

02/28/2003

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-10933B
NAME AND ADDRESS: JOHN GALLUP
1776 S 2050 E
GOODING ID 83330
MELANIE A GALLUP
1776 S 2050 E
GOODING ID 83330

SOURCE: LITTLE WOOD RIVER TRIBUTARY: MALAD RIVER
QUANTITY: 0.045 CFS
PRIORITY DATE: 04/01/1884
POINT OF DIVERSION:
T06S R15E S3 SWNW Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.045 CFS

PLACE OF USE: IRRIGATION Within GOODING County
T05S R15E S33 SWSE 1.9

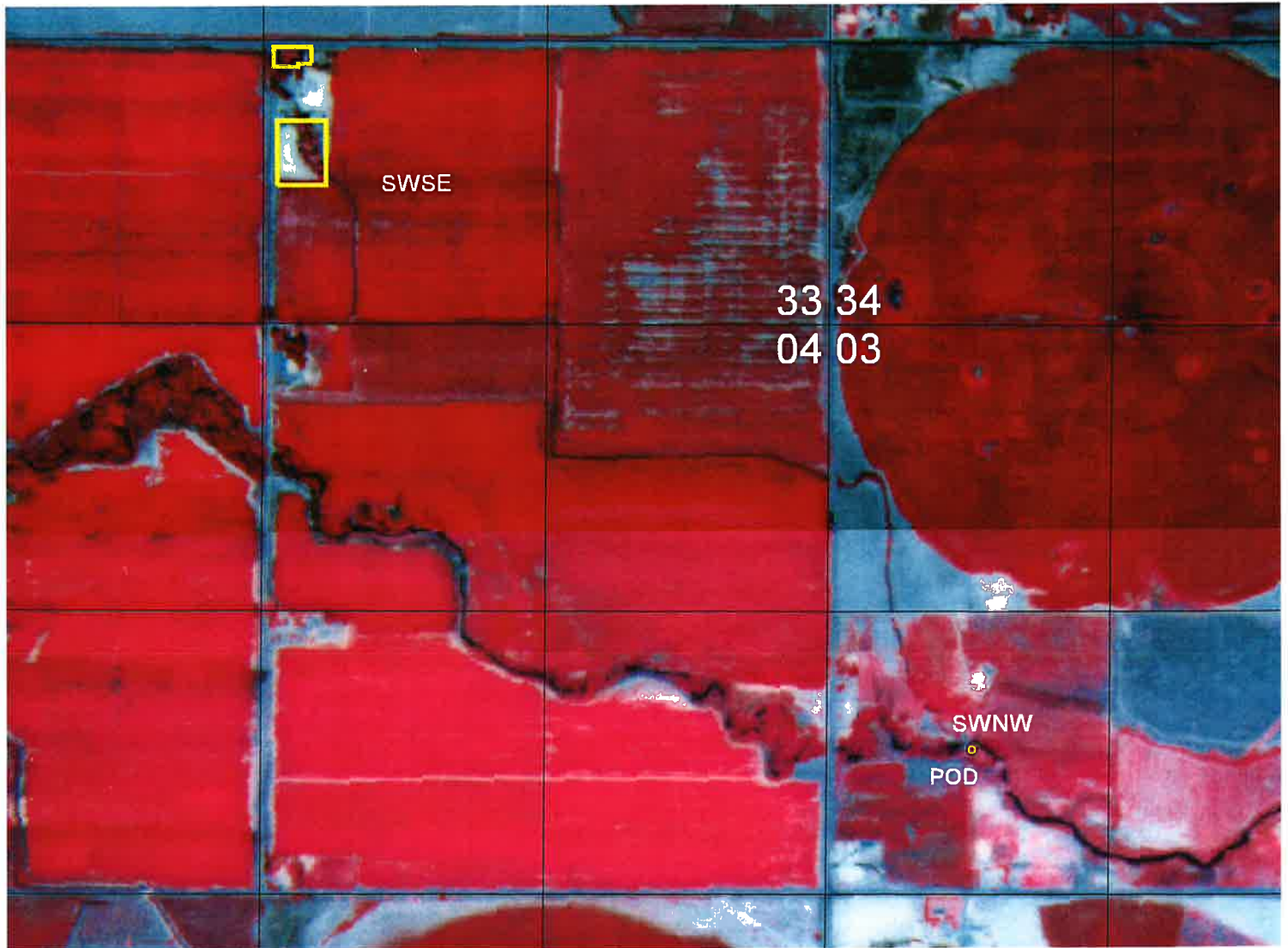
1.9 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

EXPLANATORY MATERIAL: Decreed
WATER IS DELIVERED THROUGH THE SLOUGH DITCH.
USE OF THIS RIGHT IS COMBINED WITH WATER FROM BIG WOOD CANAL CO.

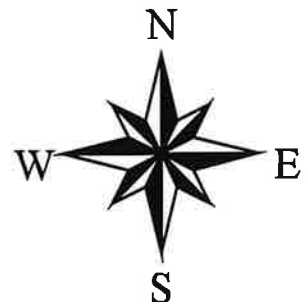
37-10933B



800 0 800 1600 2400 Feet

T05S R15E S33

Map prepared by: Carter Fritschle
Date prepared: 02/28/03
1987-1988 NAPP photography
Idaho Department of Water Resources



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 37-10933B
Date Received: 8/11/88
Receipt No: X777777
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

KATHRYN E PIKE Phone:
1776 S 2050 E
GOODING ID 83330

2. Date of Priority: 04/01/1884

3. Source: LITTLE WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
06S	15E	3	NE SW NW	GOODING	

5. Description of diverting works:

PUMP, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	10/01	0.045	

7. Total Quantity Appropriated is:
0.045 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05S	15E	33	SW	SE	IRRIGATION	1.9
					Section Acres	1.9
					Total Acres	1.9

11. Place of use in counties: GOODING

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

.12 CFS PORTION OF 37-00609B DECREE OF 2.47 CFS
***** 12/5/96 TF;
OWNERSHIP CHANGED SIMIS TO O'DELL
***** 6-2-98: OWNERSHIP CHANGE RESULTED IN A SPLIT PER WARRANTEY
DEED SUBMITTED 2-2-98. ODELL RETAINED "A" PORTION OF 3.1 IRR ACRES AND .075 CFS,
HENRY RECIEVED 1.9 IRR ACRES AND .045 CFS - VH

15. Basis of Claim: Decreed



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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 12, 2001

KATHRYN E PIKE
1776 S 2050 E
GOODING ID 83330

RE: SRBA Claim(s) 37-19033B
Decreed Water Right 37-10930

Dear Ms. Pike:

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 copies of the computer record of the claim(s) noting the change in claimant. Review these records and if there is an error, or you have any questions, please contact this office.

Sincerely,

Trish Fawcett
Technical Records Specialist

enc.

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

RECEIVED
JUN 07 2001
 Department of Water Resources
 Southern 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
37-10933B					
37-10930					

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) Darla and Patrick W. Henry
1776 S. 2050 E., Gooding, ID 83330
4. New Owner/Claimant(s) Kathryn E. Pike
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 1776 S. 2050 E.
- City, State and ZIP Code Gooding, ID 83330
- New Telephone Number ()
5. Date you acquired the property May 2001

05/15/2001 08:33 2087363

IDWR SOUTHERN 3ION

PAGE 02

05/15/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report

WATER RIGHT NO. 37-10933B

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DARLA HENRY
Current Owner	PATRICK W HENRY
	1776 S 2050 E
	GOODING, ID 83330
Original Owner	DON L SIMIS
	1217 MAIN
	GOODING, ID 83330
	(208)934-4914
Original Owner	ANNA M SIMIS
	1776S 2050E
	GOODING, ID 83330
	(208)934-5177
Original Owner	MICHAEL A O DELL
Original Owner	TONI O DELL
	PO BOX 578
	GOODING, ID 83330
	(208)934-4649

Priority Date: 04/01/1884
 Basis: Decreed
 Status: Active

Source LITTLE WOOD RIVER
Tributary to MALAD RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/01	10/01	0.045 CFS		
Total Diversion			0.045 CFS		

Location of Point(s) of Diversion:

LITTLE WOOD RIVER NESWNW Sec. 03 Township 06S Range 15E GOODING County

IRRIGATION Use:
 Acre Limit: 1.9

Place(s) of use:

Place of Use Legal Description: IRRIGATION GOODING County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
05S	15E	33		SWSE	1.9									

Total Acres: 1.9

Remarks:

1. General .12 CFS PORTION OF 37-00609B DECREE OF 2.47 CFS.
 ***** 12/5/96 TP; OWNERSHIP

Water Right 37-10933B

05/15/2001 08:33 2087363

IDWR SOUTHERN GION

PAGE 03

CHANGED SIMIS TO O'DELL.

***** 6-2-98: OWNERSHIP CHANGE RESULTED IN A SPLIT PER WARRANTEY DEED
SUBMITTED 2-2-98. ODELL RETAINED "A" PORTION OF 3.1 IRR ACRES AND .075 CFS, HENRY RECIEVED
1.9 IRR ACRES AND .045 CFS - VH

Dates:

Licensed Date:
Claim Received Date:
Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:

Other Information:

Receipt Number(s): X777777
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

Decreed 11/2/01

05/15/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 37-10930

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DARLA HENRY
Current Owner	PATRICK W HENRY 1776 S 2050 E GOODING, ID 83330
Original Owner	DON L SIMIS 1217 MAIN GOODING, ID 83330 (208)934-4914
Original Owner	ANNA M SIMIS 1776S 2050E GOODING, ID 83330 (208)934-5177
Original Owner	MICHAEL A O DELL
Original Owner	TONI O DELL PO BOX 578 GOODING, ID 83330 (208)934-4649

Priority Date: 07/01/1925
Basis: Beneficial Use
Status: Active

Source Tributary to
GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
DOMESTIC	1/01	12/31	0.04 CFS		
Total Diversion			0.04 CFS		

Location of Point(s) of Diversion:

GROUND WATER SWSE Sec. 33 Township 05S Range 15E GOODING County

Place(s) of use:

Place of Use Legal Description: DOMESTIC GOODING County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
05S	15E	33		SWSE							

Conditions of Approval:

1. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

Remarks:

1. Explanatory PARCEL NO. RP 05S15E338587

Water Right 37-10930

05/15/2001 08:33 2087363

IDWR SOUTHERN GION

PAGE 05

Comments:

Author	Date	Subject
SEGBERT	8/20/98	COPIED FROM REMARKS

Comment
12/5/96 TF; OWNERSHIP CHANGED FROM SIMIS TO O'DELL. ***** 6-
2-98: OWNERSHIP CHANGE ODELL TO HENRY PER NOTICE REC'C 2-2-98 - VH

Dates:

Licensed Date:
Claim Received Date: 08/11/1988
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Decreed Date:
Date Filed with Court:
Objection Filed Date:
SP5 Filed:
Special Master Recom Signed Date:

Other Information:

Receipt Number(s): M000989
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
PresumptionFlag:
Notice of Error Flag: NONE RECEIVED
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

TRANSMITTAL COVER SHEET

TO: Lisa
fax # 934-5890

TOTAL PAGES SENT: 5

(including cover sheet)

DOCUMENT DESCRIPTION: PROOF REPORTS OF ADJUDICATION CLAIM

37-10933 B AND RECOMMENDED RIGHT 37-10930

FROM:

IDAHO DEPARTMENT OF WATER RESOURCES

1341 FILLMORE ST, STE 200

TWIN FALLS ID 83301-3380

PHONE: 736-3033

FAX: 736-3037

CHARGES: One (1) free copy
per request, cover sheet not
counted. Two (2) or more
copies per request will cost
\$0.25 per page (\$0.50
minimum)

Please consider this document as a billing statement.

The charge for your fax copies is _____

Please remit to the above address.

SENDER: [Signature]

COMMENTS: _____

WARRANTY DEED

#GG-02688

For Value Received

Patrick W. Henry and Darla Henry, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

Kathryn E. Pike , a single woman
Address: 1776 S. 2050 E., Gooding, ID 83330

Hereinafter called the Grantee, the following described premises situated in Gooding County, Idaho, to-wit: 

TOWNSHIP 5 SOUTH, RANGE 15 EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 33: A parcel of land located in the SW¹/₄SE¹/₄, more particularly described as follows:

Commencing at the South one-quarter corner of said Section 33, from which the Southeast corner of Section 33 bears North 89°41'29" East 2,640.91 feet;
Thence North 00°14'17" West along the North-South center of Section line for a distance of 650.00 feet to THE TRUE POINT OF BEGINNING;
Thence continuing North 00°14'17" West along the North-South center of section line for a distance of 665.66 feet to the Northwest corner of the SW¹/₄SE¹/₄ of Section 33;
Thence North 89°51'45" East along the North boundary of the SW¹/₄SE¹/₄ of Section 33 for a distance of 300.00 feet;
Thence South 00°14'17" East parallel with the West boundary of the SE¹/₄ of Section 33 for a distance of 664.76 feet;
Thence South 89°41'29" West parallel with the South boundary of the SE¹/₄ of Section 33 for a distance of 300.00 feet to THE TRUE POINT OF BEGINNING.

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Taxes for 2001 and subsequent years, taxes are an accruing lien, not yet due or payable.

Assessments levied or to be levied by the Slough Ditch Association.

Assessments of decreed water from Little Wood River.

Right of way for canals, laterals and waste ditches of Big Wood Canal Company.

Power Line Easement given by Sam Simis and Anna Simis to Idaho Power Company, a corporation, dated November 23, 1964, recorded May 4, 1965 as Instrument Number 14068, Gooding County records, affecting a portion of Section 33, Township 5 South, Range 15 East, Boise Meridian.

Declaration of Covenants, Conditions and Restrictions dated August 13, 1996, recorded August 13, 1996 as Instrument Number 166550, Gooding County records.

Easement along the Westerly boundary for the existing county road as disclosed in Warranty Deed, recorded January 23, 1998 as Instrument Number 173895, Gooding County records.

Easement for that part of the county road along the North boundary as disclosed in Warranty Deed, recorded January 23, 1998 as Instrument Number 173895, Gooding County records.

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to 2.25 Inches of Water Right Number 37-0609 of the Idaho Department of Water Resources.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: May 29, 2001

Instrument # 190622

GOODING, GOODING, IDAHO

2001-05-30 11:28:10 No. of Pages: 2

Recorded for : LAND TITLE

HELEN EDWARDS

Ex-Officio Recorder Deputy

Index to: DEED, WARRANTY

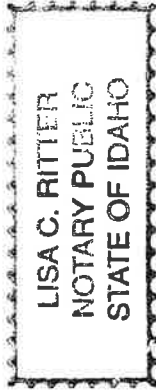
Fee: 6.00


Patrick W. Henry By Darla Henry P.O.A.
Patrick W. Henry by Darla Henry

Darla Henry
Darla Henry

STATE OF IDAHO)
COUNTY OF Gooding) ss.

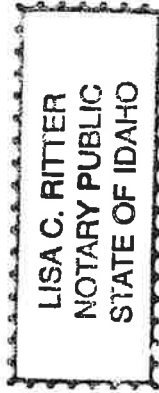
On this 24 day of **May, 2001**, before me, the undersigned, a Notary Public in and for said State, personally appeared **Darla Henry**, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.



[Signature]
Notary Public
Residing at: Hagerman, ID
My Commission expires: 10/06/04

STATE OF IDAHO)
COUNTY OF Gooding) ss.

On this 24 day of May, 2001, before me, the undersigned, a Notary Public in and for said State, personally appeared Darla Henry, known or identified to me to be the person whose name is subscribed to the within instrument, as the Attorney-In-Fact of Patrick W. Henry and acknowledged to me that she subscribed the name of Patrick W. Henry thereto as principal, and her own name as Attorney-In-Fact.

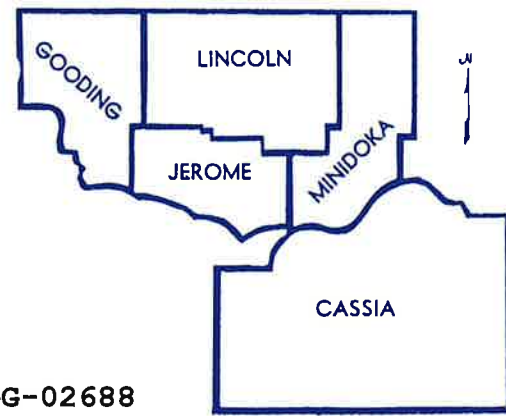


[Signature]
Notary Public
Residing at: Hagerman, ID
My Commission expires: 10/06/04



Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



REFER TO:

OFFICE:

GG-02688

Gooding

June 6, 2001

Department of Water Resources
Southern Region
1341 Fillmore Suite 200
Twin Falls, Idaho 83301

RECEIVED
JUN 07 2001
Department of Water Resources
Southern Region

RE: Notice of Change of Water Right Ownership
Henry to Pike
Cert Mail #7000 0520 0015 3071 7930

Dear Sirs:

At the request of the buyer, we are forwarding to your office the following in connection with the above referenced:

- Notice of Change of Water Right Ownership on
on Patrick W. & Darla Henry to Kathryn E. Pike
for Water Right Number 37-10933B and 37-10930
- Copy of Deed #190622
- Copy of Map

Thank you,

LAND TITLE AND ESCROW, INC.


Lisa Ritter
(208) 934-8477
P.O. Box 473, 546 Main Street
Gooding, Idaho 83330

cc:

BOX 177, BURLEY, IDAHO 83318
PHONE 678-3524 - FAX 678-4435

BOX 348, JEROME, IDAHO 83338
PHONE 324-3357 - FAX 324-8961

BOX 473, GOODING, IDAHO 83330
PHONE 934-8477 - FAX 934-5880

BOX 111, RUPERT, IDAHO 83350
PHONE 436-0606 - FAX 436-1199

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: **A37-10933B**
Date Received: 8/11/1988
Receipt No: X777777
Received By: _____

**COPY FOR
YOUR FILES**

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

**COPY FOR
YOUR FILES**

1. Name: PATRICK W HENRY
Address: 1776 S 2050 E
GOODING ID

83330

AND

Name: DARLA HENRY
Address: 1776 S 2050 E
GOODING ID

83330

2. Date of Priority: APR 1, 1884

3. Source: LITTLE WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06S	15E	3	NE	SW	NW		GOODING

5. Description of diverting works:
PUMP, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/01	0.045		

7. Total Quantity Appropriated is:
0.045 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
05S	15E	33	SW	SE		IRR	1.9

10. Place of Use: Continued

Section Acres 1.9

Total Acres 1.9

11. Place of use in counties: GOODING

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

.12 CFS PORTION OF 37-00609B DECREE OF 2.47 CFS.

12/5/96 TF; OWNERSHIP CHANGED SIMIS TO O'DELL.

6-2-98: OWNERSHIP CHANGE RESULTED IN A SPLIT PER WARRANTEY DEED
SUBMITTED 2-2-98. ODELL RETAINED "A" PORTION OF 3.1 IRR ACRES AND
.075 CFS, HENRY RECIEVED 1.9 IRR ACRES AND .045 CFS - VH

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

Decree Plaintiff

vs

Decree Defendant



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

July 31, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Patrick W. and Darla Henry
1776 South 2050 East
Gooding, Idaho 83330

RE: Snake River Basin Adjudication (SRBA)
Claim Number(s): A37-10933B, and A37-10930
Change of Ownership Notification

Dear Claimant(s):

We have been notified that you have purchased a portion of property with the above referenced Snake River Basin Adjudication claims, and our records have been changed, accordingly. Note that claim number A37-10933B, for irrigation water, is your portion of the original right A37-10933. **The enclosed copies are for your records**, please review these documents for accuracy in all respects. If you have any questions, please contact me at this office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Vikie Hancock'.

Vikie Hancock
Water Resource Agent

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

FEB 02 1998

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right Number(s) A37-10933 AJ5809NP
Adjudication Claim Number(s) A37-10930 AJ5809NP

2. The following **REQUIRED** information must be submitted with this form.

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.) OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant(s) MICHAEL A. OLDELL AND TONI ODELL
P.O. BOX 578 GOODING, IDAHO 83330

4. New Owner/Claimant(s) Patrick W. and Darla Henry
Name connector (Check one): [] AND, [] OR, [] AND/OR
New Mailing Address 1776 South 2050 East
City, State and ZIP Code Gooding, Idaho 83330
New Telephone Number () -

5. Date you acquired the property 1-23-98

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres actually irrigated _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner/Claimant(s) Patrick W. Henry Date 1-23-98
Darla Henry Date 1-23-98
Darla Henry

(Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

WARRANTY DEED

For Value Received

MICHAEL O'DELL and TONI L. O'DELL, husband and wife
who acquired title as Michael O'Dell

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

PATRICK W. HENRY and DARLA HENRY, husband and wife,
Address: 1776 SOUTH 2050 EAST, GOODING, IDAHO 83330

Hereinafter called the Grantee, the following described premises situated in GODING County, Idaho, to-wit:

SEE SCHEDULE A ATTACHED

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Taxes for 1998 and subsequent years, which are a lien but not yet due and payable.

Assessments of the Slough Ditch Association and the rights and powers thereof.

Assessments of decreed water from Little Wood River.

Right of way for canals, laterals and waste ditches of the Big Wood Canal Company.

Power Line Easement given by Sam Simis and Anna Simis, husband and wife to Idaho Power Company, a corporation, dated November 23, 1964, recorded May 4, 1965 as Instrument Number 14068, Gooding County records.

Declaration of Covenants, Conditions and Restrictions dated August 13, 1996, recorded August 13, 1996 as Instrument Number 166550, Gooding County records.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: January 16, 1998

Michael O'Dell

MICHAEL O'DELL

Toni L. O'Dell

TONI L. O'DELL

STATE OF CALIFORNIA

COUNTY OF Los Angeles

173895

STATE OF IDAHO COUNTY OF GODING
Land Title & Escrow Inc.

Filed for record at the request of

25 min. past 4 o'clock P m. this 23rd

of January, 1998 9:00

By Lenny Webster Deputy

On this 20 day of January, 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared MICHAEL O'DELL and TONI L. O'DELL, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Robyn A. Casey
Notary Public

Residing at 1776 South 2050 East, Gooding, Idaho

My Commission expires: May 3, 2001



SEE ATTACHED DOCUMENT

SCHEDULE A

A parcel of land located in the Southwest quarter of the Southeast quarter of Section 33, Township 5 South, Range 15 East of the Boise Meridian, Gooding County, Idaho, and more particularly described as follows:

Commencing at the South one quarter corner of said Section 33, from which the Southeast corner of Section 33 bears North 89 41'29" East 2640.91 feet, thence North 00 14'17" West along the North-South center of Section line for a distance of 650.00 feet to the true point of beginning;

thence continuing North 00 14'17" West along North-South center of section line for a distance of 665.66 feet to the Northwest corner of the Southwest quarter of the Southeast quarter of Section 33;

thence North 89 51'45" East along the North boundary of the Southwest quarter of the Southeast quarter of Section 33 for a distance of 300.00 feet;

thence South 00 14'17" East parallel with the west boundary of the Southeast quarter of Section 33 for a distance of 664.76 feet;

thence South 89 41'29" West parallel with the South boundary of the Southeast quarter of Section 33 for a distance of 300.00 feet to the true point of beginning.

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including, but not limited to 2 1/4 inches of decreed right to Little Wood River with priority date of April 1, 1884.

SUBJECT TO a 25.0 foot wide County Road easement along the Westerly boundary of the described parcel for the existing county road.

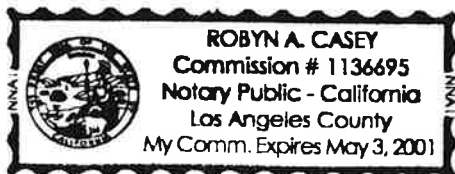
SUBJECT TO an easement for that part of the County Road along the North boundary of the described parcel that is within the boundaries of the before described parcel.

PWA
JH

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of Los Angeles
On Apr 20 1998 before me, Robyn A. Casey notary
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")
personally appeared Michael + Toni L. O'Dell
Name(s) of Signer(s)

☐ 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.

Robyn A. Casey
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: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

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: _____

RIGHT THUMBPRINT
OF SIGNER
Top of thumb here

Signer's Name: _____

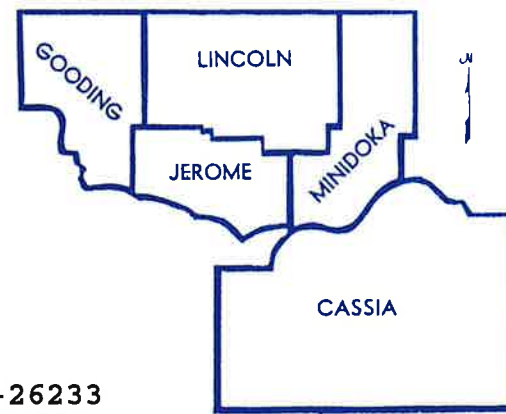
- ☐ Individual
☐ Corporate Officer
Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney-in-Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT
OF SIGNER
Top of thumb here

Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



FEB 02 1998

Department of Water Resources
Southern Region

REFER TO: G-26233
OFFICE: Gooding

January 30, 1998

State of Idaho
Department of Water Resources
Southern Region
1341 FILLMORE SUITE 200
Twin Falls, Idaho 83301-3380

RE: Notice of Change of Water Right Ownership
HENERY\O'DELL
Cert. Mail #P 440 695 671

Dear Sirs:

At the request of the Buyer, we are forwarding to your office the following in connection with the above referenced:

- Notice of Change of Water Right Ownership
- Copy of Deed # 173895
- Copy of Map

Thank You,

LAND TITLE AND ESCROW, INC.

LISA RITTER
(208) 934-8477
P.O. Box 473, 546 Main Street
Gooding, Idaho 83330

cc: HENRY

BOX 177, BURLEY, IDAHO 83318
PHONE 678-3524 - FAX 678-4435

BOX 349, JEROME, IDAHO 83338
PHONE 324-3357 - FAX 324-8961

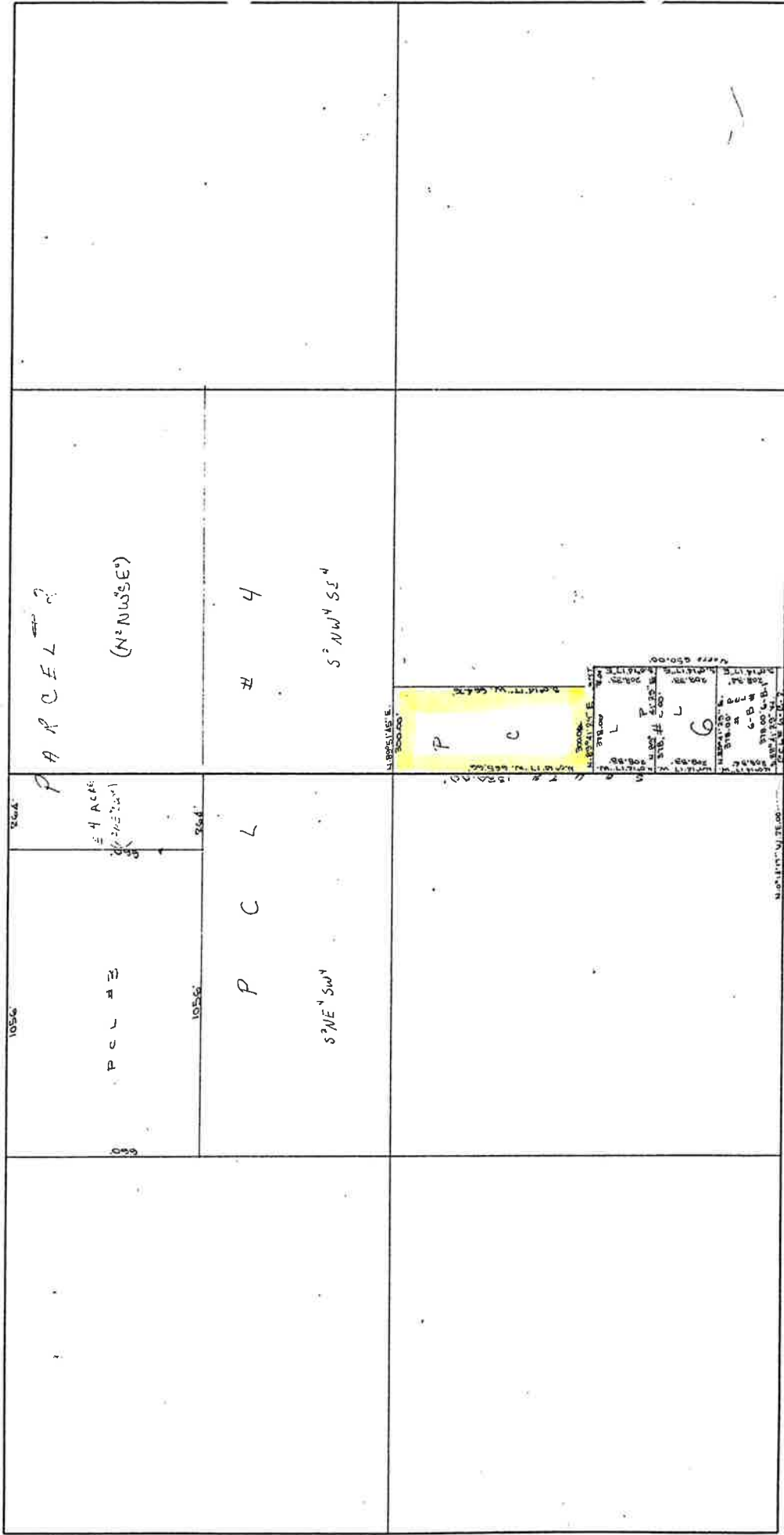
BOX 473, GOODING, IDAHO 83330
PHONE 934-8477 - FAX 934-5890

BOX 111, RUPERT, IDAHO 83350
PHONE 436-0606 - FAX 436-1199

Sec 33 T5S R15

South
HALF

Garvey
County
IDAHO



SCALE 1"=400'

"This plat is made solely for the purpose of assisting in locating the land and the company assumes no liability for variations, if any, with an actual survey."

GOODING COUNTY

Sec. 33 Twp. 5 Rng. 1

Hwy. Dist. 1 City
Sch. Dist. 231 Cem. Dist. **GOODING**
Fire Dist. Gooding

\$35

05S 15E 33

For Michael & Toni

O'Dell

ID # 37-0609

Priority Date 4-1-1884
6 in.

First American Title

Mamie L. Harbaugh
SENECA P.R.

Kenneth Ohlinger

RAILROAD

5400

4987

CLARA MASSEY OWENS
Estate

JAMES LEE

16 ac

4 ac

20 ac

7810

Mamie L. Harbaugh

Kenneth Ohlinger

Kenneth Ohlinger

20

Kenneth Ohlinger

House w/ well

6000

6

Floyd Goss

Michael A. O'Dell
Toni L. O'Dell
300'
650'
37'

FRANK A. BORNEMAN

P/U