

Ticor Title Insurance Company

Commitment
for
Title
Insurance

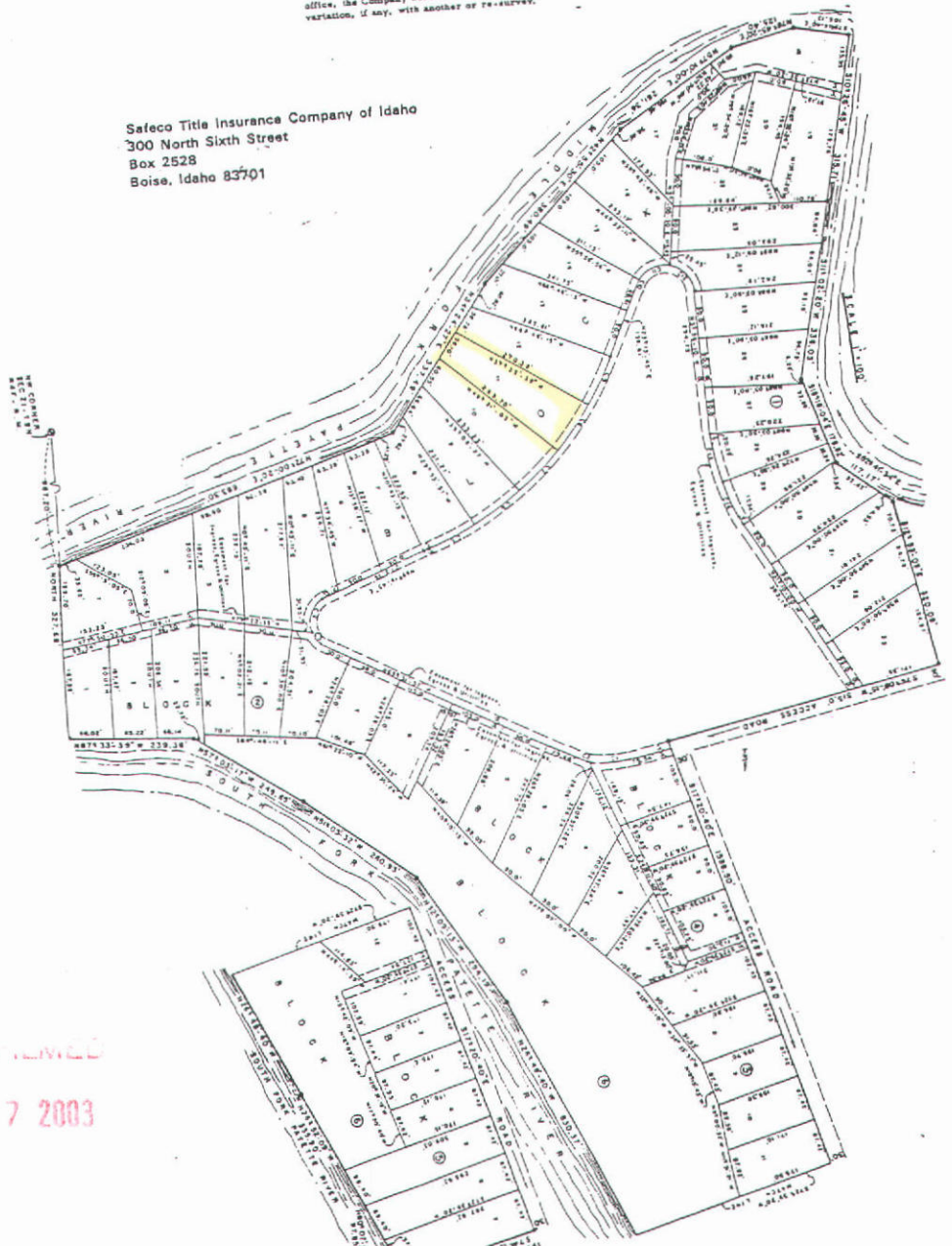
TICOR TITLE INSI

RIVER'S POINT SUBDIVISION
BOISE COUNTY IDAHO

THIS MAP IS A PHOTOGRAPHIC REPRODUCTION OF THE ORIGINAL RECORD OF THE SURVEY OF THE LAND SHOWN THEREON. IT IS NOT A SURVEY.

While this map is a photographic reproduction of that on file in either the recorder's or surveyor's office, the Company assumes no liability for variation, if any, with another or re-survey.

Safeco Title Insurance Company of Idaho
300 North Sixth Street
Box 2528
Boise, Idaho 83701



MICROFILMED

MAR 17 2003

RECEIVED

MAY 15 2002

RECEIVED

MAY 13 2002

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Department of Water Resources

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.1. Water Right No(s): 65-12601 V1

Adjudication Claim No(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** showing the location of the place of use of the water right(s) or claim(s).
(These are usually attached to your deed or on file with the county.)

OR

C. If your water right or adjudication claim 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/ClaimantJean Miller

4. New Owner/Claimant(s)

Philip J. Palmiotto Antonia Palmiotto

New Mailing Address

91 Charter Mountain Lane

City, State and ZIP Code

Garden Valley ID 83622

New Telephone Number

(208) 462-16929 462-4620 (WORK-TONI)

5. Date you acquired the property

4/7/00

6. Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below only if the water right(s) or claim(s) need to be split between owners. If necessary, attach additional pages. If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

Number of acres you irrigate with this water right _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes you acquired _____ Other uses _____

7. Signature of New Owner(s)
or Claimant(s)Antonia Palmiotto5/10/02

Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

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MAR 17 2003

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) _____

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 <u>DB</u>	Date <u>5-13-02</u>	Fee <u>\$ 25.00</u>
Received by <u>MTM</u>	Date <u>7-15-02</u>	Receipt No. <u>0063308</u>
Processed by _____	AJ Date _____	WR _____ Date _____

MICROFILMED

MAR 17 2003

THIS FORM FURNISHED COURTESY OF:

**ALLIANCE TITLE &
ESCROW CORP.**

READ & APPROVED BY GRANTEE(S): _____

176582

SPACE ABOVE THIS LINE FOR RECORDING DATA
Order No.: 00022868

INST# 176638
REQUEST Alliance
00 APR -7 PM 4:20
BOISE COUNTY RECORDER
BY [Signature]
TYPE 31 FEE 9.00

WARRANTY DEED

FOR VALUE RECEIVED DARRO ROBERTS and PATSY MCGOURTY, duly appointed
Co-Guardians and Co-Conservators, of the Estate of Jean L. Miller

GRANTOR(S), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto PHILIP J.
PALMIOTTO and ANTONIA PALMIOTTO, husband and wife

GRANTEE(S), whose current address is: P.O. Box 354, Carabondale, CO. 81623
the following described real property in BOISE County, State of Idaho, more particularly
described as follows, to wit:

As set forth on the attached EXHIBIT "A", which by this
reference becomes a part hereof.

rerecord to attach exhibit **176638**

INST# 176638
REQUEST Alliance
00 APR 13 PM 3:47
BOISE COUNTY RECORDER
BY C Wallace
TYPE 31 FEE 12.00/ck

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and
Grantee(s) heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said
Grantee(s), that Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from
all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered
or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and
agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments,
if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend
the same from all lawful claims whatsoever.

Dated: April 04, 2000

Patsy McGourty
As Legal Guardian

STATE OF _____)
COUNTY OF _____)

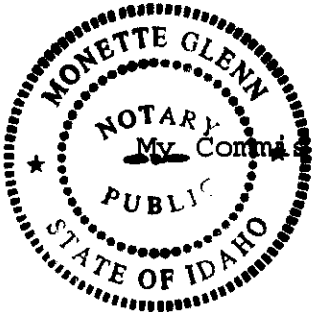
On this _____ day of _____, in the year of _____, before me, the undersigned, a Notary
Public in and for said State, personally appeared _____

known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and
acknowledged to me that he/she/they executed the same.

Signature: _____
Name: _____
Residing at: _____
My Commission Expires: _____
MICROFILMED
MAR 17 2003
(type or print)

STATE OF IDAHO, County of ADA, ss.

On this 4TH day of APRIL in the year of 2000, before me, the undersigned, a Notary Public in and for said State, personally appeared PATSY MCGOURTY known or identified to me to be the person whose name is subscribed to the within instrument, as the Guardian and Conservator of JEAN MILLER, an incapacitated person and protected person and acknowledged to me that she executed the same as such Guardian and Conservator of JEAN MILLER, an incapacitated person and protected person.



Signature: _____

Name: _____

(Type or Print)

Residing At: _____

My Commission expires: _____

MICROFILMED
MAR 17 2003

COPY

FINCH COSHO, P.A.
Michelle R. Finch
311 W. Idaho
P.O. Box 1296
Boise, Idaho 83701
(208) 385-0800

COPY
NO. _____
FILED
A.M. _____ P.M. _____

OCT 13 1998

J. DAVID NAVARRO, Clerk
By HAILEY R. MILLER
DEPUTY

Attorney for Petitioners

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

In the matter of the Estate of	)	CASE NO.: SPGI9800046M
	)	
JEAN MILLER,	)	LETTERS OF GUARDIANSHIP
	)	AND CONSERVATORSHIP
an Incapacitated Person and	)	
Protected Person.	)	
_____	)	

Darro Roberts and/or Patsy McGourty were duly appointed and qualified as co-guardians and co-conservators of the above-named incapacitated person on the 13 day of October, 1998, by the Court with all authority pertaining thereto.

These letters are issued to evidence the appointment, qualification, and authority of the said guardians and conservators. The guardianship and conservatorship is a general guardianship and conservatorship.

WITNESS my signature and the seal of this Court this 13 day of October, 1998.

STATE OF IDAHO
COUNTY OF ADA

PATRICIA A. FLANAGAN

Magistrate

J. DAVID NAVARRO, CLERK OF THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA, DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF THE ORIGINAL ENTERED IN THIS OFFICE.

LETTERS OF GUARDIANSHIP AND CONSERVATORSHIP - 1

J. DAVID NAVARRO, CLERK
Hailey R. Miller
DEPUTY

NO. 2689 P. 1/1

APR 17 2000 8:10PM

MICROFILMED
MAR 17 2003

EXHIBIT "A"

Lot 11 in Block 1 and the Southwesterly 5.00 feet of Lot 12, Block 1, as staked for RIVER'S POINT SUBDIVISION as on file as Instrument No. 74366, in the office of the Recorder of Boise County, Idaho, and is situated in the Northwest Quarter of **Section 21, Township 9 North, Range 4 East**, Boise Meridian, and is more particularly described as follows:

COMMENCING at the Northwest corner of said Section 21, thence South along the West boundary of said Section 21, a distance of 967.20 feet to a point on the Northwesterly boundary of said RIVER'S POINT SUBDIVISION; thence North 72 degrees 00'00" East along the Northwesterly boundary of said subdivision, a distance of 683.30 feet; thence North 34 degrees 24'27" East along the Northwesterly boundary of said subdivision, a distance of 160.91 feet (formerly 154.81 feet) to the TRUE POINT OF BEGINNING; thence continuing North 34 degrees 24'27" East along the Northwesterly boundary of said subdivision, a distance of 62.26 feet; thence South 58 degrees 57'08" East, a distance of 275.97 feet; thence Southwesterly a distance of 108.38 feet along the arc of a curve to the right having a central angle of 9 degrees 50'17", a radius of 631.19 feet and a long chord which bears South 36 degrees 14'54" West, a distance of 108.25 feet; thence North 49 degrees 20'58" West, a distance of 273.65 feet (formerly North 48 degrees 21'03" West, a distance of 269.70 feet) to the TRUE POINT OF BEGINNING.

MICROFILMED
MAR 17 2003

THIS FORM FURNISHED COURTESY OF:

**ALLIANCE TITLE &
ESCROW CORP.**

176583

176639
INST# 176583
REQUEST Alliance
00 APR -7 PM 4:20
BOISE COUNTY RECORDER
BY [Signature]
TYPE 31 FEE 9.00

READ & APPROVED BY GRANTEE(S): _____

SPACE ABOVE THIS LINE FOR RECORDING DATA

Order No.: 00022868

WARRANTY DEED

FOR VALUE RECEIVED DARRO ROBERTS and PATSY MCGOURTY, duly appointed
Co-Guardians and Co-Conservators, of the Estate of Jean L. Miller

GRANTOR(S), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto PHILIP J.
PALMIOTTO and ANTONIA PALMIOTTO, husband and wife

GRANTEE(S), whose current address is: P.O. Box 354, Carabondale, CO. 81623
the following described real property in BOISE County, State of Idaho, more particularly
described as follows, to wit:

As set forth on the attached EXHIBIT "A", which by this
reference becomes a part hereof.

rerecord to attach exhibit 176639

INST# 176639
REQUEST Alliance
00 APR 13 PM 3:48
BOISE COUNTY RECORDER
BY [Signature]
TYPE 31 FEE 12.00/ck

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and
Grantee(s) heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said
Grantee(s), that Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from
all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered
or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and
agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments,
if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend
the same from all lawful claims whatsoever.

Dated: April 04, 2000

Darro Roberts as Legal Guardian

STATE OF
COUNTY OF

On this _____ day of _____, in the year of _____, before me, the undersigned, a Notary
Public in and for said State, personally appeared

known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and
acknowledged to me that he/she/they executed the same.

Signature: _____

Name: _____
(type or print)

Residing at: _____

My Commission Expires: _____

MICROFILMED
MAR 17 2003

ORDER NO. 00022868

STATE OF ^{Texas}~~IDAHO~~, County of ^{Tarrant}~~ADA~~, ss.

On this ^{05th}~~4th~~ day of APRIL in the year of 2000, before me, the undersigned, a Notary Public in and for said State, personally appeared DARRO ROBERTS known or identified to me to be the person whose name is subscribed to the within instrument, as the Guardian and Conservator of JEAN MILLER, an incapacitated person and protected person and acknowledged to me that she executed the same as such Guardian and Conservator of JEAN MILLER, an incapacitated person and protected person.

Signature:

Name:

Cindy Clausen

CINDY CLAUSSEN

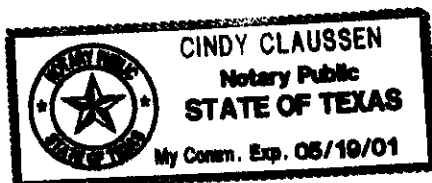
(Type or Print)

Residing At:

My Commission expires:

316 ASH CREEK, AZLE TX 76020

5-19-01



MICROFILMED
MAR 17 2003

COPY

FINCH COSHO, P.A.
Michelle R. Finch
311 W. Idaho
P.O. Box 1296
Boise, Idaho 83701
(208) 385-0800

COPY
NO. _____
FILED
A.M. _____ P.M. _____

OCT 13 1998

J. DAVID NAVARRO, Clerk
By HAILEY R. MILLER
DEPUTY

Attorney for Petitioners

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

In the matter of the Estate of	)	CASE NO.: SPGI9800046M
	)	
JEAN MILLER,	)	LETTERS OF GUARDIANSHIP
	)	AND CONSERVATORSHIP
an Incapacitated Person and	)	
Protected Person.	)	
_____	)	

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These letters are issued to evidence the appointment, qualification, and authority of the said guardians and conservators. The guardianship and conservatorship is a general guardianship and conservatorship.

WITNESS my signature and the seal of this Court this 13 day of October, 1998.

STATE OF IDAHO
COUNTY OF ADA

PATRICIA A. FLANAGAN

Magistrate

J. DAVID NAVARRO, CLERK OF THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA, DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF THE ORIGINAL ENTERED IN MY OFFICE.

LETTERS OF GUARDIANSHIP AND CONSERVATORSHIP - 1

J. DAVID NAVARRO, CLERK
Hailey R. Miller
DEPUTY

NOV 11 1998

APR 17 2000

RECORDED
APR 17 2003

EXHIBIT "A"

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COMMENCING at the Northwest corner of said Section 21, thence South along the West boundary of said Section 21, a distance of 967.20 feet to a point on the Northwesterly boundary of said RIVER'S POINT SUBDIVISION; thence North 72 degrees 00'00" East along the Northwesterly boundary of said subdivision, a distance of 683.30 feet; thence North 34 degrees 24'27" East along the Northwesterly boundary of said subdivision, a distance of 160.91 feet (formerly 154.81 feet) to the TRUE POINT OF BEGINNING; thence continuing North 34 degrees 24'27" East along the Northwesterly boundary of said subdivision, a distance of 62.26 feet; thence South 58 degrees 57'08" East, a distance of 275.97 feet; thence Southwesterly a distance of 108.38 feet along the arc of a curve to the right having a central angle of 9 degrees 50'17", a radius of 631.19 feet and a long chord which bears South 36 degrees 14'54" West, a distance of 108.25 feet; thence North 49 degrees 20'58" West, a distance of 273.65 feet (formerly North 48 degrees 21'03" West, a distance of 269.70 feet) to the TRUE POINT OF BEGINNING.

MICROFILMED
MAR 17 2003

Ticor Title Insurance Company

Commitment
for
Title
Insurance

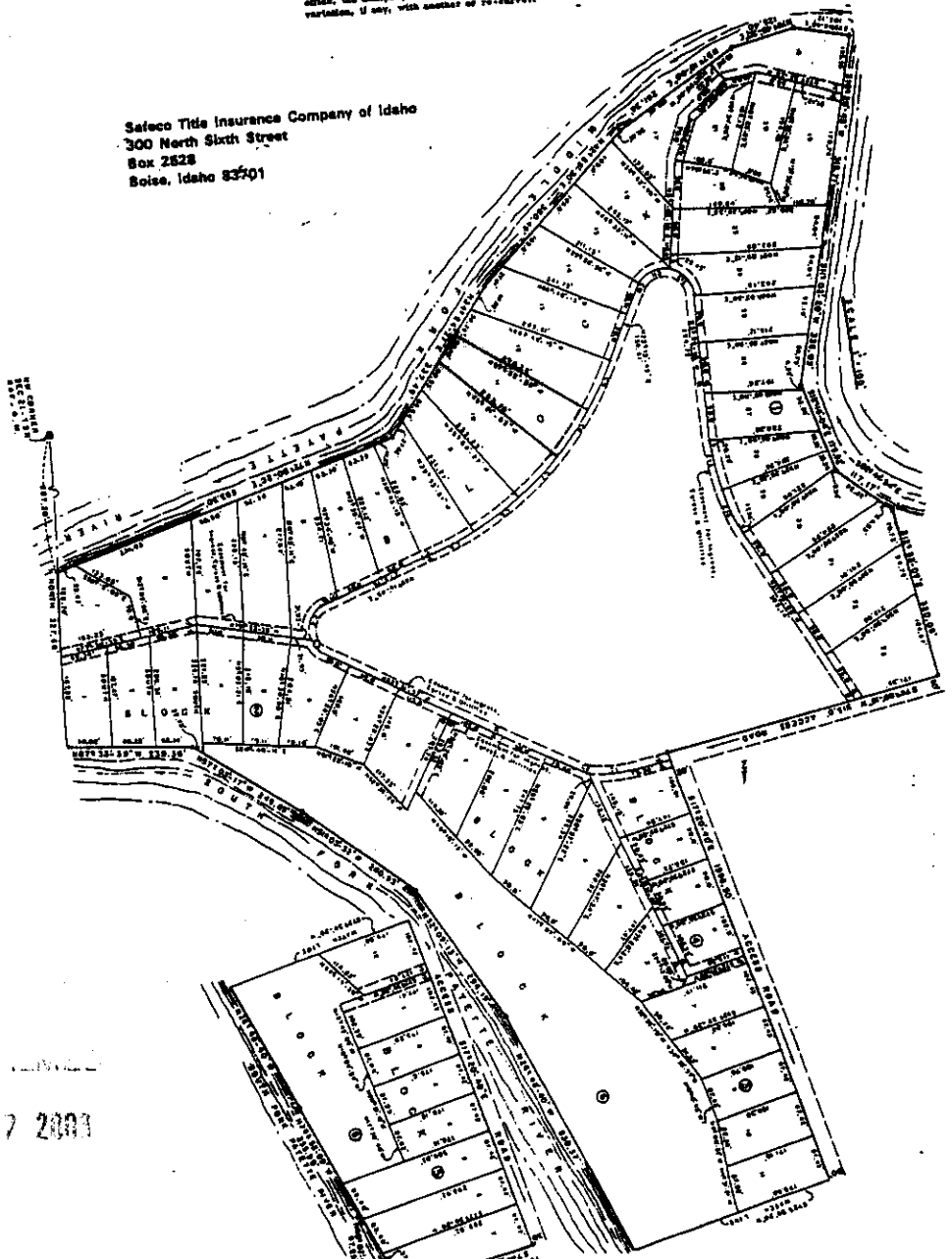
TICOR TITLE INSI

RIVER'S POINT SUBDIVISION
BOISE COUNTY IDAHO

THIS MAP IS A
STRICTLY
LOOP-
SHAPED
OTHER RIGHTS RELATED TO THE LAND SHOWN
THEREON.

While this map is a photographic representation of
that on file in either the recorder's or surveyor's
office, the Company assumes no liability for
variation, if any, with another or re-survey.

Safeco Title Insurance Company of Idaho
300 North Sixth Street
Box 2828
Boise, Idaho 83701



MICROFILMED

MAR 17 2003

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 65-12601

NAME AND ADDRESS: JEAN L MILLER
 HC 76 BOX 1115
 GARDEN VALLEY, ID 83622

SOURCE: PAYETTE RIVER, MIDDLE FORK TRIBUTARY: PAYETTE RIVER

QUANTITY: 0.03 CFS
 3.50 AFY

PRIORITY DATE: 03/25/1983

POINT OF DIVERSION: T09N R04E S21 LOT 04 (NWNW) Within Boise County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 11-01	0.03 CFS 3.50 AFY

PLACE OF USE: Irrigation Within Boise County
 T09N R04E S21 LOT 04 (NWNW) 1.0
 1.0 Acres Total

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

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.


Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

MICROFILMED
MAR 17 2003



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

August 8, 2002

PHILIP J PALMIOTTO
ANTONIA PALMIOTTO
91 CHARTER MOUNTAIN LN
GARDEN VALLEY ID 83622

RE: Change of Ownership for Water Right 65-12601

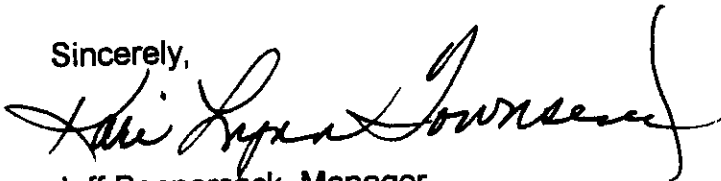
Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records. Also enclosed is a receipt for the \$25.00 filing fee.

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,

for 
Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosures

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MAR 17 2003