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WATER RESOURCES
WESTERN REGION

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

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

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
LIC 63-11213					

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) DAVID + BEVERLY LAVERNART
4. New Owner/Claimant(s) OSPREY PROPERTIES, LLC
 Name Connector (Check one): ☐ and, ☒ or, ☐ and/or
- New Mailing Address 52 Knob Hill Dr.
- City, State and ZIP Code McCall, Id. 83638
- New Telephone Number 208 634-5990
5. Date you acquired the property 4-7-05

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 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 (one water right per box, you may copy this page as 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.

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

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

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Frank Brunel
Managing Partner, Osprey Properties, LLC

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.

For Office Use Only

Received by _____	Date _____	Fee _____
Receipted by <i>WCC</i>	Date <i>Nov 15, 07</i>	Receipt No. <i>0035982</i>
Processed by _____	Date _____	WR <i>gja</i> Date <i>12-11-07</i>



Owner's Policy of Title Insurance

Fidelity National Title Insurance Company

A Stock Company

Policy Number 1312- 471800

OWNER'S POLICY OF TITLE INSURANCE

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

IN WITNESS WHEREOF, FIDELITY NATIONAL TITLE INSURANCE COMPANY has caused this policy to be signed and sealed by its duly authorized officers as of Date of Policy shown in Schedule A.

Fidelity National Title Insurance Company



By:

James M. Frazier

President

ATTEST

John C. Jones

Secretary

Countersigned:

[Signature]
Authorized Signature

(Please print name below)

TITLEONE CORPORATION

Authorized Agent for:

FIDELITY NATIONAL TITLE INSURANCE COMPANY

SCHEDULE A

File Number: C057893

Policy Number: 1312-471800

Amount of Insurance: \$ 550,000.00

Premium: \$ 1,767.50

Date of Policy: March 7, 2005 at 04:22 PM

1. Name of Insured:

OSPREY PROPERTIES, L.L.C.

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

Fee Simple as to Parcel 1

Easement Interest as to Parcel 2

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

OSPREY PROPERTIES, L.L.C., an Idaho limited liability company

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

SEE SCHEDULE C ATTACHED HERETO

TITLEONE CORPORATION

By: 

JOHN A. SMITH, Title Officer

TITLEONE CORPORATION

Authorized agent for:

FIDELITY NATIONAL TITLE INSURANCE COMPANY

SCHEDULE B

File Number: C057893

Policy Number: 1312-471800

EXCEPTIONS FROM COVERAGE

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:

1. Rights or claims of parties in possession not shown by the public records.
2. Encroachments, overlaps, boundary 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 a lien, for services, labor, or materials 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 to 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 to such proceedings whether or not shown by the records of such agency, or by the public records.
7. Taxes, including any assessments collected therewith, for the year 2005 which are a lien not yet due and payable.
8. Special assessments, if any, for the City of Middleton. Paid current.
9. Levies and assessments of the Middleton Mill Ditch Company Irrigation District and the rights, powers, and easements of said district as provided by law. Paid current.
10. Levies and assessments of the Black Canyon Irrigation District and the rights, powers, and easements of said district as provided by law. Paid current.
11. Provisions, reservations, and restrictions as shown by the several contracts between the United States of America and Black Canyon Irrigation District, and the amendments thereto, or between the present owner or past owners of the real property herein described and the Black Canyon Irrigation District, or the United States of America, whether said contracts be of record in the office of the Recorder of Canyon County, Idaho, or on file with the Secretary of Black Canyon Irrigation District.
12. Levies and assessments of the Drainage District No. 2 Irrigation District and the rights, powers, and easements of said district as provided by law. Paid current.
13. Right of way for ditches, tunnels, telephone and distribution lines constructed by authority of the United

TITLEONE CORPORATION

Authorized agent for:

FIDELITY NATIONAL TITLE INSURANCE COMPANY

Policy Number: 1312-471800

SCHEDULE B

(Continued)

States, as granted to the United States under the provisions of Section 58-604 Idaho Code.

14. Reservations and exceptions in a United States Patent, and in the act authorizing the issuance thereof.
Recorded: November 25, 1913
Book 4 at Page 595
15. An easement for the purpose shown below and rights incidental thereto as set forth in a document.
Granted to: Idaho Power Company
Purpose: Public Utilities
Recorded: August 15, 1955
Instrument No.: 425004
16. An easement for the purpose shown below and rights incidental thereto as set forth in a document.
Granted to: Idaho Power Company
Purpose: Public Utilities
Recorded: October 22, 1975
Instrument No.: 760230

TITLEONE CORPORATION

Authorized agent for:

FIDELITY NATIONAL TITLE INSURANCE COMPANY

Attached to Order Number C057893 JAS/KM

Attached to Policy Number

SCHEDULE C

PROPERTY DESCRIPTION

File Number: C057893

The land referred to in this Policy is described as follows:

PARCEL 1:

Government Lots 2 and 3 of Section 2, Township 4 North, Range 2 West, Boise Meridian, Canyon County, Idaho.

EXCEPTING THEREFROM

A portion of Government Lots 2 and 3 lying in the North Half of Section 2, Township 4 North, Range 2 West, Boise Meridian, Canyon County, Idaho, more particularly described as follows:

BEGINNING at a point marking the Northwest corner of the said Government Lot 2; thence North 89° 44' 11" East 540 feet along the Northerly boundary of the said Government Lot 2 to an iron pin, also said point being the REAL POINT OF BEGINNING; thence continuing North 89° 44' 11" East 781.36 feet along the said Northerly boundary of the said Government Lot 2 to an iron pin marking the Northeast corner of the said Government Lot 2; thence South 0° 46' 30" West 1,314.50 feet along the Easterly boundary of the said Government Lot 2 to an iron pin marking the Southeast corner of the said Government Lot 2; thence North 89° 55' 37" West 1,321.28 feet along the Southerly boundary of the said Government Lot 2 to an iron pin marking the Southeast corner of the said Government Lot 3; thence South 89° 54' 50" West 540 feet along the Southerly boundary of the said Government Lot 3 to an iron pin; thence North 39° 57' 47" East 1,709.04 feet to the POINT OF BEGINNING.

PARCEL 2:

A right of way for road 56 feet wide as set out and described in Warranty Deeds from VEARL R. RICH and ELLA L. RICH recorded March 11, 1976 as instrument No. 769419; January 20, 1977 as instrument No. 791641 and August 22, 1979 as Instrument No. 871174, records of Canyon County, Idaho.

AND THE FOLLOWING EASEMENT

This easement lies in the Southeast Quarter of the Northwest Quarter of Section 2, Township 4 North, Range 2 West, Boise Meridian, Canyon County, Idaho, and the centerline of said 20-foot-wide easement described as follows:

COMMENCING at the Northwest corner of said Southeast Quarter of the Northwest Quarter; thence North 89° 54' 50" East along the Northerly boundary of said Southeast Quarter of the Northwest Quarter a distance of 488.80 feet to the TRUE POINT OF BEGINNING of said centerline; thence South 40° 14' 38" West a distance of 305 feet; thence Southwesterly 189 feet along the arc of a curve to the left having a central angle of 62° 08' 03", a radius of

TITLEONE CORPORATION

Authorized agent for:

FIDELITY NATIONAL TITLE INSURANCE COMPANY

SCHEDULE C

(Continued)

174.29 feet and a long chord which bears South 9° 10' 37" West a distance of 179.88 feet; thence South 21° 53' 24" East a distance of 77 feet to a point in the centerline of an existing gravel County road, which point is the TERMINATION POINT of said easement.

04N02W02

