

RECEIVED

SEP 22 2008

Form 42-248/42-1409(6) 10/07

DEPT. OF WATER RESOURCES  
SOUTHERN 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.

- 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 IDWR will produce new water right number(s) for the split(s).

| Water Right No(s) | Adjudication Claim No(s) | Split(s) | Water Right No(s) | Adjudication Claim No(s) | Split(s) |
|-------------------|--------------------------|----------|-------------------|--------------------------|----------|
|                   | 37-4H                    |          |                   |                          |          |
|                   |                          |          |                   |                          |          |
|                   |                          |          |                   |                          |          |
|                   |                          |          |                   |                          |          |
|                   |                          |          |                   |                          |          |
|                   |                          |          |                   |                          |          |

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

- ~~Appropriate FILING FEE. See instructions for fee amount.~~
  - 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**.
  - 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 on file with the county Planning and Zoning or Recorder's Office).
- 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 or equivalent **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.

- Name and Address of Former Owner/Claimant(s)

*[Handwritten signature]*

Catherine B. Mann  
PO Box 3421  
Hailey, ID  
83333

- New Owner/Claimant(s)

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

~~Address~~ Mailing Address

City, State and ZIP Code

~~Telephone Number~~ Telephone Number

(208) 788-6130

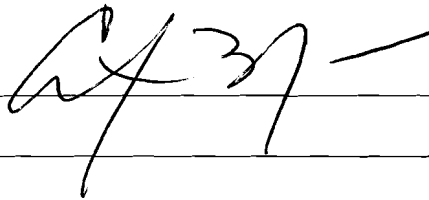
Email: Cubbieb@hotmail.com

5. Date you acquired the property \_\_\_\_\_
6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (you may copy this page, if necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

| <b>DESCRIPTION OF YOUR PORTION OF WATER RIGHT</b><br>(If the right will not be split, skip this area and proceed to line 7) |                                                                                   |                                                                     |
|-----------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|---------------------------------------------------------------------|
| <b>Water Use</b>                                                                                                            | <b>Diversion Rate or Volume</b><br>(cubic feet per second or acre-feet per annum) | <b>Description</b><br>(acres, number and type of stock, homes, etc) |
| <b>Water Right and/or Adjudication Claim Number</b> _____                                                                   |                                                                                   |                                                                     |
| Irrigation                                                                                                                  |                                                                                   |                                                                     |
| Stock                                                                                                                       |                                                                                   |                                                                     |
| Domestic                                                                                                                    |                                                                                   |                                                                     |
| Other                                                                                                                       |                                                                                   |                                                                     |
| <b>Totals</b>                                                                                                               |                                                                                   |                                                                     |
| <b>Water Right and/or Adjudication Claim Number</b> _____                                                                   |                                                                                   |                                                                     |
| Irrigation                                                                                                                  |                                                                                   |                                                                     |
| Stock                                                                                                                       |                                                                                   |                                                                     |
| Domestic                                                                                                                    |                                                                                   |                                                                     |
| Other                                                                                                                       |                                                                                   |                                                                     |
| <b>Totals</b>                                                                                                               |                                                                                   |                                                                     |
| <b>Water Right and/or Adjudication Claim Number</b> _____                                                                   |                                                                                   |                                                                     |
| Irrigation                                                                                                                  |                                                                                   |                                                                     |
| Stock                                                                                                                       |                                                                                   |                                                                     |
| Domestic                                                                                                                    |                                                                                   |                                                                     |
| Other                                                                                                                       |                                                                                   |                                                                     |
| <b>Totals</b>                                                                                                               |                                                                                   |                                                                     |

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

7. Signature(s) of New Owner(s) or Claimant(s) \_\_\_\_\_



(title if applicable)

(title if applicable)

**IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.**

**For IDWR Office Use Only:**

Received by \_\_\_\_\_ Date \_\_\_\_\_  
 Received by \_\_\_\_\_ Date \_\_\_\_\_  
 Processed by \_\_\_\_\_ A.J. Date \_\_\_\_\_

Receipt Amt. \_\_\_\_\_  
 Receipt No. \_\_\_\_\_  
 WR \_\_\_\_\_ Date \_\_\_\_\_

AMERICAN LAND TITLE ASSOCIATION  
OWNER'S POLICY  
(10-17-92)

Policy No. 72106- 1517204

CHICAGO TITLE INSURANCE COMPANY

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE B AND THE CONDITIONS AND STIPULATIONS, CHICAGO TITLE INSURANCE COMPANY, a Missouri 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:

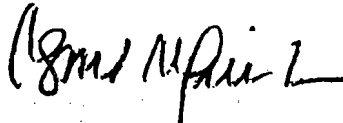
1. Title to the estate or interest described in Schedule A being vested other than as stated therein;
2. Any defect in or lien or encumbrance on the title;
3. Unmarketability of the title;
4. Lack of a right of access to and from the land.

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.

*In Witness Whereof*, CHICAGO TITLE INSURANCE COMPANY has caused this policy to be signed and sealed as of Date of Policy shown in Schedule A, the policy to become valid when countersigned by an authorized signatory.

CHICAGO TITLE INSURANCE COMPANY

By:



President

ATTEST:



Secretary



**ORDER NO. 57753**

**POLICY NO. 72106-1517204**

**SCHEDULE A**

Amount of Insurance: **\$1,550,000.00**

Premium: **\$3,880.00**

Total: **\$3,880.00**

Date of Policy: **December 7, 2007 at 11:08 AM**

1. Name of Insured:

**CATHERINE BOAS MANN, an unmarried person**

2. The estate or interest in the land is:

**Fee Simple**

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

**CATHERINE BOAS MANN, an unmarried person**

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

**Lot 4, Block 1 of BUCKHORN SUBDIVISION, FIRST ADDITION, according to the official plat thereof, recorded as Instrument No. 217019, records of Blaine County, Idaho.**



**CHICAGO TITLE INSURANCE COMPANY**

**ORDER NO. 57753**

**POLICY NO. 72106-1517204**

**SCHEDULE B**

**EXCEPTIONS FROM COVERAGE**

This policy does not insure against loss or damage (and the Company will not pay costs, attorney's fees or expenses) which arise by reason of:

**PART I**

**SECTION 1**

1. Rights or claims of parties in possession not shown by the public records.
2. Encroachments, overlaps, boundary line disputes, and any other matters which would be disclosed by an accurate survey or inspection of the premises including, but not limited to, insufficient or impaired access or matters contradictory to any survey plat shown by the public records.
3. Easements, or claims of easements, not shown by the public records.
4. Any lien, or right to lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by 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. Taxes or special assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records. Proceedings by a public agency, which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.

**SECTION 2**

1. Easements, Restrictions and Notes as shown on the recorded plat of said subdivision.



**CHICAGO TITLE INSURANCE COMPANY**

**ORDER NO. 57753**

**POLICY NO. 72106-1517204**

2. Declaration of Restrictions for Buckhorn Subdivision, First Addition, (but omitting covenants or restrictions, if any, based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law), recorded July 10, 1981, as Instrument No. 217020, and First Amendment, recorded May 16, 1983, as Instrument No. 238335. (Affects all lots)
3. A Deed of Trust and Riders to secure an indebtedness in the principal sum of \$1,162,500.00, recorded December 7, 2007, as Instrument No. 553825.  
Dated: December 7, 2007  
Grantor: Catherine Boas Mann, an unmarried woman  
Trustee: AmeriTitle Inc, an Oregon corporation  
Beneficiary: Mortgage Electronic Registration Systems, Inc., acting as nominee for Wachovia Mortgage Corporation

**END SCHEDULE B**

**NOTE:** Any map or sketch enclosed as an attachment herewith is furnished for information purposes only to assist in property location with reference to streets and other parcels. No representation is made as to accuracy and the company assumes no liability for any loss occurring by reason of reliance thereon.



**CHICAGO TITLE INSURANCE COMPANY**



IDWD  
Order No. 0057753

Instrument # 553824

HAILEY, BLAINE, IDAHO

2007-12-07 11:05:29 No. of Pages: 1

Recorded for: AMERITITLE

JOLYNN DRAGE

Fee: 3.00

Ex-Officio Recorder Deputy

Index to: WTYQC/CORP DEED

*JB*

## WARRANTY DEED

For Value Received,

**Colleen R. Sullivan, an unmarried person**

GRANTOR(s), do(es) hereby GRANT, BARGAIN, SELL and CONVEY unto  
Boas

**Catherine B. Mann, an unmarried person**

GRANTEE(s), whose address is: **P.O. Box 3421, Hailey, ID 83333**

the following described real property, to-wit:

**Lot 4, Block 1 of BUCKHORN SUBDIVISION, FIRST ADDITION, according to the official plat thereof, recorded as Instrument No. 217019, records of Blaine County, Idaho.**

TO HAVE AND TO HOLD the premises with its appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises that said premises are free from all encumbrances except the current year's taxes and assessments, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record and that they will warrant and defend the same from all lawful claims whatsoever.

DATED this 3 day of December, 2007.

Colleen R. Sullivan  
Colleen R. Sullivan

State of Idaho )

ss

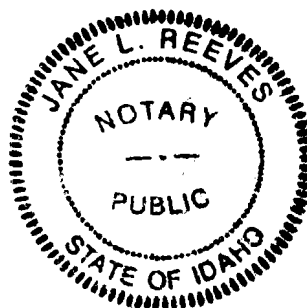
County of Blaine )

On this 3<sup>rd</sup> day of December, 2007 before me Jane L. Reeves, a notary public in and for said State, personally appeared Colleen R. Sullivan known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Jane L. Reeves  
Notary Public

Residing at: Blaine County

Commission Expires: 07-25-09



**BUCKHORN  
SUBDIVISION  
FIRST ADDITION**

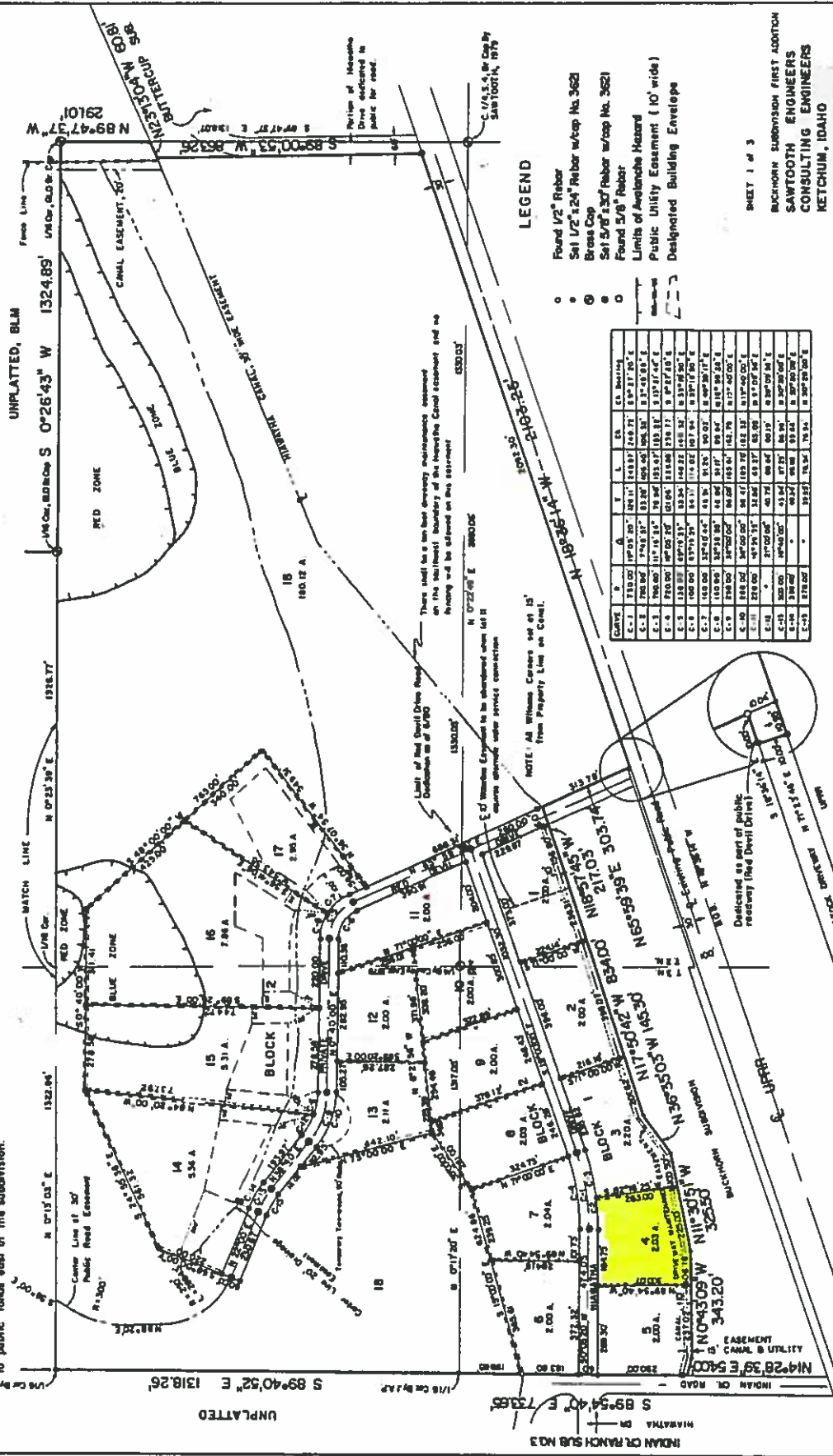
LOCATED WITHIN S. 4, T.2N., R.18E., & S. 33, T.3N., R.18E., B.M.

BLAINE COUNTY, IDAHO

JUNE, 1980

## NOTES:

1. No building within 10' radius of 1/4 corner of Lot 10.
2. That part of Red Devil Drive East of the Red-Devil-Howethe Intersection shall be a private roadway, but the public may utilize Red Devil Drive for access to public lands east of the subdivision.



= by D. Jones 9/30/88 per title ins.

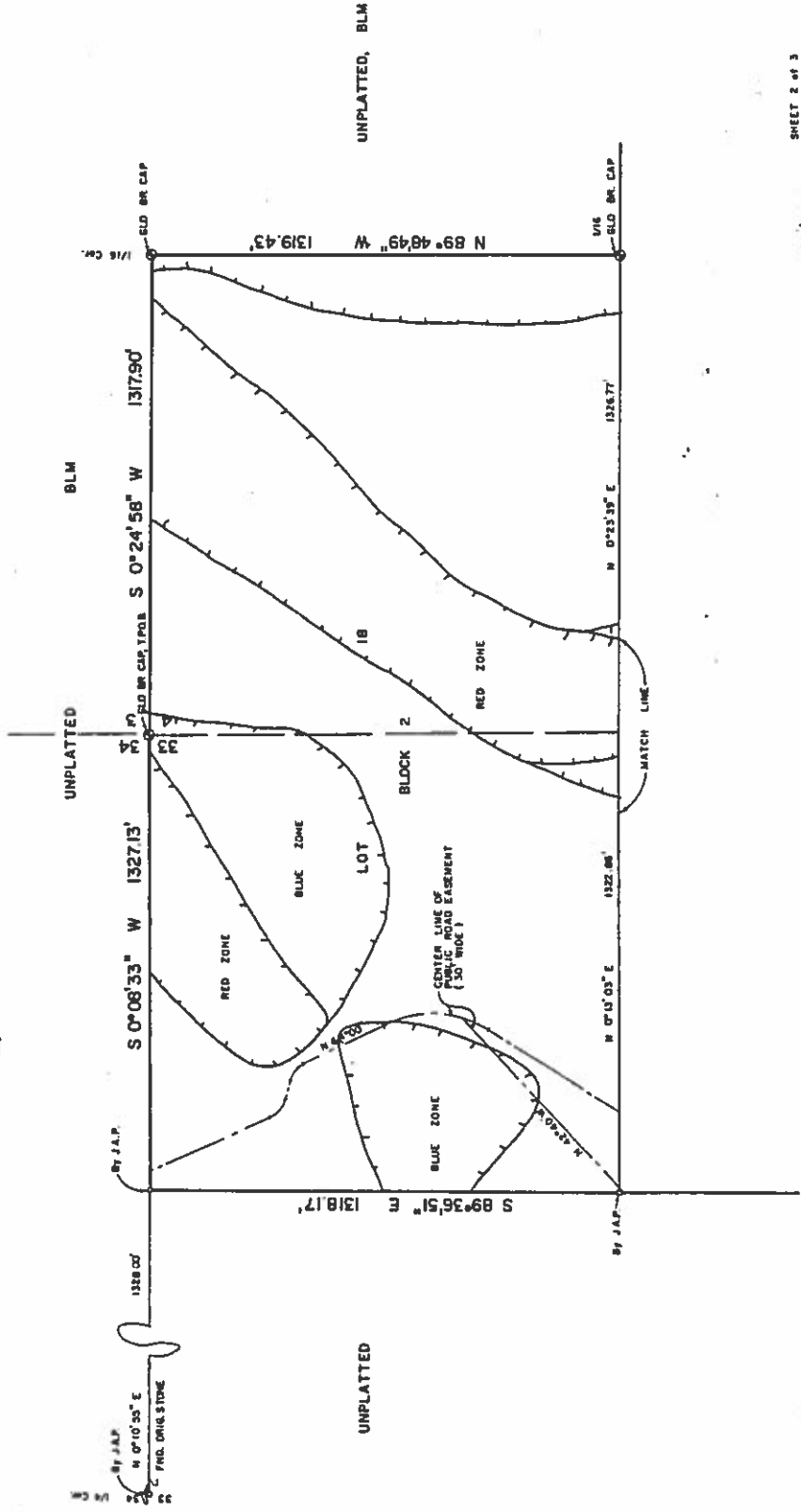
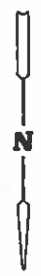
This map is a photographic reproduction of that on file in either the Recorder's Office or the Surveyor's Office. The Company assumes no liability for variation, if any, with another or re-survey. Courtesy of AMERITITLE.

PLAT SHOWING  
**BUCKHORN SUBDIVISION FIRST ADDITION**  
LOCATED WITHIN S. 4, T.2N., R.18E., & S. 33, T.3N., R.18E., B.M.

BLAINE COUNTY, IDAHO  
SCALE IN FEET  
1980

LEGEND

- Found 1/2" Rebar
- Set 1/2"x24" Rebar w/cap No. 3621
- Brass Cap
- Set 3/8"x30" Rebar w/cap No. 3621
- Found 5/8" Rebar
- Limits of Avalanche Hazard



SHEET 2 of 3  
BUCKHORN SUBDIVISION FIRST ADDITION  
SAWTOOTH ENGINEERS  
CONSULTING ENGINEERS  
KETCHUM, IDAHO

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# CERTIFICATE OF OWNERSHIP

This is to certify that I, Kenneth Buttram, am the owner in fee simple of a parcel of land located within Section 4, T. 2 N., R. 18 E., and Section 33, T. 3 N., R. 18 E., B. M., Blaine Co., Idaho, more particularly described as follows: commencing at a brass cap marking the Southeast corner of said Section 33, which point is the real point of beginning; thence S 0°24'59" W 1317.90' along the Eastern boundary of said Section 4 to a brass cap marking the Southeast corner of the NE 1/4, said Section 4, thence N 89°48'49" W 1319.43' along the South boundary of said NE 1/4, said Section 4 to a brass cap marking the Southwest corner of said NE 1/4, said Section 4, thence S 0°26'43" W 1524.89' along the Eastern boundary of the SW 1/4, said Section 4, thence N 89°47'37" W 291.01' along the south boundary of said SW 1/4, said Section 4, thence N 23°13'04" W 60.81' along the eastern line of said canal; thence S 89°00'53" W 863.26' to an iron pin on the Eastern Right of Way of the Union Pacific Railroad; thence N 18°36'14" W 2103.25' along said Eastern Right of Way to an iron pin; thence N 77°23'46" E 1000' to an iron pin; thence S 18°36'14" E 1000' to an iron pin; thence N 86°59'39" E 303.74' to the Hiawatha canal; thence along the following 6 courses, thence N 18°57'45" W 217.03'; thence N 17°50'42" W 834.00'; thence N 36°35'03" W 145.30'; thence N 11°30'51" W 323.50'; thence N 0°43'09" 343.20'; thence N 14°28'35" E 54.00'; thence S 89°54'40" E 733.65' to the CS 1/16 corner, Section 33; thence S 89°40'32" E 1318.26' to the SE 1/16 corner, Section 33; thence S 89°36'45" E 1318.17' to the S. 1/16 corner, Sections 33 & 34; thence S 0°08'33" W 1327.13' to the True Point of Beginning, consisting of 233.14 acres, more or less.

The owners of lots 11-17 understand and agree that private road construction, maintenance, and snow removal shall be the obligation of the owner, his successors in interest, or homeowners' association, and that Blaine County is in no way obligated to accept, maintain or improve these roads until the roads are brought up to county standards, dedicated, and accepted by the county, and that each owner shall notify in writing any successor in interest of these facts.

Hiawatha Drive and a portion of Red Devil Drive as shown on this plat are dedicated to the public forever.

The easements as shown on this plat are not dedicated to the public but the right to use said easement for public utilities and other uses as shown is hereby reserved.

*Kenneth A. Buttram*  
Kenneth A. Buttram

Building and Occupancy Restrictions: See Book \_\_\_\_\_ of Miscellaneous Records of page \_\_\_\_\_, Blaine County, Idaho, for Building and Occupancy Restrictions filed on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, M, 890 in the office of the Blaine County Recorder, Holey.

## COUNTY TREASURER'S APPROVAL

The taxes on the foregoing parcel of land have been paid to this date and this plat of Buchhorn Subdivision First Addition is hereby approved this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

*William J. Hansen*  
Blaine County Treasurer

## ACKNOWLEDGEMENT

STATE OF Idaho } ss  
COUNTY OF Blaine }

On this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, before me, a Notary Public in and for said state personally appeared the person whose name is subscribed to the Owner's Certificate and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate above written.

*James D. Slette*  
Notary Public

# SURVEYOR'S CERTIFICATE

I, Richard D. Fosbury, a duly licensed land surveyor in the State of Idaho, do hereby certify that this plat of Buchhorn Subdivision First Addition is a true and accurate map of the land surveyed under my direct supervision and that it is in accordance with the Idaho State Code relating to plats and surveys.



## SANITARY RESTRICTIONS

## COUNTY ENGINEER'S APPROVAL

I, Jim W. Koene, County Engineer for Blaine County, Idaho, have checked the foregoing plat and computations for making the same and have determined that they comply with the laws of the State of Idaho relating thereto.



## APPROVAL OF CITY ZONING COMMISSION

The foregoing plat was approved by the Holey City Zoning Commission on this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

## APPROVAL OF CITY COUNCIL

The foregoing plat was approved by the City Council of Holey, Idaho, on this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

## CITY ENGINEER'S APPROVAL

The foregoing plat was approved by Harold J. Cox, City Engineer of Holey, Idaho, on this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

## APPROVAL OF BLAINE COUNTY PLANNING AND ZONING

The foregoing plat was approved by the Blaine County Planning and Zoning Commission on this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

## APPROVAL OF BLAINE COUNTY COMMISSIONERS

The foregoing plat was approved by the Blaine County Board of Commissioners on this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

## COUNTY RECORDERS CERTIFICATE

STATE OF IDAHO } ss  
COUNTY OF BLAINE }

This is to certify that the foregoing plat was filed in the office of the Recorder of Blaine County, Idaho on this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and duly recorded in Plat Book \_\_\_\_\_, at page \_\_\_\_\_.

Es-officio Recorder  
#1100

SHEET 3 of 3  
BUCHORN SUBDIVISION FIRST ADD.

This map is a photographic reproduction of that on file in either the Recorder's Office or the Surveyor's Office. The Company assumes no liability for variation, if any, with another or re-survey. Courtesy of AMERITITLE.