

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, 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
	25-4065				

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) are 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)

James Solecki

4382 N 15th E Idaho Falls ID 83401

4. New Owner/Claimant(s)

John & Shellie Herbst

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

4382 N 15th E

City, State and ZIP Code

Idaho Falls ID 83401

New Telephone Number

(208) 529-2836

5. Date you acquired the property

1998

SCANNED

AUG 27 2004

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 _____

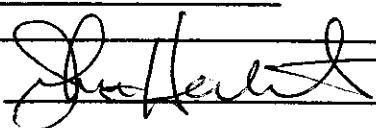
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

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 _____

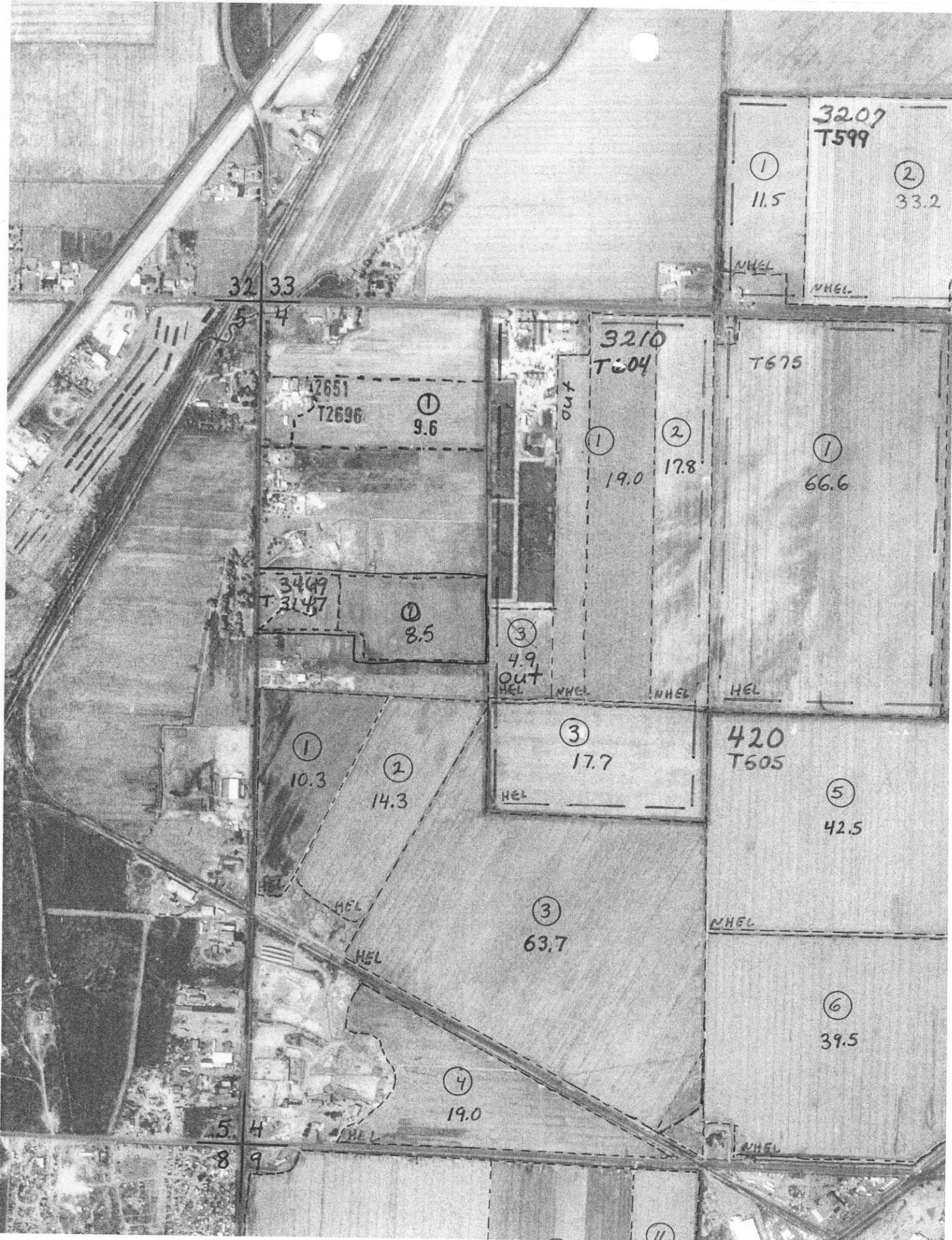
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s)  _____
(include title if applicable)

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 _____
Received by _____	Date _____	Receipt No. _____
Processed by _____ AJ	Date _____	WR _____ Date _____



File Number: 11,242

Instrument No.

980839

WARRANTY DEED

INDIVIDUAL

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

BARBARA J. GARNER, A WIDOW AND ALSO AS GENERAL PERSONAL REPRESENTATIVE OF THE ESTATE OF RICHARD W. GARNER, DECEASED

hereinafter called the Grantor, does hereby grant, bargain, sell and convey unto

JOHN HERBST and SHELLIE D. HERBST, husband and wife

hereinafter called the Grantee, whose address is: 4382 North 15th East, Idaho Falls, ID 83401

the following described real property in the city of Idaho Falls, County of Bonneville, State of Idaho:

The Property described in Exhibit 'A' attached hereto and made a part hereof.

SUBJECT TO: all easements, rights of way, covenants, restrictions, patent reservations, applicable building and zoning ordinances and use regulations and restrictions and accruing taxes, of record.

TO HAVE AND TO HOLD the said premises, together with all tenements, hereditaments and appurtenances thereunto belonging, unto the said Grantee, his successors and assigns forever. Grantor does hereby covenants to and with the said Grantee that IT is the owner in fee simple of said premises and that IT will warrant and defend the same from all lawful claims whatsoever. In construing this Deed and where the context so requires, the singular includes the plural and the masculine, the feminine and neuter.

BARBARA J. GARNER, A WIDOW AND ALSO AS GENERAL PERSONAL REPRESENTATIVE OF THE ESTATE OF RICHARD W. GARNER, DECEASED

Barbara J. Garner, A widow and also as general personal representative of the estate of Richard W. Garner, deceased.
BARBARA J. GARNER

DATED: October 27, 1998

STATE OF IDAHO, COUNTY OF BONNEVILLE

On this 27th day of October, 1998, before me, the undersigned, a Notary Public in and for the said State, personally appeared

BARBARA J. GARNER, A WIDOW AND ALSO AS GENERAL PERSONAL REPRESENTATIVE OF THE ESTATE OF RICHARD W. GARNER, DECEASED

known to me to be the person(s) whose name(s) is are subscribed to the within instrument and acknowledges to me that he/she/they executed the same.

INSTRUMENT NO.	980839
DATE	10-29-98
INST. CODE	205
FICHE NO.	1386-53
FEE	
STATE OF IDAHO) COUNTY OF BONNEVILLE) ss	
I hereby certify that the within instrument was recorded.	
Recorded by _____	
County Recorder _____	
By _____ Deputy	
Request of _____	

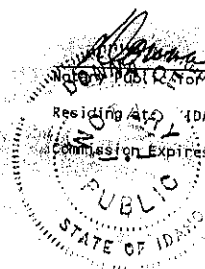
BONNEVILLE COUNTY
RECORDER

980839

Notary Public for Idaho DONNA OE

Residing at IDAHO FALLS, IDAHO

Commission Expires: April 30, 2004



Idaho Title & Trust
P.O. Box 50367
Idaho Falls, ID 83404

EXHIBIT 'A'

Beginning at a point that is N. $0^{\circ}11'00''$ W. 315.00 feet along the Section line and East 25.00 feet from the West $1/4$ corner of Section 4, Township 2 North, Range 38 East of the Boise Meridian, (said $1/4$ corner being a brass cap which is S. $0^{\circ}11'00''$ E. 2209.31 feet from the Northwest Corner of said, also a brass cap) and running thence East 580.80 feet; thence S. $0^{\circ}11'00''$ E. 150.00 feet; thence East 709.92 feet; thence N. $1^{\circ}01'00''$ W. 470.94 feet; thence West 1019.87 feet; thence N. $0^{\circ}11'00''$ W. 24.13 feet; thence West 264.00 feet; thence S. $0^{\circ}11'00''$ E. 345.00 feet to the point of beginning.

ALSO:

Beginning at the Northwest corner of Section 4, Township 2 North, Range 38, East of the Boise Meridian; running thence North $89^{\circ}35'51''$ East along the Section line 1323.25 feet to the Northwest corner of the Northeast Quarter of the Northwest Quarter of said Section; thence South $00^{\circ}09'12''$ East along the West line of the East Half of the Northeast Quarter of said Section, 1613.83 feet to the TRUE POINT OF BEGINNING; running thence South $01^{\circ}25'20''$ East 430.54 feet; thence South $89^{\circ}35'50''$ West 9.54 feet to said West line; thence North $00^{\circ}09'12''$ West 430.48 feet to the TRUE POINT OF BEGINNING.

B. J. S.
Initials of Grantor(s)