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MICROFILMED
AUG 24 1992

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: A63-09371
Date Received: 12/ 5/1989
Receipt No: C013231
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: DUANE L MC MURDIE
Address: 2390 N PILGRIM PL
BOISE ID

83704

208-377-0023

AND/OR

Name: DENISE L MC MURDIE
Address: 2390 N PILGRIM PL
BOISE ID

83704

208-377-0023

2. Date of Priority: APR 28, 1980

3. Source: SPRING

Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02N	06E	4	NW	SE	SE		ELMORE

5. Description of diverting works:
SPRING & PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.020		1.20

7. Total Quantity Appropriated is:
0.020 C.F.S. (and/or)

1.20 A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC 1 HOME

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	06E	3	SW	NE		DOMEST	

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:

NONE

14. Remarks:

OWNERSHIP CHANGED BY DB 7/31/98.

15. Basis of Claim: LICENSE

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: A63-09371
Date Received: 12/ 1/1989
Receipt No: C013231
Received By: De Jol

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: TONEY KLUG 208-345-4163
Address: 3104 GERRARD ST.
BOISE, ID 83703

AND/OR
Name: LILLIAN KLUG 208-345-4163
Address: 3104 GERRARD ST.
BOISE, ID 83703

2. Date of Priority: APR 28, 1980

3. Source: SPRING Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	06E	4	NW	SE	SE		ELMORE

5. Description of diverting works:
SPRING & PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.020		1.20

7. Total Quantity Appropriated is:
0.020 C.F.S. (and/or) 1.20 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC 1 HOME

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
02N	06E	3	SW NE		DOMEST	

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: LICENSE

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 _____ day
of _____ 19 _____

Notary Public

Seal

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

CIVIL CASE NUMBER: 39576

Identification No. 63-09371Date Received 12-1-1989Receipt Number CO13231NOTICE 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.

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) TONEY &/or Lillian Klug Phone () 345-4163Mailing Address 3104 Gerrard St. Boise, Idaho Zip 837032. Date of Priority (Only one per claim) 4-20-1980 Month/Day/Year3. Source of water supply (Check one) () Groundwater or Other () (a) Spring
Name or kind of source

which is tributary to (b) _____

4. Location of point of diversion is: Township 2N Range 6ESection 4, NW 1/4 of SE 1/4 of SE 1/4, Govt. Lot _____, BM.,County of Elmore

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. Spring, Pipeline,

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

For Dm purposes from 1-1 Month/Day to 12-31 Month/Day amount .02 (cfs)

(Both dates are inclusive)

For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed .02 (cfs)8. Total consumptive use claimed is de minimus9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) D/I Household

MICROFILMED

AUG 24 1992

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

10. Place of use is: Township: 2N Range 6E
Section 3, SW 1/4 of NE 1/4, Govt. Lot _____ B.M.,
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? ELMORE

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

14. Remarks: _____

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 63-09371

16. Signature (s)
(a.) By signing below, I/We acknowledge that I/We have received, read and understood 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 do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Gillian Klug Date 12-1-89
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am _____

_____ Title
of _____, that I have signed the foregoing
Organization
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 ADA) SS.

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this 1ST day of DEC 19 89

SEAL

Notary Public Melvin Gene Eubank

Residing at BOISE, IDAHO

My Commission Expires 9-2-1994

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

MICROFILMED

AUG 24 1992

It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

RIGHTS FROM: SOURCE: SPRING TRIBUTARY: SINKS

RIGHT NUMBER: 63-09371

NAME & ADDRESS: DUANE L MC MURDIE
DENISE L MC MURDIE
PO BOX 170054
BOISE ID 83717-0054

SOURCE: SPRING TRIBUTARY: SINKS

QUANTITY: 0.02 CFS
1.2 AFY

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

PRIORITY DATE: 04/28/1980

POINT OF DIVERSION: T02N R06E S04 NWSESE Within ELMORE County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC 1 HOME	01-01 12-31	0.02 CFS
			1.2 AFY

PLACE OF USE: DOMESTIC Within ELMORE County
T02N R06E S03 SENW

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE
PARCEL NO. 02N06E034510

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

In Re SRBA	)	NOTICE OF COMPLETED
	)	ADMINISTRATIVE PROCEEDINGS
Case No. 39576	)	
	)	Water Right 63-09371
_____		)

IDWR has completed the following Administrative Proceeding:

☒	Change of Address
☐	Substitution of Party
☐	I.C. 42-222 Transfer

CHANGE OF ADDRESS

Name of Claimant: DUANE L MC MURDIE
New Address: PO BOX 170054
BOISE ID 83717-0054
Phone: (208) 377-0023

Claimant's Water Rights: 63-09371

The Claimant has filed Objections or Responses to the following water rights:

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING
5/13/1999

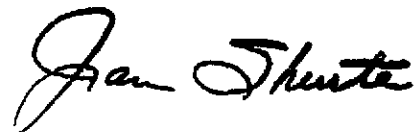
63-09371

PAGE 1

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached Amended Director's Reports for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the Notice of Completed Administrative Transfer and Amended Director's Reports(s) on the claimant(s), prior claimants(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: May 13, 1999



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on *May 13, 1999* I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707
2. One Copy to:
Each party in the subcase, or attorney of record:

DUANE L MC MURDIE
DENISE L MC MURDIE
PO BOX 170054
BOISE ID 83717-0054
3. One Copy to:
Chief, Natural Resources Division
Office of the Attorney General
P.O. Box 44449
Boise, Idaho 83711-4449
4. One Copy to:
United States Dept. of Justice
Environment & Natural Resource Div.
550 West Fort Street, MSC 033
Boise, ID 83724

Lyle Harris

Signature of person or attorney mailing the form

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

CHANGE IN ADDRESS OF NOTICE OF CLAIM

RECEIVED

APR 20 1999

**WATER RESOURCES
WESTERN REGION**

[✓] Water Right Number(s): 63-09371

[✓] Claimant Name(s): Duane L. McMurdie

Denise L. McMurdie

[✓] Old Mailing Address: 2390 N Pilgrim Pl

Boise ID 83704

[✓] New Mailing Address: P.O. Box 170054

BOISE ID ~~83717~~ 83717-0054

Telephone Number: (208) 377-0023

[✓] Signature of Claimant(s): Duane L. McMurdie Denise L. McMurdie

Date: 4/20/99

RECEIVED

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

JUL 30 1998

WATER RESOURCES
WESTERN REGION

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

x(s):

RED information must be submitted with this form:

Most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

AND

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

Tony Kling
520 N. 1st E. Homedale Id. 83428

4. New Owner/Claimant(s)

Duane L. McMurdie Denise L.

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

New Mailing Address

2390 N. Pilgrim Pl

City, State and ZIP Code

Boise ID 83704

New Telephone Number

(208) 377-0023

5. Date you acquired the property

7/22/98

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 > 1/2 acre Number and type of stock ?

Diversion rate in CFS .02 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)

Duane L. McMurdie 7/30/98
Denise L. McMurdie

(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..

Denise
I look through all of
this persons
documents. This was
the best I could
find from past
to current owner.
Told him it would
be good enough.
Sue.

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

RECEIVED

JUL 30 1998

WATER RESOURCES
WESTERN REGION

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.

1. Water Right No(s): 63-09371
 Adjudication Claim No(s): A63-09371
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 Tony Kling
520 N. 1-E. Homedale Rd. 83628
4. New Owner/Claimant(s) Duane L. McMurdie Denise L.
 Name Connector (Check one): ☐ and, ☐ or, ☒ and/or
 New Mailing Address 2390 N. Pilgrim Pl
 City, State and ZIP Code Boise ID 83704
 New Telephone Number (208) 377-0023
5. Date you acquired the property 7/22/98
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 > 1/2 acre Number and type of stock ?
 Diversion rate in CFS .02 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) Duane L. McMurdie 7/30/98
Denise L. McMurdie
 (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..

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights. Required claims may be filed by a new owner.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office, or call 1-800-451-4129, if you would like more information or need help completing this form. Please attach additional sheets to the form if you require additional space to describe or explain any of the items on the form.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at **Item 1**. If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
2. The information described at **Item 2** is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner of the water right and/or adjudication claim at **Item 3**.
4. The name, mailing address, and telephone number of the new owner(s) is entered at **Item 4**. Please indicate the relationship between multiple owners by using the connector 'and', 'or', or 'and/or'. If an 'and' is used, all parties must sign this form. If an 'and/or' or 'or' is used, all parties may sign. However, only one of the named parties is required to sign.
5. At **Item 5**, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. You may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at **Item 6**.

Please provide as much detail as possible concerning your water right: include the number of homes, irrigated acreage if more than 1/2 acre is irrigated, type and number of stock if your right is for stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

7. The new owner(s) must sign the form in the space(s) provided at **Item 7**. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

IDWR Western Region, 2735 Airport Way, Boise, ID 83705-5082 (208) 334-2190

IDWR Southern Region, 1341 Fillmore St. N., Twin Falls, ID 83301-3380 (208) 736-3033

IDWR Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, ID 83814-2615 (208) 769-1450

IDWR Eastern Region, 900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 (208) 525-7161

Judy Givens

1301 N. Orchard.

WHEN RECORDED MAIL TO:

METWEST MORTGAGE SERVICES, INC.
ATTN: RECORDS MANAGEMENT
P.O. BOX 2162
SPOKANE, WASHINGTON 99210

Loan No. 132637

[Space Above This Line For Recording Data]

DEED OF TRUST

THIS DEED OF TRUST ("Security Instrument") is made on JULY 21, 1998
The grantor is DUANE L MCMURDIE AND DENISE L MCMURDIE HUSBAND AND WIFE

FIRST AMERICAN TITLE COMPANY

("Borrower"). The trustee is

METWEST MORTGAGE SERVICES, INC., A WASHINGTON CORPORATION
which is organized and existing under the laws of WASHINGTON, and whose
address is METROPOLITAN FINANCIAL CENTER, DEPARTMENT 113200, 601 W. FIRST
AVE.

SPOKANE, WASHINGTON 99201-5016

("Lender"). Borrower owes Lender the principal sum of

FORTY SEVEN THOUSAND TWO HUNDRED AND 00/100*****

Dollars (U.S. \$ 47,200.00).

This debt is evidenced by Borrower's note dated the same date as this Security Instrument ("Note"), which provides for
monthly payments, with the full debt, if not paid earlier, due and payable on AUGUST 1, 2028. This
Security Instrument secures to Lender: (a) the repayment of the debt evidenced by the Note, with interest, and all renewals,
extensions and modifications of the Note; (b) the payment of all other sums, with interest, advanced under paragraph 7 to
protect the security of this Security Instrument; and (c) 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 ELMORE County, Idaho:
COMMENCING AT THE NORTH QUARTER CORNER OF SECTION 3, TOWNSHIP 2 NORTH,
RANGE 6 EAST, THENCE SOUTH 18 DEGREES WEST 2,134 FEET TO THE NORTHWEST
CORNER, THENCE 208 FEET EAST, THENCE SOUTH 208 FEET, THENCE WEST 208
FEET, THENCE NORTH 208 FEET TO THE POINT OF BEGINNING.

A.P.N.: RPO2N06E34510A

which has the address of 2 CRANK CREEK ROAD, PRAIRIE

[Street]

[City]

Idaho

83647

("Property Address");

[Zip Code]

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 seised 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.



First American Title Company of Idaho

7311 POTOMAC DRIVE • BOISE, IDAHO 83704 • (AREA 208) 375-0700 • FAX 322-5597

BUYER'S CLOSING STATEMENT

Escrow: FA-121217NR
Escrow Officer: Nanette Robinson
FINAL

Order: FA-7568
Date: 7/22/98
Closing Date: 7/24/98

ESCROW STATEMENT OF: Duane L. McMurdie, Denise L. McMurdie

SELLER: Toney Klug, Lillian Klug

Property Address: #2 Crank Creek Rd., Prairie, ID 83647

<u>ITEMS</u>	<u>DEBITS</u>	<u>CREDITS</u>
TOTAL CONSIDERATION	59,000.00	
OTHER CONSIDERATION: Credit Buyers Closing Costs		1,770.00
DEPOSIT HELD BY Sun Valley Boise McCall Realty		500.00
NEW LOAN TO Metwest Mortgage Services, Inc.		47,200.00
<u>PRORATIONS/ADJUSTMENTS</u>	<u>FROM</u>	<u>TO</u>
County Taxes, TAX ACCOUNT RP02N06E034510A: \$307.32		
CURRENT YEAR TAXES AT \$307.32	1/01/98	7/24/98 171.76
<u>TITLE CHARGES TO First American Title - Mountain Home</u>		
Mortgagee's Premium for \$47,200.00	200.70	
Deed Recording Fee	3.00	
Mortgage Recording Fee	30.00	
<u>ESCROW CHARGES</u>		
Escrow Fee	111.00	
Federal Express Fee	14.00	
<u>LENDER CHARGES</u>		
NEW LOAN CHARGES TO Metwest Mortgage Services, Inc.		
Int. Adjust. \$14.0307 PER DAY FROM 7/24/98 TO 8/01/98	112.25	
Discount Fee @ 1.0000%	472.00	
Credit Report (POC \$18.00)		
Hazard Insurance	350.00	
Funding Fee	795.00	
Hazard Insurance FOR 1 MONTHS @ \$29.17	29.17	
County Taxes FOR 3 MONTHS @ \$25.61	76.83	
Aggregate Adjustment Amount		51.26
<u>BROKERED LOAN CHARGES TO Boise River Mortgage</u>		
Appraisal	450.00	
Processing Fee	375.00	
BALANCE DUE ESCROW		12,325.93
TOTALS	\$ 62,018.95	\$ 62,018.95

Duane L. McMurdie
Duane L. McMurdie

Denise L. McMurdie
Denise L. McMurdie

IN RGE

AL FOR BDY

Penny Creek

Stella

CHIML
DEEP

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Chickadee

McKINLEY
ANG 24 1992

161

State of Idaho
Department of Water Resources
WATER RIGHT LICENSE

License of Water Right No. 63-9371 Priority April 28, 1980 Amount 0.02 cfs

THIS IS TO CERTIFY, that Toney &/or Lillian Klug
of Boise, Idaho, has complied with the terms and conditions of Permit
No. 63-9371 issued pursuant to Application for Permit dated April 22, 1980
and has submitted proof to the Department of Water Resources on March 3, 1983
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.02 cfs of water from a spring
tributary to sinks, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Domestic	from <u>January 1</u> to <u>December 31</u>	at <u>0.02</u> cfs and	<u>1.2</u> acre feet
(1 Unit)	from _____ to _____	at _____ cfs and	
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 0.02 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
1.2 acre feet per year, said waters to be diverted within the SE1SE1 Section 4,
Twp 2N, Rge 6E in the County of Elmore

Description and location of place of use:

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
2N	6E	3			X														

Total number of acres irrigated _____

CONDITIONS OF APPROVAL

- a. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.
- b. The right to the use of the water hereby confirmed is restricted and appurtenant to lands or place of use herein described, and is subject to all prior water rights, as provided by the laws of Idaho.
- c. Any water right confirmed in this license for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this license and shall not give rise to any right or claim against any future rights to the use of water other than hydropower, within the State of Idaho initiated later in time than the priority of this license.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 19th day of September, 19 86.

Acting for the

Director

Billy D. Flannery

MICROFILMED

AUG 24 1992

CLAIMANT'S NAME Kling, Tony & Sullivan CLAIM IDENT. NO. 63-09371DATE RECEIVED 12-1-89 CK # 1291 AMOUNT \$ 2500 Required

- | | YES | NO | Info? |
|--|-------------------------------------|-------------------------------------|-------|
| 1. Is the name and address complete with zip code? | ☒ | ☐ | * |
| 2. Is a priority date entered?
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? | ☒ | ☐ | * |
| (b) Is a tributary to entered? (if required) N/A | ☐ | ☒ | * |
| 4. Is the legal description of the p.d. sufficient? | ☒ | ☐ | * |
| 5. Is there a description of the diverting works? | ☒ | ☐ | |
| 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? | ☒ | ☐ | |
| Is a quantity claimed for each use? | ☒ | ☐ | * |
| 7. Is a total quantity claimed entered? | ☒ | ☐ | |
| 8. If required is a consumptive use entered? N/A | ☒ | ☐ | |
| Is the consumptive use correct? N/A | ☒ | ☐ | |
| 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? | ☒ | ☐ | * |
| 11. Is (are) the county(ies) entered? | ☒ | ☐ | |
| 12. Is the ownership of p.u. checked? | ☒ | ☐ | |
| 13. Are other water rights listed or "none" indicated? (see Item No. 17 for checking other water rights) | ☒ | ☐ | |
| 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? | ☒ | ☐ | |
| 16. If the basis of claim is shown as license, permit or decree is the existing water right number listed? (If yes, compare claim with the existing water right and either attach a proof report or state in comments that existing right was compared to claim) N/A | ☒ | ☐ | |
| 17. If the basis of claim is shown as beneficial use, or not marked, are there existing water rights shown in our records using the legal desc. on the claim? (If yes, describe these rights in "Comments") NOTE: If the claim is for domestic/stockwater this check is not as necessary unless it is indicated there is an existing right N/A | ☒ | ☐ | |
| 18. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) N/A | ☒ | ☐ | |
| 19. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. | ☒ | ☐ | * |
| 20. Has the claim been signed, sealed, and dated by a notary? | ☒ | ☐ | * |
| 21. Was this claim filed on time, or was an extension granted? | ☒ | ☐ | * |
| 22. Is the fee enclosed correct? Exempt | ☒ | ☐ | * |

MICROFILMED

AUG 24 1992

NO

Y

...

[Signature]

Date:

4-2-91

(Yes) ~~X~~ (No)

(Yes) ~~X~~ (No)

Ed

Date:

12089

7. d

Date:

4-4-91

Checked by:

Date:

[illegible]

Date:

Age Group	Total	Male	Female	Male	Female
18-24	22.5%	21.5%	23.5%	21.5%	23.5%
25-34	18.5%	17.5%	19.5%	17.5%	19.5%
35-44	15.5%	14.5%	16.5%	14.5%	16.5%
45-54	12.5%	11.5%	13.5%	11.5%	13.5%
55-64	8.5%	7.5%	9.5%	7.5%	9.5%
65+	4.5%	3.5%	5.5%	3.5%	5.5%

[illegible]

DATE: 05/12/99
PAGE: 1

Date: 09/06/1998 User-ID: CWALKER Subject: POU 1/4 1/4
PER CONTRACTOR VERIFICATION AND PARCEL NUMBER POU 1/4 1/4 WAS

AJ0749NP
No. 63-09371

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 05/12/99
PAGE: 2

Comments: Date: 09/06/1998 User-ID: CWALKER Subject: POU 1/4 1/4
CHANGED.

Date: 05/12/1999 User-ID: LHARRIS Subject: NAME AND/OR ADDRESS CHANGE
THE DATA IN THE NAME FIELD WAS CHANGED TO SHOW THIS RIGHT HAS AN
ADDRESS CHANGE.

Audit: 05/12/99 LHARRIS



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

May 13, 1999

Re: Water Right No. 63-09371

DUANE L MC MURDIE
DENISE L MC MURDIE
PO BOX 170054
BOISE ID 83717-0054

Dear Mr. & Mrs. Mc Murdie:

Enclosed is a copy of the above referenced water right which reflects your address change. Also enclosed is a copy of the Notice of Completed Administrative Proceedings which has been sent to the Snake River Basin Court as notification of the change.

If you have any questions concerning the enclosed water right, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Lori Harris".

Lori Harris
Technical Records Specialist
Adjudication Section
Western Region Office

LH:1
Enclosures

**IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)**

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DUANE L MC MURDIE	04/28/1980	DOMESTIC	01-01 12-31	0.02 CFS	1.20 AFA
C	DENISE L MC MURDIE 2390 N PILGRIM PL BOISE ID 83704 (208) 377-0023			TOTAL DIVERSION:	0.02 CFS	1.20 AFA

Water Source:	SPRING	Tributary to:	SINKS	Stage:	LICENSE
Point(s) of Diversion:	T02N R06E S04	NWSESE			ELMORE County

Place of use Legal Description for: DOMESTIC															
NE				NW				SW				SE			
NENE		NNNE		SENE		NENW		NNNW		SENW		NESW		SESE	
T	R	S	:	Lt	AC	Lt	AC	Lt	AC	Lt	AC	Lt	AC	Lt	AC
02N	06E	3	:	:	:	:	:	:	:	:	:	:	:	:	:
				D											

POW County: ELMORE

Non-Irrigation Uses: 1 HOME

Other Rights: NONE

Conditions of Approval:

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

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

Remarks: EXP PARCEL NO. 02N06E034510

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:

Misc:

Water District Number:	Field Inspection Flag: Presumption Flag:
------------------------	---

Comments: Date: 07/31/1998 User-ID: DBUFFING Subject: NAME CHANGE - OWNERSHIP CHANGE
THE DATA IN THE NAME FIELD WAS CHANGED TO SHOW THIS RIGHT HAS AN
OWNERSHIP CHANGE.

Date: 09/06/1998 User-ID: CWALKER Subject: POU 1/4 1/4
PER CONTRACTOR VERIFICATION AND PARCEL NUMBER POU 1/4 1/4 WAS

WR5809NP
No. 63-09371

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 09/01/98
PAGE: 3

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	TONEY KLUG	04/28/1980	DOMESTIC	01/01 12/31	0.020 CFS	1.20 AFA
C	LILLIAN KLUG C/O MAYFIELD STAGE BOISE ID 837060000				0.020 CFS	1.20 AFA
TOTAL DIVERSION:					0.020 CFS	1.20 AFA

Water Source: SPRING Tributary to: SINKS Stage: LICENSE

Point(s) of Diversion Capacity: 0.020 CFS
Point(s) of Diversion: T02N R06E S04 SESE ELMORE County

Place of use Legal Description for: DOMESTIC

		NE		NW		SW		SE		
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
02N	06E	3	:	:	:	:	:	:	:	:
		D								:

Pool County: ELMORE

Dates: App. Received: 04/28/1980
Proof Due Date: 06/01/1985
Exam Made Date: 06/02/1984
Licensed Date: 09/19/1986

Priority Date: 04/28/1980
Proof Made Date: 01/01/1990
Exam Sent to S.O.:

Misc: Water District Number: Field Exam Fee:

Audit: 10/22/86 05/01/88 CONVERT



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

July 31, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Re: Notice of Claim to a Water Right No. A63-09371

Duane L Mc Murdie
Denise L Mc Murdie
2390 N Pilgrim Pl
Boise ID 83704

Dear Mr. & Mrs. Mc Murdie:

Enclosed is a copy of the above referenced claim which reflects the change in ownership of the land and appurtenant water rights covered under the original filing.

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim for final court decree.

If you have any questions concerning the enclosed claim, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington".

Denise Buffington
Records Clerk
Adjudication Section
Western Region Office

DB:d

Enclosure

WATER RIGHT NUMBER - A63-09371

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (O) NUMBER -

+ - - - - LAST NAME - - - - + + - - - - FIRST NAME - - - - + + - - - - ADDRESS - - - - - +

*** C - CURRENT OWNER ***
KLUG

TONEY

1 - 3104 GERRARD ST.

2 -

3 -

CITY- BOISE

PHONE - 208-345-4163

1 - 3104 GERRARD ST.

2 -

3 -

CITY- BOISE

PHONE - 208-345-4163

STATE- ID ZIP- 83703

STATE- ID ZIP- 83703

LILLIAN

+ - - - - PRIORITY DATE - - - - + + - - - - REGION - - - - + + - - - - STAGE - - - - + + - - - - STATUS - - - - +
04/28/1980 14 WESTERN L - LICENSE

+ - - - - SOURCE - - - - - + + - - - - TRIBUTARY - - - - - + + - - - - SINKS

+ - - - - POINT OF DIVERSION - - - - - + + - - - - STREAM INDEX (BLANK IF NO INDEX CODE)

TWN RNG SEC TRACT LOT RFLG COUNTY

02N 06E 4 NW SE SE (39) ELMORE

+ - - - - WATER USE - - - - - + + - - - - DIVERSION RATE DIVERSION VOLUME

PERIOD FROM PERIOD TO

43 - DOMESTIC

01/01 12/31

0.020

1.20

+ - - - - TOTAL DIV. RATE - - - - + + - - - - TOTAL DIV. VOLUME - - - - + + - - - - TOTAL DIV. CAPACITY - - - - + + - - - - TOTAL CONSUMPTIVE USE - - - - + + - - - - KW USAGE - - - - +
0.020 1.20

+ - - - - PLACE OF USE - - - - - + + - - - - DESCRIPTION

TWN RNG SEC TRACT LOT ACRES CODE COUNTY

02N 06E 3 SW NE

43 DOMESTIC

(39) ELMORE

+ - - - - DIVERSION MEANS - SPRING & PIPELINE

+ - - - - NON-IRRIGATION USE - DOMESTIC 1 HOME

+ - - - - OTHER RIGHTS FOR SAME USE - NONE

+ - - - - REMARKS - - - - - + + - - - - NO REMARKS FOUND.

+ - - - - OLD WATER RIGHT NUMBERS - - - - - + + - - - - NO OLD WATER RIGHT NUMBERS FOUND.

+ - - - - CONDITIONS OF APPROVAL - - - - - + + - - - - NO CONDITIONS OF APPROVAL FOUND.

+ - DECREE DATE - +
00/00/0000[illegible][illegible]

FIELD INSPECTION MADE	-	00/00/0000	CIVIL CASE NUMBER	-	39576
FIELD INSPECTION FLAG	-		OLD CASE NUMBER	-	
VERIFIED DATE	-	00/00/0000	OLD JUDICIAL DISTRICT	-	
LAST AMENDED DATE	-	00/00/0000	TEMPORARY RIGHT	-	P
PROOF MADE DATE	-	00/00/0000	WATER DISTRICT	-	
RECEIPT NUMBER	-	C013231	FEDERAL/STATE INDICATOR	-	S
POU OWNERSHIP FLAG	-	Y	PRESUMPTION FLAG	-	
NAME CONNECTOR	-	AND/OR			

~~pu~~

19
WATER EXAMINER

SEP 21 1991

CHECKED