

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

DEC 15 2020

WATER RESOURCES
WESTERN REGION

Notice of Change in Water Right Ownership

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, see #6 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
57-7	Yes ☒	Yes ☐		Yes ☐	Yes ☐
57-1016	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Richard Brandaw, Connie Brandaw, Mike Henderson, Judy Henderson
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Gary and/or Sherry Perry
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☒ and/or
- 10196 Wilson Cemetery Ln Wilson ID 83641
Mailing address City State ZIP
- 208 495-1135 cell 208-697-8859 Sg Perry 2018@gmail.com
Telephone Email

4. If the water rights and/or adjudication claims were split, how did the division occur?
- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
- ☒ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

5. Date you acquired the water rights and/or claims listed above: 2005

6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed IRS Form W-9 for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed Lessor Designation form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).

7. This form must be signed and submitted with the following **REQUIRED** items:
- ☒ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
- ☒ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
- ☒ Filing fee (see instructions for further explanation):
- ☐ \$25 per *undivided* water right.
 - ☐ \$100 per *split* water right.
 - ☐ No fee is required for pending adjudication claims.
- ☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
- ☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

SUPPORT DATA

IN FILE # 57-7

8. Signature: [Signature] 12/15/2020
Signature of new owner/claimant Title, if applicable Date

Signature: _____ Title, if applicable _____ Date _____
Signature of new owner/claimant

For IDWR Office Use Only:

Received by LE Date 12/15/2020 Receipt No. W048951 Receipt Amt. \$125.00

Active in the Water Supply Bank? Yes ☐ No ☒ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☒

Name on W-9 _____ Approved by LE Processed by LE/SN Date 06/07/2021

QUITCLAIM DEED

FOR VALUE RECEIVED

RICHARD AND/OR CONNIE BRANDAU

do hereby convey, release, remise and forever quit claim

unto GARY M. AND/OR SHERRY L. PENNY

whose address is 10196 WILSON CEMETERY LANE. WILSON IDAHO 83641

the following described premises, to-wit:

EXHIBIT "A"

EXHIBIT "B"

Instrument # 254637

MURPHY, OWYHEE, IDAHO

2005-12-30

03:46:11 No. of Pages: 4

Recorded for : CONNIE BRANDAU

CHARLOTTE SHERBURN

Fee: 12.00

Ex-Officio Recorder Deputy

Index to: DEED, QUIT-CLAIM

B. Evans

together with their appurtenances.

Dated: 30th of December, 2005

Connie Brandau

Richard Brandau

STATE OF IDAHO, COUNTY OF

On this 30th day of December, 2005,
before me, a notary public in and for said State, personally
appeared

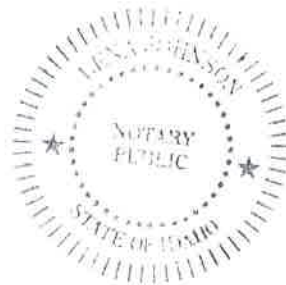
Richard Brandau and
Connie Brandau

known to me to be the persons whose names are
subscribed to the within instrument, and acknowledged to
me that they executed the same.

Aca Jca
Notary Public

Residing at Nampa, Idaho

Comm. Expires 5/3/07



PIONEER TITLE COMPANY
OF CANYON COUNTY

610 So. Kimball
Caldwell, Idaho 83605

100 - 10th Ave. South
Nampa, Idaho 83651

Exhibit "A"

A parcel of land being a portion of the Southeast Quarter of the Southeast Quarter and the East One-Half of the Northeast Quarter of the Southeast Quarter of Section 10 and a portion of the Northwest Quarter of the Southwest Quarter of Section 11, Township 1 South, Range 3 West, Boise Meridian, Owyhee County, Idaho, more particularly described as follows:

BEGINNING at the Southeast corner of said Southeast Quarter of the Southeast Quarter (Section corner common to 10, 11, 14, and 15) said corner monumented with a 3-inch diameter aluminum disk; thence

North 89° 51' 57" West, a distance of 28.00 feet along the Southerly boundary of said Southeast Quarter of the Southeast Quarter of Section 10, said corner monumented with a 5/8 inch diameter iron pin; thence

North 24° 55' 04" West, a distance of 1458.04 feet to the Southwest corner of said East One-Half of the Northeast Quarter of the Southeast Quarter of Section 10, said corner monumented with a 5/8 inch diameter iron pin; thence

North 00° 51' 58" East, a distance of 1320.93 feet along the Westerly boundary of said East One-Half of the Northeast Quarter of the Southeast Quarter of Section 10 to the Northwest corner of said East One-Half of the Northeast Quarter of the Southeast Quarter of Section 10, corner monumented with a 5/8 inch diameter iron pin; thence

South 89° 23' 36" East, a distance of 662.57 feet along the Northerly boundary of said East One-Half of the Northeast Quarter of the Southeast Quarter of Section 10 to the Northwest corner of said Northwest Quarter of the Southwest Quarter of Section 11, corner monumented with a 3-inch diameter aluminum disk; thence

South 25° 53' 54" East, a distance of 1475.01 feet to the Southeast corner of the West One-Half of the Northwest Quarter of the Southwest Quarter of Section 11, said corner monumented with a 5/8 inch diameter iron pin; thence

North 89° 14' 19" West, a distance of 664.36 feet along the Southerly boundary of said West One-Half of the Northwest Quarter of the Southwest Quarter of Section 11 to the Southwest corner of said West One-Half of the Northwest Quarter of the Southwest Quarter of Section 11 monumented with a 3-inch diameter aluminum disk; thence

South 00° 52' 30" West, a distance of 1318.27 feet along the Easterly boundary of said Southeast Quarter of the Southeast Quarter of Section 10 to the POINT OF BEGINNING.

Reserving therefrom a 28.00 foot ingress-egress and utility easement more particularly described as follows:

BEGINNING at the Southeast corner of said Southeast Quarter of the Southeast Quarter (Section corner common to 10, 11, 14; and 15) said corner monumented with a 3-inch diameter aluminum disk; thence

North 89° 51' 57" West, a distance of 28.00 feet along the Southerly boundary of said Southeast Quarter of the Southeast Quarter of Section 10 to a point; thence

North 00° 52' 30" East, a distance of 1318.38 feet parallel with and 28.00 feet Westerly of said Easterly boundary to a point on the Northerly boundary of said Southeast Quarter of the Southeast Quarter of Section 10; thence

North 00° 52' 19" East, a distance of 28.00 feet parallel with and 28.00 feet Westerly of the Easterly boundary of the Northeast Quarter of the Southeast Quarter of Section 10

to a point; thence

South $89^{\circ} 37' 49''$ East, a distance of 28.00 feet parallel with and 28.00 feet Northerly of the Southerly boundary of said Northeast Quarter of the Southeast Quarter of Section 10 to a point on the Easterly boundary of said Northeast Quarter of the Southeast Quarter of Section 10; thence

South $89^{\circ} 14' 19''$ East, a distance of 650.25 feet parallel with and 28.00 feet Northerly of the Southerly boundary of the Northwest Quarter of the Southwest Quarter of Section 11 to a point; thence

South $25^{\circ} 53' 54''$ East, a distance of 31.33 feet to the Southeast corner of the West One-Half of the Northwest Quarter of the Southwest Quarter of Section 11; thence

North $89^{\circ} 14' 19''$ West, a distance of 664.36 feet along the Southerly boundary of said West One-Half of the Northwest Quarter of the Southwest Quarter of Section 11 to the Southwest corner of said West One-Half of the Northwest Quarter of the Southwest Quarter of Section 11; thence

South $00^{\circ} 52' 30''$ West, a distance of 1318.27 feet along the Easterly boundary of the Southeast Quarter of the Southeast Quarter of Section 10 to the POINT OF BEGINNING.

TOGETHER WITH to a 28.00 foot ingress-egress and utility easement more particularly described as follows:

BEGINNING at the Northeast corner of the Northeast Quarter of the Northeast Quarter (Section corner common to 10, 11, 14, and 15) said corner monumented with a 3-inch diameter aluminum disk; thence

South $00^{\circ} 37' 52''$ West, a distance of 50.00 feet along the Easterly boundary of said Northeast Quarter of the Northeast Quarter of Section 15 to a point; thence

North $89^{\circ} 51' 57''$ West, a distance of 28.00 feet parallel with and 28.00 feet Southerly of the Northerly boundary of said Northeast Quarter of the Northeast Quarter of Section 15 to a point; thence

North $00^{\circ} 37' 52''$ East, a distance of 50.00 feet parallel with and 28.00 feet Westerly of the Easterly boundary of said Northeast Quarter of the Northeast Quarter of Section 15 to a point on the Northerly boundary of said Northeast Quarter of the Northeast Quarter of Section 15; thence

South $89^{\circ} 51' 57''$ East, a distance of 28.00 feet along said Northerly boundary to the POINT OF BEGINNING.

Exhibit "b:

**DESCRIPTION
FOR A 50 FOOT WIDE INGRESS-EGRESS,
UTILITY AND LIVESTOCK DRIVEWAY EASEMENT**

An easement being a portion of the NE1/4 SE1/4 of Section 10, Township 1 South, Range 3 West, Boise Meridian, Owyhee County Idaho, more particularly described as follows:

BEGINNING at the northwest corner of the E1/2 NE1/4 SE1/4 of Section 10, said corner monumented with a 5/8-inch diameter iron pin;

Thence South 89 degrees 23' 36" East, a distance of 662.57 feet along the northerly boundary of said E1/2 NE1/4 SE1/4 of Section 10 to the northwest corner of said NW1/4 SW1/4 of Section 11, corner monumented with a 3 inch aluminum disk.

Thence South 25 degrees 53' 54" East, diagonally, a distance of 55 feet more or less to a point;

Thence West 665 feet on a line parallel to and 500.00 feet from the northerly boundary of said E1/2 NE1/4 SE1/4 to a point on the westerly boundary of said E1/2 NE1/4 SE1/4;

Thence North 00 degrees 51' 58" East a distance of 50.00 feet to the POINT OF BEGINNING.

This 50 foot wide by 663 foot long easement is for the exclusive personal use by the Brandaus to access their private property which lies in the W1/2 of the NE1/4 SE1/4 Section 10 and the N1/2 of the NW1/4 Sw1/4 Section 11, Township 1 South, Range 3 West, Boise Meridian, Owyhee County Idaho.



POLICY OF TITLE INSURANCE



ISSUED BY

First American Title Insurance Company

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE B AND THE CONDITIONS AND STIPULATIONS, FIRST AMERICAN TITLE INSURANCE COMPANY, a California corporation, herein called the Company, insures, as of Date of Policy shown in Schedule A, against loss or damage, not exceeding the Amount of Insurance stated in Schedule A, sustained or incurred by the insured by reason of:

1. Title to the estate or interest described in Schedule A being vested other than as stated therein;
2. Any defect in or lien or encumbrance on the title;
3. Unmarketability of the title;
4. Lack of a right of access to and from the land.

The Company will also pay the costs, attorneys' fees and expenses incurred in defense of the title, as insured, but only to the extent provided in the Conditions and Stipulations.

First American Title Insurance Company

2/1/92

REF: 200500738
J2017285

(This policy not valid unless countersigned by PIONEER TITLE COMPANY OF CANYON COUNTY)

FIRST AMERICAN TITLE INSURANCE COMPANY
Countersigned by
Pioneer Title Company of Canyon County


Michael D. Thill, Title Officer

SCHEDULE A

Order No.: **200500738**

Policy No.: **J2017285**

Form No. 1402.92 (10/17/92)

Amount of Insurance: **\$130,000.00**

Premium: **\$521.25**

Date of Policy: **December 30, 2005 @ 3:53 p.m.**

1. Name of Insured:

GARY M. and SHERRY L. PENNY

2. The estate or interest in the land which is covered by this policy is:

Fee Simple

3. Title to the estate or interest in the land is vested in:

GARY M. and SHERRY L. PENNY

4. The land referred to in this policy is described as follows:

See Attached Exhibit "A"

Exhibit "A"

A parcel of land being a portion of the Southeast Quarter of the Southeast Quarter and the East One-Half of the Northeast Quarter of the Southeast Quarter of Section 10 and a portion of the Northwest Quarter of the Southwest Quarter of Section 11, Township 1 South, Range 3 West, Boise Meridian, Owyhee County, Idaho, more particularly described as follows:

BEGINNING at the Southeast corner of said Southeast Quarter of the Southeast Quarter (Section corner common to 10, 11, 14, and 15) said corner monumented with a 3-inch diameter aluminum disk; thence

North 89° 51' 57" West, a distance of 28.00 feet along the Southerly boundary of said Southeast Quarter of the Southeast Quarter of Section 10, said corner monumented with a 5/8 inch diameter iron pin; thence

North 24° 55' 04" West, a distance of 1458.04 feet to the Southwest corner of said East One-Half of the Northeast Quarter of the Southeast Quarter of Section 10, said corner monumented with a 5/8 inch diameter iron pin; thence

North 00° 51' 58" East, a distance of 1320.93 feet along the Westerly boundary of said East One-Half of the Northeast Quarter of the Southeast Quarter of Section 10 to the Northwest corner of said East One-Half of the Northeast Quarter of the Southeast Quarter of Section 10, corner monumented with a 5/8 inch diameter iron pin; thence

South 89° 23' 36" East, a distance of 662.57 feet along the Northerly boundary of said East One-Half of the Northeast Quarter of the Southeast Quarter of Section 10 to the Northwest corner of said Northwest Quarter of the Southwest Quarter of Section 11, corner monumented with a 3-inch diameter aluminum disk; thence

South 25° 53' 54" East, a distance of 1475.01 feet to the Southeast corner of the West One-Half of the Northwest Quarter of the Southwest Quarter of Section 11, said corner monumented with a 5/8 inch diameter iron pin; thence

North 89° 14' 19" West, a distance of 664.36 feet along the Southerly boundary of said West One-Half of the Northwest Quarter of the Southwest Quarter of Section 11 to the Southwest corner of said West One-Half of the Northwest Quarter of the Southwest Quarter of Section 11 monumented with a 3-inch diameter aluminum disk; thence

South 00° 52' 30" West, a distance of 1318.27 feet along the Easterly boundary of said Southeast Quarter of the Southeast Quarter of Section 10 to the **POINT OF BEGINNING**.

Reserving therefrom a 28.00 foot ingress-egress and utility easement more particularly described as follows:

BEGINNING at the Southeast corner of said Southeast Quarter of the Southeast Quarter (Section corner common to 10, 11, 14; and 15) said corner monumented with a 3-inch diameter aluminum disk; thence

North 89° 51' 57" West, a distance of 28.00 feet along the Southerly boundary of said Southeast Quarter of the Southeast Quarter of Section 10 to a point; thence

North 00° 52' 30" East, a distance of 1318.38 feet parallel with and 28.00 feet Westerly of said Easterly boundary to a point on the Northerly boundary of said Southeast Quarter of the Southeast Quarter of Section 10; thence

North 00° 52' 19" East, a distance of 28.00 feet parallel with and 28.00 feet Westerly of the Easterly boundary of the Northeast Quarter of the Southeast Quarter of Section 10 to a point; thence

South 89° 37' 49" East, a distance of 28.00 feet parallel with and 28.00 feet Northerly of the Southerly boundary of said Northeast Quarter of the Southeast Quarter of Section 10 to a point on the Easterly boundary of said Northeast Quarter of the Southeast Quarter of Section 10; thence

South 89° 14' 19" East, a distance of 650.25 feet parallel with and 28.00 feet Northerly of the Southerly boundary of the Northwest Quarter of the Southwest Quarter of Section 11 to a point; thence

South 25° 53' 54" East, a distance of 31.33 feet to the Southeast corner of the West One-Half of the Northwest Quarter of the Southwest Quarter of Section 11; thence

North 89° 14' 19" West, a distance of 664.36 feet along the Southerly boundary of said West One-Half of the Northwest Quarter of the Southwest Quarter of Section 11 the Southwest corner of said West One-Half of the Northwest Quarter of the Southwest Quarter of Section 11; thence

South 00° 52' 30" West, a distance of 1318.27 feet along the Easterly boundary of the Southeast Quarter of the Southeast Quarter of Section 10 to the POINT OF BEGINNING.

TOGETHER WITH to a 28.00 foot ingress-egress and utility easement more particularly described as follows:

BEGINNING at the Northeast corner of the Northeast Quarter of the Northeast Quarter (Section corner common to 10, 11, 14, and 15) said corner monumented with a 3-inch diameter aluminum disk; thence

South 00° 37' 52" West, a distance of 50.00 feet along the Easterly boundary of said Northeast Quarter of the Northeast Quarter of Section 15 to a point; thence

North 89° 51' 57" West, a distance of 28.00 feet parallel with and 28.00 feet Southerly of the Northerly boundary of said Northeast Quarter of the Northeast Quarter of Section 15 to a point; thence

North 00° 37' 52" East, a distance of 50.00 feet parallel with and 28.00 feet Westerly of the Easterly boundary of said Northeast Quarter of the Northeast Quarter of Section 15 to a point on the Northerly boundary of said Northeast Quarter of the Northeast Quarter of Section 15; thence

South 89° 51' 57" East, a distance of 28.00 feet along said Northerly boundary to the POINT OF BEGINNING.

SCHEDULE B

Order No.: 200500738

Policy No.: J2017285

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

PART I

SECTION I

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
2. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
3. Easements, claims or easement or encumbrances which are not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water whether or not the matters excepted under (a), (b), or (c) are shown by the public records.
6. Any lien, or right to a lien, for services, labor or material theretofore or hereafter furnished, imposed by law and not shown by the public records.

SECTION II

7. **TAXES FOR THE YEAR 2005 ARE PAID IN FULL.**
8. **Liens and assessments of Reynolds Irrigation District, and the rights and powers of said district as by law provided. No search made.**
9. **Easement granted to IDAHO POWER COMPANY, recorded October 16, 1952 in Book 43 of Deeds, Page 262, Owyhee County Records.**

10. Easement granted to IDAHO POWER & LIGHT COMPANY, a corporation, recorded August 6, 1980 as Instrument No. 164705, records of Owyhee County, Idaho.
11. Easement for existing access road commonly referred to as Cemetery Lane as reserved in the deed from HENRY BRANDAU, etux recorded November 12, 1997 as Instrument No. 223290 and the deed from RICHARD H. BRANDAU, etux, recorded November 12, 1997 as Instrument No. 223291, records of Owyhee County, Idaho.
12. All matters, covenants, conditions, restrictions, easements and any rights, interests or claims which may exist by reason thereof, disclosed by Record of Survey recorded March 29, 2002, as instrument no. 239113, records of Owyhee County, Idaho, but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race , color, religion, sex, handicap, familial status or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604(c).
13. Right of way for public roads including but not limited to Cemetery Road/Lane.
14. Assertion of right of way by RICHARD BRANDAU and other parties recorded January 26, 1995 as Instrument No. 214785, February 3, 1995 as Instrument No. 214837, 214838, 214839, recorded November 14, 1994 as Instrument No. 214158, recorded July 28, 1995 as Instrument No. 216237 and recorded October 31, 1995 as Instrument No. 217070, records of Owyhee County, Idaho.
15. All matters, covenants, conditions, restrictions, easements and any rights, interests or claims which may exist by reason thereof, disclosed by Record of Survey recorded July 29, 2005, as instrument no. 252748, records of Owyhee County, Idaho, but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race , color, religion, sex, handicap, familial status or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604(c).
16. All matters, covenants, conditions, restrictions, easements and any rights, interests or claims which may exist by reason thereof, disclosed by Record of Survey recorded September 27, 2005, as instrument no. 253529, records of Owyhee County, Idaho, but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race , color, religion, sex, handicap, familial status or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604(c).
17. Easement for Ingress-Egress, Utility and Livestock Driveway Easement granted to Richard and Connie Brandau, recorded December 30, 2005 as Instrument No. 254637, records of Owyhee County, Idaho.

"NOTHING FURTHER"

EARL, MASON & STANFIELD INC.

PROFESSIONAL ENGINEERS, LAND SURVEYORS & PLANNERS
314 BADIOLA STREET
CALDWELL, IDAHO 83605

TELEPHONE: (208) 454-0256
FAX: (208) 454-0979
Email: dholzhey@emands.net

FOR: Gary Penny
JOB NO.: JY0405
DATE: July 28, 2005

**PROPERTY DESCRIPTION
PARCEL 1**

A parcel of land being a portion of the SE1/4 SE1/4 and the E1/2 NE1/4 SE1/4 of Section 10 and a portion of the NW1/4 SW1/4 of Section 11, Township 1 South, Range 3 West, Boise Meridian, Owyhee County Idaho, more particularly described as follows:

BEGINNING at the southeast corner of said SE1/4 SE1/4 (Section corner common to 10, 11, 14, and 15) said corner monumented with a 3-inch diameter aluminum disk;

Thence N. 89° 51' 57" W., a distance of 28.00 feet along the southerly boundary of said SE1/4 SE1/4 of Section 10, said corner monumented with a 5/8-inch diameter iron pin;

Thence N. 24° 55' 04" W., a distance of 1458.04 feet to the southwest corner of said E1/2 NE1/4 SE1/4 of Section 10, said corner monumented with a 5/8-inch diameter iron pin;

Thence N. 00° 51' 58" E., a distance of 1320.93 feet along the westerly boundary of said E1/2 NE1/4 SE1/4 of Section 10 to the northwest corner of said E1/2 NE1/4 SE1/4 of Section 10, corner monumented with a 5/8-inch diameter iron pin;

Thence S. 89° 23' 36" E., a distance of 662.57 feet along the northerly boundary of said E1/2 NE1/4 SE1/4 of Section 10 to the northwest corner of said NW1/4 SW1/4 of Section 11, corner monumented with a 3-inch diameter aluminum disk;

Thence S. 25° 53' 54" E., a distance of 1475.01 feet to the southeast corner of the W1/2 NW1/4 SW1/4 of Section 11, said corner monumented with a 5/8-inch diameter iron pin;

Thence N. 89° 14' 19" W., a distance of 664.36 feet along the southerly boundary of said W1/2 NW1/4 SW1/4 of Section 11 to the southwest corner of said W1/2 NW1/4 SW1/4 of Section 11 monumented with a 3-inch diameter aluminum disk;



EARL, MASON & STANFIELD, INC.
SURVEYORS, ENGINEERS & PLANNERS
Page 2

Thence S. 00° 52' 30" W., a distance of 1318.27 feet along the easterly boundary of said SE1/4 SE1/4 of Section 10 to the **POINT OF BEGINNING**.

This parcel contains 40.57 acres more or less.

This parcel is subject to all easements and rights-of-way of record or implied.

Also, this parcel is **SUBJECT TO** a 28.00-foot ingress-egress and utility easement more particularly described as follows:

BEGINNING at the southeast corner of said SE1/4 SE1/4 (Section corner common to 10, 11, 14, and 15) said corner monumented with a 3-inch diameter aluminum disk;

Thence N. 89° 51' 57" W., a distance of 28.00 feet along the southerly boundary of said SE1/4 SE1/4 of Section 10 to a point;

Thence N. 00° 52' 30" E., a distance of 1318.38 feet parallel with and 28.00 feet westerly of said easterly boundary to a point on the northerly boundary of said SE1/4 SE1/4 of Section 10;

Thence N. 00° 52' 19" E., a distance of 28.00 feet parallel with and 28.00 feet westerly of the easterly boundary of the NE1/4 SE1/4 of Section 10 to a point;

Thence S. 89° 37' 49" E., a distance of 28.00 feet parallel with and 28.00 feet northerly of the southerly boundary of said NE1/4 SE1/4 of Section 10 to a point on the easterly boundary of said NE1/4 SE1/4 of Section 10;

Thence S. 89° 14' 19" E., a distance of 650.25 feet parallel with and 28.00 feet northerly of the southerly boundary of the NW1/4 SW1/4 of Section 11 to a point;

Thence S. 25° 53' 54" E., a distance of 31.33 feet to the southeast corner of the W1/2 NW1/4 SW1/4 of Section 11;

Thence N. 89° 14' 19" W., a distance of 664.36 feet along the southerly boundary of said W1/2 NW1/4 SW1/4 of Section 11 the southwest corner of said W1/2 NW1/4 SW1/4 of Section 11;



Thence S. $00^{\circ} 52' 30''$ W., a distance of 1318.27 feet along the easterly boundary of the SE1/4 SE1/4 of Section 10 to the **POINT OF BEGINNING**.

Also, this parcel is **TOGETHER WITH** to a 28.00-foot ingress-egress and utility easement more particularly described as follows:

BEGINNING at the northeast corner of the NE1/4 NE1/4 (Section corner common to 10, 11, 14, and 15) said corner monumented with a 3-inch diameter aluminum disk;

Thence S. $00^{\circ} 37' 52''$ W., a distance of 50.00 feet along the easterly boundary of said NE1/4 NE1/4 of Section 15 to a point;

Thence N. $89^{\circ} 51' 57''$ W., a distance of 28.00 feet parallel with and 28.00 southerly of the northerly boundary of said NE1/4 NE1/4 of Section 15 to a point;

Thence N. $00^{\circ} 37' 52''$ E., a distance of 50.00 feet parallel with and 28.00 westerly of the easterly boundary of said NE1/4 NE1/4 of Section 15 to a point on the northerly boundary of said NE1/4 NE1/4 of Section 15;

Thence S. $89^{\circ} 51' 57''$ E., a distance of 28.00 feet along said northerly boundary to the **POINT OF BEGINNING**.

All according to the record of survey as recorded in the Office of the Owyhee County Recorder.





State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 W AIRPORT WAY • BOISE, ID 83705-5082

Phone: (208)334-2190 • Fax: (208)334-2348 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

June 24, 2021

GARY M PENNY
SHERRY L PENNY
10196 WILSON CEMETERY RD
MELBA ID 83641-4245

Re: Change in Water Right Ownership: 57-7 (split into 57-12069), 57-1016

Dear Water Right Holders:

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of a portion of the above referenced water rights to you. The Department has modified its records based on the information received and has enclosed a computer-generated report for you. Water right no. 57-1016 has been changed to your ownership in its entirety. Water right no. 57-7 has been split, and you have been assigned the new split water right no. 57-12069.

Your portion of each water right has a specified point of diversion, nature of use and place of use. If you plan to change the authorized point of diversion, nature of use, or place of use, including adding a new point of diversion, you must file an Application for Transfer of Water Right. If you do not plan to change any elements of your water right, then no further action is required at this time.

The portion of the water right retained by the original right holder retains the original water right number. The Department is sending the original right holder a copy of this letter and a computer-generated report showing the changes to the original water right.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Idaho Code §§ 42-222 and 42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department, or from the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208) 334-2190.

Sincerely,

A handwritten signature in black ink, appearing to read 'Lynne Evans'.

Lynne Evans
Office Specialist II

Enclosure

c: RICHARD BRANDAU, CONNIE M BRANDAU



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

December 8, 2020

GARY PENNY
10196 WILSON CEMETERY LN
MELBA ID 83641

RE: Water Right Nos: 57-7, 57-1016

Dear Gary Penny:

I have enclosed a copy of the map and report for each of the two above mentioned water rights, as well as a Notice of Change in Water Right Ownership form. In order to change the water rights to your ownership, you'll need to submit the completed form listing the water rights to be changed and your contact information, as well as a copy of your deed to the property and the appropriate fee. If you have any questions as you're filling out the form, please get in touch and we'll be happy to assist.

Water right no. **57-1016** can be transferred to your ownership in its entirety, and water right no. **57-7** will need to be split since it is spread across multiple properties. When the Department splits water right no. **57-7**, you will receive the portion that applies to your property only, and the remainder will be left in the ownership of the currently listed owner. The fee for both water rights, one split and one non-split, would be **\$125**. Checks can be made out to the Idaho Department of Water Resources, or IDWR.

If you have any questions regarding this matter, please contact our office at (208) 334-2190.

Sincerely,

Lynne Evans
Office Specialist II

Enclosures