

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

To Roger for
Paul 4/3/03

RECEIVED
APR 03 2003
 Department of Water Resources
 Eastern Region

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
29-02520A					
29-02472					
29-133091					

} already processed.

done 4/9/03

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)

Mark L & Kathryn S. Mulberry
 8251 25th West, IF, ID

4. New Owner/Claimant(s)

Barry J Christensen and Vera H. Christensen
 Name Connector (Check one): ☐ and, ☐ or, ☒ and/or

New Mailing Address

1198 W. 125 N

City, State and ZIP Code

Blackfoot, ID 83221

New Telephone Number

(208) 684 4776

5. Date you acquired the property

8.25.2000

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	_____	

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 _____

FA P 31626

WARRANTY DEED

1. Date

The effective date of this warranty deed is August 25, 2000.

2. Parties:

Grantors: Mark L. Mulberry and Kathryn S. Mulberry, husband and wife.

Current address: 8251 25th West, Idaho Falls, Idaho.

Grantee: Barry S. Christensen and Vera Christensen, husband and wife.

Current address: 1198 W. 125 N. Blackfoot, Idaho.

3. Property:

Transferred interest: Grantor's entire fee simple

Street address: N/A

Idaho County: Power County, Idaho.

The real property includes the following:

- Approximately 306 acres of land.
- Home with approximately 1100 square feet. The home includes all structural components such as floors, walls, windows, doors, roof, plumbing, electrical wiring, and heating equipment.
- 50,000 cwt potato cellar. This includes wood frame with metal covering, eurothane insulation, and air system with humidicell control unit.
- Well for West pivot with 100 hp Westinghouse Electric Motor/1993 FloWay Pump.
- 4" buried mainline and valve openers.
- Water right. Described in the Idaho Department of Water Resources Adjudication Claim Profile Report as No. A29-02472 with 2.23 CFS diversion rate, 553.00 diversion volume.
- Water Right. Described in the Idaho Department of Water Resources Adjudication Claim Profile Report as No. A29-02520A with 2.17 CFS diversion rate.

The real property has the following legal description in Power County, Idaho:

Lots 3 and 4; the East ½ of the Southwest ¼; and the Southeast ¼ of Section 7 Township 6 South, Range 33 East of the Boise Baseline and Meridian, Power County, Idaho, less and except the following described exceptions:

EXCEPTION 1

Beginning at a point that lies North 1499.57 feet along the section line from the Southeast corner of Section 7, Township 6 South Range 33 East of the Boise Baseline and Meridian and running

thence West 61.7 feet; thence North 336.62 feet; thence N 60°01'41" E 376.74 feet; thence N 89°24'15" E 246.23 feet; thence East 40.00 feet to the section line; thence South 527.40 feet along said section line to the point of beginning containing approximately 6.68 acres.

EXCEPTION 2

Beginning at the East ¼ corner of Section 7, Township 6 South, Range 33 East of the Boise Baseline and Meridian and running thence West 663.17 feet; thence S 56°54'17" E 156.49 feet; thence S 52°31'27" E 178.47 feet; thence S 43°54'05" E 273.42 feet; thence S 35°49'50" E 99.44 feet; thence S 34°27'39" E 181.37 feet; thence East 40.00 feet to the section line; thence North 621.22 feet along said section line to the point of the beginning containing 4.29 acres.

Together With:

All improvements, water rights, ditches, ditch rights, easements, tenements, hereditaments, appurtenances, reversions, remainders, rents, issues, and profits.

Subject To:

Zoning ordinances and governmental use regulations and restrictions.

Taxes and assessments for 2000 and all subsequent years.

Michaud Irrigation District assessments for 2000 and all subsequent years.

American Falls-Aberdeen Ground Water District for 2000 and all subsequent years.

All liens place of record by or against Buyer.

Unpatented mining claims, reservations and exceptions and patents or in acts authorizing their issuance thereof: water rights, claims, or title to water.

Easement granted to Idaho Power Company, recorded October 31, 1966 as Instrument No. 89938.

Power County, Idaho road right of way across the East boundary of section 7.

East ESPA Water Measurement District for 2000 and all subsequent years.

4. Consideration

For ten Dollars and other good and valuable consideration, receipt of which is acknowledged.

5. Grant

Grantor, for the consideration stated in this agreement grants, bargains, sells, conveys and confirms to grantee, his heirs, successors, and assigns, his full fee simple interest in the property described in this deed.

10f2

6. Warranties

Grantor, for themselves, their heirs, successors, and assigns, covenants with grantee, its heirs, successors, and assigns, as follows:

Grantor is currently the owner of the property as described in this deed.

Grantor has good right to convey the property described in this deed to grantee.

The property described in this deed is free from all encumbrances, except as otherwise shown in this deed or otherwise of record.

Grantor, their heirs, successors, and assigns will forever warrant and defend the quiet and peaceful possession of the property granted by this deed to grantee, its heirs, successors, and assigns against the lawful claims of all persons.

Mark L. Mulberry
Mark L. Mulberry

Kathryn S. Mulberry
Kathryn S. Mulberry

State of Idaho

ss.

County of Bingham

On August 25, 2000, before me,
the undersigned, an Idaho notary public,
personally appeared Mark L. Mulberry and Kathryn S.
Mulberry, known or identified to me to be the person who
executed this instrument and acknowledged to me that
she executed the same.

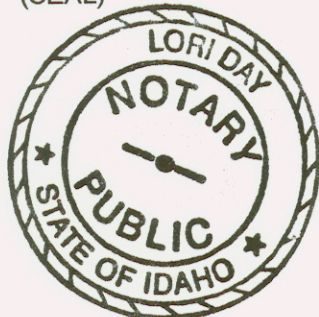
In witness, I have set my hand and affixed my official seal
the day and year in this certificate first above written.

Lori Day
Notary Public for Idaho

Residing at: Blackfoot

Commission expires: 10/21/2003

(SEAL)



175670

INSTRUMENT #	
TIME	3:21 p.m.
REQ. OF	First American
AUG 28 2000	
POWER COUNTY AM. FALLS CHRISTINE STEINLIGHT	
BY	<u>Christine Steinlight</u> DEPUTY
Pd. 6.00	

OWNER'S POLICY

SCHEDULE A

Order No.: P31626

Policy No.: J 1326019

Amount of Insurance: \$ 635,000.00

Premium: \$ 1,908.75

Endorsements:

\$

Date of Policy: August 28, 2000 at 03:22 PM

1. Name of Insured:

BARRY J. CHRISTENSEN and VERA H. CHRISTENSEN

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

A fee simple interest

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

BARRY J. CHRISTENSEN and VERA H. CHRISTENSEN, husband and wife

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

PARCEL 1:

LOTS 3 AND 4; THE EAST $\frac{1}{2}$ OF THE SOUTHWEST $\frac{1}{4}$; AND THE SOUTHEAST $\frac{1}{4}$ OF SECTION 7, TOWNSHIP 6 SOUTH, RANGE 33 EAST OF THE BOISE BASELINE AND MERIDIAN, POWER COUNTY, IDAHO, LESS AND EXCEPTING THE FOLLOWING DESCRIBED EXCEPTIONS:

EXCEPTION 1:

BEGINNING AT A POINT THAT LIES NORTH 1499.57 FEET ALONG THE SECTION LINE FROM THE SOUTHEAST CORNER OF SECTION 7, TOWNSHIP 6 SOUTH, RANGE 33 EAST OF THE BOISE BASELINE AND MERIDIAN AND RUNNING THENCE WEST 612.57 FEET; THENCE NORTH 336.62 FEET; THENCE N 60°01'41" E. 376.74 FEET; THENCE N 89°24'15" E. 246.23 FEET; THENCE EAST 40.00 FEET TO THE SECTION LINE; THENCE SOUTH 527.40 FEET ALONG SAID SECTION LINE TO THE POINT OF BEGINNING.

EXCEPTION 2:

BEGINNING AT THE EAST $\frac{1}{4}$ CORNER OF SECTION 7, TOWNSHIP 6 SOUTH, RANGE 33 EAST OF THE BOISE BASELINE AND MERIDIAN AND RUNNING THENCE WEST 663.17 FEET; THENCE S 56°54'17" E. 156.49 FEET; THENCE S. 52°31'27" E. 178.47 FEET; THENCE S. 43°54'05" E. 273.42 FEET; THENCE S. 35°49'50" E. 99.44 FEET; THENCE S 34°27'39" E. 181.37 FEET; THENCE EAST 40.00 FEET TO THE SECTION LINE; THENCE NORTH 621.22 FEET ALONG SAID SECTION LINE TO THE POINT OF BEGINNING.

SCHEDULE B

Order No.: P31626

Policy No.: J 1326019

EXCEPTIONS FROM COVERAGE

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

PART I

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
2. Any facts, rights, interest, or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
3. Easements, claims of easement or encumbrances which are not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by public records.
5. (a) 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. Any lien, or right to a lien, for services, labor or material theretofore or hereafter furnished, imposed by law and not shown by the public records.
7. 2000 taxes are an accruing lien, not yet due or payable.
8. Paragraphs 1 and 2 of the Exclusions from Coverage are expressly extended to include those laws, ordinances or regulations of an Indian tribe or nation.
9. Public Records as defined in this Policy do not include records of an Indian tribe or nation, or any other repository of Indian Land Records, including, but not limited to the Bureau of Indian Affairs Land Titles and Records Office.
10. Reservations in United States Patent.
11. Water rights, claims or title to water.

**OWNER'S POLICY
SCHEDULE B
(Continued)**

Order No.: P31626

12. Levies and assessments of the Michaud Irrigation District.
13. Easement granted to Idaho Power Company, recorded October 31, 1966 as Instrument No. 89938.
(affects the W. 100 feet of the SW $\frac{1}{4}$)
14. Levies and assessments of the American Falls-Aberdeen Ground Water District.
15. Provisions in Special Warranty Deed recorded April 30, 1993 as Instrument No. 159209.
16. Subject to County Road right of way across the East boundary of said Section 7.
17. Mortgage dated AUGUST 25, 2000, to secure an indebtedness of \$638,600.00, and any other amounts and/or obligations secured thereby.
Recorded: AUGUST 28, 2000, as Instrument No. 175671
Mortgagor: BARRY J. CHRISTENSEN and VERA H. CHRISTENSEN, same person as VERA CHRISTENSEN, husband and wife
Mortgagee: NORTHWEST FARM CREDIT SERVICES, FLCA

END OF EXCEPTIONS