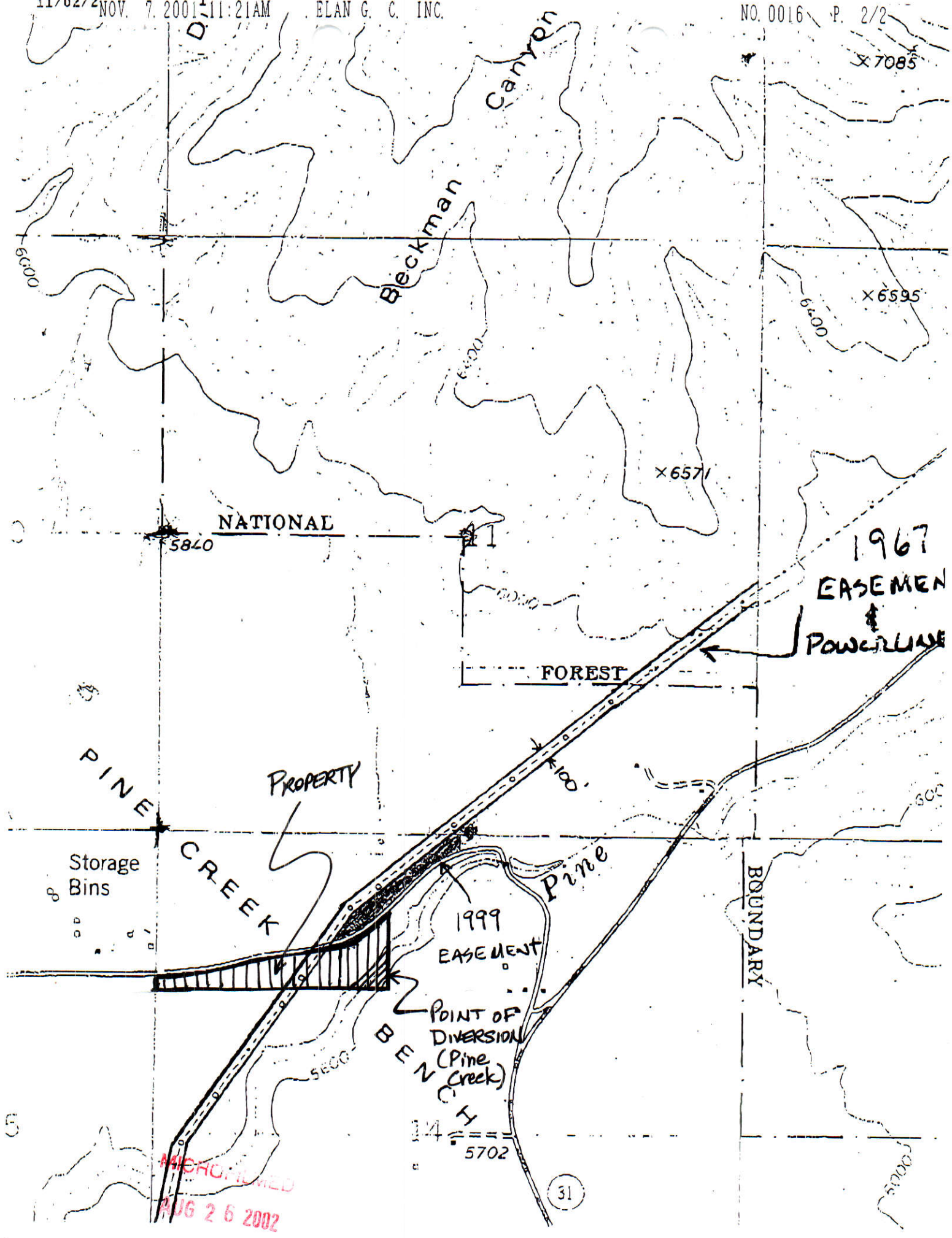




STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

JAN 28 2002

Department of Water Resources

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

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (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.

*partial
deed*

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
<u>23-10234</u>					

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**.

3. Name and Address of Former Owner/Claimant(s) Valley Bank, as Trustee for Herman Winterfeld Trust
Post Office Box 2118, Idaho Falls, Idaho 83402
4. New Owner/Claimant(s) *
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 4644 Hawley Blvd., Suite B
 City, State and ZIP Code San Diego, California 92116
 New Telephone Number (619) 284-4174
5. Date you acquired the property November 9, 2001

* **Adrian E. Johnson, acting not individually but as Trustee of The 1990 Adrian E. Johnson Living Trust created under Declaration of Trust dated October 29, 1990**

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AUG 26 2002

[illegible]

BONNEVILLE COUNTY RECORDER

1062429 NOV 9 '01 PM 3:01

3030103978-CB

WARRANTY DEED

THIS INDENTURE is made this 9th day of Nov., 2001, by HENRY WINTERFELD aka HENRY A. WINTERFELD, a single man, the "Grantor", to ADRIAN E. JOHNSON, acting not individually but as Trustee of The 1990 Adrian E. Johnson Living Trust created under Declaration of Trust dated October 29, 1990, whose mailing address is 4644 Hawley Blvd., Suite B, San Diego, California 92116, the "Grantee".

WITNESSETH:

That the Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) lawful money of the United States of America, and other good and valuable consideration, to the Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, sold, and by these presents does grant, bargain, sell, convey and confirm unto the Grantee, and to the Grantee's successors and assigns forever, all of the following described real property in the County of Bonneville, State of Idaho, to-wit:

Being a part of Lot 1 of the North Half of the Northwest Quarter of Section 14, Township 2 North, Range 43 East, of the Boise Meridian, Bonneville County, Idaho, described as:

Beginning at a point that is S. 00°00'54" E. 1302.37 feet from the Northwest corner of Section 14, Township 2 North, Range 43 East, of the Boise Meridian, Bonneville County, Idaho, said point of beginning being on the South right-of-way boundary of the county road; running thence S. 88°19'06" E. 312.84 feet; thence N. 73°02'14" E. 439.45 feet; thence N. 83°28'58" E. 574.45 feet; thence N. 74°39'42" E. 358.20 feet; thence South 310.0 feet; thence N. 89°42'56" W. 1649.37 feet; thence N. 00°00'50" W. 22.83 feet to the point of beginning; together with all water rights appurtenant thereto or associated therewith.

SUBJECT only to:

1. Real property taxes and assessments not yet due and payable.
2. An easement for the purpose shown below and rights incidental thereto as set forth in document:
Granted to: United States of America.
Recorded: October 12, 1967.
Instrument No.: 377838 of Official Records.

INSTRUMENT NO.	1062429
DATE	11-9-01
INST. CODE	205
IMAGED PGS	3
FEE	9.00
STATE OF IDAHO COUNTY OF BONNEVILLE } ss	
I hereby certify that the within instrument was recorded.	
Ronald Longmore, County Recorder	
By	<u>R. Longmore</u> Deputy
Request of	<u>ATEC</u>

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AUG 26 2002

3. The provisions contained in Contract and Grant of Easement.
Recorded: April 19, 1999.
Instrument No.: 994539.
Re-recorded: May 21, 1999.
Instrument No.: 997338 of Official Records.

TOGETHER with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversions, remainders, rents, issues and profits therefrom; and all estate, right, title and interest in and to the property, as well in law as in equity, of the Grantor.

TO HAVE AND TO HOLD the property and the appurtenances unto the Grantee, and to the Grantee's successors and assigns forever. The Grantor and the Grantor's successors shall warrant and defend the property in the quiet and peaceable possession of the Grantee and the Grantee's successors and assigns, against the Grantor and the Grantor's successors, and against every person whomsoever who lawfully holds (or who later lawfully claims to have held) rights in the property as of the date hereof.

In construing this Warranty Deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the Grantor has executed the within instrument the day and year first above written.


Henry Winterfeld aka Henry A. Winterfeld

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AUG 25 2002

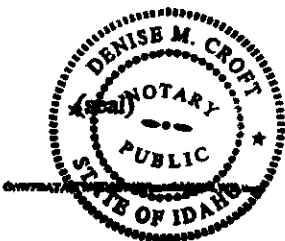
STATE OF IDAHO)

)ss.

County of Bonneville)

On the 21 day of November, 2001, before me, the undersigned, a notary public in and for said State, personally appeared Henry Winterfeld aka Henry A. Winterfeld, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he 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.

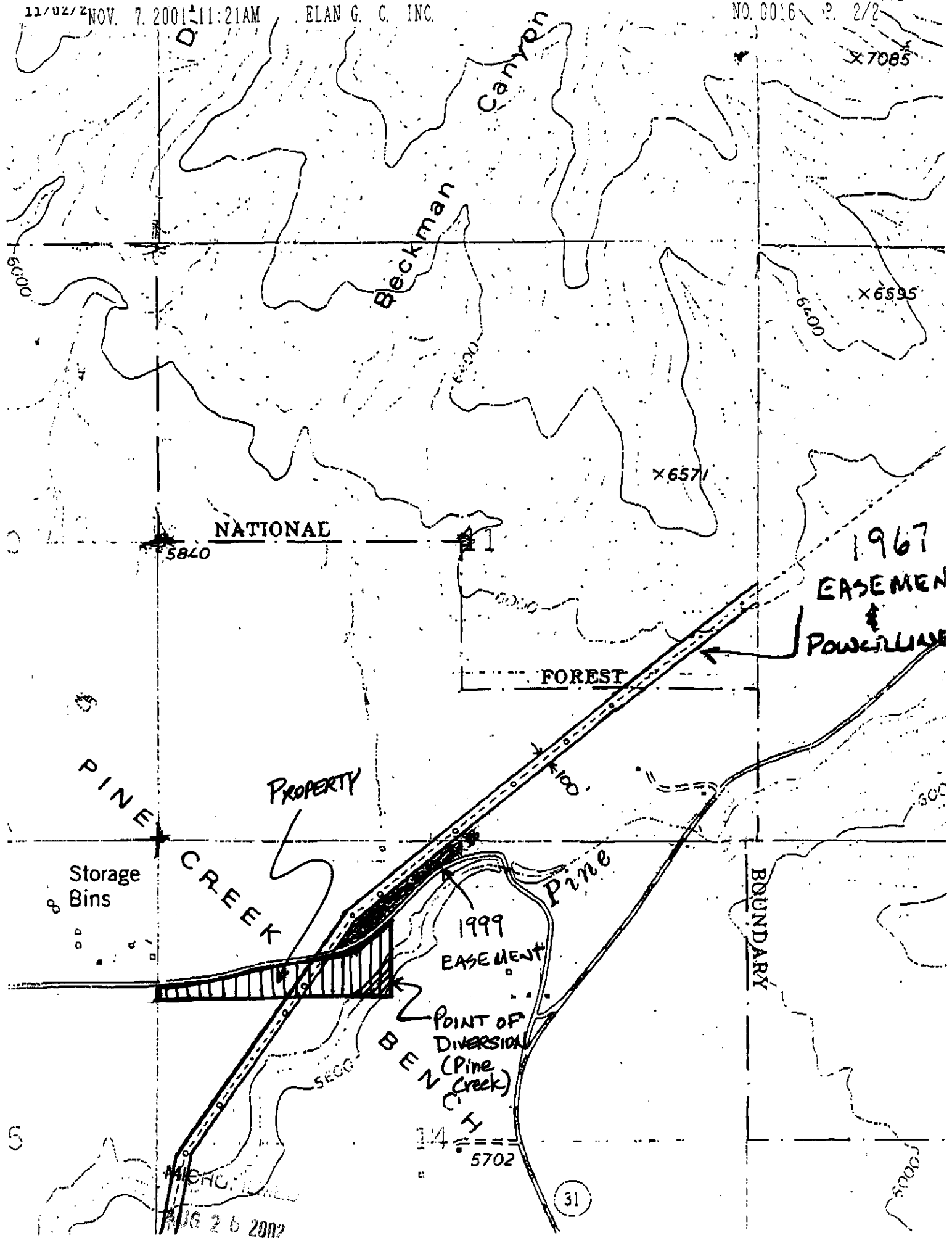
Denise M. Croft
Notary Public for Idaho

Residing at Idaho Falls, Idaho

My Commission Expires: _____

Residing in Bonneville County
Commission Expires: 2-27-04

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AUG 26 2002



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 23-10234

NAME AND ADDRESS: VALLE HERMAN WINTERFELD TRUST
 VALLEY BANK TRUST DEPT
 PO BOX 2118
 IDAHO FALLS, ID 83402

SOURCE: PINE CREEK TRIBUTARY: SNAKE RIVER, SOUTH FORK
QUANTITY: 0.03 CFS

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

PRIORITY DATE: 06/01/1930

POINT OF DIVERSION: T02N R43E S14 SWNENW Within Bonneville County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.03 CFS

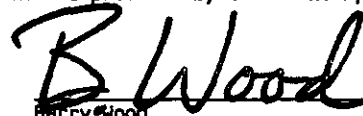
PLACE OF USE: Stockwater Within Bonneville County
 T02N R43E S14 NENW

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

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AUG 26 2002



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

July 11, 2002

ADRIAN E. JOHNSON TRUSTEE
1990 ADRIAN E. JOHNSON LIVING TRUST
4644 HAWLEY BLVD., STE B
SAN DIEGO CA 92116

Copey

RE: Change of Ownership for Water Right 23-10234

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,

Jeff Peppersack, dg

Jeff Peppersack, Manager
Water Right Permits Section

JP:dg

Enclosure

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AUG 26 2002

Law Offices
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

JAN 28 2002

Department of Water Resources

KENT W. FOSTER
ROBERT E. FARNAM
WILLIAM D. FALER
CHARLES A. HOMER
GARY L. MEIKLE
DONALD L. HARRIS
DALE W. STORER
MARIE T. TYLER
ROBERT M. FOLLETT
FREDERICK J. HAHN, III
KARL R. DECKER
THEL W. CASPER*
SHAN B. PERRY
AMELIA A. SHEETS

US BANK OF IDAHO BUILDING
330 SHOUP AVENUE, THIRD FLOOR
P.O. BOX 50130
IDAHO FALLS, IDAHO 83405

TELEPHONE (208) 523-0620
FACSIMILE (208) 523-9518
E-MAIL TCASPER@HOLDENLEGAL.COM

Arthur W. Holden
(1877-1967)
Robert B. Holden
(1911-1971)
Terry L. Crapo
(1939-1982)
William S. Holden
(1907-1988)

Of Counsel
Fred J. Hahn

*Also Admitted in Utah and Arizona

January 14, 2002

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JAN 15 2002

Department of Water Resources
Eastern Region

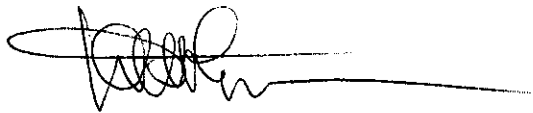
Idaho Department of Water Resources
900 Skyline Drive, Suite A
Idaho Falls, Idaho 83402-1718

Re: Adrian E. Johnson, Trustee/Notice of Change in Water Right Ownership

Ladies and Gentlemen:

I have enclosed a Notice of Change in Water Right Ownership, together with a check for the \$25.00 filing fee required by Paragraph 2.A. As required by Paragraph 2.B, I have also enclosed copies of the recorded deeds from the Estate of Herman Winterfeld to Henry Winterfeld and from Henry Winterfeld to Adrian E. Johnson, Trustee. Finally, I have enclosed a map showing the approximate locations of the property and the point of diversion as required by Paragraph 2.C. Please forward to me written confirmation of the change in water right ownership. Please feel free to call me if you have any questions.

Sincerely,



Thel W. Casper
Enclosures

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AUG 26 2002