

RECEIVED

MAR 16 2016

DEPARTMENT OF  
WATER RESOURCESSTATE 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? |
|----------------------------|-----------------------------------------|------------------------------|-----------------------|------------------------------|------------------------------|
| 57-272                     | Yes <input checked="" type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
| 57-10603                   | Yes <input checked="" type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
| <i>split into 57-272</i>   | Yes <input type="checkbox"/>            | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
| <i>&amp; 57-11877</i>      | Yes <input type="checkbox"/>            | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
| <i>split into 57-10603</i> | Yes <input type="checkbox"/>            | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
| <i>&amp; 57-11878</i>      |                                         |                              |                       |                              |                              |

2. Previous Owner's Name: Jerry L. Benson and Sandra J. Benson

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Lathrop D. Callaway and Stacy R. Callaway

New owner(s) as listed on the conveyance document

Name connector

☐ and ☐ or ☒ and/or

9195 Poison Creek Road

Marsing

ID

83639

Mailing address

City

State

ZIP

208-880-7953

stacycallaway@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: \_\_\_\_\_

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.

SUPPORT DATA

IN FILE # 57-272

8. Signature: Lathrop D. Callaway

Signature of new owner/claimant

Title, if applicable

Date

3-14-2016Signature: Stacy R. Callaway

Signature of new owner/claimant

Title, if applicable

Date

3-14-2016

## For IDWR Office Use Only:

Received by SLBDate 3/16/16Receipt No. C101657Receipt Amt. \$200.00Active 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 [Signature]Date 5-12-16



**Pioneer Title Co.**  
GOING BEYOND

100 10th Avenue South  
Nampa, ID 83651

ELECTRONICALLY RECORDED-DO NOT  
REMOVE THE COUNTY STAMPED FIRST  
PAGE AS IT IS NOW INCORPORATED AS  
PART OF THE ORIGINAL DOCUMENT

File No. 585563 CH/TG

Instrument # 289028

MURPHY, OWYHEE, IDAHO  
2016-03-11 01:07:00 No. of Pages: 3  
Recorded for: PIONEER TITLE CANYON - CALDWEL  
ANGELA BARKELL Fee: \$16.00  
Ex-Officio Recorder Deputy: map  
Index To: DEED WARRANTY  
Electronically Recorded by Simplifile

## WARRANTY DEED

For Value Received

Faye Benson, a widow as her sole and separate property  
hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

Lathrop D. Callaway and Stacy R. Callaway, husband and wife  
hereinafter referred to as Grantee, whose current address is 9195 Poison Creek Rd. Marsing, ID 83639  
The following described premises, to-wit:

See Exhibit A attached hereto and made a part hereof.

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantees(s) heirs and assigns forever. And the said Grantor(s) does (do) hereby covenant to and with the said Grantee(s), the Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to U.S. Patent reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and current years taxes, levies, and assessments, includes irrigation and utility assessments, (if any) which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: March 7, 2016

Faye Benson  
Faye Benson

State of IDAHO, County of CANYON

On this 11th day of March in the year of 2016, before me, the undersigned, a Notary Public in and for said State, personally appeared Faye Benson known or identified to me to be the person/persons whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

Cari Heck  
Residing at: PARMA, ID  
Commission Expires: 11/2/2019

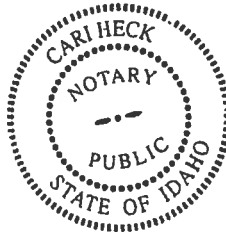


EXHIBIT A

Parcel I:

A portion of Section 27, Township 1 North, Range 3 West, Owyhee County, Idaho described as follows:

Commencing at the West Quarter Corner of said Section 27; thence

South 89°30'33" East, 1261.43 feet to a point; thence

North 00°42'01" East, 584.13 feet to a point on the Northerly right-of-way of the Marsing/Murphy Highway (State Highway #78); thence

350.68 feet along a curve to the right with a delta angle of 06°11'18", a radius of 3246.77 feet, a tangent of 175.51 feet, and a chord of 350.51 feet bearing North 55°11'34" West to a point, said point being the REAL POINT OF BEGINNING; thence

North 67°10'03" East, 571.73 feet to a point (see easement below); thence

South 07°57'19" East, 129.30 feet to a point; thence

South 54°03'06" West, 125.10 feet to a point; thence

South 12°13'15" East, 224.86 feet to a point; thence

North 45°50'00" East, 2188.57 feet to a point; thence the following courses along a meander line:

South 35°19'07" East, 927.18 feet;

South 12°23'21" East, 988.63 feet;

South 30°32'45" East, 477.55 feet; thence

North 89°30'33" West, 365.46 feet to a point; thence

South 49°26'20" West, 653.89 feet to a point; thence

North 61°25'36" West, 908.38 feet to a point; thence

South 28°34'24" West, 7.00 feet to a point; thence

North 61°25'36" West, 1089.59 feet to a point; thence

164.91 feet along a curve to the right with a delta angle of 02°56'38", a radius of 3209.57 feet, a tangent of 82.47 feet and a chord of 164.87 feet bearing North 60°46'56" West (per Instrument No. 230381, Elias Jaca R.O.S. Records of Owyhee County, Idaho) to a point; thence 350.68 feet along a curve to the right with a delta angle of 06°11'18", a radius of 3246.77 feet, a tangent of 175.51 feet, and a chord of 350.51 feet bearing North 55°11'34" West to a point, said point being the REAL POINT OF BEGINNING.

EXCEPTING THEREFROM the following 3 tracts:

Tract I:

A parcel of land situated in the Southwest Quarter of the Northwest Quarter and the Northwest Quarter of the Northwest Quarter and Government Lot 3 all of Section 27, and Government Lot 1 of Section 22, all in Township 1 North, Range 3 West, Boise Meridian, and more particularly described as follows:

COMMENCING at the Southeast corner of the Southwest Quarter of the Northwest Quarter of said Section 27; thence

North 0° 42'01" East along the Eastern boundary of the Southwest Quarter of the Northwest Quarter of said Section 27, a distance of 612.00 feet to the TRUE POINT OF BEGINNING; thence

North 32° 12'59" West (formerly North 32° 43' West), a distance of 564.70 feet; thence

North 31° 18'59" West (formerly North 31° 49' West), a distance of 486.00 feet; thence

North 0° 53'59" West (formerly North 01° 21' West), a distance of 474.63 feet; thence

North 45° 37'01" East, a distance of 1721.54 feet (formerly North 45° 07' East, a distance of 1721.9 feet);

thence

North 44° 36'01" East, a distance of 483.04 feet (formerly North 44° 06' East, a distance of 464.3 feet) to a point on the South bank of the Snake River and the Northerly boundary of Government Lot 1 of said Section 22;

thence

South 30° 38'59" East along the Northerly boundary of said Government Lot 1, a distance of 5.70 feet;

thence

South 44° 12'33" West, a distance of 481.60 feet; thence

South 45° 21'26" West, a distance of 772.16 feet; thence

South 45° 07'35" West, a distance 932.52 feet; thence

South 1° 23'56" East, a distance of 473.32 feet; thence

South 31° 37'49" East, a distance 468.95 feet; thence

South 32° 31'44" East, a distance of 458.49 feet; thence

South 39° 43'51" East, a distance of 49.34 feet to a point on the Eastern boundary of the Southwest Quarter

of the Northwest Quarter of said Section 27; thence

South 0°42'01" West along the Eastern boundary of the Southwest Quarter of the Northwest Quarter of said Section 27, a distance of 68.00 feet to the TRUE POINT OF BEGINNING.

Tract II:

A parcel of land located in Government Lots 2 and 3 of Section 27, Township 1 North, Range 3 West, Boise Meridian, Owyhee County, Idaho, described as follows:

Commencing at the West Quarter corner of said Section 27; thence

South 89° 30' 33" East, 2562.63 feet to a 5/8 inch rebar at the center ¼ corner of said Section 27 per CP&F 230378 and a Record of Survey by J.R. Weissrock dated January 15, 2003; thence,

North 02° 45' 18" East, 1738.46 feet to a 5/8 inch rebar in an existing fence line; thence,

South 48° 50' 06" East, 155.64 feet along said existing fence line to a ½ inch rebar; thence,

South 43° 07' 42" East, 397.26 feet to a ½ inch rebar at the POINT OF BEGINNING; thence,

North 51° 57' 33" East, 455.20 feet to a ½ inch rebar set in the Southwesterly meander line of the Snake River per said Record of Survey; thence,

South 35° 19' 07" East, 319.05 feet along said meander line to a ½ inch rebar; thence,

South 12° 23' 21" East, 289.85 feet along said meander line to a ½ inch rebar; thence,

South 33° 06' 03" West, 394.47 feet to a ½ inch rebar set at a corner of said existing fence line; thence,

North 40° 39' 32" West, 281.93 feet along said fence line to a ½ inch rebar; thence,

North 28° 29' 50" West, 431.81 feet along said fence line to the POINT OF BEGINNING.

Tract III:

A parcel of land located in Government Lot 3 of Section 27, Township 1 North, Range 3 West, Boise Meridian, Owyhee County, Idaho, described as follows:

Commencing at the West Quarter corner of said Section 27; thence

South 89° 30' 33" East, 2562.63 feet to a 5/8 inch rebar at the center ¼ corner of said Section 27 per CP&F 230378 and a Record of Survey by J.R. Weissrock dated January 15, 2003; thence

North 02° 45' 18" East, 1738.46 feet to a 5/8 inch rebar at the Point of Beginning; thence

North 45° 50' 00" East, 551.61 feet to a point in the Southwesterly meander line of the Snake River per said Record of Survey, said point marked by a 5/8 inch rebar witness corner 15.00 feet Southwesterly from said point; thence,

South 35° 19' 07" East, 608.13 feet along said Southwesterly meander line to a ½ inch rebar; thence,

South 51° 57' 33" West, 455.20 feet to a ½ inch rebar set in an existing fence line; thence,

North 43° 07' 42" West, 397.26 feet along said existing fence line to a ½ inch rebar set at an angle point in said fence line; thence,

North 48° 50' 06" West, 155.64 feet along said existing fence line to the POINT OF BEGINNING.

PARCEL II:

This parcel is situated in the Northwest Quarter of the Northwest Quarter and the Southwest Quarter of the Northwest Quarter of Section 27, Township 1 North, Range 3 West, of the Boise Meridian, Owyhee County, Idaho, and is more particularly described as follows:

COMMENCING at the Northwest corner of said Section 27; thence

South 0°20'54" West, along the West boundary of the said Section 27, a distance of 671.47 feet to a point on the Northeasterly right-of-way boundary of the Marsing-Murphy Highway; thence

South 29°46'00" East, along said right-of-way boundary a distance of 298.22 feet to a point of curve; thence

Southeasterly along said right-of-way boundary, a distance of 1233.75 feet along the arc of a curve to the left, having a radius of 3246.77 feet, a central angle of 21°46'19", a tangent of 624.41 feet, and a long chord which bears South 40°39'10" East, a distance of 1226.34 feet to the TRUE POINT OF BEGINNING; thence

North 58°29'28" East, a distance of 190.32 feet; thence

South 32°31'44" East, a distance of 216.42 feet; thence

South 39°43'51" East, a distance of 49.34 feet to a point on the East boundary of the said Southwest Quarter of the Northwest Quarter; thence

South 0°42'01" West along the East boundary of said Southwest Quarter of the Northwest Quarter, a distance of 95.83 feet to a point on the said Northeasterly right-of-way boundary of the Marsing-Murphy Highway; thence

Northwesterly along said right-of-way boundary, a distance of 99.76 feet along the arc of a curve to the right, having a radius of 3216.16 feet, a central angle of 1°46'38", a tangent of 49.88 feet and a long chord which bears North 57°37'00" West, a distance of 99.76 feet; thence

Northwesterly along said right-of-way boundary, a distance of 277.94 feet, along the arc of a curve to the right, having a radius of 3246.77 feet, a central angle of 4°54'17", a tangent of 130.05 feet, a long chord which bears North 53°59'27" West, a distance of 277.85 feet to the TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM the following described parcel:

A portion of Section 27, Township 1 North, Range 3 West, Owyhee County, Idaho described as follows:

Commencing at the West Quarter Corner of said Section 27; thence

South 89°30'33" East, 1261.43 feet to a point; thence

North 00°42'01" East, 584.13 feet to a point on the Northerly right-of-way of the Marsing/Murphy Highway (State Highway #78); thence

350.68 feet along a curve to the right with a delta angle of 06°11'18", a radius of 3246.77 feet, a tangent of 175.51 feet, and a chord of 350.51 feet bearing North 55°11'34" West to a point, said point being the REAL POINT OF BEGINNING; thence

North 67°10'03" East, 571.73 feet to a point (see easement below); thence

South 07°57'19" East, 129.30 feet to a point; thence

South 54°03'06" West, 125.10 feet to a point; thence

South 12°13'15" East, 224.86 feet to a point; thence

North 45°50'00" East, 2188.57 feet to a point; thence the following courses along a meander line:

South 35°19'07" East, 927.18 feet;

South 12°23'21" East, 988.63 feet;

South 30°32'45" East, 477.55 feet; thence

North 89°30'33" West, 365.46 feet to a point; thence

South 49°26'20" West, 653.89 feet to a point; thence

North 61°25'36" West, 908.38 feet to a point; thence

South 28°34'24" West, 7.00 feet to a point; thence

North 61°25'36" West, 1089.59 feet to a point; thence

164.91 feet along a curve to the right with a delta angle of 02°56'38", a radius of 3209.57 feet, a tangent of 82.47 feet and a chord of 164.87 feet bearing North 60°46'56" West (per Instrument No. 230381, Elias Jaca R.O.S. Records of Owyhee County, Idaho) to a point; thence 350.68 feet along a curve to the right with a delta angle of 06°11'18", a radius of 3246.77 feet, a tangent of 175.51 feet, and a chord of 350.51 feet bearing North 55°11'34" West to a point, said point being the REAL POINT OF BEGINNING.

State of Idaho  
Department of Water Resources

**Water Right**  
**57-10603**

STOCKWATER

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.

03W



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

0 0.075 0.15 0.3 Miles

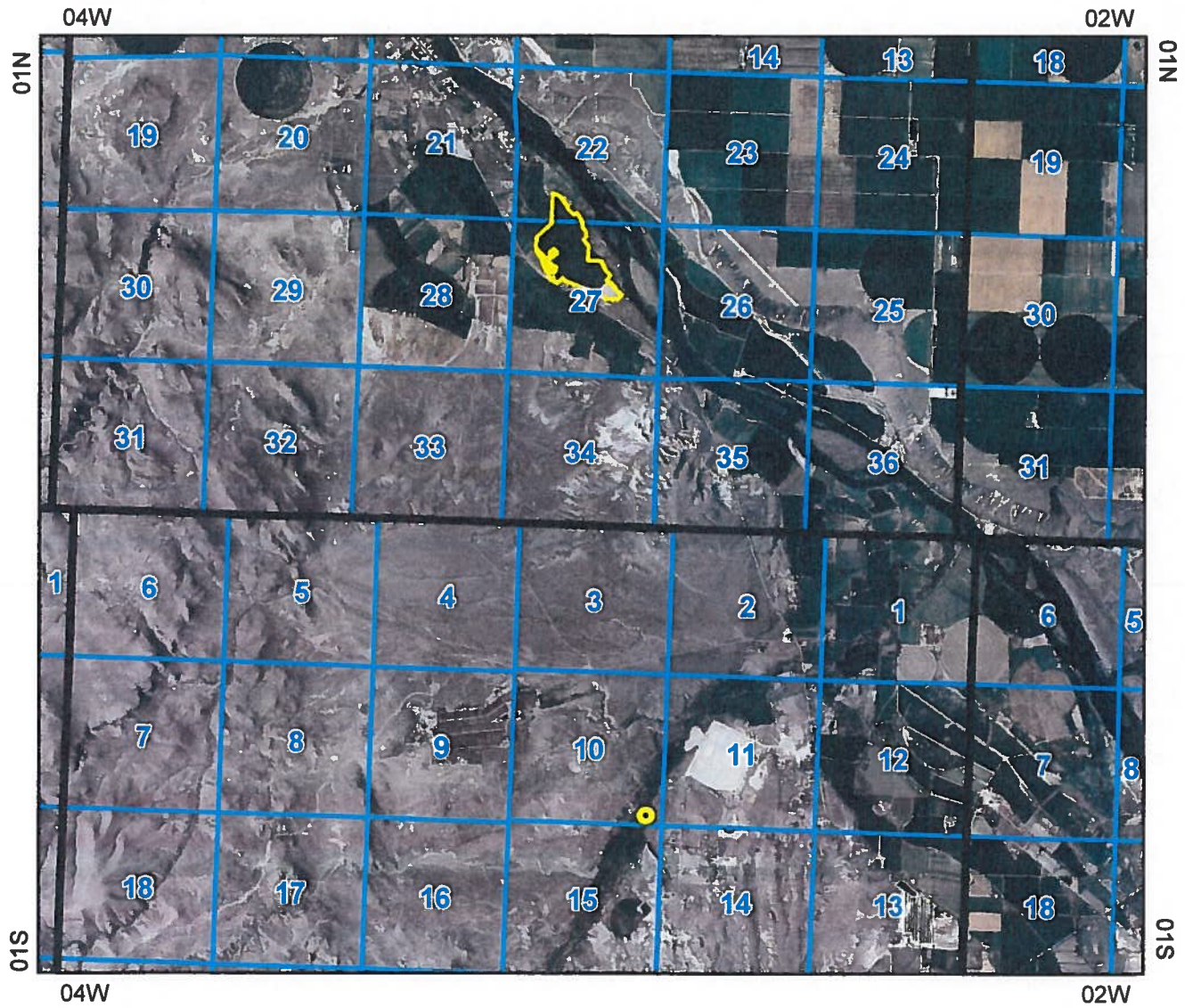


State of Idaho  
Department of Water Resources

# Water Right 57-272

## 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

0 0.75 1.5 3 Miles

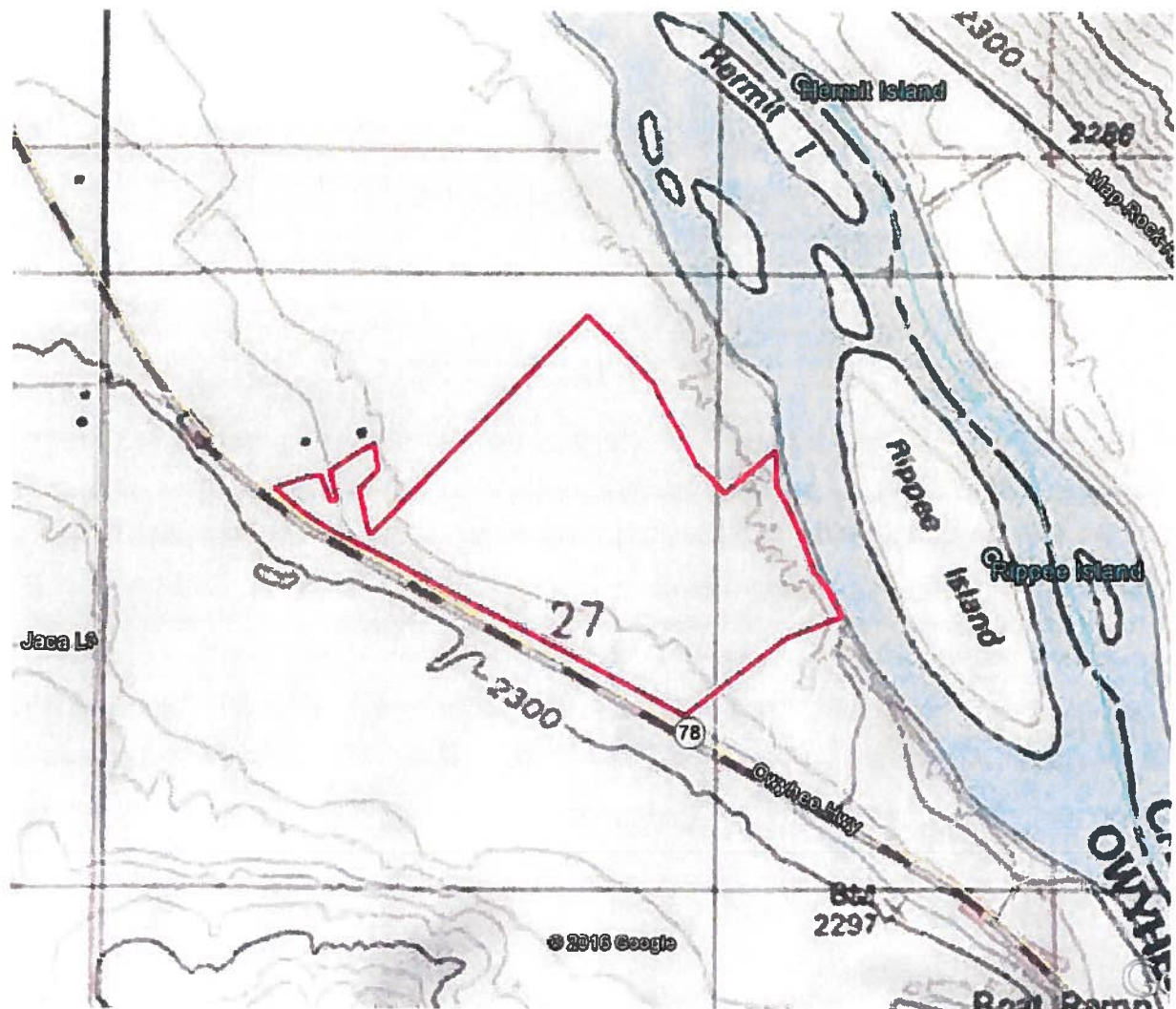


Google Aerial Map

Subject Property - Purchased and currently vested in the names of Catharine + Stacy Callaway



## Topographic Map



**IDAHO DEPARTMENT OF WATER RESOURCES**  
**APPLICATION FOR TRANSFER OF WATER RIGHT**  
**PART 2A**

**Current Water Right No.: 57-272**

Current Owner: SANDRA J BENSON  
 JERRY L BENSON  
 Priority Date: 9/26/1884  
 Origin: Water Right  
 Status: Active  
 Basis: Decreed

**Source**

REYNOLDS CREEK

**Tributary**

SNAKE RIVER

**Beneficial Use**

**From To**

**Diversion Rate**

**Annual Volume**

STOCKWATER

1/01 to 12/31

0.05 CFS

IRRIGATION

3/15 to 11/15

2.6 CFS

**Total Diversion**

2.6 CFS

**Location of Point(s) of Diversion**

REYNOLDS CREEK

SE1/4SE1/4SE1/4

Sec. 10, Twp 01S, Rge 03W B.M.

OWYHEE County

**Place of Use**

**IRRIGATION Within OWYHEE County**

|               |       |      |       |               |       |      |       |
|---------------|-------|------|-------|---------------|-------|------|-------|
| T01N R03W S22 | Lot 1 | SESW | 5.00  | T01N R03W S27 | Lot 2 | SWNE | 22.00 |
| T01N R03W S27 | Lot 3 | NENW | 33.00 | T01N R03W S27 |       | NWNW | 13.00 |
| T01N R03W S27 |       | SWNW | 1.00  | T01N R03W S27 |       | SENE | 32.00 |

Total Acres: 106

Place of Use: STOCKWATER same as IRRIGATION

**Conditions of Approval:**

1.       N05       THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2.       N08       THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3.       W09       USE OF THIS RIGHT IS COMBINED WITH WATER FROM WEST REYNOLDS IRRIGATION DISTRICT.
4.       THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 57-00271 & 57-02041 STOCKWATER, 150 DAIRY CATTLE
5.       DIVERTING WATER BEFORE OR AFTER THE PERIOD OF USE UNDER THIS RIGHT IS ALLOWED PROVIDED: A. THE WATERS SO DIVERTED ARE APPLIED TO A BENEFICIAL USE, AND B. THE EXISTING RIGHTS AND FUTURE APPROPRIATIONS ARE FIRST SATISFIED.
6.       C18       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.

Decreed Date: 12/23/2002

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**APPLICATION FOR TRANSFER OF WATER RIGHT**  
**PART 2A**

**Current Water Right No.: 57-10603**

Current Owner: JERRY L BENSON  
SANDRA J BENSON

Priority Date: 7/1/1945

Origin: Water Right

Status: Active

Basis: Decreed

**Source**

**Tributary**

GROUND WATER

| <b><u>Beneficial Use</u></b> | <b><u>From To</u></b>         | <b><u>Diversion Rate</u></b> | <b><u>Annual Volume</u></b> |
|------------------------------|-------------------------------|------------------------------|-----------------------------|
| STOCKWATER                   | 1/01 to 12/31                 | 0.05 CFS                     |                             |
| DOMESTIC                     | 1/01 to 12/31                 | 0.04 CFS                     |                             |
|                              | <b><u>Total Diversion</u></b> | 0.09 CFS                     |                             |

**Location of Point(s) of Diversion**

GROUND WATER NW1/4SE1/4NW1/4 Sec. 27, Twp 01N, Rge 03W B.M.  
OWYHEE County

**Place of Use**

**STOCKWATER Within OWYHEE County**

|               |      |               |      |
|---------------|------|---------------|------|
| T01N R03W S27 | SWNW | T01N R03W S27 | SENW |
|---------------|------|---------------|------|

**DOMESTIC Within OWYHEE County**

|               |      |
|---------------|------|
| T01N R03W S27 | SWNW |
|---------------|------|

**Conditions of Approval:**

1. STOCKWATER, 150 DAIRY COWS PARCEL NO. RP0077901
2. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
3. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

Decreed Date: 11/15/1996