



State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

NOVEMBER 24, 1992

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

NORMAN RILEY
1623 W 3400 S
REXBURG ID 83440

RE: CHANGE IN OWNERSHIP FOR A22-07280, A22-02223, AND
A22-12251

Dear Mr. Riley:

The request for Change in Ownership concerning the Notices of Claim in the above reference (A22-02223 and A22-12251) has been processed and the names changed to show you as the current owner. A22-07280 was split into two separate portions.

Enclosed are "copies" of A22-02223 and A22-12251 for your records. Also enclosed is A22-07280B for a portion of water right A22-07280.

Jim Howe has died and Mrs. Rowan requested the water rights be in her name (they were formerly in both names).

Since you purchased 205 acres of land from Catherine H. Rowan, the above mentioned water right, A22-07280, has been split into A22-07280A and A22-07280B. A22-07280B gives you 3.020 cfs for 205 acres and A22-07280A with 7.790 cfs on 529 acres is the remaining portion belonging to Mrs. Rowan.

Review the forms and if there are other corrections or questions, feel free to contact this office (525-7161).

If there are no questions or corrections, please keep these Notices for your records.

Respectfully submitted,

Jo Thompson
Dave Carlson
Water Rights Agent, Adjudication

DC:jt

Enclosure

cc: Catherine Rowan/copy letter/A22-07280A

See letter filed Dec 31 92

MICROFILMED

DEC 09 1992

Form 42-1409(7)



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____.
If you have additional legal descriptions, please attach separate sheet.

[] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

[] Water Right Number(s)
Assigned by IDWR: A22-07280, A22-02223, A22-12251

[] Name and Address of Former
Owner/Claimant(s)(Seller): Jim W. Howe (deceased)
P.O. Box 803 (formerly 240 Mohawk Av.)
REXBURG, ID 83440

[] New Owner/Claimant
(Purchaser): NORMAN OR ROBIN RILEY

[] New Mailing Address: 1623 W. 3400 S.
REXBURG, ID 83440

[] New Telephone Number: (208) 356-5873

[] Does the change in ownership result in a splitting of the water right owned/claimed? ☒ yes ☐ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:
No on the others

[] Attach proof of
ownership, describe
proof attached: _____

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

[] Signature of New
Owner/Claimant(s): Robin Howe Riley Date 11-12-92

[] Signature of Former
Owner/Claimant(s): _____ Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:
Initial Review and Data-Entry
Date: _____ By: _____
Further Action Needed:
Further Action Taken
Date: _____ By: _____
Final Review and Data-Entry
Date: _____ By: _____
Claim Numbers of Split, if any:

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DEC 09 1992

Original to be mailed to Idaho Department of Water Resources
Containing Former Owner and New Owner

M-17756

First American Title Company

*Rowan deed
to Jim*

CORRECTION GRANT DEED

FOR VALUE RECEIVED, KATHERINE ANNE HOWE, a/k/a Catherine Rowan, of 843 Three Fountains Drive, Salt Lake City, Utah 84107, does hereby grant, bargain, sell, and convey unto JAMES HOWE, of Rexburg, Idaho 83440, the following described real property in Madison County, State of Idaho, to-wit:

A tract of land which is situated in Secs. 2, 3, 10, and 11, in Twp. 5 N., Rge. 40 E., Boise Mer.:

Beginning at the Northwest corner of said Section 2, and running thence S.89°57'E. 1331 feet, to the Northeast corner of lot 4 of said Section 2; thence S.0°02'E. 599.75 feet, along the sixteenth line, to the Northeasterly corner of the property owned or formerly owned by Wess Howe; thence long the boundaries of said property the following two (2) courses; (1) S.69°58'25"W. 541.60 feet; thence (2) S.32°16'56"E. 953.83 feet, to said sixteenth line; thence S.0°02'E. 118.67 feet along said line, to its intersection with the west side of a county road; thence along said west side the following three courses; (1) S.12°15'E. 1483.2 feet; thence (2) S.0°10'E. 735 feet; thence (3) S.39°03'E. 671.2 feet; thence S.23°10'W. 258.6 feet; thence S.14°45'W. 251.9 feet; thence S. 0°44' . 262.8 feet; thence S.2°48'W. 240.9 feet; thence S. 7°50'W. 200 feet; thence S.11°29'W. 286.6 feet; thence S. 10°17'W. 154.2 feet; thence S.7°08'W. 260 feet; thence S.12°50'W. 209.8 feet; thence S. 19°00'W. 153 feet; thence S. 9°07'W. 100 feet; thence S. 2°23'E. 247.1 feet; thence S. 23°40'30"E. 495.5 feet (deed shows N.28°50'W. 484.5 feet) thence S.2°57'E. 65.8 feet; thence N. 89°57'W. 3156.6 feet; thence N. 0°01'14"W. (deed shows North 7231.2 feet to the north line of said Section 3; thence S.89°49'E. 737.3 feet along the section line, to the point of beginning, containing 452.9 acres more or less.

TOGETHER With any and all improvements and appurtenances thereto; rents, issues and profits thereof; and reversions and remainders. Grantor does hereby grant and convey to Grantee an individual one-half interest and right to any water from the south main well which is located on Grantor's property.

Grantor does hereby grant and convey to Grantee and undivided one-half interest and right to any water from the south main well which is located on Grantor's property.

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DEC 09 1992

This deed is given to correct the legal description in that certain Correction Grant Deed, dated August 3, 1988, by and between the same parties, recorded on August 3, 1988, as Instrument No. 226424 in the records of Madison County, Idaho.

DATED This 10th day of August, 1988.

Katherine Anne Howe
Katherine Anne Howe
a/k/a Catherine Rowan

STATE OF UTAH,)
 ss.
County of Salt Lake.)

On this 10 day of August, 1988, before me, the undersigned, a Notary Public in and for said State, personally appeared Katherine Anne Howe, a/k/a Catherine Rowan, known to me to be the person, whose name is subscribed to the within instrument and acknowledged to me that she 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.

Paul C. G. [Signature]
Notary Public for Utah
Residing at: 5411 E. [Address]
My Commission Expires: [Date]

State of Idaho ss 226539
County of Madison
I hereby certify that the within instrument was
Recorded AUG 11 1988
Instrument 11 15A
226539
500

First American Title Company
James Howe
46 May 803

CORRECTION GRANT DEED -2-

RECORDED
DEC 8 9 1992

Easement to well

8/2/88

CORRECTED AGREEMENT

THIS AGREEMENT made and entered into this 2ND day of August, 1988, by and between CATHERINE ROWAN, of 843 Three Fountains Drive, Salt Lake City, Utah 84107, hereinafter referred to as "Grantor" and JAMES HOWE, of Rexburg, Idaho 83440, hereinafter referred to as "Grantee".

WHEREAS, the Grantor owns certain property adjacent to Grantee's property, said property being described below and hereinafter referred to as "the Grantor's property", to-wit:

A tract of land situated in Sections 10, 11, 14 and 15, Township 5 North, Range 40 East of the Boise Meridian, Madison County, Idaho, described as follows:

Beginning at a point that is N. 89°45'W. 787.3 feet along the Section line, and S.01°01'14"E. 6138.7 feet, from the Northeast corner of Section 3, of said Township and Range, and running thence S.0°01'14"E. 7814.7 feet to the Northerly right-of-way line of the Union Pacific Railroad; thence N.43°57'E. 2290.55 feet along said right-of-way line; thence North 2960.65 feet to a point that is S.30°38'E. 19.4 feet and West 769.5 feet from the Northwest corner of said Section 14; thence W.1649.5 feet to the Southwest corner of the property described in Instrument No. 224270, as recorded in Madison County, Idaho; thence along the boundaries of said property the following three (3) courses; (1) N.22°20'E. 420 feet; thence (2) N.9°10'W. 120 feet; thence (3) N.24°02'47"E. 244.23 feet to the North corner of said property; thence North 291.6 feet; thence N.19°05'W. 200 feet; thence N.23°56'W. 200.6 feet; thence N.26°14'W. 130.8 feet; thence N.17°20'W. 370.3 feet; thence N.2°57'W. 195.2 feet; thence N.89°57'W. 3156.6 feet to the point of beginning, containing 296.3 acres, more or less.

WHEREAS, the Grantor desires to grant to the Grantee an easement across the Grantor's property for the joint use of a well and accessories thereto located on the Grantor's property, together with a non-exclusive ingress and egress to

repair, inspect, or maintain said well, pump, related facilities thereto, and pipelines which carry water from the well to the Grantee's property across the Grantor's property.

NOW THEREFORE, in consideration \$10 in hand paid and for other good and valuable consideration and the mutual covenants and promises herein contained, the parties agree as follows:

1. Grantor does hereby grant unto Grantee a perpetual right and easement across the Grantor's property for the purposes set forth above. Location of said easement on the Grantor's property is as follows:

A 20' wide roadway easement described as follows:

Beginning at a point that is S .30°38' E. 19.4 feet and West 749.50 feet from the Northwest corner of Sec. 14, Twp. 5 N., Rge. 40 E., Boise Mer. and running thence East 20 feet; thence South 2960.65 feet to the Northerly right-of-way line of the Union Pacific Railroad; thence S. 43°57' E. 28.82 feet along said right-of-way line; thence North 2981.40 feet to the point of beginning.

2. Grantee agrees to pay all costs of repair, maintenance and operation of said easement.

3. Said easement shall run from the lands herein above described and shall extend to and be binding upon the heirs, executors, administrators, successors, and assigns of the respective parties.

IN WITNESS WHEREOF the parties have hereunto signed this agreement the day and year first above written.

GRANTOR

Catherine Rowan
Catherine Rowan

AGREEMENT -2-

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GRANTEE

James Howe
James Howe

STATE OF UTAH,)
County of Salt Lake.) ss.

On this 3rd day of August, 1988, before me, the undersigned, a Notary Public in and for said State, personally appeared Catherine Rowan, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she 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.

Simon M. Cupina
Notary Public for Utah
Residing at: 314, 6th
My Commission Expires: 8-9-91

STATE OF IDAHO,)
County of Madison.) ss.

On this 2nd day of August, 1988, before me, the undersigned, a Notary Public in and for said State, personally appeared James Howe, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

AGREEMENT -3-

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DEC 15 1988

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



Michael S. Kain
Notary Public for Idaho
Residing at REXBURG
My Commission Expires: 6-15-93

State of Idaho
County of Madison, | SS 226561
I hereby certify that the within instrument was
filed AUG 12 1988
at 3:49P M. and
recorded on Film 226561
For 12.00
by MAIRIE E. HOOPES, Recorder Deputy
At the request of ETPCA

AGREEMENT - 4 -

MICROFILMED

State of Idaho
County of Madison, | SS 226425
I hereby certify that the within instrument was
filed AUG 3 1988
at 4:42P M. and
recorded on Film 226425
For 12.00
by MAIRIE E. HOOPES, Recorder Deputy
At the request of Jim Howe

MICROFILMED
DEC 1988