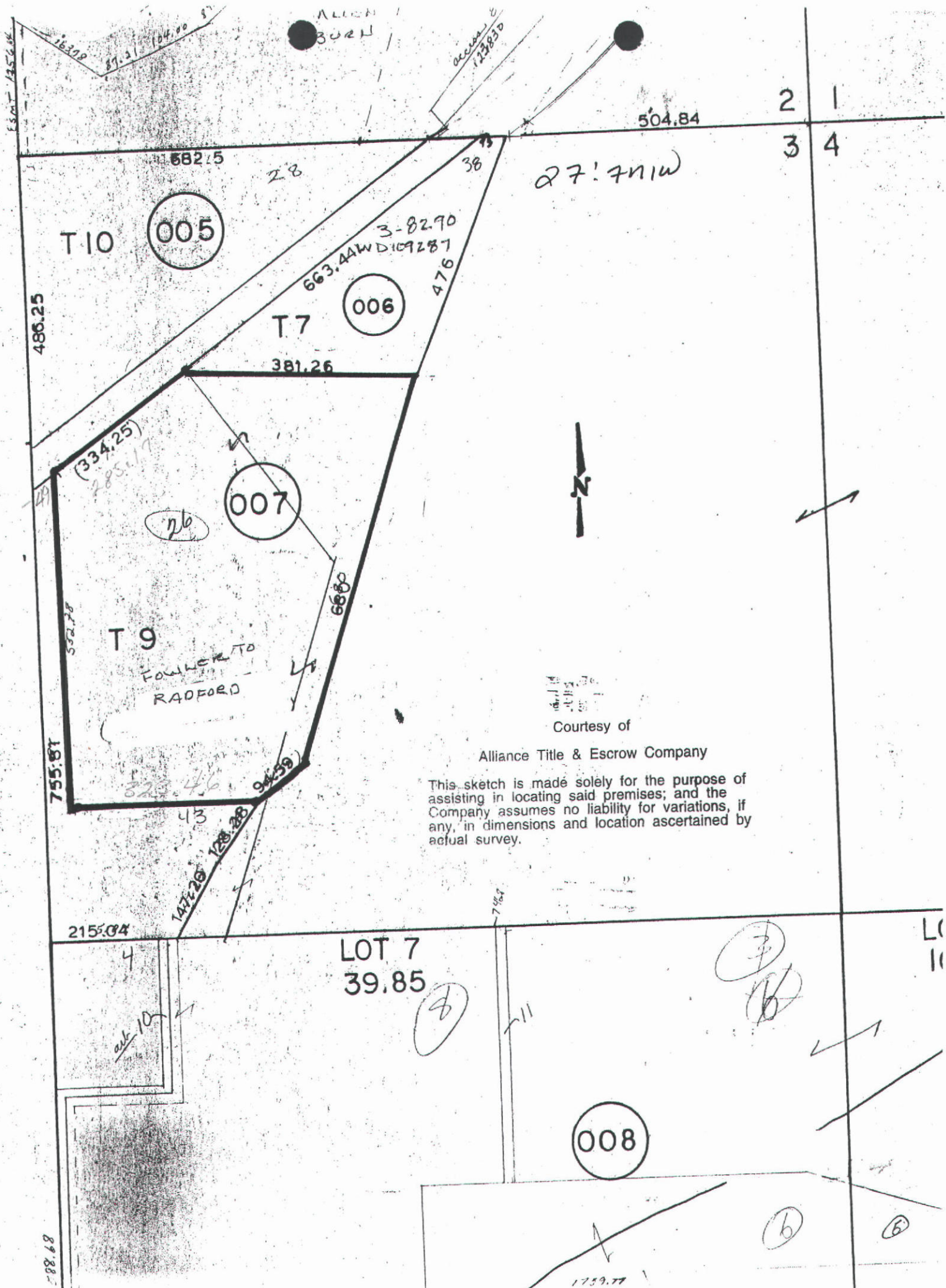




2	1
3	4

27' 7" NW



Courtesy of
Alliance Title & Escrow Company

This sketch is made solely for the purpose of assisting in locating said premises; and the Company assumes no liability for variations, if any, in dimensions and location ascertained by actual survey.

LOT 7
39.85

008

(b)

(b)

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

FEB 20 2003

WATER RESOURCES
WESTERN REGION

RECEIVED

FEB 27 2003

WATER RESOURCES
WESTERN REGIONPlease 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, 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
65-21351					

RECEIVED
MAR 03 2003
DEPARTMENT OF WATER RESOURCESRECEIVED
MAR 03 2003
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) 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)

Gerald R. Fowler

4. New Owner/Claimant(s)

Roland &/or Beverly Radford

Name Connector (Check one). ☐ and, ☐ or, ☐ and/or

New Mailing Address

P.O. Box 1065, 2723 East Black Canyon

City, State and ZIP Code

Emmett, ID 83617

New Telephone Number

(208) 365-1606

5. Date you acquired the property

June 19, 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)

Richard J. Radford
Doreen M. Radford

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 GS Date 2-20-03 Fee 25⁰⁰
 Receipted by ST Date 2-20-03 Receipt No. W030077
 Processed by _____ AJ Date _____ WR _____ Date _____

AMERICAN LAND TITLE ASSOCIATION
OWNER'S POLICY
(10-17-92)

13 0046 106 00001288

CHICAGO TITLE INSURANCE COMPANY

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE B AND THE CONDITIONS AND STIPULATIONS, CHICAGO TITLE INSURANCE COMPANY, a Missouri 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.

In Witness Whereof, CHICAGO TITLE INSURANCE COMPANY has caused this policy to be signed and sealed as of Date of Policy shown in Schedule A, the policy to become valid when countersigned by an authorized signatory.

Issued by:
ALLIANCE TITLE AND
ESCROW CORPORATION
1022 SOUTH WASHINGTON AVENUE
EMMETT, ID 83617
(208) 365-4486

CHICAGO TITLE INSURANCE COMPANY

By:

John R. ...
President

By:

Thomas J. Adams
Secretary



EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to building and zoning laws, ordinances, or regulations) restricting, regulating, prohibiting or relating to (i) the occupancy, use, or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
- (b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
2. Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge.
3. Defects, liens, encumbrances, adverse claims or other matters:
 - (a) created, suffered, assumed or agreed to by the insured claimant;
 - (b) not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy;
 - (c) resulting in no loss or damage to the insured claimant;
 - (d) attaching or created subsequent to Date of Policy; or
 - (e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the estate or interest insured by this policy.
4. Any claim, which arises out of the transaction vesting in the insured the estate or interest insured by this policy, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that is based on:
 - (i) the transaction creating the estate or interest insured by this policy being deemed a fraudulent conveyance or fraudulent transfer; or
 - (ii) the transaction creating the estate or interest insured by this policy being deemed a preferential transfer except where the preferential transfer results from the failure:
 - (a) to timely record the instrument of transfer; or
 - (b) of such recordation to impart notice to a purchaser for value or a judgment or lien creditor.

OWNER POLICY

SCHEDULE A

Order Number	Policy Number	Date of Policy	Amount of Insurance	Premium Amount
405000568	13004610600001288	June 15, 2000 At 11:19AM	255,000.00	1,020.00

1. Name of Insured:

Roland J. Radford and Beverly M. Radford

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:

Roland J. Radford and Beverly M. Radford, Husband and Wife

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

SEE ATTACHED LEGAL DESCRIPTION

A tract of land situated in the SW ¼ of the NW ¼ of Section 27, Township 7 North, Range 1 West, B.M., Gem County, Idaho, and is more particularly described as follows:

BEGINNING at the Southwest corner of said SW ¼ of the NW ¼; thence North 0°06'05" West along the West boundary of said SW ¼ of the NW ¼, a distance of 755.81 feet to a point on the Southeasterly boundary of the right of way for State Highway No. 52; thence North 54°28'50" East along the Southeasterly boundary of said State Highway No. 52 right of way, distance of 334.25 feet; thence leaving said Southeasterly boundary of said State Highway No. 52, and running South 87°57'45" East a distance of 381.26 feet; thence South 18°25'19" West a distance of 680.00 feet to a point on the North bank of an existing waste ditch; thence traversing the North bank of said waste ditch as follows: B.M., Gem County, Idaho, more particularly described as follows: South 51°16'43" West a distance of 94.59 feet; South 36°16'47" West a distance of 128.28 feet; South 29°19'41" West a distance of 147.20 feet to a point on the South boundary of said SW ¼ of the NW ¼; thence South 89°53'55" West along the South boundary of said SW ¼ of the NW ¼ a distance of 215.04 feet to the REAL POINT OF BEGINNING.

LESS the following described tract:

**A tract of land situate in a portion of the SW ¼ of the NW ¼ of Section 27, Township 7 North, Range 1 West,
RE: That certain unrecorded survey in Blakley Engineers for Frank Bilawa dated August 18, 1972, Job No. SE 080472, Book 112 for the following legal description:**

BEGINNING at the Southwest corner of the SW ¼ of the NW ¼ of Section 27, Township 7 North, Range 1 West, marked by a found brass cap monument, THE REAL POINT OF BEGINNING; thence North 00°06'05" West, 755.81 feet along the West line of the SW ¼ of the NW ¼ to a point on the Southeasterly right of way line of State Highway 52; thence North 54°28'50" East, 49.08 feet along said Highway right of way to a set ½" iron pin P.L.S. 4108; thence South 00°06'05" East, 552.78 feet, 40.00 feet East of and parallel with the West line of the SW ¼ of the NW ¼ to a set ½" iron pin P.L.S. 4108; thence North 89°53'55" East, 323.46 feet to a point on the North bank of an existing waste drain ditch marked by a found ½" iron pin; thence

END OF SCHEDULE A

OWNER POLICY

Order No: 405000568

Policy No: 13004610600001288

SCHEDULE B PART I

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

General Exceptions:

- A. Rights or claims of parties in possession not shown by the public records.
- B. Encroachments, overlaps, boundary line disputes, and any other matters which would be disclosed by an accurate survey or inspection of the premises including, but not limited to, insufficient or impaired access or matters contradictory to any survey plat shown by the public records.
- C. Easements, or claims of easement, not shown by the public records.
- D. Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
- E. Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the public records.
- F. Taxes or special assessments which are not shown as existing liens by the public 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.

SCHEDULE B PART II

Special Exceptions:

- 1. Taxes, including any assessments collected therewith, for the year 2000 which are a lien not yet payable.
- 2. Levies and assessments of the Emmett Irrigation District, and the rights, powers and easements of said district as by law provided.
- 3. An easement for the purpose shown below and rights incidental thereto as set forth in document:
Granted to: Idaho Power Company.
Purpose: Public Utilities
Recorded: December 19, 1941.,
Book. 5 of Miscellaneous.
Page: 473 of Official Records.

4. An easement for the purpose shown below and rights incidental thereto as set forth in a document.

Granted to: United States of America.

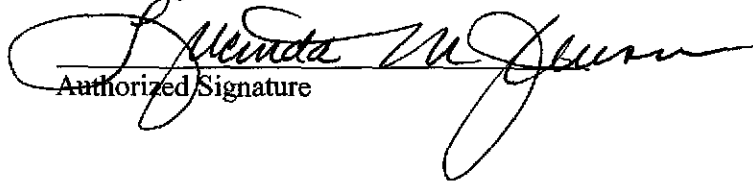
Purpose: Transmission lines.

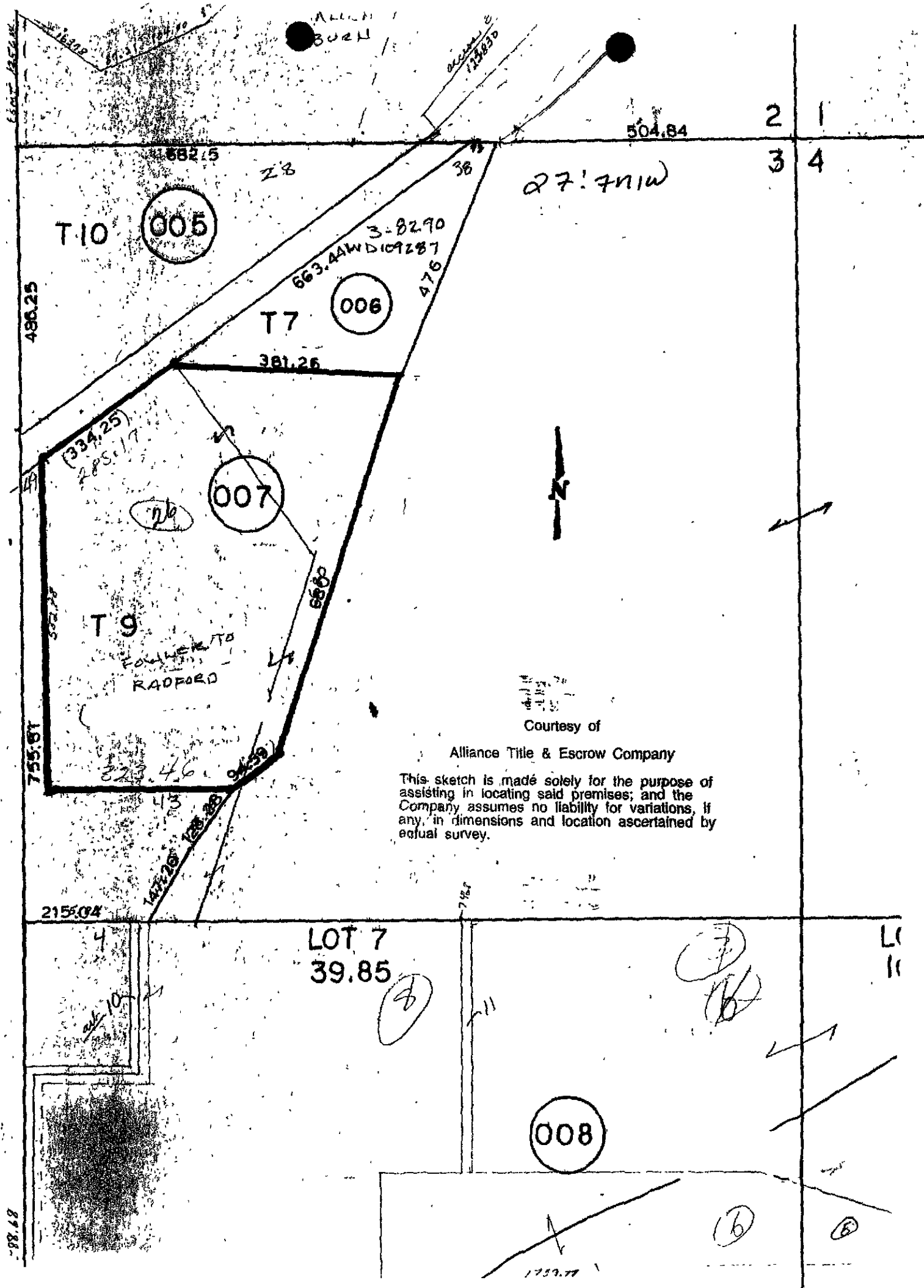
Recorded: October 22, 1947.

Book 31 of Deeds, Page 604 of Official Records.

END OF SCHEDULE B

Countersigned:


Authorized Signature



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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 65-21351

NAME AND ADDRESS: GERALD R FOWLER
C/O RICHARD & DIANNA JUESCKE
180-15 W BULLION RD
ELKO, NV 89801

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 06/01/1980

POINT OF DIVERSION: T07N R01W S27 SWNW Within Gem County

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

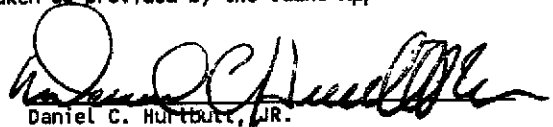
PLACE OF USE: Domestic Within Gem County
T07N R01W S27 SWNW

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.

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.


Daniel C. Hurtbutt, Jr.
Presiding Judge
Snake River Basin Adjudication

MEMORANDUM

DATE: September 30, 2004
FROM: JUSTIN ALDRIDGE
TO: FILE 65-21351
RE: Missing Documentation for Ownership Change

=====

We received the ownership change for Roland and Beverly Radford in March 2003. Upon investigating the ownership change in 2004, we discovered that an ownership change had already taken place rendering the Radfords as the current owners. We do not know who processed the ownership change, when it took place, or with what documentation it was processed (none can be found). We are placing the 2003 Radford notice and documentation in the file along with this memo. No further action will be taken.