

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

OCT 18 2012

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?
37-499B	Yes ☒		Yes ☐		Yes ☐
Split into 37-499B	Yes ☐		Yes ☐		Yes ☐
↓ 37-22795	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: River View Farms
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): David E. Hults
Name of each new owner as listed on the conveyance document
Nicole L. Hults
New owner continued ☐ Name connector ☐ and ☐ or ☐ and/or
1572 East 1700 S
Mailing address
Gooding ID 83330
City State ZIP
208-536-1521
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: 10-8-12
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] Title, if applicable: _____ Date: 10/12/12
Signature: [Signature] Title, if applicable: _____ Date: 10/12/12

For IDWR Office Use Only:

Received by DM Date 10-19-2012 Receipt No. 5032858 Receipt Amt. \$100-
Approved by _____ Processed by _____ Date _____

WARRANTY DEED

#GG-11922

For Value Received

Robin Lynn Johnson and Paul V. Benko, husband and wife

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

David E. Hults and Nicole L. Hults, husband and wife, as community property with rights of survivorship

Address: 1572 E 1700 S, Gooding, ID 83330

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

PARCEL NO. 1:

TOWNSHIP 5 SOUTH, RANGE 14 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 27: Part of the N $\frac{1}{4}$, being more particularly described as follows:

Commencing at a 5/8 inch rebar with a cap stamped LS 884 marking the Northeast corner of said Section 27;
Thence along the East line of the NE $\frac{1}{4}$ of said Section 27, South 00°05'47" West, a distance of 1321.18 feet to a 5/8 inch rebar with a plastic cap stamped PLS 9858 marking the Southeast corner of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 27;
Thence along the South line of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 27, North 89°49'16" West, a distance of 1323.84 feet to a 5/8 inch rebar with a plastic cap stamped PLS 9858 marking the Northeast corner of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 27, being also THE POINT OF BEGINNING;
Thence along the East line of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 27, South 00°23'07" West, a distance of 1323.13 feet to a 1/2 inch iron rod with cap stamped PLS 889 marking the Southeast corner of said SW $\frac{1}{4}$ NE $\frac{1}{4}$;
Thence along the South line of said SW $\frac{1}{4}$ NE $\frac{1}{4}$, North 89°46'42" West, a distance of 1309.23 feet to a 1/2 inch iron rod marking the Southwest corner of said SW $\frac{1}{4}$ NE $\frac{1}{4}$;
Thence along the West line of said SW $\frac{1}{4}$ NE $\frac{1}{4}$, North 00°12'45" East, a distance of 1321.34 feet to a 5/8 inch rebar with cap stamped PLS 9858 marking the Southeast corner of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 27;
Thence along the South line of said NE $\frac{1}{4}$ NW $\frac{1}{4}$, North 89°47'00" West, a distance of 1318.90 feet to a 1/2 inch iron rod with cap stamped PLS 889 marking the Southwest corner of said NE $\frac{1}{4}$ NW $\frac{1}{4}$;
Thence along the West line of said NE $\frac{1}{4}$ NW $\frac{1}{4}$, North 00°17'21" East, a distance of 1320.40 feet to a 1/2 inch rebar marking the Northwest corner of said NE $\frac{1}{4}$ NW $\frac{1}{4}$;
Thence along the North line of said NE $\frac{1}{4}$ NW $\frac{1}{4}$, South 89°49'27" East, a distance of 1317.14 feet to a 5/8 inch rebar with cap stamped PLS 9858 marking the Northwest corner of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 22;
Thence along the North line of said NW $\frac{1}{4}$ NE $\frac{1}{4}$, South 89°50'07" East, a distance of 461.64 feet to a 5/8 inch rebar with cap stamped PLS 9858;
Thence South 10°15'36" West, a distance of 470.95 feet to a 5/8 inch rebar with cap stamped PLS 9858;
Thence South 89°50'03" East, a distance of 187.05 feet;
Thence South 48°31'43" East, a distance of 286.52 feet to a 1/2 inch rebar with cap stamped PLS 9858;
Thence South 86°46'20" East, a distance of 120.43 feet to a 5/8 inch rebar with cap stamped PLS 9858;
Thence South 27°54'49" East, a distance of 725.99 feet to a 5/8 inch rebar with cap stamped PLS 9858;
Thence South 04°36'11" East, a distance of 21.17 feet to a 5/8 inch rebar with cap stamped PLS 9858;
Thence South 89°51'24" East, a distance of 67.02 feet to THE POINT OF BEGINNING.

PARCEL NO. 2:

TOWNSHIP 5 SOUTH, RANGE 14 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 27: A twenty five feet wide strip of land for ingress and egress for the benefit of Parcel No. 1, being part of the NW $\frac{1}{4}$ NE $\frac{1}{4}$, the perimeter of said strip of land being more particularly described as follows:

Instrument # 242625
GOODING, GOODING, IDAHO
10-18-2012 03:06:49 No. of Pages: 3
Recorded for: LAND TITLE AND ESCROW
DENISE M. GILL Fee: 16.00
Ex-Officio Recorder Deputy

\\plant\inst\Gooding\242\242625.001

Commencing at a 5/8 inch rebar with cap stamped LS 884 marking the Northeast corner of said Section 27;
Thence along the East line of the NE¼ of said Section 27, South 00°05'47" West, a distance of 1321.18 to a 5/8 inch rebar with a plastic cap stamped PLS 9858 marking the Southeast corner of the NE¼NE¼ of said Section 27;
Thence along the South line of the NE¼NE¼ of said Section 27, North 89°49'16" West, a distance of 1323.84 feet to a 5/8 inch rebar with a plastic cap stamped PLS 9858 marking the Northeast corner of the SW¼NE¼ of said Section 27;
Thence along the South line of said NW¼NE¼, North 89°51'24" West, a distance of 67.02 feet to a 5/8 inch rebar with a plastic cap stamped PLS 9858, being also THE POINT OF BEGINNING;
Thence North 04°36'11" West, a distance of 21.17 feet to a 5/8 inch rebar with cap stamped PLS 9858;
Thence North 27°54'49" West, a distance of 725.99 feet to a 5/8 inch rebar with cap stamped PLS 9858;
Thence North 62°05'11" East, a distance of 25.00 feet;
Thence South 27°54'49" East, a distance of 763.22 feet to the South line of said NW¼NE¼;

Thence along the South line of said NW¼NE¼, North 89°51'24" West, a distance of 37.82 feet to THE POINT OF BEGINNING.

PARCEL NO. 3:

TOWNSHIP 5 SOUTH, RANGE 14 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 22: That part of the SW¼SE¼ lying South of the Big Wood River and that part of the SE¼SW¼ lying South of the Big Wood River, all being more particularly described as follows:

Commencing at a 5/8 inch rebar with a cap stamped LS 884 marking the Southeast corner of said Section 22;
Thence along the South line of the SE¼ of said Section 22, North 89°50'07" West, a distance of 2064.13 feet to the center of the Big Wood River, being also THE POINT OF BEGINNING, and from which point a 5/8 inch rebar with cap stamped PLS 9858 bears North 89°50'07" West at a distance of 108.61 feet;
Thence North 89°50'07" West, a distance of 570.25 feet to a 5/8 inch rebar stamped PLS 9858 marking the Southeast corner of said SE¼SW¼;
Thence along the South line of said SE¼SW¼, North 89°49'27" West, a distance of 1317.14 feet to a ½ inch rebar marking the Southwest corner of said SE¼SW¼;
Thence along the West line of said SE¼SW¼, North 00°43'47" East, a distance of 754.63 feet to the center of the Big Wood River, from which point a ½ inch rebar with cap stamped PLS 9858 bears South 00°43'47" West at a distance of 92.74 feet;
Thence along the center of the Big Wood River the following bearings and distances:
South 77°45'47" East, a distance of 381.08 feet;
Thence South 83°27'54" East, a distance of 734.34 feet;
Thence South 60°04'49" East, a distance of 183.27 feet;
Thence South 46°34'04" East, a distance of 359.07 feet;
Thence South 51°28'04" East, a distance of 218.30 feet;
Thence South 56°43'58" East, a distance of 221.75 feet to THE POINT OF BEGINNING.

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to 1.20 cfs of decreed water right from Big Wood River with a priority date of May 1, 1905 from Water Right No. 37-499B from the Idaho Department of Water Resources AND 50 acres from the American Falls Reservoir District #2.

SUBJECT TO:

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

Taxes for 2012 are an accruing lien.

Taxes subsequent to the year 2012.

Assessments of the American Falls Reservoir District No. 2 and the rights and powers of said District as by law provided.

Assessments of the Big Wood Canal Company and the rights and powers of said Company as by law provided.

Right of way for canals, laterals and waste ditches of Big Wood Canal Company.

Assessments levied by Water District 37 and 37-M.

Power Line Easement given by Rex Miller and Winnifred Miller, husband and wife, to Idaho Power Company, a corporation, dated October 30, 1944, recorded July 2, 1947 in Book 6 Page 231 as Instrument Number 101605, Gooding County records, affecting the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 27, Township 5 South, Range 14, East Boise Meridian.

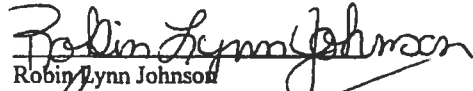
Power Line Easement given by North Side Canal Company, Ltd., to Idaho Power Company, a corporation, dated March 10, 1947, recorded July 2, 1947 in Book 6 Page 232 as Instrument Number 101606, Gooding County records, affecting the S $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 22, Township 5 South, Range 14, East Boise Meridian.

Power Line Easement given by Western Appraisal and Investment Co., Inc., by L. James Koutnik, to Idaho Power Company, a corporation, dated April 23, 1981, recorded July 17, 1981 as Instrument Number 90452, Gooding County records, affecting a portion of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 27, Township 5 South, Range 14, East Boise Meridian.

Rights of the United States of America, State of Idaho and the Public generally, in and to that portion of the property lying below the mean high water mark of the Big Wood River.

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.

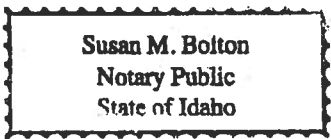
Dated: October 12, 2012

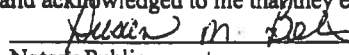

Robin Lynn Johnson


Paul Benko

STATE OF IDAHO)
) ss.
COUNTY OF Gooding)

On this 12th day of October, 2012, before me, the undersigned, a Notary Public in and for said State, personally appeared Robin Lynn Johnson and Paul V. Benko, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.


Susan M. Bolton
Notary Public
State of Idaho


Notary Public
Residing at: Gooding, ID
My Commission expires: 10-16-2016

WARRANTY DEED

#GG-11922

For Value Received

Robin Lynn Johnson, a married woman

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

**Robin Lynn Johnson and Paul V. Benko, wife and husband, as community property with rights of survivorship
Address: 500 Riverview Drive, Gooding, ID 83330**

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

See EXHIBIT A attached hereto and made a part hereof.

SUBJECT TO:

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

Taxes for 2012 are an accruing lien.

Taxes subsequent to the year 2012, a lien.

Assessments of the American Falls Reservoir District No. 2 and the rights and powers of said District as by law provided.

Assessments of the Big Wood Canal Company and the rights and powers of said Company as by law provided.

Right of way for canals, laterals and waste ditches of Big Wood Canal Company.

Assessments levied by Water District 37 and 37-M.

Power Line Easement given by Rex Miller and Winnifred Miller, husband and wife, to Idaho Power Company, a corporation, dated October 30, 1944, recorded July 2, 1947 in Book 6 Page 231 as Instrument Number 101605, Gooding County records, affecting the NW¼NE¼ of Section 27, Township 5 South, Range 14, East Boise Meridian.

Power Line Easement given by North Side Canal Company, Ltd., to Idaho Power Company, a corporation, dated March 10, 1947, recorded July 2, 1947 in Book 6 Page 232 as Instrument Number 101606, Gooding County records, affecting the S½SE¼ of Section 22, Township 5 South, Range 14, East Boise Meridian.

Instrument # 242624

GOODING, GOODING, IDAHO

10-15-2012 03:04:46 No. of Pages: 4

Recorded for : LAND TITLE AND ESCROW

DENISE M. GILL Fee: 19.00

Ex-Officio Recorder Deputy

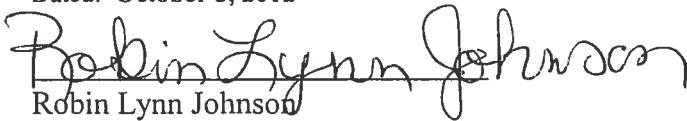


Power Line Easement given by Western Appraisal and Investment Co., Inc., by L. James Koutnik, to Idaho Power Company, a corporation, dated April 23, 1981, recorded July 17, 1981 as Instrument Number 90452, Gooding County records, affecting a portion of the NW¼NE¼ of Section 27, Township 5 South, Range 14, East Boise Meridian.

Rights of the United States of America, State of Idaho and the Public generally, in and to that portion of the property lying below the mean high water mark of the Big Wood River.

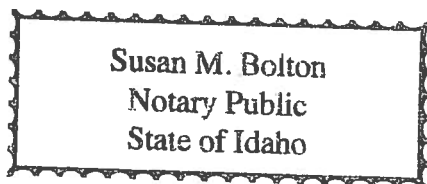
TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all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

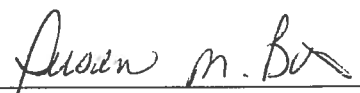
Dated: **October 5, 2012**


Robin Lynn Johnson

STATE OF IDAHO)
) ss.
COUNTY OF)

On this 12th day of **October, 2012**, before me, the undersigned, a Notary Public in and for said State, personally appeared **Robin Lynn Johnson**, known or identified to me to be the person whose name are subscribed to the within instrument, and acknowledged to me that they executed the same.





Notary Public
Residing at: Gooding, ID
My Commission expires: 10-16-2016

EXHIBIT "B"

TOWNSHIP 5 SOUTH, RANGE 14 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 27: Part of the N $\frac{1}{2}$ NE $\frac{1}{4}$, being more particularly described as follows:

Commencing at a 5/8 inch rebar with a cap stamped LS 884 marking the Northeast corner of said Section 27;

Thence along the East line of the NE $\frac{1}{4}$ of said Section 27, South 00°05'47" West, a distance of 931.85 feet to the meandered centerline of the Big Wood River, being THE POINT OF BEGINNING and from which a 5/8 inch rebar with a plastic cap stamped PLS 9858 bears South 00°05'47" West, at a distance of 100.00 feet;

Thence continuing along the East line of the NE $\frac{1}{4}$ of said Section 27, South 00°05'47" West, a distance of 389.33 feet to a 5/8 inch rebar with a plastic cap stamped PLS 9858 marking the Southeast corner of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 27;

Thence along the South line of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 27, North 89°49'16" West, a distance of 1323.84 feet to a 5/8 inch rebar with a plastic cap stamped PLS 9858 marking the Southeast corner of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 27;

Thence along the South line of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 27, North 89°51'24" West, a distance of 67.02 feet to a 5/8 inch rebar with a plastic cap stamped PLS 9858;

Thence North 04°36'11" West, a distance of 21.17 feet to a 5/8 inch rebar with a plastic cap stamped PLS 9858;

Thence North 27°54'49" West, a distance of 725.99 feet to a 5/8 inch rebar with a plastic cap stamped PLS 9858;

Thence North 86°46'20" West, a distance of 120.43 feet to a 1/2 inch rebar with a plastic cap stamped PLS 9858;

Thence North 48°31'43" West, a distance of 286.52 feet to a point from which a 1/2 inch rebar with a plastic cap stamped PLS 9858 bears North 48°31'43" West at a distance of 15.64 feet;

Thence North 89°50'03" West, a distance of 187.05 feet to a 5/8 inch rebar with a plastic cap stamped PLS 9858;

Thence North 10°15'36" East, a distance of 470.95 feet to a 5/8 inch rebar with a plastic cap stamped PLS 9858 marking the intersection with the North line of the NE $\frac{1}{4}$ of said Section 27;

Thence continuing along the North line of the NE $\frac{1}{4}$ of said Section 27, South 89°50'07" East, a distance of 108.61 feet to the meandered centerline of the Big Wood River;

Thence along the meandered centerline of the Big Wood River the following bearings and distances:

South 56°43'58" East, a distance of 117.16 feet;

Thence South 46°20'13" East, a distance of 135.17 feet;

Thence South 06°04'29" East, a distance of 92.58 feet;

Thence South 56°59'29" East, a distance of 94.55 feet;

Thence South 75°34'09" East, a distance of 113.12 feet;

Thence North 51°56'36" East, a distance of 119.70 feet;

Thence North 44°03'20" East, a distance of 149.31 feet;

Thence North 64°39'45" East, a distance of 79.06 feet;

Thence South 77°26'13" East, a distance of 84.72 feet;

Thence South 42°28'43" East, a distance of 199.80 feet;

Thence South 03°24'27" East, a distance of 132.04 feet;

Thence South 16°58'55" West, a distance of 116.20 feet;

Thence South 23°45'31" West, a distance of 167.12 feet;

Thence South 53°19'54" West, a distance of 82.17 feet;

Thence South 32°19'42" West, a distance of 39.13 feet;

Thence South 08°35'36" West, a distance of 30.69 feet;
Thence South 17°11'32" East, a distance of 71.06 feet;
Thence South 54°30'04" East, a distance of 78.38 feet;
Thence South 86°22'49" East, a distance of 37.39 feet;
Thence North 70°38'20" East, a distance of 67.67 feet;
Thence North 64°14'27" East, a distance of 108.47 feet;
Thence North 78°50'38" East, a distance of 197.21 feet;
Thence South 85°48'40" East, a distance of 205.59 feet;
Thence South 72°04'25" East, a distance of 88.37 feet;
Thence South 67°55'46" East, a distance of 161.96 feet;
Thence South 76°26'46" East, a distance of 43.06 feet;
Thence South 85°29'40" East, a distance of 92.26 feet;
Thence North 87°37'25" East, a distance of 111.74 feet;
Thence South 85°02'37" East, a distance of 153.64 feet;
Thence South 76°39'05" East, a distance of 52.40 feet to THE POINT OF BEGINNING.