

NORTH
HALF

THIS PLAT IS MADE SOLELY FOR THE PURPOSE OF
ASSISTING IN LOCATING THE LAND, AND THE CO.
ASSUMES NO LIABILITY FOR VARIATIONS, IF ANY,
WITH AN ACTUAL SURVEY.

APR 21 2004

MICROFILMED



SCALE 1"=400'

RECEIVED

RECEIVED

APR 16 2004

Department 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.

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
37-10759					
37-10760					

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) Hazel L. Loucks and Wilbur C. Loucks
1871 East 1400 South, Gooding, ID 83330

4. New Owner/Claimant(s) Gary N. Nelson & Co.
Name Connector (Check one): ☐ and ☐ or ☐ and/or
1031 Eastland Drive, Suite 3B
New Mailing Address
City, State and ZIP Code Twin Falls, ID 83301
New Telephone Number (208) 736-8400

5. Date you acquired the property 4-14-04

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APR 21 2004

04/15/2004

15:54

LAND TITLE GOODING -> 7363037

208 934 5890;

04/13/04

64PM; JnlFax #85; Page 3/3

NO.126

0003

DATE BY: LANDTITLE - GOODING -
 (Print Name) (Print Name) July, 2000

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)

Gary N. Nelson Pres.
 Gary N. Nelson & Co.

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

4/15/04

Fee 50.00

Received by *[Signature]*

Date

4/15/04

Receipt No.

3026657

Processed by *[Signature]*

Date

4/15/04

WR

Date

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P.8

208-736-0943

APR 14 2004

APR 14 04 07:28

208 736 0943 -> LANDTITLE - GOODING - Page 8

Received: 4/14/04 8:31AM

WARRANTY DEED

#GG-05275

For Value Received

Thomas R. Palacio, also shown of record as Thomas Palacio, a married man contracting with his sole and separate property

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

Gary N. Nelson & Co., a Corporation
Address: 1031 Eastland Drive, Suite 3B, Twin Falls, ID 83301

Hereinafter called the Grantee, the following described premises situated in **Gooding** County, Idaho, to-wit:

Parcel No. 1:

TOWNSHIP 5 SOUTH, RANGE 15 EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 18: A Parcel of land located in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, being more particularly described as follows:

Commencing at the Northeast corner of said Section 18, from which the North One Quarter (N $\frac{1}{4}$) corner of said Section 18 bears N90°00'00" W - 2659.63 feet;
Thence N90°00'00" W along the North boundary of the NE $\frac{1}{4}$ of said Section 18 for a distance of 1338.00 feet to the TRUE POINT OF BEGINNING;
Thence S01°12'00" E for a distance of 500.30 feet to a point in the center of an irrigation canal;
Thence S71°52'58" W along the center of the irrigation canal for a distance of 199.66 feet;
Thence N01°05'30" W for a distance of 562.38 feet to a point on the North boundary of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 18;
Thence N90°00'00" E along the North boundary of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 18 for a distance of 190.00 feet to the TRUE POINT OF BEGINNING.

SUBJECT TO:

- 1 - A 25.0 foot wide county road easement along the North boundary of the before described parcel.
- 2 - An easement to the canal company for the use and maintenance of the canal along the South boundary of the before described parcel.

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Taxes for 2004 and subsequent years, taxes are an accruing lien, not yet due or payable.

Assessments of the American Falls Reservoir District No. 2 and the rights and powers of said District as by law provided.

Assessments of the Big Wood Canal Company and the rights and powers of said Company as by law provided.

Right of way for canals, laterals and waste ditches of Big Wood Canal Company.

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to 2.0 shares of Capital Stock in Big Wood Canal Company and also including any licensed domestic or irrigation water rights and licenses with the State of Idaho including but not limited to Water Right No. 37-10759 and Water Right 10760.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and the Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: April 14, 2004


Thomas R. Palacio

Instrument # 205728

GOODING, GOODING, IDAHO

2004-04-14

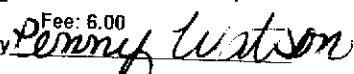
02:31:11 No. of Pages: 2

Recorded for : LAND TITLE

HELEN EDWARDS

Ex-Officio Recorder Deputy

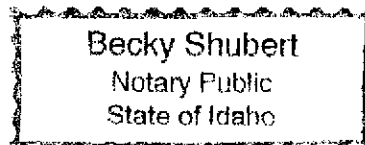
Fee: 6.00



STATE OF IDAHO)
) ss.
COUNTY OF Gooding)

On this 14th day of **April, 2004**, before me, the undersigned, a Notary Public in and for said State, personally appeared **Thomas R. Palacio** known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

Becky Shubert
Notary Public
Residing at: Wendell ID
My Commission expires: 02-23-05



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APR 21 2004

WARRANTY DEED

#GG-05275

For Value Received

Thomas R. Palacio, also shown of record as Thomas Palacio, a married man contracting with his sole and separate property

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

Gary N. Nelson & Co., a Corporation

Address: 1031 Eastland Drive, Suite 3B, Twin Falls, ID 83301

Hereinafter called the Grantee, the following described premises situated in Gooding County, Idaho, to-wit:

Parcel No. 2:

TOWNSHIP 5 SOUTH, RANGE 15 EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 18: A parcel of land located in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, being more particularly described as follows:

Commencing at the Northeast corner of said Section 18, from which the North One Quarter (N $\frac{1}{4}$) corner of said Section 18 bears N90°00'00" W - 2659.63 feet;
Thence N90°00'00" W along the North boundary of the NE $\frac{1}{4}$ of said Section 18 for a distance of 1528.00 feet to the TRUE POINT OF BEGINNING;
Thence S01°05'30" E for a distance of 562.38 feet to a point in the center of an irrigation canal;
Thence S75°34'34" W along the center of the irrigation canal for a distance of 91.57 feet;
Thence leaving the center of the irrigation canal on a bearing of N25°14'45" W for a distance of 95.70 feet;
Thence N00°49'45" W for a distance of 498.58 feet to a point on the North boundary of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 18;
Thence N90°00'00" E along the North boundary of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 18 for a distance of 126.00 feet to the TRUE POINT OF BEGINNING

SUBJECT TO:

- 1 - A 25.0 foot wide county road easement along the North boundary of the before described parcel.
- 2 - An easement to the canal company for the use and maintenance of the canal along the South boundary of the before described parcel.

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Taxes for 2004 and subsequent years, taxes are an accruing lien, not yet due or payable.

Assessments of the American Falls Reservoir District No. 2 and the rights and powers of said District as by law provided.

Assessments of the Big Wood Canal Company and the rights and powers of said Company as by law provided.

Right of way for canals, laterals and waste ditches of Big Wood Canal Company.

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to 2.0 shares of Capital Stock in Big Wood Canal Company and also including any licensed domestic or irrigation water rights and licenses with the State of Idaho.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: April 14, 2004

MICROFILMED

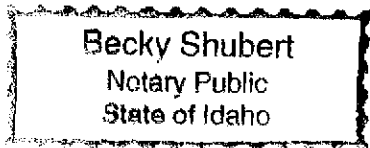
APR 23 2004

Thomas R. Palacio
Thomas R. Palacio

STATE OF IDAHO)
) ss.
COUNTY OF Gooding)

On this 14th day of **April, 2004**, before me, the undersigned, a Notary Public in and for said State, personally appeared **Thomas R. Palacio** known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

Becky Shubert
Notary Public
Residing at: Wendell ID
My Commission expires: 02-23-05



Instrument # 205729
GOODING, GOODING, IDAHO
2004-04-14 02:31:25 No. of Pages: 2
Recorded for : LAND TITLE
HELEN EDWARDS Fee: 6.00
Ex-Officio Recorder Deputy Penny Watson

MICROFILMED
APR 23 2004

151593

WARRANTY DEED

For value received, WILBUR C. LOUCKS and HAZEL L. LOUCKS, husband and wife, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto THOMAS R. PALACIO, hereinafter called the Grantee, the following described premises situated in Gooding County, Idaho; to wit:

TOWNSHIP 5 SOUTH, RANGE 15 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 18: W $\frac{1}{4}$ NE $\frac{1}{4}$, EXCEPTING THEREFROM the following described parcel of land:

Beginning at the Northeast corner of said W $\frac{1}{4}$ NE $\frac{1}{4}$, which point shall be known as THE TRUE POINT OF BEGINNING;
thence West along the North boundary of said Section 18, 330.00 feet;
thence South parallel with the East boundary of said W $\frac{1}{4}$ NE $\frac{1}{4}$, 660.00 feet;
thence East parallel to the North boundary of said W $\frac{1}{4}$ NE $\frac{1}{4}$, 330.00 feet to a point on the East boundary of said W $\frac{1}{4}$ NE $\frac{1}{4}$;
thence North along the East boundary of said W $\frac{1}{4}$ NE $\frac{1}{4}$, 660.00 feet to THE TRUE POINT OF BEGINNING.

AND EXCEPTING THEREFROM the following described parcel of land:

Beginning at the Northwest corner of said W $\frac{1}{4}$ NE $\frac{1}{4}$, which point shall be known as THE TRUE POINT OF BEGINNING;
thence East along the North boundary of said Section 18, 500.00 feet;
thence South parallel with the West boundary of said W $\frac{1}{4}$ NE $\frac{1}{4}$, 175.00 feet;
thence West parallel to the North boundary of said W $\frac{1}{4}$ NE $\frac{1}{4}$, 500.00 feet to a point on the West boundary of said W $\frac{1}{4}$ NE $\frac{1}{4}$;
thence North along the West boundary of said W $\frac{1}{4}$ NE $\frac{1}{4}$, 175.00 feet to THE TRUE POINT OF BEGINNING.

AND EXCEPTING THEREFROM that portion deeded to Idaho Irrigation Company, Limited, for a canal right of way by Right of Way Deed recorded March 6, 1911, in Book 20, Page 17, as Instrument Number 20951, Gooding County records.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

DATED: February 3, 1993.

Wilbur C. Loucks
Wilbur C. Loucks

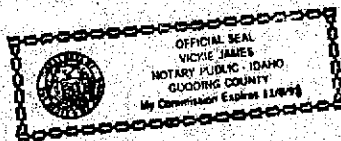
Hazel L. Loucks
Hazel L. Loucks

SEND TAX NOTICE TO
Thomas R. Palacio
1468 State Highway 46
Gooding, ID 83330

STATE OF IDAHO)
) ss.
County of Gooding)

On this 3 day of February, 1993, before me a Notary Public in and for said State, personally appeared WILBUR C. LOUCKS and HAZEL L. LOUCKS, known to me to be the persons whose names are subscribed to the within 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 first above written.



[Signature]
Notary Public for Idaho

151593

STATE OF IDAHO COUNTY OF GOODING

Filed for record at the request of *Sevenson*

18 min. past 9 o'clock A m. this 9

of *Feb*, 19 93 *Feb 6 00*

JOHN A. MYERS Recorder

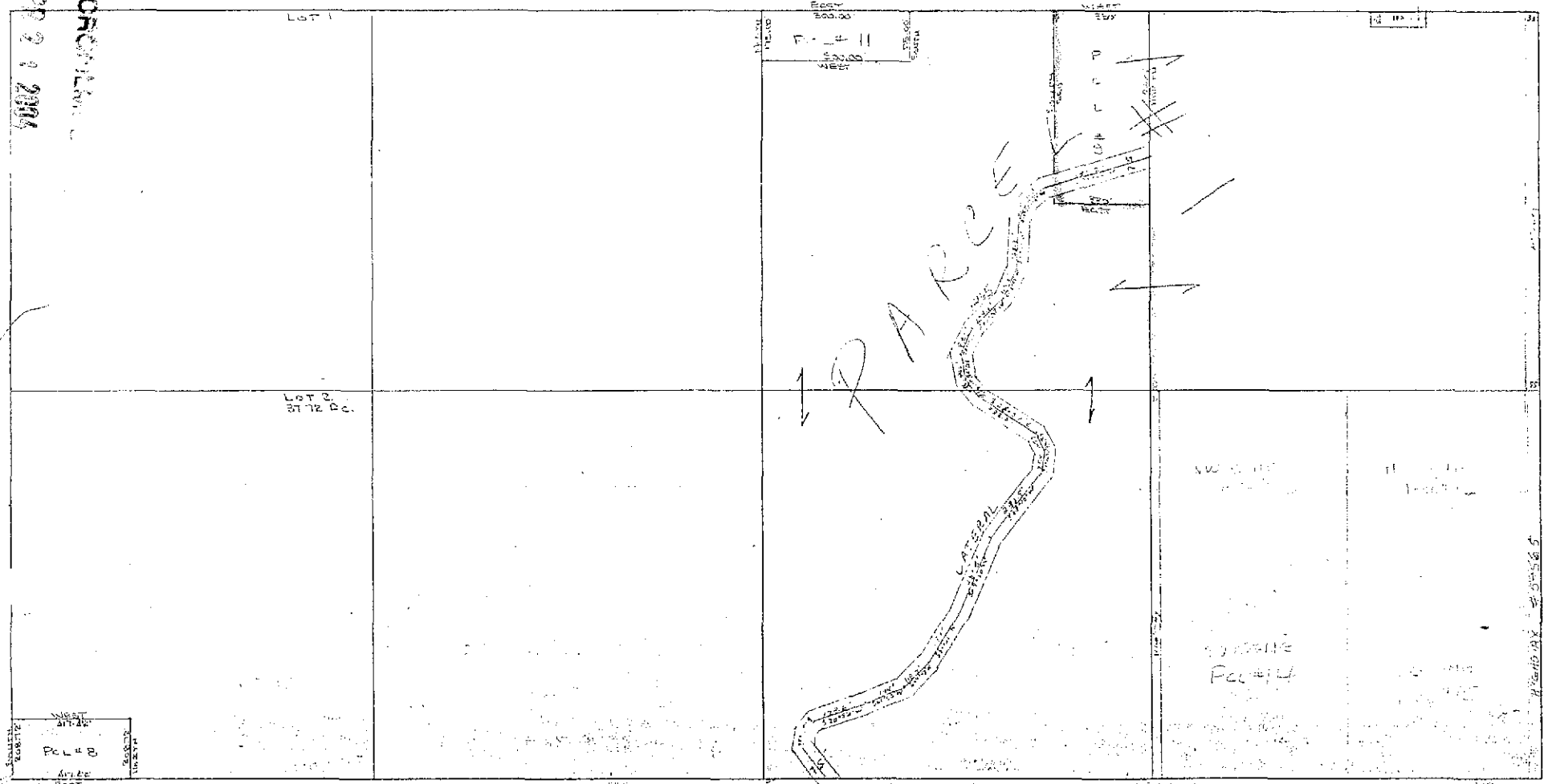
By *[Signature]* De

NORTH
HALF

THIS PLAT IS MADE SOLELY FOR THE PURPOSE OF
ASSISTING IN LOCATING THE LAND, AND THE CO.
ASSUMES NO LIABILITY FOR VARIATIONS, IF ANY,
WITH AN ACTUAL SURVEY.

SEP 21 2004

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SCALE 1"=400'

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 37-10759

NAME AND ADDRESS: HAZEL L LOUCKS
WILBUR C LOUCKS
1871 E 1400 S
GOODING, ID 83330

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 01/01/1930

POINT OF DIVERSION: T05S R15E S18 NWNWE Within Gooding County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic 1 HOME	01-01 TO 12-31	0.04 CFS

PLACE OF USE: Domestic Within Gooding County
T05S R15E S18 NWE

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Roger Burdick

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

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APR 2 1 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 20, 2004

GARY N NELSON & CO
1031 EASTLAND DR STE 3B
TWIN FALLS ID 83301

RE: Change of Ownership for Water Rights 37-10759 and 37-10760

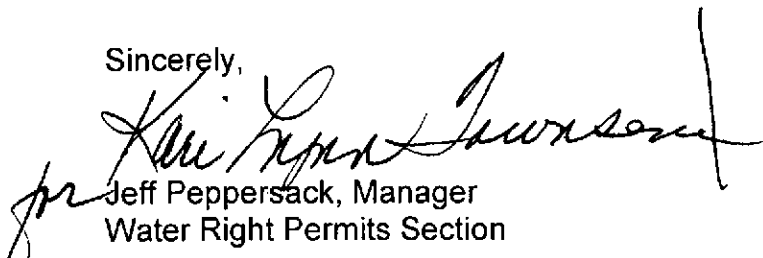
Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water rights to you. The department has modified its records to reflect the changes in ownership and has enclosed computer-generated reports for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,


Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

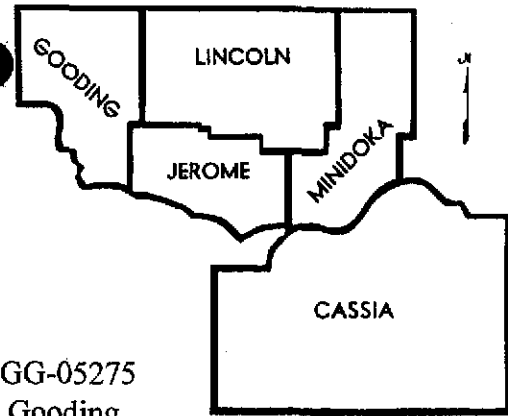
Enclosures

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APR 21 2004

Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



April 14, 2004

REFER TO: GG-05275
OFFICE: Gooding

Idaho Department of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301

RECEIVED

APR 15 2004

Department of Water Resources
Southern Region

RE: Gary N. Nelson & Co.

Dear Sirs:

Please find enclosed our check #18695 in the amount of \$50.00 representing fees on the above referenced. I have also enclosed the last deeds and a plat on the property. Please call me if you need anything else.

If you have any questions, please do not hesitate to call.

Very Truly Yours,

LAND TITLE AND ESCROW, INC.

A handwritten signature in cursive script that reads "Becky Shubert".

Becky Shubert
(208)934-8477
P.O. Box 473, 706 Main Street
Gooding, Idaho 83330

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APR 21 2004