

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

**RECEIVED**

**NOV 04 2013**

DEPT. OF WATER RESOURCES  
SOUTHERN 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.

| Water Right/Claim No. | Split?                       | Water Right/Claim No. | Split?                       | Water Right/Claim No. | Split?                       |
|-----------------------|------------------------------|-----------------------|------------------------------|-----------------------|------------------------------|
| 37-21354              | 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: Matthew King and Darla Brizendine  
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): James Elise and Jennette Brizendine  
New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or ☐ and/or

486 River Road Bliss ID 83314  
Mailing address City State ZIP

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: October 31, 2013

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):
  - \$25 per *undivided* water right.
  - \$100 per *split* water right.
  - No fee is required for pending adjudication claims.

8. Signature: James Elise Brizendine Title, if applicable \_\_\_\_\_ Date 10/31/13  
Signature: Jennette Brizendine Title, if applicable \_\_\_\_\_ Date 10/31/13

For IDWR Office Use Only:

Received by DN Date 11.4.2013 Receipt No. 8033616 Receipt Amt. \$25-  
Approved by \_\_\_\_\_ Processed by \_\_\_\_\_ Date \_\_\_\_\_

# WARRANTY DEED

#GG-12480

For Value Received

**Matthew King, a married man contracting with his sole and separate property, and Darla Brizendine, a single woman**

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

**James Eslie Brizendine and Jennette Brizendine, husband and wife as community property with rights of survivorship**

**Address: 486 River Road, Bliss, ID 83314**

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

**Lot 5 in block 1 of Malad Estates Subdivision, Gooding County, Idaho, as the same is platted in the official plat thereof, now of record in the office of the County Recorder of said County.**

**TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to Water Right #37-21354 from Idaho Department of Water Resources.**

## SUBJECT TO:

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

**Taxes for 2013 and subsequent years.**

**Assessments levied or to be levied by any local Irrigation District.**

**Assessments of the Malad Estates Homeowner's Association.**

**Easement for erecting and maintaining poles and transmission lines over the SW $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 27, Township 6 South, Range 13, East Boise Meridian, contained in Judgment in the case of the Beaver River Power Company, a corporation, Plaintiff, vs. Ida Bell Waddington Frost, John Doe Frost, her husband, John William Waddington, a minor, and Andrew Jackson Waddington, a minor, Defendants, dated July 18, 1912, recorded July 18, 1912 in Book 2 Page 34, Gooding County records.**

**Conditions and restrictions contained in Warranty Deed given by Fred Leach and Nettie M. Leach, husband and wife, first parties, to the State of Idaho, second party, dated August 24, 1955, recorded November 26, 1955 in Book 46 Page 329 as Instrument Number 128569, Gooding County records, affecting the SW $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 27, Township 6 South, Range 13, East Boise Meridian.**

**Conditions and restrictions contained in Warranty Deed given by Fred Leach and Nettie M. Leach, husband and wife, first parties, to the State of Idaho, second party, dated August 6, 1957, recorded October 16, 1957 in Book 49 Page 124 as Instrument Number 133379, Gooding County records, affecting the NE $\frac{1}{4}$ SW $\frac{1}{4}$  and SW $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 27, Township 6 South, Range 13, East Boise Meridian.**

**Instrument # 246601**

GOODING, GOODING, IDAHO

10-31-2013 01:04:40 No. of Pages: 3

Recorded for : LAND TITLE AND ESCROW

DENISE M. GILL

Fee: 16.00

Ex-Officio Recorder Deputy

Conditions and restrictions contained in Quitclaim Deed by and between the Idaho Department of Highway, acting by and through the Idaho Board of Highway Directors, party of the first part, and Fred Leach and Nettie M. Leach, husband and wife, parties of the second part, dated June 26, 1957, recorded March 26, 1958 in Book 49 Page 226 as Instrument Number 134666, Gooding County records, affecting the NE $\frac{1}{4}$ SW $\frac{1}{4}$  and SW $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 27, Township 6 South, Range 13, East Boise Meridian.

Reservation for easement to convey domestic water through pipeline contained in Warranty Deed given by Fred Leach and Nettie M. Leach, husband and wife, parties of the first part, to Wilbert B. Cline and Ruth C. Cline, husband and wife, parties of the second part, dated December 17, 1958, recorded February 3, 1959 in Book 49 Page 443 as Instrument Number 136711, Gooding County records, pertaining to the NE $\frac{1}{4}$ SW $\frac{1}{4}$  and a tract of land in Lot 1 of Section 27, Township 6 South, Range 13, East Boise Meridian.

Reservation for a domestic spring located over the NE $\frac{1}{4}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$  and Lot 2 of Section 27, Township 6 South, Range 13, East Boise Meridian, as contained in Quitclaim Deed dated August 15, 1975, recorded September 8, 1975 as Instrument Number 56218, Gooding County records, and Warranty Deed dated December 11, 1972, recorded October 20, 1978 as Instrument Number 72869, Gooding County records.

Power Line Easement given by W. B. Cline and Ruth C. Cline, husband and wife, to Idaho Power Company, a corporation, dated February 17, 1976, recorded November 15, 1976 as Instrument Number 61948, Gooding County records, affecting the NE $\frac{1}{4}$ SW $\frac{1}{4}$  and a tract of land in Lot 1 of Section 27, Township 6 South, Range 13, East Boise Meridian.

Malad Estates Subdivision Declaration of Protective Covenants dated July 23, 1979, recorded July 27, 1979 as Instrument Number 77995, Gooding County records.

AMENDED COVENANTS dated September 10, 1979, recorded September 18, 1979 as Instrument Number 78881, Gooding County records.

AMENDED COVENANTS dated May 2, 1984, recorded June 6, 1984 as Instrument Number 108608, Gooding County records.

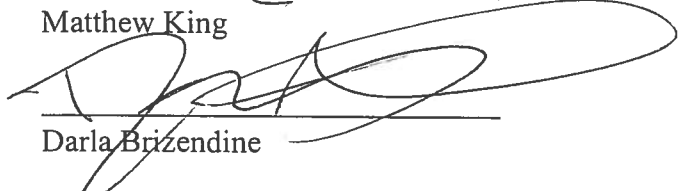
AMENDED COVENANTS dated May 14, 1988, recorded May 23, 1988 as Instrument Number 132268, Gooding County records.

Easements as shown on the recorded plat of Malad Estates Subdivision.

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

Dated: October 30, 2013

  
Matthew King

  
Darla Brizendine

STATE OF IDAHO                    )  
                                              ) ss.  
COUNTY OF GOODING                    )

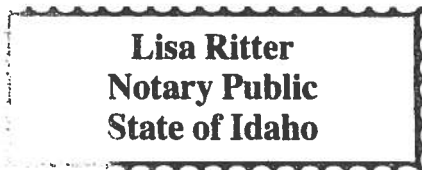
On this 31 day of **October, 2013**, before me, the undersigned, a Notary Public in and for said State, personally appeared **Matthew King**, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

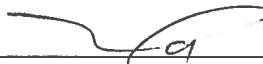


  
\_\_\_\_\_  
Notary Public  
Residing at: Gooding, ID  
My Commission expires: 10/8/16

STATE OF IDAHO                    )  
                                              ) ss.  
COUNTY OF Gooding                    )

On this 31 day of **October, 2013**, before me, the undersigned, a Notary Public in and for said State, personally appeared **Darla Brizendine**, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.



  
\_\_\_\_\_  
Notary Public  
Residing at: Gooding, ID  
My Commission expires: 10/8/16