

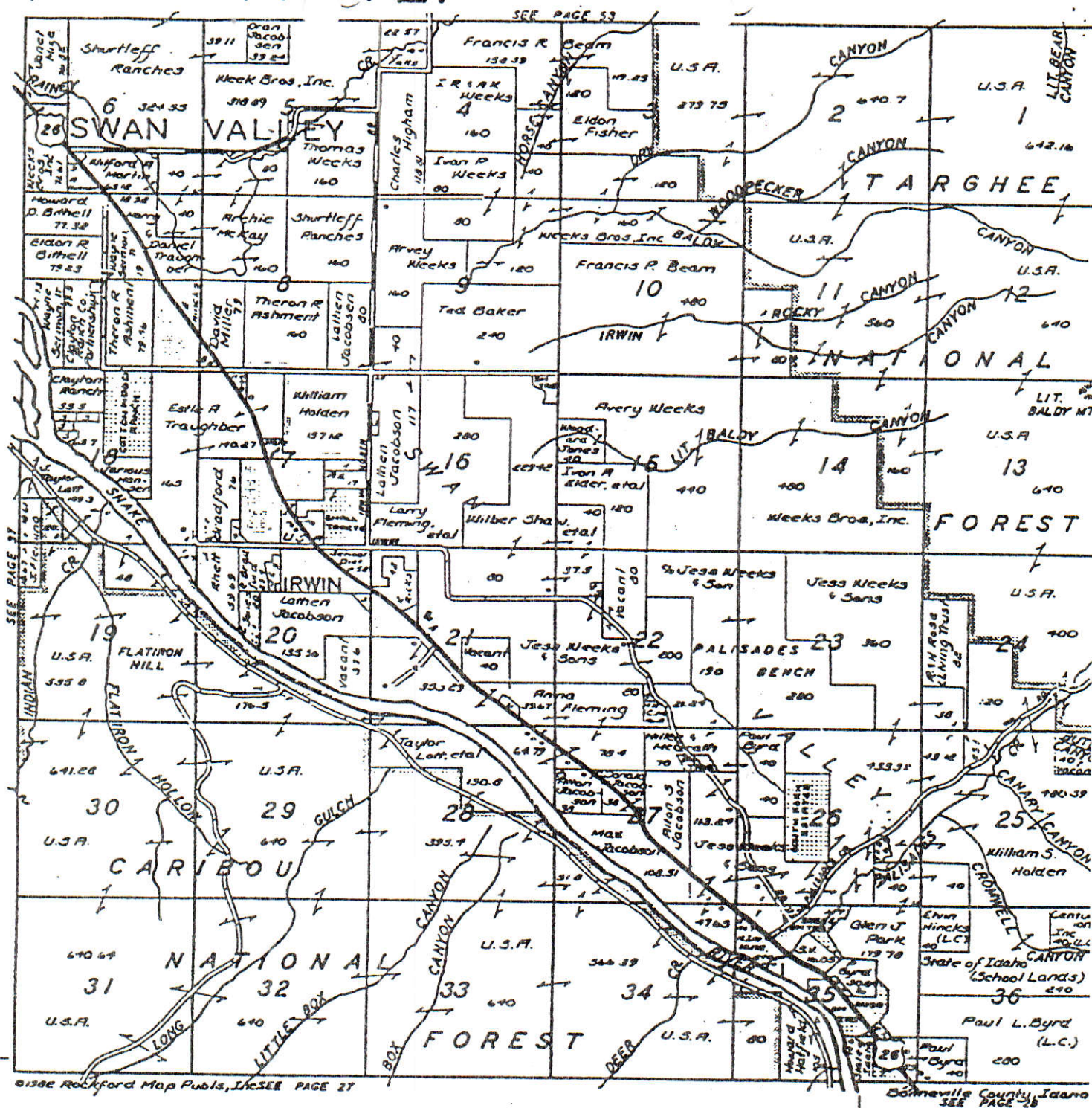
A23-02065A

TIN
R44E

1	6				6	5
12	7	D/D			7	8
		D/D				
		D/D				
		D/D				
	39	39				
	lot 12	SE 1/4 NW 1/4				
		Section 7				
12	7				7	8
13	8				18	17

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ALLIANCE

TITLE & ESCROW CORP.

This plat is included solely for the purpose of assisting in locating said premises and the company assumes no liability for variation, if any, in dimensions and location ascertained by actual survey.

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



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RECEIVED

JAN 22 2001

Department of Water Resources
Eastern Region

STATE OF IDAHO

IDAHO DEPARTMENT OF WATER RESOURCES

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.

RECEIVED

1. Water Right No(s): 23-07151; 1/2 of A23-02065A; 23-10119 → plAdjudication Claim No(s): water permit Adg claim

JUL 30 2001

Department of Water Resources

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/ClaimantE.R. Bithell124 Cottonwood Rd., Swan Valley, Idaho

4. New Owner/Claimant(s)

Troy and Tara Hicks

New Mailing Address

Name Connector (Check one): ☒ and, [] or, [] and/or
Box 4

City, State and ZIP Code

Swan Valley, ID 83449

New Telephone Number

(208) 483-2070

5. Date you acquired the property

June 16, 2000

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

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

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

7. Signature of New Owner(s)
or Claimant(s)Troy Hicks
Tara Hicks

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

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

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Idaho Department of Water Resources Receipt

Receipt ID E026941

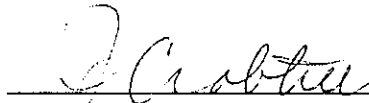
Payment Amount \$25.00 Date Received 7/24/2001 2:02:51 PM Region Eastern Status ☐
Payment Type Check Check Number 980

Payer HICKS, TROY

Comment 23-10119

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$25.00	OWNERSHIP CHANGES/SECURITY INTERESTS	0229	21	63140	1155


Signature Line (Dept. Representative)

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AUG 26 2002

TIN
244E

MICROFILMED

AUG 25 2002

ALLIANCE

TITLE & ESCROW CORP.

451 Park Ave. Idaho Falls, ID 83405-0642 (208) 524-5600 Fax No. (208) 524-1977

To: Troy Hicks
Tara Hicks
P O Box 4
Swan Valley, ID 83449

Date: June 30, 2000
Escrow No.: 3030001135
Re: Hicks / Bithell

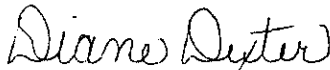
In connection with the above referenced transaction, we enclose the following:

- ◆ Owners Policy No. 13 0042 106 00002238
- ◆ Warranty Deed #1025296

"THANK YOU" for this opportunity to serve you. Your business is appreciated!

If you should have any questions or if we may be of further assistance, please do not hesitate to contact the undersigned.

Sincerely,
Alliance Title & Escrow Corp.



Diane Dexter - Title
Denise Croft
Escrow Officer

MICROFILMED
AUG 26 2002

WARRANTY DEED

THIS INDENTURE, made this 23rd day of June, 2000, ^{ELDON} between REMON BITHELL and GOLDA BITHELL, husband and wife, of 124 Cottonwood Road, Swan Valley, County of Bonneville, State of Idaho, the Grantor, and TROY HICKS and TARA HICKS, husband and wife, of Box 4, Swan Valley, County of Bonneville, Idaho, the Grantee,

WITNESSETH, that the said Grantor, for and in consideration of the sum of Ten and no/100 Dollars (\$10.00), lawful money of the United States of America, and other good and valuable considerations, to 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 and convey and confirm unto the said Grantee, and to Grantee's heirs and assigns, forever, all the following described real estate situated in the County of Bonneville, State of Idaho, to-wit:

Legal Description → The South Half (1/2) of the Northwest Quarter (1/4) of Section 7, Township 1 North, Range 44 E.B.M.

TOGETHER with the following water rights:

Water Right No. 23-07151, an undivided one-half (1/2) interest in Water Right No. A23-02065A, Water Right No. 23-10119, and 50 shares of stock in the Swan Valley Irrigation Company, Inc., now known as the Palisades Irrigation Company, Inc.

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

TO HAVE AND TO HOLD, all and singular the above mentioned and described premises, together with the appurtenances unto the Grantee, and to Grantee's heirs and assigns forever. And the said Grantor, and said Grantor's heirs shall and will warrant and by these presents forever defend the said premises in the quiet and peaceable possession of the said Grantee, and Grantee's heirs and assigns, against the said Grantor, and Grantor's heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same.

IN CONSTRUING this deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the said Grantor hereunto has set his hand.

ELDON

Eldon Remon BitHELL
REMON BITHELL

Golda BitHELL
GOLDA BITHELL

STATE OF IDAHO)

County of ~~Bonneville~~ ^{Jefferson}) ss
AUG 26 2002

ELDON

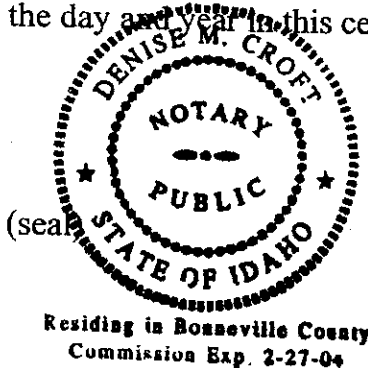
Eldon Remon BitHELL Golda BitHELL
 REMON BITHELL GOLDA BITHELL

STATE OF IDAHO)

Bonneville) ss
 County of Jefferson)

On this 23rd day of June, 2000 before me, the undersigned, a Notary Public in and for said State, personally appeared REMON BITHELL and GOLDA BITHELL, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they 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:
 Commission Expires:

INSTRUMENT NO.	<u>1025296</u>
DATE	<u>6-23-00</u>
INST. CODE	<u>205</u>
IMAGED PGS	<u>1</u>
FEE	<u>3-</u>
STATE OF IDAHO	
COUNTY OF <u>BONNEVILLE</u>	ss
I hereby certify that the within instrument was recorded.	
Ronald Longmire,	
County Recorder	
By <u>Rand</u>	Deputy
Request of <u>Atee</u>	

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 AUG 26 2002

AMERICAN LAND TITLE ASSOCIATION
OWNER'S POLICY
(10-17-92)

13 0042 106 00002238

CHICAGO TITLE INSURANCE COMPANY

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE B AND THE CONDITIONS AND STIPULATIONS, CHICAGO TITLE INSURANCE COMPANY, a Missouri corporation, herein called the Company, insures, as of Date of Policy shown in Schedule A, against loss or damage, not exceeding the Amount of Insurance stated in Schedule A, sustained or incurred by the insured by reason of:

1. Title to the estate or interest described in Schedule A being vested other than as stated therein;
2. Any defect in or lien or encumbrance on the title;
3. Unmarketability of the title;
4. Lack of a right of access to and from the land.

The Company will also pay the costs, attorneys' fees and expenses incurred in defense of the title, as insured, but only to the extent provided in the Conditions and Stipulations.

In Witness Whereof, CHICAGO TITLE INSURANCE COMPANY has caused this policy to be signed and sealed as of Date of Policy shown in Schedule A, the policy to become valid when countersigned by an authorized signatory.

Issued by:
ALLIANCE TITLE AND
ESCROW CORPORATION
451 PARK AVENUE
IDAHO FALLS, ID 83402
(208) 524-5600

CHICAGO TITLE INSURANCE COMPANY
By:


President

By:


Secretary



MICROFILMED
AUG 26 2002

OWNER'S POLICY

Order No: 3030001135

Policy No: 13 0042 106 00002238

SCHEDULE B PART I

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

General Exceptions:

1. Rights or claims of parties in possession not shown by the public records.
2. Encroachments, overlaps, boundary line 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 easement, 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. 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), or (c) are shown by the public records.
6. Taxes or special assessments which are not shown as existing liens by the public 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.

SCHEDULE B PART II

Special Exceptions:

1. Taxes, including any assessments collected therewith, for the year 2000 which are a lien not yet payable.
2. Terms, provisions, covenants, conditions, definitions, options, obligations and restrictions, contained in a document.
Entitled: Ordinance Number 32
Recorded: February 22, 2000.
Instrument No.: 1017221, of Official Records.

END OF SCHEDULE B

Countersigned:

Diane Dwyer
Authorized Signature

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AUG 26 2002

OWNER'S POLICY

SCHEDULE A

Order Number	Policy Number	Date of Policy	Amount of Insurance	Premium Amount
3030001135	13 0042 106 00002238	June 23, 2000 At 10:46AM	\$385,000.00	\$1,346.25

1. Name of Insured:

Troy Hicks and Tara Hicks

2. The estate or interest in the land which is covered by this policy is:

Fee Simple

3. Title to the estate or interest in the land is vested in:

Troy Hicks and Tara Hicks, Husband and Wife

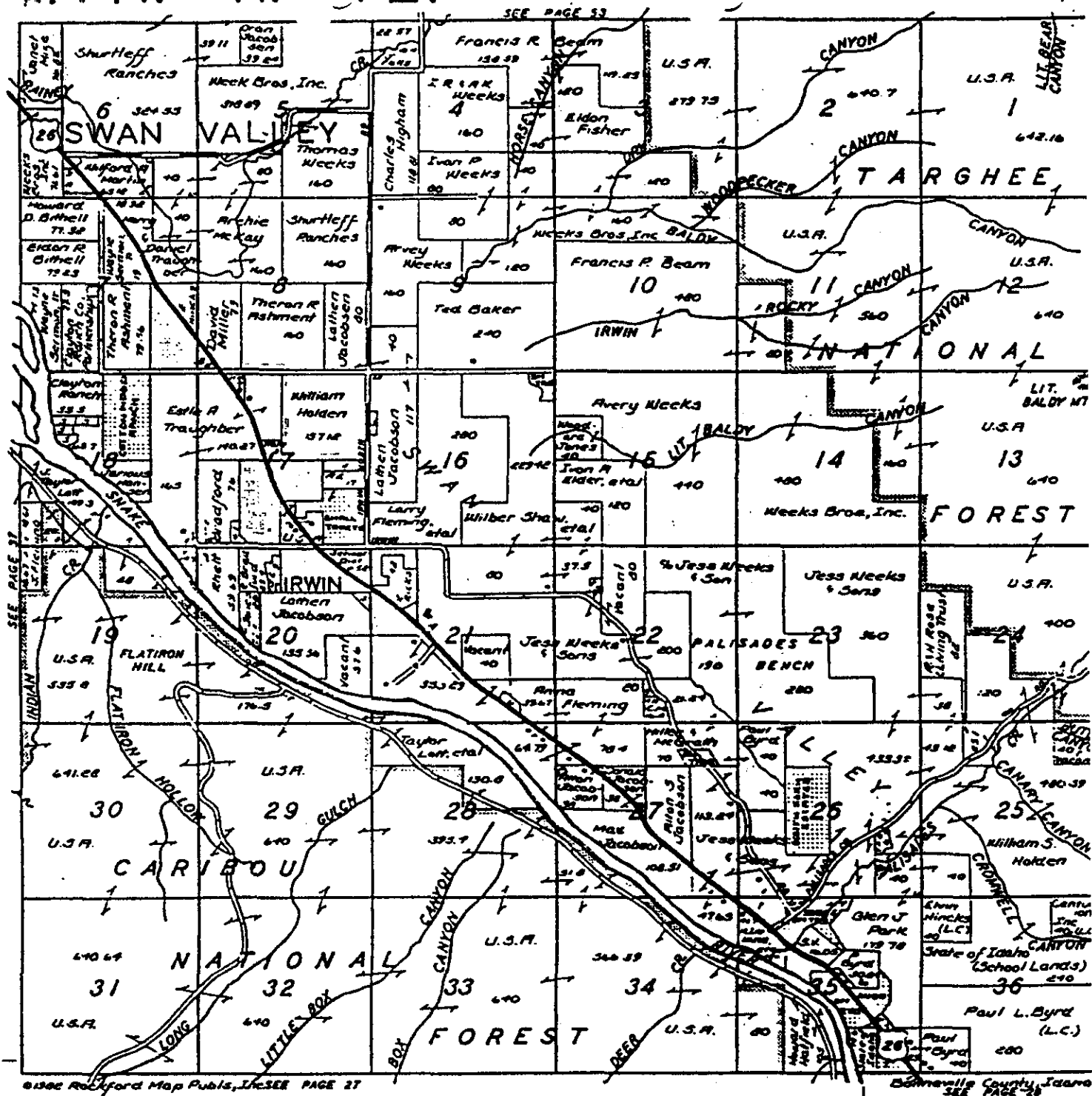
4. The land referred to in this policy is described as follows:

South ½ Northwest ¼ of Section 7, Township 1 North, Range 44, East of the Boise Meridian, Bonneville County, Idaho.

END OF SCHEDULE A

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AUG 26 2002

T. 1 N. - R. 4 E.



ALLIANCE

TITLE & ESCROW CORP.

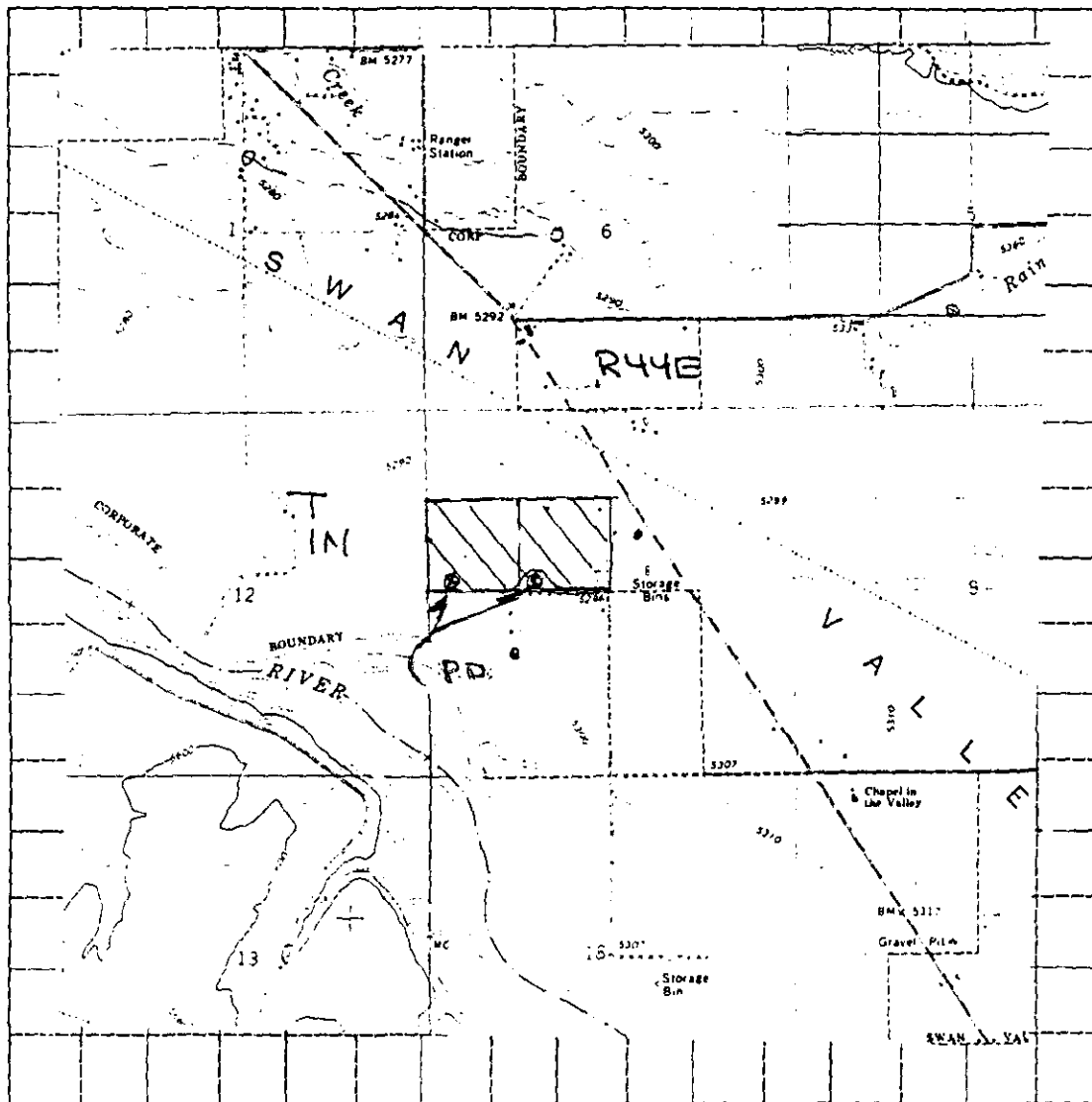
This plat is included solely for the purpose of assisting in locating said premises and the company assumes no liability for variation, if any, in dimensions and location ascertained by actual survey.

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AUG 26 2002

This looked like a better picture for
the other diversion points

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



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.

E. R. Eithell
(Applicant)

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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)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 23-10119

NAME AND ADDRESS: E R BITHELL
GOLDA K BITHELL
124 COTTONWOOD RD
SWAN VALLEY, ID 83449

SOURCE: GROUNDWATER

QUANTITY: 0.09 CFS

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

PRIORITY DATE: 01/01/1900

POINT OF DIVERSION: T01N R44E S07 NESENW 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
	Stockwater	01-01 TO 12-31	0.05 CFS

PLACE OF USE:	Stockwater		Within Bonneville County
	T01N R44E S07	SENW	
	Domestic		Within Bonneville County
	T01N R44E S07	SENW	

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 10, 2002

TARA HICKS
TROY HICKS
PO BOX 4
SWAN VALLEY ID 83449

Copy

RE: Change of Ownership for Water Right 23-10119

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