

COPY

200 JUN 23 PM 1: 56

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

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

Case No. 39576

) SUBCASE NO. 36-00089A,
) 36-00089F, 36-00089G
)
)

) NOTICE OF COMPLETED
) ADMINISTRATIVE PROCEEDING

IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

Does the change in "ownership" result in a splitting of the water right claimed? ☒ Yes ☐ No

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 Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: 6/22/00


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 6/23, 2000, 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
PO Box 2707
Twin Falls ID 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:
Patrick D Brown
109 S Adams St
Jerome ID 83338
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:
Bob R Hunt
Jana C Hunt
947 Justice Grade
Hagerman ID 83332
Frankie A Alvarez
148 3rd St
Idaho Falls ID 83401
4. One Copy to:
Each party in the subcase or attorney of record:
5. One Copy to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
6. One Copy to:
United States Dept Of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

AJ5859NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: JUN-21-2000

PAGE: A-1

RIGHT NUMBER:

36-00089A

SPLIT RIGHT: SEE RIGHT NOS. 36-00089F AND 36-00089G.

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: JUN-21-2000
PAGE: A-9

RIGHT NUMBER: 36-00089F

NAME & ADDRESS: FRANKIE A ALVAREZ
148 3RD STREET
IDAHO FALLS ID 83401

SOURCE: BILLINGSLEY CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.02 CFS

PRIORITY DATE: 06/26/1881

POINT OF DIVERSION: T07S R13E S11 NESENE Within GOODING County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	03-15 11-15	0.02 CFS

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS FEBRUARY 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 30, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MARCH 15 AND AFTER NOVEMBER 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.

PLACE OF USE: IRRIGATION Within GOODING County
T07S R13E S11 SENE 1
1 ACRES TOTAL

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE
WATER IS DELIVERED THROUGH THE JOHN BELL DITCH.

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: JUN-21-2000
PAGE: A-10

RIGHT NUMBER: 36-00089G

NAME & ADDRESS: JANA C HUNT
BOB R HUNT
947 JUSTICE GRADE
HAGERMAN ID 83332

SOURCE: BILLINGSLEY CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.02 CFS

PRIORITY DATE: 06/26/1881

POINT OF DIVERSION: T07S R13E S11 NESENE Within GOODING County

TWO POINTS OF DIVERSION LOCATED IN T07S, R13E, S11, NESENE.

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	03-15 11-15	0.02 CFS

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS FEBRUARY 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 30, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MARCH 15 AND AFTER NOVEMBER 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.

PLACE OF USE: IRRIGATION Within GOODING County
T07S R13E S11 SENE 1
1 ACRES TOTAL

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

THE RIGHT HOLDER SHALL ACCOMPLISH THE CHANGE AUTHORIZED BY TRANSFER NO. 2333 BY MAY 10, 2000.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE

WATER IS DELIVERED THROUGH THE JOHN BELL DITCH AND A PUMP IN BILLINGSLEY CREEK.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

June 23, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

BOB R HUNT
JANA C HUNT
947 JUSTICE GRADE
HAGERMAN ID 83332

RE: SRBA Claim(s) 36-00089A - Split

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

cc: Patrick D Brown
Frankie A Alvarez

Water Right Number - R36-00089G

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
HUNT

BOB R

1 - 947 JUSTICE GRADE
2 -
3 -

City- HAGERMAN
Phone - 208-837-4046

State- ID Zip- 83332

HUNT

JANA C

1 - 947 JUSTICE GRADE
2 -
3 -

City- HAGERMAN
Phone - 208-837-4046

State- ID Zip- 83332

*** O - ORIGINAL OWNER ***
CLOUSER

DORIS H

1 - 947 JUSTICE GRADE
2 -
3 -

City- HAGERMAN
Phone - 208-837-4507

State- ID Zip- 83332

CLOUSER

JOHN F

1 - 947 JUSTICE GRADE
2 -
3 -

City- HAGERMAN
Phone - 208-837-4507

State- ID Zip- 83332

BROWN

PATRICK D

1 - HEPWORTH NUNGESTER LEZAMIZ
2 - 133 SHOSHONE ST N
3 - PO BOX 389
City- TWIN FALLS
Phone - 208-734-7510

State- ID Zip- 833030389

+ - - Priority Date - - +
06/26/1881

+ - - Region - - - +
ERROR IN REGION

+ - - Stage - - - +
D - DECREED

+ - - Status - - - +

+ - - Source - - - - - +
BILLINGSLEY CREEK

+ - - Tributary - - - - - +
SNAKE RIVER

+ - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County

07S 13E 11 NE SE NE (47) GOODING JOHN BELL

+ - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION 03/15 11/15 0.020

+ - Total Div. Rate - + + - Total Div. Volume - +
0.020

+ - Total Consumptive Use - + + - KW Usage - +
0.0

Water right number - R36-00089G

Prefix Translation: RESEARCH

Tw	Rng	Sec	Tract	Lot	Acres	Place of Use Code	Description	County
07S	13E	11	SE NE		1.0	01	IRRIGATION	(47) GOODING
Total Acres:					1.0			

+ - - Diversion Means - CEMENT CHECK STRUCTURE TO EARTH DITCH AND 36" PIPE.

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - NONE

+ - - - - - Remarks - - - - -

POD TWO POINTS OF DIVERSION LOCATED IN T07S, R13E, S11, NESENE.

USE THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS FEBRUARY 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 30, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MARCH 15 AND AFTER NOVEMBER 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.

GEN THE RIGHT HOLDER SHALL ACCOMPLISH THE CHANGE AUTHORIZED BY TRANSFER NO. 2333 BY MAY 10, 2000.

EXP WATER IS DELIVERED THROUGH THE JOHN BELL DITCH AND A PUMP IN BILLINGSLEY CREEK.

+ - - - - - Old Water Right Numbers - - - - -
A3600089

+ - - - - - Conditions of Approval - - - - -
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.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - - - - Comments - - - - -
Date: 07/30/1992 User Id: WORSTELL Subject: COPIED FROM REMARKS
THERE HAS BEEN AN APPLICATION FOR TRANSFER TO ADD A POINT OF DIVERSION OUT OF BILLINGSLEY CR. FOR WATERING LAWN WITH PUMP.
UNABLE TO LOCATE A TRANSFER IN FILES.--8-14-90 HHT.
Date: 09/30/1992 User Id: CLELLAND Subject: NOTICE OF ERROR
MR. CLAUSER AMENDED HIS CLAIM TO .04 CFS ON 2.0 ACRES. THIS IS WITHIN THE CONDITIONS FOUND IN THE FIELD EXAM AND IS ALLOWED AS CLAIMED.

Prefix Translation: RESEARCH

```

-Comments-
Date: 02/19/1993 User Id: SCHULTZ Subject: ADDED NEW ATTORNEY
RECEIVED NOTICE OF APPEARANCE FROM HEPWORTH NUNGESTER LEZAMIZ 2/10/93.
CLAIM VERIFIED 9/30/92. DID NOT REVERIFY CLAIM.
Date: 06/13/2000 User Id: SCLELLAN Subject: CHANGE OF OWNERSHIP
FORM SUBMITTED BY HUNT.
Date: 06/13/2000 User Id: SCLELLAN Subject: POD DESCRIPTION
THIS PORTION OF THE CLOUSER PROPERTY IS WHERE THE PUMP IN THE CREEK IS LOCATED. THE PUMP POD IS RECOMMENDED TO BE ASSOCIATED
WITH THIS PART. THERE IS ALSO USE OF THE JOHN BELL DITCH ON THIS PARCEL USING EASMENT ALONG THE ROAD FOR THE PIPELINES FROM THE
DITCH.

```

+ - - Audit Fields - - +
06/13/00 SCLELLAN

Adjudication Rights Dates and Flags Area			
Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-
Response Filed Date	- 00/00/0000	Verified Date	- 06/13/2000
Claim Received Date	- 06/21/1988	Last Amended Date	- 00/00/0000
		Receipt Number	- S000490
		POU Ownership Flag	- Y
		Name Connector	- AND/OR
		Civil Case Number	- 39576
		Old Case Number	-
		Old Judicial District	-
		Temporary Right	- P
		Water District	- 36A
		Federal/State Indicator	- S
		Presumption Flag	-
		Notice of Error Flag	- E



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

July 25, 2002

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

JANA HUNT
947 JUSTICE GRADE
HAGERMAN ID 83332

RE: 36-89G & 36-90A

Dear Mrs. Hunt,

Enclosed are the copies I promised to send. The Partial Decree for 36-90A (spring for domestic use) was issued to the Clousers, but our records show you and your husband as the current owners. (The court does not continually update their ownership records - they leave that to us.)

The Partial Decree for 36-89G was issued to you, because there was still an issue being sorted out on irrigation rights, namely the length of the irrigation season, and your ownership change/split was received by the court before things were finally settled. This right shows the **water is delivered through the John Bell Ditch and a pump in Billingsley Creek.**

I hope this information helps answer any questions you may have. If you are still unsure, feel free to give either Steve (327-5450/Boise) or myself a call at the office.

Sincerely,

Jeanie Robertson
Sr. Water Resource Agent



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

June 13, 2000

BOB R &/OR JANA C HUNT
947 JUSTICE GRADE
HAGERMAN ID 83332

RE: Change of Ownership of SRBA Claims 36-00090A & 36-00089A

Dear Mr. & Mrs. Hunt,

Pursuant to your request for a change in ownership and/or the notification that you recently purchased portions of the property in which the above-referenced adjudication claim(s) is appurtenant, the department has changed the record of the current owner as requested for right listed above.

Please find enclosed a copy of your adjudication report, as it now appears in our records. Please refer to this number, 36-00090A & 36-00089G, in your future correspondence with IDWR.

I did not forward a copy of this letter to John F. Clouser since the address of record is the same as your address.

If you have any further corrections or questions please contact our office.

Sincerely,

STEVE CLELLAND
Sr. Water Resource Agent

ENC:

SEE ALSO FULL REVIEW

IN FILE

36-00089 F

(was previously 36-00089 A)

36-00089XF

RECEIVED

SEP 24 1999

Department of Water Resources
Southern Region

Logget ✓

STATE OF IDAHO
IDAHO 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.

1. Water Right No(s).: 36-00089A/36-00090A
Adjudication Claim No(s).: _____
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: John F. Clouser and Doris H. Clouser
947 Justice Grade, Hagerman, ID 83332
4. New Owner/Claimant(s): Bob R. Hunt and Jana C. Hunt
New Mailing Address: Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
947 Justice Grade, Hagerman, ID 83332
City, State and ZIP Code: _____
New Telephone Number: () _____
5. Date you acquired the property: September 21, 1999
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 _____ Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ 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): Bob R. Hunt
Jana C. Hunt
(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..

36-00090 A : Data Entry made 6/13/00 SC

36-00089A : SRBA Deceesd → forward info to WR Allocations. 6/13/00 SC
<SEE ATTACHED Recommendation of splits> F & G



GOODING
TITLE & ESCROW
COMPANY

September 23, 1999

Idaho Dept. of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301-3380

Re: #36-00089A
#36-00090A

RECEIVED

SEP 24 1999

Department of Water Resources
Southem Radon

Dear Clerk:

Enclosed please find a Notice of Change of Ownership to be filed with your office on the above-referred to license/claim. Also enclosed is a copy of Quit Claim Deed and a copy of the recorded Warranty Deed for your reference.

If you have any questions, please do not hesitate to contact our office.

Sincerely,

GOODING TITLE & ESCROW CO.

DeNene M. Dixon
Escrow Assistant

/dmd
Encl.

RECEIVED

MAY 31 2000

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

Department of Water Resources
Southern Region

✓logged - Dupl.

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).: _____
Adjudication Claim No(s).: 36-00089A and 36-00090A
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** showing the location of the place of use of the water right(s) or claims(s).
(These are usually attached to your deed or on file with the county.)
OR
 - C. If your water right or adjudication claim is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with 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 John F. Clouser and Doris H. Clouser
947 Justice Grade, Hagerman, Idaho 83332
4. New Owner/Claimant(s) Bob and Jana Hunt
Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
New Mailing Address 947 Justice Grade
City, State and ZIP Code Hagerman, Idaho 83332
New Telephone Number (208) 837-4046
5. Date you acquired the property 9-21-99
6. Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below **only if the water right(s) or claim(s) need to be split between owners.** If necessary, attach additional pages. 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. SPLIT IS FOR 1/2 of 36-00090A - POD is pump in CREEK.

Number of acres you irrigate with this water right 0.850 AC Number and type of stock 0

Diversion rate in CFS .020 Number of homes you acquired 1 Other uses _____

see 5/31/00
7. Signature of New Owner(s) or Claimant(s) Bob R. Hunt
Jana Hunt
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.

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. see below

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent: Steve Clelland

5/31/2000 3:00 PM

NAME:

JANA HUNT

APPT.

RE:

COO DETAILS

She came into discuss the details of the change of ownership on some property in the Hagerman Valley. She and her husband have bought part of the John Clouser parcel near the Rock Lodge area. It is clear in the deed they got all the spring water as defined in 36-00089A and they got 1/2 of the irrigation water described by 36-00890A.

The right lists two POD's for the irrigation right; one from the John Bell Ditch and one from the Billingsley Creek directly. Due to the location of their lot and a lack of an easement they are taking over the pump in the Creek diversion. The remaining portion (new owners unknown) will keep the John Bell Ditch diversion since the Ditch borders that parcel.

Claims: 36-00089A & 36-00090A

-90A is spring water.

-89A is John Bell Ditch.

SCV
6/12/00

WARRANTY DEED

RECEIVED

MAY 31 2000

Department of Water Resources
Bureau of Reclamation

For Value Received

John F. Clouser And Doris H. Clouser,
Husband And Wife.

the grantor(s), do(es) hereby grant, bargain, sell, and convey unto

Bob R. Hunt And Jana C. Hunt,
Husband And Wife.

the grantee(s), whose current address is

947 JUSTICE GRADE, HAGERMAN, ID 83332

the following described premises, to-wit:

See Attached Exhibit "A"

182443

COUNTY OF GOODING TITLE & ESCROW

11 September 4 P.m. this 21st

of September 1999 900

By Penny Archibald Deputy

TOGETHER WITH water right number 36-00090A with Idaho Department of Water Resources for .04CFS.

and

TOGETHER WITH water right number 36-00089A with Idaho Department of Water Resources for .02CFS.

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

Dated: September 20, 1999

John F. Clouser
JOHN F. CLOUSER

Doris H. Clouser
DORIS H. CLOUSER

STATE OF IDAHO
: SS
COUNTY OF GOODING

On This 20th day of SEPTEMBER, in the year 1999, before me, a Notary Public in and for said State, personally appeared John F. Clouser And Doris H. Clouser, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within Instrument, and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.

Dawn M. Kuyes
Notary Public of Idaho
Residing at WENDELL, Idaho
Commission Expires 03/22/02



TITLE & ESCROW
COMPANIES

EXHIBIT A
G990441

RP07S13E111955

Township 7 South, Range 13 East of the Boise Meridian, Gooding County, Idaho.

Section 11: A parcel of land located in the Southeast Quarter of the Northeast Quarter and more particularly described as follows:

COMMENCING at the Northeast corner of said Section 11, from which the East One Quarter corner of said Section 11 bears S00°46'31" East 2637.39 feet;
Thence South 00°46'31" East along the East boundary of the Northeast Quarter of said Section 11 for a distance of 1318.69 feet to the Northeast corner of the Southeast Quarter of the Northeast Quarter of said Section 11;
Thence South 89°40'00" West along the North boundary of the Southeast Quarter of the Northeast Quarter of said Section 11 for a distance of 725.86 feet to the TRUE POINT OF BEGINNING;
Thence South 00°00'02" West for a distance of 332.00 feet to a point in the center of Billingsley Creek;
Thence along the center of Billingsley Creek on the following courses;
 North 57°15'16" West 66.59 feet;
 North 22°32'28" West 116.85 feet;
 South 50°05'30" West 53.93 feet;
Thence leaving the center of Billingsley Creek on a bearing of North 00°20'00" West for a distance of 221.83 feet to a point on the North boundary of the Southeast Quarter of the Northeast Quarter of said Section 11;
Thence North 89°40'00" East along the North boundary of the Southeast Quarter of the Northeast Quarter of said Section 11 for a distance of 143.47 feet to THE TRUE POINT OF BEGINNING.

EXHIBIT A continued
G990441

TOGETHER WITH

1. A 10.00 foot wide easement for the use and maintenance of an existing buried sanitary sewer line, said easement being centered on the following described line:

COMMENCING at the Northeast corner of the before described parcel;

Thence South 00°00'02" West along the East boundary of the before described parcel for a distance of 96.50 feet to the TRUE POINT OF BEGINNING;

Thence North 86°24'12" East for a distance of 116.00 feet to the terminus point of said easement.

2. A 10.0 foot wide easement for the use and maintenance of an existing buried domestic water line, said easement being centered on the following described line;

COMMENCING at the Northeast corner of the before described parcel;

Thence South 00°00'02" West along the East boundary of the before described parcel for a distance of 171.70 feet to the TRUE POINT OF BEGINNING;

Thence South 76°43'27" East for a distance of 157.09 feet to the terminus point of said easement.

SUBJECT TO a 25.00 foot wide County road easement along the North boundary of the before described parcel.



POLICY OF TITLE INSURANCE



ISSUED BY

First American Title Insurance Company

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE B AND THE CONDITIONS AND STIPULATIONS, FIRST AMERICAN 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.

GOODING TITLE & ESCROW CO.

BY Shawn Mason

First American Title Insurance Company

BY Parker S. Kennedy PRESIDENT

ATTEST Mark R. Amos SECRETARY

J 769006

No. 1402 (10/92)
ALTA Owner's Policy
Schedule A

SCHEDULE A

File No. G990441

Policy No. J 769006

Amount of Insurance \$ 120,000.00

Premium \$ 615.00

Policy Date: September 21, 1999 at 4:12 P.M.

1. Name of Insured:

BOB R. HUNT and JANA C. HUNT, Husband and Wife.

2. The estate of interest in the land which is covered by this policy is:

FEE SIMPLE

3. Title to the estate of interest in the land is vested in:

BOB R. HUNT and JANA C. HUNT, Husband and Wife.

4. The land referred to in this policy is described as follows:

See Attached Exhibit "A"

EXHIBIT A
G990441

RP07S13E111955

Township 7 South, Range 13 East of the Boise Meridian, Gooding County, Idaho.

Section 11: A parcel of land located in the Southeast Quarter of the Northeast Quarter and more particularly described as follows:

COMMENCING at the Northeast corner of said Section 11, from which the East One Quarter corner of said Section 11 bears S00°46'31" East 2637.39 feet;
Thence South 00°46'31" East along the East boundary of the Northeast Quarter of said Section 11 for a distance of 1318.69 feet to the Northeast corner of the Southeast Quarter of the Northeast Quarter of said Section 11;
Thence South 89°40'00" West along the North boundary of the Southeast Quarter of the Northeast Quarter of said Section 11 for a distance of 725.86 feet to the TRUE POINT OF BEGINNING;
Thence South 00°00'02" West for a distance of 332.00 feet to a point in the center of Billingsley Creek;
Thence along the center of Billingsley Creek on the following courses;
 North 57°15'16" West 66.59 feet;
 North 22°32'28" West 116.85 feet;
 South 50°05'30" West 53.93 feet;
Thence leaving the center of Billingsley Creek on a bearing of North 00°20'00" West for a distance of 221.83 feet to a point on the North boundary of the Southeast Quarter of the Northeast Quarter of said Section 11;
Thence North 89°40'00" East along the North boundary of the Southeast Quarter of the Northeast Quarter of said Section 11 for a distance of 143.47 feet to THE TRUE POINT OF BEGINNING.

EXHIBIT A continued
G990441

TOGETHER WITH

1. A 10.00 foot wide easement for the use and maintenance of an existing buried sanitary sewer line, said easement being centered on the following described line:
COMMENCING at the Northeast corner of the before described parcel;
Thence South 00°00'02" West along the East boundary of the before described parcel for a distance of 96.50 feet to the TRUE POINT OF BEGINNING;
Thence North 86°24'12" East for a distance of 116.00 feet to the terminus point of said easement.
2. A 10.0 foot wide easement for the use and maintenance of an existing buried domestic water line, said easement being centered on the following described line;
COMMENCING at the Northeast corner of the before described parcel;
Thence South 00°00'02" West along the East boundary of the before described parcel for a distance of 171.70 feet to the TRUE POINT OF BEGINNING;
Thence South 76°43'27" East for a distance of 157.09 feet to the terminus point of said easement.

SUBJECT TO a 25.00 foot wide County road easement along the North boundary of the before described parcel.

Order No. G990441

SCHEDULE B
Part I

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:

Section One:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes of assessments on real property or by the public records.
2. Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
3. Easements, claims of easement or encumbrances which are not shown by the public records.
4. Discrepancies, conflicts in boundary line, shortage in area, encroachments or any other facts which a correct survey would disclose, and which are not shown by the public records.
5. Unpatented mining claim: reservations or exceptions in patents or in acts authorizing the issuance thereof: water rights, claims, or title to water.
6. Any lien, or right to a lien, for services, labor or material theretofore or hereafter furnished, imposed by law and not shown by the public records.

Section Two:

1. General Taxes for 1999 are an accruing lien and not yet due or payable.
2. Any assessments levied by a local irrigation district, including but not limited to assessments for delivery of water which was adjudicated by Decree in the District Court of the United States for the District of Idaho Southern Division, dated March 22, 1932, recorded April 19, 1932 in Book 6 of Judgments at Page 31, records of Gooding County, Idaho. Paid Current
3. Rights of way for canals and laterals.
4. Power line easement granted to Idaho Power Company, a corporation recorded May 29, 1953 in Book 7 of Miscellaneous, Page 251.
5. Any claim arising from the difference in the mean high water line of the Billingsley Creek and the meander line as shown by the original Government Survey.

(Continued)

SCHEDULE B - Section II
Continued

File No. G990441

Policy No. J 769006

6. Deed of Trust , dated September 21, 1999 to secure an indebtedness in the principal sum of \$96,000.00

Recorded: September 21, 1999, Instrument No. 182444

Grantor: Bob R. Hunt and Jana C. Hunt, Husband and Wife

Trustee: Twin Falls Title and Escrow Company

Beneficiary: First Union Mortgage Corporation

This map is given for information only - no assurances are made as to the actual footages and boundaries reflected herein.

GOODING
TITLE & ESCROW
COUNTY

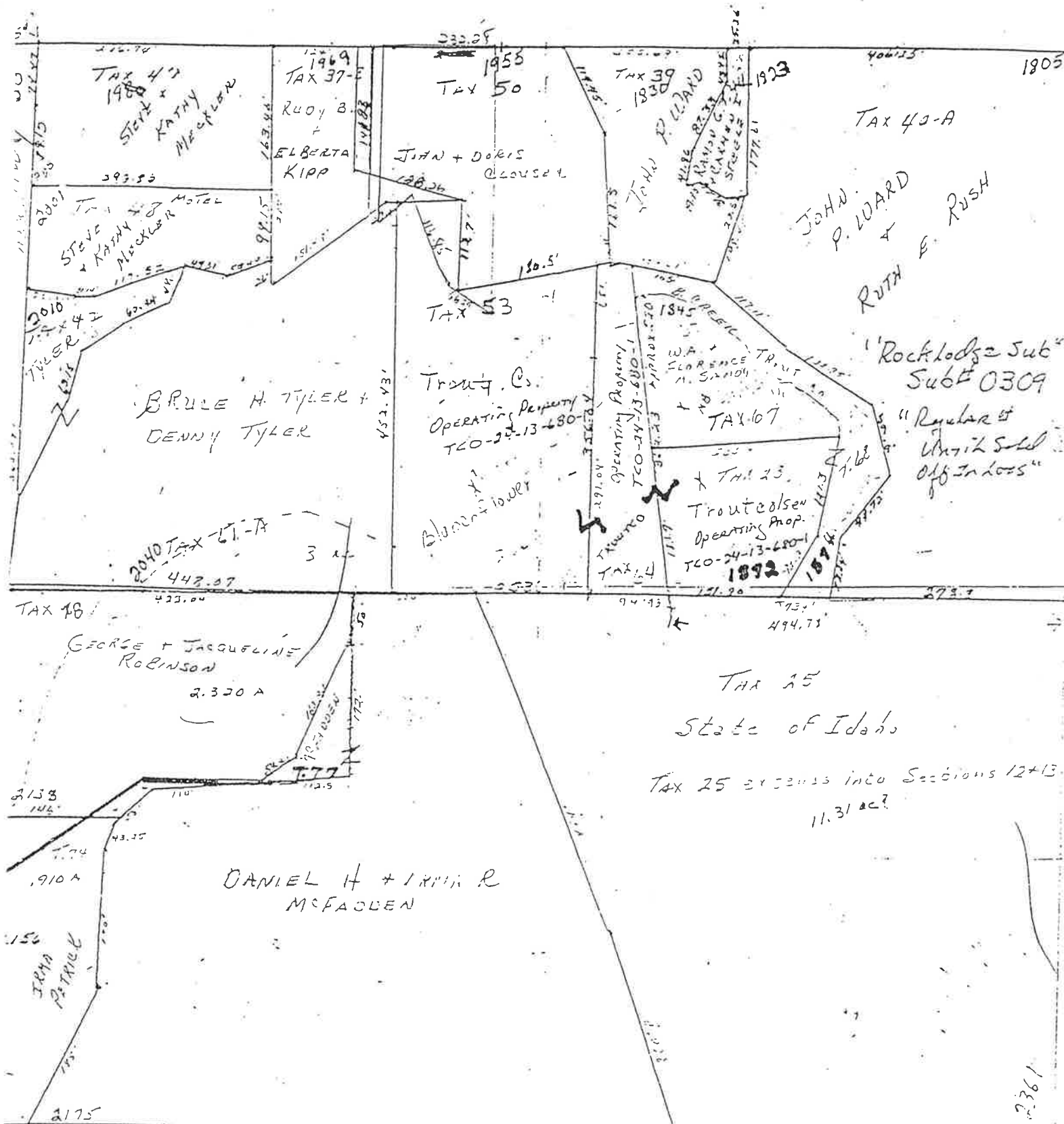
SE 1/4 NE 1/4 Scale 1" = 165'

1/4 mile scale

07S13E11

N 61° N 6'

9.93
9.65



FOR ASSESSMENT
USE ONLY

2361

