

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A22-02152
Date Received: 8/01/1988
Receipt No: 8000995
Received By: EMC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DEE F. BOWEN 208-356-5167
Address: 3043 W. 6960 S.
REXBURG, ID 83440
OR
Name: MYRTH D. BOWEN
Address: 3043 W. 6960 S.
REXBURG, ID 83440

2. Date of Priority: AUG 31, 1953

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	39E	35	SE	SW	NE		MADISON

5. Description of diverting works:
OPEN PIT WITH 10" PUMP AND DIESEL PUMP, OPEN DISCHARGE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.060		

7. Total Quantity Appropriated is:
2.060 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 257.5 Acre Feet Per Annum.

9. Non-irrigation uses:

A2202152



SEARCHED
OCT 29 1988

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	39E	35	SW	NE		IRR	15.0
			NE	NW		IRR	38.0
			SE	NW		IRR	35.0
			NE	SW		IRR	15.0
						Section Acres	103.0
						Total Acres	103.0

11. Place of use in counties: MADISON

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
SHARES IN BOTH REID AND LENROOT CANALS.

14. Remarks:
PIT WAS DUG TO A DEPTH OF 22 FEET.

15. Basis of Claim: LICENSE
Water Right Number: 24455

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

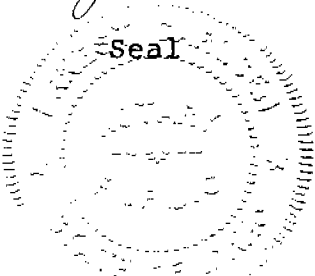
Signature of Claimant(s): Alvin F. Bowen Date: Aug. 1 - 88

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 1 day
of Aug. 19 88

Ernest Carlson
Notary Public



Residing at Idaho Falls, ID
My Commission Expires 14 June 1994

AJ0749NP
No. A22-02152

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 01/11/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JEFF LERWILL 1353 N 2000 E SUGAR CITY ID 83448 (208) 356-7300	08/31/1953	IRRIGATION	04-01 11-01	2.060 CFS	
				TOTAL DIVERSION: CONSUMPTIVE USE:	2.060 CFS	257.50 AFA

C ALANA LERWILL
1353 N 2000 E
SUGAR CITY ID 83448
(208) 356-0972

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T05N R39E S35 SESWNE

MADISON County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE								
T	R	S		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
05N	39E	35	:			15	:	38				35	:	15						
TOTAL ACRES																			103.0	
																			103.0	

POU County: MADISON

Other Rights: SHARES IN BOTH REID AND LENROOT CANALS.

Remarks: GEN PIT WAS DUG TO A DEPTH OF 22 FEET.

OWNERSHIP CHANGED PER WARRANTY DEED 1/11/00. PHONE NO WITH
JEFF'S NAME IS WORK PHONE, PHONE NO W/ ALANA'S NAME IS HOME.
SEE EAST WATER MEAS. DISTRICT FILES; FLOW MEASUREMENT SHOULD
BE PERFORMED SUMMER OF 2000 OR 2001. BCONTOR.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

TOP 5N
R6E-37E

Wall

A22-00152

Twp 5N
Rge 39E

Wall

A22-02152

Log for claim 22-02152

Spatial Dynamics LTD

6/25/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
05n39e	35	SWNE	15	19	
05n39e	35	NENW	38	32	
05n39e	35	SENE	35	38	
05n39e	35	NESW	15	5.9	
Totals:			103	94.9	

State of Idaho

License and Certificate of Water Right

Water License No. G-24455Amount 2.06 c.f.s.

Water District No. _____

Priority August 31, 1953THIS IS TO CERTIFY that DEE F. BOWEN

of Thornton, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated August 31, 1953; that Permit No. G-24455 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 2.06 second feet, was issued thereunder on November 10, 1959, showing that said works were completed on the 15 day of September, 1958; and that on the 15 day of September, 1958,

DEE F. BOWEN

of Thornton, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of a well

, a tributary of subterranean flow, for the purpose of irrigation

, under Use Permit No. G-24455 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume

11 of Licenses at page 6810, on the 10 day of November, 1959;

The right hereby confirmed dates from August 31, 1953;

The Point of Diversion is located

in the SW 1/4 NE 1/4, Sec. 35, Twp. 5 N., R. 39 E., B. M. County of Madison

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 2.06 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
<u>5 N.</u>	<u>39 E.</u>	<u>35</u>	<u>NE 1/4 NW 1/4</u>	<u>40</u>	<u>38</u>
			<u>SE 1/4 NW 1/4</u>	<u>40</u>	<u>35</u>
			<u>NE 1/4 SW 1/4</u>	<u>40</u>	<u>15</u>
			<u>SW 1/4 NE 1/4</u>	<u>40</u>	<u>15</u>
			Total number of acres to be irrigated:		<u>103</u>

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

10 day of November, 1959.

/s/ GEO. N. CARTER
State Reclamation Engineer.

(SEAL)

22-2152

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 32252
Permit No. G- 24455
District No.

*Wm. F. Bowen
Landowner, Applicant
Farmington, Idaho
Boise, Idaho*

1. Name of Applicant: DEE F. BOWEN
Postoffice address: Thornton County: Madison State: Idaho
2. Quantity of water claimed: 3.8 c.f.s.
 - (a) Rate of withdrawal in cubic feet per second. 3.8 or Idaho
Miners' inches 190 or gallons per minute. 1710
 - (b) Annual withdrawal in acre feet per annum 395
3. Source of water supply: Underground water (pit-type well)
4. Location of point of diversion or well is in the W $\frac{1}{2}$ NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 35
Twp. 5 N. , Rge. 39 E. , B.M., County of Madison
5. Water is to be used for: Irrigation
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B.M.
 - (b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
7. Kind of works: Pit-type well, 50 ft. square, 15 ft. deep: well pump 7 $\frac{1}{2}$ h.p. 1 $\frac{1}{2}$ miles ditches
8. Estimated cost of works: \$ 3525
9. (a) Is reservoir to be used? No
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is 4 years.
11. If applicant is a corporation, give:
 - I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
 - II. The financial resources of the applicant are (a) Cash onhand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: 10 $\frac{7}{8}$ shares in LENROOT Canal Co. equivalent to about 22 miner's inches.
 - (a) 1.14 (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) 2.66 (cubic feet per second, inches or gallons per minute) is for new lands.

Twp.	Range	Sec.	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	Totals
			NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	
5 S. 11.	39 E.	35	20	40	40	40	20 20 180
APPROVAL OF STATE RECLAMATION ENGINEER ☒ I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho, hereby extend the time for the completion of construction work and beneficial use under Permit to Appropriate the Public Waters of the State of Idaho, No. G-24455, to <u>September 17, 1958</u> Witness my hand this 8th day of August, 1957. /s/ Mark R. Kulp State Reclamation Engineer Approved and recorded: August 8, 1957.							

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, NO. G-24455

Comes now Dee F. Bowen, Thornton, Idaho and represents to the State Reclamation Engineer of the State of Idaho:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. G-24455.

That the point of diversion is described in said permit as being located $W\frac{1}{2}NW\frac{1}{4}SE\frac{1}{4}$ of Section 34, T. 5 N., R. 39 E., County of Madison.

That he now requests that the point of diversion be changed to a point located $SW\frac{1}{4}NE\frac{1}{4}$ Section 35, T. 5 N., R. 39 E.B.M. That the reason for desiring to make such change is as follows: The new point of diversion is much more practical. From this point water can be diverted to all ditches on this farm. That no one will be injured by such change, and that such change will be made at Permit Holder's own risk.

Signed at 11:20 A.M., this 2 day of Nov., 1959.

/s/ Dee F. Brown

Date of receipt at Department of Reclamation: November 3, 1959

APPROVAL OF STATE RECLAMATION ENGINEER

I, Geo. N. Carter, State Reclamation Engineer of the State of Idaho, HEREBY APPROVE the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. G-24455. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

/s/ GEO. N. CARTER
State Reclamation Engineer

Permit No. G-24455

CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that DEE F. BOWEN of Thornton, County of Madison, and State of Idaho, the holder of Permit No. G-24455, issued upon Application No. G-32752 bearing date of priority of August 31, 1953, authorizing the diversion of 3.8 second feet of the waters of a well County of Madison, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 2.06 second feet of the waters of a well from subterranean flow; that the point of diversion of said waters $SW\frac{1}{4}NE\frac{1}{4}$, Sec. 35, T. 5 N., R. 39 E., B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: 103 acres in $E\frac{1}{2}NW\frac{1}{4}$, $NE\frac{1}{4}SW\frac{1}{4}$, $SW\frac{1}{4}NE\frac{1}{4}$, Sec. 35, T. 5 N., R. 39 E., B.M.

Witness my hand this 10 day of November, A.D. 1959.

/s/ GEO. N. CARTER
State Reclamation Engineer

Proof of Completion of Works Made: September 15, 1958

Certificate of Completion of Works Issued: November 10, 1959

LICENSE ISSUED FOR 2.06 SEC. FT.

Page 6810

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. G-24455This proof is for C/W & Beneficial Use In Water District No. _____1. Name of applicant Dee F. Bowen, Thornton, Idaho2. Source of water supply: Underground water (pit-type well)3. Location of point of diversion: Is in the W¹/₄ NW¹/₄ SE¹/₄ of Section 35T. 5 N. R. 39 E. County of Madison

4. Describe works as they exist, giving dimensions and capacities of same: Large deep pit dug in bottom of a slough. Berkeley Turbine pump with 10" bowl driven by a Minneapolis Moline tractor delivers water into ditch thru lift of approx. 8 feet. Says underground water enters pit from the North East.

5. Water is used for: Irrigation6. State whether or not water has been turned into works of diversion: yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

Township 5 North, Range 39 East, B.M.
Section 35: SW¹/₄ NE¹/₄ (20a), NE¹/₄ NW¹/₄ (40a), SE¹/₄ NW¹/₄ (40a), NE¹/₄ SW¹/₄ (40a), NW¹/₄ SE¹/₄ (20a), SW¹/₄ SE¹/₄ (20a),
Total - 180 acres

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks: Water in river 3' higher than in the pit

There is a large pipe with head gate extends thru the dike to the Snake River

This examination was made on the 4 day of Sept, 1959

(Signed)

E. N. Humphrey
Examiner.

824455

Dee F. Bowen
Thornton, Idaho

E165767

Permit No. G-24455

Examination for C/W & Beneficial Use

County Madison

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

RECEIVED
JUN 2 1935

Department of Reclamation

35-54-2-E
Gr 3.8 a.f.s.
See well pit (type)
Pit = W²NW⁴SE⁴ Sec. 35, T.5N. -
R. 39E.

Fired - Aug 21 1933
See Sec. 15, T.5N. -
R. 39E.

1/2" to 2" in diameter
= 20.

48 hp. Minn. Trolley
belt = power.

See below, Trench
10' deep, down it
9' del. 35' to well
into ditch

lift = 5'

Pit 100' x 20' x 4'

See water in
from it.

at times water in
about 15' rise
in tree stump.

between Trench and
to mark area of

[illegible]

824455

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-24455

REPORT ON PROOF OF COMPLETION OF WORKS AND BENEFICIAL USE

Dee F. Bowen
Thornton, Idaho

Appl. 3.8 c.f.s.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

January 18, 2000

JEFF & ALANA LERWILL
1353 N 2000 E
SUGAR CITY ID 83448

RE: NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP
NOTICE OF CLAIM TO A WATER RIGHT A22-02152

Dear Mr. & Mrs. Lerwill:

The request for Change of Water Right Ownership concerning the above-referenced Notice of Claim has been processed and the Department's records updated to reflect you as the new claimant.

The enclosed report shows this change along with the elements of the water right being claimed. Please review this report and contact this office if there are corrections or questions.

Please keep this report for your records.

Respectfully yours,


Jennifer Crabtree
Technical Records Specialist

Enclosure

A22-02152

Δ ownership 1/4/00
Byce Contor

1) Chain of title -

Claimant of Record Dec F 3 Myrth D Bowen
Warranty Deed 280503

Dec F 1 Myrth D Bowen →

Jeffrey L Lerwill and Alana Lerwill

Notice of Change = Lerwills

2) POE

1) Claim map matches Ownership match
more or less. Bowen homestead appears to
be excluded

2) Legal description on deed references
South border = flood control district
easement. I assume map is more
or less correct.

3) Warranty deed legal appears to
include all the claimed POE plus
additional lands

4) Exclusion in NE NW is Bowen
home lot. Per my inspection in 1998
for WMO purposes, this is not part of
irr. place of use for the GW right.

3) ownership changed w/o split
1/11/00 bac

DEWOG BC 4/3/00
RECEIVED

JAN 12 2000

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.

Lic# 6-24455

Incomplete forms will be returned.

1. Water Right No(s): A 22-02152

Adjudication Claim No(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** 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/ClaimantDee + Martha Bowen

4. New Owner/Claimant(s)

3043 W 6960 South Rexburg ID 83448Jeff Andor Alana LerwillName Connector (Check one): ☐ and, ☐ or, ☒ and/or

New Mailing Address

1353 N 2000 East

City, State and ZIP Code

Sugar City, Id. 83448

New Telephone Number

208 356-0972

5. Date you acquired the property

11-996. 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

5-200 CATTLE or horses -

Number and type of stock

Diversion rate in CFS

2.06

Number of homes you acquired

0

Other uses

7. Signature of New Owner(s)
or Claimant(s)Jeff Lerwill
Alana Lerwill

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.

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

THIS DEED IS BEING RE-RECORDED TO CORRECT

GRANTEES ADDRESS
WARRANTY DEED 280659

Order No.:3049910050-L

FOR VALUE RECEIVED

Dec F. Bowen and Myrth Bowen, Husband and Wife

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Jeffrey L. Lerwill and Alana Lerwill, Husband and Wife

whose current address is

SUGAR CITY, ID 83448

1353 North 2000 East ~~Rehburg, ID 83449~~

MADISON

the grantee(s), the following described premises, in ^{MADISON} County, Idaho, TO WIT:

All those portions of the following described property lying North of the existing flood control easement more particularly described in easements granted to Flood Control District No. 1 in Book 161, pages 393, 403 and 406.

The Southwest Quarter of the Northeast Quarter, the East half of the Northwest Quarter, Northeast Quarter of the Southwest Quarter, and the Northwest Quarter of the Southeast Quarter of Section 35, Township 5 North, Range 39 East, Boise Meridian, Madison County, Idaho.

Subject to and together with a 20 foot road and utility easement along the North side of the East half of the Northwest Quarter of said Section 35,

Together with an easement and right of way as reserved by the Grantor in Warranty Deed recorded as Instrument No. 246335 for access to and maintenance and operation thereof of the existing irrigation diversion.

Grantee is given the right to remove the building that encroaches on the 60 foot access lane located in the West 60 feet of the Northwest corner of the East half of the Northwest Quarter of said Section 35.

Less the following 3 Tracts:

Tract 1 less out: Commencing 20 feet West and 20 feet South of the Northeast corner of the NW ¼ of Section 35, Township 5 North, Range 39 East, Boise Meridian, thence South 248 feet, thence West 364 feet, thence North 248 feet, thence East 364 feet to the point of beginning. Also granting a 20 foot road easement across North end of the E ¼ NW ¼.

Tract 2 less out: Commencing 384 feet West and 20 feet South of the Northeast corner of the Northwest Quarter of Section 35, Township 5 North, Range 39 East, Bolsc Meridian, Madison County, Idaho, and running thence South 248 feet; thence West 352 feet; thence North 248 feet; thence East 352 feet to the point of beginning.

Together with an easement for ingress and egress described as follows: Commencing at the Northeast corner of the Northwest Quarter of Section 35, Township 5 North, Range 39 East, Boise Meridian, Madison County, Idaho, and running thence West 1320 feet; thence South 20 feet; thence East 1320 feet; thence North 20 feet to the point of beginning.

Tract 3 less out: Commencing at a point 60 feet East of the Northwest corner of the East half of the Northwest Quarter, thence East 380 feet; thence South 295 feet; thence West 380 feet; thence North 295 feet to the point of beginning. Subject to a 20 foot road and utility easement along the North side of subject property.

Together with an easement for ingress and egress described as follows: Commencing at the Northeast corner of the Northwest Quarter of Section 35, Township 5 North, Range 39 East, Boise Meridian, Madison County, Idaho, and running thence West 1320 feet, thence South 20 feet; thence East 1320 feet; thence North 20 feet to the point of beginning.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Microfilm No. 280503
 At 10:22 Day SEP 17 1999 O'clock m
 MARILYN R. RASMUSSEN
 MADISON COUNTY RECORDER
 Fee \$ 10.00 Recorded At Request of Deputy
ALLIANCE TITLE & ESCROW



©1982 Rockford Map Publs., Inc.

Madison County, Idaho

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S400W

S500W

S200W

S100W

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DELOG BC 9/23/99
OK-Buc- 1/11/20STATE 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.

1. Water Right No(s): A22-02152
Adjudication Claim No(s): A22-02152
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 attached to your deed or on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant Dee & Myrth Bowen
3043 W. 6960S Rexburg Idaho. 83440
4. New Owner/Claimant(s) Jeff & Alana Lemill
Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
New Mailing Address 1353 N 2000E Sugar City Idaho 83448
City, State and ZIP Code _____
New Telephone Number (208) 356-7300 - (H) 208-356-0972
5. Date you acquired the property 9-17-99
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 you irrigate _____ Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ Other uses _____
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 or Claimant(s) Jeff Lemill Date 9-20-99
Alana Lemill Date 9-20-99
(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..

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 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
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

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718
(208) 525-7161

ALLIANCE TITLE & ESCROW
P.O. BOX 732
REXBURG, ID 83440

WARRANTY DEED

Order No.: 3049910050-L

FOR VALUE RECEIVED

Dee F. Bowen and Myrth Bowen, Husband and Wife

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Jeffrey L. Lerwill and Atana Lerwill, Husband and Wife

whose current address is

1353 North 2000 East REXBURG, ID 83440

the grantee(s), the following described premises, in County, Idaho, TO WIT:

Microfilm No. **280503**
Day **SEP 17 1999**
At **10:20** O'clock **m**
MARILYN R. RASMUSSEN
MADISON COUNTY RECORDER
Fee \$ **10.00** Deputy
Recorded At Request of
ALLIANCE TITLE & ESCROW

All those portions of the following described property lying North of the existing flood control easement more particularly described in easements granted to Flood Control District No. 1 in Book 161, pages 393, 403 and 406.

The Southwest Quarter of the Northeast Quarter, the East half of the Northwest Quarter, Northeast Quarter of the Southwest Quarter, and the Northwest Quarter of the Southeast Quarter of Section 35, Township 5 North, Range 39 East, Boise Meridian, Madison County, Idaho.

Subject to and together with a 20 foot road and utility easement along the North side of the East half of the Northwest Quarter of said Section 35.

Together with an easement and right of way as reserved by the Grantor in Warranty Deed recorded as Instrument No. 246335 for access to and maintenance and operation thereof of the existing irrigation diversion.

Grantee is given the right to remove the building that encroaches on the 60 foot access lane located in the West 60 feet of the Northwest corner of the East half of the Northwest Quarter of said Section 35.

Less the following 3 Tracts:

Tract 1 less out: Commencing 20 feet West and 20 feet South of the Northeast corner of the NW ¼ of Section 35, Township 5 North, Range 39 East, Boise Meridian, thence South 248 feet, thence West 364 feet, thence North 248 feet, thence East 364 feet to the point of beginning. Also granting a 20 foot road easement across North end of the E ½ NW ¼.

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And that (s)he will warrant and defend the same from all lawful claims whatsoever.

280503

Dated: September 17, 1999

Dee F. Bowen
Dee F. Bowen

Myrth B. Bowen
Myrth Bowen

State of Idaho }
County of Nadwin } ss.

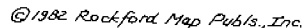
On this 17 day of September, in the year 1999, before me, a Notary Public in and for said state, personally appeared Dee F. Bowen and Myrth Bowen

known or identified to me to be the person(s) whose name(s) subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

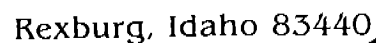
IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day and year first above written.

ALISON BANTA
NOTARY PUBLIC, STATE OF IDAHO
COMMISSION EXPIRES: 11.23.99

Alison Banta
Notary Public for the State of Idaho
Residing at: St. Anthony, 20
Commission Expires: 11.23.99



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