

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-21354 V1

WATER RIGHT NUMBER: 37-21354 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	MICHAEL R HARDWICK 403 W 5TH STR EMMETT, ID 83617 (208)365-5975
Current Owner	MATTHEW KING 2401 SUNRISE RIM RD BOISE, ID 73705 (208)283-0435
Current Owner	DARLA BRIZENDINE 2401 SUNRISE RIM RD BOISE, ID 73705 (208)283-0435

Priority Date: 11/07/1887

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
LOWER WADDINGTON SPRING	STODDARD CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.060 CFS	
	<u>Total Diversion:</u>	0.060 CFS	

Location of Point(s) of Diversion

LOWER WADDINGTON SPRING	NE1/4SW1/4NW1/4	Sec. 27, Twp 06S, Rge 13E, B.M.
GOODING County		

Place of Use

IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S 13E 27									2.0								2.0

Total Acres: 2

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES
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Comments:

1. cfritsch 2/17/2005 Priority Date

Comment: The priority date recommended is the date John Waddington filed his posted notice, November 7, 1887.

2. chahn 1/3/2007 location

Comment: Lot 5 Block 1 of Malad Estates Subdivision

Water Supply Bank:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

NOV 08 2006

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 Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
37-21354					

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) Michael R. Hardwick
403 W 5th St. Emmett, ID 83617
4. New Owner/Claimant(s) Matthew King and Darla Brizendine
Name Connector (Check one): [] and, [] or, [] and/or
- New Mailing Address 2401 Sunrise Rim Road
- City, State and ZIP Code Boise, ID 73705
- New Telephone Number (208) 283-0435
5. Date you acquired the property November 6, 2006



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

January 3, 2007

JAMES E. RISCH
Governor

KARL J. DREHER
Director

MATTHEW KING AND DARLA BRIZENDINE
2401 SUNRISE RIM RD
BOISE ID 73705

Re: Water Right #37-21354

Dear Claimants,

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownership to you. Please find the enclosed copy of the computer record of the claim noting the change in claimants. Review this record and if there is an error, or you have any questions, please contact this office.

Sincerely,

Carrie Hahn
Office Specialist

Enc.

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 _____

WARRANTY DEED

For Value Received

MICHAEL R. HARDWICK, a single man

the grantor(s), do(es) hereby grant, bargain, sell, and convey unto

MATTHEW KING, a single man and DARLA BRIZENDINE, a single woman

the grantee(s), whose current address is

2401 SUNRISE RIM ROAD , BOISE, ID 83705

the following described premises, to-wit:

Lot 5 in Block 1 of MALAD ESTATES SUBDIVISION, Gooding County, Idaho, according to the plat thereof, recorded in the Office of the County Recorder of said County.

.06 CFS OF IDWR

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), his/her/their heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s), that he/she/they are the owner(s) 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 he/she/they will warrant and defend the same from all claims whatsoever.

Dated: November 1, 2006

Instrument # 219015

GOODING, GOODING, IDAHO
2006-11-07 03:30:52 No. of Pages: 1
Recorded for : GOODING TITLE
DENISE M. GILL Fee: 3.00
Ex-Officio Recorder Deputy

Michael R. Hardwick
MICHAEL R. HARDWICK

STATE OF IDAHO

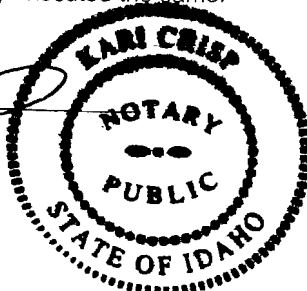
COUNTY OF Gem

: ss

On This 1 day of November, in the year 2006, before me, a Notary Public in and for said State, personally appeared **MICHAEL R. HARDWICK**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within Instrument, and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.

Dani Crisp
Notary Public of Idaho
Residing at Emmette, ID
Commission Expires: 9-7-2007





GOODING
TITLE & ESCROW
COMPANY

RECEIVED

NOV 08 2006

WATER RESOURCES
WESTERN REGION

11/07/06

VIA REGULAR MAIL

IDWR Southern Region
2735 Airport Way
Boise, ID 83705

RECEIVED

NOV 09 2006

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Re: Order No. G060336
KING/HARWICK

Dear IDWR Southern Region:

In connection with the above mentioned order, attached please find copies of the following documents:

X Notice of Change in Water Right Ownership
X Warranty Deed

Thank you for using Gooding Title & Escrow Company. Should you have any questions, please do not hesitate to contact me.

Sincerely,

Julie Gold Koyle
Escrow Assistant
Gooding Title & Escrow Company

/jgk

encl.