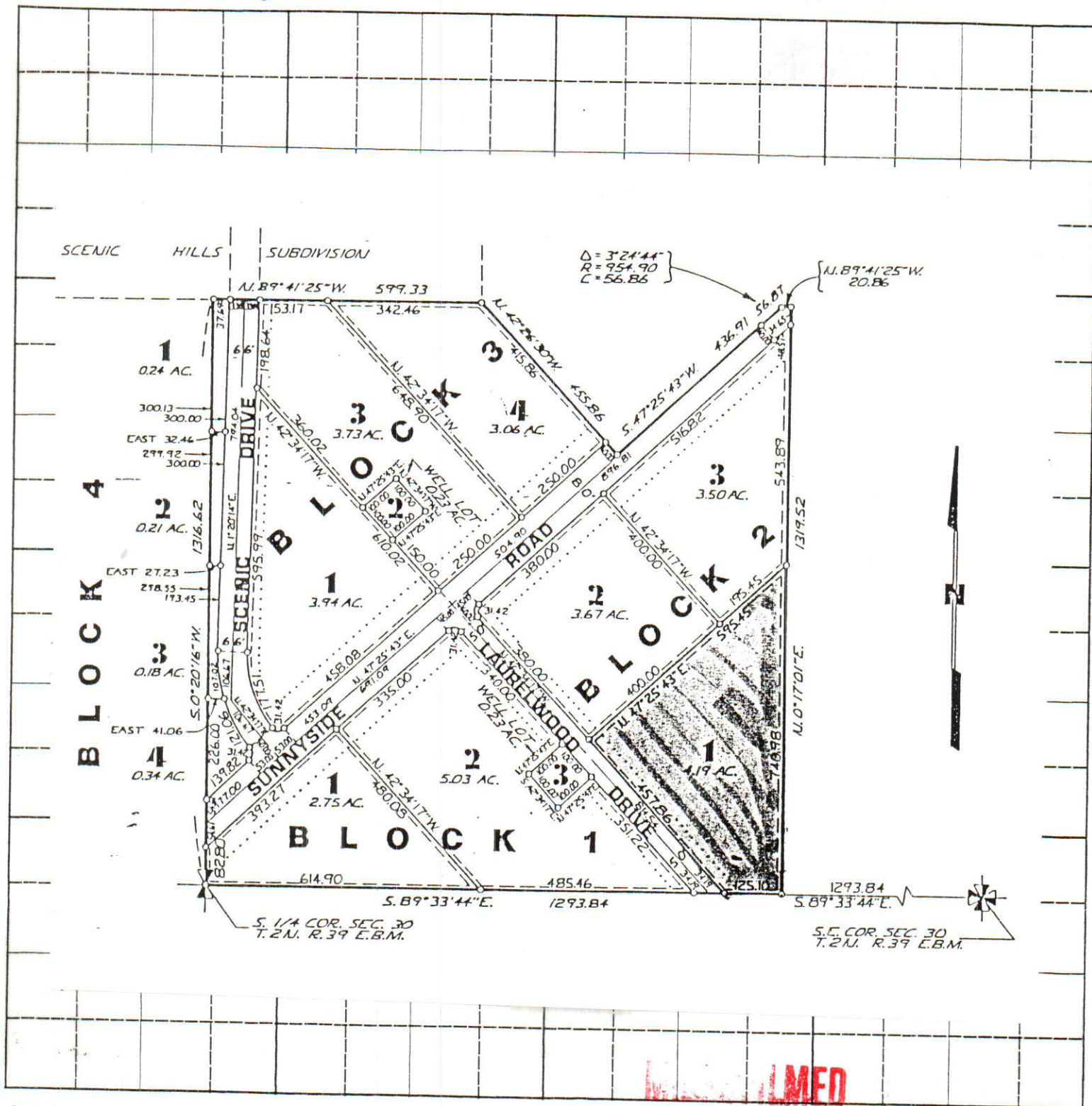


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



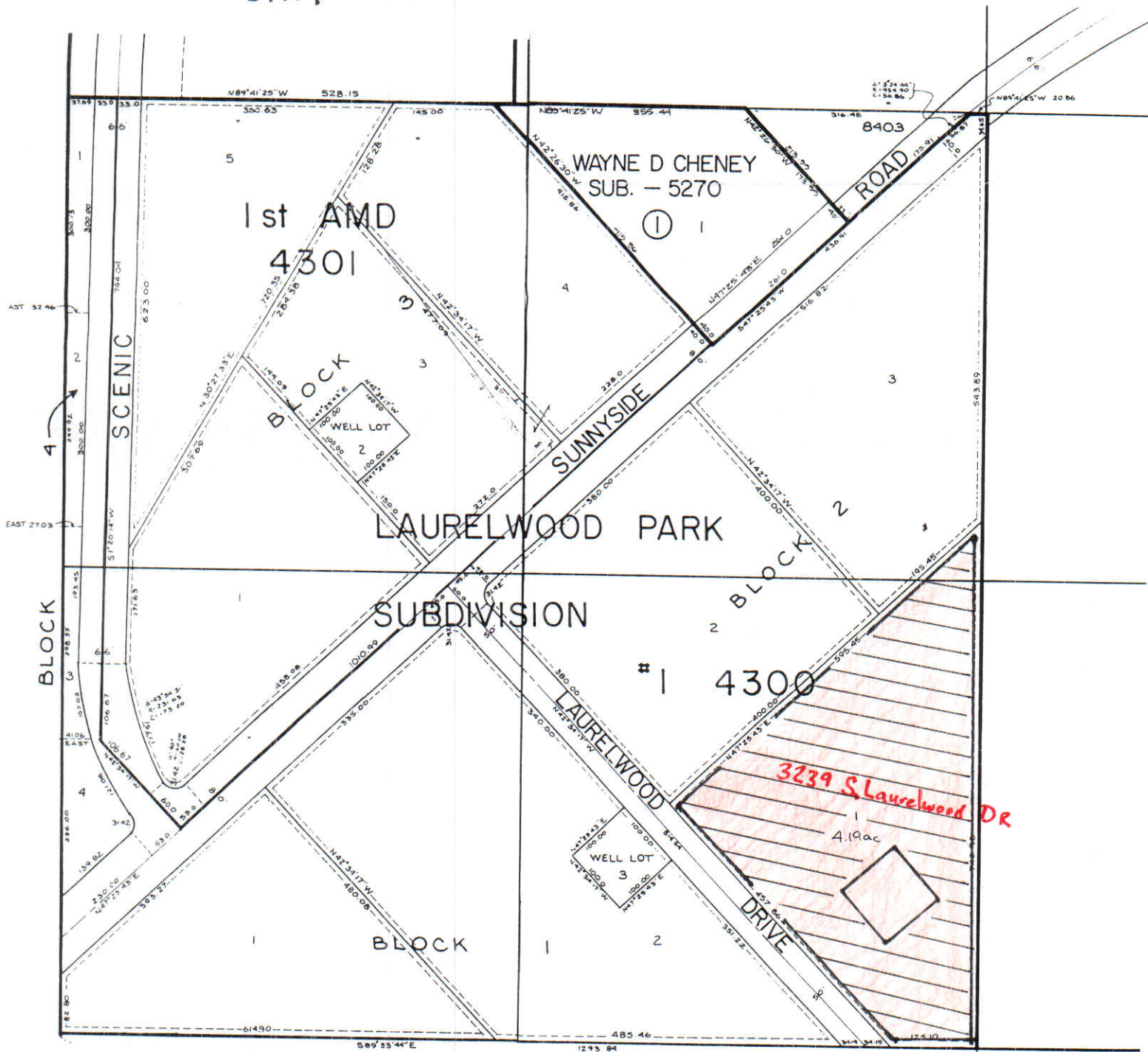
Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

FEB 13 1990

x *Thomas J. Kress*
(Applicant)

SW 1/4 SE 1/4 SEC 30, T 02N, R 39E



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WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
Original Application	25-07528	Thomas J. Kress Roselyn Van Evera Kress	0.10
Full Assignment	25-07528	John Williams Claudia Williams	0.10

APR 18 1951

State of Idaho
Department of Water Resources
ASSIGNMENT OF PERMIT

RECEIVED
JAN 17 1991

Department of Water Resources

I, Thomas &/or Roselyn Kress, hereby assign to John Williams &/or CLAUDIA WILLIAMS
of 3239 S. Laurelwood Dr. Idaho Falls Id 83406
Address

All my right, title, and interest in and to Permit No. 25-7528
to appropriate the public waters of the State of Idaho.

The following described portion of my right, title, and interest in and
to Permit No. 25-7528 to appropriate the public waters of the
State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage
within each 40 acre subdivision, the point of diversion and the amount of
water in cubic feet per second for direct diversion, or acre feet for storage)

Sec. 30, T 02N, R 39E, Bonneville County, total number of
acres irrigated - 2, Rates of Diversion - irrigation 0.06 CFS &
domestic 0.4 CFS, Maximum Diversion Rate - 0.10 CFS from
groundwater.

Made this 17th day of January, 19 91.

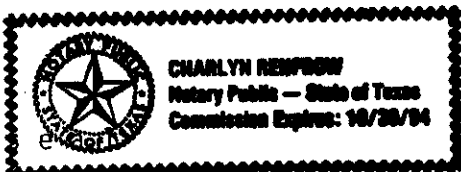
Thomas J Kress
X Permit Holder

Roselyn E. VanGwen - Kress
Spouse of Permit Holder

State of ~~Idaho~~ TEXAS)

County of Bell) ^{SS}

On this 7th day of January, 19 91, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged
to me that he (she) (they) executed the same.



Charlyn Renfro
Notary Public residing at
Temple, TX

My commission expires:

10/30/94

APR 19 1991

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 25-07528

Proposed Priority: September 19, 1989 Maximum Diversion Rate: 0.10 CFS

This is to certify, that **THOMAS J. KRESS**
ROSELYN VAN EVERA KRESS
3239 S. LAURELWOOD DR.
IDAHO FALLS, ID 83406

has applied for a permit to appropriate water from: **GROUNDWATER**
and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	04/01 to 11/01	0.06 CFS
DOMESTIC	01/01 to 12/31	0.04 CFS
	Totals	0.10 CFS

LOCATION OF POINT(S) OF DIVERSION: SWSE Sec. 30, Township 02N, Range 39E
BONNEVILLE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
02N	39E	30	SWSE	2		2
Total number of acres irrigated:						2

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **January 1, 1991**.
2. Subject to all prior water rights.
3. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. The right to the use of water acquired under this permit shall not give rise to any right or claim against the holder of a senior right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
5. The Director retains jurisdiction of the permit and any license subsequently issued to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
6. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.03 cubic feet per second for each acre of land.
7. Domestic use is for 1 home.

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State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 25-07528

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this

28th day of December, 1989.

R. Keith Higginson
for R. Keith Higginson, Director

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FEB 13 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Thomas J. Kress or Roselyn Van Evera-Kress Phone 525-8696
Post office address 3239 S. Laurelwood DR. Idaho Falls, ID 83406
2. Source of water supply groundwater which is a tributary of _____
3. Location of point of diversion is _____ $\frac{1}{4}$ of SW $\frac{1}{4}$ of SE $\frac{1}{4}$, Govt. Lot _____
Sec. 30 Township 2N. Range 39E B.M. Bonnerville County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.04 for Domestic purposes from Jan. 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.06 for Irrigation purposes from April 1 to Nov. 1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 0.10 cubic feet per second and/or (b) _____ acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. well, pump & distribution system
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet; period of year when water will be diverted to storage: _____ to _____ inclusive.
 - c. ~~Proposed~~ ^{Existing} well diameter is 8 inches; ~~proposed~~ ^{Existing} depth of well is ? feet.
 - d. Is ground water with a temperature of greater than 90°F being sought? No.
7. Time required for the completion of the works and application of the water to the proposed beneficial use is 2 years (minimum 1 year).

MAILED
FEB 13 1990

8. Description of proposed uses (if irrigation only, go to item 9):

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. 1
- e. Other; describe fully. _____

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: *D* for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
2N.	39E	30															2		2

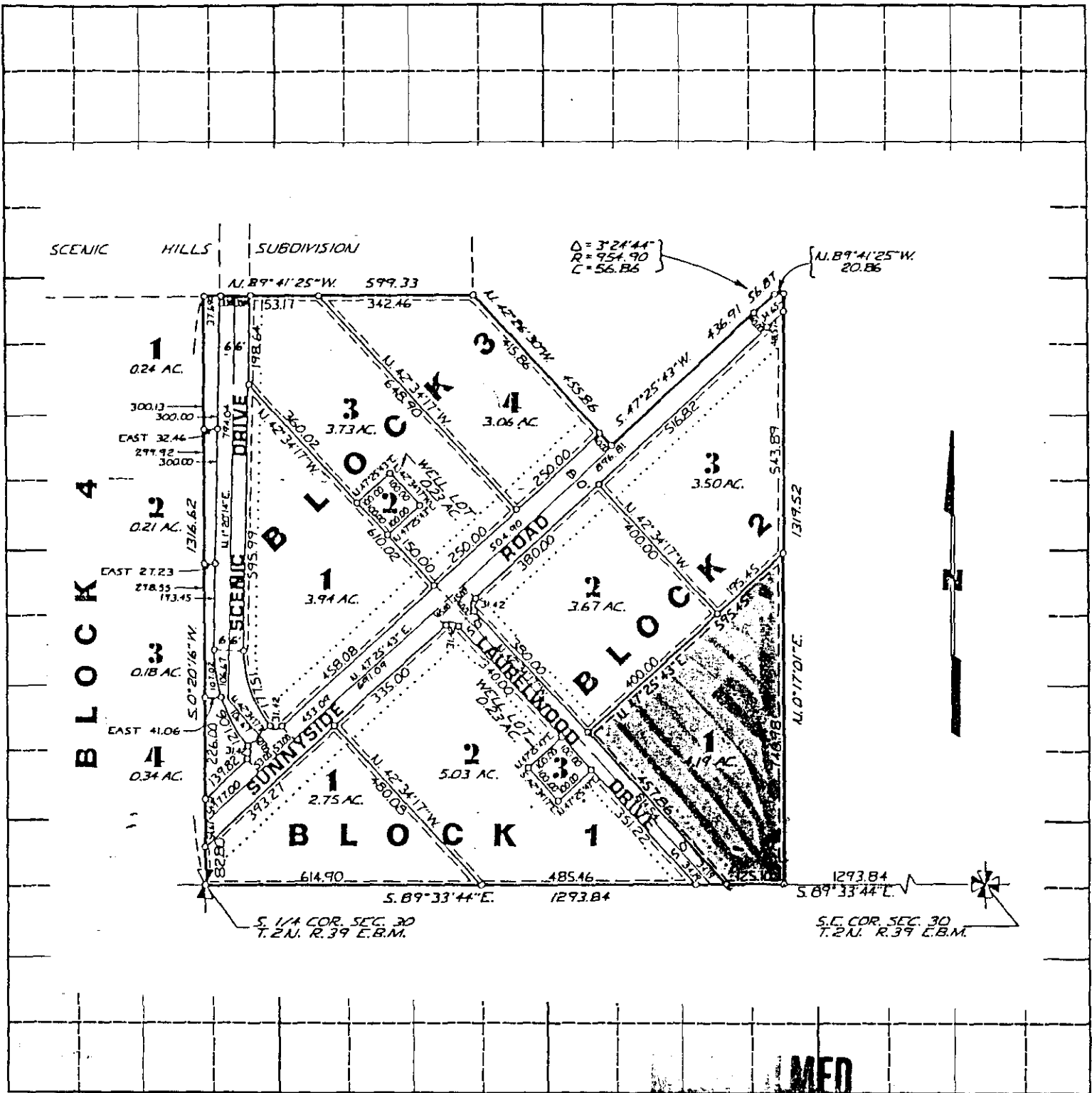
Total number of acres to be irrigated 2

10. Describe any other water rights used for the same purposes as described above. None.

11. a. Who owns the property at the point of diversion? Applicant
- b. Who owns the land to be irrigated or place of use? Applicant.
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: Place of Use is also known as Lot 1, Block 2 Laurelwood Park Subdivision. The well is intended to serve 4 lots in the subdivision and is situated in lot 3, Block 1 of the subdivision.

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

FEB 16 1900

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

x *Thomas J. Kress*
(Applicant)

Received by EMC Date 9-19-89 Time _____ Preliminary check by _____
Fee \$ 30⁰⁰ Receipted by EMC # E010685 Date 9-19-89
Publication prepared by RB Date 10-19-89 Published in Last-Register
Publication approved RB Date 11-20-89

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- e. Other:

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FEB 15 1990

NOTICE OF APPLICATION
FOR WATER RIGHT

The Following application(s) have been
filed to appropriate the public waters of the
State of Idaho:

25-07402

NORTHSIDE EST. INC.
6300 NORTHSIDE CIRCLE
IDAHO FALLS, ID 83401
Source: GROUNDWATER
Diversion Pt: NWNE Sec 32 T 03N R 38E
Use: IRRIGATION (.160 CFS)
Date Filed: 5/31/1985
In: T03N R38E S32 NWNE
8.0 ACRES TOTAL

25-07498

CITY OF AMMON
3270 MOLEN
AMMON, ID 83406
Source: GROUNDWATER
Diversion Pt: NESENW Sec 26 T 02N R
38E
Use: MUNICIPAL (2.320 CFS)
Date Filed: 6/06/1989
In: T02N R38E S22
S26
S27
S34
S35

25-07519

ELISON, RONALD C
620 N 55TH E
IDAHO FALLS, ID 83401
Source: GROUNDWATER
Diversion Pt: SWNWSW Sec 18 T 02N R
39E
Use: DOMESTIC (.040 CFS)
IRRIGATION (.030 CFS)
Date Filed: 9/13/1989
In: T02N R39E S18 NWSW
1.0 ACRES TOTAL

25-07527

JORGENSEN, DERALD
JORGENSEN, KIM
4106 E. FAIRVIEW
IDAHO FALLS, ID 83401
Source: GROUNDWATER
Diversion Pt: NWNE Sec 23 T 03N R 38E
Use: IRRIGATION (.040 CFS)
DOMESTIC (.060 CFS)
Date Filed: 9/22/1989
In: T03N R38E S23 NWNE
2.0 ACRES TOTAL

25-07528

KRESS, THOMAS J.
KRESS, ROSELYN VAN EVERA
3239 S. LAURELWOOD DR.
IDAHO FALLS, ID 83406
Source: GROUNDWATER
Diversion Pt: SWSE Sec 30 T 02N R 39E
Use: IRRIGATION (.060 CFS)
DOMESTIC (.040 CFS)
Date Filed: 9/19/1989
In: T02N R39E S30 SWSE
2.0 ACRES TOTAL

25-07530

STORER, GALE
STORER, BETTY
2968 N. HOLMES
IDAHO FALLS, ID 83401
Source: GROUNDWATER
Diversion Pt: NWNW Sec 8 T 02N R 38E
Use: COMMERCIAL (.040 CFS)
Date Filed: 8/28/1989
In: T02N R38E S08 NWNW

35-08815

WOOD, SUSAN
6127 S. 4500 W.
IDAHO FALLS, ID 83402
Source: GROUNDWATER
Diversion Pt: SWSW Sec 4 T 01N R 37E
Use: DOMESTIC (.110 CFS)
Date Filed: 9/20/1989
In: T01N R37E S04 SWSW

35-08821

BITTER, VERL L.
HAINES, KENNETH
SIMMONS, LARRY
SMITH, RICKY
SMITH, ROGER
STODDART, DUANE A.
WHEELER, BLISS
425 N. KAREY LANE
IDAHO FALLS, ID 83402
Source: GROUNDWATER
Diversion Pt: NWSE Sec 18 T 02N R 37E
Use: DOMESTIC (.120 CFS)
Date Filed: 9/13/1989

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FEB 13 1990



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

July 2, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

JERALD B SCOTT
DANETTE SCOTT
3239 S LAURELWOOD DR
IDAHO FALLS ID 83406

RE: Change of Ownership for Permit 25-07528

Dear Mr. & Mrs. Scott:

The department acknowledges receipt of correspondence changing ownership of the above referenced permit to you. The department has modified its records to include your names as present owner and has enclosed a computer-generated report for your records. Copies of all future correspondence will be sent to you.

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 the department if you have questions.

Sincerely,

for L. GLEN SAXTON, Chief
Water Allocations Bureau

LGS:klt

Enclosures

cc: IDWR-Eastern Region

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RECEIVED

MAY 21 1997

Department of Water Resources

Karin Lynn file
TO: ~~SHELLEY KEEN~~ ALLOCATIONS

May 16, 1997

FROM: KEITH C. WILSON - EASTERN

RE: ADDING THE CURRENT OWNER OF THE PLACE OF USE

WELL SHELLEY, HERE IS THE ORIGINAL "NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP" FOR 25-07528. THE CURRENT OWNER & I HAVE BEEN UNABLE TO CONTACT THE ORIGINAL PERMIT HOLDER TO GET AN ASSIGNMENT. THEREFORE, BASED ON OUR CONVERSATION WHEN YOU, SHARLA, & CINDY WERE OVER HERE IN EASTERN, I HAVE HAD THE CURRENT OWNERS COMPLETE THE FORM IN ORDER TO HAVE CORRESPONDENCE SENT TO THEM.

HOPE YOU ARE HAVING LOTS OF FUN!

Keith C. Wilson

KEITH C. WILSON

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AUG 09 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - FAX: (208) 525-7177

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

08 June 1994

Jerald B. or Danette Scott
3239 S. Laurelwood Dr.
Idaho Falls, Id. 83406

522-29169

RE: Assignment of Permit 25-07528 from John & Claudia Williams

Dear Mr. & Mrs. Scott:

In my conversation with Mrs. Scott last week I indicated that you would need to get an assignment of permit 25-07528 from the Williams to you. You may have already gotten the assignment in the sell contract or purchase agreement. If the sell contract or purchase agreement specifically listed the permit then all that you would need to do is to send a copy to this office and your name can be added to the permit. If the permit is not specifically listed you will need an assignment. To assist you I have enclosed an assignment that the Williams will need to sign in front of a notary and return to this office.

For your information, I have also enclosed a copy of the file on permit 25-07528.

Please feel free to contact this office for any additional assistance that you may need.

Sincerely,

Keith C. Wilson
Senior Resource Agent

NOTE: BE SURE THAT
COPIES OF ALL FUTURE
CORRESPONDENCE ARE
MAILED TO:
JERALD/DANETTE SCOTT

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AUG 09 1999



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

May 2, 1997

John L. or Danette Scott
3239 S Laurelwood Dr
Idaho Falls, Id 83406

RECEIVED

MAY 14 1997

Department of Water Resources
Eastern Region

RE: Notice of Change of Water Right Ownership

Dear Mr. & Mrs Scott:

Enclosed is the form necessary to have your name entered as current owner of water right 25-07528. You will need to complete the following items, and return the form to this office "Attention Keith C. Wilson":

- # 2.A. - Copy of deed
- # 5 - Date you acquired the property
- # 7 - Signature & Date

Your prompt response will be appreciated.

Sincerely,

Keith C. Wilson
Senior Resource Agent

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AUG 09 1999

RECEIVED

RECEIVED

MAY 21 1997

MAY 14 1997

STATE OF IDAHO

IDAHO DEPARTMENT OF WATER RESOURCES

Department of Water Resources

Department of Water Resources
Eastern Region

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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 Number(s) 25-07528
 Adjudication Claim Number(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 for parcel of ten acres or less. (These are usually on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant(s) John L. & Claudia Williams
3239 S. Laurelwood Dr, Idaho Falls Id 83406

4. New Owner/Claimant(s) Jerald B. or Danette Scott
 Name connector (Check one): ☐ AND, ☒ OR, ☐ AND/OR
 New Mailing Address 3239 S. Laurelwood Dr

City, State and ZIP Code Idaho Falls, Id 83406
 New Telephone Number (208) 522-2969

5. Date you acquired the property 10/29/93

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres actually irrigated _____ Number and type of stock _____ **MICROFILMED**

Diversion rate in CFS _____ Number of homes _____ Other uses _____ **AUG 09 1999**
cubic feet per second

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.

7. Signature of New Owner/Claimant(s) Jerald B. Scott Date 5/12/97
Danette Scott Date 5-12-97

8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
 For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights, and, if a required claim for the water right has not been filed, to file the needed claim.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. If you would like any of these brochures, or if you have questions about completing this form, please contact your nearest IDWR office or call 1-800-451-4129.

If you need additional space to describe or explain any of the items on the form, please attach additional sheets to the form as you may require.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at Item 1. If you or the seller believe there are water rights for the property but the numbers are unknown, you may wish to call IDWR or come into an office of IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
2. The information described at Item 2 is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner of the water right and/or adjudication claim at Item 3.
4. The name, mailing address, and telephone number of the new owner(s) is entered at Item 4. Please indicate the relationship between multiple owners by using the connector "and", "or" or "and/or". If an "and" is used, all parties must sign this form. If an "and/or" or "or" is used, all parties may sign, however only one of the named parties is required to sign.
5. At Item 5, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. If the property you have purchased is only a portion of the property owned by the former owner/seller, you may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at Item 6.

Please provide as much detail as possible concerning your water right: include the number of homes, irrigated acreage if more than 1/2 acre is irrigated, type and number of stock if your right is for stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

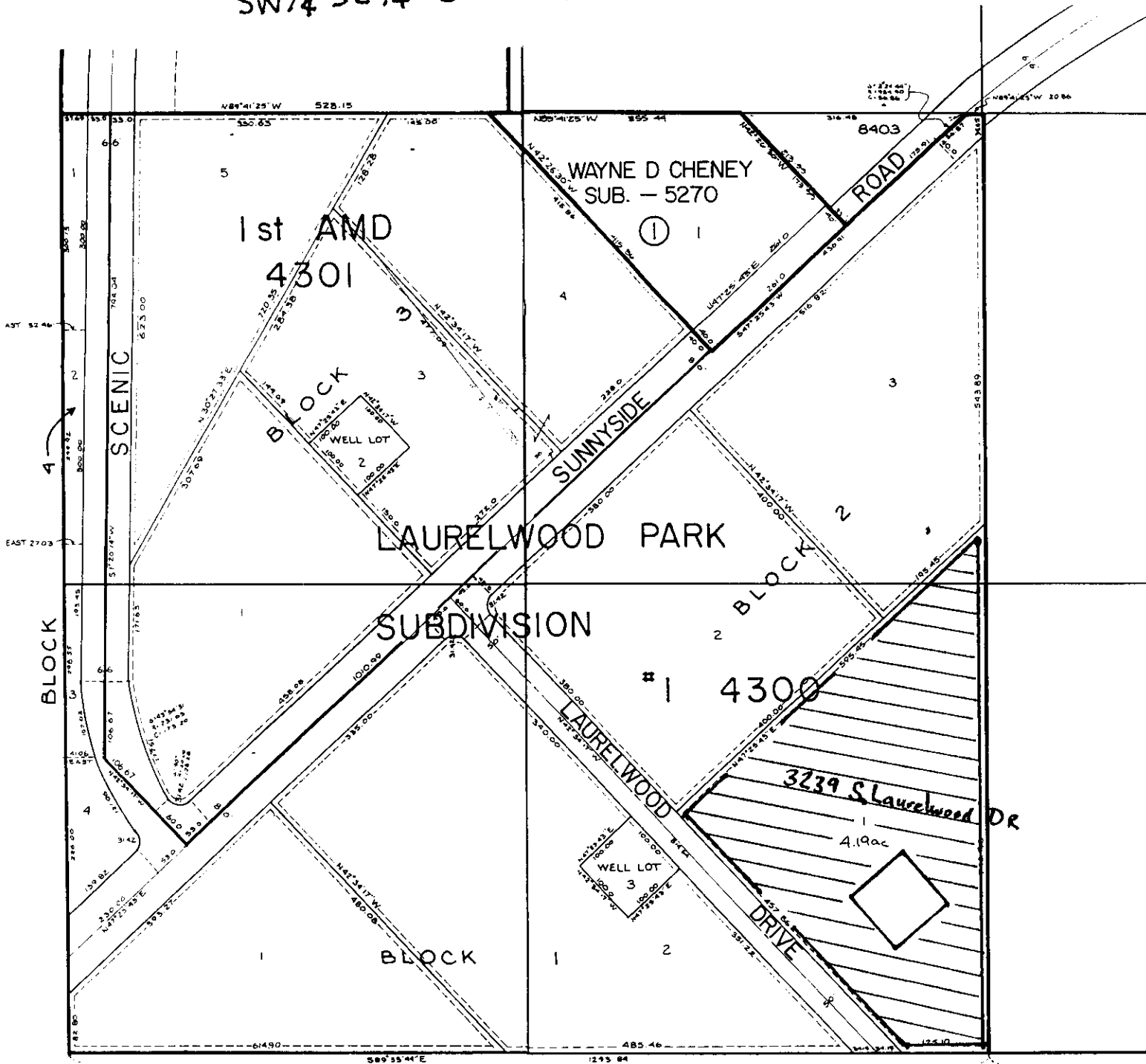
7. The new owner(s) must sign the form in the space(s) provided at Item 7. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

IDWR Western Region, 2735 Airport Way, Boise, ID 83705-5082 (208) 334-2190

IDWR Southern Region, 222 Shoshone St. E., Twin Falls, ID 83301-6105 (208) 736-3033

IDWR Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, ID 83814-2615 (208) 769-1450

SW 1/4 SE 1/4 SEC 30, T 02N, R 39E



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[Space Above This Line For Recording Data]

DEED OF TRUST

THIS DEED OF TRUST ("Security Instrument") is made on **October 29**
19 **93**. The grantor is **Jerald B. Scott AND Danette Scott, HUSBAND AND WIFE**

(**"Borrower"**). The trustee is
AMERICAN LAND TITLE COMPANY (**"Trustee"**). The beneficiary is
FIRST SECURITY BANK OF IDAHO, N.A., which is organized and existing
under the laws of **THE STATE OF IDAHO**, and whose address is
P. O. BOX 7069, BOISE, IDAHO 83730 (**"Lender"**).
Borrower owes Lender the principal sum of **One Hundred Thirty-Two Thousand Three Hundred**
and No/100 ----- Dollars (U.S. \$ **132,300.00**). This debt is evidenced by Borrower's
note dated the same date as this Security Instrument (**"Note"**), which provides for monthly payments, with
the full debt, if not paid earlier, due and payable on **November 1, 2023**.
This Security Instrument secures to Lender: (a) the repayment of the debt evidenced by the Note, with
interest, and all renewals, extensions and modifications of the Note; (b) the payment of all other sums, with
interest, advanced under paragraph 7 to protect the security of this Security Instrument; and (c) the
performance of Borrower's covenants and agreements under this Security Instrument and the Note. For this
purpose, Borrower irrevocably grants and conveys to Trustee, in trust, with power of sale, the following
described property located in **Bonneville** County, Idaho:

Lot 1, Block 2, Laurelwood Park Subdivision, Bonneville County, Idaho, according to
the recorded plat thereof...

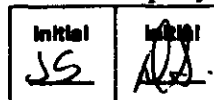
which has the address of **3239 S. Laurelwood Dr.**
[Street]

Idaho Falls
[City]

Idaho **83406** (**"Property Address"**);
[Zip Code]

TOGETHER WITH all the improvements now or hereafter erected on the property, and all
casements, appurtenances, and fixtures now or hereafter a part of the property. All replacements and
additions shall also be covered by this Security Instrument. All of the foregoing is referred to in this Security
Instrument as the **"Property."**

BORROWER COVENANTS that Borrower is lawfully seised of the estate hereby conveyed and has the
right to grant and convey the Property and that the Property is unencumbered, except for encumbrances of
record. Borrower warrants and will defend generally the title to the Property against all claims and demands,
subject to any encumbrances of record.



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notice of sale in one or more parcels and in any order Trustee determines. Trustee may postpone sale of all or any parcel of the Property by public announcement at the time and place of any previously scheduled sale. Lender or its designee may purchase the Property at any sale.

Trustee shall deliver to the purchaser Trustee's deed conveying the Property without any covenant or warranty, expressed or implied. The recitals in the Trustee's deed shall be prima facie evidence of the truth of the statements made therein. Trustee shall apply the proceeds of the sale in the following order: (a) to all expenses of the sale, including, but not limited to, reasonable Trustee's and attorneys' fees; (b) to all sums secured by this Security Instrument; and (c) any excess to the person or persons legally entitled to it.

22. Reconveyance. Upon payment of all sums secured by this Security Instrument, Lender shall request Trustee to reconvey the Property and shall surrender this Security Instrument and all notes evidencing debt secured by this Security Instrument to Trustee. Trustee shall reconvey the Property without warranty to the person or persons legally entitled to it. Such person or persons shall pay any recordation costs.

23. Substitute Trustee. Lender may, for any reason or cause, from time to time remove Trustee and appoint a successor trustee to any Trustee appointed hereunder. Without conveyance of the Property, the successor trustee shall succeed to all the title, power and duties conferred upon Trustee herein and by applicable law.

24. Area and Location of Property. Either the Property is not more than twenty acres in area or the Property is located within an incorporated city or village.

25. Riders to this Security Instrument. If one or more riders are executed by Borrower and recorded together with this Security Instrument, the covenants and agreements of each such rider shall be incorporated into and shall amend and supplement the covenants and agreements of this Security Instrument as if the rider(s) were a part of this Security Instrument. [Check applicable box(es)]

- | | | |
|--|---|---|
| ☐ Adjustable Rate Rider | ☐ Condominium Rider | ☐ 1-4 Family Rider |
| ☐ Graduated Payment Rider | ☐ Planned Unit Development Rider | ☐ Biweekly Payment Rider |
| ☐ Balloon Rider | ☐ Rate Improvement Rider | ☐ Second Home Rider |
| ☐ Other(s) [specify] | | |

BY SIGNING BELOW, Borrower accepts and agrees to the terms and covenants contained in pages 1 through 6 of this Security Instrument and in any rider(s) executed by Borrower and recorded with it.

(Seal)
-Borrower

Jerald B. Scott

Jerald B. Scott (Seal)
-Borrower

(Seal)
-Borrower

Danette Scott

Danette Scott (Seal)
-Borrower

STATE OF IDAHO,

On this

day of

County ss:

, before me,

, a Notary Public in and for said county and state,

personally appeared

known or proved to me to be the person(s) who executed the foregoing instrument, and acknowledged to me that executed the same.

In witness whereof I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

My commission expires:

Notary Public residing at:

REQUEST FOR RECONVEYANCE

To Trustee:

The undersigned is the holder of the note or notes secured by this Deed of Trust. Said note or notes, together with all other indebtedness secured by this Deed of Trust, have been paid in full. You are hereby directed to cancel said note or notes and this Deed of Trust, which are delivered hereby, and to reconvey, without warranty, all the estate now held by you under this Deed of Trust to the person or persons legally entitled thereto.

Date:

MICROFILMED

Form 3013 9/80 (page 6 of 6 pages)

AUG 09 1999

April 5, 1991

JOHN WILLIAMS
CLAUDIA WILLIAMS
3239 S. LAURELWOOD DR.
IDAHO FALLS, ID 83406

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 25-07528

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the EASTERN Regional Office in Idaho Falls at (208)525-7161.

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

MICROFILMED

APR 19 1991

RECEIVED
DEC 14 1990

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

Department of Water Resources

For Office Use Only
Amt. of Fee \$ 50.00
Date 12-14-90
Receipt No. 0077416
Received by [Signature]

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. P25-07528 Telephone No. 524-5770
2. Name(s) of Permit Holder(s): JOHN L. & CLAUDIA C. WILLIAMS
3. Post Office Address: 3239 S. Laurelwood Dr., Idaho Falls 83406
4. Source of Water: Groundwater

a. If ground water, well driller's name: _____ Date drilled: _____

b. Pump horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft.): _____

5. Extent of Use:

Domestic 1 (No. of households) Irrigation 2 (No. of acres)

Stockwater _____ (No. and type of stock) Other _____

6. Total rate and/or volume for which proof is submitted 0.10 cfs _____ acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? Yes ☒ No Installed? Yes ☒ No

OR

Flow Measurement Port: Required? Yes ☒ No Installed? Yes ☒ No

8. Fee Enclosed: \$ 50.00 (See License Examination Fee Schedule)

9. Person to contact to accompany the Department representative during the field examination:

Claudia Williams 524-5770
Name Telephone No.

3239 S. Laurelwood Dr., Idaho Falls 83406
Address

10. The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

11 December 1990
Date

[Signature]
Signature (and title if on behalf of a company or organization)

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 25-7528

Date: 1-17-91

General Considerations:

NO Name same as permit
NO Signature the same as permit holder
NO Address change _____ If yes, prepare a data entry
✓ Proof received timely
_____ Reinstated

Source of Water:

_____ Surface water
✓ Groundwater
_____ 1. well log in file
_____ 2. drilling permit
_____ A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

✓ Rate of diversion appropriate for uses
✓ Is rate or volume and fee appropriate?
NO Has permit holder indicated when water was first put to a beneficial use?

Measuring Device:

NO Is a measuring device or access port required?
_____ Has one been installed?
_____ Waiver or modification of measuring device requested

Remarks:

needs assignment
well dates - ? says expiration

Priority Calculation:

Date proof received	<u>NA</u>	_____
Date proof due	_____	_____
No. of days late	_____	_____
Priority date	_____	_____
NEW PRIORITY DATE	_____	_____

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

LB

11 December 1990

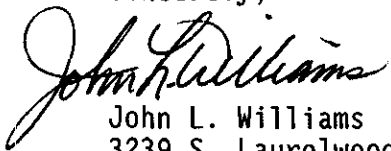
Department of Water Resources
Water Right Permits Section
Statehouse
Boise, ID 83720

RE: Permit No. P25-07528

Dear Sirs:

I am enclosing the Proof of Beneficial Use form along with a check for the examination fee. The original applicants, Thomas and Roselyn Kress, recently moved out of state. As the new owner of the subject property and residence, I have requested the appropriate forms from your office to transfer the usage into our names. This material will be sent to you following proper completion.

Sincerely,



John L. Williams
3239 S. Laurelwood Dr.
Idaho Falls, ID 83406
(208) 524-5770

RECEIVED

APR 19 1991

138748

October 31, 1990

THOMAS J. KRESS
ROSELYN VAN EVERA KRESS
3239 S. LAURELWOOD DR.
IDAHO FALLS, ID 83406

PROOF DUE NOTICE

RE: PERMIT NO. P25-07528

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before January 1, 1991. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures

APR 13 1991

S T A T E O F I D A H O
D E P A R T M E N T O F W A T E R R E S O U R C E S

Statehouse
Boise, Idaho 83720
(208) 327-7900
December 29, 1989

THOMAS J. KRESS
ROSELYN VAN EVERA KRESS
3239 S. LAURELWOOD DR.
IDAHO FALLS, ID 83406

P E R M I T A P P R O V A L N O T I C E

RE: PERMIT NO. P25-07528

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

You should be aware that the groundwater you propose to divert is located within a drainage basin where surface waters are regulated during the months of low flow. It is possible that diversion of groundwater may have an adverse impact on these surface water flows. Information available to us at this time does not warrant refusing to issue permits in your area, but we do caution that diversions of groundwater are not allowed to deplete flows available for surface water users with earlier priority dates. Siting your well as far from surface sources as possible and casing out upper water producing zones may reduce the potential of interference.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed for your convenience is a form entitled "Proof of

RECEIVED

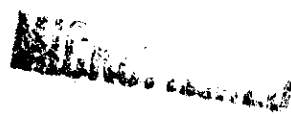
FEB 13 1990

Beneficial Use" that must be submitted to the Department when your project is completed. If development is complete, you may submit proof of beneficial use immediately.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures



FEB 13 1980

Form No. 202a
4/87STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY DM DATE 9-25-89 APPLICATION NUMBER 25 7528
Thomas or Roselyn KressREQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
- ☒ Address
- ☒ Source (See USGS Quad for names of water sources)
- ☒ Point of Diversion (10 acres for spring, lot & block descriptions for subdivisions, local name, flow and/or volume)
- ☒ County
- ☒ Quantity (flow and/or volume)
- ☒ Period of Use
- ☒ Nature of proposed use (Include description of use.)
- ☒ Description of diverting works
- ☒ Time required for beneficial use of water
- ☒ Place of use or acres irrigated
- ☒ Map
- ☒ Signature (If applicant is corp. partnership, or municipality, title of signator is required)
- ☒ Fee
- ☒ Yes ☐ No* In form to receipt

ADDITIONAL INFORMATION

- ☐ Overlapping place of use (Describe source & relationship to present application on the back.)
- ☐ Overlapping point of diversion
- ☐ Yes ☒ No Field check required
- ☐ Field check by _____
- ☐ Yes ☒ No Field report attached
- ☐ Yes ☒ No Critical groundwater area
- ☐ Yes ☒ No Groundwater management area
- ☐ Yes ☒ No Send dam safety information
- ☐ Yes ☒ No Send power requirement letter
- ☐ Yes ☒ No Send fish farm requirement letter
- ☐ Yes ☒ No Power residency affidavit
- ☐ Yes ☒ No Power efficiency form
- ☐ Yes ☒ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)
- ☐ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)
- ☐ See reverse side for additional information

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT _____

Date Requested 9-25-89

Department of Water Resources

PROCESSING ☒ Yes ☐ No In form for advertising
☐ Yes ☒ No Statewide advertising
☒ Yes ☐ No Fee amount, receipt date & No. recorded on application

SEND COPIES TO ☐ Idaho Dept. of Health & Welfare ☐ U.S. BLM
☐ Idaho Dept. of Fish & Game ☐ U.S. Forest Service
☐ Idaho Dept. of Lands ☐ Water District
☐ Adjudication Bureau Unit ☐ Other _____

FINAL REGIONAL PROCESSING REVIEW

☒ Yes ☐ No Affidavit of publication received
☒ Yes ☐ No Application published correctly. If not, record action taken.

☒ Yes ☐ No Publication dates & paper, recorded on application
☐ Yes ☒ No Protests received
Final date for protest 11-6-89
☒ Yes ☐ No Protests, dates, resolution of protest, recorded on application
☐ Yes ☒ No Recommendations attached
☐ Yes ☒ No Measuring device required
☐ Yes ☒ No Access port required
☒ Yes ☐ No Will water be delivered by watermaster? If yes, what Dist. 01-P03
☐ Yes ☐ No Special conditions of approval or cover letter below. _____

See below for additional information
Date of priority recommended 9-19-89 ☒
By HWS Date 11-21-89

STATE OFFICE REVIEW P05, P23 P16 46 48 49 57

See below for additional information
By KW Date 12-19-89

ADDITIONAL INFORMATION

App. in NON-TRUST area -
Allow 1 yr. for development -

27-Sep-1989

Thomas J. Kress
3239 S. Laurelwood Drive
Idaho Falls, ID 83406

RE: Application for Permit No. 25-7528

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in the Post-Register. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

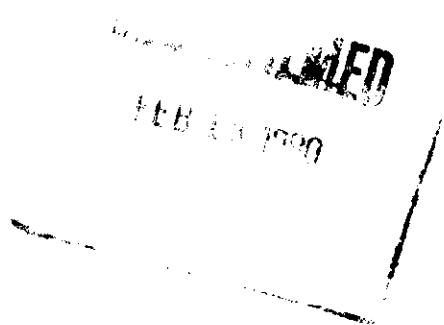
If the application is not protested, it will be forwarded to our state office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb



25-07528

KRESS, THOMAS J.
KRESS, ROSELYN VAN EVERA
3239 S. LAURELWOOD DR.
IDAHO FALLS, ID 83406

Source: GROUNDWATER

Diversion Pt: SWSE Sec 30 T 02N R 39E

Use: IRRIGATION (.060 CFS)
DOMESTIC (.040 CFS)

Date Filed: 9/19/1989

In: T02N R39E S30 SWSE

2.0 ACRES TOTAL

MICROFILMED

SEP 19 1990

