

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED

SEP 12 2013

Department of Water Resources
Eastern 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?
34-622A OK	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Gloria Loftus - Owen Loftus
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Marshal Todd Perkes
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or

2790 N 3325 W Moore ID 83255
Mailing address City State ZIP

208-527-3157 _____
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: 12-12-07

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: M Todd Perkes Owner 9-10-13
Signature of new owner/claimant Title, if applicable Date

Signature: _____ Title, if applicable Date

For IDWR Office Use Only:

Received by JB Date 9/13/2013 Receipt No. E039095 Receipt Amt. \$25. -
Approved by JB Processed by JB Date 10/3/2013

WARRANTY DEED

070320BU / 5769LRT

NO. 0045223
RECORDED
DEC 12 2007
A.M. 4:50 P.M.
BUTTE COUNTY RECORDER
Jim Amell

For Valuable Consideration Received:

GLORIA A. LOFTUS, AS TRUSTEE OF THE LOFTUS FAMILY TRUST

the Grantor does hereby grant, bargain, sell, convey and warrant unto

MARSHAL TODD PERKES AND NORMA L. PERKES, HUSBAND AND WIFE,

the Grantees whose current address is:

2790 North 3325 West, Moore, ID 83255

the following described premises, to-wit:

See Exhibit "A" attached hereto and made a part hereof.

**ALSO INCLUDING, but not limited to: Decreed Water Right No. 34-622A,
Priority Date: 6-1-1896, 1.57 CFS**

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that he is the owner in fee simple of said premises; that said premises are free from all encumbrances and that he will warrant and defend the same from all lawful claims whatsoever.

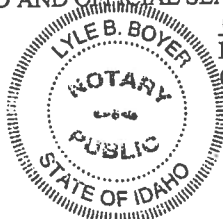
Gloria A. Loftus
GLORIA A. LOFTUS,
Trustee of the Loftus Family Trust

12-12-07
Date

STATE OF IDAHO)
)ss.
COUNTY OF BUTTE)

On this 12th day of December, 2007, before me, the undersigned, a Notary Public, in and for said State, personally appeared GLORIA A. LOFTUS, known to me, and/or identified to me on the basis of satisfactory evidence, to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.

WITNESS MY HAND AND OFFICIAL SEAL



Lyle B. Boyer
Residing at: Arco, Idaho
Commission Expires: 06/05/2009

EXHIBIT "A"

TRACT I:

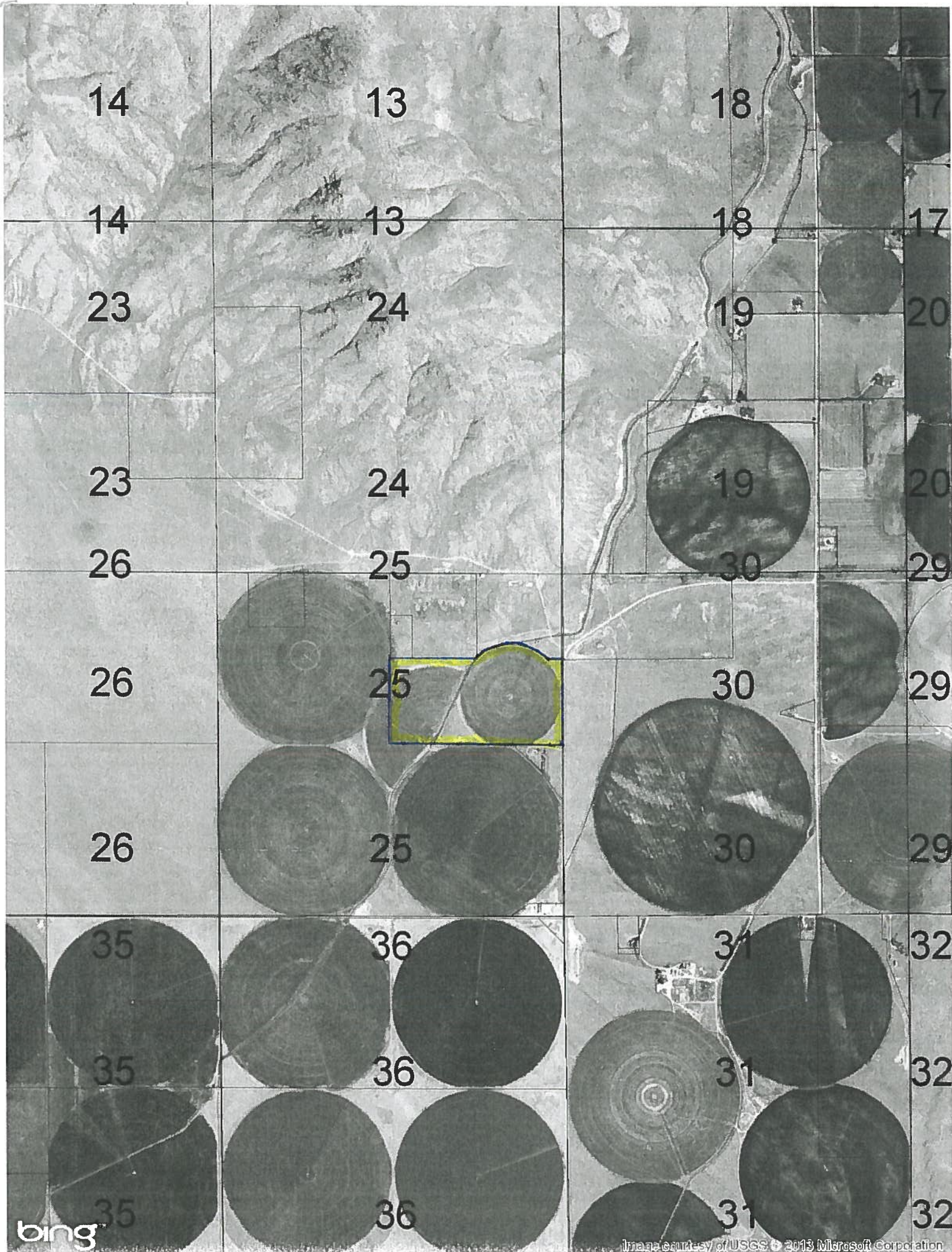
Township 4 North, Range 25 East of the Boise Meridian, Butte County, Idaho.

Section 25: S1/2NE1/4, AND

A parcel of land generally described as being a portion of the NE1/4NE1/4 of Section 25, Township 4 North, Range 25 East of the Boise Meridian, Butte County, Idaho, being more particularly described as follows:

Commencing at the NE corner of said Section 25, (recorded Instrument No. 031145 - Butte County records), from which the East 1/4 corner of said Section 25 (recorded - Instrument No. 031143 - Butte County records), bears S 00°23'09" W, 2633.85 feet; thence from said NE corner of said Section 25, S 00°23'09" W along the East boundary of the NE1/4 of said Section 25, a distance of 1316.92 feet to the SE corner of the NE1/4NE1/4 of said Section 25; thence N 89°37'55" W along the South boundary of the NE1/4NE1/4 of said Section 25, a distance of 246.08 feet to the POINT OF BEGINNING of this land description.

Thence along a Tangential curve concave Southerly, having a radius of 800.00 feet and a central angle of 85°45'12", a distance of 1197.34 feet (curve length) to the West boundary of the NE1/4NE1/4 of said Section 25; thence S 00°16'17" W along the West boundary of the NE1/4NE1/4 of said Section 25, a distance of 30.80 feet to the SW corner of the NE1/4NE1/4 of said Section 25; thence South 89°37'55" E along the South boundary of the NE1/4NE1/4 of said Section 25, a distance of 1088.19 feet to the POINT OF BEGINNING.



027393
FILED

NOV 4 1993

WARRANTY DEED

10:43 A.M. 1 P.M.
BUTTE COUNTY RECORDER

THIS INDENTURE, made this 3rd day of November, 1993, between JOEL AIKELE and MARY ANNE AIKELE, husband and wife of Moore, Butte County, Idaho, The Parties of the First Part, "Grantor" and M. TODD PERKES and NORMA L. PERKES, husband and wife, of Moore, Butte County, Idaho, the Parties of the Second Part, "Grantee".

WITNESSETH:

That said Party of the First Part, for and in consideration of the sum of Ten Dollars (\$10.00) lawful money of the United States of America and other valuable consideration to Party of the First Part in hand paid by the Parties of the Second Part, the receipt whereof is hereby acknowledged, has granted, bargained, sold and by these presents does grant, bargain, sell and convey and confirm unto the said Parties of the Second Part, and to Parties of the Second Part's successors and assigns, forever, the following described real estate situate in Butte County, State of Idaho, to-wit:

TRACT 1

Township 4 North, Range 25 East of the Boise Meridian

Section 25: W $\frac{1}{2}$, EXCEPTING: Beginning at the Northeast corner of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 25, thence South along the east Boundary of said NE $\frac{1}{4}$ NW $\frac{1}{4}$ 850 feet; thence Northwesterly to a point on the North boundary lines of said NE $\frac{1}{4}$ NW $\frac{1}{4}$ which is 850 feet West of the point of beginning; thence East along said NE $\frac{1}{4}$ NW $\frac{1}{4}$ North Boundary 850 feet to the point of beginning.

Section 25: SE $\frac{1}{4}$, EXCEPTING: Beginning at the Southeast corner of said Section 25, thence North 0°30'04" East along the East boundary of said Section 25, 205.17 feet; thence North 89°39'08" West parallel to the South boundary of said Section 25, 529.88 feet; thence South 56°00'23" West 363.69 feet to the South boundary of said Section 25; thence South 89°39'08" East along the South boundary of said Section 25, 829.63 feet to the point of

beginning.

ALSO EXCEPTING: Beginning at the Northeast corner of the SE $\frac{1}{4}$ of said Section 25, which is the true point of beginning, and running thence South 850.00 feet to a point; thence in a northwesterly direction to a point 850.00 feet west of the true point of beginning, thence East 850 feet to the true point of beginning.

TRACT II

Township 3 North, Range 25 East of the Boise Meridian

Section 1: Lots 1 and 2; S $\frac{1}{2}$ NE $\frac{1}{4}$, EXCEPTING THEREFROM: an easement 30 feet in width adjacent to and North of the centerline of said Section 1, and running from the W $\frac{1}{2}$ of said Section 1 to the County Road along the East line of said Section.

TOGETHER WITH 432 $\frac{1}{2}$ shares of stock in the Timber Dome Canal Company.

TRACT III

An undivided one-half interest in a well site easement and an irrigation pipeline easement, described as follows:

Commencing at the South $\frac{1}{4}$ corner of Section 5, Township 4 North Range 26 East of the Boise Meridian; thence N. $0^{\circ}15'08''$ E., along the East Boundary of the West half of said Section 5, a distance of 3701.08 feet; thence N. $90^{\circ}00'00''$ W., 82.87 feet to the radius point of a forty (40') foot diameter irrigation well site; thence N. $46^{\circ}18'53''$ W 20 feet to the center line point of beginning of a twenty-foot wide irrigation pipeline easement; thence North $46^{\circ}18'53''$ W, along the centerline of said easement, a distance of 425.67 feet to the end of said easement. TOGETHER WITH an easement for ingress and egress access across the NW $\frac{1}{4}$ Section 5, Township 4 North, Range 26 East, Boise Meridian, for the purpose of maintaining the well and pipeline system. TOGETHER WITH 4.31 cfs of ground water pursuant to

Ground Water License No. 34-7122.

TRACT IV

A portion of the NW $\frac{1}{4}$ of Section 8, Township 4 North, Range 26 East of the Boise Meridian, described as:

Beginning at the Northeast corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 8, thence South 75 feet; thence West 75 feet; thence North 75 feet; thence East 75 feet to the point of beginning. TOGETHER WITH 5.62 cfs of ground water pursuant to Ground Water License No. 34-7035.

TRACT V

An easement for right-of-way, passage and operation of a center pivot system over a parcel of land located in the NE corner of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 25, Township 4 North, Range 25, East of the Boise Meridian, Butte County, Idaho as disclosed in Grant of Easement recorded December 20, 1984 as instrument No. 15291, records of Butte County, Idaho and more particularly described as follows:

The Southwesterly boundary of such parcel is a straight line, drawn from a point 850 feet South of the NE corner of said NE $\frac{1}{4}$ NW $\frac{1}{4}$, to a point 850 feet West of the NE corner; the Northeasterly boundary of such parcel is an arc, which intersects a radius of 1320 feet, center of circle at the center of the said NW $\frac{1}{4}$.

TRACT VI

An easement for right-of-way, passage and operation of a center pivot system over a parcel of land located in the NE corner of the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 25, Township 4 North, Range 25, East of the Boise Meridian, Butte County Idaho as disclosed in Grant of Easement recorded December 20, 1984 as instrument No. 15284, records of Butte County, Idaho and more particularly described as follows:

The Southwesterly boundary of such parcel is a straight line, drawn from a point 850 feet South of the NE corner of said NE $\frac{1}{4}$ SE to a point 850 feet West of the NE corner; the Northeasterly boundary of such parcel is an arc, which intersects a radius of 1320 feet, center of circle at the center of the said SE $\frac{1}{4}$.

TRACT VII

An easement and right-of-way over the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 8, Township 4 North, Range 26 East, Boise Meridian, for the purpose of constructing, re-constructing, repairing, maintaining and operating two certain irrigation water pipelines in a generally East to West direction, which pipelines have previously been constructed and are presently existing, for the purpose of carrying water of Water User up to the capacity of the said existing pipelines as the same is disclosed in Easement For Irrigation Water, recorded June 3, 1976 as instrument no. M-4984, records of Butte County, Idaho.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversions, remainder and remainders, and rents, issues and profits thereof; and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said Party of the First Part.

TO HAVE AND TO HOLD all and singular the above mentioned and described premises, together with the appurtenances, unto the Parties of the Second Part, and to Parties of the Second Part's successors and assigns forever. And the said Party of the First Part, and the said Parties of the First Part's heirs and successors, shall and will warrant and by these presents forever defend the said premises in the quiet and peaceable possession of the said Parties of the Second Part, and Parties of the Second Part's successors and assigns, against the said Party of the First Part, and Party of the First Part's heirs and successors, and against all and every person and persons whomsoever, lawfully claiming or to claim the same. In construing this deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the said Party of the First Part has hereunto set its/their hand and seal the day and year first above written.

Juel Aikele
Juel Aikele

Mary Anne Aikele
Mary Anne Aikele

STATE OF IDAHO)
: ss.
County of Butte)

On this 3rd day of November, 1993, before me,
Lyle B. Boyer, a Notary Public in and for the State of Idaho, personally
appeared Juel Aikele and Mary Anne Aikele, husband and wife, known to me to be the
persons whose names are subscribed to the foregoing instrument, and acknowledged to me
that they executed the same.



Lyle B. Boyer
NOTARY PUBLIC for Idaho
Residing at Arco, Idaho
Commission Expires 5-31-97