

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

SEP 24 2014

DEPT OF WATER RESOURCES
SOUTHERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT – POINT(S) OF DIVERSION

This form may be used to apply to change and/or add points of diversion for existing water rights and to report an ownership change for a water right(s) in connection with the proposed point of diversion change(s). Do not use this form to apply for changes to other elements of a water right. See the Application for Transfer Instructions for help completing this form and for mailing addresses of Department offices where your application can be submitted.

Check all that apply:

- ☒ Change diversion point(s)
 ☐ Add diversion point(s)
 ☐ Ownership change
 ☐ Ownership split
1. APPLICANT(S) Helen & Bond Phone 208 788 3101
2. MAILING ADDRESS 120 Baseline Rd City Belleuve
- State ID Zip 83313 Email bluewatersailing45@gmail.com

☐ If the applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign for the applicant.

☐ If the applicant is not the current water right(s) owner, attach documentation of authority to file the application.

☐ If the application includes a change in ownership of water right(s), attach a copy of the conveyance document, such as a warranty deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property conveyed or description of the water right if no land is conveyed. Additional fee(s) are required for water right ownership changes; see Item 9 for the fee schedule.

If the ownership change resulted in the water right(s) being split, how did the division occur? Mark one:

- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

☐ If the application is not signed by the applicant, attach a Power of Attorney or other documentation providing authority to sign for the applicant.

3. LIST WATER RIGHT NUMBER(S) 37-20619
37-20621

☐ Attach a copy of the water right(s) as recorded, available at www.idwr.idaho.gov, Water Right Transfers, Step 1, or by contacting any Department office.

4. TOTAL AMOUNT OF WATER transferred is 28 cubic feet per second and/or 78 acre-feet per annum.
(diversion rate) (storage volume)

5. POINT OF DIVERSION – Describe all the point(s) of diversion to be included on the water right(s) after the proposed change.

☐ Attach Eastern Snake Plain Aquifer (ESPA) analysis if this transfer proposes to change a point of diversion affecting the ESPA. ESPA analysis information is available at www.idwr.idaho.gov, Water Right Transfers, Online Resources.

New?	Lot	$\frac{1}{4}$	$\frac{1}{4}$	$\frac{1}{4}$	Sec	Twp	Rge	County	Source	Local name or tag #
	2	~~NE~~ SW	SW	NE	06	15	19E	Blaine	Ground water	Bond Well

6. GENERAL INFORMATION

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

I will use an existing well and pump and will install a meter and lockable and controlling works when I apply the water to the land

- b. Who owns the property at the point(s) of diversion? applicant Helen H Bond
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes	No	
☐	☒	undergone a period of five or more consecutive years of non-use,
☐	☒	currently used in a mitigation plan limiting the use of water under the right(s), or
☐	☒	currently enrolled in a Federal set-aside program limiting the use of water under the right(s)?

If yes, describe:

NA

- d. Is any portion of the water right(s) proposed to be changed currently leased to the Water Supply Bank? ☐ Yes ☒ No

NA
NA

☐ If yes and there are multiple owners, attach a Lessor Designation form.
☐ If yes, the individual owner or designated lessor must complete, sign and attach an IRS Form W-9.
(Disregard if these items are on file and ownership has not changed.)

7. **MAP** - ☒ Attach a map of the diversion, measurement, control and distribution system. Include the place of use if a split of the water right occurred. Clearly label the map with township, range, section and $\frac{1}{4}$ $\frac{1}{4}$ of section information. The Map Tool, available at maps.idwr.idaho.gov/TransferApplicationLayouts/ provides a satisfactory template for creating the required map.

8. **SIGNATURE** - The information in this application is true to the best of my knowledge. I understand any willful misrepresentations in this application may result in rejection of the application or cancellation of an approval.

Helen H Bond
Signature of applicant or authorized agent

Helen H Bond
Print name and title if applicable

Sept 23 2014
Date

Signature of applicant or authorized agent

Print name and title if applicable

Date

9. **FEE** - ☐ The application filing fee provided in Section 42-221, Idaho Code, must be submitted with the application for transfer. The Application fee is based on the total amount of water proposed for transfer in Item 4: the larger fee for either cubic feet per second (diversion rate) or acre-feet per annum (storage volume). The Fee Schedule is available at www.idwr.idaho.gov, Water Right Transfers, Step 4 and in the Application for Transfer Instructions.

FOR DEPARTMENT USE ONLY

Transfer includes 23 pages of attachments.

Received by DM / WSM

Date 9-24-2014

Fee paid \$200 - Date 9-24-2014

Received by DM

Receipt # 5034314

Preliminary review by _____

Date _____

Active in the Water Supply Bank? Yes ☐ No ☐

W-9 received? Yes ☐ No ☐

Name on W-9 _____

W-9 forwarded to fiscal? Yes ☐ No ☐

(Do NOT scan the W-9 – confidential information is held by fiscal only)

11/5/2014

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	HELEN H BOND 120 BASELINE RD BELLEVUE, ID 83313 (208)788-1205

Transfer Status: Active

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	11/01	0.110 CFS	36.0 AF
	Total Diversion		0.110 CFS	36.0 AF

GROUND WATER L2(SWNE) Sec. 6, Twp 01S, Rge 19E, BLAINE County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
01S	19E	6			10.0 L2											2.0			12.0

1.	065	The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
2.	104	If the surface water rights appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
3.	R05	Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No.37.
4.	R43	The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
5.	R63	This right when combined with all other rights shall provide no more than 0.02 cfs per

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- acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
6. X35 Rights 37-20619 and 37-20621 when combined shall not exceed a total diversion rate of 0.19 cfs, a total annual maximum diversion volume of 42.0 af, and the irrigation of 12 acres.
 7. X35 Rights 37-11749, 37-11750, 37-11751, 37-11752, 37-20619 and 37-20621 when combined shall not exceed the irrigation of 12 acres.
 8. P21 This right is a split from former Right 37-7817.
 9. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
 10. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
 11. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Comments:

1. jstanton 11/15/2006 Flow & Volume
The appurtenant diversion rate under Lic. 37-7817 is 0.09 cfs for 12 acres. However, the other recommended parts of this license leave 0.11 cfs available to the Hoffman property; I am recommending this amount so that all of the licensed diversion rate are accounted for. The license was issued for 3.0 afa/ac, which was the standard volume at the time. So this claim is recommended for 36 afa for 12 ac.
2. jstanton 11/15/2006 Place of Use
The original license on this farm (37-2556B) recognized all of the property as irrigated, including 13 ac in Lot 2 at the north end of the place. But the 1984 field exam for Permit 37-7817 found only 10 ac to be irrigated in Lot 2 due to the presence of a home and surrounding non-irrigated land. It appears that the right to irrigate the other 3 acres was lost for non-use prior to the filing of the claim in late 1988. I am therefore recommending only 12 acres under the two claims on this property, which is not part of the platted Schoessler Subdivision.
3. jstanton 11/15/2006 POD
This land is still technically served by the original irrigation well, which supplements several surface rights. Hoffman has filed a transfer to put a well on his own land, but that was protested and still pending. I am recommending the pod as licensed.
4. mvanbussum 2/8/2007 Conditions
Updated X59 condition.

Dates and Other Information

Application Received Date: 9/24/2014
Decreed Date: 12/14/2009
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: 37
Application Type: Transfer
Transfer Reason: Change Diversion Point.

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Mitigation Plan: False
Transfer Status: Active
Transfer Total Acres: 12.0
Transfer Total Diversion Rate: 0.280
Transfer Total Diversion Volume: 78.0
Transfer Number: 79587

Combined Use Limits

N/A

SubCase:

N/A

Water Supply Bank:

N/A

11/5/2014

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	HELEN H BOND 120 BASELINE RD BELLEVUE, ID 83313 (208)788-1205

Status: Active

Tributary

Sec. 7, Twp 01S, Rge 19E, BLAINE County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	19E	6			10.0 L2											2.0			12.0

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.
2.	P21	This right is a split from former Right 37-2556B.
3.	E60	Rights 37-20619 and 37-20621 when combined shall not exceed a total diversion rate of 0.19 cfs, and a total annual maximum diversion volume of 42.0 af at the field headgate.
4.	X59	The point of diversion is located in Lot 3 Blk 1 of the Schoessler Subdivision.
5.	104	If the surface water rights appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
6.	065	The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably

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7. E55 sufficient to irrigate the place of use authorized under this right.
Right Nos. 37-11749, 37-11750, 37-11751, 37-11752, 37-20619 and 37-20621 are limited to the irrigation of a combined total of 12 acres in a single irrigation season.

Comments:

1. jstanton 11/15/2006 POU
This right was licensed for 13 acres in Lot 2 based on a 1960 field exam; the pou was owned by several farmers that shared a well under the Baseline Pump Assn. In 1979, Ken Schoessler applied for his own permit to water his portion of the licensed ground from a well on his own land; the field exam for that permit was done in 1984. The 1974 orthoquad shows the home in Lot 2, which I believe to be the original home on this property. It appears that the original field exam was just not sophisticated enough to pay attention to non-irrigated areas like farmsteads, so there was never 18 acres irrigated in this tract. The 1984 exam found only 10 acres, which is about what the 2004 ArcView photo shows as irrigable (not covered by structures, roads, etc.) So I am recommending the 10 acres licensed under the second right (Claim 37-20619) as the total for Lot 2; 3 acres of the claimed 13 acres are recommended for disallowal due to failure to put water to beneficial use for 5 or more consecutive years.
2. jstanton 11/15/2006 Div Volume
This license was issued without a volume amount, and the 1989 transfer did not add volume. Two transfers approved in 2003 involved portions of the 2 claims on this property, but appears to contain volume errors. No volume was established for the 1954 right, so I am recommending the standard 3.5 afa/ac for this right and as the total groundwater volume allowance. The 4 surface rights on the property will not have a volume recommendation.
3. jstanton 11/16/2006 POD
While there is a pending transfer to change the pod for this use, it has been protested. A formal hearing has not yet been held. I am recommending the pod in Sec. 7 per a 1989 transfer that changed the pod to that location for the Schoessler portion of the original license. The other claimed well is the pod for the Baseline Pump Association under Right 37-2556A, which is not licensed to this property; it is therefore not recommended as a pod for Hoffman.
4. mvanbussum 2/8/2007 Conditions
Updated E60 condition.

Dates and Other Information

Decreed Date: 12/14/2009
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Mitigation Plan: False

Combined Use Limits

N/A

SubCase:

N/A

Water Supply Bank:

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11/5/2014

N/A

Legend

ESPA

GCDB Township/Range

GCDB Section

GCDB Quarter-Quarter

Counties



TRANSFER 79587

Instrument # 570438
HALEY, BLAINE, IDAHO
08-21-2008 14:40:28 No. of Pages: 4
Recorded for: FIRST AMERICAN TITLE COMPANY KETC
BY VERA KETC
Ex-Officio Recorder Deputy: AR
Electronically Recorded by Singulife

AFTER RECORDING MAIL TO:

Helen H. Bond
120 Baseline Rd 104 South Cove Lane
Hailey, ID 83333

309655

SPECIAL CORPORATE WARRANTY DEED

FOR VALUE RECEIVED,
Household Finance Corporation, organized and existing under the laws of the United States of America a corporation duly organized and existing under the laws of the State of ~~Id~~, grantor, does hereby Grant, Bargain, Sell and Convey unto

Helen H. Bond, an unmarried person
104 South Cove Lane, Hailey, ID 83333
whose address is: 120 Baseline Rd, Blaine, ID 83315
grantee, the following described real estate, to-wit:

LEGAL DESCRIPTION: Real property in the County of Blaine, State of Idaho, described as follows:

TOWNSHIP 1 SOUTH, RANGE 19 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

SECTION 6: A PARCEL OF LAND IN THE EAST HALF OF SAID SECTION, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING AT A 5/8" REBAR BY P.L.S. 792, MARKING THE NORTH QUARTER CORNER OF SAID SECTION 6, SAID POINT ALSO BEING THE REAL POINT OF BEGINNING; THENCE NORTH 89° 42' 49" EAST, 861.45 FEET ALONG THE NORTH BOUNDARY OF SAID SECTION 6 TO A 5/8" REBAR BY P.L.S. 792; THENCE SOUTH 00° 09' 41" EAST, 755.86 FEET TO A 5/8" REBAR BY P.L.S. 792; THENCE SOUTH 89° 42' 45" WEST, 867.48 FEET TO A 5/8" REBAR BY P.L.S. 792 ON THE WEST BOUNDARY OF THE SOUTHEAST QUARTER OF SAID SECTION 6; THENCE NORTH 00° 17' 45" EAST, 735.92 FEET TO THE REAL POINT OF BEGINNING.
(TAX LOT NO. 7675)**

EXCEPTING THEREFROM THE RIGHT OF WAY OF BASELINE ROAD AND SCHOESSLER LANE.

APN:

SUBJECT TO current years taxes, irrigation district assessment, public utility easements, subdivision restrictions and U.S. patent reservations.

APH:

Corporate Deed-Special
- continued

File No.: 4360-1435677 (TMA)
Date: 06/18/2009

TO HAVE AND TO HOLD The said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that it is the owner in a fee simple of said premises; that they are free from all encumbrances and that it will warrant and defend the same from all lawful claims whatsoever, except as to the reservations from and exceptions to warranty when the claim is by, through or under Grantor, but not otherwise.

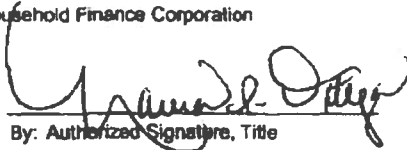
APR:

Corporate Deed-Special
- continued

File No.: 4100-1483477 (TKA)
Date: 08/18/2009

IN WITNESS WHEREOF, The Grantor, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its President this ~~Nineteenth~~ day of August, 2009.

Household Finance Corporation


By: Authorized Signature, Title

Maria i. Ortega
Asst. Vice President

STATE OF _____)
ss.
COUNTY OF _____)

On this _____ day of August, 2009, before me, a Notary Public in and for said State, personally appeared _____ known or identified to me to be the _____ of the corporation that executed the within instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

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

Notary Public for the State of _____
Residing at: _____
My Commission Expires: _____

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

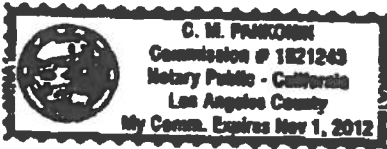
County of Los Angeles

On Aug 19, 2009 before me,

Here Insert Name and Title of the Officer

personally appeared

Maria I. Ortega
Name(s) of Signer(s)



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

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

- ☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

Signer's Name: _____

- ☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

Instrument # 570439
HAILEY, BLAINE, IDAHO
88-21-2080 1408-25 No. of Pages: 3
Recorded for: FIRST AMERICAN TITLE COMPANY KETC
JOLYNN DRAGE Fee: \$8.00
Ex-Officio Recorder Deputy: AR
Electronically Recorded by Simplifile

309655

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

Knoeland, Korb, Collier & Legg
P.O. Box 249
Ketchum, ID 83340-0249
KKCL File No.

(Space above line for Recorder's Use)

QUITCLAIM DEED

FOR VALUE RECEIVED Household Finance Corporation, a _____ corporation,
as Grantor, and pursuant to authority given the Board of Directors of such corporation, does
hereby convey, release, remise and forever quitclaim unto Helen H. Bond, an unmarried woman,
whose address is 104 South Cove Lane, Hailey, Idaho 83333, as Grantee, and to Grantee's heirs,
successors and assigns forever the following Idaho Department of Water Resources, Water
Rights Numbers 37-11749; 37-11750; 37-11751; 37-11752; 37-11753; 37-20619 and 37-20621
appurtenant to Real Property described on Exhibit A, attached hereto and by this reference made
a part hereof:

IN WITNESS WHEREOF, Grantor has heretofore subscribed its name to this instrument
this 19 day of August, 2009.

HOUSEHOLD FINANCE CORPORATION

By _____, its

STATE OF IDAHO)
County of Blaine) ss

Maria L. Ortega
Asst. Vice President

On this _____ day of August, 2009, before me, the undersigned, a Notary Public in and for said
State, personally appeared _____, known to me to be the
of Household Finance Corporation, a _____ corporation, signer of the foregoing instrument,
who duly acknowledged to me that s/he executed the same on behalf of said corporation.

WITNESS my hand and seal the day and year in this certificate first above written.

(Seal)

Notary Public for Idaho
Residing at _____
Commission Expires _____

F:\WPDATA\Notary\Notarhead\quitclaim deed.wpd

QUITCLAIM DEED

Page 1

EXHIBIT "A"

**TOWNSHIP 1 SOUTH, RANGE 19 EAST, BOISE MERIDIAN, BLAINE
COUNTY, IDAHO.**

**SECTION 6: A PARCEL OF LAND IN THE E1/2 OF SAID SECTION MORE
PARTICULARLY DESCRIBED AS FOLLOWS:**

**BEGINNING at a 5/8" rebar by P.L.S. 792, marking the N1/4 corner of said
SECTION 6, said point also being the REAL POINT OF BEGINNING; thence N.
89°42'49" E., 861.45 feet along the north boundary of said Section 6 to a 5/8"
rebar by P.L.S. 792;
THENCE S. 00°09'41" E., 755.86 feet to a 5/8" rebar by P.L.S. 792;
THENCE S. 89°42'45" W., 867.48 feet to a 5/8" rebar by P.L.S. 792 on the West
boundary of the SE1/4 of said Section 6;
THENCE N. 00°17'45" E., 755.92 feet to the REAL POINT OF BEGINNING.
(Tax Lot No. 7675)**

Excepting therefrom the right of way of Baseline Road and Schoessler Lane.

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

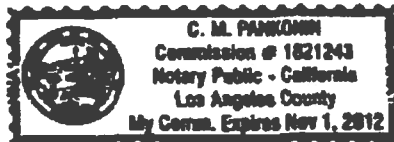
County of Los Angeles

On Aug 19, 2009 before me,

personally appeared

C. M. Pankonin
Here Insert Name and Title of the Officer
Maria J. Ortega
Name(s) of Signer(s)

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



Place Notary Seal Above

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

- ☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

Signer's Name: _____

- ☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____



First American Title Company

120 Second Ave. North/P O Box 7999, Ketchum, ID 83340
Phone (208)726-5688 - Fax (208)726-3567

Escrow Officer: -

Title Officer: Basil Service - bservice@firstamholding.com

To: **Sun Land Investments, Inc.**
PO Box 880
Bellevue, ID 83313

Order No.: **309655K**

Attn:

Your Ref:

Re: **Property Address: 120 Baseline Road, Blaine County, ID 83313**

COMMITMENT FOR TITLE INSURANCE

Issued by

FIRST AMERICAN TITLE INSURANCE COMPANY

Agreement to Issue Policy

We agree to issue a policy to you according to the terms of this Commitment.

When we show the policy amount and your name as the proposed insured in Schedule A, this Commitment becomes effective as of the Commitment Date shown in Schedule A.

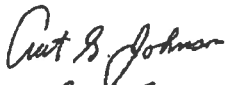
If the Requirements shown in this Commitment have not been met within six months after the Commitment Date, our obligation under this Commitment will end. Also, our obligation under this Commitment will end when the Policy is issued and then our obligation to you will be under the Policy.

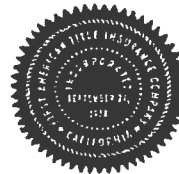
Our obligation under this Commitment is limited by the following:

- The Provisions in Schedule A.
- The Requirements in Schedule B-I.
- The Exceptions in Schedule B-II.
- The Conditions.

This Commitment is not valid without Schedule A and Section 1 and 2 of Schedule B.

First American Title Insurance Company

BY  PRESIDENT
ATTEST  SECRETARY



Countersigned
First American Title Company



ALTA Plain Language Commitment Form

INFORMATION

The Title Insurance Commitment is a legal contract between you and the Company. It is issued to show the basis on which we will issue a Title Insurance Policy to you. The Policy will insure you against certain risks to the land title, subject to the limitations shown in the Policy.

The Company will give you a sample of the Policy form, if you ask.

The Policy contains an arbitration clause. All arbitrable matters when the Amount of Insurance is \$2,000,000 or less shall be arbitrated at the option of either the Company or you as the exclusive remedy of the parties. You may review a copy of the arbitration rules at <http://www.alta.org/>.

The Commitment is based on the land title as of the Commitment Date. Any changes in the land title or the transaction may affect the Commitment and the Policy.

The Commitment is subject to its Requirements, Exceptions and Conditions.

THIS INFORMATION IS NOT PART OF THE TITLE INSURANCE COMMITMENT. YOU SHOULD READ THE COMMITMENT VERY CAREFULLY.

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AGREEMENT TO ISSUE POLICY

SCHEDULE A

1. Commitment Date
2. Policies to be Issued, Amounts and Proposed Insureds
3. Interest in the Land and Owner
4. Description of the Land

SCHEDULE B-I -- REQUIREMENTS

SCHEDULE B-II -- EXCEPTIONS

CONDITIONS

**FIRST COMMITMENT
SCHEDULE A**

1. Commitment Date : **August 05, 2009 at 7:30 A.M.**

2. Policy or Policies to be issued:

Policy Amount Premium Amount

Owner's Policy

Standard Owner's Policy (6/17/06) Form 1402-06
with applied credit of

\$ 360,000.00

\$ 1,474.00

\$ None Available

Proposed Insured:

Helen H. Bond and Andrea Adams

Loan Policy

Loan Policy (06/17/06) Form 1056-06
with applied credit of

\$ 0.00

\$

\$ None Available

Proposed Insured:

Endorsements:

\$

3. A fee simple interest in the land described in this Commitment is owned, at the Commitment Date by:

Household Finance Corporation

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

TOWNSHIP 1 SOUTH, RANGE 19 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

SECTION 6: A PARCEL OF LAND IN THE E1/2 OF SAID SECTION, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING AT A 5/8" REBAR BY P.L.S. 792, MARKING THE N 1/4 CORNER OF SAID SECTION 6, SAID POINT ALSO BEING THE REAL POINT OF BEGINNING; THENCE N. 89° 42' 49" E., 861.45 FEET ALONG THE NORTH BOUNDARY OF SAID SECTION 6 TO A 5/8" REBAR BY P.L.S. 792; THENCE S. 00° 09' 41" E., 755.86 FEET TO A 5/8" REBAR BY P.L.S. 792; THENCE S. 89° 42' 45" W., 867.48 FEET TO A 5/8" REBAR BY P.L.S. 792 ON THE WEST BOUNDARY OF THE SE1/4 OF SAID SECTION 6; THENCE N. 00° 17' 45" E., 755.92 FEET TO THE REAL POINT OF BEGINNING.
(TAX LOT NO. 7675)**

EXCEPTING THEREFROM THE RIGHT OF WAY OF BASELINE ROAD AND SCHOESSLER LANE.

Commonly known as: 120 Baseline Road, Blaine County, ID 83313

SCHEDULE B-SECTION I
REQUIREMENTS

The following requirements must be met:

- (a) Pay the agreed amounts for the interest in the land and/or the mortgage to be insured.
- (b) Pay us the premiums, fees and charges for the policy.
- (c) Documents satisfactory to us creating the interest in the land and/or the mortgage to be insured must be signed, delivered and recorded.
- (d) You must tell us in writing the name of anyone not referred to in this Commitment who will get an interest in the land or who will make a loan on the land. We may then make additional requirements or exceptions.
- (e) Release(s) or Reconveyance(s) of item(s) **as meets lender's / buyer's requirements..**
- (f) If any document in the completion of this transaction is to be executed by an attorney-in-fact, the Power of Attorney must be submitted for review prior to closing.
- (g) Idaho Code §31 3504 permits the state or counties that provide indigent medical assistance to a lien upon real property of the person provided assistance. We require the attached affidavit to be completed prior to recording to eliminate an exception to such lien.
- (h) Pursuant to chapter 10, title 55, Idaho code, we will require that both incoming owner spouses execute any forthcoming mortgage, or we must be furnished satisfactory proof that; (1) the subject property is not their principal residence, (2) the land is not claimed as homestead and the address of their principal residence, or (3) proof that the incoming owner is not married.
- (i) In order to release exceptions Nos: 9 and 10 this office will require reconveyances of said documents.

**SCHEDULE B -SECTION II
EXCEPTIONS**

Any policy we issue will have the following exceptions unless they are taken care of to our satisfaction.

PART I:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
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. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the title including discrepancies, conflicts in boundary lines, shortage in area, or any other facts that would be disclosed by an accurate and complete land survey of the land, and that are not shown in the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the public records.
6. Any liens, or rights to a lien, for services, labor or material theretofore or hereafter furnished, imposed by law and not shown by the public records.
7. 2009 taxes are an accruing lien, not yet due and payable until the fourth Monday in November of the current year. The first one-half is not delinquent until after December 20 of the current year, the second one-half is not delinquent until after June 20 of the following year. Taxes which may be assessed and entered on the property roll for 2009 with respect to new improvements and first occupancy, which may be included on the regular property, which are an accruing lien, not yet due and payable.

General taxes as set forth below. Any amounts not paid when due will accrue penalties and interest in addition to the amount stated herein:

Year	Original Amount	Amount Paid	Parcel Number
2008	\$925.16	\$925.16	01S190061120

Homeowners Exemption is in effect for 2008.
Circuit breaker is not in effect for 2008.

8. Matters contained in that certain survey, recorded June 22, 2000, as Instrument No. 440441, records of Blaine County, Idaho.

9. Deed of Trust dated June 9, 2003, to secure an original indebtedness of \$454,737.09, and any other amounts and/or obligations secured thereby
Recorded: June 13, 2003, as Instrument No. 485544
Grantor: Robert B. Hoffman and Sally J. Hoffman, husband and wife
Trustee: First American Title Company
Beneficiary: Household Finance Corporation

By instrument recorded as Instrument No. 568624, the original trustee in said deed of trust has resigned, and a successor trustee Alliance Title & Escrow Corp has been appointed.

Estoppel Affidavit, recorded June 24, 2009, as Instrument No. 568626.

Estoppel Certificate, recorded June 24, 2009, as Instrument No. 568267.

10. Deed of Trust dated October 20, 2005, to secure an original indebtedness of \$151,100.00, and any other amounts and/or obligations secured thereby
Recorded: October 21, 2005, as Instrument No. 527816
Grantor: Robert B. Hoffman and Sally J. Hoffman, husband and wife
Trustee: First American Title Company
Beneficiary: Household Finance Corporation III

Estoppel Affidavit, recorded June 24, 2009, as Instrument No. 568626.

Estoppel Certificate, recorded June 24, 2009, as Instrument No. 568267.

NOTE: The foregoing numbered exceptions (1-6) may be eliminated in an ALTA Extended or EAGLE Coverage Policy.

INFORMATIONAL NOTES

- A. **In addition to standard County recording fees, an electronic filing fee of \$5.00 per document will be charged.**
- B. Pursuant to the State of Idaho Insurance Regulations: A cancellation fee will be charged on all cancelled orders, unless notified to the contrary, all orders shall be cancelled and a billing sent within 6 months of the effective date on the commitment.

CONDITIONS

1. DEFINITIONS

(a)"Mortgage" means mortgage, deed of trust or other security instrument.

(b)"Public Records" means title records that give constructive notice of matters affecting your title according to the state statutes where the land is located.

2. LATER DEFECTS

The Exceptions in Schedule B - Section II may be amended to show any defects, liens or encumbrances that appear for the first time in the public records or are created or attach between the Commitment Date and the date on which all of the Requirements (a) and (c) of Schedule B - Section I are met. We shall have no liability to you because of this amendment.

3. EXISTING DEFECTS

If any defects, liens or encumbrances existing at Commitment Date are not shown in Schedule B, we may amend Schedule B to show them. If we do amend Schedule B to show these defects, liens or encumbrances, we shall be liable to you according to Paragraph 4 below unless you knew of this information and did not tell us about it in writing.

4. LIMITATION OF OUR LIABILITY

Our only obligation is to issue to you the Policy referred to in this Commitment, when you have met its Requirements. If we have any liability to you for any loss you incur because of an error in this Commitment, our liability will be limited to your actual loss caused by your relying on this Commitment when you acted in good faith to:

Comply with the Requirements shown in Schedule B - Section I

or

Eliminate with our written consent any Exceptions shown in Schedule B - Section II.

We shall not be liable for more than the Policy Amount shown in Schedule A of this Commitment and our liability is subject to the terms of the Policy form to be issued to you.

5. CLAIMS MUST BE BASED ON THIS COMMITMENT

Any claim, whether or not based on negligence, which you may have against us concerning the title to the land must be based on this commitment and is subject to its terms.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

November 13, 2014

HELEN H BOND
120 BASELINE RD
BELLEVUE, ID 83313

RE: Transfer No. 79587
Water Right No(s). 37-20619, 37-20621

Dear Applicant(s):

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the **IDAHO MOUNTAIN EXPRESS on 11/19/2014 and 11/26/2014**. Protests to this application may be submitted for a period ending ten (10) days after the second publication **(December 8, 2014)**.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

Please contact this office if you have any questions regarding the application.

Sincerely,

Denise Maline
Administrative Assistant

Maline, Denise

From: Maline, Denise
Sent: Thursday, November 13, 2014 11:09 AM
To: Idaho Mountain Express
Subject: LEGAL NOTICE
Attachments: Idaho Mtn Express Cover Letter.docx; Idaho Mtn Express Ad.doc

Attached please find (1) legal notice being submitted for publication on November 19th & 26th, 2014. Please feel free to contact me if you have any questions, or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise Maline
Administrative Assistant
Idaho Dept of Water Resources, Southern Region
650 Addison Ave W, Ste 500
Twin Falls, ID 83301
(208) 736-3033
denise.maline@idwr.idaho.gov



State of Idaho

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

November 13, 2014

LEGAL NOTICE DEPARTMENT
IDAHO MOUNTAIN EXPRESS
PO BOX 1013
KETCHUM, ID 83340

RE: Transfer No. 79430
Water Right No(s): 37-22771, 37-7393

RE: Transfer No. 79587
Water Right No(s): 37-20619, 37-20621

RE: Extension of Time to Avoid Forfeiture of a Water Right No. 37-659A, 37-577CA

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before December 8, 2014. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 79430

SOUTH COVE VENTURES LLC, C/O GREGORY VIK, PO BOX 1607, BELLEVUE, WA 98009; has filed Application No. 79430 for changes to the following water rights within BLAINE, CAMAS County(s): Right No(s). 37-22771, 37-7393; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes moving a 19.8 acre portion (0.25 cfs) of an irrigation ground water right from an existing farm located approximately 19.25 to 19.5 mi. east and 4.7 to 5.0 mi. south of Fairfield. Two existing wells will divert the 0.25 cfs which when combined with the existing right will allow for the diversion of 2.83 cfs and 822.9 AF for the irrigation of 274.3 acres on an existing farm located approximately 2.0 to 3.0 east of Fairfield on the south side of HWY 20. Published in Idaho Mountain Express & Camas Courier on November 19th & 26th, 2014

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 79587

HELEN H BOND, 120 BASELINE RD, BELLEVUE, ID 83313; has filed Application No. 79587 for changes to the following water rights within BLAINE County(s): Right No(s). 37-20619, 37-20621; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes adding an existing well as an authorized point of diversion to two irrigation ground water rights for a total diversion of 0.19 cfs. The well to be added is located approximately 0.95 miles east and 6.7 miles south of the intersection of Broadford Rd. and Hwy 75 in Bellevue.

Extension of Time to Avoid Forfeiture

Lynn H. Campion , PO Box 3710, Hailey, ID 83333 filed two Extensions of Time to Avoid Forfeiture. The first application is for Water Right 37-659A, with an 1889 priority from the Big Wood River in the amount of 0.540 cfs for 40.0 acres. The second application is for water right 37-577CA, with an 1883 priority from the Big Wood River in the amount of 0.260 cfs for 40 acres. Both water rights were partially decreed on 1/29/2010. Applicant is currently not able to divert the water under these rights for reasons beyond their control and is actively pursuing means to reestablish use of the water rights. Both water rights are appurtenant to 40 acres of land located approximately 2.6 to 2.9 miles north and 1.0 to 1.2 miles west of the intersection of Hwy 75 and Bullion St in Hailey. For further information regarding these applications, you may research at the following link, under water right 37-659A & 37-577CA: www.idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 650 Addison Ave W Ste 500, Twin Falls ID 83301 together with a protest fee of \$25.00 for each application on or before December 8, 2014. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on November 19th & 26th, 2014

Maline, Denise

From: Maline, Denise
Sent: Thursday, November 13, 2014 1:41 PM
To: 'Kevin Lakey'
Subject: Comment Letters for transfers 79430 & 79587; Ext. of Time for 37-659A & 37-577CA
Attachments: Transfer 79430.pdf; Transfer 79587.pdf; Ext. of Time 37-659A.pdf; Ext. of Time 37-577CA.pdf; Comment Letter to WM37 for 37-659A, 37-577CA, 79587, 79430.docx

Good afternoon Kevin,

Attached please find a cover letter & recommendation forms; along with a copy of application for transfer #79430, #79587; and Extension of Time applications for 37-659A and 37-577CA.

Please review the information and comment as necessary within 21 days. Also, please feel free to contact our office if you have any questions.

Thank you in advance,

Denise Maline
Administrative Assistant
Idaho Dept of Water Resources, Southern Region
650 Addison Ave W, Ste 500
Twin Falls, ID 83301
(208) 736-3033
denise.maline@idwr.idaho.gov



State of Idaho

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

November 13, 2014

KEVIN LAKEY
WATER DISTRICT #37
107 W 1ST ST
SHOSHONE, ID 83352

Via e-mail

RE: Application For Extension of Time to Avoid Forfeiture of Water Right No.(s):
37-659A, 37-577CA

RE: Transfer No. 79587
Water Right No(s). 37-20619, 37-20621

RE: Transfer No. 79430
Water Right No(s). 37-22771, 37-7393

Dear Mr. Lakey:

A copy of the above referenced application is enclosed. Please review the application, then complete the enclosed recommendation form as necessary, and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR's regional offices can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

MEMORANDUM

Date: November 6, 2014
To: Transfer 79587 File
From: William Mills
Re: Evaluation of Sufficiency of Information Submitted

Application for transfer proposes changing the authorized point of diversion for two ground water rights, 37-20619 (0.11 cfs; 36.0 af), and 37-20621 (0.17 cfs; 42 af), to an existing well. The rights when combined are limited to a diversion rate of 0.19 cfs and a volume of 42.0 af. The current point of diversion for both water rights was formerly a shared well, that is now privately owned by a third party and the applicant cannot no longer access the well for delivery of ground water under these rights. The applicant is seeking to change the point of diversion to a domestic well located on the applicants' property adjacent to the place of use. Proposed point of diversion is located 6.7 miles south and 0.95 miles east of the intersection of Hwy 75 and Broadford Rd in Bellevue. Point of diversion and place of use are also located in Water District 37 and watermaster comments will be solicited.

There are four Big Wood River Rights used within the same place of use and they are all conditioned to limit irrigation of all the surface water rights and the two ground water rights in this transfer to a combined 12 acres of irrigation. The surface water rights are:

37-11749 for 1.700 cfs;
37-11750 for 0.130 cfs;
37-11751 for 0.590 cfs;
37-11752 for 0.070 cfs;

- **Authority to File:**
IDWR records indicate the applicant currently owns the water rights involved in the transfer.
- **Water Right Validity:**
Both water rights were decreed in the SRBA on 12/14/2009. Home site and lot are visible in 2011 aerial imagery and 2013 satellite imagery and appear to be irrigated.
- **Injury to Other Water Rights:**
None anticipated.
- **Enlargement of Use:**
None anticipated. No change to place of use.
- **Local Public Interest:**
No issues anticipated.
- **Beneficial Use/Conservation of Water Resources:**
Proposed uses are recognized as beneficial uses of water.

- **Effect on Economy of the Local Area:**
No change to local economy anticipated.
- **Effect on Agricultural Base of the Local Area:**
No change to agricultural base anticipated.

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.