

MAR 1 | 2002

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

RECEIVED

MAR 06 2002

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

Department of Water Resources
Eastern Region

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, 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
33-7195		X			
	already split				
	new WR # 33-14854				

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts. \$100 —
- 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) are 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) Roy Serran
HC 65 Box 1007 Howe 83244
4. New Owner/Claimant(s) Aaron Romrell, Misty Romrell
 Name Connector (Check one): ☐ and, ☐ or, ☒ and/or
- New Mailing Address 1593 W 3700 N
- City, State and ZIP Code Howe Idaho 83244
- New Telephone Number (208) 767-3314
5. Date you acquired the property Nov, 20 2001

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 <u>33-7195</u>		
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	<u>appx 130 acres</u>	<u>irrigation</u>
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) Adam Howell
(include title if applicable) _____

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 JC Date 3-6-02 Fee \$100-
 Receipted by JC Date 3-6-02 Receipt No. E027504
 Processed by _____ AJ Date _____ WR _____ Date _____

Commonwealth Land Title Insurance Company
OWNER'S TITLE INSURANCE POLICY

Schedule A

File Number **5447LRT**

Policy Number: **A60-0040774**

Date of Policy: **November 20, 2001 at 4:38 p.m.**

Amount of Insurance \$ **154,000.00**

Amount of Premium \$ **767.00**

1. Name of Insured:

AARON WARD ROMRELL and MISTY MARIE ROMRELL, husband and wife

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:

AARON WARD ROMRELL and MISTY MARIE ROMRELL, husband and wife

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

See Exhibit A attached hereto and made a part hereof.

Idaho Title & Trust

By: *Jamm Taylor*
Authorized Officer of Agent

OWNER'S TITLE INSURANCE POLICY

SCHEDULE B

File Number: 5447LRT

EXCEPTIONS FROM COVERAGE

Policy No. A60-0040774

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:

GENERAL (STANDARD) EXCEPTIONS

1. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of the land or which may be asserted by persons in possession, or claiming to be in possession, thereof.
2. Easements, liens, encumbrances, or claims thereof, which are not shown by the public records.
3. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey of the land would disclose, and which are not shown by the public records.
4. Any lien, or right to a lien, imposed by law for services, labor, or material heretofore or hereafter furnished, which lien, or right to a lien, is 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) Indian treaty of aboriginal rights, including, but not limited to, easements or equitable servitudes; or, (d) water rights, claims or title to water, whether or not the matters excepted under (a), (b), (c) or (d) are shown by the public records.
6. Taxes or assessments which are not now payable or 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.
7. Any service, installation, connection, maintenance or construction charges for sewer, water, electricity, or garbage collection or disposal or other utilities unless shown as an existing lien by the public records.

SPECIAL EXCEPTIONS

1. General Taxes for 2001 and prior years are paid.
2. All easements and rights-of-way for highways, roads, railroads, ditches, canals, gas, pole, power and transmission lines as they may exist.
3. Right of Way for the Web Ditch, as disclosed by Agreement for use of Ditch, dated April 1, 1950, recorded July 31, 1950, in Book 7 of Contracts, page 328, under filing No. 28858, records of Butte County, Idaho. The exact location of said ditch is not disclosed but it appears that the ditch may cross part of this property.
4. Pole Line Easement executed by Harley L. Kyle and Unity M. Kyle, his wife, to Utah Power and Light Co., dated February 1, 1961, recorded April 3, 1961 in Book 4 of Misc. at Page 246 under Instrument No. 42499, records of Butte County, Idaho.

This policy is invalid unless the insuring provisions and Schedules A and B are attached.

SCHEDULE B - continued

File Number: **5447LRT**

Policy No. **A60-0040774**

5. Water and Ditch User's Agreement dated December 12, 1973, by and between Leslie A. Sermon and Unity Anna Sermon, husband and wife, and Woodie Land and Livestock, Inc., as recorded December 12, 1973 as Filing No. M-3063, records of Butte County, Idaho.
6. Mortgage dated November 19, 2001, executed by AARON WARD ROMRELL and MISTY MARIE ROMRELL, husband and wife, as Mortgagor, and WELLS FARGO BANK NORTHWEST, NA, as Mortgagee, to secure payment of \$107,800.00 and interest; recorded November 20, 2001, under Instrument No. 37604, records of Butte County, Idaho.

Assigned to U.S. BANK TRUST NATIONAL ASSOCIATION by Assignment dated November 15, 2001 and recorded November 20, 2001, under Instrument No. 37605, records of Butte County, Idaho.

7. Hazardous Substances Certificate and Indemnity Agreement dated November 19, 2001, executed by AARON WARD ROMRELL and MISTY MARIE ROMRELL, husband and wife, to WELLS FARGO BANK NORTHWEST, NA, recorded November 20, 2001, under Instrument No. 37606, records of Butte County, Idaho.

Assigned to U.S. BANK TRUST NATIONAL ASSOCIATION by Assignment dated November 20, 2001 and recorded November 20, 2001, under Instrument No. 37607, records of Butte County, Idaho.

8. Financing Statement by and between AARON WARD ROMRELL and MISTY MARIE ROMRELL and WELLS FARGO BANK NORTHWEST, NA, recorded November 20, 2001, under Instrument No. 37608, records of Butte County, Idaho.

This policy is invalid unless the insuring provisions and Schedules A and B are attached.

Exhibit A

Order No. 5447LRT

Township 6 North, Range 29 East, Boise Meridian, Butte County, Idaho:

Section 33: SW 1/4 EXCEPTING therefrom the following described tract: Beginning at the SE corner of SW 1/4 Section; thence North 330 feet; thence West 660 feet; thence South 330 feet; thence East 660 feet.

Exception #2:

Beginning at the S 1/4 corner of said Section 33, from which the SE Corner of said Section 33 bears North 89° 19' 45" East 2645.78 feet; thence from the S 1/4 corner of said Section 33, North 00° 21' 43" West along the East boundary of the SW Quarter of said Section 33, a distance of 330 feet to the point of beginning of this land description; thence continuing along the East boundary of the SW Quarter of said Section 33, North 00° 21' 43" West, a distance of 760.00 feet; thence North 90° 00' 00" West, a distance of 8.23 feet to a point of curvature; thence in a Southwesterly direction, along a curve concave to the West, said curve having a radius of 1335.00 feet, and a central angle of 39° 55' 45", a distance of 930.36 feet (curve length) to the North boundary of Tax No. 15-78; thence North 89° 19' 45" East along the North boundary of Tax No. 15-78, a distance of 507.48 feet to the point of beginning.

Exception #3:

Commencing at the Southwest Corner of said Section 33, (Recorded-Instrument No. 31248-Butte County records), thence North 89° 19' 45" East along the South boundary of the Southwest Quarter of said Section 33, a distance of 850.97 feet to the point of beginning.

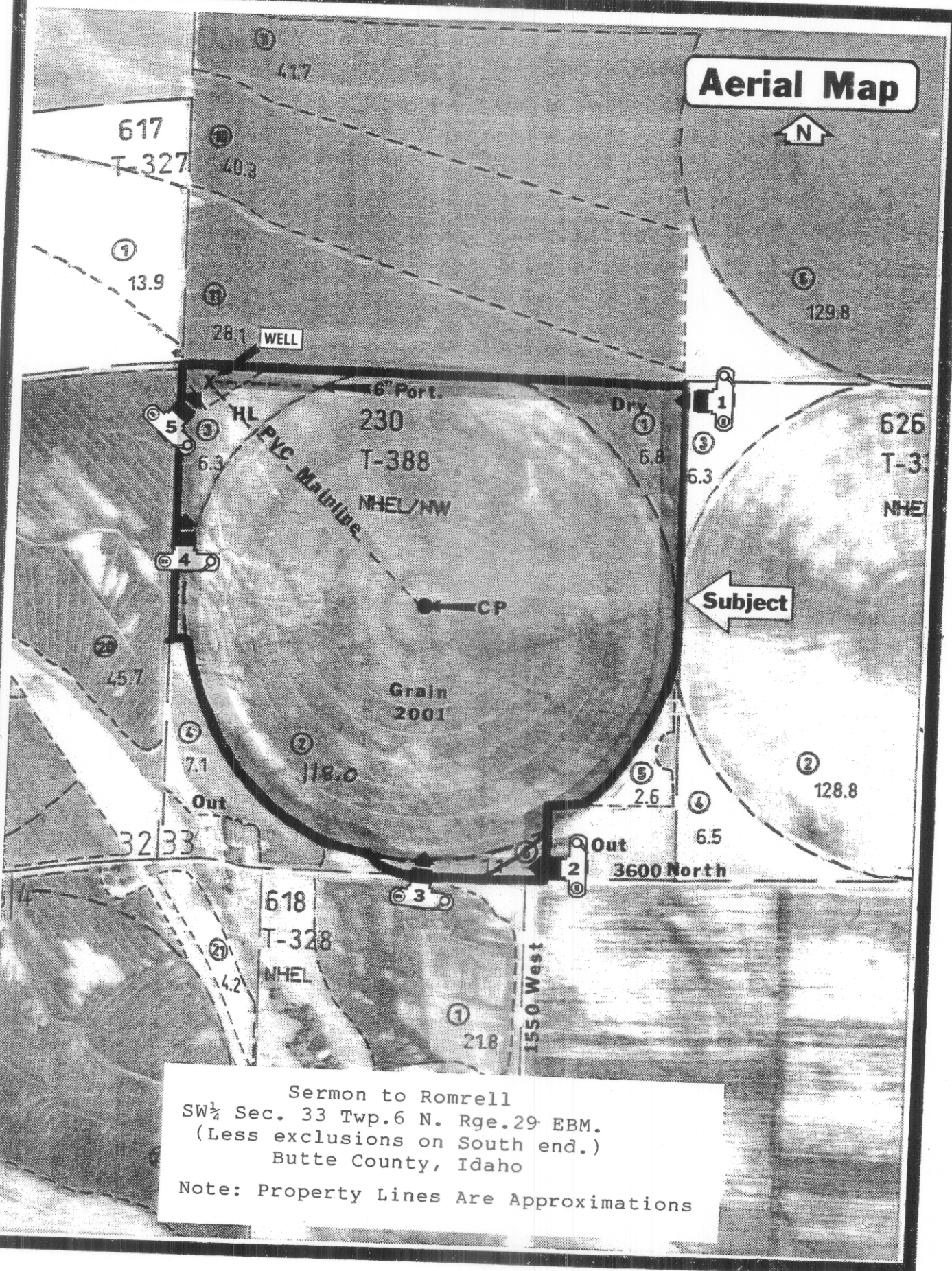
Thence North 00° 22' 40" East, a distance of 176.31 feet; thence North 84° 18' 12" East, a distance of 119.48 feet; thence South 50° 14' 52" East, a distance of 288.00 feet to the South boundary of the Southwest Quarter of said Section 33; thence South 89° 19' 45" West along the South boundary of the Southwest Quarter of said Section 33, a distance of 341.39 feet to the point of beginning.

EXCEPTION #4:

A portion of the SW1/4SW1/4 of Section 33, Township 6 North, Range 29 East of the Boise Meridian, Butte County, Idaho, being more particularly described as follows:

Commencing at the SW Corner of said Section 33; thence North along the West boundary of said Section 1206 feet; thence North 89°19'45" East 100 feet; thence South parallel to the West boundary of said Section 33, a distance of 200 feet, to a point of curvature; thence in a Southeasterly direction, along a curve concave to the East, said curve having a radius of 1335.00 feet, a distance of 1130 feet, more or less, to a point; thence North 89°19'45" East 80 feet; thence South 00°22'40" West a distance of 176.31 feet to the South boundary of the SW1/4 of said Section 33; thence South 89°19'45" West along the South boundary of the Southwest Quarter of said Section 33, a distance of 850.97 feet to the point of beginning.

Aerial Map



Sermon to Romrell
 SW $\frac{1}{4}$ Sec. 33 Twp.6 N. Rge.29 EBM.
 (Less exclusions on South end.)
 Butte County, Idaho

Note: Property Lines Are Approximations