

(B.L.V. Brass Cap)
 N 1/4 COR.
 SEC. 18, T.1N.,
 R.44 E.B.M.
 (REC. COR.)

UNPLATTED

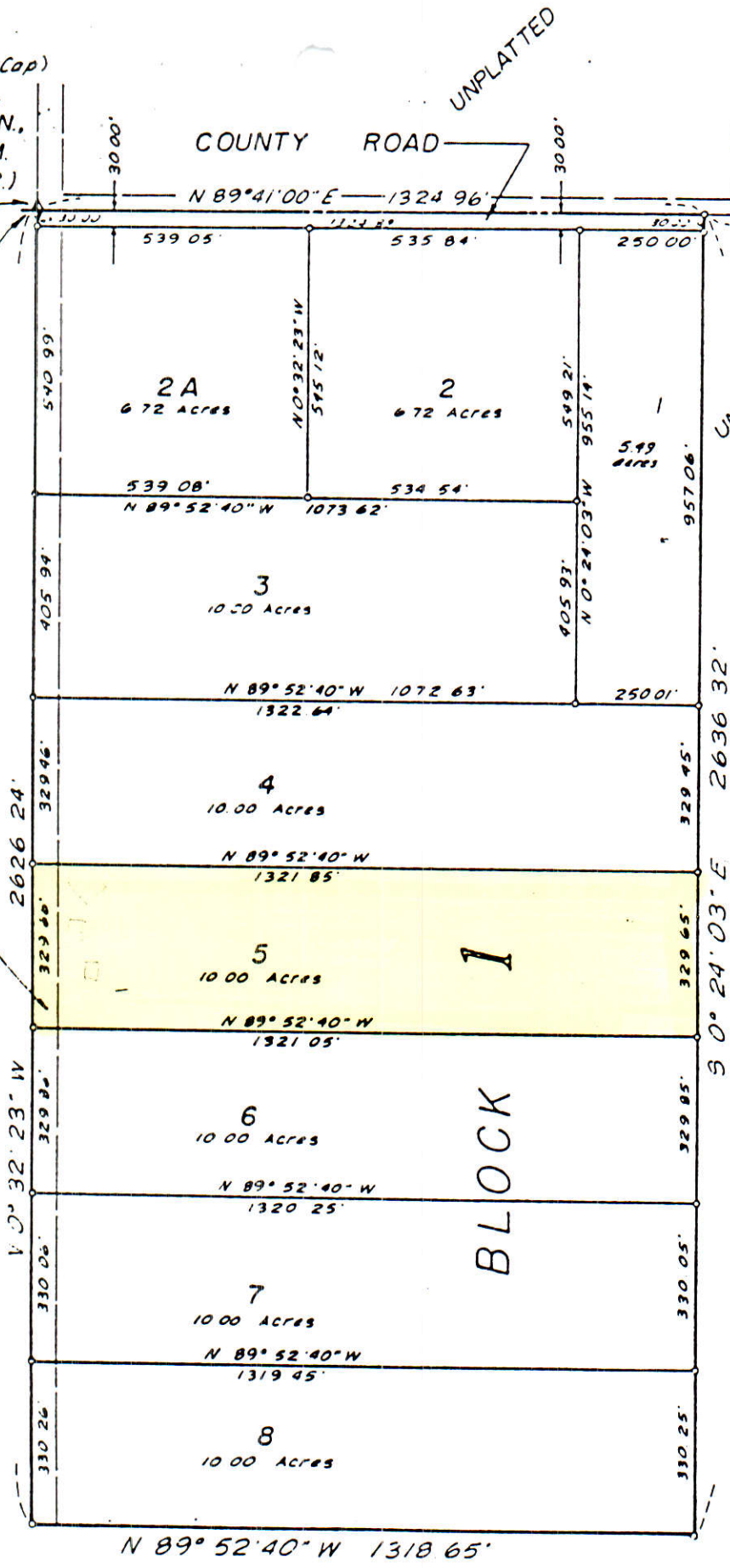
N.E. CORNER SEC. 18
 T.1N., R.44 E.B.M.
 (RECORDED COR.)

001 17012

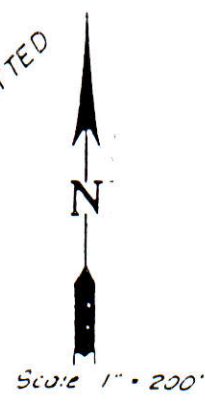
UNPLATTED

While this is a photographic reproduction of the recorded plat, the Company assumes no liability for variations, if any, with a survey.

50 Private Road Easement



UNPLATTED



PART OF THE W/2 OF THE NE 1/4 OF SEC. 18, T.1N.,
 R.44 E.B.M.

COTTONWOOD RANCH

DIVISION NO. 1

BONNEVILLE COUNTY, IDAHO

UNPLATTED MICROFILMED
 NOV 26 2001

Tony Courchaine



NAPP 16013-318

R-44-E

NW

68
T96

NW

①
53.3

⑦
17.3

W

③
1.1

④
16.9

⑤
62.8

①
5.4

40
T53
NW

②
75.9

⑥
17.5

2764
T85

①
57.6

③
31.9

②
31.1

RE EIVED

RECEIVED

JUL 20 2000

JUL 17 2000

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

Department of Water Resources

Department of Water Resources
Eastern Region

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): 23-10249
Adjudication Claim No(s): Case #39576

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/Claimant Ronald C. Frazell or Sandra A. Frazell
PO Box 77, Swan Valley, Id 83449

4. New Owner/Claimant(s) Tony R. and Vicki L. Courchaine
Name Connector (Check one): ☐ and, ☐ or, ☒ and/or
New Mailing Address PO Box 66
City, State and ZIP Code Swan Valley, Id 83449
New Telephone Number (208) 483-2751

5. Date you acquired the property 9/22/1995

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) Tony Courchaine
or Claimant(s) Vicki Courchaine

MICROFILMED

NOV 20 2001

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.

Receipt # E025994

7-17-00
\$25.00
JC

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. Required claims may be filed by a new owner.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office, or call 1-800-451-4129, if you would like more information or need help completing this form. Please attach additional sheets to the form if you require additional space to describe or explain any of the items on the form.

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 believes there are water rights for the property but the numbers are unknown, you may wish to contact 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. 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 portion of the water right: include the number of homes you acquired, number of acres irrigated with your portion of the right, if it is more than 1/2 acre, type and number of stock if your portion of the right includes 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 Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718
(208) 525-7161

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380
(208) 736-3033

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

MICROFILMED

NOV 26 2001

COMMITMENT FOR TITLE INSURANCE

SCHEDULE A

File Number: 14-15450-JR
C-8945-PH

1. Effective Date: 09/01/95 @ 08:00 A.M.

2. Policy or Policies to be issued:

A. (X) ALTA Owner's Policy, (4-6-90)	Coverage	Amount\$	120,000.00
		Premium\$	615.00

Proposed Insured:

TONY RAY COURCHANE and VICKI LYNN COURCHANE

B. (X) ALTA Loan Policy, (10-17-92)	Extended Coverage	Amount\$	110,001.00
		Premium\$	216.40

Proposed Insured:

THE BANK OF COMMERCE

C.	100 116 8.1	Amount\$	
		Premium\$	40.00

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 FEE SIMPLE estate or interest in said land is at the effective date hereof vested in:

RONALD C. FRAZELL and SANDRA ANN FRAZELL, husband and wife.

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

Lot 5, Block 1, Cottonwood Ranch, Division No. 1, Bonneville County, Idaho, according to the recorded plat thereof...

*Per Notice at Bonneville Assessment Office -
TOWN, R44E, S18, NE 1/4 ... Kari Lynn
11.14.01*

AMERICAN LAND TITLE COMPANY
Idaho Falls, Idaho

[Signature]

DD

MICROFILMED
NOV 26 2001

~~COMMITMENT~~ FOR TITLE INSURANCE

SCHEDULE B - Section 1

File Number: 14-15450-JR

REQUIREMENTS

The following are the requirements to be complied with:

Item (a) Payment to or for the account of the grantors or mortgagors of the full consideration for the estate or interest to be insured.

Item (b) Proper instrument(s) creating the estate or interest to be insured must be executed and duly filed for record, to wit:

1. Execution and recordation of Warranty Deed from Ronald C. Frazell and Sandra Ann Frazell, husband and wife vesting fee simple title in Tony Ray Courchaine and Vicki Lynn Courchaine, husband and wife.
2. Execution and recordation of Deed of Trust from Tony Ray Courchaine and Vicki Lynn Courchaine, husband and wife, to secure your loan.
3. Reconveyance of a Deed of Trust with Adjustable Rate Loan Rider from Ronald C. Frazell and Sandra Ann Frazell, husband and wife, Grantor, to American Land Title Company, Trustee, for First Federal Savings and Loan Association of Idaho, Beneficiary, to secure the payment of \$48,700.00, together with interest and any other obligations secured thereby, dated April 18, 1983, recorded April 18, 1983, as Instrument No. 640422; and re-recorded April 19, 1983, as Instrument No. 647801.

NOTE: According to the BONNEVILLE County Assessor's records we find the address to be: 1105 COTTONWOOD RD., SWAN VALLEY, ID 83449.

**The information for this commitment was prepared by Jason Reynolds. If you have any questions, please call me at American Land Title Co., 524-5600.

**Any questions you may have concerning the closing of your transaction may be directed to Pam Harker, Escrow Officer, or Teresa Vilhauer, Escrow Assistant.

NOTE: In the event this transaction fails to close and this commitment is cancelled, a fee will be charged to comply with the State Insurance Code.

MICROFILMED

NOV 26 2001

SCHEDULE B - Section 2

File Number: 14-15450-JR

Schedule B of the policy or policies to be issued will contain exceptions to the following matters unless the same are disposed of to the satisfaction of the Company.

A. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records, or attaching 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.

B. General Exceptions:

- (1) Rights or claims of parties in possession not shown by the public records.
- (2) Encroachments, overlaps, boundary lines 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.
- (3) Easements, or claims of easements, not shown by the public records.
- (4) 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.
- (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, whether or not the matters excepted under (a),(b),(c) are shown by the public records.
- (6) Taxes or special assessments which are not shown as existing liens by the 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.

C. Special Exceptions

1. Taxes for the year 1995 and subsequent years. NOTE: Taxes for the year 1994 were paid in the amount of \$1,277.64. Ledger No. rpo3640001005a. (No Homeowners). Liability for added assessments and subsequent tax billing, if any, pursuant Idaho Code Section 63-403 and 63-2203.
2. Easements, reservations, restrictions and dedications as the same appears on the recorded plat.
3. Easement to Lower Valley Power and Light Incorporated, recorded December 15, 1980, as Instrument No. 589243.
4. Oil and Gas Lease between Gwendolyn Castle and Cities Services Company dated March 3, 1976, recorded May 8, 1976, as Instrument No. 496675; Lessor's interest assigned to Pearl M. Hunter and Lavena C. Cripe, as Instrument No. 551863.

(continued)

*take
note*

MICROFILMED

NOV 2 8 2001

COMMITMENT FOR TITLE INSURANCE
Continuation

SCHEDULE B - Section 2

File Number: 14-15450-JR

Special Exceptions

5. Warranty Deed recorded June 29, 1979, as Instrument No. 567899, as follows:

Take note
Reserving and excepting unto the Grantors 50% (1/2) of all mineral, oil, gas, gravel and sand upon and appurtenant to the premises to have and to hold as to all development and extraction and all lease or option payment made prior to January, 1990, and as to all such development, extraction, lease or option payments made subsequent to 1990 but arising from leases or rights with their inception prior to January 1990, and thereafter to pass to Grantees.

6. Easement to Silver Star Telephone Co., Inc., a Wyoming Corporation, recorded August 31, 1992, as Instrument No. 834919.

7. (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, whether or not the matters excepted under (a), (b), (c) are shown by the public records.

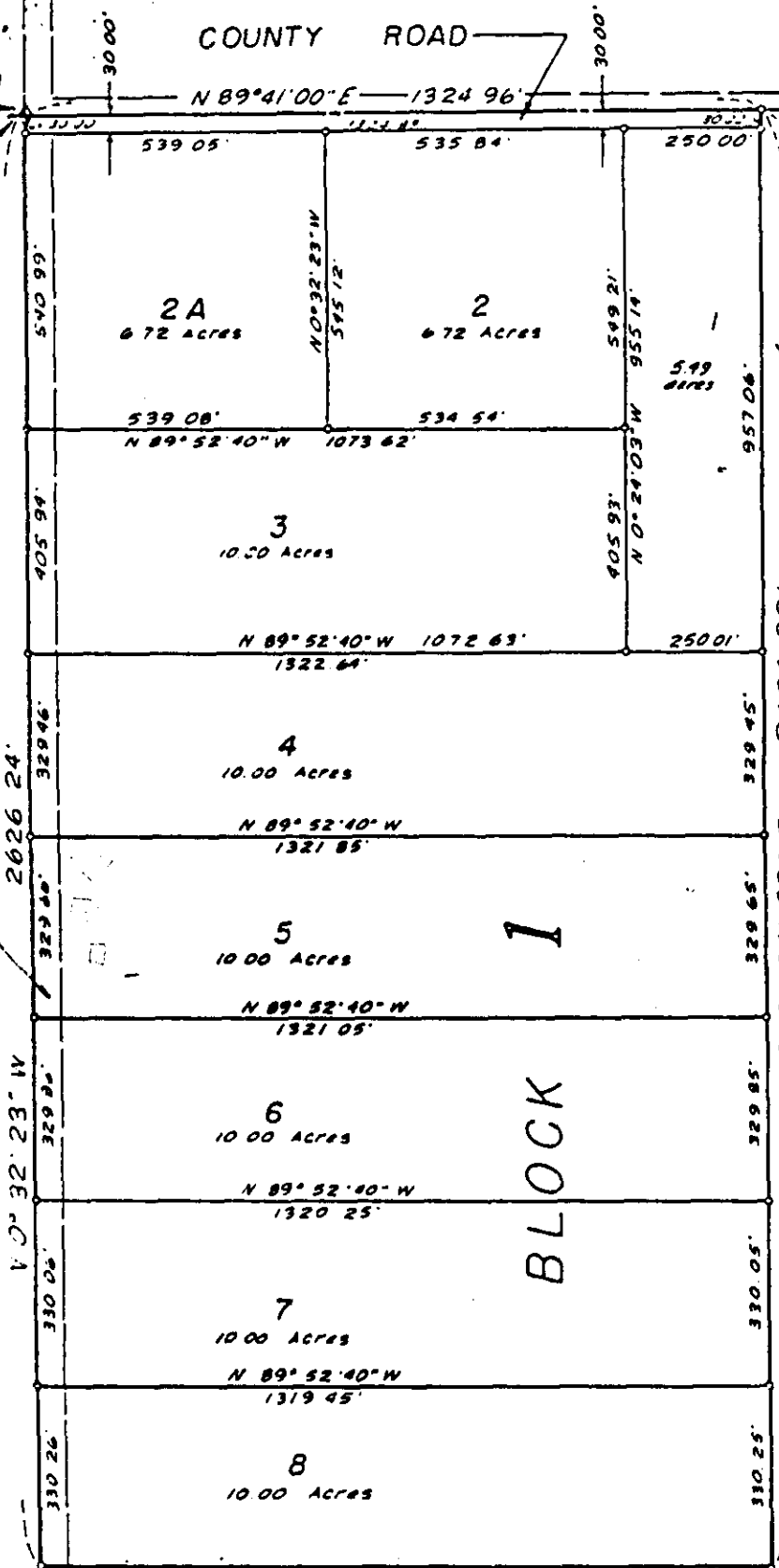
MICROFILMED

NOV 25 2011

(B.L.V. Brass Cap)
 N 1/4 COR.
 SEC. 18, T.1N.,
 R.44 E.B.M.
 (REC. COR.)

UNPLATTED

N.E. CORNER SEC. 18
 T.1N., R.44 E.B.M.
 (RECORDED COR.)



UNPLATTED

Scale 1" = 200'

PART OF THE W 1/2 OF THE NE 1/4 OF SEC. 18, T.1N.,
 R.44 E.B.M.

COTTONWOOD RANCH

DIVISION NO. 1

BONNEVILLE COUNTY, IDAHO

UNPLATTED

While this is a photographic reproduction of the recorded plat, the Commission assumes no liability for variations, if any, with the original.

50 Private Road Easement

UNPLATTED
 MICROFILMED
 APR 25 2001

Tony Courchaine

NAPP 16119-318

R-44

NW

68
T96

NW

①
533

②
173

③

④
169

① 54

40
53

2764
T85

①
57.6

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 23-10249

NAME AND ADDRESS: RONALD C FRAZELL
SANDRA A FRAZELL
155 COTTONWOOD RD
IRWIN, ID 83428

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 05/01/1979

POINT OF DIVERSION: T01N R44E S18 SWNWNE Within Bonneville County

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

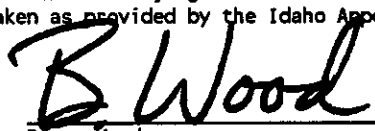
PLACE OF USE: Domestic Within Bonneville County
T01N R44E S18 NWNE

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.


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

MICROFILMED

NOV 26 2001



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

November 15, 2001

TONY R COURCHINE
VICKI L COURCHINE
PO BOX 66
SWAN VALLEY ID 83449

RE: Change of Ownership for Water Right 23-10249

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.

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 Kari Lynn Townsend
Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

MICROFILMED
NOV 26 2001

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resources

Receipt No: E025994

Date: 7/17/2000
Time: 10:02:27

Received
From: COURCHAINED, TONY

Type of Payment		Program A cct	Amount
WNERSHIP CHANGE	63140	229 21 1155	25.00

CHECK

5095

Total \$ 25.00

23-10249

Water Right Numbers

Region: EASTERN

Signature: J Crabtree

MED

6 2001