

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.

OK JE 12-8-05

RECEIVED

DEC 05 2005

Department of Water Resources
Eastern Region

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.

<u>Claims</u>			<u>Claims</u>		
Water	Adjudication		Water	Adjudication	
<u>Right No(s)</u>	<u>Claim No(s)</u>	<u>Split</u>	<u>Right No(s)</u>	<u>Claim No(s)</u>	<u>Split</u>
1-10246			1-164D		
1-10131			1-165D		
1-94F			35-4115 - split		
1-162D			water right		
1-163D					

I sent
copy to
KL. 12-5-05

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts. \$100-
- 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) S+S Farms and Dean L Searle
547 E 1256 N, Shelley ID 83274
4. New Owner/Claimant(s) Joseph M Oler
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 505 Sugar Ave
- City, State and ZIP Code Shelley, ID 83274
- New Telephone Number 208-357-3669
5. Date you acquired the property 9-15-05

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) Joseph Miller
(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 <u>\$100-</u>
Received by <u>jc</u>	Date <u>12-5-05</u>	Receipt No. <u>E031481</u>
Processed by _____ AJ	Date _____	WR _____ Date _____

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
168 West Pacific/P.O. Box 868
Blackfoot, ID 83221

558202

BINGHAM COUNTY RECORDER
BLACKFOOT, ID/ID
FEE 1200 DEP 2P

2005 SEP 15 PM 3:35

RECORDED AT THE REQUEST OF
FIRST AMERICAN TITLE COMPANY

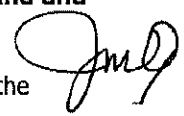
Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **128093-B (vb)**

Date: **September 14, 2005**

For Value Received, **S & S Farms, II, consisting of Ronald Searle and Dayle Searle, husband and wife and Allen Searle and Kathleen Searle, husband and wife**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Joseph M. Oler, a single person**, hereinafter called the Grantee, whose current address is **505 Sugar Ave, Shelley, ID 83274**, the following described premises, situated in **Bingham County, Idaho**, to-wit:

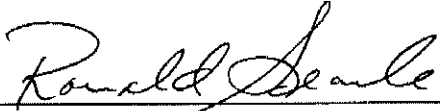


Legal Description attached hereto as Exhibit A, and by this referenced Incorporated herein.

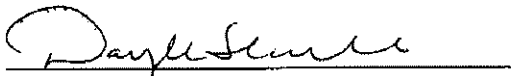
SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

S & S Farms, II



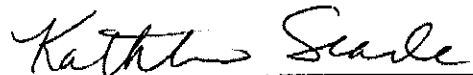
By: Ronald Searle, as Partner and
individually



By: Dayle Searle, as Partner and
individually



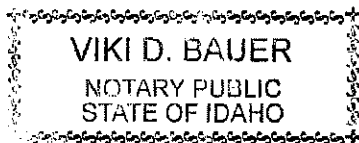
By: Allen Searle, as Partner and
individually



By: Kathleen Searle, as Partner and
Individually

STATE OF Idaho)
SS.
COUNTY OF Bingham)

On this 15 day of **September, 2005**, before me, a Notary Public in and for said State, personally appeared **Allen Searle and Kathleen Searle**, known or identified to me to be one of the partners in the partnership of **S & S Farms II**, and the partner or one of the partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that they executed the same in said partnership name.





Notary Public of Idaho
Residing at: Blackfoot, ID
Commission Expires: 03/29/08

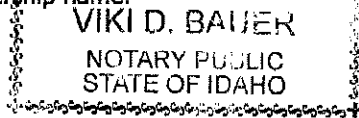
Date: 09/14/2005

Warranty Deed
- continued

File No.: 128093-B (vb)

STATE OF Idaho)
SS.
COUNTY OF Bingham)

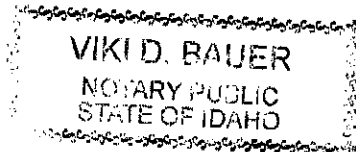
On this **14th day of September, 2005**, before me, a Notary Public in and for said State, personally appeared **Ronald Searle and Dayle Searle**, known or identified to me to be one of the partners in the partnership of **S & S Farms II**, and the partner or one of the partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that they executed the same in said partnership name.



Viki D. Bauer
Notary Public of Idaho
Residing at: Blackfoot, ID
Commission Expires: 03/29/08

STATE OF Idaho)
SS.
COUNTY OF Bingham)

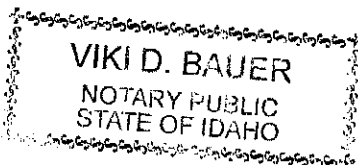
On this 15 day of **September, 2005**, before me, a Notary Public in and for said State, personally appeared **Allen Searle and Kathleen Searle**, known or identified to me to be the person(s) whose name(s) are subscribed to the within instrument, and acknowledged to me that they executed the same.



Viki D. Bauer
Notary Public of Idaho
Residing at: Blackfoot, ID
Commission Expires: 03/29/08

STATE OF Idaho)
SS.
COUNTY OF Bingham)

On this **14th day of September, 2005**, before me, a Notary Public in and for said State, personally appeared **Ronald Searle and Dayle Searle**, known or identified to me to be the person(s) whose name(s) are subscribed to the within instrument, and acknowledged to me that they executed the same.



Viki D. Bauer
Notary Public of Idaho
Residing at: Blackfoot, ID
Commission Expires: 03/29/08

Exhibit "A"

Real property in the County of Bingham, State of Idaho, described as follows:

TRACT I:

Township 1 South, Range 36 E.B.M., Bingham County, Idaho

Section 1: All that part of the W $\frac{1}{2}$ lying W. of the canal of the New Sweden Irrigation District; EXCEPTING THEREFROM: Beginning at the N $\frac{1}{4}$ corner of said Section 1; thence W. along the Section line, 1950 feet; thence S. 2589 feet to the Great Western Canal; thence S. 72°55' E. 84.4 feet; thence N. 59°47' E. 1259 feet; thence N. 39°25' E. 187.4 feet; thence N. 19°02' E. 1062.2 feet; thence N. 4°34' E. 438.2 feet; thence N. 27°07' E. 92.3 feet; thence N. 49°37' E. 219.6 feet; thence N. 57°17' E. 84.5 feet, the last eight mentioned courses being along the outer edge of the West bank of the Western Canal; thence N. 0°24' E. 124.5 feet to the point of beginning.

Section 2: Lots 1, 2, 3, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, EXCEPT the right-of-way of the canal of the New Sweden Irrigation District, and ALSO EXCEPTING that portion of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ lying E. of the canal of the New Sweden Irrigation District; ALSO EXCEPTING that portion conveyed to the State of Idaho for Highway purposes by deed recorded as Instrument No. 72912, records of said County; ALSO EXCEPTING: Beginning at a point which is W. 2865 feet from the N $\frac{1}{4}$ corner of Section 1, Township and Range aforesaid, said point also being W. 225 feet, more or less, from the NE corner of said Section 2; thence S. 700 feet; thence W. 350 feet; thence N. 700 feet; thence E. 350 feet to the point of beginning.

TRACT II:

Township 1 South, Range 36 E.B.M., Bingham County, Idaho

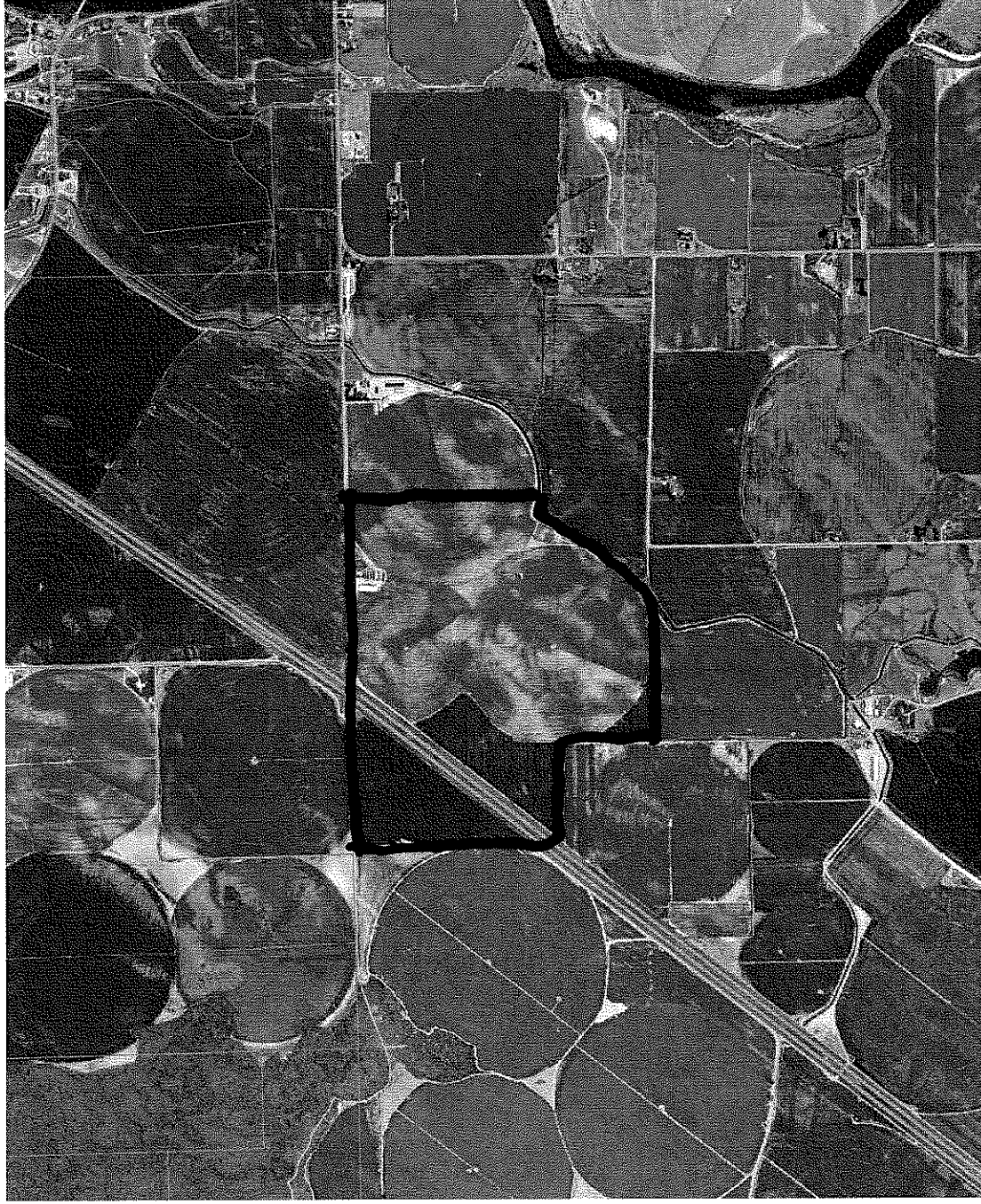
Section 2: Beginning at a point which is W. 2865 feet from the N $\frac{1}{4}$ corner of Section 1, Township and Range aforesaid, said point also being W. 225 feet, more or less, from the NE corner of said Section 2; thence S. 700 feet; thence W. 350 feet; thence N. 700 feet; thence E. 350 feet to the point of beginning.

TRACT III:

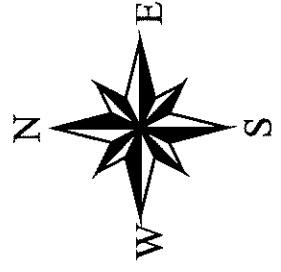
Township 1 South, Range 37 E.B.M., Bingham County, Idaho

Section 1: SW $\frac{1}{4}$; EXCEPTING THEREFROM: Beginning at a point that is S. along the section line 15.06 feet from the W $\frac{1}{4}$ corner of Section 1, Township 1 South, Range 37 E.B.M., running thence N. 89°42'58" E. 1171.00 feet along a boundary fence line to the Northwesterly bank of Sand Creek; thence along the Northwesterly bank of Sand Creek S. 23°10'19" W. 135.72 feet; thence S. 39°14'14" W. 407.27 feet; thence S. 43°48'25" W. 335.89 feet; thence S. 51°55'46" W. 120.58 feet; thence S. 11°15'41" W. 27.72 feet; thence S. 36°41'17" W. 188.43 feet; thence S. 49°33'18" W. 58.12 feet; thence S. 38°14'11" W. 306.57 feet; thence S. 33°51'41" W. 177.29 feet; thence S. 45°47'38" W. 114.09 feet to the section line; thence N. along the section line 1434.73 feet to the point of beginning.

Oler Property



 Bingham taxlots



1.2 Miles

0.6

0

0.6

