

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

RECEIVED

DEC 20 2004

WATER RESOURCES  
WESTERN 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 (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<br>Right No(s).   | Adjudication<br>Claim No(s). | Split | Water<br>Right No(s).     | Adjudication<br>Claim No(s). | Split |
|-------------------------|------------------------------|-------|---------------------------|------------------------------|-------|
| <del>67-738</del> ok cs |                              | no    | <del>67-50A</del>         |                              |       |
| <del>67-748</del> ok cs |                              | no    | <del>67-55</del> } ok cs  |                              |       |
| <del>67-372</del> no cs |                              | no    | <del>67-65</del>          |                              |       |
| <del>67-373</del> no cs |                              | no    | <del>67-11305</del> ok cs |                              |       |
|                         |                              |       |                           |                              |       |

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) Donald W. Leeper  
2451 Hwy 95, Council, ID 83612
4. New Owner/Claimant(s) Karl G. Cole & Judith Cole  
Name Connector (Check one): [ ] and, [ ] or, [ ] and/or  
 New Mailing Address 2451 Hwy 95  
 City, State and ZIP Code Council, ID 83612  
 New Telephone Number ( ) \_\_\_\_\_
5. Date you acquired the property 4-20-04

SCANNED  
MAR 29 2005

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<br>(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<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | _____                                                                      | _____                                                        |
| Stock                                                                                                                   | _____                                                                      | _____                                                        |
| Domestic                                                                                                                | _____                                                                      | _____                                                        |
| Other _____                                                                                                             | _____                                                                      | _____                                                        |
| Total                                                                                                                   | _____                                                                      | _____                                                        |

| DESCRIPTION OF YOUR PORTION OF WATER RIGHT<br>(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<br>(cubic feet per second or acre-feet per annum) | Description<br>(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 pdh Date 3-29-05 WR \_\_\_\_\_ Date \_\_\_\_\_

*OK to Change CS 3-28-05*

For Value Received, DONALD W. LEEPER, an unmarried man  
the grantor, does hereby grant, bargain, sell and convey unto  
KARL G. COLE and JUDIT COLE, husband and wife

the grantees, whose current address is 19697 HUN LANE, WILDER, ID 83676

the following described premises, in Adams County, Idaho, to-wit:

Township 17 North, Range 1 West, Boise Meridian, Adams County, Idaho  
Section 23: A parcel in the SE1/4NW1/4, NE1/4SW1/4 and SW1/4NE1/4 described  
follows:

Commencing at the section corner common to Sections 22, 23, 26 and 27, said  
Township and Range;

Thence North 36° 35'46" East 3018.31 feet from the Southwest section corner  
of Section 23 to the REAL POINT OF BEGINNING;

Thence North 69° 09'00" East 536.55 feet;

Thence North 20° 40'04" West 596.51 feet;

Thence South 79° 42'43" West 399.16 feet;

Thence South 08° 32'49" East 685.41 feet to the REAL POINT OF BEGINNING.

EXCEPTING the right-of-way of U.S. Highway 95

TO HAVE AND TO HOLD THE said premises, with their appurtenances unto the said  
Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant  
and with the said Grantees, that they are the owners in fee simple of said premises;  
they are free from all encumbrances excepting for all easements of record, rights of  
matters visible, and all matters of record and title and that they will warrant and  
the same from all lawful claims whatsoever.

Date: APRIL 20, 2004

Donald W. Leeper  
DONALD W. LEEPER

Instrument # 105889

COUNCIL, ADAMS, IDAHO

2004-04-21

02:35:12 No. of Pages: 1

Recorded for: TIMBERLINE TITLE & ESCROW

MICHAEL FISK

Fee: 3.00

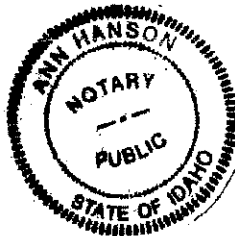
Ex-Officio Recorder Deputy Michael Fisk

Index to: DEED

STATE OF IDAHO )

COUNTY OF ADAMS )

On this 20th day of April, in the year of 2004, before me, a Notary Public in and for said State, personally  
appeared DONALD W. LEEPER  
known or identified to me to be the person(s) whose name(s) are subscribed to the within instrument, and acknowledged  
that they executed the same.



#04-102

Ann Hanson  
Notary Public  
Residing at: Cambridge  
Commission expires: 3-31-10

## MEMORANDUM

**To: Files**

**From: Sharla**

**Date: January 7, 2004**

**Re: Ownership Change**

In October, the department received an ownership change request from Donald W. Leeper. Mr. Leeper identified four (4) rights that he believed needed to be split to show his portion of the rights appurtenant to the property he purchased within the SENW, S23, T17N, R1W.

I have reviewed the documents he submitted and have searched the water rights database for all rights covering the lands in question. The rights covering the acres purchased by Mr. Leeper that need to be split and updated to reflect the new ownership are:

OK  
CS 3-23-05  
67-50A  
67-55  
67-65  
67-73B  
67-74B  
67-11305

Leeper sold to Cole - Leeper ownership doesn't need to be processed, just file and then process Cole.

6.8 cs  
These rights all identify a total place of use of 134.8 acres - 6.6 acres of which were purchased by Mr. Leeper. These rights are all currently in the name of Douglas Scism. County tax lot information available in ArcView clearly identifies the 6.6 acres that the Laughlin's (the current owner who sold to Leeper) owned and the 6+ acres owned by the Distler's (next-door neighbor) within the SENW. The rates of flow under each right are small and the splits will require the amount of 0.01 cfs (the smallest figure we can use) from each of the rights for the 6.6 acres. Right 67-50A is only 0.02 cfs to begin with, but it needs to be included with the rest of the rights covering this property.

Nothing to change  
CS 3-23-05  
Right 67-372 identified on the ownership change form has been split and claimed as A67-00372A for 0.006 cfs on 6.0 acres in the name of Menichetti and A67-11304 for 0.20 cfs on 159.1 acres in the name of Scism. The lands identified under 67-11304 do not include the lands purchased by Leeper; therefore, ownership will remain in the name of Scism.

~~Two claims have been filed on Right 67-373, one in the name of Distler and one in the name of Scism. Each is for four (4) acres; from the information in front of us, it's uncertain whether or not the four acres are within the parcel Mr. Leeper purchased.~~