED HAVE ENTERED INTO A REAL ESTATE CONTRACT PROVIDING FOR THE SALE AND PURCHASE OF THE PROPERTY DESCRIBED IN THIS NOTICE. PARTICULARS CAN BE OBTAINED FROM THE PARTIES.

TAX NOTICES ARE TO BE SENT TO THE PURCHASERS.

1. Date

February 17, 1995

2. Parties

Sellers:

John C. Cushman III and Jeanine S. Cushman

Current address: 40 Chandler Place, San Marino CA 91108

Purchasers:

Garry L. Bowen and Nada H. Bowen

Current address: 639 West 125 South, Driggs, ID 83422

3. Property

Description:

All that certain property, improvements, and property rights situate in Teton county, Idaho, and being more particularly described as follows:

Township 4 North, Range 44 East, Boise Meridian

A portion of the North ½ of Section 2, described as:

Commencing at the Northeast corner of the SW¼NE¼ of said section 2, then S 72°25'42" W 1174.77 feet to the point of beginning;

Then West 408.19 feet;
Then N 38°20'00" W 281.91 feet;
Then North 200.00 feet;
Then N 41°10'00" E 30.00 feet;
Then N 74°00'00" E 476.91 feet;
Then S 48°30'00" E 140.00 feet;
Then South 482.41 feet to the point of beginning.

119188

FILED

AT THE REQUEST OF

American Land

50 MINUTES PAST 4 P.M.

DATE Feb 17, 1995

Ann J. Drake

CLERK OF DISTRICT COURT

Nma Rigby

Filed ☒
Indexed ☒
Recorded ☒

And also another portion of the North ½ of Section 2, described as:

Commencing at the Northeast corner of the SW¼NE¼ of said section 2, then S 72°25'42" W 1174.77 feet to the point of beginning;

Then S 77°40'00" W 927.55 feet;
Then S 67°46'38" W 244.82 feet;
Then North 50.00 feet;
Then N 39°46'33" E 193.98 feet;
Then N 35°55'23" E 187.30 feet;
Then N 41°10'00" E 479.67 feet;
Then South 200.00 feet;
Then S 38°20'00" E 281.91 feet
Then East 408.19 feet to the point of beginning.

37

And also another portion of the North ½ of Section 2, described as:

Commencing at the Northeast corner of the SW¼NE¼ of said section 2, then S 72°25'42" W 1174.77 feet to the point of beginning;

Then North 482.41 feet;
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Then S 83°40'00" E 372.50 feet;
Then S 76°20'00" E 232.00 feet;
Then N 88°00'00" E 280.00 feet;
Then S 60°00'00" E 100.00 feet;
Then S 0°18'18" W 176.94 feet;
Then S 65°40'00" W 448.05 feet
Then N 70°40'00" W 453.30 feet
Then S 77°40'00" W 227.78 feet to the point of beginning.

38

TOGETHER WITH only existing water and water rights out of Middle Twin Creek for stock watering for the livestock the purchasers may raise on the property as provided below. Also together with all the rights arising from the existing well that provides water to the existing residence on the premises and is used for other domestic purposes. Sellers reserve all other existing water rights unto themselves.

TOGETHER WITH all appurtenant rights except coal, oil, gas and mineral rights one half of which will be transferred to the purchasers the other one half of which sellers reserve unto themselves.

TOGETHER WITH right to construct one guest house on the location of an existing outbuilding if and only if and after the demolition and removal of the outbuilding. Other than the existing residence on the property and guest house that may be built, no other residences may be built on the property subject of this contract.

SUBJECT TO a 30 foot county road and utility easement being the 30 feet directly South of the following described line;

Beginning at a point N 87°40'13" W 1023.44 feet from the NE corner SW¼NE¼ of said section 2.

Then S 83°40'00" E 372.5 feet

Then S 76°20'00" E 232.00 feet

Then N 88°00'00" E 280.00 feet

Then S 60°00'00" E 100.00 feet to the easternmost property line.

ALSO SUBJECT TO a 20 foot diversion and irrigation underground pipeline easement being 10 feet on each side of the following described centerline;

Beginning a point S 77°40'00" W 1495.00 feet from the NE corner SW¼NE¼ of said section 2, thence S 56°00'00" E 148.27 feet to the Southern property line.

ALSO SUBJECT TO all other road and canal easements and rights-of-way and other easements and rights-of-way as the same now exist or appear of record, covenants, restrictions, reservations, applicable building and zoning ordinances, use regulations and restrictions and accruing taxes.

ALSO SUBJECT TO the limitation that the purchasers may raise, stable or house not more than 10 head of horses or cattle, one dog and not more than 2 cats on the entirety of the property being transferred. The restrictions contained in this paragraph shall be a covenant running with the land and shall encumber this parcel until its release by all parties in interest including but not limited to all adjoining landowners and the sellers or their successors in interest in the property served by the easement reserved to the sellers.

ALL THE RESTRICTIONS AND COVENANTS CONTAINED IN THE FOREGOING SHALL RUN WITH THE LAND AND SHALL BIND THE PURCHASERS AND THEIR SUCCESSORS AND ASSIGNS AND THE PROPERTY ITSELF.

Subject to taxes and assessments for 1995 and all subsequent years.

Subject to all facts, rights, claims and interest ascertainable by inspection of the property or by inquiry of persons in possession.

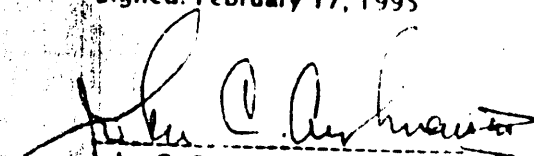
Subject to unpatented mining claims, reservations and exceptions and patents or in acts authorizing their issuance.

Subject to all reservations, restrictions, easements, road and road rights of way, ditches and ditch rig' of way, power lines and power line rights of way, zoning restrictions, governmental regulations and protective covenants of record for Teton County, Idaho.

ALL THE RESTRICTIONS AND COVENANTS CONTAINED IN THE FOREGOING SHALL RUN WITH THE LAND AND SHALL BIND THE PURCHASERS AND THEIR SUCCESSORS AND ASSIGNS AND THE PROPERTY ITSELF.

Grantor makes no covenant, representation or warranty as to the suitability of the property or as the physical condition of the property for any purpose. Grantee acknowledges that it has inspected the property, observed its physical characteristics and existing conditions, and has been afforded the opportunity to conduct such investigations and study on and of the property as it considers necessary for the purpose of acquiring the property for grantee's intended use, and Grantee waives all objections to or claims with respect to any physical characteristics and existing conditions of the property, including, without limitation, any hazardous materials in, at, under or related to the property. Grantee further acknowledges and agrees that the property is to be transferred to and purchased and accepted by Grantee in its present condition, "AS IS" and with all faults, and Grantee assumes the risk that adverse past, present and future physical characteristics and conditions may not have been revealed by its inspection or investigation.

Signed: February 17, 1995


John C. Cushman III


Jeanine S. Cushman


Garry L. Bowen


Nadia H. Bowen

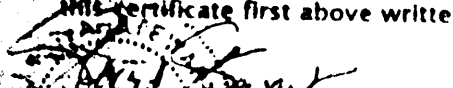
STATE OF IDAHO)

) ss

County of Teton)

On February 17, 1995, before me, Stacy A. Stewart, an Idaho notary public, personally appeared John C. Cushman III and Jeanine C. Cushman, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

In witness, I have set my hand and affixed my official seal the day and year in this certificate first above written.


Notary Public for Idaho
Residing at Idaho Falls
Commission expires: 6-26-97

(SEAL)

110168

STATE OF IDAHO)

) ss

County of Teton)

On February 17, 1995, before me, Stacy A. Stewart, an Idaho notary public, personally appeared Garry L. Bowen and Nada H. Bowen, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

In witness, I have set my hand and affixed my official seal the day and year in this Certificate first above written.

Stacy A. Stewart
Notary Public for Idaho

Residing at: Theresa St

Commission expires: 6-28-97



MEMORANDUM OF CONTRACT OF SALE 5

DEC 18 1995

122419

TETON Co. Id.
Clerk Recorder

MEMORANDUM OF CONTRACT OF SALE

NOTICE IS GIVEN THAT THE UNDERSIGNED HAVE ENTERED INTO A REAL ESTATE CONTRACT PROVIDING FOR THE SALE AND PURCHASE OF THE PROPERTY DESCRIBED IN THIS NOTICE. PARTICULARS CAN BE OBTAINED FROM THE PARTIES.

TAX NOTICES ARE TO BE SENT TO THE PURCHASERS.

1. Date

February 17, 1995

2. Parties

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John C. Cushman III and Jeanine S. Cushman

Current address: 40 Chandler Place, San Marino CA 91108

Purchasers:

Garry L. Bowen and Nada H. Bowen

Current address: 639 West 125 South, Driggs, ID 83422

3. Property

Description:

All that certain property, improvements, and property rights situate in Teton county, Idaho, and being more particularly described as follows:

Township 4 North, Range 44 East, Boise Meridian

A portion of the North $\frac{1}{2}$ of Section 2, described as:

Commencing at the Northeast corner of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of said section 2, then S 32°37'14" W 112.24 feet to the point of beginning;

Then S 0°18'18" W 176.94 feet;
Then S 65°40'00" W 448.05 feet
Then N 70°40'00" W 453.30 feet
Then S 77°40'00" W 1155.32 feet;

122419

FILED

AT THE REQUEST OF

Garry Bowen

AT 7 MINUTES PAST 4p

DATE December 18, 1995

Chloe J. Drake

CLERK OF RECORDER

BY *Chloe Smith*

Filed
Indexed
Printed

Then S 67°46'38" W 244.82 feet;
Then North 50.00 feet;
Then N 39°46'33" E 193.98 feet;
Then N 35°55'23" E 187.30 feet;
Then N 41°10'00" E 509.67 feet;
Then N 74°00'00" E 476.91 feet;
Then S 48°30'00" E 270.00 feet;
Then S 83°40'00" E 372.50 feet;
Then S 76°20'00" E 232.00 feet;
Then N 88°00'00" E 280.00 feet;
Then S 60°00'00" E 100.00 feet to the point of beginning.

Containing 20.01 acres, more or less

TOGETHER WITH only existing water and water rights out of Middle Twin Creek for stock watering for the livestock the purchasers may raise on the property as provided below. Also together with all the rights arising from the existing well that provides water to the existing residence on the premises and is used for other domestic purposes. Sellers reserve all other existing water rights unto themselves.

TOGETHER WITH all appurtenant rights except coal, oil, gas and mineral rights one half of which will be transferred to the purchasers the other one half of which sellers reserve unto themselves.

TOGETHER WITH right to construct one guest house on the location of an existing outbuilding if and only if and after the demolition and removal of the outbuilding. Other than the existing residence on the property and guest house that may be built, no other residences may be built on the property subject of this contract.

SUBJECT TO a 30 foot county road and utility easement being the 30 feet directly South of the following described line;

Beginning at a point N 87°40'13" W 1023.44 feet from the NE corner SW¼NE¼ of said section 2.

Then S 83°40'00" E 372.5 feet
Then S 76°20'00" E 232.00 feet
Then N 88°00'00" E 280.00 feet
Then S 60°00'00" E 100.00 feet to the easternmost property line.

ALSO SUBJECT TO a 20 foot diversion and irrigation underground pipeline easement being 10 feet on each side of the following described centerline;

Beginning a point S 77°40'00" W 1495.00 feet from the NE corner SW¼NE¼ of said section 2, thence S 56°00'00" E 148.27 feet to the Southern property line.

ALSO SUBJECT TO all other road and canal easements and rights-of-way and other easements and rights-of way as the same now exist or appear of record, covenants, restrictions, reservations, applicable building and zoning ordinances, use regulations and restrictions and accruing taxes.

ALSO SUBJECT TO the limitation that the purchasers may raise, stable or house not more than 10 head of horses or cattle, one dog and not more than 2 cats on the property being transferred. The restrictions contained in this paragraph shall be a covenant running with the land and shall encumber this parcel until its release by all parties in interest including but not limited to all adjoining landowners and the sellers or their successors in interest in the property served by the easement reserved to the sellers.

Subject to taxes and assessments for 1995 and all subsequent years.

Subject to all facts, rights, claims and interest ascertainable by inspection of the property or by inquiry of persons in possession.

Subject to unpatented mining claims, reservations and exceptions and patents or in acts authorizing their issuance.

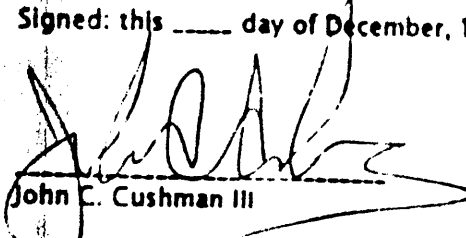
Subject to all reservations, restrictions, easements, road and road rights of way, ditches and ditch rights of way, power lines and power line rights of way, zoning restrictions, governmental regulations and protective covenants of record for Teton County, Idaho.

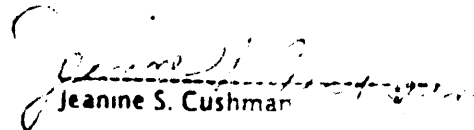
ALL THE RESTRICTIONS AND COVENANTS CONTAINED IN THE FOREGOING SHALL RUN WITH THE LAND AND SHALL BIND THE PURCHASERS AND THEIR SUCCESSORS AND ASSIGNS AND THE PROPERTY ITSELF.

Grantor makes no covenant, representation or warranty as to the suitability of the property or as to the physical condition of the property for any purpose. Grantee acknowledges that it has inspected the property, observed its physical characteristics and existing conditions, and has been afforded the opportunity to conduct such investigations and study on and of the property as it considers necessary for the purpose of acquiring the property for grantee's intended use, and Grantee waives all objections to or claims with respect to any physical characteristics and existing conditions of the property, including, without limitation, any hazardous materials in, at, under or related to the property. Grantee further acknowledges and agrees that the property is to be transferred to and purchased and accepted by Grantee in its present condition, "AS IS" and with all faults, and Grantee assumes the risk that adverse past present and future physical characteristics and conditions may not have been revealed by its inspection or investigation.

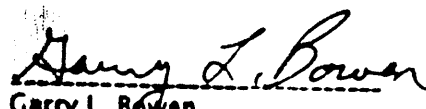
THIS MEMORANDUM OF CONTRACT OF SALE IS EXECUTED AND
RECORDED AS A MODIFICATION TO THE MEMORANDUM OF CONTRACT
OF SALE RECORDED THAT CERTAIN MEMORANDUM OF CONTRACT OF
SALE DATED FEBRUARY 17, 1995. THE MODIFICATION REDESCRIBES THE
LEGAL DESCRIPTION OF THE PROPERTIES IN ONE PARCEL RATHER THAN
THREE PARCELS AS SET OUT IN THE FEBRUARY 17, 1995 MEMORANDUM
OF CONTACT RECORDED FEBRUARY 17, 1995 AS TETON COUNTY
INSTRUMENT NUMBER 119168...

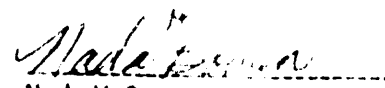
Signed: this ____ day of December, 1995


John C. Cushman III


Jeanine S. Cushman

Signed: this 5 day of December, 1995


Garry L. Bowen


Nada H. Bowen

STATE OF)

) ss

County of)

On _____ before me, _____ a
notary public, personally appeared John C. Cushman III and Jeanine C.
Cushman, known or identified to me to be the persons whose names are
subscribed to the within instrument, and acknowledged to me that they
executed the same.

In witness, I have set my hand and affixed my official seal the day and year in
this certificate first above written.

Notary Public for
Residing at:
Commission expires:

(SEAL)

STATE OF IDAHO

)

) ss

County of Teton

)

On December 18, 1995, before me, William S. R. Little, an Idaho
notary public, personally appeared Garry L. Bowen and Nada H. Bowen, known
or identified to me to be the persons whose names are subscribed to the
within instrument, and acknowledged to me that they executed the same.

In witness, I have set my hand and affixed my official seal the day and year in
this certificate first above written.

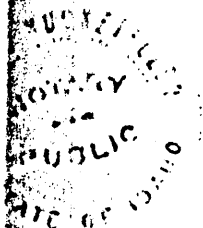
William S. R. Little

Notary Public for Idaho

Residing at: Boise, ID.

Commission expires: 3-30-2000

(SEAL)



CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

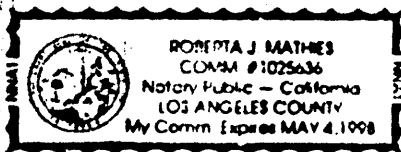
State of California

County of Los Angeles

On 12/10/01 before me, ROBERTA J. MATHES
DATE NAME, TITLE OF OFFICER, E.G., JUDGE OF THE PEACE, ETC.

personally appeared MANUEL GUERRERO, JR. AND ROSALEE S. GUERRERO
NAME(S) OF SIGNER(S)

☒ personally known to me - OR - ☐ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Roberta J. Mathes
NAME OF NOTARY PUBLIC

OPTIONAL

Though the data below is not required by law, it may prove valuable to persons interested in the document and could prevent fraudulent reattachment of this form.

CAPACITY CLAIMED BY SIGNER

- ☐ INDIVIDUAL
☐ CORPORATE OFFICER
TITLE(S)
☐ PARTNER(S) ☐ LIMITED
☐ ATTORNEY-IN-FACT ☐ GENERAL
☒ TRUSTEE(S)
☐ GUARDIAN/CONSERVATOR
☐ OTHER _____

DESCRIPTION OF ATTACHED DOCUMENT

DEED OF TRUST
TITLE OR TYPE OF DOCUMENT

5
NUMBER OF PAGES

12/10/01
DATE OF DOCUMENT

SIGNER IS REPRESENTING:

MANUEL GUERRERO, JR.
SIGNER'S OTHER THAN NAME (IF ANY)

RECEIVED

FEB 18 1995

TETON CO. ID
CLERK RECORDED

129582

Warranty Deed

American Land Title Co.
PO Box 644
Driggs, ID 83422

JOHN C. CUSHMAN, III AND JEANINE S. CUSHMAN, HUSBAND AND WIFE

do hereby grant, bargain, sell and convey unto

GARRY L. BOWEN AND NADA H. BOWEN, HUSBAND AND WIFE

whose current address is 639 WEST 125 SOUTH, DRIGGS, IDAHO 83422

the grantees, the following described premises, in Teton County Idaho, to wit

TOWNSHIP 4 NORTH, RANGE 44 EAST, BOISE MERIDIAN, TETON COUNTY, IDAHO.

A PORTION OF THE NORTH 1/2 OF SECTION 2, DESCRIBED AS:

COMMENCING AT THE NORTHEAST CORNER OF THE SW1/4 OF SAID SECTION 2,
THEN SOUTH 72° 25' 42" WEST 1174.77 FEET TO THE POINT OF BEGINNING;
THEN SOUTH 77° 40' 00" WEST 927.55 FEET; THEN SOUTH 67° 46' 38" WEST 244.82 FEET;
THEN NORTH 50.00 FEET; THEN NORTH 39° 46' 33" EAST 193.98 FEET;
THEN NORTH 35° 55' 23" EAST 187.30 FEET; THEN NORTH 41° 10' 00" EAST 479.67 FEET;
THEN SOUTH 200.00 FEET; THEN SOUTH 38° 20' 00" EAST 281.91 FEET;
THEN EAST 408.19 FEET TO THE POINT OF BEGINNING.

AND ALSO ANOTHER PORTION OF THE NORTH 1/2 OF SECTION 2, DESCRIBED AS:

COMMENCING AT THE NORTHEAST CORNER OF THE SW1/4 OF SAID SECTION 2,
THEN SOUTH 72° 25' 42" WEST 1174.77 FEET TO THE POINT OF BEGINNING;
THEN NORTH 482.41 FEET; THEN SOUTH 48° 30' 00" EAST 130.00 FEET;
THEN SOUTH 83° 40' 00" EAST 372.50 FEET; THEN SOUTH 76° 20' 00" EAST 232.00 FEET;
THEN NORTH 88° 00' 00" EAST 280.00 FEET; THEN SOUTH 60° 00' 00" EAST 100.00 FEET;
THEN SOUTH 0° 18' 18" WEST 176.94 FEET; THEN SOUTH 65° 40' 00" WEST 448.05 FEET;
THEN NORTH 70° 40' 00" WEST 451.30 FEET; THEN SOUTH 77° 40' 00" WEST 227.78 FEET
TO THE POINT OF BEGINNING.

SEE EXHIBIT "A" FOR REMAINING LEGAL DESCRIPTION ATTACHED HERETO AND MADE A PART HEREOF.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee &
their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said
Grantees, that they the owners in fee simple of said premises, that they are free from all incumbrances except;
Subject to all existing patent reservations, easements, rights of way, protective
covenants, zoning ordinances, and applicable building codes, laws and regulations

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

Dated: JULY 8, 1995

JOHN C. CUSHMAN, III

JEANINE S. CUSHMAN

STATE OF IDAHO, COUNTY OF Teton

On this 7th day of July 1995

before me, a Notary Public in and for said State, personally appeared

John C. Cushman, III and
Jeanine S. Cushman

known to me to be the persons whose names are
subscribed to the within instrument and acknowledged to me that
they executed the same

Notary Public

Commission Expires 6-28-97

129582

FILED

AT THE REQUEST OF

ALLIANCE TITLE AND ESCROW

30 HOURS PAST 10 a.m.

DATE Feb 18, 1995

BY Lisa J. Drake

BY Vera Kigley

Recorded by the AMERICAN LAND TITLE COMPANY, INC.

TOGETHER WITH ONLY EXISTING WATER AND WATER RIGHTS OUT OF MIDDLE FILL CREEK FOR STOCK WATERING FOR THE LIVESTOCK THE PURCHASERS MAY RAISE ON THE PROPERTY AS PROVIDED BELOW. ALSO TOGETHER WITH ALL RIGHTS ARISING FROM THE EXISTING WELL THAT PROVIDES WATER TO THE EXISTING RESIDENCE ON THE PREMISES AND IS USED FOR OTHER DOMESTIC PURPOSES. SELLERS RESERVE ALL OTHER EXISTING WATER RIGHTS UNTO THEMSELVES.

TOGETHER WITH ALL APPURTINANT RIGHTS EXCEPT COAL, OIL, GAS AND MINERAL RIGHTS ONE HALF OF WHICH WILL BE TRANSFERRED TO THE PURCHASERS THE OTHER ONE HALF OF WHICH SELLERS RESERVE UNTO THEMSELVES.

TOGETHER WITH RIGHT TO CONSTRUCT ONE GUEST HOUSE ON THE LOCATION OF AN EXISTING OUTBUILDING IF AND ONLY IF AND AFTER THE DEMOLITION AND REMOVAL OF THE OUTBUILDING. OTHER THAN THE EXISTING RESIDENCE ON THE PROPERTY AND ONE GUEST HOUSE THAT MAY BE BUILT; NO OTHER RESIDENCES MAY BE BUILT ON THE PROPERTY SUBJECT OF THIS CONTRACT.

SUBJECT TO A 30 FOOT COUNTY ROAD AND UTILITY EASEMENT BEING THE 30 FEET DIRECTLY SOUTH OF THE FOLLOWING DESCRIBED LINE;

BEGINNING AT A POINT NORTH 87° 40' 13" WEST 1023.44 FEET FROM THE NE CORNER SW1/4 OF SAID SECTION 2.
THEN SOUTH 83° 40' 00" EAST 372.5 FEET; THEN SOUTH 76° 20' 00" EAST 232.00 FEET;
THEN NORTH 88° 00' 00" EAST 280.00 FEET; THEN SOUTH 60° 00' 00" EAST 100.00 FEET
TO THE EASTERMOST PROPERTY LINE.

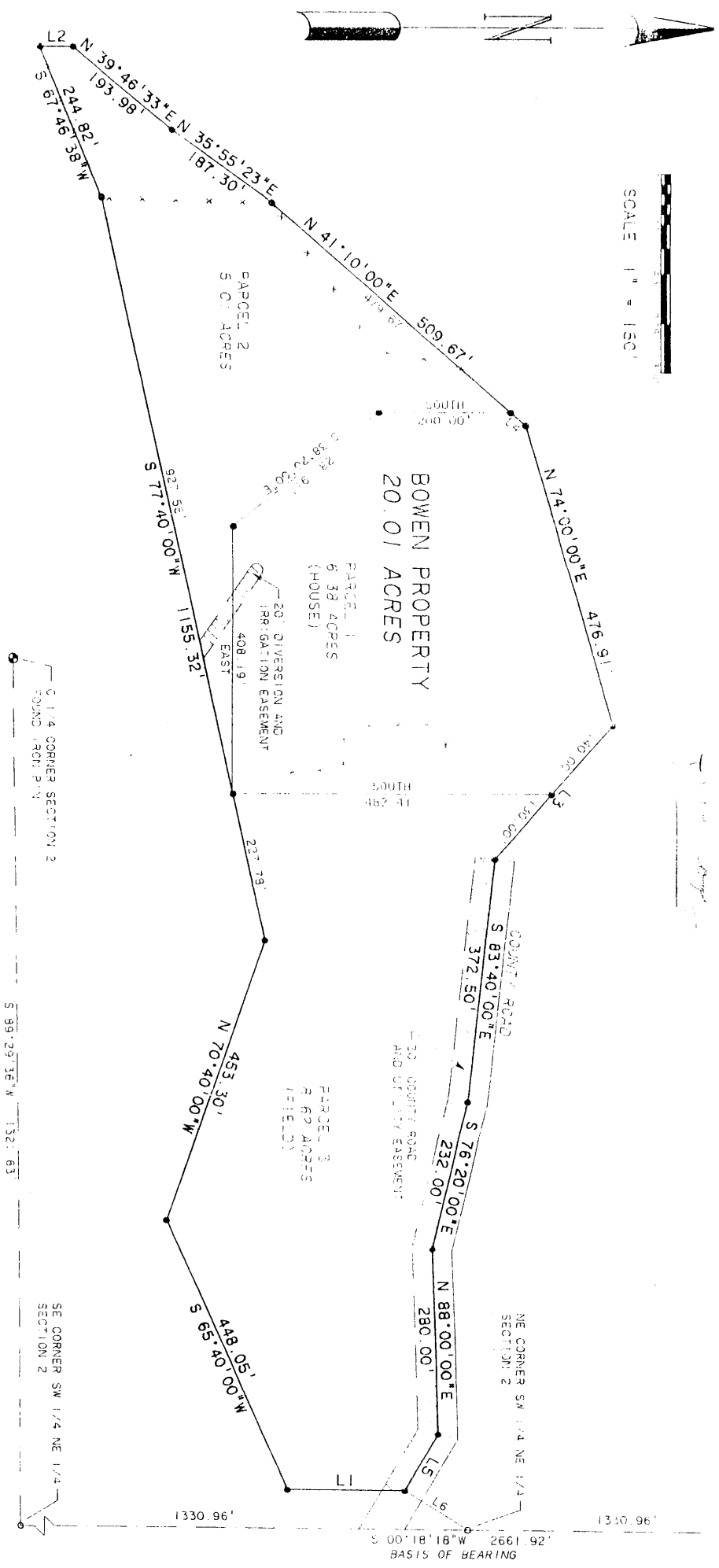
ALSO SUBJECT TO A 20 FOOT DIVERSION AND IRRIGATION UNDERGROUND PIPELINE EASEMENT BEING 10 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE;
BEGINNING A POINT SOUTH 71° 40' 00" WEST 1495.00 FEET FROM THE NE CORNER SW1/4 OF SAID SECTION 2, THENCE SOUTH 56° 00' 00" EAST 148.27 FEET TO THE SOUTHERN PROPERTY LINE.

ALSO SUBJECT TO ALL OTHER ROAD AND CANAL EASEMENTS AND RIGHTS OF WAY AND OTHER EASEMENTS AND RIGHTS OF WAY AS THE SAME NOW EXIST OR APPEAR OF RECORD, COVENANTS, RESTRICTIONS, RESERVATIONS, APPLICABLE BUILDING AND ZONING ORDINANCES, USE REGULATIONS AND RESTRICTIONS AND ACCRUING TAXES.

ALSO SUBJECT TO THE LIMITATION THAT THE PURCHASERS MAY RAISE, STABLE OR HOUSE NOT MORE THAN 10 HEAD OF HORSES OR CATTLE, ONE DOG AND NOT MORE THAN 2 CATS ON THE ENTIRETY OF THE PROPERTY BEING TRANSFERRED. THE RESTRICTIONS CONTAINED IN THIS PARAGRAPH SHALL BE A COVENANT RUNNING WITH THE LAND AND SHALL ENCUMBER THIS PARCEL UNTIL ITS RELEASE BY ALL PARTIES IN INTEREST INCLUDING BUT NOT LIMITED TO ALL ADJOINING LANDOWNERS AND THE SELLERS OR THEIR SUCCESSORS IN INTEREST IN THE PROPERTY SERVED BY THE EASEMENT RESERVED TO THE SELLERS.

ALL THE RESTRICTIONS AND COVENANTS CONTAINED IN THE FOREGOING SHALL RUN WITH THE LAND AND SHALL BIND THE PURCHASERS AND THEIR SUCCESSORS AND ASSIGNS AND THE PROPERTY ITSELF.

SCALE 1" = 150'



NE DATA TABLE

STATION	BEARING	DISTANCE
1	N 39°46'33"E	193.99'
2	N 41°10'00"E	509.67'
3	N 74°00'00"E	476.91'
4	S 83°40'00"E	372.50'
5	S 76°20'00"E	232.00'
6	N 88°00'00"E	280.00'
7	S 00°18'16"W	2661.92'
8	S 65°40'00"W	448.05'
9	S 70°40'00"W	453.30'
10	N 70°40'00"W	453.30'
11	S 77°40'00"W	1155.32'
12	S 61°46'38"W	244.82'
13	S 39°46'33"E	193.99'

PROPERTY DESCRIPTION

A PORTION OF THE N 1/2 SECTION 2, TWP 4N, R16E, S 3N, T160N, COUNTY ROAD, BEING SURVEYED AS DESCRIBED AS COMING FROM THE NE CORNER SW 1/4 NE 1/4 SECTION 2, THENCE S 39°46'33"E 193.99' FEET TO THE POINT OF BEGINNING; THENCE S 61°46'38"W 244.82' FEET TO A POINT; THENCE S 39°46'33"E 193.99' FEET TO A POINT; THENCE N 39°46'33"E 193.99' FEET TO A POINT; THENCE N 74°00'00"E 476.91' FEET TO A POINT; THENCE N 88°00'00"E 280.00' FEET TO A POINT; THENCE S 00°18'16"W 2661.92' FEET TO A POINT; THENCE S 65°40'00"W 448.05' FEET TO A POINT; THENCE S 70°40'00"W 453.30' FEET TO A POINT; THENCE N 70°40'00"W 453.30' FEET TO A POINT; THENCE S 77°40'00"W 1155.32' FEET TO THE POINT OF BEGINNING.

SURVEYOR'S
T. ARNOLD W. MOO
LAND SURVEYOR/EN