

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

**Notice of Change in Water Right Ownership**

RECEIVED  
OCT 03 2014  
DEPT OF WATER RESOURCES  
SOUTHERN REGION

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.

| Water Right/Claim No. | Split?                       | Water Right/Claim No. | Split?                       | Water Right/Claim No. | Split?                       |
|-----------------------|------------------------------|-----------------------|------------------------------|-----------------------|------------------------------|
| 36-14230              | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |

2. Previous Owner's Name: Alice Sheer Hohnhorst  
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Mark L. Okelberry; Cheryl A. Okelberry  
New owner(s) as listed on the conveyance document      Name connector ☐ and ☐ or ☒ and/or
- 1170 South 1900 East      Hazelton      ID      83335  
Mailing address      City      State      ZIP
- 208-829-5720      \_\_\_\_\_  
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 described herein has been rented from the Water Supply Bank, rental proceeds will be disbursed in the following manner regardless of any arrangements between the buyer(s) and seller(s) to the contrary:
- Rental payments will go to the lessor(s) of record at the beginning of the rental season.
  - If a change in ownership is processed by the Department during a rental season, rental payment will be made to the person or entity who is the lessor of record at the beginning of that rental season.
  - New lessor(s) of record will receive payment after the following rental season.
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.

8. Signature: [Signature]      \_\_\_\_\_      8-20-2014  
Signature of new owner/claimant      Title, if applicable      Date

Signature: [Signature]      \_\_\_\_\_      8/20/2014  
Signature of new owner/claimant      Title, if applicable      Date

For IDWR Office Use Only:

Received by [Signature]      Date 10-3-2014      Receipt No. 5034326      Receipt Amt. \$25-  
 Approved by \_\_\_\_\_      Processed by \_\_\_\_\_      Date \_\_\_\_\_

## ADMINISTRATOR'S DEED

THIS INDENTURE, made this 18<sup>th</sup> day of August, 2014, by and between COURTNEY HOHNHORST, as Personal Representative of the ESTATE OF ALICE VIOLET HOHNHORST, aka ALICE V. HOHNHORST, Deceased, the "Grantor" and MARK L. OKELBERRY and CHERYL A. OKELBERRY, husband and wife, as their community property with right of survivorship whose address is 1170 S. 1900 E., Hazelton, Idaho 83335, hereinafter the "Grantees",

## RECITALS

- A. ALICE VIOLET HOHNHORST, aka ALICE V. HOHNHORST, died intestate on the 3<sup>rd</sup> day of June, 2014;
- B. By Order of the Magistrate Division of the District Court of the Fifth Judicial District, Jerome County, Idaho, dated the 11<sup>th</sup> day of July, 2014, Courtney Hohnhorst was appointed Administrator of the Estate of said decedent.

NOW, THEREFORE, by virtue and in exercise of the powers so given by the laws of the State of Idaho, and of every other power and authority hereunto enabling, the Grantor, the Administrator as aforesaid, does hereby TRANSFER unto the said Grantees the Decedent's interest in that real property situated in Jerome County, State of Idaho, more particularly described as:

TOWNSHIP 10 SOUTH, RANGE 20 EAST, BOISE MERIDIAN,  
JEROME COUNTY, IDAHO

Section 2: A tract of land in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ , described as follows:

Beginning at the southeast corner of said SE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
Thence North 0°06' West, 1324 feet along the east boundary of said SE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 2;  
Thence South 86°18' West 275.0 feet;  
Thence South 0°25' West 348.8 feet;  
Thence South 88°57' West, 240.91 feet;  
Thence South 0°33' East, 342.76 feet;  
Thence South 51°11' West 203.55 feet to the centerline of the "C" Canal of the North Side Canal Co., as presently constructed;  
Thence following the centerline of said canal the following distances and courses:  
Thence South 56°50' East, 124.49 feet;  
Thence South 22°07' East, 127.11 feet;  
Thence South 22°11' West, 126.22 feet;  
Thence South 46°45' West, 262.87 feet to the south line of said SE $\frac{1}{4}$ SW $\frac{1}{4}$ ;

Thence South 89°58' East, 762.73 feet to THE POINT OF BEGINNING.

Together with 14.799 shares of capital stock in the North Side Canal Co., Ltd. ("Property")

TO HAVE AND TO HOLD, unto Grantees, their successors, heirs and assigns forever.

SUBJECT TO the following: (a) general taxes and assessments, which are not yet due and payable; and (b) the encumbrances, easements, restrictions and matters set forth on EXHIBIT A attached hereto and incorporated herein (collectively the "Permitted Exceptions").

Grantor warrants that it is the owner in fee simple of the Property, that the Grantor has not conveyed any interest in the Property to any person other than Grantee, and that the Property is free from all encumbrances created or suffered by Grantor, except the Permitted Exceptions, and that Grantor will warrant and defend the same against all lawful claims of all persons claiming by, through or under Grantor.

IN WITNESS WHEREOF, Grantor, Administrator of the ESTATE OF ALICE VIOLET HOHNHORST, aka ALICE V. HOHNHORST, Deceased, has hereunto set his hand the day and year first written above.

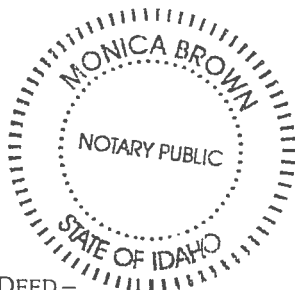
**ESTATE OF ALICE VIOLET HOHNHORST, aka ALICE V. HOHNHORST, Deceased**

By: Courtney Hohnhorst  
COURTNEY HOHNHORST  
Administrator

STATE OF IDAHO     )  
                                  ss:  
County of Jerome )

On this 18 day of August, 2014, before me, the undersigned, a Notary Public in and for said County and State, personally appeared COURTNEY HOHNHORST, Administrator of the ESTATE OF ALICE VIOLET HOHNHORST, aka ALICE V. HOHNHORST, Deceased, known to me to be the person whose name is subscribed to the within and foregoing instrument, and who acknowledged to me that he executed the same in such capacity.

IN WITNESS WHEREOF, I have hereunto set my hand and seal, the day and year in this certificate first above written.



Mei Thom  
NOTARY PUBLIC for Idaho  
Residing at: Hagerman, ID  
Commission Expires: 5-25-19

## **EXHIBIT A**

1. Taxes for 2014 and subsequent years, alien, but not yet due or payable.
2. Assessments of the North Side Canal Company and the rights and powers of said Company as by law provided
3. Right of way for roads, canals, lateral and waste ditches as contained in an Agreement by and between the State of Idaho, and the Twin Falls North Side Land and Water Company, dated August 21, 1907, recorded in Book 15 Page 589, Jerome County records.



RECEIVED  
OCT 03 2014  
DEPT OF WATER RESOURCES  
SOUTHERN REGION

J-42212  
Jerome

August 21, 2014

Idaho Dept. of Water Resources  
Attn: Trish  
650 Addison Ave. W, Ste 500  
Twin Falls, ID 83301

RE: Notice of Change in Water Right Ownership  
36-14230 Hohnhorst, Alice

Dear Trish:

Enclosed, please find the following in connection with the above referenced:

- Check no. 12697 in the amount of \$25.00 for the processing fee
- Original signed Notice of Change in Water Right Ownership
- Copy of the recorded Warranty Deed, Instrument No. 2143184

If you have any questions regarding this matter, please do not hesitate to contact this office at 208-324-3357.

Very truly yours,

TitleOne Corp.

Laury Lamb  
Sr. Escrow Officer

/ljl  
encs



State of Idaho

## DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858  
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

October 6, 2014

MARK OKELBERRY  
CHERYL OKELBERRY  
1170 S 1900 E  
HAZELTON ID 83335

RE: Change of Ownership for Water Right Nos. 36-14230

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right(s). The department has modified its records to reflect the change in ownership and has enclosed computer-generated reports for your records.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing an ownership change notice, the department does not review the history of water use to determine if the right has been forfeited 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 Sections 42-222 and 42-223, Idaho Code.

Also, please note that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: [www.idwr.idaho.gov](http://www.idwr.idaho.gov).

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Trish Fawcett', is written over a horizontal line.

Trish Fawcett  
Technical Records Specialist

Enclosure(s)

Cc: Title One (J-42212)