

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

RECEIVED

MAR 21 2006

WATER RESOURCES
WESTERN REGION

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
<u>P63-11059</u>	<u>63-19546</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

RECEIVED

MAR 23 2006

DEPARTMENT OF
WATER RESOURCES

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) DONALD C. AND DELLA M. JOHNSON
13409 LOCUST LANE Nampa, ID. 83686
4. New Owner/Claimant(s) MACK L. BACHMAN AND ELAIRE I. BACHMAN
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 13411 LOCUST LANE
- City, State and ZIP Code Nampa, ID. 83686
- New Telephone Number 208 406-0041
5. Date you acquired the property OCT. 14th. 2005

SCANNED

MAY 25 2007

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)

Mark H. Bachman

Elaine Bachman

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 *[Signature]* Date *3-21-06* Fee *25-*
 Received by *[Signature]* Date *3-21-06* Receipt No. *W033972*
 Processed by *[Signature]* AJ Date *5-22-07*

SCANNED

MAY 25 2007

200567946

RECORDED

MAY 07 17 PM 4 56

CANYON COUNTY RECORDER
G. NOEL JONES
BY *[Signature]*

PIONEER NAMP

REQUEST
TIME *[Signature]* FEE *12.00*

Recording Requested By and
When Recorded Return to:
Kristin E. Bjorkman
HAWLEY TROXELL ENNIS & HAWLEY LLP
P.O. Box 1617
Boise, Idaho 83701

FW 87841

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

WARRANTY DEED

This Warranty Deed is made this 14 day of October, 2005 between DONALD C. JOHNSON and DELLA M. JOHNSON, husband and wife, herein referred to as "**Grantor**," and MACK L. BACHMAN and ELAIRE I. BACHMAN, husband and wife, whose address is 13411 Locust Lane, Nampa, Idaho 83686, herein referred to as "**Grantee**," witnesseth:

That Grantor, for and in consideration of the sum of Ten Dollars (\$10.00), and other good and valuable consideration, the receipt whereof is hereby acknowledged, has granted, bargained, and sold, and does, by these presents, grant bargain, sell, convey, and confirm unto Grantee, their heirs and assigns forever, all of the following described real estate situated in the County of Canyon, State of Idaho:

SEE EXHIBIT A ATTACHED HERETO AND INCORPORATED HEREIN.

Together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues, and profits thereof; and all estate, right, title, and interest in and to the property, as well in law as in equity.

To have and to hold, all and singular the above-described premises together with the appurtenances unto Grantee and their heirs and assigns forever.

And Grantor and their heirs shall and will warrant and by these presents forever defend the premises in the quiet and peaceable possession of Grantee, their heirs, and assigns against Grantor and their heirs and against all and every person or persons whomsoever, lawfully claiming the same.

SCANNED

MAY 15 2007

IN WITNESS WHEREOF, Grantor has hereunto set their hand on the day and year first above written.

Donald C. Johnson
DONALD C. JOHNSON

Della M. Johnson
DELLA M. JOHNSON

STATE OF IDAHO)
) ss.
County of Canyon)

On this 14 day of October, 2005, before me, *Blanca E. Acosta*,
a Notary Public in and for said state, personally appeared DONALD C. JOHNSON and DELLA
M. JOHNSON, husband and wife, known or identified to me to be the persons whose names are
subscribed to the foregoing instrument, and acknowledged to me that they 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.



Blanca E. Acosta
Notary Public for Idaho
Residing at _____ Residing in Greenleaf, Idaho
My commission expires _____ My Commission Expires 9/16/2011

COINED
MAY 26 2007

PN87841

Exhibit "A"

PARCEL I:

A parcel situated in the Southwest Quarter of the Northeast Quarter of Section 11, Township 2 North, Range 3 West of the Boise Meridian, more particularly described as follows:

Commencing at the Northeast corner of said Southwest Quarter of the Northeast Quarter; thence

South 89° 31' 34" West, along the North boundary of said Southwest Quarter of the Northeast Quarter a distance of 140.00 feet; thence leaving the North boundary of said Southwest Quarter of the Northeast Quarter and running

South 0° 17' 06" East, parallel with the East boundary of said Southwest Quarter of the Northeast Quarter, a distance of 5.08 feet; thence

South 88° 52' 54" West, a distance of 318.16 feet to the TRUE POINT OF BEGINNING; thence

South 0° 17' 06" East, a distance of 352.00 feet to a point on the center line of an existing irrigation canal known as Mora Canal; thence traversing the center line of said Mora Canal as follows:

South 54° 36' 54" West, a distance of 51.00 feet; thence leaving the center line of said Mora Canal and running

North 0° 02' 37" West, a distance of 381.96 feet to a point which is 9.11 feet South of the North boundary of said Southwest Quarter of the Northeast Quarter; thence

North 88° 52' 54" East, a distance of 40.5 feet to the TRUE POINT OF BEGINNING.

PARCEL II:

This parcel is situated in the Southwest Quarter of the Northeast Quarter of Section 11, Township 2 North, Range 3 West of the Boise Meridian, Canyon County, Idaho and is more particularly described as follows:

Commencing at the Northeast corner of said Southwest Quarter of the Northeast Quarter; thence

South 89° 31' 34" West, along the North boundary of said Southwest Quarter of the Northeast Quarter, a distance of 140.00 feet; thence leaving the North boundary of said Southwest Quarter of the Northeast Quarter and running

South 0° 17' 06" East, parallel with the East boundary of said Southwest Quarter of the Northeast Quarter a distance of 5.08 feet; thence

South 88° 52' 54" West, a distance of 358.66 feet to the TRUE POINT OF BEGINNING; thence

South 0° 02' 37" East, a distance of 381.96 feet to a point on the center line of an existing irrigation canal known as Mora Canal; thence traversing the center line of said Mora Canal as follows:

South 54° 36' 54" West, a distance of 34.09 feet;

South 35° 44' 24" West, a distance of 124.02 feet; thence leaving the center line of said Mora Canal and running

North 0° 02' 40" West, a distance of 500.41 feet to a point which is 10.24 feet South

SCANNED
MAY 2 2007
SCANNED

may 2 5 2007
MAY 2 5 2007

of the North boundary of said Southwest Quarter, Northeast Quarter; thence
North 88° 52' 54" East, a distance of 100.35 feet to the TRUE POINT OF BEGINNING.

PARCEL III:

This parcel is situated in the Southwest Quarter of the Northeast Quarter of Section 11, Township 2 North, Range 3 West of the Boise Meridian, Canyon County, Idaho and is more particularly described as follows:

Commencing at the Northeast corner of said Southwest Quarter of the Northeast Quarter; thence

South 89° 31' 34" West, along the North boundary of said Southwest Quarter of the Northeast Quarter, a distance of 140.00 feet; thence leaving the North boundary of said Southwest Quarter of the Northeast Quarter and running

South 0° 17' 06" East, parallel with the East boundary of said Southwest Quarter of the Northeast Quarter, a distance of 5.08 feet; thence

South 88° 52' 54" West, a distance of 459.01 feet to the TRUE POINT OF BEGINNING; thence

South 0° 02' 40" East, a distance of 500.41 feet to a point on the center line of an existing irrigation canal known as Mora Canal; thence traversing the center line of said Mora Canal as follows:

South 16° 54' 54" West, a distance of 287.97 feet;

South 43° 25' 39" West, a distance of 75.27 feet;

South 76° 24' 24" West, a distance of 82.38 feet; thence leaving the center line of said Mora Canal and running

North 0° 18' 21" West, a distance of 845.67 feet to a point which is 12.72 feet South of the North boundary of said Southwest Quarter of the Northeast Quarter; thence

North 88° 52' 54" East, a distance of 219.77 feet to the TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM:

A tract of land lying in the Southwest Quarter of the Northeast Quarter of Section 11, Township 2 North, Range 3 West of the Boise Meridian, Canyon County, Idaho and more particularly described as follows:

Commencing at the Southeast corner of said Southwest Quarter of the Northeast Quarter; thence

North 0° 00' 49" West along the East boundary of said Southwest Quarter of the Northeast Quarter a distance of 327.37 feet; thence

South 37° 25' 13" West, a distance of 298.33 feet; thence

North 58° 21' 17" West, a distance of 721.67 feet to the TRUE POINT OF BEGINNING; thence

South 76° 40' 41" West, a distance of 23.42 feet; thence

North 0° 02' 04" West, a distance of 66.45 feet; thence

South 58° 21' 17" East, a distance of 91.51 feet; thence

South 76° 40' 41" West, a distance of 56.60 feet to the TRUE POINT OF BEGINNING.

RECORDED
MAY 25 2007

[Handwritten signature]

[Handwritten initials]

200567947

RECORDED

2005 OCT 17 PM 4 56

CANYON COUNTY RECORDER

RECEIVED

PIONEER - NAMPA

REQUEST

TYPE

11/10/05 FEE 24.00

Recording Requested By and
When Recorded Return to:
Kristin E. Bjorkman
HAWLEY TROXELL ENNIS & HAWLEY LLP
P.O. Box 1617
Boise, Idaho 83701

PN 87841

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

DEED OF TRUST

THIS DEED OF TRUST, made this 14th day of OCTOBER, 2005, between MACK L. BACHMAN and ELAIRE I. BACHMAN, husband and wife, hereinafter ("GRANTOR"), whose address is: 13411 Locust Lane, Nampa, ID 83686, PIONEER TITLE COMPANY OF CANYON COUNTY, an Idaho Corporation, whose address is 100 16th Ave So Nampa, ID hereinafter ("TRUSTEE"), and DONALD C. JOHNSON and DELLA M. JOHNSON, husband and wife, whose address is P.O. Box 187 Nampa, ID 83453 hereinafter ("BENEFICIARY"),

WITNESSETH:

That GRANTOR does hereby irrevocably GRANT, BARGAIN, SELL and CONVEY TO TRUSTEE IN TRUST, WITH POWER OF SALE, with right of entry and possession as provided herein, all of Grantor's estate, right, title, interest, claim and demand, now or hereafter acquired, in and to the following:

See Exhibit A attached hereto and incorporated herein, ("Subject Property")

TOGETHER WITH any rents, issues and profits thereof, SUBJECT, HOWEVER, to the right, power and authority hereinafter given to and conferred upon Beneficiary to collect and apply such rents, issues and profits, for the purpose of securing the performance of each agreement of Grantor and Beneficiary of the Real Estate Purchase Agreement dated September 14, 2005 (the "Agreement"), incorporated by reference or contained herein and the payment of the indebtedness evidenced by a promissory note (the "Note"), of even date herewith, executed by Grantor in the principal sum of NINETY FIVE THOUSAND AND NO/100THS DOLLARS (\$95,000.00), the payment of principal payable in full on that date which is twenty (20) years after the date hereof or as required by the Note. It is the express intention of the parties to this Deed of Trust that it shall stand as continuing security until paid for all such amounts together with interest thereon; provided, however, that Beneficiary has agreed to execute a partial release

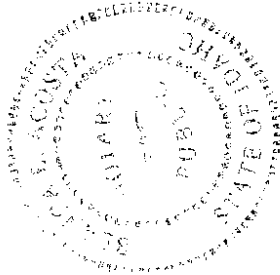
RECORDED

MAY 25 2007

STATE OF IDAHO)
) ss:
County of Canyon)

On this 14 day of October, 2005, before me, the undersigned, a Notary Public in and for said State, personally appeared MACK L. BACHMAN and ELAIRE I. BACHMAN, husband and wife, known or identified to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they 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.



Harold E. Costa
Notary Public for Idaho
Residing at _____, Idaho
My Commission Expires: Residing in Greenleaf, Idaho
My Commission Expires 9/16/2011



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.

First American Title Insurance Company

BY

Gary L. Keruett

PRESIDENT

ATTEST

Mark R. Aronson

SECRETARY

2068853

SCANNED

MAY 25 2007

REF: **PN87841**
J2068853

(This policy not valid unless countersigned by PIONEER TITLE COMPANY OF CANYON COUNTY)

FIRST AMERICAN TITLE INSURANCE COMPANY
Countersigned by
Pioneer Title Company of Canyon County



Jonathan Mabbutt, Title Officer

SCANNED
MAY 20 2007

SCHEDULE A

Order No.: **PN87841**
Policy No.: **J2068853**
Form No. 1402.92 (10/17/92)
Amount of Insurance: **\$10,000.00**
Premium: **\$200.00**
Date of Policy: **October 17, 2005 @ 4:56 p.m.**

1. Name of Insured:

MACK L. BACHMAN and ELAIRE I. BACHMAN

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

Fee Simple

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

MACK L. BACHMAN and ELAIRE I. BACHMAN, husband and wife

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

PARCEL I:

A parcel situated in the Southwest Quarter of the Northeast Quarter of Section 11, Township 2 North, Range 3 West of the Boise Meridian, more particularly described as follows:

Commencing at the Northeast corner of said Southwest Quarter of the Northeast Quarter; thence

South 89° 31' 34" West, along the North boundary of said Southwest Quarter of the Northeast Quarter a distance of 140.00 feet; thence leaving the North boundary of said Southwest Quarter of the Northeast Quarter and running

South 0° 17' 06" East, parallel with the East boundary of said Southwest Quarter of the Northeast Quarter, a distance of 5.08 feet; thence

South 88° 52' 54" West, a distance of 318.16 feet to the TRUE POINT OF BEGINNING; thence

South 0° 17' 06" East, a distance of 352.00 feet to a point on the center line of an existing irrigation canal known as Mora Canal; thence traversing the center line of said Mora Canal as follows:

South 54° 36' 54" West, a distance of 51.00 feet; thence leaving the center line of said Mora Canal and running

North 0° 02' 37" West, a distance of 381.96 feet to a point which is 9.11 feet South of the North boundary of said Southwest Quarter of the Northeast Quarter; thence

North 88° 52' 54" East, a distance of 40.5 feet to the TRUE POINT OF BEGINNING

PARCEL II:

SCANNED

MAY 11 2007

MAY 25 2007

This parcel is situated in the Southwest Quarter of the Northeast Quarter of Section 11, Township 2 North, Range 3 West of the Boise Meridian, Canyon County, Idaho and is more particularly described as follows: