

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

RECEIVED

MAR 07 2002

Department of Water Resources
Southern Region

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

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MAR 11 2002

Department of Water Resources

1. Water Right Number(s) 45-02313^{AS}, 45-10119^{P.D.}
Adjudication Claim Number(s) _____

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

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant(s) Donald W. Hepworth And Susan J. Hepworth

4. New Owner/Claimant(s) Duane C. Turner ; B. Wynona Turner
New Mailing Address 3341 North 4600 East, Murtaugh ID 83344
City, State and ZIP Code _____
New Telephone Number (208) 432-5574
Name connector (Check one): ☒ AND, ☐ OR, ☐ AND/OR

5. Date you acquired the property 3/7/2002

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres actually irrigated _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the water right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner/Claimant(s) + Duane C. Turner Date FEB 24 2004
+ B. Wynona Turner Date 3-5-02

8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

Receipt # 5024637 - 3-7-02 - \$25.00 - T. J. J. J.

Case No. 46541SM

TitleFact, Inc.
163 Fourth Avenue North
P.O. Box 486
Twin Falls, Idaho 83303

**** SPACE ABOVE FOR RECORDER ****

Twin Falls County, Idaho

Recorded for:
TITLEFACT

11:25am Mar. 07, 2002
2002 - 004222

No. of Pages: 1 Fee: \$3.00
ROBERT S. FORT
Ex-Officio Recorder
Deputy: CD

SPECIAL WARRANTY DEED

FOR VALUE RECEIVED U.S. BANK TRUST NATIONAL ASSOCIATION, as Custodian Trustee, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **DUANE C. TURNER and B. WYNONA TURNER, husband and wife**, hereinafter called Grantee, whose address is: 3341 North 4625 East, Murtaugh, Idaho 83344, the following described premises in Twin Falls County, Idaho; to-wit:

Township 11 South, Range 20 East, Boise Meridian, Twin Falls County, Idaho

Section 32: S $\frac{1}{2}$ SE $\frac{1}{4}$

SUBJECT TO Highway District right of way

SUBJECT TO: Easements, Conditions, Restrictions, reservations, covenants and rights of way of record.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and the Grantee's heirs and assigns forever. And the said 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 encumbrances and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: March 5, 2002

U.S. BANK TRUST NATIONAL ASSOCIATION, as Custodian Trustee

BY: LEND LEASE AGRI-BUSINESS, INC., Attorney in Fact

By: G. Michael Smith
G. MICHAEL SMITH, Senior Vice-President

* * * * *

STATE OF Missouri
County of St. Louis

On this 5th day of March, 2002, before me, the undersigned, Notary Public in and for said State, personally appeared G. Michael Smith of Lend Lease Agri-Business, Inc., and known or identified to me to be the Senior Vice President of Lend Lease Agri-Business, Inc., the corporation that executed this instrument as the Attorney in Fact of U.S. Bank Trust National Association, as custodian trustee, or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same as Attorney in Fact for U.S. Bank National Association, as custodian trustee.

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

Beverly M. Sacks
Notary Public for St. Charles, MO
Residing at: 654 Lakewood Ct. St. Louis, MO 63367
My Commission expires: 10/26/03

BEVERLY M. SACKS
Notary Public-Notary Seal
STATE OF MISSOURI
St. Charles County
My Commission Expires: Oct. 26, 2003

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FEB 24 2004

JOHN S. RITCHIE
COLLEMAN, RITCHIE & ROBERTSON
Attorneys at Law
150 2nd Avenue West
P. O. Box 525
Twin Falls, ID 83303-0525
Telephone: (208)734-1224
Fax: (208)734-3983
Idaho State Bar No. 1790

Attorney for U.S. Bank Trust National Association

Twin Falls County, Idaho
Recorded for:
COLEMAN, RITCHIE, ET AL
11:42am Oct. 29, 2001
2001-019689
No. of Pages: 6 Fee: \$18.00
ROBERT S. FORT
Ex-Officio Recorder
Deputy: CH

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

U.S. BANK TRUST NATIONAL
ASSOCIATION,

Plaintiff,

vs.

DONALD W. HEPWORTH and SUSAN J.
HEPWORTH, husband and wife; and
WESTERN FARM SERVICE, INC., a
Delaware corporation,

Defendants.

Case No. CV-00-1898

SHERIFF'S DEED

SHERIFF'S DEED - 1

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FEB 24 2004

WESTERN FARM SERVICE, INC.,

Counterclaimant and
Cross-Claimant,

VS.

U.S. BANK TRUST NATIONAL
ASSOCIATION; and DONALD W.
HEPWORTH and SUSAN J. HEPWORTH,
husband and wife,

Counterdefendants and
Cross-Defendants.

THIS INDENTURE, made this 22th day of December, 2001, between WAYNE TOUSLEY, Sheriff of the County of Twin Falls, State of Idaho, the party of the first part, and U.S. BANK TRUST NATIONAL ASSOCIATION, as Custodian/Trustee, whose address is c/o Lend Lease Agri-Business, Inc., P. O. Box 41995, St. Louis, Missouri, 63141, the party of the second part,

WHEREAS, by virtue of an Amended Writ of Execution issued out of and under the seal of the District Court of the Fifth Judicial District of the State of Idaho, in and for the County of Twin Falls, on the 25th day of September, 2000, upon a Judgment and Decree of Foreclosure recovered in the said Court on the 28th day of August, 2000, in favor of U.S. Bank Trust National Association, plaintiff, and against Donald W. Hepworth and Susan J. Hepworth, husband and wife, and Western Farm Service, Inc., a Delaware corporation, defendants, which was directed and delivered to the said Sheriff commanding him to sell real property and appurtenances owned by

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defendants Donald W. Hepworth and Susan J. Hepworth, husband and wife, described in the Amended Notice of Levy on Real Estate under Execution accompanying the said Amended Writ of Execution; and

WHEREAS, the said Sheriff did, in obedience to said command to sell the real estate and appurtenances therein and hereinafter particularly described, did, on the 24th day of October, 2000, sell the said real estate and appurtenances at public auction at the real property in Twin Falls County, Idaho, at the hour of 10:00 o'clock a.m., after having first given due notice of the time and place of such sale according to law; at which sale the said real estate and appurtenances were sold to U.S. Bank Trust National Association, Custodian/Trustee, for the total sum of TWO HUNDRED TWENTY-ONE THOUSAND SEVEN AND 44/100 DOLLARS (\$221,007.44), with \$220,693.25 of that amount being a credit bid and with payment of costs of sale in the amount of \$314.19; the said U.S. Bank Trust National Association, Custodian/Trustee, being the highest bidder, and that being the highest sum bid for the real property and appurtenances, whereupon the said Sheriff, after receiving from the purchaser the sum of \$314.19 costs of sale, with the balance of the bid being a credit bid, gave to said purchaser a Sheriff's Certificate of Sale as is by law directed to be given, which said Sheriff's Certificate of Sale dated October 25, 2000, was recorded on October 26, 2000, as Instrument No. 2000-016698, records of Twin Falls County, Idaho; and

WHEREAS, one year from the date of said sale and the recording of the Sheriff's Certificate of Sale has expired without any redemption of the said real property and appurtenances having been made by any of the defendants or anyone claiming under them.

NOW THIS INDENTURE WITNESSETH, that the said Wayne Tousley, the Sheriff aforesaid, by virtue of the said Amended Writ of Execution, and in consideration of the said sums of money to him in hand paid as aforesaid by the said purchaser, the receipt whereof is hereby acknowledged, and in consideration of the balance of the bid being a credit bid, has granted, bargained, sold, conveyed and confirmed, and by these presence, does GRANT, BARGAIN, SELL, CONVEY and CONFIRM, unto the said party of the second part, and to its assigns, forever, all the right, title, interest and claim which the said judgment debtors, Donald W. Hepworth and Susan J. Hepworth, husband and wife, and all other defendants, had on the 28th day of August, 2000, or any time afterwards, or now have, in and to all of that real property and appurtenances thereto located in Twin Falls County, Idaho, specifically described as follows, to-wit:

TOWNSHIP 11 SOUTH, RANGE 20 EAST OF THE BOISE
MERIDIAN, TWIN FALLS COUNTY, IDAHO

SECTION 32: S1/2, S1/4

1 - 40 HP MOTOR

1 - FAIRBANKS MORRIS DEEPWELL TURBINE PUMP #AR670

1 - 25 HP CENTURY MOTOR

1 - PACO SMART TURBINE PUMP

2920 FEET OF 6 INCH AND 8 INCH PVC MAINLINE

4 - 1/4 MILE - 3 INCH HOOK AND LATCH HANDLINES

IDAHO WATER RESOURCES LICENSE #45-02313

80 ACRES OF SOUTHWEST IRRIGATION WATER DISTRICT
WATER RIGHTS

The commonly known address of the property is: 2903 North 4700 East, Murtaugh, Idaho, 83344.

TO HAVE AND TO HOLD the said real property and appurtenances, unto the said party of the second part, its assigns, forever as fully and absolutely as the said Sheriff can, may or ought to, by virtue of the said Amended Writ of Execution and of the statute in such case made and provided, grant, bargain, sell, convey and confirm the same.

IN WITNESS WHEREOF, the said Sheriff, the said party of the first part, has hereunto set his hand and seal the day and year first above written.

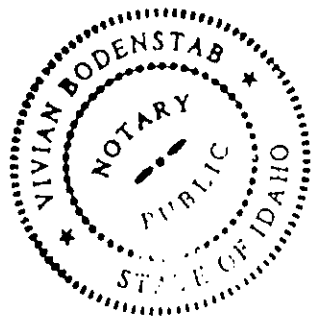
WAYNE FOUSLEY
Sheriff of Twin Falls County, Idaho

By Wayne Fousley

STATE OF IDAHO)
) ss.
County of Twin Falls)

On this 29th day of October, 2001, before me, the undersigned, a Notary Public in and for said County and State, personally appeared WAYNE TOUSLEY, known to me to be the person whose name is subscribed to the within instrument, 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 first above written.



[Signature]
NOTARY PUBLIC

Residing at: Twin Falls,

My Commission Expires: June 24, 2003

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FEB 24 2004