

Apr. 10. 2007 3:37PM

Idaho Dept. of Water Resources

No. 1376 P. 2

Form 42-248(2)-1405(5) 12/2006

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.

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 IDWR will produce new water right number(s) for the split(s).

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
21-13058 21-7026					
21-13059					

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 on file with the county Planning and Zoning or Recorder's Office).
- OR**
- D. 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 or equivalent **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)

Walter Scafe
1010 Grainville RD. Ashton ID 83420

- X 4. New Owner/Claimant(s)

Michael H. Fabian
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

4706 DOVERCOURT CIRCLE

City, State and ZIP Code

Carmichael, CA. 95608

New Telephone Number

(916) 483-5926

Apr. 10. 2007 3:41PM

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Form 42-248/42-1492(6) 12/2006

5. Date you acquired the property

May 25, 1999

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 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 (you may copy this page, if 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 will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		

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.

7. Signature(s) of New Owner(s) or Claimant(s)

Michael H. Halian

(title if applicable)

(title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

Received by _____

Date _____

Receipt Amt. _____

Received by _____

Date _____

Receipt No. _____

Processed by _____ AJ

Date _____

WR _____

Date _____

APR: 10. 2007 4:58PM

JUL. COUNTY St. Anthony, ID

INV. 120 1. 1

29-22196-2
ALLIANCE
 TITLE & ESCROW CORP.

WARRANTY DEED

For Value Received

WALTER R. SCAFE and SHIRLEY E. SCAFE, husband and wife

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

MICHAEL FABIAN and LUCINDA FABIAN, husband and wife

whose current address is

4706 DOVERCOURT CIRCLE**CARMICHAEL, CA 95608**the grantee(s), the following described premises, in **FREMONT County IDAHO**, to wit:**SEE ATTACHED "EXHIBIT A"**

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor do hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Subject to all existing patent reservations, easements, right of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations.

and that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: May 25, 1999

Walter R. Scafe
WALTER R. SCAFE

Shirley E. Scafe
SHIRLEY E. SCAFE

STATE OF ID. COUNTY OF MADISON

On this 25 day of MAY, 1999

before me, a Notary Public in and for said State, personally appeared

WALTER R. SCAFE
SHIRLEY E. SCAFE

known to me to be the person(s) whose name(s) subscribed to the within instruments and acknowledged to me that they executed the same.

Alison Banta
 Notary Public,
 Residing at ST. ANTHONY, ID
 Comm. Expires 11/23/99

ALISON BANTA

NOTARY PUBLIC, STATE OF IDAHO
 COMMISSION EXPIRES: 11-23-99

Microfilm No. 457614
 Day June 15 1999
 AL 10:47 O'clock P.M.
MICKIE BUNKE
FREMONT CO. RECORDER
 Fee \$ 6- 00 Deputy
 Recorded At Request of
ALLIANCE TITLE & ESCROW

1007 4:58PM

FAX NO. :9164830642
FREMONT COUNTY St. Anthony, ID

Apr. 11 2007 07:49AM P5
NO. 120 P. 2

"EXHIBIT A"

457614

TRACT 1: FEE SIMPLE

(A)

A PARCEL OF LAND BEING A PORTION OF THE NORTHEAST ONE-QUARTER OF SECTION 4, TOWNSHIP 8 NORTH, RANGE 43 EAST OF THE BOISE MERIDIAN, ALL LYING SOUTH OF THE FALL RIVER IN FREMONT COUNTY, IDAHO, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOW: BEGINNING AT THE EAST QUARTER CORNER OF SAID SECTION 4, BEING A 5/8 INCH REBAR WITH ALUMINUM CAP BEARING THE PLS NO. 7381; THENCE NORTH 89°24'26" WEST 1320.42 FEET TO THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER NORTHEAST QUARTER; THENCE NORTH 89°24'25" WEST ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER OF SECTION 4 A DISTANCE OF 1245.42 FEET; THENCE NORTH 00°46'29" EAST A DISTANCE OF 237 FEET, MORE OR LESS, TO THE SOUTH BANK OF THE FALL RIVER; THENCE ALONG THE SOUTH BANK OF SAID FALL RIVER AS DEFINED BY THE FOLLOWING SEVEN MEANDER COURSES: 1) NORTH 65° EAST A DISTANCE OF 280 FEET; 2) NORTH 58° EAST A DISTANCE OF 280 FEET; 3) NORTH 50° EAST A DISTANCE OF 410 FEET; 4) NORTH 70° EAST A DISTANCE OF 500 FEET; 5) SOUTH 80° EAST A DISTANCE OF 440 FEET; 6) SOUTH 62° EAST A DISTANCE OF 390 FEET; 7) SOUTH 70° EAST A DISTANCE OF 550 FEET, MORE OR LESS, TO THE EAST LINE OF SAID SECTION 4; THENCE SOUTH 00°45'27" WEST ALONG SAID EAST LINE OF SECTION 4 A DISTANCE OF 517 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

LESS THE FOLLOWING DESCRIBED PARCEL:

A PARCEL OF LAND BEING A PORTION OF THE NORTHEAST ONE-QUARTER OF SECTION 4, TOWNSHIP 8 NORTH, RANGE 43 EAST OF THE BOISE MERIDIAN, ALL LYING SOUTH OF THE FALL RIVER IN FREMONT COUNTY, IDAHO, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOW: BEGINNING AT THE EAST QUARTER CORNER OF SAID SECTION 4, BEING A 5/8 INCH REBAR WITH ALUMINUM CAP BEARING THE PLS NO. 7381; THENCE NORTH 89°24'26" WEST 1320.42 FEET TO THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER NORTHEAST QUARTER; THENCE NORTH 89°24'25" WEST ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER OF SECTION 4 A DISTANCE OF 1245.42 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 00°46'29" EAST A DISTANCE OF 237 FEET, MORE OR LESS, TO THE SOUTH BANK OF THE FALL RIVER; THENCE ALONG THE SOUTH BANK OF SAID FALL RIVER AS DEFINED BY THE FOLLOWING THREE MEANDER COURSES: 1) NORTH 65° EAST A DISTANCE OF 280 FEET; 2) NORTH 58° EAST A DISTANCE OF 280 FEET; 3) NORTH 50° EAST A DISTANCE OF 105.15; THENCE SOUTH 00°00'02" WEST 577.23 FEET; NORTH 89°14'25" WEST 575 FEET TO THE POINT OF BEGINNING.

(B)

THAT PORTION OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 3, TOWNSHIP 8 NORTH, RANGE 43 EAST, BOISE MERIDIAN, FREMONT COUNTY IDAHO, LYING AND BEING SOUTH OF FALL RIVER

TRACT 3: A NON EXCLUSIVE EASEMENT FOR INGRESS EGRESS AND UTILITIES BEING NO LESS THAN 20 FEET WIDE DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER NORTHWEST QUARTER OF SECTION 3, TOWNSHIP 8 NORTH, RANGE 43 EAST, BOISE MERIDIAN, FREMONT COUNTY, IDAHO, AND RUNNING THENCE EAST 20 FEET, THENCE NORTH 20 FEET, THENCE WEST 20 FEET, THENCE SOUTH 20 FEET TO THE POINT OF BEGINNING.