

No ✓

RECEIVED
JUN 17 2004
Department of Water Resources

**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.

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.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
<u>74-0170</u>	_____	___	<u>74-7268</u>	_____	___
<u>74-0555</u>	_____	___	<u>74-7269</u>	_____	___
<u>*74-0556</u>	_____	___	<u>74-7270</u>	_____	___
<u>*74-15076</u>	_____	___	_____	_____	___
<u>74-0557</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) R.D. or Elaine Burch
Rt. 1 Salmon, ID 83467
4. New Owner/Claimant(s) Garry D. Merritt or Shirley Jones
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address P.O. Box 1516 Salmon, ID 83467
City, State and ZIP Code _____
New Telephone Number (208) 756-6733
5. Date you acquired the property 12/17/03

This document is a clarification of existing records on file.

I, Garry Merritt, should be the sole recipient of any information or correspondence pertaining to the listed water rights on this form (42-248/42-1409(6)).

* These two referenced water right numbers are documented as combined on #47-0556.

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)

Garry D. Merrett Shirley E. Jones

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 _____	Date _____	Fee _____
Receipted by _____	Date _____	Receipt No. _____
Processed by _____ AJ	Date _____	WR _____ Date _____

Lemhi Title & Abstract Company

Title Insurance

Abstracts

Escrows

(208) 756-2977
Fax 756-6286
Email: robie@centurytel.net

P.O. Box J
Salmon, Idaho 83467
RECEIVED
JUN 17 2004
Department of Water Resources.

FEBRUARY 2, 2004

MS. SHIRLEY JONES
526 HIGHWAY 20-26
ONTARIO, OREGON
97914

DEAR SHIRLEY:

ENCLOSED PLEASE FIND AFFIDAVIT TO CORRECT LEGAL DESCRIPTION THAT HAS BEEN
RECORDED AND APPROVED BY THE LEMHI COUNTY ASSESSOR'S OFFICE.

THIS CORRECTS THE LEGAL DESCRIPTION ON THE PROPERTY THAT YOU ACQUIRED FROM
GARY MERRITT THROUGH MRS. BURCH. IF YOU HAVE AN QUESTIONS DON'T HESITATE
TO GIVE ME A CALL.

SINCERELY,

ERIN ROBIE

AFFIDAVIT TO CORRECT LEGAL DESCRIPTION

ERIN G. ROBIE, CERTIFIES THAT HE IS THE PRESIDENT OF LEMHI TITLE AND ABSTRACT CO., INC., AN IDAHO CORPORATION UNDER WHOSE SUPERVISION A WARRANTY DEED WAS PREPARED FROM ELAINE BURCH, A WIDOW TO SHIRLEY JONES, A WIDOW, WHOSE ADDRESS IS 526 HWY 20-26, ONTARIO, OREGON 97914, RECORDED ON DECEMBER 16, 2003, UNDER INSTRUMENT NO. 256963, RECORDS OF LEMHI COUNTY, IDAHO;

WHEREAS THE LEGAL DESCRIPTION CONTAINED IN SAID DOCUMENTS CONTAINED A TYPORGRAPHICAL ERROR, WHICH IS THE PURPOSES OF THIS AFFIDAVIT TO REFORM AND CORRECT: AND

WHEREAS, IDAHO CODE SECTION 55-816, PERMITS THE RECORDING OF AFFIDAVITS AFFECTING THE DESCRIPTION OF REAL PROPERTY AS PART OF THE RECORDED TITLE OF SAID PROPERTY

NOW THEREFORE, IN THE AFOREMENTIONED INSTRUMENT, THE LEGAL DESCRIPTION FOR PAGE 2, EXHIBIT "B", PARCEL "D" NORTH RANCH PARCEL IS CORRECTED TO REAL AS FOLLOWS:

SEE ATTACHED LEGAL DESCRIPTION BEING EXHIBIT "B", PARCEL "D" NORTH RANCH PARCEL PAGE 1 & 2.

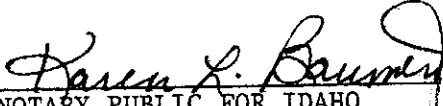
DATED THIS 2ND DAY OF FEBRUARY 2004

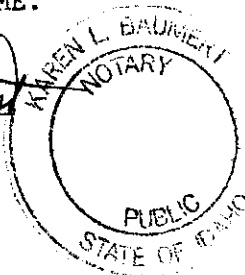
 COPY


ERIN G. ROBIE, PRESIDENT
LEMHI TITLE & ABSTRACT CO., INC.

STATE OF IDAHO
COUNTY OF LEMHI

ON THIS 2ND DAY OF FEBRUARY, 2004, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED ERIN G. ROBIE, KNOWN OR IDENTIFIED TO ME TO BE THE PERSON WHO EXECUTED THE WITHIN INSTRUMENT AS PRESIDENT OF THE CORPORATION ON BEHALF OF SAID CORPORATION AND ACKNOWLEDGED TO ME THAT SUCH CORPORATION EXECUTED THE SAME.


NOTARY PUBLIC FOR IDAHO
RESIDING AS SALMON, IDAHO
COMMISSION EXPIRES: 8-20-05



257446
State of Idaho) SS No. _____
County of Lemhi)
This instrument was filed for record at the request
of Lemhi Title
at 2:22 o'clock p.m. 2/2 2004
and duly filed and indexed in the records of Lemhi
County Terri J. Morton
Ex-Officio Recorder
By Brenda C. O'Connell
900

EXHIBIT "B"

PARCEL "D"

257446

NORTH RANCH PARCEL

A PARCEL OF LAND LOCATED IN THE SW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, & THE SW $\frac{1}{4}$ NW $\frac{1}{4}$ OF SECTION 11, TOWNSHIP 21 N., R. 22 E., B.M., LEMHI COUNTY, IDAHO MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 11, A DISTANCE OF 1980.39 FEET ON A BEARING OF N.0°09'49"E., TO A POINT ON THE NORTH SIDE OF THE COUNTY ROAD AND BEING THE REAL POINT OF BEGINNING.

THENCE N.0°09'49"E., 664.24 FEET; THENCE N.89°47'32"E., 1314.70 FEET; THENCE N.0°08'30"E., 1323.11 FEET; THENCE N.89°45'27"E., 1314.19 FEET; THENCE S.0°07'10"W., 2582.40 FEET TO A POINT ON THE A BURCH BOOTS PARCEL; THENCE N.80°43'25"W., 186.63 FEET; THENCE N.68°37'35"W., 314.01 FEET; THENCE A DISTANCE OF 28.12 FEET ALONG A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIAL OF S.21°21'40"W., 25.00 FEET AND A CENTRAL ANGLE OF 64°26'08"; THENCE S.46°54'34"W., 209.29 FEET; THENCE S.51°02'24"E., 15.15 FEET TO A POINT ON THE HAVEMANN PARCEL; THENCE S.79°52'04"W., 668.02 FEET; THENCE S.20°10'40"W., 14.02 FEET TO A POINT ON THE NORTH SIDE OF THE COUNTY ROAD; THENCE A DISTANCE OF 93.36 FEET ALONG A CURVE CONCAVE TO THE NORTHEAST HAVING A RADIAL OF N.20°10'40"E., 325.00 FEET AND A CENTRAL ANGLE OF 16°27'34"; THENCE N.53°21'46"W., 416.72 FEET ALONG SAID NORTH SIDE OF THE COUNTY ROAD TO A POINT ON THE J. BURCH PARCEL; THENCE N.18°37'14"E., 504.25 FEET; THENCE N.69°17'22"W., 461.12 FEET; THENCE S.18°37'14"W., 467.00 FEET TO A POINT ON THE NORTH SIDE OF THE COUNTY ROAD; THENCE N.64°01'44"W., 541.39 FEET TO THE REAL POINT OF BEGINNING.

ALSO TOGETHER WITH THE FOLLOWING :

A PARCEL OF LAND LOCATED IN THE SW $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 11, T. 21 N., R. 22 E., B.M., LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE W $\frac{1}{4}$ CORNER OF SAID SECTION 11, RUN THENCE N.89°39'28"E., ALONG THE SOUTHERLY BOUNDARY OF SAID SW $\frac{1}{4}$ NW $\frac{1}{4}$ A DISTANCE OF 39.48 FEET TO THE POINT OF BEGINNING; THENCE N.01°13'41"E., A DISTANCE OF 141.74 FEET; THENCE S.88°55'45"E., A DISTANCE OF 1267.97 FEET TO A POINT ON THE EASTERLY BOUNDARY OF THE SW $\frac{1}{4}$ NW $\frac{1}{4}$; THENCE S.00°04'48"W., ALONG SAID BOUNDARY A DISTANCE OF 110.42 FEET TO THE SE CORNER OF THE SW $\frac{1}{4}$ NW $\frac{1}{4}$; THENCE S.89°39'28"W., ALONG THE SOUTHERLY BOUNDARY OF SAID SW $\frac{1}{4}$ NW $\frac{1}{4}$ A DISTANCE OF 1270.65 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THE FOLLOWING THREE PARCELS:

PARCEL 1; A PARCEL OF LAND LOCATED IN THE SE $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 11, T. 21 N., R. 22 E., B.M., LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE W $\frac{1}{4}$ CORNER OF SAID SECTION 11, RUN THENCE N.89°39'28"E., ALONG THE SOUTHERLY BOUNDARY OF THE NW $\frac{1}{4}$ A DISTANCE OF 1310.13 FEET TO THE SW CORNER OF THE SE $\frac{1}{4}$ NW $\frac{1}{4}$; THENCE N.00°04'48"E., ALONG THE WESTERLY BOUNDARY OF SAID SE $\frac{1}{4}$ NW $\frac{1}{4}$ A DISTANCE OF 110.42 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N.00°04'48"E., A DISTANCE OF 1187.37 FEET; THENCE EAST A DISTANCE OF 73.90 FEET; THENCE S.01°04'20"W., A DISTANCE OF 1188.90 FEET; THENCE N.88°55'45"W., A DISTANCE OF 53.32 FEET TO THE POINT OF BEGINNING.

PARCEL 2; A PARCEL OF LAND LOCATED IN THE SW $\frac{1}{4}$, SECTION 11, T.21 N., R. 22 E., B.M., LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE W $\frac{1}{4}$ CORNER OF SAID SECTION 11, RUN THENCE N.89°39'28"E., ALONG THE NORTHERLY BOUNDARY OF SAID SW $\frac{1}{4}$ A DISTANCE OF 39.48 FEET; THENCE S.01°13'41"W., A DISTANCE OF 693.38 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY OF AN EXISTING COUNTY ROAD; THENCE N.64°39'38"W., ALONG SAID RIGHT OF WAY A DISTANCE OF 27.24 FEET TO A POINT ON THE WESTERLY BOUNDARY OF SAID SW $\frac{1}{4}$; THENCE NORTH ALONG SAID BOUNDARY A DISTANCE OF 601.00 FEET TO THE POINT OF BEGINNING.

PARCEL 3; A PARCEL OF LAND LOCATED IN THE W $\frac{1}{2}$, SECTION 11, T. 21 N., RANGE 22 E., B.M., LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE W $\frac{1}{2}$ CORNER OF SAID SECTION 11, RUN THENCE N.89°39'28"E., A DISTANCE OF 39.48 FEET; THENCE N.01°13'41"E., A DISTANCE OF 141.74 FEET TO THE POINT OF BEGINNING:

THENCE S.88°55'45"E., A DISTANCE OF 1072.35 FEET; THENCE S.38°38'55"W., A DISTANCE OF 757.91 FEET; THENCE S.18°37'00"W., A DISTANCE OF 468.68 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY OF AN EXISTING COUNTY ROAD; THENCE N.64°39'38"W., ALONG SAID RIGHT OF WAY A DISTANCE OF 516.82 FEET; THENCE N.01°13'41"E., A DISTANCE OF 835.12 FEET TO THE POINT OF BEGINNING.

SUBJECT TO: A 30 FOOT WIDE EASEMENT BEING 15 FEET ON EITHER SIDE OF THE FOLLOWING DESCRIBED CENTER LINE:

COMMENCING AT THE SOUTHEAST CORNER OF THE ABOVE DESCRIBED PARCEL, WHICH IS ALSO THE NORTHEAST CORNER OF THE BOOTS PARCEL, AND BEING THE REAL POINT OF BEGINNING.

THENCE N.83°43'79"W., 123.03 FEET; THENCE N.76°11'33"W., 145.36 FEET; THENCE N.63°57'55"W., 186.42 FEET; THENCE N.81°23'55"W., 70.56 FEET; THENCE S.62°06'10"W., 87.09 FEET; THENCE S.38°23'05"W., 121.05 FEET; THENCE S.64°30'48"W., 66.24 FEET; THENCE S.87°12'57"W., 54.96 FEET; THENCE N.85°45'25"W., 140.24 FEET; THENCE S.76°20'27"W., 136.41 FEET; THECNE S.65°46'52"W., 295.14 FEET TO A POINT IN THE CENTER OF THE COUNTY ROAD

TOGETHER WITH ALL WATER RIGHTS, DITCH RIGHTS AND IMPROVEMENTS THEREON OR APPURTENANCES THERETO, INCLUDING BUT NOT LIMITED TO, THE WATER RIGHTS CLAIMED UNDER IDENTIFICATION NO. 74-0170, 74-0556 AND 74-0557.

257569

QUITCLAIM DEED

FOR VALUE RECEIVED, GARY MERRITT, does hereby release, remise, bargain, sell, convey and forever quit claim unto SHIRLEY JONES, a widow, of 526 Hwy 20-26, Ontario, Oregon 87814, the following described premises in Lemhi County, Idaho to wit:

A parcel of land located in the W½, Section 11, T. 21 N., R. 22 E., Boise Meridian, Lemhi County Idaho, more particularly described as follows:

Commencing at the W¼ corner of said Section 11, run thence N. 89° 39' 28" E. a distance of 39.48 ft.; Thence N. 01° 13' 41" E. a distance of 141.74 ft. to the POINT OF BEGINNING;

Thence S. 88° 55' 45" E. a distance of 1072.35 ft.;

Thence S. 38° 38' 55" W. a distance of 757.91 ft.;

Thence S 18° 37' 00" W. a distance of 468.68 ft. to a point on the Northerly right of way of an existing county road;

Thence N. 64° 39' 38" W. along said right of way a distance of 516.82 ft.;

Thence N. 01° 13' 41" E. a distance of 835.12 ft. to the POINT OF BEGINNING.

Together with water, water rights, ditches, ditch rights appurtenant thereto.

IN WITNESS WHEREOF, the Grantor has executed this Quitclaim Deed.

Dated this 11 day of February, 2004.

Gary Merritt
GARY MERRITT

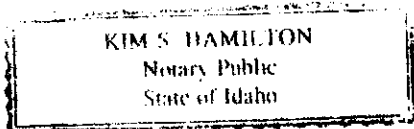
STATE OF IDAHO)
County of Lemhi) ss.

On this 11 day of February, 2004, before me, the undersigned, a Notary Public in and for said State, personally appeared GARY MERRITT, known to me to be the person whose name is subscribed to the foregoing 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.

DATED this 11 day of February, 2004.

(SEAL)



Kim S. Hamilton
Notary Public for Idaho
Residing at: SALMON, Idaho
Commission expires: 03-24-06

257569

State of Idaho)
County of Lemhi

SS No. _____

This instrument was filed for record at the request
of Gary Merritt

at 2:00 o'clock p.m. 11 Feb 2004

and duly filed and indexed in the records of Lemhi
County

Terri J. Morton
Ex-Officio Recorder

By K Baumert Deputy

Fee 6.⁰⁰

Return to _____