

● 5454	19	2	5475 ●	● 5474	19	2	5467 ●	● 5466	19	2	5465 ●
● 5510	18	3	5501 ●	● 5500	18	3	5505 ●	● 5504	18	3	5503 ●
● 5530	17	4	5545 ●	● 5544	17	4	5557 ●	● 5556	17	4	5555 ●
● 5574	16	5	⑦ 5589 ●	● 5588	16	5	④ 5593 ●	● 5592	16	5	③ 5591 ●
● 5618	15	6	5617 ●	● 5616	15	6	5613 ●	● 5612	15	6	5611 ●
● 5680	14	7	5693 ●	● 5694	14	7	5679 ●	● 5678	14	7	5677 ●
● 5704	13	8	5705 ●	● 5702	13	8	5701 ●	● 5700	13	8	5709 ●
● 5746	12	9	5767 ●	● 5766	12	9	5759 ●	● 5758	12	9	5757 ●
● 7970	11	10	7802 ●	● 7778	11	10	7662 ●	● 5790	11	10	7454 ●

7999	7951	7905	7863	7817	7789	7767	⑩ 7715	7673	7635	7601	7563	7521	7487	7455
15	14	13	12	11	10	9	8	7	6	5	4	3	2	1
22	23	24	25	26	27	28	29	30	31	32	33	34	35	36
6050	7960	7910	7878	7838	7800	7756	7700	7688	7644	7602	7566	7512	7474	7404
W. STIRRUP AVE.														
7877	11	7815	7781	7723	7689	7645	7603	7567	7513	7475	7405			
⑤ 6055	6073	6099	6101	6123	6145	6161	6179	12	13	14	15	16	17	18
25	26	27	28	29	30	31	32	6172	6190	7604	7570	7510	7490	6195
W. LAKE HAZEL RD.														

SUNSET WEST SUB. NO. 1 & 2

3N 1E 36 SE 1/4

SCANNED
JUN 04 2004

W7400
24

56200 R

I-3
a



State of Idaho
Idaho Department of Water Resources
Western Region

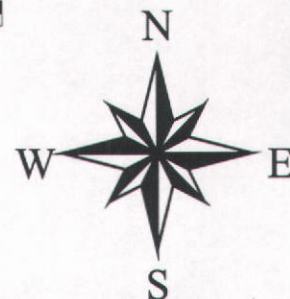
Water Right(s) : 63-8994



0 1320 Feet

Total Irrigated Acres: 1.0

-  Point of Diversion
-  Place of use
-  Quarter Quarter Lines
-  Section Lines



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared By: Vicky Music
Date: August 2004

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 63-8994
Date Received: 5/5/2004
Receipt No: W031657
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

MARGARET OLIVER Phone: (208)362-0442
5466 SADDLE ST
BOISE ID USA 83709

KELLY OLIVER Phone: (208)362-0442
5466 SADDLE ST
BOISE ID USA 83709

2. Date of Priority: 09/26/1977

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
03N	01E	36	NE SE	ADA	

5. Description of diverting works:

Well

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.03	4.5

7. Total Quantity Appropriated is:
0.03 C.F.S. and/or 4.5 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
03N	01E	36	SE	NE	IRRIGATION	1
Section Acres						1
Total Acres						1

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

14. Remarks:

PROPERTY IS ALSO KNOWN AS LOT 19, BLK 3, SUNSET WEST SUBDIVISION NO. 1.

15. Basis of Claim: License

RECEIVED

MAY 05 2004

Form No. 42-1409 (2) a 1/88 (Internet)

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

WATER RESOURCES
WESTERN REGION

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

Date Received

Receipt Number

ALB-8994
5-5-04
W031657

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

Please type or print clearly

1. Name of Claimant (s) Kelly & Margaret Oliver Phone (208) 362-0442Mailing Address 5466 Saddle St Zip 837892. Date of Priority (Only one (1) per claim) 9-26-19773. Source of water supply (a) Ground Water
which is tributary to (b) _____4. a. Location of existing point of diversion is: Township 03N Range 01E Section 36

_____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of _____

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, 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. WELL

SCANNED

JUN 04 2004

6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet) KO

For IRRIGATION purposes from 3/15 to 11/15 amount 0.03 or 4185

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.03 (cfs) and/or (b) 4185 (acre feet) KO

8. Total consumptive use claimed is 4.5 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
03N	01E	36				1													1

Total number of acres irrigated _____

11. In which county (ies) are lands listed above as place of use located? ADA COUNTY

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above. _____ or None (X)

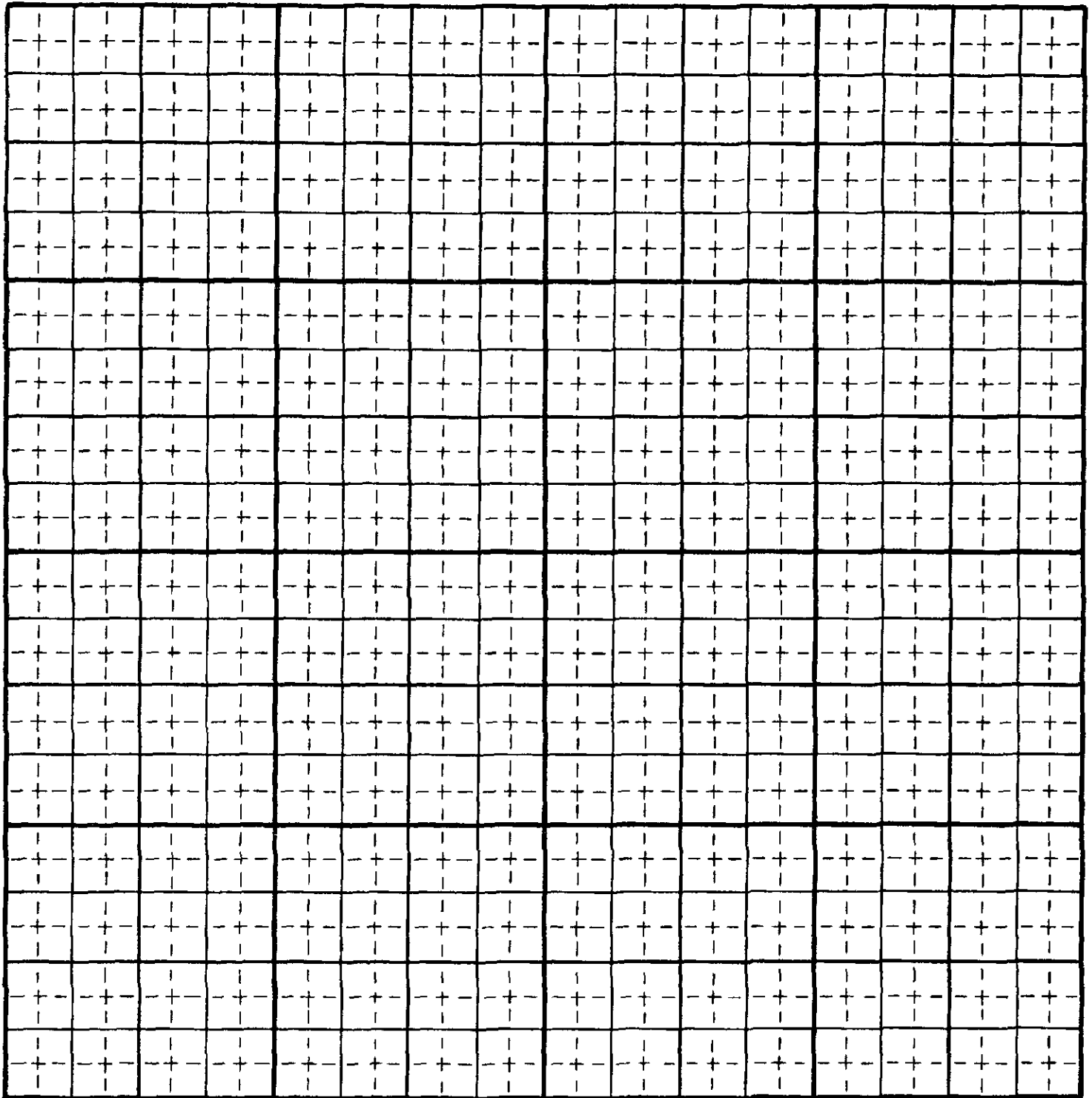
14. Remarks: SUNSET WEST SUBDIVISION #1, BLK 3, LOT 19

Last Name OLIVER Ident No. Water right 63-8994

SCANNED
JUN 04 2004

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



Last Name Oliver

Ident No. 63-8994

SCANNED

JUN 04 2004

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License X Permit _____
Decree _____
If applicable provide IDWR Water Right Number 63-8994
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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 X
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) _____

Date 5-3-04

Date 5-3-04

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 _____

Title

of _____

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____

Date _____

State of Idaho/or _____)

County of Ada)

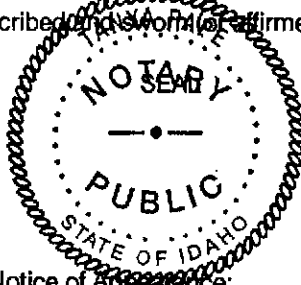
SS.

Subscribed and sworn to (or affirmed) before me this _____

3rd

day of May

2004



Notary Public Janya Papi

Residing at Bainbridge

My Commission Expires 4-9-10

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name Oliwer Ident. Number 63-8994

SCANNED

JUN 04 2004

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-8994

WATER RIGHT NUMBER: 63-8994

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LINDA M BLANCHARD 5466 SADDLE BOISE, ID 83704
Current Owner	LARRY G BLANCHARD 5466 SADDLE BOISE, ID 83704

Priority Date: 09/26/1977

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	0.030 CFS	4.50 AF
	<u>Total Diversion:</u>	0.030 CFS	4.50 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4SE1/4	Sec. 36, Twp 03N, Rge 01E, B.M.
ADA County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	01E	36													1.0				1.0

Total Acres: 1

Conditions of Approval:Remarks:

- General P/U LOT 19, BLK. 3, SUNSET WEST SUBDIVISION #1.

Comments:

SCANNED
JUN 04 2004

31. RUNNING-UP	● 5454	19	2	5475 ●	S. SILVER SPUR ST.	● 5474	19	2	5467 ●	S. SADDLE ST.	● 5465 ●			
	● 5510	18	3	5501 ●		● 5500	18	3	5505 ●		● 5504	18	3	5503 ●
	● 5530	17	4	5545 ●		● 5544	17	4	5557 ●		● 5556	17	4	5555 ●
	● 5574	16	5	⑦ 5589 ●		● 5588	16	5	④ 5593 ●		● 5592	16	5	5591 ●
	● 5618	15	6	5617 ●		● 5616	15	6	5613 ●		● 5612	15	6	5611 ●
	● 5680	14	7	5693 ●		● 5694	14	7	5679 ●		● 5678	14	7	5677 ●
	● 5704	13	8	5705 ●		● 5702	13	8	5701 ●		● 5700	13	8	5709 ●
	● 5746	12	9	5767 ●		● 5766	12	9	5759 ●		● 5758	12	9	5757 ●
● 7970	11	10	7802 ●	● 7778	11	10	7662 ●	● 5790	11	10	7454 ●			
32. RD.														

SAGEBRUSH

WAY

● 7999	● 7951	● 7905	● 7863	● 7817	● 7789	● 7767	● ⑩ 7715	● 7673	● 7635	● 7601	● 7563	● 7521	● 7487	● 7455
15	14	13	12	11	10	9	8	7	6	5	4	3	2	1
22	23	24	25	26	27	28	29	30	31	32	33	34	35	36
● 6050	● 7960	● 7910	● 7878	● 7838	● 7800	● 7756	● 7700	● 7688	● 7644	● 7602	● 7566	● 7512	● 7474	● 7404

W. STIRRUP AVE.

7877	11	7815	10	7781	9	7723	8	7689	7	7645	6	7603	5	7567	4	7513	3	7475	2	7405	1
25	26	27	28	29	30	31	32	13	14	15	16	17	18	19	20	21	22	23	24	25	26
6055	6073	6099	6101	6123	6145	6161	6179	6190	7604	7570	7510	7490	6195								
DR.												W. LAKE HAZEL RD.									

W. LAKE HAZEL RD.

SUNSET WEST SUB. NO. 1 & 2

3N 1E 36 SE 1/4

W7400

24

SCANNED
JUN 04 2004

56200 R

1-3
a

Receipt Details for ID W031657

Status	Adjustment Type	Version
		1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
5/6/2004 12:22:40 PM	5/6/2004 2:43:59 PM	WESTERN	\$51.00	Check
Payer		OLIVER, KELLY/MARGARET		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
3826			
Card Expiration Date	Credit Card Transaction #		

Comment Adjudication Claim Fee - 63-8994

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$51.00	ADJUDICATION FILING FEE	42503	0337			1155

Refund(s):

Amount	Payee	Date	Document Number
--------	-------	------	-----------------



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

October 19, 2005

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Stacy & Chip Hamilton
5466 S. Saddle St.
Boise, ID 83709

RE: Notice of Change of Water Right Ownership 63-8994

Dear Claimants:

Enclosed is a copy of a Notice of Change of Water Right Ownership form that was recently submitted to our office. However, we cannot continue to process the ownership change without sufficient **proof of ownership**. This proof needs to be a copy of a **Warranty Deed(s)** indicating your ownership of the property with an attached legal description.

Please submit a copy of the warranty deed, and we will be able to complete the ownership change.

Thank you for your patience and cooperation, as we have had several ownership changes to process. Feel free to contact our office if you have any questions concerning this letter.

Sincerely,

Liberty Gagnon
Office Specialist 1
Adjudication Section
Western Region
(208) 334-2190

LG: lg

Enclosures

RECEIVED

AUG 04 2005

WATER RESOURCES
WESTERN REGION

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

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

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
63-8994					

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

A. The appropriate **FILING FEE**. See instructions for fee amounts.

Warranty
Deed

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) Margaret + Kelly Oliver
5466 S. Saddle St
Boise, ID 83709
4. New Owner/Claimant(s) Stacy + Chip Hamelton
 Name Connector (Check one): ☐ and, ☐ or, ☒ and/or
 New Mailing Address 5466 S. Saddle St. Boise ID 83709
 City, State and ZIP Code
 New Telephone Number 208 378-4293
5. Date you acquired the property Sept 04

RECEIVED

OCT 13 2005

WATER RESOURCES
WESTERN REGION



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

August 11, 2005

Stacy and Chip Hamilton
5466 S. Saddle St.
Boise ID 83709

RECEIVED

OCT 13 2005

WATER RESOURCES
WESTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Dear Waterusers:

This office has received the **Notice of Change of Water Right Ownership** form submitted to our office. However, due to the items checked below, we cannot continue to process this ownership change. We are returning the Notice of Change of Ownership to you to **COMPLETE OR RESEARCH ONLY THE FOLLOWING ITEM(S) SHOWING A CHECKMARK IN THE BLANK FOR THAT ITEM(S).**

_____ **There is no existing water right in our records either under the former owner's name or for the legal description given.** If, after contacting the former owner, you find more information concerning a water right, such as a water right number, please contact us.

_____ **Legal description of property.** Please complete showing the legal description by $\frac{1}{4}$ $\frac{1}{4}$ (40-acre tract), Section, Township and Range for the property changing ownership. If you only have a subdivision lot & block legal description, please send us a copy of your subdivision plat.

_____ **It appears you received your water from an irrigation district, ditch company, municipality or community water company.** If this is the case, then the water right remains in the name of this entity and you should contact them concerning the ownership change.

===== **Name and address of former owner (seller).** This will clarify the original owner of the water right.

_____ **Name, address and phone number of new owner (purchaser).**

_____ **This change in ownership appears to result in a splitting of the water right.** A split of the water right occurs when the ownership change affects only a portion of the original right. In order to accurately split this right we must know what portion of the right was sold. The amount of water in CFS, the place of use by $\frac{1}{4}$ $\frac{1}{4}$ with the number of acres in each $\frac{1}{4}$ $\frac{1}{4}$ (if applicable) and the point of diversion by $\frac{1}{4}$ $\frac{1}{4}$, Section, Township and Range is needed. If this right is not being split, please submit proof of ownership for the remaining portion. **Enclosed is a computer copy of this right for your review.**

_____ **X** **Proof of ownership is needed.** This proof should be a copy of the **warranty deed** in your name which includes a description of this property by $\frac{1}{4}$ $\frac{1}{4}$, Section, Township and Range.

===== **Signature of new owner (purchaser) is needed on this form.**

_____ **Other:**

Please complete the above item(s), if required, on the Notice of Change of Water Right Ownership form and return it with the requested information to the Department of Water Resources, Western Region Office, 2735 Airport Way, Boise, ID 83705. If we do not hear from you within 30 days, the claim upon which this form was filed (if one exists), will remain in the original owner's name.

Feel free to contact this office if you have questions concerning this letter.

Sincerely,

Adjudication Staff
Department of Water Resources
Western Region Office
(208) 334-2190

LG: lg

Enclosures

IRVINE, CA 92612

Prepared By:
NEW CENTURY MORTGAGE CORPORATION

(Space Above This Line For Recording Data)

DEED OF TRUST

DEFINITIONS

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

(A) "Security Instrument" means this document, which is dated **October 1, 2004** together with all Riders to this document.

(B) "Borrower" is

ROGER V HAMILTON JR AND STACY M HAMILTON . HUSBAND AND WIFE

Borrower is the trustor under this Security Instrument.

(C) "Lender" is **NEW CENTURY MORTGAGE CORPORATION**

Lender is a **CORPORATION**

organized and existing under the laws of **CALIFORNIA**

0001897873

IDAHO-Single Family-Fannie Mae/Freddie Mac UNIFORM INSTRUMENT

Form 3013 1/01

6040-6(1D) (0005)

Page 1 of 15

Initials: *Rich SW*

VMP MORTGAGE FORMS - (5001521 7251



Lender's address is 18400 VON KARMAN, SUITE 1000
IRVINE, CA 92612

Lender is the beneficiary under this Security Instrument.

(D) "Trustee" is TRANSNATION TITLE AND ESCROW

(E) "Note" means the promissory note signed by Borrower and dated October 1, 2004

The Note states that Borrower owes Lender One Hundred Eighty-Two Thousand, Six
Hundred Eighty-Five and No/100 ----- Dollars
(U.S. \$ 182,685.00) plus interest. Borrower has promised to pay this debt in regular Periodic

Payments and to pay the debt in full not later than November 1, 2034

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

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

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

☒ Adjustable Rate Rider	☐ Condominium Rider	☐ Second Home Rider
☐ Balloon Rider	☐ Planned Unit Development Rider	☐ 1-4 Family Rider
☐ VA Rider	☐ Biweekly Payment Rider	☒ Other(s) [specify] Prepayment Rider Arm Rider Addendum

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

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

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

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

(M) "Miscellaneous Proceeds" means any compensation, settlement, award of damages, or proceeds paid by any third party (other than insurance proceeds paid under the coverages described in Section 5) for: (i) damage to, or destruction of, the Property; (ii) condemnation or other taking of all or any part of the Property; (iii) conveyance in lieu of condemnation; or (iv) misrepresentations of, or omissions as to, the value and/or condition of the Property.

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

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

(P) "RESPA" means the Real Estate Settlement Procedures Act (12 U.S.C. Section 2601 et seq.) and its implementing regulation, Regulation X (24 C.F.R. Part 3500), as they might be amended from time to time, or any additional or successor legislation or regulation that governs the same subject matter. As used in this Security Instrument, "RESPA" refers to all requirements and restrictions that are imposed in regard to a

"federally related mortgage loan" even if the Loan does not qualify as a "federally related mortgage loan" under RESPA.

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

TRANSFER OF RIGHTS IN THE PROPERTY

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

[Type of Recording Jurisdiction]

[Name of Recording Jurisdiction]

LOT 19 IN BLOCK 3 OF SUNSET WEST SUBDIVISION UNIT NO. 1, ACCORDING TO THE OFFICIAL PLAT THEREOF, FILED IN BOOK 29 OF PLATS AT PAGE 1810, RECORDS OF ADA COUNTY, IDAHO.

Parcel ID Number: R8223000095

which currently has the address of

5466 S. SADDLE ST.

[Street]

801SE

[City], Idaho 83709

[Zip Code]

("Property Address"):

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

BORROWER COVENANTS that Borrower is lawfully 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.

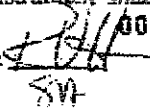
THIS SECURITY INSTRUMENT combines uniform covenants for national use and non-uniform covenants with limited variations by jurisdiction to constitute a uniform security instrument covering real property.

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

1. Payment of Principal, Interest, Escrow Items, Prepayment Charges, and Late Charges.

Borrower shall pay when due the principal of, and interest on, the debt evidenced by the Note and any prepayment charges and late charges due under the Note. Borrower shall also pay funds for Escrow Items pursuant to Section 3. Payments due under the Note and this Security Instrument shall be made in U.S.

0001697873

Initials: 

RECEIVED

JUN 13 2005

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGIONAL OFFICE
2735 AIRPORT WAY
BOISE, IDAHO 83705

OLIV466 / 837092011 1B04 10 06/09/05
FORM 3547

OLIVER TALON LN
9227 S
BOISE ID 83709-7830

MARGARET OLIVER
KELLY OLIVER
5468 SADDLE ST
BOISE ID 83709

First Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

RETURN TO SENDER

U.S.P.S. Form 3547

fee due 70¢

U.S. POSTAL SERVICE
PS FORM 3547

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

1



**State of Idaho
Idaho Department of Water Resources
Western Region**

Water Right(s) : 63-8994



0 1320 Feet

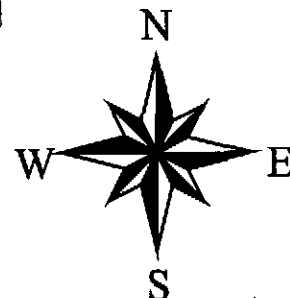
Total Irrigated Acres: 1.0

⊙ Point of Diversion

□ Place of use

Quarter Quarter Lines

□ Section Lines



**GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared By: Vicky Music
Date: August 2004**

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-8994 V1

WATER RIGHT NUMBER: 63-8994 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	LARRY G BLANCHARD 5466 SADDLE BOISE, ID 83704
Current Owner	MARGARET OLIVER 5466 SADDLE ST BOISE, ID 83709 (208)362-0442
Original Owner	LINDA M BLANCHARD 5466 SADDLE BOISE, ID 83704
Current Owner	KELLY OLIVER 5466 SADDLE ST BOISE, ID 83709 (208)362-0442

Priority Date: 09/26/1977

Basis: License

Status: Active

SourceTributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.030 CFS	4.50 AF
	<u>Total Diversion:</u>	0.030 CFS	4.50 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4SE1/4	Sec. 36, Twp 03N, Rge 01E, B.M.
ADA County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	01E	36													1.0				1.0

Total Acres: 1

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-8994 V1

1. Explanatory PARCEL NO. 9203818
2. Explanatory PROPERTY IS ALSO KNOWN AS LOT 19, BLK 3, SUNSET WEST SUBDIVISION #1.
3. Purpose of Use THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MARCH 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

Comments:

1. vmusic 8/11/2004 POU

Comment: POU CLAIMED INCORRECTLY. VERIFIED POU WITH LICENSE AND ADA TAX LOT DATA. CLAIMED POU APPEARS TO BE CLERICAL ERROR. POU RECOMMENDED AS LICENSED.

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal:
 Owner Name Connector: AND
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Contacts	8/10/2004 4:26:19 PM	vmusic			Active
Priority Date	8/10/2004 4:27:12 PM	vmusic			Active
POD	8/10/2004 4:29:07 PM	vmusic			Active
Source	8/10/2004 4:31:07 PM	vmusic			Active
POU	8/10/2004 4:32:09 PM	vmusic			Active
Use	8/10/2004 4:34:29 PM	vmusic			Active
Season	8/10/2004 4:41:31 PM	vmusic			Active
Quantity	8/10/2004 4:42:38 PM	vmusic			Active
Summary			08/10/2004	vmusic	Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-8994 V1

Summary	08/10/2004	vmusic	Active
Summary	08/11/2004	vmusic	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Source	8/10/2004 4:31:07 PM	vmusic	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?
Season	8/10/2004 4:41:32 PM	vmusic	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (Yes) 14. Is irrigation claimed as a Purpose of Use? (Yes) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (No) 17. Was the Period of Use shortened by a Transfer to a standard Period of Use that is shorter than the current standard Period of Use? (Yes) 18. Is a Period of Use remark and/or condition required?
Quantity	8/10/2004 4:42:38 PM	vmusic	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (Yes) 8. Does the parent right have an annual diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? Description for Question 10 - IDWR standard
Summary	8/10/2004 4:44:16 PM	vmusic	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-8994 V1

Summary	8/10/2004 4:44:27 PM	vmusic	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right?
POD	8/10/2004 4:29:07 PM	vmusic	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file? (No) 10. Is a POD remark and/or condition required?
Contacts	8/10/2004 4:26:19 PM	vmusic	(No) 1. Do you want to schedule an appointment?
Priority Date	8/10/2004 4:27:12 PM	vmusic	Comment for 1: field exam when licensed. (No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
Summary	8/11/2004 11:06:55 AM	vmusic	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
POU	8/11/2004 10:54:11 AM	vmusic	Edited shape boundary
POU	8/11/2004 10:55:23 AM	vmusic	Edited shape boundary

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-8994 V1

POU	8/10/2004 4:32:09 PM	vmusic	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required?
Use	8/10/2004 4:34:29 PM	vmusic	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?
POD	8/11/2004 10:45:25 AM	vmusic	Edited point location

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT**

Desktop Review / mm

Prior to Field Exam

- ☒ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☒ Check fees paid
- ☐ Well logs (if needed) *N/A*
- ☒ Copy of topo or NAPP
- ☒ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information
- ☒ Check POD & POU overlap, see below – include overlapping right for exam
- ☐ Evidence of Priority – if none, talk with claimant *N/A*

CLAIMANT INFORMATION – verify contact information is completeClaim No(s) 63-0494

Owner: _____ Phone No. _____

Current Address: _____

- ☒ No change NAME IS THE SAME
- ☐ NEW OWNER _____
- ☐ No change Address
- ☐ NEW ADDRESS _____
- ☐ How long owned property? _____

Accompanied by: _____

PRIORITY DATE

- ☒ No change – Complete evidence submitted or not necessary
- ☐ Incomplete – Claimant should be asked when water was first used and submit proof of date.
- ☐ Priority date is acceptable/within mandatory filing dates?

Priority date, per claimant, is: _____

(If priority date, based on your exam, seems questionable, explain below.)

Source: _____ Tributary to _____

- ☒ No Change –SAME SOURCE
- ☐ Source found is different than claimed: _____

POINT OF DIVERSION

- ☒ No change
- ☐ POD found is different than claimed: _____
- ☐ If different, when did POD change? _____

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID

Description of diverting works

OVERLAP REVIEW

Other water rights with the same point of diversion: None

Does overlap add acres or uses to existing system, increase rate of flow or volume, or other? Explain:

WATER USES

☒ No change

☐ Different Uses

*season of use 11C. 3/15 - 11/15
604 - may begin 3/15*

Use _____ From _____ To _____ Amount _____ CFS _____ AFA _____

Use _____ From _____ To _____ Amount _____ CFS _____ AFA _____

Use _____ From _____ To _____ Amount _____ CFS _____ AFA _____

TOTAL VOLUME - Groundwater only

☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA _____

☐ Changes found, the new total is, Amount _____ CFS _____ AFA _____

☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)

NON-IRRIGATION USES:

☒ No change

☐ Changes Exam found: Domestic # of homes _____ Stock # _____

Types _____ Additional comments: _____

PLACE OF USE:

☐ No Change

☐ Changes shown below:

** claimant filed out claim wrong? not as licensed?
11C. as NESE but claimed SENE
rec. as licensed. - confirmed parcel
location / pour w/ AFA co shapes*

Place of Use			NE				NW				SW				SE				Totals
TWP	RGE	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Overlap with other water rights: _____

Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain: _____

Delivery System Narrative: all field exam

Well or Diversion Identification No GPS ID	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge size

FLOW MEASUREMENTS:

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

remarks ⇒ EXP. parcel # 9203019

JO1 Lot 19, Blk 3, Sunset West Sub #1

not sure where well is - estimate it is
on east portion of lot 126 property line.
appears to be pipe? pump? shall

AFTER EXAM THE FILE SHOULD CONTAIN:

- ☒ Completed claim checklist
- ☒ Photographs of POD's and POU
- NA ☐ GPS readings
- ☒ Completed map and or GIS layout showing POD's and POU

DATE EXAM CONDUCTED:

8-10-04

FIELD EXAMINER:

Wick WSLC

WATER RIGHT LICENSE

THIS IS TO CERTIFY, that LARRY G. &/or LINDA M. BLANCHARD

Beneficial Use Period of Use Rate of Diversion Annual Volume

Irrigation from March 15 to November 15 at 03 cfs and 4.5 acre feet

from _____ at _____ cfs and _____

from _____ at _____ cfs and _____

(both dates inclusive)

Description and location of place of use:

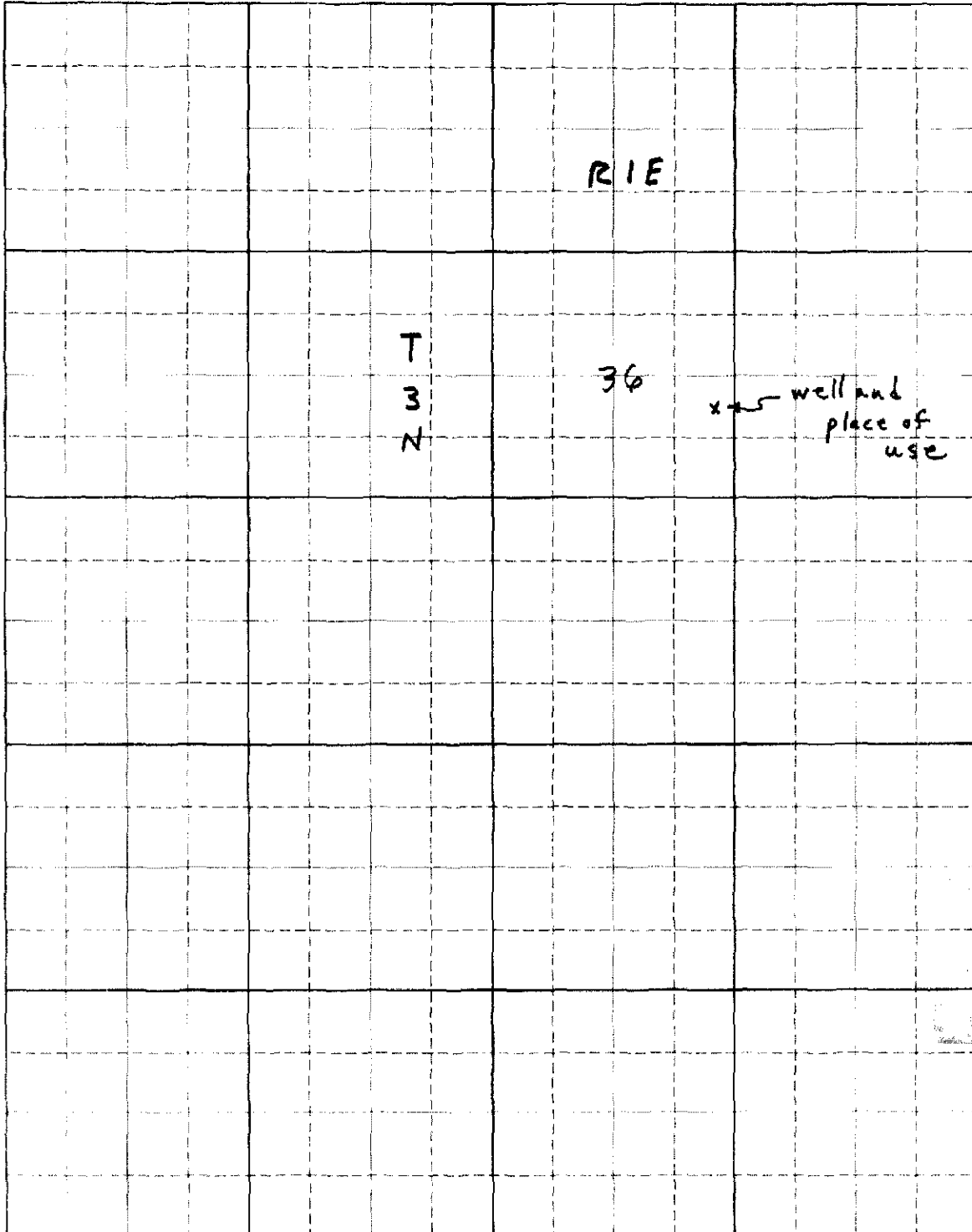
[illegible]

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 30 day of September, 19 80

Director

MICROFILMED

11. Map of proposed project show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Larry D. Blanchard
Applicant

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

Blanchard Larry G. & Linda M.

P/O NESE, S. 36
T. 3N
R. 1E

USE CITY WATER

2 RAIN BIRDS AT A TIME

63-8994

Permit No.

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
1 Appointment letter mailed:	7-2-80	KG	
2 Telephone call made: (List Telephone No. used)			
3 Appointment scheduled for: (Date, time, location)			

EXAMINATION

Date 17 JULY 1980 Accompanied by _____ Total Q measured .022 CFS
If source is surface water, estimate total flow of source _____
Methods of measurement EST. FROM SPRINKLERS Meets Permit requirements? YES

Measurement calculations:

$$5 \text{ GPM} \times 2 = 10 \text{ GPM} \quad .00223 \times 10 \text{ GPM} = \underline{\underline{.022 \text{ CFS}}}$$

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS

System Description 200' well

Code with map on reverse side. Disregard code if only one.

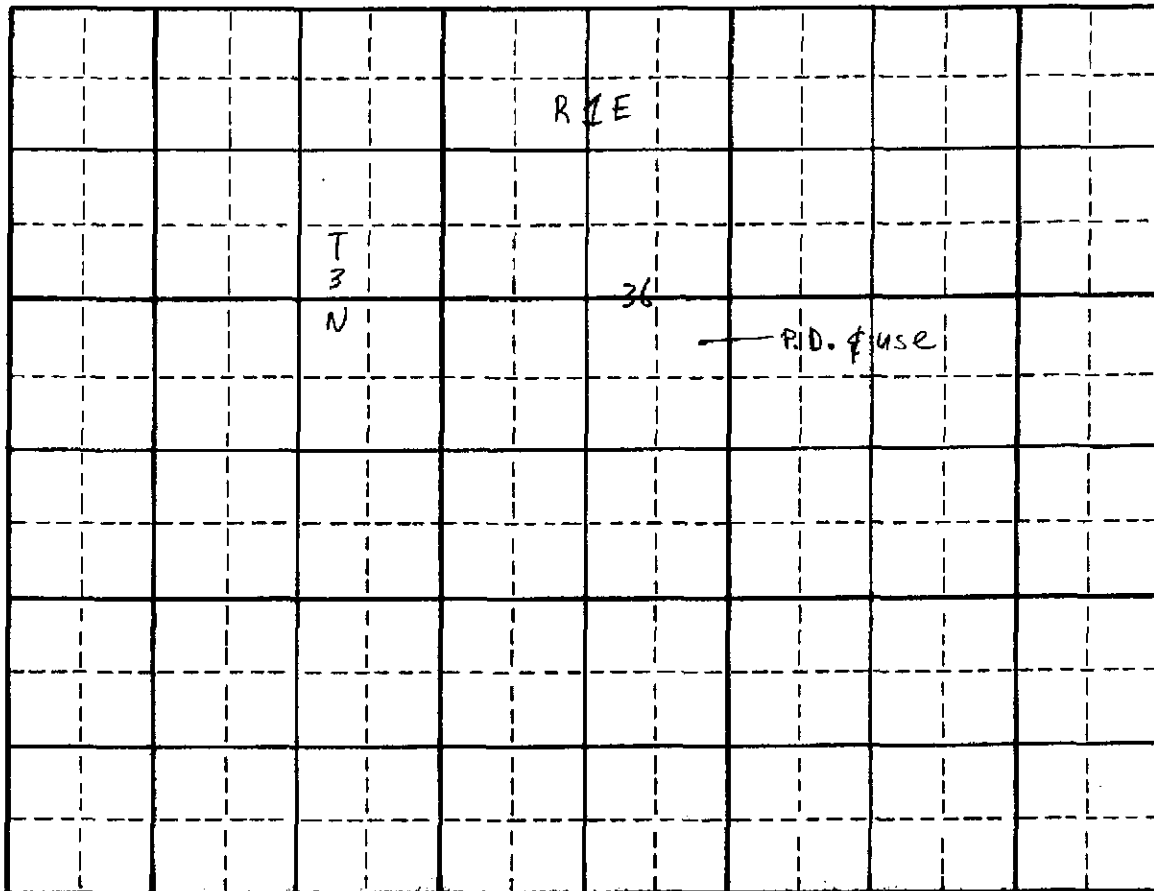
RECOMMENDED AMOUNTS

USE	Irrigation requirement =		AFA/Acre	
	Q (cfs)	V (afa)	FROM	TO
IRR.	.03	4.5	3-25	4-25
Total	.03	4.5		

Remarks RECOMMEND BENEFICIAL USE FOR IRR. ONLY. USE CITY WATER
FOR DOMESTIC. SYSTEM RUNS 2 SMALL RAIN BIRDS AT A TIME
NO DOMESTIC BENEFICIAL USE.

MICROFILMED

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)

Point(s) of diversion: NESE S 36 T 3 N R 1 E

Place(s) of Use AS ABOVE

TWP.	RGE.	SEC.	NEX				NWX				SWX				SEX				TOTALS
			NEX	NWX	SWX	SEX	NEX	NWX	SWX	SEX	NEX	NWX	SWX	SEX	NEX	NWX	SWX	SEX	
3N	1E	36									1				1				2

Recommended Amendments:

- ☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other _____

Examiner's Signature David E. Morris

Checked by D.B.S.

Approved by Robyn

Date 13 July 1980

Date 7/22/80

Date 7/30/80