



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N Skyline Dr., Ste A, Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 FAX: (208) 525-7177 www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

February 27, 2013

Steven Rowlan
Nikki Rowlan
5445 1400 W
Pingree ID 83262

The "Notice of Change in Water Right Ownership" for 35-7502 has been returned for the following item(s):

**** Filing Fee: \$25.00 for an ownership change not resulting in a division of the water right. According to the receipt filed with the department a refund has been submitted for the previous ownership change that was returned. In order for the department to complete your ownership change a filing fee will be required. If you feel you already paid the fee please provide a receipt number or additional information.

**** Evidence of Ownership: "recorded" Quit Claim Deed or other legal evidence ownership. According to the notes on the file in order to not split the water right a Quit Claim Deed for the water right is required.

Please note the department did send a notice requesting these items on December 12, 2012, the information was to be submitted within 30 days. The department has still not received the information therefore application is being returned.

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 within 120 days of the change. Failure to do so could result in a \$100 late filing fee. 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.

If you have any questions please contact Jonie Barg at (208)525-7161.

Please enclose the following items(s) and resubmit the entire packet to our Idaho Falls Office at the address below:

Idaho Department of Water Resources
Eastern Region
900 N Skyline Ste A
Idaho Falls ID 83402-1718

Respectfully submitted,

Jonie Barg
Technical Records Specialist

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?
35-7502	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name:

Shawn & Chris Gardner
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s):

Steven Jerry Rowan
Name of each new owner as listed on the conveyance document

Nikki Sue Rowan
New owner continued

Name connector ☐ and ☒ or ☐ and/or

544 S 1400 W
Mailing address

Pingree
City

ID
State

83262
ZIP

(208) 360-9661
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:

March 15, 2012

6. 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.

7. Signature:

[Signature]
Signature of new owner/claimant

Title, if applicable

10-26-12
Date

Signature:

Signature of new owner/claimant

Title, if applicable

Date

For IDWR Office Use Only:

Received by _____ Date _____ Receipt No. _____ Receipt Amt. _____

Approved by _____ Processed by _____ Date _____

RECORDING REQUESTED BY
First American Title Company

573786

BLINGHAM COUNTY, IDAHO
BLACKFOOT, IDAHO
FEE 60 DEP 00

AND WHEN RECORDED MAIL TO:
First American Title Company
168 West Pacific/P.O. Box 868
Blackfoot, ID 83221

2006 NOV -6 PM 2: 37

RECORDED AT THE REQUEST OF

FIRST AMERICAN TITLE COMPANY

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **187715-B (vb)**

Date: **November 01, 2006**

For Value Received, **Amy Nii, as Trustee of the Tsuneo Nii Testamentary Trust, and Amy Nii, a widow, as her respective interests may appear**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Shawn Gardner and Chris Gardner, husband and wife**, hereinafter called the Grantee, whose current address is **565 North Ash, Blackfoot, ID 83221**, the following described premises, situated in **Bingham County, Idaho**, to-wit:

Township 3 South, Range 33 E.B.M., Bingham County, Idaho

Section 2: S $\frac{1}{2}$ SW $\frac{1}{4}$; EXCEPT: Beginning at the NW corner of the S $\frac{1}{2}$ SW $\frac{1}{4}$ of said Section 2 and running thence East 25 feet along the North line of the S $\frac{1}{2}$ SW $\frac{1}{4}$; thence S. 00°02'59" W. parallel to and 25 feet distance from the West line of Section 2 approximately 1318.77 feet to the South line of said Section 2; thence West 25.00 feet to the SW corner of said Section 2; thence N. 00°02'59" E. approximately 1318.77 feet along the West line of said Section 2 to the Point of Beginning. ALSO EXCEPT: That portion lying within the following described legal: Beginning at the NW corner of Section 11, Township 3 South, Range 33 E.B.M., thence South 25 feet; thence East 2640 feet; thence North 50 feet; thence West 2640 feet; thence South 25 feet to the point of beginning.

Section 11: N $\frac{1}{2}$ NW $\frac{1}{4}$; EXCEPT: Beginning at a point that is S. 00°00'16" W. 603.53 feet along the West line of said Section 11 to the TRUE POINT OF BEGINNING, all from the NW corner of said Section 11, and running thence S. 89°59'44" E. 290.00 feet; thence S. 00°00'16" W. 226.57 feet; thence N. 89°59'44" W. 290.00 feet; thence N. 00°00'16" E. 226.57 feet along said Section line to the POINT OF BEGINNING. ALSO EXCEPT: All that portion of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 11, lying South of the Northerly right-of-way line of the Rockford Canal. ALSO EXCEPT: That portion lying within the following described legal: Beginning at the NW corner of Section 11, Township 3 South, Range 33 E.B.M., thence South 25 feet; thence East 2640 feet; thence North 50 feet; thence West 2640 feet; thence South 25 feet to the point of beginning.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Date: 11/01/2006

Warranty Deed
- continued

File No.: 187715-B (vb)

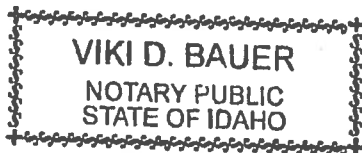
Amy Nii
Amy Nii

Amy Nii, as Trustee of the Tsuneo Nii
Testamentary Trust

Amy Nii
Amy Nii, Trustee

STATE OF Idaho)
SS.
COUNTY OF Bingham)

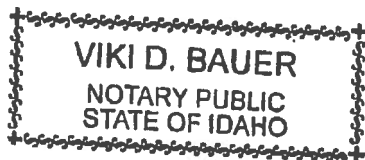
On this **3rd day of November, 2006**, before me, a Notary Public in and for said State, personally appeared **Amy Nii**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.



Viki D Bauer
Notary Public for the State of Idaho
Residing at: Blackfoot, ID
My Commission Expires: 03/29/08

STATE OF Idaho)
SS.
COUNTY OF Bingham)

On this **3rd day of November, 2006**, before me, a Notary Public in and for said State, personally appeared **Amy Nii**, known or identified to me to be the person(s) whose name(s) is subscribed to the within instrument as Trustee of the **Tsuneo Nii Testamentary Trust** Trust, and acknowledged to me that she executed the same as such Trustee.



Viki D Bauer
Notary Public of Idaho
Residing at: Blackfoot, ID
Commission Expires: 03/29/08

573786

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
168 West Pacific/P.O. Box 868
Blackfoot, ID 83221

Instrument # 636454
BINGHAM COUNTY, IDAHO
2012-03-16 10:05:32 AM No. of Pages: 3
Recorded for: FIRST AMERICAN TITLE - BLACKFO
SARA J. STAUB Fee: \$16.00
Ex-Officio Recorder Deputy CMiles
Index To: WARRANTY DEED
Electronically Recorded by Simplifile

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **406516-B (vb)**

Date: **March 08, 2012**

For Value Received, **Shawn Gardner and Chris Gardner, husband and wife**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Steven Jerry Rowlan and Nikki Sue Rowlan, husband and wife**, hereinafter called the Grantee, whose current address is **544 South 1400 West, Pingree, ID 83262**, the following described premises, situated in **Bingham County, Idaho**, to-wit:

PARCEL 1:

**TOWNSHIP 3 SOUTH, RANGE 33 EAST, BOISE MERIDIAN, BINGHAM COUNTY, IDAHO.
SECTION 2: S $\frac{1}{2}$ SW $\frac{1}{4}$**

EXCEPT THEREFROM A PARCEL OF LAND LOCATED IN THE SOUTH $\frac{1}{2}$ OF THE SOUTHWEST $\frac{1}{4}$ OF SECTION 2, TOWNSHIP 3 SOUTH, RANGE 33 E., B.M., BINGHAM COUNTY, IDAHO DESCRIBED AS FOLLOWS:

COMMENCING AT THE SW CORNER OF SAID SECTION 2; THENCE SOUTH 89°24'22" EAST (THE BASIS OF BEARINGS PER THE IDAHO STATE PLANE COORDINATE SYSTEM) ALONG THE SOUTH LINE OF SAID SECTION 2, A DISTANCE OF 25.00 FT TO THE POINT OF BEGINNING BEING MARKED BY A $\frac{1}{2}$ INCH REBAR; THENCE CONTINUING SOUTH 89°24'22" EAST, ALONG THE SOUTH LINE OF SAID SECTION 2, A DISTANCE OF 671.61 FT. TO A $\frac{1}{2}$ INCH REBAR; THENCE NORTH 0°01'01" WEST, PARALLEL TO THE WEST LINE OF SAID SECTION 2, A DISTANCE OF 1293.82 FT. TO A POINT THAT IS 25 FEET SOUTH OF THE NORTH LINE OF THE SOUTH $\frac{1}{2}$ OF THE SOUTHWEST $\frac{1}{4}$ OF SECTION 2 AND TO A $\frac{1}{2}$ INCH REBAR; THENCE NORTH 89°24'26" WEST, PARALLEL TO THE SAID NORTH LINE, A DISTANCE OF 671.61 FT. TO A POINT THAT IS 25.00 FEET EAST OF THE WEST LINE OF SAID SECTION 2 BEING MARKED BY A $\frac{1}{2}$ INCH REBAR; THENCE SOUTH 0°01'01" EAST, PARALLEL TO THE WEST LINE OF SAID SECTION 2, A DISTANCE OF 1293.82 FT. TO THE POINT OF BEGINNING

ALSO EXCEPT: BEGINNING AT THE NW CORNER OF THE S $\frac{1}{2}$ SW $\frac{1}{4}$ OF SAID SECTION 2 AND RUNNING THENCE EAST 25 FEET ALONG THE NORTH LINE OF THE S $\frac{1}{2}$ SW $\frac{1}{4}$; THENCE S. 00°02'59" W. PARALLEL TO AND 25 FEET DISTANCE FROM THE WEST LINE OF SECTION 2 APPROXIMATELY 1318.77 FEET TO THE SOUTH LINE OF SAID SECTION 2; THENCE WEST 25.00 FEET TO THE SW CORNER OF SAID SECTION 2; THENCE N. 00°02'59" E. APPROXIMATELY 1318.77 FEET ALONG THE WEST LINE OF SAID SECTION 2 TO THE POINT OF BEGINNING.

ALSO EXCEPT: THAT PORTION LYING WITHIN THE FOLLOWING DESCRIBED LEGAL: BEGINNING AT THE NW CORNER OF SECTION 11, TOWNSHIP 3 SOUTH, RANGE 33 E.B.M., THENCE SOUTH 25 FEET; THENCE EAST 2640 FEET; THENCE NORTH 50 FEET; THENCE WEST 2640 FEET; THENCE SOUTH 25 FEET TO THE POINT OF BEGINNING.

PARCEL 2:

**TOWNSHIP 3 SOUTH, RANGE 33 EAST, BOISE MERIDIAN, BINGHAM COUNTY, IDAHO.
SECTION 11: N $\frac{1}{2}$ NW $\frac{1}{4}$**

EXCEPT: BEGINNING AT A POINT THAT IS S. 00°00'16" W. 603.53 FEET ALONG THE WEST LINE OF SAID SECTION 11 TO THE TRUE POINT OF BEGINNING, ALL FROM THE NW CORNER OF SAID SECTION 11, AND RUNNING THENCE S. 89°59'44" E. 290.00 FEET; THENCE S. 00°00'16" W. 226.57 FEET; THENCE N. 89°59'44" W. 290.00 FEET; THENCE N. 00°00'16" E. 226.57 FEET ALONG SAID SECTION LINE TO THE POINT OF BEGINNING.

ALSO EXCEPT: ALL THAT PORTION OF THE NE $\frac{1}{4}$ NW $\frac{1}{4}$ OF SAID SECTION 11, LYING SOUTH OF THE NORTHERLY RIGHT-OF-WAY LINE OF THE ROCKFORD CANAL.

ALSO EXCEPT: THAT PORTION LYING WITHIN THE FOLLOWING DESCRIBED LEGAL: BEGINNING AT THE NW CORNER OF SECTION 11, TOWNSHIP 3 SOUTH, RANGE 33 E.B.M., THENCE SOUTH 25 FEET; THENCE EAST 2640 FEET; THENCE NORTH 50 FEET; THENCE WEST 2640 FEET; THENCE SOUTH 25 FEET TO THE POINT OF BEGINNING.

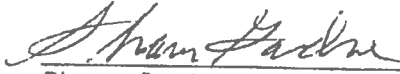
SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Date: 03/08/2012

Warranty Deed
- continued

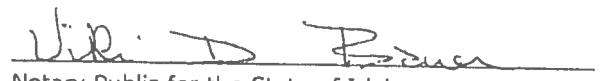
File No.: 406516-B (vb)


Shawn Gardner


Chris Gardner

STATE OF Idaho)
COUNTY OF Bingham)
SS.

On this 15 day of March, 2012, before me, a Notary Public in and for said State, personally appeared **Shawn Gardner and Chris Gardner**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.


Notary Public for the State of Idaho
Residing at: Blackfoot
My 3/29/14 Commission Expires:

