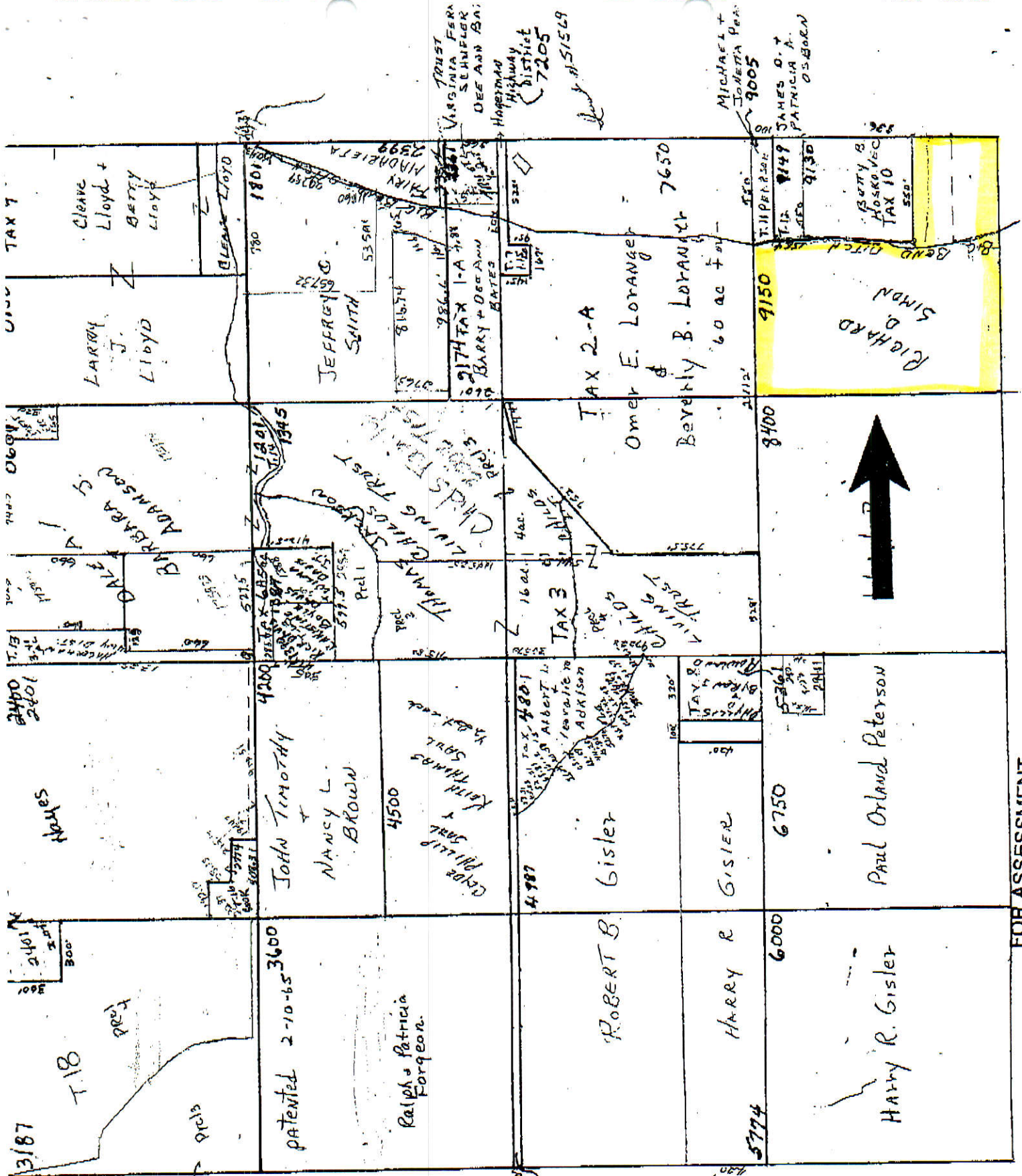




RECORDED
5587
15 2003

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

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

RECEIVED
JUN 16 2003
 Department of Water Resources

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 (under the "split" heading), 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.

RECEIVED

JUN 19 2003

Department of Water Resources

Water Right No(s)	Adjudication Claim No(s)	Split	Water Right No(s)	Adjudication Claim No(s)	Split
36-33M					
36-35J					
36-10468					
~~36-192~~					

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) 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**.

Kent & Sarah Skaar

3. Name and Address of Former
 Owner/Claimant(s)

P.O. Box 237, Kendrick, ID. 83537

4. New Owner/Claimant(s)

DELANGE'S ROSE VILLA, L.L.C.

Name Connector (Check one): [] and [] or [] and/or

928 South Park, Twin Falls, ID. 83301

New Mailing Address

City, State and ZIP Code

New Telephone Number

() _____

5. Date you acquired the property

June 12, 2003

MICROFILMED

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)

Spencer & Large W. Engineering Inc. LLC

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>[Signature]</u>	Date: <u>6/18/03</u>	Fee: <u>75.00</u>
Received by: <u>[Signature]</u>	Date: <u>6/18/03</u>	Receipt No. <u>5025922</u>
Processed by: <u>[Signature]</u>	Date: _____	WR: _____ Date: _____

MICROFILMED

Order No. G030297

WARRANTY DEED

For Value Received

**KENT SKAAR, who acquired title as KENT 8SKAAR and SARAH SKAAR,
Husband and Wife**

the grantor(s), do(es) hereby grant, bargain, sell, and convey unto

DELANGE'S ROSE VILLA, L.L.C.,

the grantee(s), whose current address is

928 South Park, Twin Falls, ID 83301

the following described premises, to-wit:

Township 7 South, Range 13 East, Boise Meridian, Gooding County, Idaho

Section 22: SE $\frac{1}{4}$ SE $\frac{1}{4}$

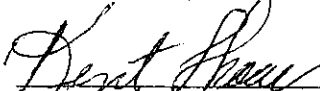
EXCEPT THE FOLLOWING:

**Beginning at the Northeast corner of said SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Thence South along the East boundary of the SE $\frac{1}{4}$ SE $\frac{1}{4}$, 836.0 feet;
Thence West parallel with the North boundary of the SE $\frac{1}{4}$ SE $\frac{1}{4}$, 550.0 feet to the
centerline of the Big Bend Irrigation Ditch;
Thence Northerly along the centerline of said Irrigation Ditch 836.0 feet to the
North boundary of said SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Thence East 550.0 feet to the Point of Beginning.**

TOGETHER WITH, Department Water Resources Right No. 36-33M, No. 36-35J,
36-10468 and No. 36-192, (also filed as 19 shares with the
Big Bend Irrigation & Mining Co.)

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), his/her/their
heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s), that
he/she/they are the owner(s) 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 he/she/they will warrant and defend the
same from all claims whatsoever.

Dated: June 12, 2003


KENT SKAAR

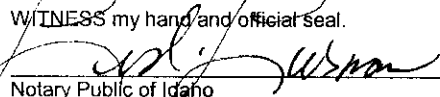

SARAH SKAAR

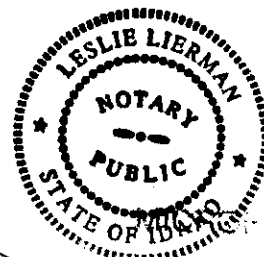
STATE OF IDAHO

: ss
COUNTY OF TWIN FALLS

On This 12 day of June, in the year 2003, before me, a Notary Public in and for said State, personally
appeared **KENT SKAAR and SARAH SKAAR**, 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.

WITNESS my hand and official seal.


Notary Public of Idaho
Residing at Kimberly, Idaho
Commission Expires: July 11, 2006



 **TITLE & ESCROW
COMPANIES**

AMENDED **Schedule A**

RECEIVED
JUN 16 2003
Department of Water Resources
Twin Falls, Idaho

Order Number: G030297

Commitment Number:

1. Effective Date: May 29, 2003 @ 8:00 AM

2. Policy or Policies to be issued:	Amount of Insurance	Premium Amount
(a) A.L.T.A. Owner's Proposed Insured:	430,000.00	1,498.00
DELANGE'S ROSE VILLA, L.L.C.		
(b) A.L.T.A. Mortgagee's Proposed Insured:	0.00	0.00

ENDORSEMENTS :	Total:	0.00
	Premium Total:	1,498.00

3. The estate or interest in the land described or referred to in this Commitment and covered herein is

FEE SIMPLE

4. Title to the estate or interest in said land is at the effective date hereof vested in:

KENT SKAAR who acquired title as KENT 8SKAAR, subject to the presumptive community property interest of his wife if married

5. The land referred to in this commitment is described as follows:

Township 7 South, Range 13 East, Boise Meridian, Gooding County, Idaho

Section 22: SE¼SE¼

EXCEPT THE FOLLOWING:

Beginning at the Northeast corner of said SE¼SE¼;
 Thence South along the East boundary of the SE¼SE¼, 836.0 feet;
 Thence West parallel with the North boundary of the SE¼SE¼, 550.0 feet to the centerline of the Big Bend Irrigation Ditch;
 Thence Northerly along the centerline of said Irrigation Ditch 836.0 feet to the North boundary of said SE¼SE¼;
 Thence East 550.0 feet to the Point of Beginning.

The records of the Gooding County Tax Rolls disclose the above property address as:

2795 SOUTH 900 EAST, HAGERMAN, ID. 83332

In the event that this transaction fails to close, a fee will be charged to comply with the State Insurance Code.

MICHAEL HARRIS

June 16, 2003

Stewart Title Guaranty

Schedule B

Order Number: G030297

Commitment Number:

PART I

Showing matters which will be excepted in the Policy unless the same are disposed of to the satisfaction of the company.

1. Taxes or assessments which are not shown as existing liens by 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 public record.
2. 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 by making inquiry of persons in possession thereof.
3. Easements, liens or encumbrances, or claims thereof, which are not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are 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) water rights, claims or title to water.
6. 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.
7. Any adverse claim based upon the assertion that
 - a) Some portion of the land forms the bed of a navigable river or lake, or lies below the mean high water mark thereof;
 - b) The boundary of the land has been affected by a change in the course or water level of a navigable river or lake
 - c) The land is subject to water rights, claims or title to water and to any law or governmental regulation pertaining to wetlands
8. Defects, liens, encumbrances, adverse claims or other matters, if any created, first appearing in the public records or attached subsequent to the effective date hereof but prior to the date the proposed insured acquires of record for value the estate or interest or mortgage thereon covered by this commitment.

PARAGRAPHS 1-4, 6-8 WILL NOT APPEAR AS PRINTED EXCEPTIONS ON EXTENDED COVERAGE POLICIES, EXCEPT AS TO SUCH PARTS THEREOF WHICH MAY BE TYPED AS A SPECIAL EXCEPTIONS IN SCHEDULE B - PART II.

PART II

The following matters will be excepted in Schedule B of the policy to be issued:

9. General Taxes for 2003 are an accruing lien, not yet due or payable.

NOTE: Taxes for 2002 were \$1769.96, Parcel No. RP07S13E229150, Bill No. 8343, Homeowners Filed, which have been paid in full.

10. Assessments by the Big Bend Irrigation District.
11. Levies and assessments due Gooding County for Solid Waste.
12. RIGHT-OF-WAY EASEMENT, and the Terms and Conditions thereof:
In Favor of W.H. Clifford
Recorded July 21, 1919
Instrument No. 20006
Purpose: ditch, flumes and pipeline

(Continued)

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JUN 11 2003

Stewart Title Guaranty

Schedule B

Order Number: G030297

Commitment Number:

13. RIGHT-OF-WAY EASEMENT, and the Terms and Conditions thereof:

In Favor of Idaho Power
Recorded September 18, 1931
Instrument No. 53118
Purpose: power line

14. RIGHT-OF-WAY EASEMENT, and the Terms and Conditions thereof:

In Favor of Idaho Power
Recorded October 22, 1945
Instrument No. 94510
Purpose: power line

NOTE: We have done a judgment and lien search for matters recorded in the County Recorder and filed with the Secretary of State pursuant to Chapter 19, Title 45, Idaho Code against all parties involved in this transaction, and as of the commitment date, we find: NONE

MICROFILMED

11/11/03

Stewart Title Guaranty

Schedule C

Order Number: G030297

Commitment Number:

The following requirements must be met and completed to the satisfaction of the Company before its policy of title insurance will be issued:

1. Show that restrictions or restrictive covenants have not been violated.
2. Payment to or for the account of the grantors or mortgagors of the full consideration for the estate of interest, mortgage or lien to be issued.
3. Furnish proof of payment of all bills for labor and material furnished or to be furnished in connection with improvements erected or to be erected.
4. Pay all general and special taxes now due and payable.

NOTICE TO APPLICANT: The land covered herein may be serviced by districts, service companies and/or municipalities which assess charges for water, sewer, electricity and other utilities, etc. Which are not covered by this report or insured under a Title Insurance Policy.

Any matter in dispute between you and the Company may be subject to arbitration as an alternative to court action pursuant to the Title Insurance Rules of the American Arbitration Association, a copy of which is available on request from the Company. Any decision reached by arbitration shall be binding upon both you and the Company. The arbitration award may include attorney's fees if allowed by state law and may be entered as a judgement in any court of proper jurisdiction.

NOTE: We have not provided copies of any exceptions with this report. However, copies of said exceptions will be provided upon request.

5. If the person mentioned in Schedule A, paragraph 4, is presently married, the spouse must join in any conveyance or encumbrance of the subject property pursuant to requirements of Chapter 10, title 55, Idaho Code, relating to homesteads; or we must be furnished satisfactory proof that 1.) the subject property is not vestee's principal residence; 2.) the land is not claimed as homestead property; and 3.) the address of the principal residence of vestee; or proof that the vested owner is not married.

For further information regarding this report, please contact:

Twin Falls Title & Escrow Company
905 Shoshone Street North P. O. Box 488
Twin Falls, ID 83301

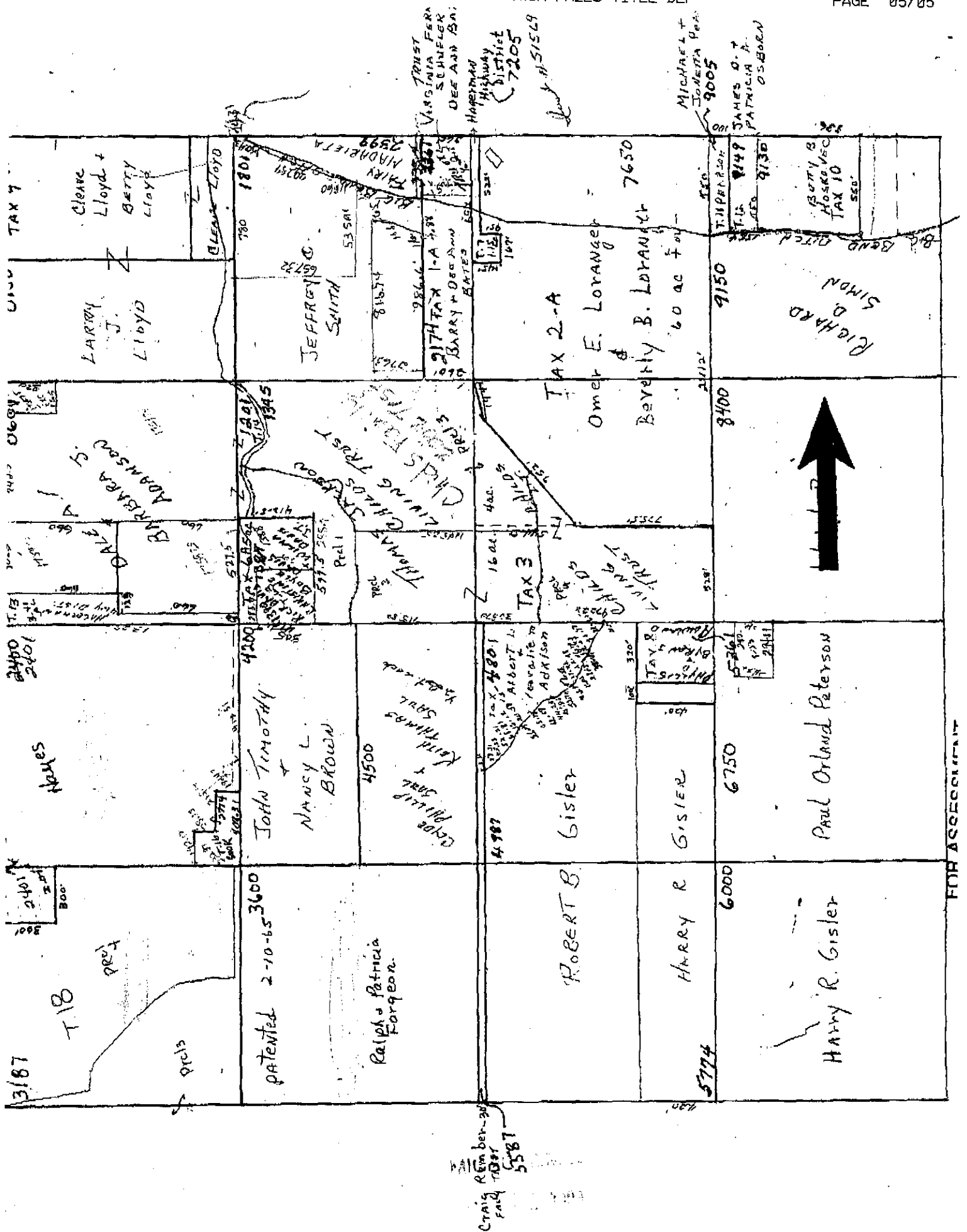
TITLE OFFICER: Chris J. Keller
(208) 736-2424 fax (208) 736-3737

ESCROW OFFICER: Leslie Lierman
208-736-2424 fax 208-736-2404

MICAC 10000

JUN 13 2003

Stewart Title Guaranty



IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 36-33M

WATER RIGHT NUMBER: 36-33M

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	BETTY B HOSKOVEC 2793 S 900 E HAGERMAN, ID 83332 (208) 837-4878
Current Owner	KENT SKAAR 2795 S 900 E HAGERMAN, ID 83332 (208) 837-6122

Priority Date: 03/08/1902**Basis: Decreed****Status: Active**

<u>Source</u>	<u>Tributary</u>
WEATHERBY SPRINGS	BILLINGSLEY CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	2/15 to 11/30	0.320 CFS	
	<u>Total Diversion:</u>	0.320 CFS	

Location of Point(s) of Diversion

WEATHERBY SPRINGS	SE1/4NE1/4SW1/4	Sec. 30, Twp 07S, Rge 14E, B.M.
GOODING County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
07S	13E	22																	6.0	6.0

Total Acres: 6Conditions of Approval:Remarks:

1. Explanatory WATER IS DELIVERED THROUGH THE BAR S DITCH, CURREN DITCH AND NORTH PIPELINE.
2. Explanatory THIS RIGHT IS A SPLIT FROM FORMER RIGHT36-33B.

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IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 36-33M

Comments:

1. WORSTELL 8/6/1992 CHANGES IN PLACE OF USE

Comment: PORTIONS OF THE PLACE OF USE DESCRIBED HEREIN HAVE BEEN SOLD TO SPLIT THE PARCEL. FULL EFFECT ON THIS WATER RIGHT IS STILL UNKNOWN AT THIS TIME. 8/5/1992 SCC

2. SCHULTZ 9/24/1992 NOTICE OF ERROR (NEO)

Comment: RECEIVED NOE 9/23/92. CHANGED NOE FLAG FROM BLANK TO A. CLAIM VERIFIED 8/6/92. DID NOT REVERIFY ANY PART OF CLAIM.

3. SOUTH3 10/19/1992 NO CHANGE TO RECOMMENDATION

Comment: NOE WAS NOT SPECIFIC. RMC

4. SCELLAN 8/22/1996 COPIED FROM REMARKS

Comment: A DIVERSION RATE OF 0.75 CFS AT THE FIELD HEADGATE IS RECOMMENDED FOR THE PLACE OF USE DESCRIBED ABOVE.

5. SCELLAN 12/10/1997 REFORMAT UPDATE

Comment: REFORMAT UPDATE

6. SCELLAN 7/1/1999 CHANGE OF OWNERSHIP

Comment: SKAAR SUBMITTED FORM AND DEEDS TO SHOW OWNERSHIP OF A PORTION OF THIS RIGHT. SPLIT PROPORTIONALLY BETWEEN HIM AND HOSKOVEC AS -0033M AND -0033L RESPECTIVELY.

7. vhancock 3/1/2002 B36 2002 REVIEW

Comment: 36-33M IS A PORTION OF 33-33B SPLIT BY OWNERSHIP 7-1-1999. RIGHT 36-33B WAS SRBA DECREED NUNC PRO TUNC 2-26-2002.

Dates and Other Information:

Decreed Date: 2/26/2002

Water District Number: 36A

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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 36-00033B

1997 DEC 29 PM 3:40

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

NAME & ADDRESS: BETTY B HOSKOVEC
2793 S 900 E
HAGERMAN ID 83332

SOURCE: WEATHERBY SPRINGS

TRIBUTARY: BILLINGSLEY CREEK

QUANTITY: 0.75 CFS

PRIORITY DATE: 03/08/1902

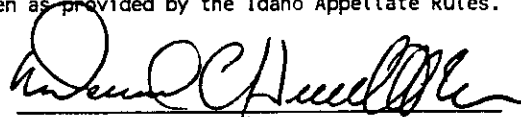
POINT OF DIVERSION: T07S R14E S30 SENESW Within GOODING County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	0.75 CFS

PLACE OF USE:	IRRIGATION	Within GOODING County
	T07S R13E S22	SESE 14
	14 ACRES TOTAL	

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. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

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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

June 26, 2003

DELANGES ROSE VILLA LLC
928 S PARK
TWIN FALLS ID 83301

RE: Change of Ownership for Water Rights 36-33M, 36-35J and 36-10468

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water rights to you. The department has modified its records to reflect the changes in ownership and has enclosed computer-generated reports for your records.

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,

Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosures

MICHAEL J. DREHER



GOODING
TITLE & ESCROW
COMPANY

RECEIVED

JUN 19 2003

Department of Water Resources

RECEIVED

JUN 16 2003

Department of Water Resources
Southern Office

6/13/03

VIA REGULAR MAIL

IDWR Southern Region

Attn: John

1341 Fillmore St., Suite 200

Twin Falls, ID. 83301-3380

Re: Order No. G030297
Skaar/Delange's Rose Villa, L.L.C.

Dear John:

In connection with the above mentioned order, attached please find our check no. 2860 in the amount of \$75.00, representing: Water Right Transfer.

Also attached are copies/originals of the following document(s):

- ☒ Title Report with Plat map.
- ☒ Warranty Deed & Notice of Change of ownership.

Thank you for using Twin Falls Title & Escrow Company. Should you have any questions, please do not hesitate to contact me.

Sincerely,

Leslie Lieberman
Escrow Officer

Twin Falls Title & Escrow Company

/LAL

encl.

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JUL 15 2003