

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.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
75-10666 <i>OK</i>	Yes ☐	75-10672 <i>OK</i>	Yes ☐		Yes ☐
75-10667 <i>OK</i>	Yes ☐	75-10673 <i>disallowed</i>	Yes ☐		Yes ☐
75-10668 <i>OK</i>	Yes ☐	75-10674 <i>disallowed</i>	Yes ☐		Yes ☐
75-10669 <i>OK</i>	Yes ☐		Yes ☐		Yes ☐
75-10671 <i>disallowed</i>	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Elizabeth Hutchison

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Gary and Barbara Mayberry
 New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or ☐ and/or
- 7429 Berta Rd Eureka Ca 95503
 Mailing address City State ZIP
- 707 442-1119 bmayberry@wildblue.net
 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: 5-14-2013
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.

RECEIVED

AUG 22 2013

Department of Water Resources
Eastern Region

8. Signature: Gary Mayberry Title, if applicable _____ Date 8-16-13
 Signature of new owner/claimant
- Signature: Barbara Mayberry Title, if applicable _____ Date 8-16-13
 Signature of new owner/claimant

For IDWR Office Use Only:

Received by JLB Date 8/23/2013 Receipt No. E039024 Receipt Amt. \$200.-
 Approved by JLB Processed by JLB Date 9/18/2013

IN FILE # 75-10666

FILED ON

FEB 17 2012

LEMHI COUNTY MAGISTRAT

STATE OF IDAHO
COUNTY OF LEMHI
I, TERRY J. MORTON, CLERK OF THE DISTRICT COURT
OF THE SEVENTH JUDICIAL DISTRICT OF THE STATE OF
IDAHO, IN AND FOR THE COUNTY OF LEMHI DO HEREBY
CERTIFY THAT THE PROCEEDING IS A TRUE AND CORRECT
COPY OF THE ORIGINAL ON FILE IN THIS OFFICE.
IN WITNESS WHEREOF I HAVE HERE UNTO SET MY HAND
AND AFFIXED MY OFFICIAL SEAL THIS 17 DAY
OF FEB YEAR 2012
BY TERRY J. MORTON, CLERK DEPUTY

PAUL B. WITHERS
Attorney at Law, ISB #5752
WITHERS LAW OFFICES, Chartered
1301 Main Street, Suite 6
Salmon, Idaho 83467
Telephone: (208) 756-2009
Facsimile: (208) 756-2046

Attorney for Personal Representative

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF LEMHI
MAGISTRATE DIVISION

IN THE MATTER OF THE ESTATE OF)
ELIZABETH HUTCHISON,)
Deceased.)
_____)

Case No. CV-12- 50
LETTERS TESTAMENTARY

verify this is a true copy of the original
By: Stephen J. Clark Deputy

1. GARY MAYBERRY was duly appointed and qualified as general Personal Representative of the estate of the above-named decedent on the 16th day of February, 2012, by the Court with all authority pertaining thereto.

2. Administration of the estate is to be unsupervised.

These letters are issued to evidence the appointment, qualification, and authority of the said Personal Representative.

WITNESS, my signature and the Seal of This Court, this 16th day of February, 2012.

Stephen J. Clark
STEPHEN J. CLARK
Magistrate Judge

LETTERS TESTAMENTARY - 1

DEED OF DISTRIBUTION
BY PERSONAL REPRESENTATIVE

THIS DEED, made by GARY MAYBERRY, as Personal Representative of the estate of ELIZABETH HUTCHISON, also known as ELIZABETH E. HUTCHISON, deceased, Grantor, to GARY MAYBERRY and BARBARA MAYBERRY, husband and wife, whose current address is 7429 Berta Road, Eureka, CA, 95501, Grantees;

WHEREAS, Grantor is the qualified Personal Representative of said estate, filed as Case No. CV-12-50, in Lemhi County, Idaho;

WHEREAS, Grantee is entitled to distribution of the hereinafter described real property;

THEREFORE, for valuable consideration received, Grantor quitclaims, transfers, and conveys to Grantee the following described real property in Lemhi County, Idaho:

SEE ATTACHED EXHIBIT A

with all appurtenances, water rights and all other attachments thereon.

EXECUTED this 14th day of May, 2013.

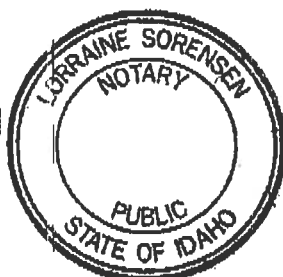

GARY MAYBERRY
Personal Representative of the Estate of
Elizabeth Hutchison, deceased.

STATE OF IDAHO)
) ss
COUNTY OF Lemhi)

On this 14th day of May, 2013, before me, the undersigned, a Notary Public in and for said state, personally appeared, GARY MAYBERRY, known or identified to me to be the person whose name is subscribed to the within instrument, as Personal Representative of the Estate of Elizabeth Hutchison, deceased, and acknowledged to me that he executed the same as such Personal Representative.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

[affix seal here]



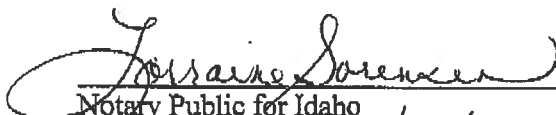

Notary Public for Idaho
Commission expires: 4/10/18

EXHIBIT "A"

PARCEL I:

Township 18 N., Range 21 E., Boise Meridian, Lemhi County, Idaho:

Section 14: SE $\frac{1}{4}$ SE $\frac{1}{4}$.

Section 15: Lots 7, 10 and the SE $\frac{1}{4}$ SW $\frac{1}{4}$.

EXCEPTING THEREFROM:

A parcel of land located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 15, T. 18 N., R. 21 E., B.M., Lemhi County, Idaho, more particularly described as follows:

Commencing at the South Quarter Corner of said Section 15, a distance of 1824.36 feet on a bearing of N. 39°23'17" W. to a right-of-way monument on the Easterly right-of-way of U. S. Highway No. 93 and the REAL POINT OF BEGINNING.

Thence N. 53°06'06" E., 3.00 feet;

Thence S. 26°53'54" E., 50.00 feet;

Thence S. 53°06'06" W., 100.00 feet;

Thence N. 36°53'54" W., 48.75 feet to a point on the Easterly right-of-way;

Thence a distance of 97.01 feet along a curve concave to the Southeast having a radial of S. 38°22'44" E., 3754.47 feet and a central angle of 1°28'50" to the REAL POINT OF BEGINNING.

Section 21: Lot 3.

Section 22: Lots 1, 3, 4, 5 and the NE $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ and the N $\frac{1}{2}$ NE $\frac{1}{4}$.

Section 23: N $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$ and the E $\frac{1}{2}$ SE $\frac{1}{4}$.

Section 24: NW $\frac{1}{4}$ NW $\frac{1}{4}$.

Section 26: NE $\frac{1}{4}$ NE $\frac{1}{4}$.

PARCEL II:

Township 18 N., Range 21 E., Boise Meridian, Lemhi County, Idaho:

Section 15: Lot 6.

EXCEPTING THEREFROM that portion of the above described property known as U. S. Highway No. 93. . .

Poison Creek Irrigation/Fish Passage Project, Point-of-Diversion Transfer

