

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUN 17 2019

Department of Water Resources
Eastern 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?
34-328A <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
34-10560 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
<i>WD for water right</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Orveata P Warner Revocable Family Trust
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): John D Brower & Teri L Brower, Trustees of The Brower Family Trust
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☒ and/or
- 4550 N US Highway 93 Mackay ID 83251
Mailing address City State ZIP
- 208-589-2589 and 208-588-3352 terilbrower@yahoo.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: April 18, 2019
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 # 34-328A

8. Signature: *John D Brower* Title, if applicable Date 6/13/19
Signature: *Teri L Brower* Title, if applicable Date 6-13-2019
Signature of new owner/claimant Signature of new owner/claimant

For IDWR Office Use Only:

Received by *JB* Date 6/17/19 Receipt No. E045080 Receipt Amt. \$50 -
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 *JB* Processed by *JB* Date 7/19/2019

copy of
present
RECEIVED
JUL 18 2019
Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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?
34-10560	Yes ☐	Yes ☐		Yes ☐	Yes ☐
34-328A	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Orveata P Warner Revocable Family Trust
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): John D Brower & Teri L Brower, Trustees of The Brower Family Trust of 2016
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☒ and/or
4550 N US Highway 93 Mackay ID 83251
Mailing address City State ZIP
208-589-2589 terilbrower@yahoo.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: April 18, 2019
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):
 o \$25 per *undivided* water right.
 o \$100 per *split* water right.
 o 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.

8. Signature: John D Brower Teri L Brower 6/11/19
Signature of new owner/claimant Title, if applicable Date
Signature: Teri L Brower Trustee 6-13-2019
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by JB Date 7/18/2019 Receipt No. E045175 Receipt Amt. \$25 -
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 _____ Processed by _____ Date _____

July 15, 2019

Department of Water Resources
900 N Skyline Drive, Ste A
Idaho Falls, ID 83402

RECEIVED
JUL 18 2019
Department of Water Resources
Eastern Region

RE: Change in Water Right Ownership Water Right No. **34-328A**
Also 34-10560

Per a letter date June 18, 2019 from IDWR, Cher Ramos, and a phone conversation I had with her I am enclosing a deed for the water right #34-328A to add to the other documents sent in on June 13, 2019 which are on file with IDWR to show ownership of the water right. That this is not a split. John D Brower is the Grandson of Orveata Warner and also owns lands within the place of use. The intent is to keep the water right in the family with our Priority date of 6/1/1905 and continue to irrigate Orveata Warner Trust lands, Brower and Warner lands with this water. The Brower Family Trust, John D Brower and Teri L Brower, Trustees will be the "owners" of the water right as well as the users and maintainers of said water right. Please see enclosed **Deed of Water Right** dated July 1, 2019 and recorded July 11, 2019.

A check #160 for \$50 was sent on June 13, 2019 with other supporting documentation with original form, Notice of Change in Water Right ownership, a copy of which is enclosed. I have not received any notice of the change for 34-10560, domestic ground well. This was also on same form and the \$25 fee was part of Check #160 sent in on June 13, 2019. Deed #256377 shows our ownership of location of use, a copy enclosed again. Please send confirmation of that change please.

Enclosed is also a Notice of Security interest in Water Right form and check #188 for \$25. We would like to know any claims made on water right 34-328A past and future. Thank you.

If further information is needed, please let me know.

Sincerely,



Teri L Brower
208-589-2589

256701
Custer County Req. of
Teri Brower
Time 11:05 AM Date 7-11-2019
Lura H. Baker, Clerk
Tara Vagner \$ 15.00
Deputy

DEED OF WATER RIGHT

I, **Arva Jean Hodge**, Trustee of the Orveata P Warner Trust, whose address is 673 Packard Ave, Pocatello, Idaho 83201 the GRANTOR hereby grants, bargain, sell, and convey all right, title, interest and claim to the following **water right 34-328A with Priority date of 06/01/1905** located in Custer County, Idaho, plus any and all ditches and right of ways to run said water from point of origin to place(s) of use, to **John D Brower and Teri L Brower**, Trustees of THE BROWER FAMILY TRUST OF 2016 whose address is 4550 N US Highway 93, Mackay, Idaho 83251 the GRANTEEES for the purposes of owning, using and managing the entire water right that has been in our family since 1957.

IN WITNESS WHEREOF, the said Grantor has signed and sealed these presents the day and year first written below as their free act and deed.

Dated July 1 2019 at Pocatello, Idaho

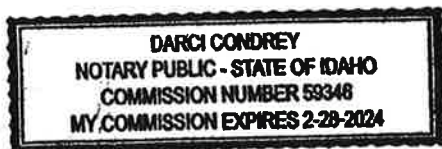
ORVEATA P. WARNER REVOKABLE FAMILY TRUST

By: Arva Jean Hodge Trustee Grantor
ARVA JEAN HODGE, Trustee Grantor

STATE of IDAHO)
: ss
County of Bannock

On this 2nd day of July, 2019, before me Darci Condrey the undersigned Notary Public in and for state, personally appeared Arva Jean Hodge, Trustee known or identified to me to be the persons whose names are subscribed to the within instrument as Grantor and acknowledged to me that she executed the same as such.

IN WITNESS whereof, I have here unto set my hand and seal the day and year first above written.



Darci Condrey

NOTARY PUBLIC FOR IDAHO

Residing at: Pocatello ID

My Commission expires 2/28/24

256376

#

Custer County Rec. of

Teri Brower

Time 10:20AM Date 4/18/2019

Lura H. Baker, Clerk

WARRANTY DEEDHuffman \$150
Deputy

For Value Received, **Arva Jean Hodge**, Trustee of the Orveata P Warner Trust, whose address is 673 Packard Ave, Pocatello, Idaho 83201 the GRANTOR hereby grants, bargain, sell, and convey all right, title, interest and claim to the following real property located in Custer County, Idaho further described below as Warner Trailer Remainder, to **John D Brower and Teri L Brower**, Trustees of THE BROWER FAMILY TRUST OF 2016 whose address is 4550 N US Highway 93, Mackay, Idaho 83251 the GRANTEEES for purposes of a Boundary Adjustment to Parcel number 4 which can be shown on Record of Survey, Instrument number 255730 in the Custer County Recorder's Office.

Warner Trailer Remainder Description

A parcel of land located in the NE1/4 of the SE1/4 of Section 18, Township 7 North, Range 24 East of the Boise Meridian, Custer County, Idaho, more particularly described as:

Commencing at the northeast corner (5/8" iron rod with aluminum cap stamped LS 907) of the NE1/4 of the SE1/4 of Section 18 from which the southeast corner (1" pipe) thereof bears
S 00°53'06" W 1341.21 feet, the basis of bearings for this description;
Thence S 00°53'06" W 612.34 feet along the east line of said NE1/4 of the SE1/4;
Thence N 89°06'54" W 208.74 feet to a point on the boundary of Deed Instrument No. 221453, and being marked by a 1/2" iron rod with cap stamped PLS 12222;
Thence S 71°51'23" W 186.20 feet along said boundary to its intersection with the easterly right of way of U.S. Highway 93, said point being marked by a 1/2" iron rod with cap stamped PLS 12222;
Thence N 41°39'10" W 523.90 feet along said right of way, said point being the POINT OF BEGINNING and being marked by a 5/8" iron rod set by LS3577; as the northwesterly corner of a 4 acre parcel as shown on Record of Survey #214776;
Thence N 41°39'10" W 117.43 feet along said highway right of way to a 1/2" iron rod with cap stamped PLS 12222;
Thence N 64°23'40" E 218.28 feet to a 1/2" iron rod with cap stamped PLS 12222;
thence N 90°00'00" E 160.16 feet to a 1/2" iron rod with cap stamped PLS 12222;
thence S 46°38'45" E 143.13 feet to a 1/2" iron rod with cap stamped PLS 12222;
thence S 07°21'50" E 90.32 feet to a 1/2" iron rod with cap stamped PLS 12222;
thence N 88°51'10" W 393.71 feet along said northerly boundary of said R.O.S. #214776 to the POINT OF BEGINNING;

Containing 1.564 acres.

TOGETHER WITH, all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, including but not limited to all water and water rights, ditch and ditch right-of-ways.

256374

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto said Grantees, their heirs and assigns forever. And the Grantor hereby covenants to and with the said Grantees that it is the owner in fee simple of said premises; that said premises are free and clear from all encumbrances except as hereinabove set forth, and that it will warrant and defend the same from all lawful claims whatsoever

IN WITNESS WHEREOF, the said Grantor has signed and sealed these presents the day and year first written below as their free act and deed.

Dated April 10 2019 at Pocitello, Idaho

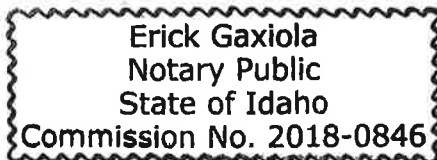
ORVEATA P. WARNER REVOKABLE FAMILY TRUST

By: Arva Jean Hodge Trustee Grantor
ARVA JEAN HODGE, Trustee Grantor

STATE of IDAHO }
: ss
County of Bannock

On this 10 day of April, 2019, before me Erick Gaxiola the undersigned Notary Public in and for state, personally appeared Arva Jean Hodge, Trustee known or identified to me to be the persons whose names are subscribed to the within instrument as Grantor and acknowledged to me that she executed the same as such.

IN WITNESS whereof, I have here unto set my hand and seal the day and year first above written.



Erick Gaxiola

NOTARY PUBLIC FOR IDAHO

Residing at: Bannock, Idaho

My Commission expires 05-10-2024

251377
Custer County Reg. of
Teri Brower
Time 10:20A Date 4/18/2019
Lura H. Baker, Clerk
Huffman \$1500
Deputy

WARRANTY DEED

255868
Custer County Reg. of
Teri Brower
Time 10:38A Date 4/15/2019
Lura H. Baker, Clerk
Huffman \$1500
Deputy

For Value Received, John Darnell Brower and Teri Lynne Brower, husband and wife, the GRANTORS, hereby grant, bargain, sell and convey unto JOHN D. BROWER and TERI L. BROWER, TRUSTEES OF THE BROWER FAMILY TRUST OF 2016, as community property, the GRANTEES, whose current address is 4550 N US Highway 93, Mackay, Idaho 83251, the following premises located in the County of Custer, State of Idaho described as follows:

A parcel of land located in the NE1/4 of the SE1/4 of Section 18, Township 7 North, Range 24 East of the Boise Meridian, Custer County, Idaho, more particularly described as:

Commencing at the northeast corner (5/8" iron rod with aluminum cap stamped LS 907) of the NE1/4 of the SE1/4 of Section 18 from which the southeast corner (1" pipe) thereof bears S 00°53'06" W 1341.21 feet, the basis of bearings for this description;
Thence S 00°53'06" W 612.34 feet along the east line of said NE1/4 of the SE1/4;
Thence N 89°06'54" W 208.74 feet to a point on the boundary of Deed Instrument No. 221453, said point being the POINT OF BEGINNING and being marked by a 1/2" iron rod with cap stamped PLS 12222;
Thence S 71°51'23" W 186.20 feet along said boundary to its intersection with the easterly right of way of U.S. Highway 93, said point being marked by a 1/2" iron rod with cap stamped PLS 12222;
Thence N 41°39'10" W 641.33 feet along said right of way to a point being marked by a 1/2" iron rod with cap stamped PLS 12222;
Thence N 64°23'40" E 218.28 feet to a 1/2" iron rod with cap stamped PLS 12222;
thence N 90°00'00" E 160.16 feet to a 1/2" iron rod with cap stamped PLS 12222;
thence S 46°38'45" E 143.13 feet to a 1/2" iron rod with cap stamped PLS 12222;
thence S 07°21'50" E 90.32 feet to a 1/2" iron rod with cap stamped PLS 12222;
thence S 89°05'56" E 135.66 feet to a 1/2" iron rod with cap stamped PLS 12222;
thence S 00°54'07" W 325.62 feet to the POINT OF BEGINNING;
Containing 4.564 acres.

SUBJECT TO and TOGETHER WITH: The following Easements, one as shown on Custer County Instrument #236473 a 20' Easement, and a 30-foot ingress/egress easement described as follows:

Commencing at the northeast corner (5/8" iron rod with aluminum cap stamped LS 907) of the NE1/4 of the SE1/4 of Section 18 from which the southeast corner (1" pipe) thereof bears S 00°53'06" W 1341.21 feet, the basis of bearings for this description;
Thence S 00°53'06" W 229.51 feet along the east line of said NE1/4 to a point being marked by a 1/2" iron rod with plastic cap stamped PLS 12222;
Thence S 88°58'10" W 141.30 feet along the south line of the above described parcel to the POINT OF BEGINNING; Thence S 00°31'42" W 351.83 feet to a point on the north line of an existing ingress/egress easement recorded as Instrument No. 236473;
Thence S 71°51'59" W 31.66 feet along said north line;
Thence N 00°31'42" E 361.15 feet to the south line of the above described parcel;
Thence N 88°58'10" E 30.01 feet along said south line to the POINT OF BEGINNING

255 868

256 377

TOGETHER WITH, all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, including but not limited to all water and water rights, ditch and ditch right-of-ways.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto said Grantees, their heirs and assigns forever. And the Grantor hereby covenants to and with the said Grantees that it is the owner in fee simple of said premises; that said premises are free and clear from all encumbrances except as hereinabove set forth, and that it will warrant and defend the same from all lawful claims whatsoever.

IN WITNESS WHEREOF, the said Grantors have signed and sealed these presents the day and year first written below as their free act and deed.

Dated November 20 2018 at Mackay, Idaho Pocatello, Idaho

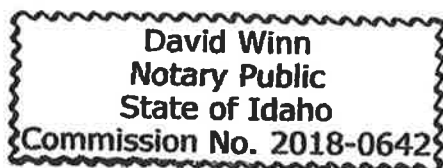
John Darnell Brower
John Darnell Brower

Teri Lynne Brower
Teri Lynne Brower

STATE of IDAHO }
 : SS
County of BANNOCK

On this 20th day of Nov, 2018, before me DAVID WINN the undersigned Notary Public in and for state, personally appeared John Darnell Brower and Teri Lynne Brower, known or identified to me to be the persons whose names are subscribed to the within instrument as Grantors and Grantees and acknowledged to me that they executed the same as such.

IN WITNESS whereof, I have here unto set my hand and seal the day and year first above written.



David Winn

NOTARY PUBLIC FOR IDAHO

Residing at: BANNOCK COUNTY IDAHO

My Commission expires 4/11/2024

256375

Custer County Reg. of

Teri Brower

Time 10:10 A M Date 4/18, 2019

Lura H. Baker, Clerk

Deputy

FOR
34-328A
right

255867

#

Custer County Reg. of

Teri Brower

Time 10:36 A M Date 4/15, 2019

Lura H. Baker, Clerk

Deputy

WARRANTY DEED

For Value Received, John Darnell Brower and Teri Lynne Brower, husband and wife, the GRANTORS, hereby grant, bargain, sell and convey unto JOHN D. BROWER and TERI L. BROWER, TRUSTEES OF THE BROWER FAMILY TRUST OF 2016, as community property, the GRANTEES, whose current address is 4550 N US Highway 93, Mackay, Idaho 83251, the following premises located in the County of Custer, State of Idaho described as follows:

A parcel of land located in the NE1/4 of the SE1/4 of Section 18, Township 7 North, Range 24 East of the Boise Meridian, Custer County, Idaho, more particularly described as:

BEGINNING at the northeast corner (5/8" iron rod with aluminum cap stamped LS 907) of the NE1/4 of the SE1/4 of Section 18 from which the southeast corner (1" pipe) thereof bears S 00°53'06" W 1341.21 feet, the basis of bearings for this description;
Thence S 00°53'06" W 229.51 feet along the east line of said NE1/4 to a point being marked by a 1/2" iron rod with plastic cap stamped PLS 12222;
Thence S 88°58'10" W 257.24 feet to a point being marked by a 1/2" iron rod with plastic cap stamped PLS 12222;
Thence N 00°54'11" E 229.51 feet a point on the north line of said NE1/4 of the SE1/4 being marked by a 5/8" iron rod with cap stamped LS 3577;
Thence N 88°58'10" E 257.17 feet to the POINT OF BEGINNING;

Containing 1.354 acre,

and being attached to the following described 30-foot ingress/egress easement:
Commencing at the northeast corner (5/8" iron rod with aluminum cap stamped LS 907) of the NE1/4 of the SE1/4 of Section 18 from which the southeast corner (1" pipe) thereof bears S 00°53'06" W 1341.21 feet, the basis of bearings for this description;
Thence S 00°53'06" W 229.51 feet along the east line of said NE1/4 to a point being marked by a 1/2" iron rod with plastic cap stamped PLS 12222;
Thence S 88°58'10" W 141.30 feet along the south line of the above described parcel to the POINT OF BEGINNING; Thence S 00°31'42" W 351.83 feet to a point on the north line of an existing ingress/egress easement recorded as Instrument No. 236473;
Thence S 71°51'59" W 31.66 feet along said north line;
Thence N 00°31'42" E 361.15 feet to the south line of the above described parcel;
Thence N 88°58'10" E 30.01 feet along said south line to the POINT OF BEGINNING

SUBJECT TO and TOGETHER WITH: The following Easement shown on Custer County Instrument #236473 a 20' Easement

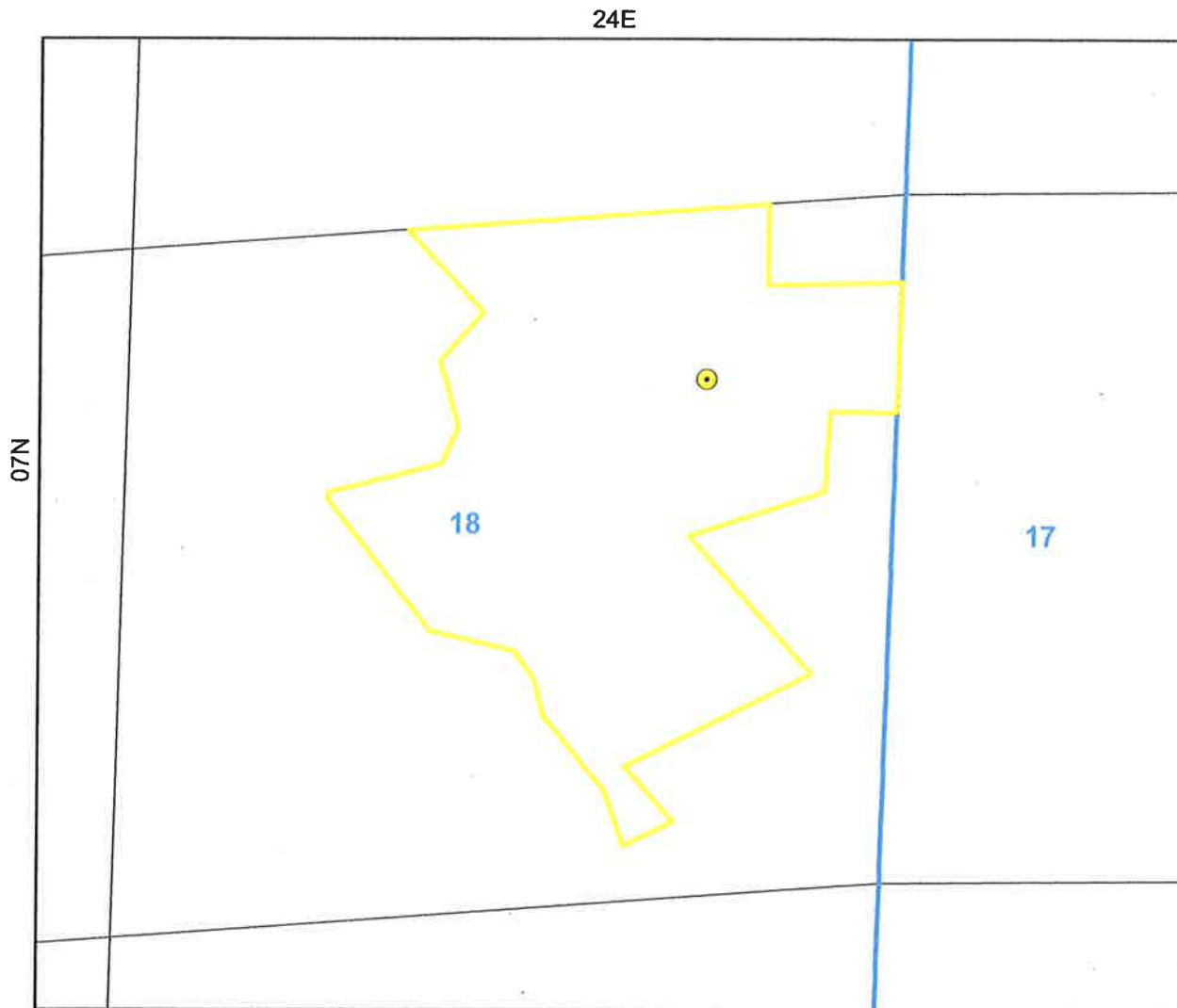
TOGETHER WITH, all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, including but not limited to all water and water rights, ditch and ditch right-of-ways.

State of Idaho
Department of Water Resources

Water Right
34-10560

DOMESTIC

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.0425 0.085 0.17 Miles

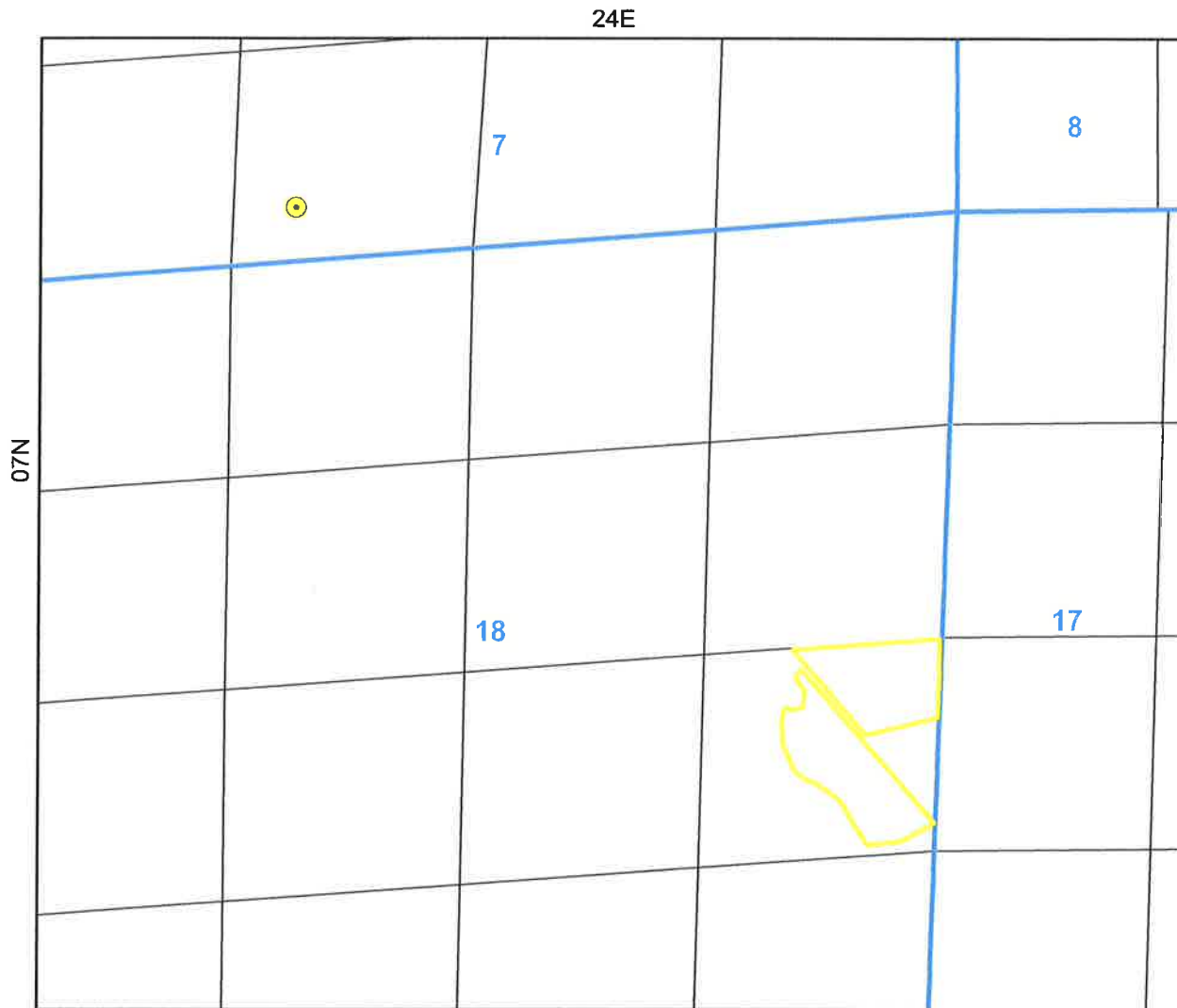


State of Idaho
Department of Water Resources

Water Right
34-328A

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.125 0.25 0.5 Miles



WARRANTY DEED

ORVEATA P. WARNER, widow of GEORGE T. WARNER, grantor of Mackay, Custer County, Idaho, hereby CONVEYS and WARRANTS to ORVEATA P. WARNER REVOCABLE FAMILY TRUST Orveata P. Warner Trustee, Co-Successor Trustees: Ardell Warner, Vonda P. Bruhn, and Arva Jean Hodge, grantee of Mackay, Custer County, Idaho, all my real estate located in Custer County, Idaho, together with all water rights, easements, ditches, more particularly described in the following three parcels:

Parcel A -- a tract of land containing approximately 2.0167 acres. Beginning at the NE $\frac{1}{4}$ Corner of the SE $\frac{1}{4}$ Sec 18 which is South 87° 28' ft West 1090 Ft to the Westerly Right-of-Way line of US Highway 93A, Southeast 334 ft, along the Highway Right-of-way line, thence West 41° 45' ft So 45 feet thence South 15° 15' ft West, 133 ft; thence North 24° 30' ft East, 76 feet; thence South 75° 35' ft West, 224 Ft; thence West 12 $\frac{1}{2}$ Ft to the Easterly Shoreline of Big Lost River at normal water level thence South Easterly along a meander line following the Easterly Shoreline of Big Lost River approximately 647 Feet, thence East 350 Feet to the Westerly Right-of-Way line of US highway 93A; Thence South Easterly 309' along the westerly right-Of-way of US Highway 93A; Thence West 350' more or less to the East Bank of the Big Lost River; Thence North Westerly along the Bank of said river 193' more or less to the River Bridge. A tract of land containing approximately 2.0167 acres. Located in Sec 18 Twnsp 7 N, R 24 E, S 18. *V.P.B. A.R.W. A.J.H. O.P.W.*

Parcel C -- A tract of land containing approximately 1.05 acres more or less known as Cresswood Commencing at the East 1/4 corner of Section 18, T.7 N, R 24 EBM; thence 87° 28' W, along the latitudinal center line of said Section 18, West 1090 ft to an intersection with the westerly right-of-way of US Highway 93A; Thence 44° 30' E, along the said westerly ROW line 974.5 ft; Thence S 42° 50' W, 399.9 ft to the Westerly bank of the Big Lost River; Thence S 39° 02' E 180 ft; Thence S 19° 39' E 156 ft; Thence S 16° 02' E, 164 ft to the point of beginning; Thence S 55° 30' West, 220 ft to the Southwesterly Bank of a flowing Spring; Thence South Easterly along said South Westerly Bank, 400 ft more or less to the Westerly bank of the Big Lost River; Thence Northwesterly along the said Westerly Bank, 346 ft more or less to the point of beginning; A tract of land in the SE Sec 18, T.7 N R 24 EBM, and contains 1.05 acre more or less.

Easement: Tract of land in Sec 18 Twnsp 7 N, R 24 EBM. *V.P.B. A.R.W. A.J.H. O.P.W.*
EASEMENT: Beginning, for a tie, at the East Quarter Corner of said Section 18; thence S. 87° 28' W., along the latitudinal center line of such section, 1090 feet to the Westerly line of Highway 93A; Thence S 44° 30' E. along said Westerly line 974.5 feet, to the True Point of beginning of the subject center line, which then runs from highway 93A S. 42° 50' W, 399.5 feet to the Westerly bank of the Big Lost River, and is appurtenant to and grants ingress and egress to the lands on the Easterly bank of such river.

A perpetual easement for road purposes, 50 feet in width.

Parcel B -- a tract of land containing approximately 10.1 acres East of Highway 93A, and a tract of land approximately 4.85 acres West of Highway Beginning at the NE $\frac{1}{4}$ Corner of the SE $\frac{1}{4}$ Sec 18 which is South 87° 28' ft West 1090 Ft to the Westerly Right-of-way line of US Highway 93A, Southeast 334 ft along the Highway Right-of-way line, thence West 41° 45' feet thence South 15° 15' ft West, 133 Feet; thence North 24° 30' ft East 76 feet; thence South 75° 35' ft West, 224 Feet; thence West 12 $\frac{1}{2}$ ft to the Easterly Shoreline of Big Lost River at normal water level thence South-Easterly along a meander line following the Easterly Shoreline of Big Lost River approximately 647 feet; thence East 350 feet to the Westerly Right-of Way line of US Highway 93A; Thence East 364 feet, thence North 155 ft, thence East 127 feet; thence North 427 feet to the point of beginning, containing 15 acres more or less, together with all water, and water rights, and ditches and ditch rights. Tract of land in Sec 18 Twnsp 7 N, R 24 EBM. *V.P.B. A.R.W. A.J.H. O.P.W.*

WARNER FAMILY TRUST

SCANNED

MAR 01 2004

Claim
#34-328A
and
#34-10560

IN WITNESS WHEREOF, we have hereunto set our hands this 1st day of
July, 1982.

SETTLOR:

Orveta P. Warner
Orveta P. Warner

TRUSTEE:

Orveta P. Warner
Orveta P. Warner

SUCCESSOR CO-TRUSTEES:

Ardell H. Warner
Ardell Warner

Vonda P. Bruhn
Vonda P. Bruhn

Arva Jean Hodge
Arva Jean Hodge

ON THE 20th DAY OF JULY, 1982,
PERSONALLY APPEARED BEFORE ME
ORVETA P. WARNER, THE SIGNER
OF THE ABOVE INSTRUMENT, WHO DULY
ACKNOWLEDGED TO ME THAT SHE EX-
ECUTED THE SAME.

[Signature]

WARNER FAMILY TRUST

RECORDED

MAR 22 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region • 900 N SKYLINE DR STE A • IDAHO FALLS, ID 83402-1718

Phone: (208)525-7161 • Fax: (208)525-7177 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

July 19, 2019

THE BROWER FAMILY TRUST
4550 N US HIGHWAY 93
MACKAY ID 83251-4400

Re: Change in Ownership for Water Right No(s): 34-328 A & 34-10560

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records and has enclosed a computer-generated report for you.

Also as we discussed a Notice of Security Interest was also filed, however there was no evidence of security interest attached. Per our conversation we are returning that application not complete. A refund for the \$25.00 file fee will be refunded. The refund will arrive in couple of weeks from the state office.

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) 497-3787.

Sincerely,

Jonie Barg
Technical Records Specialist 1

Enclosure(s)

cc: Water District 34
Bingham Ground Water District

Barg, Jonie

From: Barg, Jonie
Sent: Thursday, July 18, 2019 3:20 PM
To: Pline, Treva; Steed, Susan
Subject: Refund Request
Attachments: Receipt

*****This receipt has not been deposited yet. Likely will be deposited on or before July 19, 2019*****

Treva & Susan,

Good afternoon!!

I have a refund request as follows:

Receipt number: E045175
Amount: \$25.00
Payable to: John Brower
4550 N US Hwy 93
Mackay ID 83251

Reason: Total filing fee received \$25.00 for a security interest. The security interest was filed without evidence of security interest, therefore could not be complete. The applicant is entitled to a full refund.

Let me know if you need additional information.

Thank you so much for your time. Let me know if you have any questions.

Have a great day!!!

Jonie Barg

Jonie Barg
Technical Records Specialist
Idaho Department of Water Resources
900 N Skyline Ste A
Idaho Falls ID 83402
phone: (208) 525-7161
fax: (208) 525-7177
email: jonie.barg@idwr.idaho.gov