

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

DELOO AR  
 11-29-01  
**RECEIVED**  
**NOV 29 2001**  
 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<br>Right No(s). | Adjudication<br>Claim No(s). | Split | Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split |
|-----------------------|------------------------------|-------|-----------------------|------------------------------|-------|
| A29-02261             | <i>Perm # 19655</i>          |       |                       |                              |       |
| A29-07402             | 27186                        |       |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |

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) June Watson  
PO Box 61, Lava Hot Spgs, ID 83246
4. New Owner/Claimant(s) Wayne and Patricia Avery  
 Name Connector (Check one): ☐ and, ☐ or, ☒ and/or
- New Mailing Address 8888 Sunnyside Rd.
- City, State and ZIP Code Lava Hot Springs, ID 83246
- New Telephone Number (208) 776-5628
5. Date you acquired the property November 13, 1996

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 <u>A29-02261</u>                                                           |                                                                            |                                                              |
| 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                                                                                                              | <u>0.040 Cfs</u>                                                           | <u>2 Acres</u>                                               |
| Stock                                                                                                                   | <u>0.020 Cfs</u>                                                           | <u>10 Beef Cattle, 2 Horse</u>                               |
| Domestic                                                                                                                | <u>0.040 Cfs</u>                                                           | <u>2 Home 3</u>                                              |
| Other                                                                                                                   |                                                                            |                                                              |
| Total                                                                                                                   | <u>0.100 Cfs</u>                                                           |                                                              |

| 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 <u>A29-07402</u>                                                           |                                                                            |                                                              |
| 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                                                                                                                   | <u>0.020 Cfs</u>                                                           | <u>10 Beef Cattle, 2 Horse</u>                               |
| Domestic                                                                                                                | <u>0.030 Cfs</u>                                                           | <u>2 Home</u>                                                |
| Other                                                                                                                   |                                                                            |                                                              |
| Total                                                                                                                   | <u>0.030 Cfs</u>                                                           |                                                              |

7.

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

Wayne Avery  
Patricia Avery

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 \_\_\_\_\_  
 Receipted by \_\_\_\_\_ Date \_\_\_\_\_ Receipt No. \_\_\_\_\_  
 Processed by \_\_\_\_\_ AJ Date \_\_\_\_\_ WR \_\_\_\_\_ Date \_\_\_\_\_

NOTICE OF CONTRACT

96019322

3-1

Notice is hereby given that the property located at 8888 South Sunnyside Road, Lava Hot Springs, Idaho, and more particularly described as follows:

See Exhibit "A" attached hereto

has been sold subject to the terms and conditions of an unrecorded contract of sale dated the 13 day of November, 1996 as follows:

Seller: June Watson, 8888 South Sunnyside Road, Lava Hot Springs, ID, 83246

Purchaser: Wayne Avery and Patricia Avery, P.O. Box 182, Lava Hot Springs, ID, 83246

**Possession**

Under the terms of said contract, seller is entitled to possession, use and occupancy of the mobile home on said property until her death.

**Title**

Title to the property shall transfer to purchaser upon final payment under the contract.

DATED this 13 day of November, 1996.

June R. Watson  
June Watson

Wayne Avery  
Wayne Avery

Patricia Avery  
Patricia Avery

**Exhibit A**

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96019322

**Legal Description**

**Parcel #1:**

Commencing at the Southeast corner of the NE  $\frac{1}{4}$  SW  $\frac{1}{4}$  Section 17, Township 9 South, Range 38 E.B.M., thence West along the South line of the NE  $\frac{1}{4}$  SW  $\frac{1}{4}$  473 feet to the point of beginning; thence North  $5^{\circ}43'$  West 151.2 feet; thence South  $87^{\circ}24'$  West 230.21 feet; thence South  $8^{\circ}08'$  East 141.37 feet; thence East 225.0 feet to the point of beginning, the same being situated in Section 17, Township 9 South, Range 39 E.B.M.

**Parcel #2**

A tract of land in the NE  $\frac{1}{4}$  SW  $\frac{1}{4}$ , Section 17, Township 9 South, Range 38 East, Boise Meridian, Bannock County, Idaho, more particularly described as follows: Beginning at a point on the South line of the NE  $\frac{1}{4}$  SW  $\frac{1}{4}$ , Section 17, Township 9 South, Range 38 East, Boise Meridian, that is N00'12"W, 1,320.00 feet and S89'43"W, (on record as West) 393.17 feet; from the S1/4 corner thence N30'07"W, 161.55 feet; thence N43'17'40"W, 440.58 feet; thence S10'14'50"E, 326.27 feet; thence N87'17"E, (on record as N05'43"W) 151.20 feet, more or less, to the Southline of the NE  $\frac{1}{4}$  SW  $\frac{1}{4}$  of said Section 17; thence N89'43"E on the Southline of the NE  $\frac{1}{4}$  SW  $\frac{1}{4}$  of said Section 17, 79.83 feet, more or less, to the point of beginning and contains 1.02 acres, more or less.

Together with all rights to the waters of two springs, the points of diversion of waters therefrom being located in the SW  $\frac{1}{4}$  of SW  $\frac{1}{4}$ , Section 8; and the NE  $\frac{1}{4}$  of NE  $\frac{1}{4}$  of Section 18, Township 9 South, Range 38 E.B.M.; said water rights being granted by and evidenced by application for permit No. 27186 and permit No. 19655 issued by the State Reclamation Engineer of the State of Idaho, recorded in Book 71 at page 19655, approved July 11, 1945; together with all pipes and diversion works conveying said water from said springs to the above described lands and also all other waters on or apertenant to said above described lands.