

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

RECEIVED

JUN 02 2006

DEPARTMENT OF
WATER RESOURCES

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 Right No(s)	Adjudication Claim No(s)	Split	Water Right No(s)	Adjudication Claim No(s)	Split
73-2158	(73-12069)				
73-43	(73-12075)				

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)

Grace M. Martiny
189 Hooper Lane

4. New Owner/Claimant(s)

Virginia

MAY Idaho 83253
 Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

* Virginia K. Martiny

City, State and ZIP Code

189 Hooper Lane

New Telephone Number

() MAY, Idaho 83253

5. Date you acquired the property

10-25-2005 208-876-4235
 10-27-2005

O.K. to process
 Brown 8/23/06

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) _____
(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 _____

After Recording
Return to:
Linda Martiny
7878 Wilde Road
Concrete, WA 98237

232655
Custer County Reg. of
Virginia Martiny
Time 2:13 P M Date 10-27-2005
Ethel M. Peck, Clerk
Deputy Betsy Doughty \$12.00

State of Idaho) SS No. 264936
County of Lemhi)
This instrument was filed for record at the request
of Virginia Martiny
at 4:00 o'clock p m 10-25 2005
and duly filed and indexed in the records of Lemhi
County Term J. Morton
Ex-Officio Recorder
By Terri J. Morton Deputy
Fee 27.00
Return to _____

AGREEMENTS OF HEIRS
IN THE ESTATE OF GRACE M. MARTINY
LEMHI COUNTY PROBATE CASE: CV 05 137

The undersigned Linda R. Martiny and Bill Allen are the qualified Co-Personal Representatives of the Estate of Grace M. Martiny in Lemhi County Probate Case No. CV 05 137. The undersigned Linda R. Martiny, Peggy L. Martiny, James O. Martiny and ~~Virginia K. Martiny~~ are all the heirs and devisees of Grace M. Martiny, deceased. Said four heirs being all the children of Grace M. Martiny and all being of legal age.

The will of Grace M. Martiny provides for her Estate to divided equally between her four above named children. However, said will does not provide the precise format for said division of property. Therefore the above named heirs in agreement with the above named Co-Personal Representatives hereby agree to divide the Real Estate assets of Grace M. Martiny as set forth herein. This division is intended to be an equal division of value but not of acreage. This division of Real Estate is not intended to affect the division of other Estate assets nor used in any manner as an offset for other Estate assets.

The undersigned Linda R. Martiny and Bill Allen as Co-Personal Representatives of the Estate of Grace M. Martiny and the undersigned Linda R. Martiny, Peggy L. Martiny, James O. Martiny and Virginia K. Martiny, in consideration of love and affection between siblings hereby grant, convey, quitclaim and confirm without warranties the properties described on Exhibit "A" to Linda R. Martiny; the properties described on Exhibit "B" to Peggy L. Martiny; the properties described on Exhibit "C" to James O. Martiny; and the properties described on Exhibit "D" to Virginia K. Martiny.

All conveyances described herein are TOGETHER WITH all appurtenant easements, if any, water rights, if any, and range rights, if any. All conveyances described herein are SUBJECT TO all private road easements, utility easements, irrigation canals, public road easements, and all covenants, conditions and restrictions, if any, appearing of record.

Dated this 17 day of OCTOBER, 2005.

Co-Personal Representatives:

Linda R. Martiny

Bill Allen

Heirs:

Linda R. Martiny
Virginia K. Martiny

James O. Martiny
Peggy L. Martiny

EXHIBIT "D"

Real Estate granted, conveyed and quitclaimed to Virginia K. Martiny:

The Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ and the Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ and that portion of the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ lying Northeasterly of the centerline of the Missouri Canal all in Section 6, Township 14 North, Range 22 East of the Boise Meridian EXCEPT the right-of-way for Hooper Lane, if any, along the East line thereof; ALSO EXCEPT the right-of-way for the Missouri Canal, if any, along the Southwesterly line thereof; and FURTHER EXCEPT that portion thereof previously conveyed to Virginia K. Martiny.

SUBJECT TO a non-exclusive easement for ingress, egress and utilities over, across and under that portion, if any, of said Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ lying within the South 20 feet of said subdivision, said easement benefiting the properties described on Exhibit "A" herein.

Being situate in the County of Lemhi, State of Idaho.

Beginning four hundred fifty feet (450) South of the Northeast corner of the Southeast quarter of the Northeast quarter of Section Twenty-five 25, Township Fifteen (15) North, Range Twenty-one (21) East of the Boise Meridian; thence West one hundred twenty-five feet; thence North fifty feet; thence West twenty-five feet; thence South one hundred fifty feet; thence East one hundred fifty feet to middle of street; thence North one hundred feet to place of beginning.

Being situate in County of Lemhi, State of Idaho.