

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

FEB 19 2013

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?
2-10229	☒		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Karolyn J. Hall
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Kendall L. Widner
Name of each new owner as listed on the conveyance document
Terry E. Widner
New owner continued ☐ Name connector ☐ and ☐ or ☒ and/or
1873 S. Joe King Road
Mailing address
Hammett Idaho 83627
City State ZIP
208-599-0293 kenwidner@hotmail.com
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: November 7, 2005

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: Kendall L. Widner Husband 2-10-2013
Signature of new owner/claimant Title, if applicable Date
Signature: Terry E. Widner Wife 2-10-2013
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by HP Date 2-19-13 Receipt No. C096567 Receipt Amt. 25.00
Approved by DMS Processed by DMS Date 2-20-2013

6/02/11

PMO100 - PARCEL MASTER INQUIRY

14:05:09

PARCEL: RP 00061023003A A F1=SL

F10=SW F12=RC
F17=DD F19=SP F24=LD

WIDNER, KENDALL
& WIDNER, TERRY E

LEGAL DESCRIPTION
TAX 10 IN LOT 3
BLK 23
FRUITLAND SUB

1873 S JOE KING ROAD

CODE AREA 22-0000 OWNER CD
PARC TYPE LOC CODE 700
EFFDATE 3012004 EXPDATE
PREV PARCEL RP00061023002DT

HAMMETT ID 83627

1873 S JOE KING RD 83627

X for parcel comments

CAT/ST#	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
15 1	2010	1000	AC	65000				
18 1	2010	3000	AC	23868				
32 1	2010			681				

TOTALS 4000 89549

ENTER NEXT PARCEL NUMBER RP A

FKeys: F2=TX F3=Exit F5=SS F6=Nm F7=LG
F8=CT F13=TM F18=HS F20=SrcH F22=EU

LEGAL DESCRIPTION

A parcel of land being part of Lot 3, Block 23, Fruitland Subdivision located in the West half of the Northeast Quarter, Section 3, Township 6 South, Range 8 East, Boise Meridian, Elmore County, Idaho, more particularly described as follows:

Beginning at the Northeast corner of said Section 3:

Thence North 89°59'27" West a distance of 1317.33 feet along the northerly boundary of said Section 3 to the Northeast corner of said W1/2NE1/4;

Thence South 00°26'53" East a distance of 937.20 feet along the easterly boundary of said W1/2NE1/4;

Thence North 89°59'27" West a distance 25.00 feet to the Northeast corner of said Lot 3, Block 23;

Thence South 00°26'53" East a distance of 467.15 feet along the easterly boundary of said Lot 3 to the True Point of Beginning;

Thence South 00°26'53" East a distance of 879.42 feet along the easterly boundary of said Lot 3 and the extension thereof to the high water line of the Snake River;

Thence North 30°02'39" West a distance of 68.61 feet along said high water line;

Thence North 29°37'58" West a distance of 384.98 feet along said high water line;

Thence North 43°47'56" West a distance of 72.69 feet along the southerly boundary of said Lot 3;

Thence North 00°26'53" West a distance of 432.96 feet parallel with the easterly boundary of said Lot 3;

Thence South 89°59'27" East a distance of 271.52 feet to the True Point of Beginning.

Instrument # 403836
Elmore County, Idaho
01:36pm Jan. 23, 2009
For: REGIONAL TRUSTEE SERVICES C
No. of Pages: 1 Fee: \$3.00
MARSA GRIMMETT, Recorder
Deputy: DLE

WHEN RECORDED RETURN TO:
REGIONAL TRUSTEE SERVICES CORP.
616 1st Ave, Suite 500
Seattle, WA 98104
Attn: Lien Release Division



Loan No. 0012231072

Trustee No. 592990

DEED OF FULL RECONVEYANCE

Dated: November 7, 2005

Recorded: November 9, 2005

Recording No: 370937

Book: Page:

Rerecord as:

County of: ELMORE

State: ID

Trustors: KENDALL L. WIDNER AND TERRY E. WIDNER

Trustee: COMMONWEALTH LAND TITLE INSURANCE

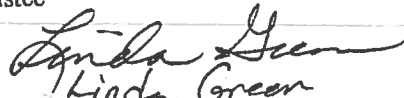
Beneficiary: DECISION ONE MORTGAGE COMPANY, LLC

Legal:

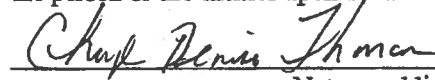
Having received a written request to reconvey, reciting that the obligations secured by the Deed of Trust have been fully satisfied, the below named Trustee does hereby reconvey, without warranty, to the persons entitled thereto all of the right, title and interest now held by Trustee in and to above described Deed of Trust.

FIDELITY NATIONAL TITLE INSURANCE COMPANY,
as substitute trustee

State of Georgia
County of Fulton


Linda Green
By VICE Pres

On 1-15-09, before me personally appeared Linda Green of
Fidelity National Title, personally known to me to be the person who executed the foregoing
instrument on behalf of the corporation therein named and acknowledged to me that he/she
executed the same in his/her authorized capacity, and that by his/her signature on the instrument
the person or the entities upon behalf of which the person acted executed the within instrument.


_____, Notary public in and for said
County and State. My commission expires: 4/7/2012



Cheryl Denise Thomas
NOTARY PUBLIC
Fulton County
State of Georgia
My Commission Expires
April 7, 2012

Instrument # 370936
Elmore County, Idaho
11:43am Nov. 09, 2005
For: GUARANTY TITLE INC
No. of Pages: 12 Fee: \$36.00
GAIL L. BEST, Recorder
Deputy: DLE

After Recording Return To:

Decision One Mortgage Company, LLC
6060 J.A. Jones Drive, Suite 1000
Charlotte, North Carolina 28287

[Space Above This Line For Recording Data]

Loan Number 2100051014020
MIN: 100077910005042979

DEED OF TRUST

DEFINITIONS

Words used in multiple sections of this document are defined below and other words are defined in Sections 3, 11, 13, 18, 20 and 21. Certain rules regarding the usage of words used in this document are also provided in Section 16.

(A) "Security Instrument" means this document, which is dated **NOVEMBER 7, 2005**, together with all Riders to this document.

(B) "Borrower" is **KENDALL J. WIDNER, and TERRY E WIDNER, HUSBAND AND WIFE**. Borrower is the trustor under this Security Instrument.

(C) "Lender" is **Decision One Mortgage Company, LLC**. Lender is a **LIMITED LIABILITY COMPANY** organized and existing under the laws of **NORTH CAROLINA**. Lender's address is **6060 J.A. JONES DRIVE, SUITE 1000, CHARLOTTE, NORTH CAROLINA 28287**.

(D) "Trustee" is **COMMONWEALTH LAND TITLE INSURANCE, 101 Gateway Centre Parkway, Gateway One, Richmond, VIRGINIA 23235**.

(E) "MERS" is Mortgage Electronic Registration Systems, Inc. MERS is a separate corporation that is acting solely as a nominee for Lender and Lender's successors and assigns. **MERS is the beneficiary under this Security Instrument**. MERS is organized and existing under the laws of Delaware, and has an address and telephone number of P.O. Box 2026, Flint, MI 48501-2026, tel. (888) 679-MERS.

(F) "Note" means the promissory note signed by Borrower and dated **NOVEMBER 7, 2005**. The Note states that Borrower owes Lender **TWO HUNDRED EIGHTY THOUSAND AND 00/100ths Dollars (U.S.\$280,000.00)** plus interest. Borrower has promised to pay this debt in regular Periodic Payments and to pay the debt in full not later than **DECEMBER 1, 2035**.

(G) "Property" means the property that is described below under the heading "Transfer of Rights in the Property."

(H) "Loan" means the debt evidenced by the Note, plus interest, any prepayment charges and late charges due under the Note, and all sums due under this Security Instrument, plus interest.

(I) "Riders" means all Riders to this Security Instrument that are executed by Borrower. The following Riders are to be executed by Borrower [check box as applicable]:

☐ Adjustable Rate Rider

☐ Condominium Rider

☐ Second Home Rider

☐ Balloon Rider

☐ Planned Unit Development Rider

☐ Other(s) [specify]

☐ 1-4 Family Rider

☐ Biweekly Payment Rider



PAYOFF STATEMENT

MORTGAGE ACCT. NO	LOAN TYPE
5003049211	CONVENTIONAL
PAYOFF GOOD THROUGH	
JANUARY 1, 2009	

STATEMENT SENT TO:

FAX: 208-233-9388
FARM BUREAU INSURANCE
GREG MURRAY
TEL: 800-574-5066

STATEMENT DATE **DECEMBER 1, 2008**

CUSTOMER'S NAME AND ADDRESS

KENDALL L WIDNER
TERRY E WIDNER
1873 S JOE KING RD
HAMMETT, ID 83627-9739

PROPERTY ADDRESS

1873 S JOE KING ROAD
HAMMETT, ID 83627-0000

IMPORTANT:

PLEASE REFER TO THE REVERSE SIDE OF THIS STATEMENT FOR IMPORTANT INFORMATION. THIS PAYOFF AMOUNT IS GOOD THROUGH THE DATE SHOWN ABOVE, UNLESS ADDITIONAL ACCOUNT ACTIVITY OCCURS PRIOR TO THIS DATE. (Refer to reverse of statement). PLEASE CALL 1-800-283-7918 TO CONFIRM THE AMOUNT PRIOR TO SENDING PAYOFF. MONTHLY MORTGAGE PAYMENT MUST BE MADE AS SCHEDULED. PLEASE SEND A COPY OF THE PAYOFF STATEMENT WITH THE PAYOFF FUNDS.

PAYOFF AMOUNT CALCULATIONS

PRINCIPAL BALANCE AS OF 08/01/08	\$272,446.22
INTEREST FROM 08/01/08 TO 01/01/09 AT 7.440%	13,534.72
ESCROW OVERDRAFT	175.31
TOTAL SECURED BY MORTGAGE	286,156.25

TOTAL TO PAY LOAN IN FULL

\$286,156.25

INT PER DIEM AT 7.440%: \$55.5342* ESCROW INTEREST: \$0.00

PLEASE NOTE: YOUR TOTAL INTEREST AMOUNT DUE INCLUDES
EXTENDED INTEREST, WHICH WAS PREVIOUSLY DEFERRED, IN THE
AMOUNT OF \$5,088.87

ESCROW INFORMATION

ESCROW BALANCE	\$175.31-	
TYPE OF BILL	NEXT DUE	AMOUNT
HOMEOWNER'S INS.	11/19/08	2,332.00
COUNTY TAX	12/01/08	728.68
LAST TAX PAID		
COUNTY TAX	12/03/07	728.68
TAX AND INSURANCE PAYMENT(S) MAY BE MADE DURING THE PAYOFF STATEMENT PERIOD. WE ARE RESPONSIBLE FOR AND WILL PAY ANY TAX/INSURANCE BILL(S) WE RECEIVE BEFORE THE PAYOFF. WE WILL LOOK TO THE CLOSING AGENTS FOR TOTAL FUNDS IF DUPLICATE TAX PAYMENT OCCURS. THE ABOVE INFORMATION COVERS A 60-DAY PERIOD FROM THIS STATEMENT DATE. THE MORTGAGOR, NOT CITIMORTGAGE, INC. WILL BE RESPONSIBLE FOR THEIR OWN TAX AND INSURANCE PAYMENTS AFTER PAYOFF OF THE LOAN.		

SEE REVERSE SIDE FOR WIRE INSTRUCTIONS. CLOSING AGENTS, PLEASE PROVIDE A COPY OF THIS STATEMENT TO OUR BORROWER. CALLS ARE RANDOMLY MONITORED AND RECORDED TO ENSURE QUALITY SERVICE.

NECESSARY INFORMATION

PLEASE INCLUDE THE FORWARDING ADDRESS FOR
THE CUSTOMER WITH THE PAYOFF TO ENSURE
PROPER MAILING OF ANY REFUNDS OR DOCUMENTS

NAME _____

ADDRESS _____

CITY _____

STATE _____ ZIP _____

671-2194-1106F

State of Idaho
Department of Water Resources

Water Right
2-10229

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters
-  Taxlots

0 0.03 0.06 0.12 Miles



[Close](#)IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

2/5/2013

WATER RIGHT NO. 2-10229

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	KAROLYN J HALL 1873 JOE KING RD HAMMETT, ID 83627
Original Owner	T R INVESTMENTS PO BOX 5 HAMMETT, ID 83627 (208)366-2118
Original Owner	JULIANNE S KING
Original Owner	JOSEPH KING JR STAR RT BOX 21 HAMMETT, ID 83627 (208)366-7350
Original Owner	WES LEE W HOALST 385 MONTVUE DR MERIDIAN, ID 83642 (208)888-1455

Priority Date: 09/16/1970

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
SNAKE RIVER	COLUMBIA RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	0.07 CFS	20 AFA

Total Diversion			0.07 CFS	
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Location of Point(s) of Diversion:

SNAKE RIVER	SWNE Lt 2	Sec. 03	Township 06S	Range 08E	ELMORE County
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Place(s) of use:

Place of Use Legal Description: IRRIGATION ELMORE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
06S	08E	3	2	SWNE	4									

Total Acres: 4

Conditions of Approval:

1.	P21	THIS RIGHT IS A SPLIT FROM FORMER RIGHT 2-7070A.
2.	E55	USE OF THIS RIGHT WITH RIGHT NO. 61-7216 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 4.0 ACRES IN A SINGLE IRRIGATION SEASON.
3.	F05	RIGHT NO. 02-10228 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.
4.	C18	This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
5.	E60	USE OF THIS RIGHT WITH RIGHT NO. 61-7216 FOR IRRIGATION IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.08 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 20.0 AF.
6.	S40	THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

Dates:

Licensed Date:

Decreed Date: 06/15/2009

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0 *We were not notified*

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit: 4

Combined Volume Limit: 20

Combined Rate Limit: 0.08

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

Received
12-28-2006
sort date
12-28-2006

BASIN 02 GENERAL PROVISIONS

The Director of the Idaho Department of Water Resources recommends to the Snake River Basin Adjudication District Court that the following general provisions be included in the decree determining rights to water from Basin 02.

-
1. The following water rights from the following sources of water in Basin 02 shall be administered separately from all other water rights in Basin 02 in accordance with the prior appropriation doctrine as established by Idaho law:

WATER RIGHT NO.
None

SOURCE
None

2. The following water rights from the following sources of water in Basin 02 shall be administered separately from all other water rights in the Snake River Basin in accordance with the prior appropriate doctrine as established by Idaho law:

WATER RIGHT NO.
None

SOURCE
None

3. Except as otherwise specified above, all other water rights within Basin 02 will be administered as connected sources of water in the Snake River Basin in accordance with the prior appropriation doctrine as established by Idaho law.

4. The minimum daily flows at the Milner gauging station shall remain as zero cubic feet per second. The Milner gauging station is located at Latitude 42° 31'41", Longitude 114° 01'06"(revised), (NAD83), in the SW1/4 NE1/4 of section 29 in Township 10 South, Range 21 East, Boise Meridian, Twin Falls County Hydrologic Unit 17040212, on the left bank 200 ft downstream from the highway bridge at Milner, 0.4 mile downstream from Milner Dam, at mile 638.7.

BASIN 02 GENERAL PROVISIONS

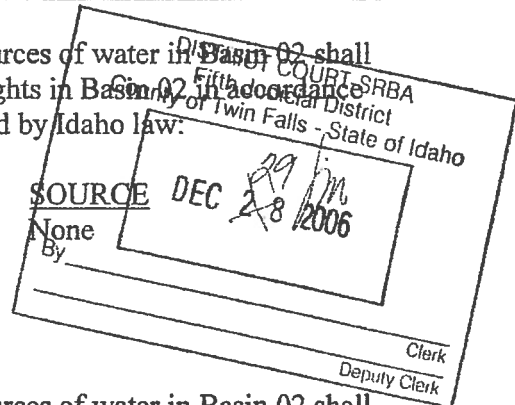
COPY

The Director of the Idaho Department of Water Resources recommends to the Snake River Basin Adjudication District Court that the following general provisions be included in the decree determining rights to water from Basin 02.

1. The following water rights from the following sources of water in Basin 02 shall be administered separately from all other water rights in Basin 02 in accordance with the prior appropriation doctrine as established by Idaho law:

WATER RIGHT NO.

None



2. The following water rights from the following sources of water in Basin 02 shall be administered separately from all other water rights in the Snake River Basin in accordance with the prior appropriate doctrine as established by Idaho law:

WATER RIGHT NO.

None

SOURCE

None

3. Except as otherwise specified above, all other water rights within Basin 02 will be administered as connected sources of water in the Snake River Basin in accordance with the prior appropriation doctrine as established by Idaho law.
4. The minimum daily flows at the Milner gauging station shall remain as zero cubic feet per second. The Milner gauging station is located at Latitude 42° 31'41", Longitude 114° 01'06"(revised), (NAD83), in the SW1/4 NE1/4 of section 29 in Township 10 South, Range 21 East, Boise Meridian, Twin Falls County Hydrologic Unit 17040212, on the left bank 200 ft downstream from the highway bridge at Milner, 0.4 mile downstream from Milner Dam, at mile 638.7.