

RECEIVED

MAR 27 2007

DEPARTMENT OF
WATER RESOURCES

Law Offices of
BAKER & HARRIS

Dwight E. Baker
Jared M. Harris *
Jonathan W. Harris
* Also Admitted in Utah

266 West Bridge
Blackfoot, ID 83221
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March 21, 2007

Idaho Department of Water Resources
PO Box 83720
Boise, ID 83720-0003

Re: Dreher, Dean/Mineer, Brent and Sherry
B & H Matter No 3222

Dear Sir or Madam:

Enclosed please find the following:

1. Department of Water Resources Notice of Change in Water Right Ownership
2. Copies of Deeds for chain of title
3. Our check in the sum of \$25 for your transfer fee.

If you should require anything further, please advise.

Very truly yours,

BAKER & HARRIS



Dwight E. Baker
DEB/ljs
Enclosures

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

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 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
27-11532	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

- 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 Ila Mae A. Mineer
 Elmon Lyle APgood
 1048 Roosevelt
 Fairfield, CA 94533
- 4 New Owner/Claimant(s) Dean Dreher
 Name Connector (Check one): ☐ and ☐ or ☒ and/or
- New Mailing Address 97 E 200 N
 City, State and ZIP Code Blackfoot, ID 83221
- New Telephone Number (208)785-0237
- 5 Date you acquired the property March 21, 2007

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 (cubic feet per second or acre-feet per annum)	Diversion Rate or Volume	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 (cubic feet per second or acre-feet per annum)	Diversion Rate or Volume	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) Dean Draker
(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 AMG Date 3-27-07 Fee 25.00
 Received by AMG Date 3-27-07 Receipt No 1083679
 Processed by _____ AJ Date _____ WR _____ Date _____

Idaho Department of Water Resources Receipt

Receipt ID C083679

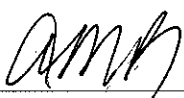
Payment Amount \$25.00 Date Received 3/27/2007 2:15:28 PM Region State Status
Payment Type Check Check Number 002014

Payer BAKER AND HARRIS TRUST ACCOUNT

Comment 27-11532

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$25.00	OWNERSHIP CHANGES/SECURITY INTERESTS	0229	21	56140	1155


Signature Line (Dept. Representative)

RECORDING REQUESTED BY:
Baker & Harris
AND WHEN RECORDED MAIL TO:
Baker & Harris
266 W Bridge
Blackfoot, ID 83221

space above this line for Recorder's use only

WARRANTY DEED

For Value Received, BRENT MINEER and SHERRY MINEER, husband and wife, the Grantors, do hereby grant, bargain, sell, and convey unto Dean Dreher, dealing with his separate property, of 97 E 200 N, Blackfoot, ID 83221, the Grantee, the following-described premises, to-wit:

Township 2 South, Range 36 E.B.M., Bingham County, Idaho

Section 19: SE $\frac{1}{4}$ SE $\frac{1}{4}$ EXCEPTING:

Beginning at the southeast corner of said Section 19 and running thence N 89°22'21" W 1088.92 feet along the south line of said Section 19; thence N 0°16'21" E 186.07 feet; thence N 41°45'18" W 201.94 feet; thence N 89°22'21" W 84.93 feet to a point on the west line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$; thence continuing along said west line N 0°16'21" E 987.21 feet to the northwest corner of said SE $\frac{1}{4}$ SE $\frac{1}{4}$; thence S 89°26'21" E 1306.83 feet along the north line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$ to a point on the east line of said Section 19; thence S 0°10'36" W 1323.99 feet along said east line of said Section 19 to the point of beginning.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

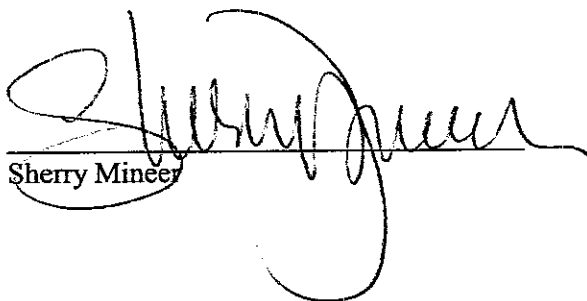
Subject to all existing rights-of-ways for public highways, protective covenants, utility lines, existing roadways, irrigation ditches and all building, zoning and other restrictions of use and all encumbrances of record.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that said premises are free from all encumbrances except as hereinabove set forth and that they will warrant and defend the same from all lawful claims whatsoever.

DATED this 18th day of March, 2007.



Brent Mineer



Sherry Mineer

COPY

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Solano

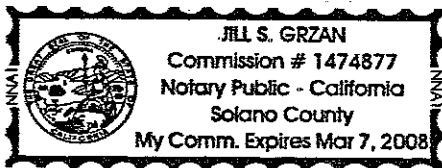
On March 18, 2007 before me, Jill S. Grzan, Notary Public

personally appeared Brent Mineer and Sherry Mineer

☒ personally known to me

☐ (or proved to me on the basis of satisfactory evidence)

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 in his/~~her~~/their authorized capacity(ies), and that by his/~~her~~/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Place Notary Seal Above

Jill S. Grzan
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Warranty Deed

Document Date: 3/18/2007 Number of Pages: 1

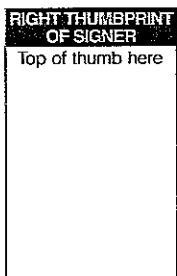
Signer(s) Other Than Named Above: N/A

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

- ☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

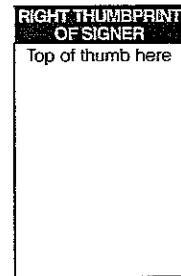
Signer Is Representing: _____



Signer's Name: _____

- ☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____



WARRANTY DEED

413505 989 DOC

FOR VALUE RECEIVED Ila Mae A. Mineer, as Successor Trustee of the Elmon Earl Apgood Family Trust, as Grantor, does hereby grant, bargain, sell, and convey unto Brent Mineer and Sheri Mineer, husband and wife, the Grantees, whose current address is 78 East 200 North, Blackfoot, Idaho, the following described premises, to-wit:

Section 2 South, Range 36 E.B.M. Bingham County, Idaho,
Section 19: SE1/4SE1/4.

Together with all water and water rights and all ditch and ditch rights including but not limited to water right claim A27-11532 and any and all water rights appertaining to said property.

Together with tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining.

Subject to reservations in United States patents and State deeds or other restrictions imposed by law, easements and right-of-way, zoning and building ordinances, use restrictions of record, and taxes and assessments for the year 1993 and thereafter.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that she is the owner in fee simple of said premises; that said premises are free from all encumbrances and that she will warrant and defend the same from all lawful claims, under whatsoever.

WARRANTY DEED

- 1 -

FILED ^{CC} _{GP}

93 FEB 19 AM 11:33

RECORDED AT THE REQUEST OF
Blaser, Scansen
P.O. Box 1047
Blackfoot, ID

Recording Requested by
McGrath, Baker & Marotz
PO Box 577
Blackfoot, ID 83221

And When Recorded
Mail to Ila Mae Mineer
1048 Roosevelt
Fairfield, CA 94533

Space Above This Line for Recorder's Use

405736

RECORDED & INDEXED
FEB 11 1982

FEB 9 1982

92 APR 2 PM 4:50

Ila Mae Mineer

AFFIDAVIT - SUCCESSOR TRUSTEE

STATE OF IDAHO)
County of Bingham) ss:

ILA MAE A. MINEER, being first duly sworn on oath, deposes and says:

1. That I, ILA MAE A. MINEER, of 1048 Roosevelt, Fairfield, California 94533, am the sole surviving heir of Elmon Earl Apgood and Susanna Mae Apgood, both deceased.

2. That I had a brother, Elmon Lyle Apgood, who is also now deceased.

3. That my parents Elmon Earl Apgood and Susanna Mae Apgood executed a Trust, consisting of thirty-one pages, together with a five page "Exhibit A", all of which were executed on or about the 29th day of October, 1981.

4. That this agreement was referred to as the Elmon Earl Apgood Family Trust Agreement, and that the same was subject to being amended or revoked during the life of Elmon Earl Apgood.

5. That neither my father Elmon Earl Apgood nor any other person has modified or amended the Elmon Earl Apgood Family Trust, and the same has remained in existence until now.

6. That the purposes of the Trust were to provide for the care and support of my parents, my brother, and myself, and that all of the purposes of the Trust have been realized, and that both of my parents and my brother did receive substantial support in the course of their lifetimes, as a consequence of which the assets remaining in the Trust are greatly diminished.

7. That it is my understanding that I have been selected as the "Second Alternate-Trustee", pursuant to Article XVI(A), which reads as follows:

"If either Trustee should die, resign, become incompetent or otherwise disqualified or for any reason cease to serve as Trustee, the other shall serve as sole Trustee with all powers, rights and duties herein conferred upon Trustee. If both Trustees should die, resign or for any reason fail or cease to serve as provided hereunder, the Alternate-Trustee shall be ELMON LYLE APGOOD of the city of Lyman, State of Wyoming. If ELMON LYLE APGOOD should for any reason fail or cease to serve as Alternate-Trustee hereunder, the Second Alternate-Trustee shall be ILA MAE MINEER of the city of Fairfield, State of California."

8. That the Elmon Earl Apgood Family Trust is now and at all times herein has been the owner of the following described parcel of real property, to wit:

Township 2 South, Range 36 E.B.M., Bingham County, Idaho.

Section 19: SE $\frac{1}{4}$ SE $\frac{1}{4}$

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

Subject to all existing rights-of-ways for public highways, protective covenants, utility lines, existing roadways, irrigation ditches and all building, zoning and other restrictions of use and all encumbrances of record.

9. That pursuant to the provisions of said paragraph both of the original Trustees, being my parents, and the Alternate-Trustee, being my brother, are deceased, and that I therefore am the Successor Trustee, and have executed this Affidavit in order to establish such role.

10. That the Trust provides that I personally have the power to select a Successor Trustee at Article XVI(A), as follows:

"... If all Trustees should die, resign or for any reason fail or cease to serve as Trustee hereunder, then the remaining children of Trustors may by majority vote appoint a successor Trustee."

11. Pursuant to said paragraph, I hereby nominate my son Donald B. Mineer, of 7814 E. Moreland, Scottsdale, Arizona 85250, as my Successor Trustee, pursuant and subject to the terms of said trust.

Ila Mae A. Mineer
Ila Mae A. Mineer

STATE OF IDAHO)
) ss:
County of Bingham)

ILA MAE A. MINEER, being first duly sworn on oath, deposes and says:

That she has read the foregoing Affidavit, knows the contents thereof and that she verily believes the same to be true.

Ila Mae A. Mineer
Ila Mae A. Mineer

SUBSCRIBED AND SWORN TO before me this 2nd day of April, 1992.

Robert L. Baker
Notary Public for Idaho
Residing at Markfoot
My Commission Expires: 5-17-96

405730

297998

QUIT-CLAIM DEED

'82 OCT 15 PM 4 16

EL Apgood
Box 188, Lyma, Wyo.
RECORDED AT THE REQUEST OF 8893

SUSANNA MAE APGOOD, Trustee of the ELMON EARL APGOOD TRUST, Grantor(s) of Blackfoot, Bingham County, State of Idaho hereby Quit-Claim to SUSANNA MAE APGOOD and ELMON LYLE APGOOD Trustees of the ELMON EARL APGOOD TRUST, and the survivor thereof and successors thereto, with full power and authority to assign, sell, transfer, convey, encumber and mortgage, Grantee(s) of Rt 6 Box 305, Blackfoot, Bingham County, State of Idaho 83221, for the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the following described tract(s) of land located in Bingham County, State of Idaho:

The Southeast quarter of the Southeast quarter of Section 19, Township 2 South, of Range 36 East of the Boise Meridian in Bingham County, Idaho.

Together with the water rights and ditch rights of way of appurtenant thereto and used for the irrigation thereof.

Subject, however, to unpaid taxes and water assessments if any, which the second party assumes and agrees to pay.

DATED this 14th day of OCTOBER, 1982.

Susanna Mae Apgood
297998

STATE OF UTAH)
) SS.
COUNTY OF SALT LAKE)

On the 14th day of October, 1982, personally appeared before me SUSANNA MAE APGOOD, Trustee of the ELMON EARL APGOOD TRUST, signer(s) of the foregoing instrument, who duly acknowledged to me that they executed the same.

Commission expires: 3-26-84

D. Karl Mangum
NOTARY PUBLIC

Residing in: Sandy, Ut