

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

RECEIVED

JAN 22 1998

Department of Water Resources

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

RECEIVED

NOV 25 2002

WATER RESOURCES
WESTERN REGION

1. Water Right No(s):

Adjudication Claim No(s):

Unknown

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

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION

AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant

GEORGE G. HALES
497 HORROCKS DR BLACKFOOT ID

4. New Owner/Claimant(s)

JAMES L. GILLILAND & CARLA L. DANDO

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

New Mailing Address

6321 W. BUCKSKIN

City, State and ZIP Code

POCAHELO, IDAHO 83201

New Telephone Number

(208) 234-4723

5. Date you acquired the property

OCTOBER 1992

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres you irrigate 0 Number and type of stock 0

Diversion rate in CFS _____ Number of homes 1 Other uses _____

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s)

James L. Gilliland
Carla L. Dando

(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

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

13 4009 60 000586

Policy of Title Insurance

American Land
Title Association
Owner's Policy
(4-6-90)

**SUBJECT TO THE EXCLUSIONS FROM
COVERAGE, THE EXCEPTIONS CON-
TAINED IN SCHEDULE B AND THE PROVI-
SIONS OF THE CONDITIONS AND STIPULA-
TIONS, TICOR TITLE INSURANCE COM-
PANY, a California 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.

This policy shall not be valid or binding until
countersigned below by an authorized signa-
tory of the Company

TICOR TITLE INSURANCE COMPANY

Issued by:
PIONEER TITLE COMPANY
OF BANNOCK COUNTY
135 N Arthur - P. O. Box 1057
Pocatello, ID 83204
(208) 233-9595

[Signature]
Authorized Signatory

By

[Signature]

President

Attest

[Signature]

Secretary

ALTA OWNER'S POLICY (4-6-90)
Reorder Form No 2234

the land, or holds an indebtedness secured by a purchase money mortgage given by a purchaser from the insured or only so far as the insured shall have liability by reason of covenants of warranty in any transfer or conveyance of the estate or interest. This policy shall not constitute any promise or warranty by the insurer to make any payment or to pay any amount in excess of the amount payable by the insured in any action or suit. (d) In all cases where this policy permits or requires the Company to pay any amount, the Company may postpone any payment until final determination by a court of competent jurisdiction and expressly reserves the right in its sole discretion, to appeal from any adverse judgment or decision.

Trans Type	SI END	INF END	Code	Code	Code	Code	Code	Code	Code	Reissue Amt.
6	7	8	9	10	11	12	13	14	15	

Owners Policy
SCHEDULE A

File No.	Policy No.	Date of Policy	Amt. of Ins.	Premium
42933	13 4009 60 000586	October 26, 1992 as of 4:17 p.m.	\$145,000.00	\$690.00

1. Name of Insured:

James L. Gilliland and Carla L. Dando

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:

James L. Gilliland, an unmarried person, and Carla L. Dando, an unmarried person

4. The land referred to in this policy is located in the County of Bannock, State of Idaho, and described as follows:

See Exhibit A attached to and made a part hereof.

Exhibit A attached to and made a part of
Policy No. 13 4009 60 000586

42933

A parcel of land located in the NE1/4 SW1/4 of Section 27, Township 6 South, Range 35 East, Boise Meridian, Bannock County, Idaho, more particularly described as follows:

Beginning at a point that is South 89°54'49" West 949.29 feet along the East-West center section line to the East right of way of Buckskin Road and South 04°44'15" West 186.69 feet to a point of curve on the said East right of way of Buckskin Road and Southerly 97.73 feet along said curve concave to the West Curve Data: Delta=14°19'03", Radius=391.10 feet, chord bearing South 11°53'47" West, 97.48 feet to the true point of beginning all from the East 1/4 corner of said Section 27 and running thence North 48°58'47" East, 21.14 feet; thence South 35°49'12" East 373.89 feet; thence South 34°00'23" West 440.12 feet; thence North 49°13'21" West 377.50 feet being partially along deed Instrument No. 574607; thence South 64°31'53" West 18.00 feet along said deed to the Easterly right of way of Buckskin Road; thence along the Easterly right of way of Buckskin Road the following 4 courses: North 47°44'15" East 29.40 feet to a point of a curve; thence Northerly 105.75 feet along said curve concave to the Northwest Curve Data: Delta=10°00'00", Radius=605.96 feet, chord bearing North 42°44'15" East, 105.62 feet; thence North 37°44'15" East 260.80 feet to a point of curve; thence Northerly 127.53 feet along said curve concave to the West Curve Data: Delta=18°40'57", Radius=391.10 feet, chord bearing North 28°23'46" East 126.96 feet to the point of beginning.

OWNERS POLICY
SCHEDULE B

Policy No. 13 4009 60 000586

42933

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:

(a) Rights or claims of parties in possession not shown by the public records.

(b) Encroachments, overlaps, boundary line disputes, or 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.

(c) Easements, or claims of easements, not shown by the public records.

(d) 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.

(e) (1) Unpatented mining claims; (2) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (3) water rights, claims or title to water, whether or not the matters excepted under (1), (2) or (3) are shown by the public records.

(f) 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. 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.

Special Exceptions:

1. General taxes for the year 1992, which are liens, are not yet due and payable.

2. An easement containing certain terms, conditions and provisions affecting a portion of said premises and for the purposes stated herein.

For: Power lines
In Favor of: Idaho Power Company
Recorded: August 26, 1957
Instrument No.: 332079

SCHEDULE B (continued)

No. 13 4009 60 000586

42933

3. An easement containing certain terms, conditions and provisions affecting a portion of said premises and for the purposes stated herein.

For: Power lines
In Favor of: Idaho Power Company
Recorded: October 30, 1967
Instrument No.: 444136

4. Covenants, conditions, restrictions and easements contained in Deed.

Recorded: March 29, 1982
Instrument No.: 685702

As follows:

1. That the G.V. and Grace Taysom Estate, their heirs and assigns are to retain a one-half interest in the well located on the herein described 32 acres, plus a perpetual easement from the well to the property described as Instrument No. 574607, records of Bannock County. Said easement being for the purpose of installing and maintaining a water pipe or line from the well to the said property described as Instrument No. 574607. Said easement is not to disturb any existing building or the area occupied by the skating rink or its operation or use thereof.

2. That the G.V. and Grace Taysom Estate and their heirs and assigns shall be granted a perpetual right to use the existing entrance road to the lower parking lot of the Caribou Ski Area, as a means of ingress and egress to the adjoining described property in Instrument No. 574607.

3. That as a condition of said easement the parties agree that neither party will obstruct the existing entrance to the lower parking area and should said entrance become obstructed or congested by the Ski Area, Dr. Hales or his heirs or assigns will provide adequate approaches to the subject property described in Instrument No. 574607 from the existing entrance to the lower parking lot. Should it become necessary to widen the existing entrance, it is agreed that the existing entrance may be widened and extended onto the subject property described as Instrument No. 574607. All expenses, labor and materials for any widening that may become necessary shall be paid by Dr. Hales or their heirs and assigns.

SCHEDULE B (continued)

No. 13 4009 60 000586

42933

Said Covenants, conditions, restrictions and easements is a re-recording of the instrument

Recorded: July 30, 1981

Instrument No.: 672694

5. A Deed of Trust to secure an indebtedness of \$130,500.00, and any other amounts as therein provided, payable under the terms, conditions, provisions and stipulations thereof.

Dated: October 26, 1992

Grantor: James L. Gilliland, an unmarried person,
and Carla L. Dando, an unmarried person

Trustee: U.S. Bank of Washington,
National Association

Beneficiary: U.S. Bancorp Mortgage Company

Recorded: October 26, 1992

Instrument No.: 92016625

NOTE: There is no notice of record and therefore no search has been made for any unpaid assessments, charges or fees for sewer, water, garbage, irrigation installation and other possible utility services.

Carbow
ski
Area

Parcel
I
210640

Buckskin Road

Parcel 2

Parcel 1

Parcel II

42

ROAD

37

380.05

573.35

1110.2

89.96

247.00

237.00

24

191

107

232.69

(12)

24

23

21
WARRANTY DEED

92016624

FOR VALUE RECEIVED GEORGE HALES also shown of record as George A Hales and HELEN HALES, husband and wife who acquired title as Dr. and Mrs. George Hales, as to both parcels

GILLILAND
the Grantors do hereby grant, bargain, sell and convey unto JAMES L. ~~XXXXXX~~ an unmarried person and CARLA I. DANDO an unmarried person

the Grantee's whose address is 6321 W. Buckskin Road, Pocatello, Idaho 83201 (Property)
Mailing: same
the following described premises, to-wit:

ATTACHED EXHIBIT A LEGAL DESCRIPTION

TO HAVE AND TO HOLD the said premises with their appurtenances unto the said Grantee's, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee's, that they are the owner's in fee simple of said premises; that said premises are free from all encumbrances except covenants, conditions, restrictions and easements of record and any assessments for the current year which are not yet due and payable

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

Dated: October 24, 1992

George Hales
GEORGE HALESHelen Hales
HELEN HALES

ACKNOWLEDGMENT - Individual

STATE OF Idaho County of BlaineOn this 26th day of October in the year of 1992, before meJames L. Gilliland, a notary public personally appearedGeorge Hales, known or identified to me to be the person whose name was subscribed to the within instrument, and acknowledged to me that they executed the sameNotary Public: James L. GillilandResiding at: Pocatello, IdahoMy Commission expires: 8/27/95

NOTARY SEAL

92016624

PIONEER TITLE

92 OCT 26 P4:16

574

13

A parcel of land located in the NE1/4 SW1/4 of Section 27, Township 6 South, Range 35 East, Boise Meridian, Bannock County, Idaho, more particularly described as follows:

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Policy of Title Insurance

American Land
Title Association
Owner's Policy
(4-6-90)

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS CONTAINED IN SCHEDULE B AND THE PROVISIONS OF THE CONDITIONS AND STIPULATIONS, TICOR TITLE INSURANCE COMPANY, a California 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

This policy shall not be valid or binding until countersigned below by an authorized signatory of the Company

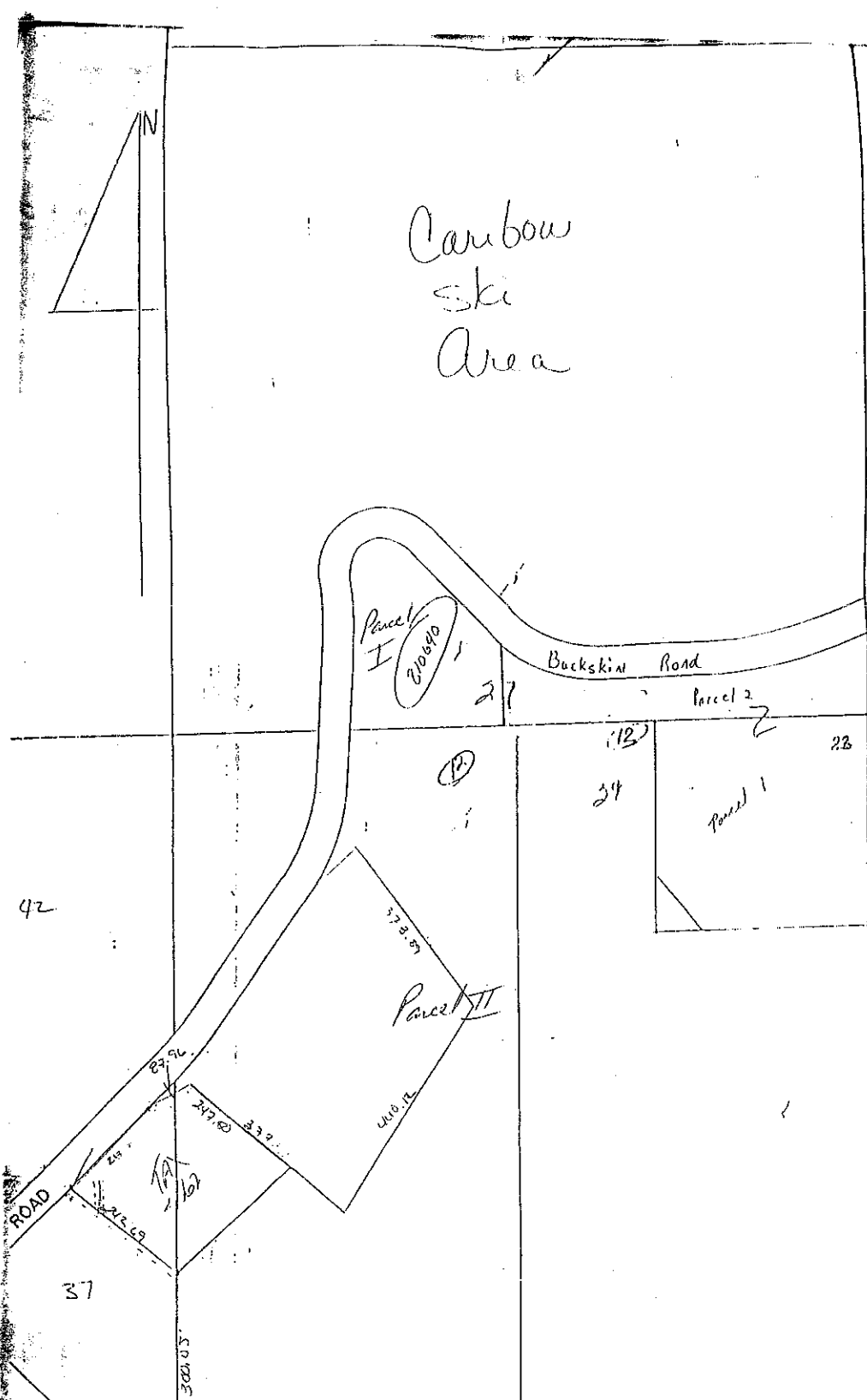
Issued by:
PIONEER TITLE COMPANY
OF BANNOCK COUNTY
135 N. Arthur - P. O. Box 1057
Pocatello, ID 83204
(208) 233-9595

[Signature]
Authorized Signatory

TICOR TITLE INSURANCE COMPANY

By *[Signature]* President
Attest *[Signature]* Secretary

ALTA OWNER'S POLICY (4-6-90)
Reorder Form No. 2234



FOR VALUE RECEIVED GEORGE HALES also shown of record as George A Hales, and HELEN HALES, husband and wife who acquired title as Dr and Mrs George Hales, as to both parcels

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the Grantee s, whose address is 6321 W. Buckskin Road, Pocatello, Idaho 83201 (Property)
Mailing: Same
the following described premises, to-wit:

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

Dated: October 24, 1992

GEORGE HALES

HELEN HALES

ACKNOWLEDGMENT - Individual

STATE OF Utah County of San Juan

On this 26th day of October in the year of 1992
before me

William H. Evans a notary public
personally appeared George Hales & Helen Hales, known or
identified to me to be the person whose names are
subscribed to the within instrument, and acknowledged to me that
they executed the same

Notary Public: William H. Evans
Residing at: Pocatello, Utah
My Commission expires: 8/27/95

NOTARY SEAL

92016624

NO
RE

PIONEER TITLE

92 OCT 26 P4:16

FF

60

FF

18

574

A parcel of land located in the NE1/4 SW1/4 of Section 27, Township 6 South, Range 35 East, Boise Meridian, Bannock County, Idaho, more particularly described as follows:

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