

10/11/1999 09:13 2085882463

BILL ERICKSON

PAGE 02

ROAD RIGHT - OF - WAY EASEMENT

LOCATED WITHIN THE NW1/4 SE1/4 NE1/4 SECTION 9, T. 10 N., R. 13 E., B.M.
CITY OF STANLEY, CUSTER COUNTY, STATE OF IDAHO

OCTOBER 10, 1999

FOUND B.L.M. BRASS
CAP MONUMENT

S 5
S 4
S 8
S 9

S 89°32'36" W
2656.60'

N 1/4 SEC. 9
FOUND COPPERWELD
P.L.S. #970



William B. Erickson

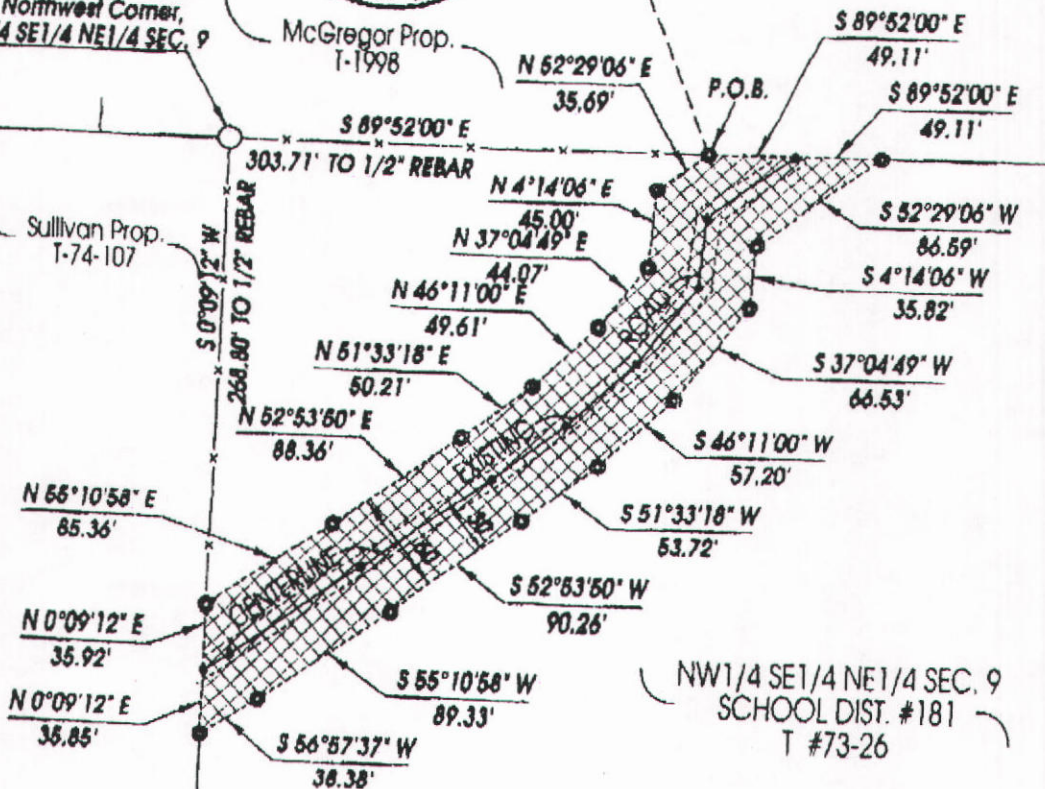


SCALE: 1" = 100 FT.

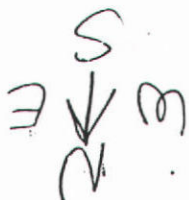
Found 1/2" Iron Rod
At Fence Intersection
For Northwest Corner,
NW1/4 SE1/4 NE1/4 SEC. 9

McGregor Prop.
T-1998

Sullivan Prop.
T-74-107



ERICKSON SURVEYING SERVICES
P.O. BOX #606
MACKAY, ID. 83251
PH. 208-686-3112



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 71-10064

NAME & ADDRESS: TARISE SULLIVAN
ALAN SULLIVAN
PO BOX 15
STANLEY ID 83278

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 06/01/1970

POINT OF DIVERSION: T10N R13E S09 SWNE Within CUSTER County

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

PLACE OF USE: DOMESTIC Within CUSTER County
T10N R13E S09 NENE

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.

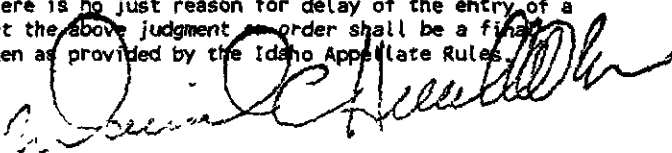
DATED: OCT - 3 1997


DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

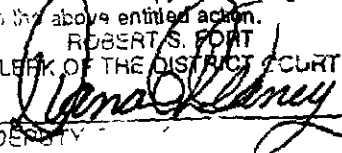
RULE 54(b) CERTIFICATE

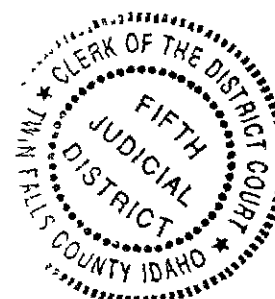
With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment 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.

DATED: OCT - 3 1997


DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 71-10064

State of Idaho
County of Twin Falls ss.
I hereby certify the foregoing to be a full,
true and correct copy of the original on
file in the above entitled action.
ROBERT S. FORT
CLERK OF THE DISTRICT COURT
By 
DEPUTY



PAGE 1
SEP-12-1997

WATER RIGHT NO.	NAME	OWNER	PRIORITY	DATE	STG/STS	SOURCE	USE DESC	SYSTEM
71-10064	SULLIVAN, TARISE	C		06/01/1970	D/	GROUNDWATER	P DECR	WR
	SULLIVAN, ALAN	C						
*71-10064	SULLIVAN, TARISE	C		06/01/1970	D/	GROUNDWATER	P DECR	AJ
	SULLIVAN, ALAN	C						
A71-10064	SULLIVAN, ALAN	C		06/01/1970	J/	GROUNDWATER	DOMEST	AJ
	SULLIVAN, TARISE	C						

Fee not required.

Pending response from new owners.

Kari Lynn

11.1.00

Support documentation received - where is it?

Need agent review.

Kari Lynn
7.20.01

This stuff doesn't match



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

RECEIVED

JAN 11 2000

Department of Water Resources

December 23, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

PAUL FRANTELLIZI
PAMELA PETERS
PO BOX 137
STANLEY ID 83278

RE: Change of Ownership for Water Right A71-10064

Dear Mr. Frantellizi & Ms. Peters:

During our review of the information you included with the ownership change paperwork for the above listed water right we found a discrepancy in the legal descriptions between your information and our records.

Our records indicate the place of use as T10N, R13E, S09, NENE and the information you provided indicates T10N, R13E, S09, SWNE. I have enclosed a copy of the water right license for your information.

The paperwork you sent is being returned to you. We will be happy to process your request upon receipt of non-conflicting support documentation.

If you have any questions regarding this matter, please call me at 208-327-7941.

Sincerely,

Kari Lynn Townsend
Secretary

KLT:k

Enclosure



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: November 15, 1999

RECEIVED
DEC 16 1999
Department of Water Resources
Northern Region

LEGAL DESCRIPTION OF PROPERTY: Township 10 N Range 13 E Custer County
Section 9, SW 1/4 of NE 1/4 of 1/4 Govt Lot , BM
Lot , Block , Subdivision/Townsite
If you have additional legal descriptions, please attach separate sheet. old sheet shared NE NE

[] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis) RECEIVED
DEC 21 1999

[X] Water Right Number(s) Assigned by IDWR: 71-10064 Department of Water Resources

[X] Name and Address of Former Owner/Claimant(s)/Seller): Tarise Sullivan & Alan Sullivan
PO Box 15 Stanley, Id. 83278

[X] New Owner/Claimant (Purchaser) Paul Frontellizzi & Pamela Peters

[X] New Mailing Address: PO Box 137
Stanley, Idaho 83278

[X] New Telephone Number (202) 714-2291

[X] Does the change in ownership result in a splitting of the water right owned/claimed? yes X no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner

[] Attach proof of ownership, describe proof attached

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

[X] Signature of New Owner/Claimant(s) Pamela Peters Date 11/15/99
[X] Signature of Former Owner/Claimant(s) Tarise Sullivan Date 11/8/99
Alan E. Sullivan Date 4-8-99

(Signature of former claimant(s) is not required if proof of ownership is attached)

FOR IDWR USE ONLY.
Initial Review and Data-Entry
Date: _____ By: _____
Further Action Needed:
Further Action Taken
Date: _____ By: _____
Final Review and Data-Entry
Date: _____ By: _____
Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

IDAHO DEPARTMENT OF WATER RESOURCES
INDIVIDUAL LISTING FROM DIRECTOR'S REPORT
OF WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE April 30, 1997

PAGE 1

RIGHT NUMBER **A** 71-10064NAME AND ADDRESS: TARISE SULLIVAN
ALAN SULLIVAN
PO BOX 15
STANLEY ID 83278

SOURCE GROUNDWATER

QUANTITY 0 04 CFS

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

PRIORITY-DATE 06/01/1970

POINT OF DIVERSION T10N R13E S09 SWNE NE Within CUSTER County

PURPOSE AND

PERIOD OF USE	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC 1 HOME	01-01 12-31	0 04 CFS

PLACE OF USE DOMESTIC Within CUSTER County
T10N R13E S09 NENE

OTHER MATTERS 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.EXPLANATORY MATERIAL BASIS OF CLAIM - BENEFICIAL USE
PARCEL NO. RP E00280000330

IDAH0 DEPARTMENT OF WATER RESOURCES
INDIVIDUAL LISTING FROM DIRECTOR'S REPORT
OF WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE April 30, 1997

PAGE 1

RIGHT NUMBER *H* 71-10064NAME AND ADDRESS
TARISE SULLIVAN
ALAN SULLIVAN
PO BOX 15
STANLEY ID 83278

SOURCE GROUNDWATER

QUANTITY 0 04 CFS

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

PRIORITY-DATE 04/01/1970

POINT OF DIVERSION TION R13E S09 SWNE NE Within CUSTER County

PURPOSE AND PERIOD OF USE	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC 1 HOME	01-01 12-31	0 04 CFS

PLACE OF USE DOMESTIC Within CUSTER County
TION R13E S09 NENE

OTHER MATTERS 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 USEEXPLANATORY MATERIAL BASIS OF CLAIM - BENEFICIAL USE
PARCEL NO RP E002800000330*120 ft. well**See attached
Legal Description
to deed.**is there a
mistake*



The Title Insurance Commitment is a legal contract between you and the company. It is issued to show the basis on which we will issue a Title Insurance Policy to you. The Policy will insure you against certain risks to the land title, subject to the limitations shown in the Policy.

The Company will give you a sample of the Policy form, if you ask.

The Commitment is based on the land title as of the Commitment Date. Any changes in the land title or the transaction may affect the Commitment and the Policy.

The Commitment is subject to its Requirements, Exceptions and Conditions.

THIS INFORMATION IS NOT PART OF THE TITLE INSURANCE COMMITMENT.

TABLE OF CONTENTS

	Page
AGREEMENT TO ISSUE POLICY	1
SCHEDULE A	
1 Commitment Date	2
2 Policies to be Issued, Amounts and Proposed Insureds	2
3 Interest in the Land and Owner	2
4 Description of the Land	2
SCHEDULE B-1 — Requirements	3
SCHEDULE B-2 — Exceptions	4
CONDITIONS	other side of 1

COMMITMENT FOR TITLE INSURANCE

ISSUED BY

First American Title Insurance Company



CUSTER COUNTY TITLE, INC.
8th & Main
P.O. Box 370
Challis, ID 83226
(208) 879-4424
Fax: (208) 879-5249
Agent for:

First American Title Insurance Company

AGREEMENT TO ISSUE POLICY

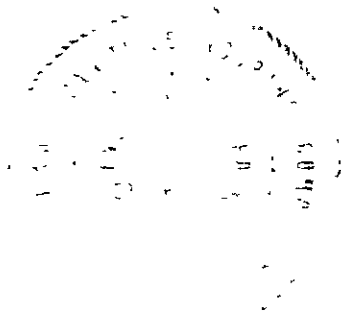
We agree to issue a policy to you according to the terms of this Commitment. When we show the policy amount and your name as the proposed insured in Schedule A, this Commitment becomes effective as of the Commitment Date shown in Schedule A.

If the Requirements shown in this Commitment have not been met within six months after the Commitment Date, our obligation under this Commitment will end. Also, our obligation under this Commitment will end when the Policy is issued and then our obligation to you will be under the Policy.

Our obligation under this Commitment is limited by the following:

- The Provisions in Schedule A.
- The Requirements in Schedule B-1.
- The Exceptions in Schedule B-2.
- The Conditions on the other side of this page 1.

This Commitment is not valid without SCHEDULE A and Sections 1 and 2 of SCHEDULE B.



First American Title Insurance Company

BY *Parker S. Kennedy* PRESIDENT

ATTEST *Mark R. Ameson* SECRETARY

BY *Patsy Knist* COUNTERSIGNED

SCHEDULE A

- | | | | |
|-------------------------------------|---|---|-----------------------------|
| 1. | Commitment Date: July 30, 1999 | 8:00 A.M. | Commitment No. 10176 |
| 2. | Policy or policies to be issued: | | Policy Amount |
| ☒ | a) | Owners Policy
Form 1402-92 (10-17-92)
Proposed Insured: PAUL FRANTELLIZZI AND PAMELA L. PETERS,
husband and wife | \$158,070.00 |
| ☐ | b) | Loan Policy
Form 1506-92 (10-17-92)
Proposed Insured: | \$ |
| ☐ | c) | Proposed Insured: | \$ |

- 3 **A fee simple interest in the land described in this Commitment is owned, at the Commitment Date, by**

ALAN E. SULLIVAN AND TARISE L. SULLIVAN, husband and wife

- 4. The Land referred to in this Commitment is described as follows:**

A fraction of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 9, Township 10 North, Range 13 East, Boise Meridian, Custer County, Idaho, described as:

Beginning at the Northeasterly corner of the said SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 9; thence North 89°52' West along the Northerly boundary of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 9, a distance of 150.0 feet; thence South 0°08' West, 364.3 feet; thence North 57°10' East, 178 0 feet to a point on the Easterly boundary of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 9; thence North 0°08' East, along the Easterly boundary of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 9 a distance of 268 55 feet to the Point of Beginning.



A Pioneer Company

PIONEER TITLE COMPANY

OF ADA COUNTY

821 West State Street / Boise, Idaho 83702-5836 / Telephone (208) 336-6700

WARRANTY DEED

For Value Received

ALAN E. SULLIVAN and TARISE L. SULLIVAN, husband and wife

hereinafter referred to as Grantor, does hereby grant, bargain, sell, and convey unto

PAUL FRANTELLIZZI and PAMELA L. PETERS, husband and wife

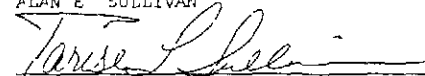
hereinafter referred to as Grantee, whose current address is

the following described premises, to wit

LEGAL DESCRIPTION ATTACHED AS EXHIBIT "A" WHICH IS MADE A PART HEREOF BY REFERENCE, RECORDS OF CUSTER COUNTY, IDAHO

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises, that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record, and easements visible upon the premises and that Grantor will warrant and defend the same from all claims whatsoever.

Dated November 6, 1999


ALAN E. SULLIVAN

TARISE L. SULLIVAN

STATE OF IDAHO)
)
)
COUNTY OF ADA)

On this 8th day of November, in the year 1999 before me, a Notary Public in and for said State, personally appeared ALAN E. SULLIVAN AND TARISE L. SULLIVAN, known or identified to me to be the person(s) whose name(s) are subscribed to the within Instrument, and acknowledged to me that they executed the same.



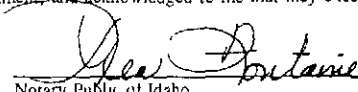

Notary Public of Idaho
Residing at Boise, Idaho
Commission expires 6/10/2000

EXHIBIT "A"

A FRACTION OF THE SW1/4NE1/4 OF SECTION 9, TOWNSHIP 10 NORTH,
RANGE 13 EAST, BOISE MERIDIAN, CUSTER COUNTY, IDAHO, MORE
PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

BEGINNING AT THE NORTHEASTERLY CORNER OF THE SAID SW1/4NE1/4
OF SECTION 9, RUN THENCE NORTH 89° 52' WEST ALONG THE NORTHERLY
BOUNDARY OF THE SW1/4NE1/4 OF SECTION 9 A DISTANCE OF 150.0 FEET;
THENCE SOUTH 0° 08' WEST 364.3 FEET; THENCE NORTH 57° 19' EAST 178.0
FEET TO A POINT ON THE EASTERLY BOUNDARY OF THE SW1/4NE1/4 OF
SECTION 9; THENCE NORTH 0° 08' EAST ALONG THE EASTERLY BOUNDARY
OF THE SW1/4NE1/4 OF SECTION 9 A DISTANCE OF 268.55 FEET TO THE POINT
OF BEGINNING.

T.L. r. A.S.

10/11/1999 09:13 2085882463

BILL ERICKSON

PAGE 02

ROAD RIGHT - OF - WAY EASEMENT

LOCATED WITHIN THE NW1/4 SE1/4 NE1/4 SECTION 9, T. 10 N., R. 13 E., B.M.
CITY OF STANLEY, CUSTER COUNTY, STATE OF IDAHO

OCTOBER 10, 1999

FOUND B.L.M. BRASS
CAP MONUMENT

S 5
S 8 S 4
S 9

S 89°32'36" W
2656.60'

N 1/4 SEC. 9
FOUND COPPERWELD
P.L.S. #970



William B. Erickson

SCALE: 1" = 100 FT.

Found 1/2" Iron Rod
At Fence Intersection
For Northwest Corner,
NW1/4 SE1/4 NE1/4 SEC. 9

McGregor Prop.
T-1998

Sullivan Prop.
T-74-107

N 65°10'58" E
65.36'

N 0°09'12" E
35.92'

N 0°09'12" E
36.85'

S 89°52'00" E
303.71' TO 1/2" REBAR

S 0°09'12" W
268.80' TO 1/2" REBAR

N 62°53'50" E
88.36'

N 61°33'18" E
50.21'

N 46°11'00" E
49.61'

N 37°04'49" E
44.07'

N 4°14'06" E
45.00'

N 62°29'06" E
35.69'

P.O.B.

S 89°52'00" E
49.11'

S 89°52'00" E
49.11'

S 52°29'06" W
66.59'

S 4°14'06" W
35.82'

S 37°04'49" W
66.53'

S 46°11'00" W
57.20'

S 51°33'18" W
53.72'

S 62°53'50" W
90.26'

S 65°10'58" W
89.33'

S 66°57'37" W
38.38'

NW1/4 SE1/4 NE1/4 SEC. 9
SCHOOL DIST #181
T #73-26

ERICKSON SURVEYING SERVICES
P.O. BOX #606
MACKAY, ID. 83251
PH. 208-668-3112

ROAD RIGHT - OF - WAY EASEMENT

LOCATED WITHIN THE NW1/4 SE1/4 NE1/4 SECTION 9, T. 10 N., R. 13 E., B.M.
CITY OF STANLEY, CUSTER COUNTY, STATE OF IDAHO

OCTOBER 10, 1999

AN EASEMENT FOR ROAD RIGHT-OF-WAY ACCROSS THE NORTHWEST CORNER OF THE NW1/4 SE1/4 NE1/4 SECTION 9, T. 10 N., R. 13 E., B.M., CITY OF STANLEY, CUSTER COUNTY, STATE OF IDAHO; SAID EASEMENT BEING 60 FEET IN WIDTH (30 FEET EACH SIDE OF THE CENTERLINE OF THE EXISTING ROAD NOW BEING USED); BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A COPPERWELD SURVEY MONUMENT MARKING THE NORTH 1/4 CORNER OF SECTION 9, T. 10 N., R. 13 E., B.M.; FROM WHICH A BRASS CAP MONUMENT MARKING THE NORTHWEST CORNER OF SAID SECTION 9 BEARS S 89°32'36" W 2656.60 FEET; THENCE, S 50°37'07" E 2066.64 FEET TO A POINT LYING ON OR ALONG THE NORTH LINE OF THE NW1/4 SE1/4 NE1/4 SAID SECTION 9, AND THE POINT OF BEGINNING; THENCE, ALONG SAID NORTH LINE S 89°52'00" E 98.22 FEET; THENCE, THE FOLLOWING COURSES ALONG THE SOUTHEASTERLY LINE OF SAID EASEMENT;

S 52°29'06" W 86.59 FEET;

S 4°14'06" W 38.82 FEET;

S 37°04'49" W 66.53 FEET;

S 46°11'00" W 67.20 FEET;

S 61°33'18" W 63.72 FEET;

S 52°53'50" W 90.26 FEET;

S 55°10'58" W 89.33 FEET;

S 56°57'37" W 38.38 FEET TO A POINT LYING ON OR ALONG THE WEST LINE OF THE NW1/4 SE1/4 NE1/4 SAID SECTION 9; THENCE, ALONG SAID WEST LINE N 0°09'12" E 71.77 FEET; THENCE, THE FOLLOWING COURSES ALONG THE NORTHWESTERLY LINE OF SAID EASEMENT;

N 58°10'58" E 85.36 FEET;

N 52°53'50" E 88.36 FEET;

N 61°33'18" E 50.21 FEET;

N 46°11'00" E 49.61 FEET;

N 37°04'49" E 44.07 FEET;

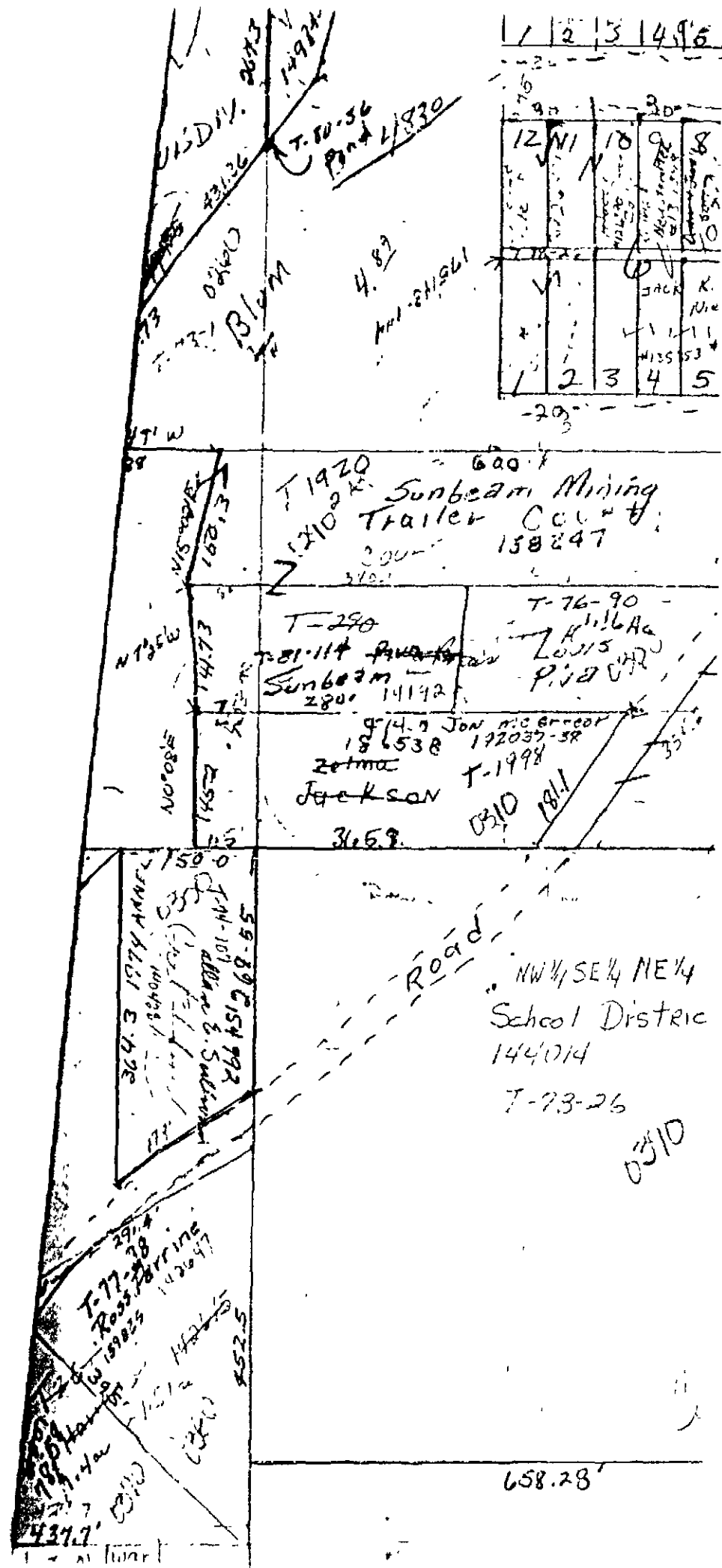
N 4°14'06" E 48.00 FEET;

N 52°29'06" E 35.69 FEET TO THE POINT OF BEGINNING;

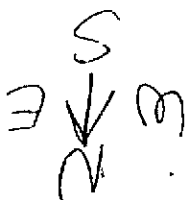


ERICKSON SURVEYING SERVICES
P.O. BOX #606
MACKAY, ID. 83251
PH 208-588-3112

1	2	3	4	5
12	11	10	9	8
7	6	5	4	3
2	1			
1	2	3	4	5



658.28'



71-10064

Sharea -

Mr. Frantellingi
Called from his current
residence in NY to
find out what we needed.
Can you determine from
the maps whether or
not we have a match
on the legal description?

Kari Lynne
1-12-80



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

December 23, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

PAUL FRANTELLIZI
PAMELA PETERS
PO BOX 137
STANLEY ID 83278

RE: Change of Ownership for Water Right A71-10064

Dear Mr. Frantellizi & Ms. Peters:

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Our records indicate the place of use as T10N, R13E, S09, NENE and the information you provided indicates T10N, R13E, S09, SWNE. I have enclosed a copy of the water right license for your information.

The paperwork you sent is being returned to you. We will be happy to process your request upon receipt of non-conflicting support documentation.

If you have any questions regarding this matter, please call me at 208-327-7941.

Sincerely,

A handwritten signature in cursive script, reading "Kari Lynn Townsend".

Kari Lynn Townsend
Secretary

KLT:k

Enclosure