

MAY 26 2011

Department of Water Resources
Eastern RegionSTATE 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?
13-7391	Yes ☐		Yes ☐		Yes ☐
13-4224	Yes ☒	Cannot Complete	Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Merrill D. & Shirley B. Hubbard Family Trust
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): James W Hubbard
Name of each new owner as listed on the conveyance document

Karen G. Hubbard
New owner continued ☐ Name connector ☒ and ☐ or ☐ and/or

Mailing address
883 Hawwood Rd, Grace Id 83241
City 208 425-9133 State ZIP
208-240-8686 jwhubba@yahoo.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: January 27, 2011

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): See Receipt # E034861
 - \$25 per undivided water right.
 - \$100 per split water right.
 - No fee is required for pending adjudication claims.

7. Signature: James W Hubbard Title, if applicable _____ Date 5/24/2011
Signature of new owner/claimant
Signature: Karen G Hubbard Title, if applicable _____ Date 5/24/2011
Signature of new owner/claimant

For IDWR Office Use Only:

Received by JB Date May 31, 2011 Receipt No. E036687 Receipt Amt. \$50.-
Approved by _____ Processed by _____ Date _____

WARRANTY DEED

FOR VALUE RECEIVED, MERRILL D. HUBBARD and SHIRLEY M. HUBBARD, husband and wife, of Star Route, Box 272, Grace, Idaho, 83241 (hereinafter "Grantors"), do hereby grant, bargain, sell and convey unto Merrill Hubbard and Sons, a Limited Partnership, whose principal business address is Star Route, Box 272, Grace, Idaho 83241 (hereinafter "Grantee"), the following described property in Caribou County, State of Idaho, to-wit:

Township 10 South, Range 41 East,
Boise Meridian:

Section 16: That part of Lot 1,
and of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ lying South of
the McPherson Canyon Road, EXCEPT
THEREFROM, the following described
tract:

Beginning at the Southwest corner
of Lot 1, and running thence East
2180 feet, more or less, to the TRUE
POINT OF BEGINNING;

thence North 495 feet; thence East
300 feet;

thence South 495 feet; thence West
300 feet,

to the TRUE POINT OF BEGINNING.

Section 17: That part of the N $\frac{1}{4}$ NE $\frac{1}{4}$,
NE $\frac{1}{4}$ NW $\frac{1}{4}$ lying South of the McPherson
Canyon Road;
S $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$, E $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 20: N $\frac{1}{4}$, EXCEPTING THEREFROM
the North 100 feet of the NE $\frac{1}{4}$ NW $\frac{1}{4}$.

Section 21: N $\frac{1}{4}$ NW $\frac{1}{4}$, and the North
440 feet of the S $\frac{1}{4}$ N $\frac{1}{4}$.

TOGETHER with 310 shares of common
stock of Last Chance Canal Co., and
372 shares of stock of East Branch

STATE OF IDAHO } 127614
County of Caribou

I, Clerk of the County, do hereby certify that the foregoing is a true and correct copy of the original of the above described instrument as the same appears in the records of the County of Caribou, Idaho, this 7th day of July, 1960.

Canal Co. together with all other
water rights and ditch rights
appurtenant thereto..

SUBJECT TO existing mortgage
indebtedness, easements and other
encumbrances of record.

TO HAVE AND TO HOLD the said premises, with their
appurtenances, including all gas, oil, mineral, and water
rights, unto said Grantee, its heirs and assigns forever.
The said Grantors do hereby covenant to and with said Grantee
that they are the owners in fee simple of said premises;
that they are free from all encumbrances excepting mortgage
indebtedness and easements of record, mineral leases of record,
conflicts in boundary lines, shortage in area, and any facts
which a correct survey and inspection of the premises would
disclose and which are not shown by the public records, and
that they will warrant and defend the same from all lawful
claims whatsoever.

DATED this 4th day of March, 1986.

Merrill D. Hubbard
MERRILL D. HUBBARD
Shirley B. Hubbard
SHIRLEY B. HUBBARD

STATE OF IDAHO)
: ss
County of Bannock)

On this 4th day of March, 1986, before me, the
undersigned, a Notary Public in and for said State, personally
appeared MERRILL D. HUBBARD and SHIRLEY B. HUBBARD, husband
and wife, known to me to be the persons whose names are
subscribed to the foregoing and acknowledged to me that they
executed the same.

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

(SEAL)

Randall C. Burke
NOTARY PUBLIC, STATE OF IDAHO
Residing at Bozeman, Idaho
My Commission expires 10/15/90

CORRECTION WARRANTY DEED

THIS INDENTURE, Made this 20th day of April, 1993, between MERRILL D. HUBBARD and SHIRLEY B. HUBBARD, husband and wife, of Grace, Caribou County, State of Idaho, hereinafter called First Party, and MERRILL HUBBARD AND SONS, LIMITED PARTNERSHIP, an Idaho limited partnership, of 2247 Two Mile Road, Grace, Caribou County, State of Idaho 83241, hereinafter called Second Party:

WITNESSETH: That the said First Party, for and in consideration of the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION, lawful money of the United States of America, to said First Party in hand paid by the said Second Party, the receipt of which is hereby acknowledged, does by these presents, Grant, Bargain, Sell and Convey and Confirm unto said Second Party, and to said Second Party's heirs and assigns forever: All that certain lot, piece or parcel of land situate, lying and being in the County of Caribou, State of Idaho, more particularly described as follows, to-wit:

Township 10 South, Range 41 East of the Boise Meridian:

Section 16: That portion of Lot 1 and of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 16 lying South of the McPherson Canyon Road. EXCEPT THEREFROM, the following described tract:

Beginning at the Southwest corner of said Lot 1, and running thence East 2180 feet, more or less, to the TRUE POINT OF BEGINNING, and running thence North 495 feet; thence East 300 feet; thence South 495 feet; thence West 300 feet, to the true point of beginning.

Section 17: S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, and that portion of the N $\frac{1}{2}$ NE $\frac{1}{4}$ and the NE $\frac{1}{4}$ NW $\frac{1}{4}$ lying South of the McPherson Canyon Road.

EXCEPT THEREFROM a tract of land in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 17, more particularly described as follows:

Beginning at a point on the South right-of-way line of Kirby Road, said point being 27.6 feet South and 1013.6 feet East from the Northwest corner of said Section 17; thence South 89°20' East 284 feet; thence South 0°40' West 245 feet; thence South 89°20' East 297.8 feet, to the TRUE POINT OF BEGINNING, and running

thence South 89°20' East 321.5 feet;

thence South 4°00' West 900 feet;

thence South 62°06' West 170 feet, more or less, to the North 1/16th line;

thence South 88°02' West 111 feet, more or less, to a point;

thence North 0°40' East 994.2 feet, more or less, to the true point of beginning.

Section 20: N $\frac{1}{4}$, EXCEPT THEREFROM the North 100 feet of the NE $\frac{1}{4}$ NW $\frac{1}{4}$.

Section 21: N $\frac{1}{4}$ N $\frac{1}{4}$, and the North 440 feet of the S $\frac{1}{4}$ N $\frac{1}{4}$.

TOGETHER WITH 310 shares of common stock of Last Chance Canal Co., and 372 shares of stock of East Branch Canal Co. together with all other water rights and ditch rights appurtenant thereto.

THIS WARRANTY DEED IS GIVEN TO CORRECT THE NAME OF THE GRANTEE AND TO ADD AN EXCEPTION IN THE REAL PROPERTY DESCRIPTION IN THAT CERTAIN WARRANTY DEED RECORDED APRIL 19, 1986, UNDER RECORDER'S INSTRUMENT NO. 127614, IN THE MICROFILM RECORDS OF CARIBOU COUNTY, IDAHO.

SUBJECT TO existing mortgage indebtedness, easements, and other encumbrances of record.

TO HAVE AND TO HOLD the same premises, with their appurtenances, including all gas, oil, mineral, and water rights, unto said Second Party, its heirs and assigns forever. The said First Party does hereby covenant to and with said Second Party that they are the owners in fee simple of said premises; that they are free from all encumbrances excepting mortgage indebtedness and easements of record, mineral leases of record, conflicts in boundary lines, shortage in area, and any facts which a correct survey and inspection of the premises would disclose and which are not shown by the public records, and that they will warrant and defend the same from all lawful claims whatsoever.

SUBJECT to all easements, rights of way, and public roads or highways adjoining or crossing said property, and further subject to retention or reservation of mineral, oil and gas rights by prior owners of said real property or by the United States of America or the State of Idaho.

TOGETHER WITH all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances and privileges thereunto incident unto the said Second Party, and its heirs and assigns forever. And the said First Party, and their heirs the said premises in the quiet and peaceable possession of said Second Party, its heirs and assigns against the said First Party, and their heirs and against all and every person or persons whomsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, The said First Party has hereunto set their hands and seals, the day and year first above written.

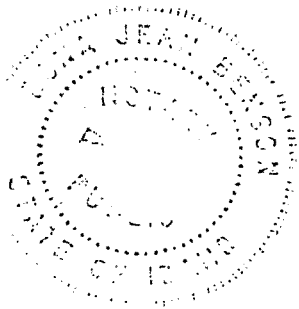
Merrill D. Hubbard
MERRILL D. HUBBARD

Shirley B. Hubbard
SHIRLEY B. HUBBARD

STATE OF IDAHO)
: ss.
County of Caribou)

On this 8th day of June, 1993, before me the undersigned, a Notary Public in and for said County and State, personally appeared Merrill D. Hubbard and Shirley B. Hubbard, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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



Jean Benson
NOTARY PUBLIC for the State of Idaho
Residing at: Soda Springs, Idaho
Commission expires: August 15, 1997

STATE OF IDAHO) ss. **145718**
County of Caribou)

I hereby certify that this instrument was filed at the request
of Caribou Title
at 4:35 o'clock P m this 8th day of
June, 1993 in my office and duly
recorded in Microfilm Records
Edie Izatt
Denise Husley
Ex-Officio Recorder Deputy, so

CONVEYANCE DEED

FOR VALUE RECEIVED, MERRILL HUBBARD AND SONS, A LIMITED PARTNERSHIP, by Merrill D. Hubbard and Shirley B. Hubbard, General Partners, of 2247 Two Mile Road, Grace, Idaho (hereinafter "Grantors"), do hereby grant and convey unto the MERRILL D. AND SHIRLEY B. HUBBARD FAMILY TRUST, Merrill D. Hubbard and Shirley B. Hubbard, Co-Trustees, whose current address is 2247 Two Mile Road, Grace, Idaho 83241 (hereinafter "Grantee"), their heirs and assigns forever, the following described premises in Caribou County, Idaho, to-wit:

Township 10 South, Range 41 East, B.M.

Section 16: That part of Lot 1, and of the NE1/4 NW1/4 lying South of the McPherson Canyon Road, EXCEPT THEREFROM, the following described tract:

Beginning at the Southwest corner of Lot 1, and running thence East 2180 feet, more or less, to the TRUE POINT OF BEGINNING; thence North 495 feet; thence East 300 feet; thence South 495 feet; thence West 300 feet, to the TRUE POINT OF BEGINNING.

Section 17: That part of the N1/2 NE1/4, NE1/4 NW1/4 lying South of the McPherson Canyon Road;
S1/2 NE1/4, SE1/4 NW1/4, SE1/4, E1/2 SW1/4, SW1/4 SW1/4.

EXCEPTING a tract of land in the E1/2 NW1/4 and in the W1/2 NE1/4 of said Section 17, more particularly described as follows:

Beginning at a point on the Southerly right of way line of McPherson Canyon Road, said point being 27.6 feet South and 1013.6 feet East from the Northwest corner of said Section 17; thence South 89°20' East 284 feet; thence South 0°40' West 245 feet; thence South 89°20' East 619.3 feet, to the TRUE POINT OF BEGINNING, said point being the Northeast corner of a tract of land deeded to Grace Sno-Goers, Inc., under recorder's instrument No. 75788, in the microfilm records of Caribou County, Idaho, and running thence South 4°00' West 900 feet along said tract; thence South 26°34'49" West 202.54 feet to the North 1/4th line of said Section 17, said point being the Northeast line of a 5-acre tract; thence South 0°20'28" East 500 feet along said tract; thence South 150 feet;

thence East 1103 feet;
 thence North 1801.2 feet to the Southerly right of way line of the
 McPherson Canyon Road;
 thence South 80°26' West 305.5 feet along said right of way;
 thence South 98°51' West 221 feet along said right of way;
 thence North 86°04' West 224 feet along said right of way;
 thence South 82°04' West 207.24 feet along said right of way, to the
 true point of beginning.

EXCEPT THEREFROM, any portion thereof lying within the right
 of way of a County Road.

Section 20: N1/2, EXCEPTING THEREFROM the North 100 feet of
 the NE1/4 NW1/4.

Section 21: N1/2 N1/2, and the North 440 feet of the S1/2 N1/2.

TOGETHER with 390 shares of common stock of Last Chance Canal
 Co., and 468 shares of stock of East Branch Canal Co., together with
 all other water rights and ditch rights appurtenant thereto.

SUBJECT TO existing mortgage indebtedness, easements and other
 encumbrances of record.

TO HAVE AND TO HOLD the said premises, with all appurtenances.

Grantors do hereby covenant that they are the owners in fee simple of said premises that they
 are free from encumbrances excepting easements of record and any facts which a correct survey and
 inspection of the premises would disclose.

DATED this 26th day of February, 1998.

Merrill B. Hubbard
 MERRILL D. HUBBARD

Shirley B. Hubbard
 SHIRLEY B. HUBBARD

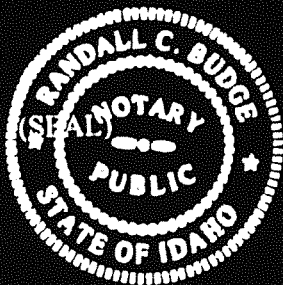
STATE OF IDAHO)

: ss

County of Bannock)

On this 26th day of February, 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared Merrill D. Hubbard and Shirley B. Hubbard, husband and wife, known to me to be the persons whose names are subscribed to the foregoing and acknowledged to me that they executed the same.

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



Randall C. Budge

NOTARY PUBLIC FOR IDAHO

Residing at Pocatello

My Commission expires: 10/11/2000

STATE OF IDAHO } ss **156110**
County of Bannock }

I hereby certify that this instrument was filed at the general

Randall C. Budge
900 at A on the 26 day of
March 1998 in my office and date

Recorded in the Bannock County Records
Senise Hawley
p. 199

CONVEYANCE DEED

FOR VALUE RECEIVED, MERRILL D. HUBBARD and SHIRLEY B. HUBBARD, husband and wife, of 2247 Two Mile Road, Grace, Idaho (hereinafter "Grantors"), do hereby grant and convey unto the MERRILL D. AND SHIRLEY B. HUBBARD FAMILY TRUST, Merrill D. Hubbard and Shirley B. Hubbard, Co-Trustees, whose current address is 2247 Two Mile Road, Grace, Idaho 83241 (hereinafter "Grantee"), their heirs and assigns forever, the following described premises in Caribou County, Idaho, to-wit:

1. Township 10 South, Range 41 East of the Boise Meridian:

Section 19: Beginning at the Northwest corner of the NE1/4 NE1/4 of said Section 19, and running
thence East 2574 feet;
thence Southwest 3960 feet and more to a point 330 feet East from the Southwest corner of the NE1/4 SE1/4;
thence West 330 feet;
thence North 3960 feet, to the point of beginning.

2. The North 100 feet of the NE1/4 NW1/4, Section 20, Township 10 South, Range 41 East, B.M., approximately 3.03 acres.

TO HAVE AND TO HOLD the said premises, with all appurtenances.

Grantors do hereby covenant that they are the owners in fee simple of said premises that they are free from encumbrances excepting easements of record and any facts which a correct survey and inspection of the premises would disclose.

DATED this 26th day of February, 1998.

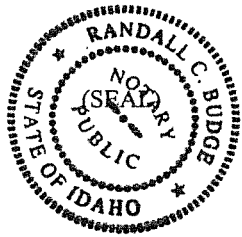
Merrill D. Hubbard
MERRILL D. HUBBARD

Shirley B. Hubbard
SHIRLEY B. HUBBARD

STATE OF IDAHO)
 : ss
County of Bannock)

On this 26 day of February, 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared Merrill D. Hubbard and Shirley B. Hubbard, husband and wife, known to me to be the persons whose names are subscribed to the foregoing and acknowledged to me that they executed the same.

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



Randall C. Budge
NOTARY PUBLIC FOR IDAHO
Residing at Pocatello
My Commission expires: 10/11/2000

STATE OF IDAHO }
County of Caribou } ss. **156132**

I hereby certify that this instrument was filed at the request
of Randall C. Budge
at 9:00 o'clock A m this 11 day of
March, 19 98 in my office and duly
recorded in Microfilm Records
Recorder: Edje Izatt
Senise Kenley
Ex-Officio Recorder Deputy 600

WARRANTY DEED

FOR VALUE RECEIVED

James W. Hubbard, Trustee of the The Merrill D. Hubbard and Shirley B. Hubbard Family Trust, Grantor, does hereby grant, bargain, sell and convey unto James. W. Hubbard and Karen G. Hubbard, husband and wife, 883 Harwood Road, Grace, Idaho 83241, **Grantees**, as their property, the following described premises located in the County of Caribou, State of Idaho, and more fully described as follows:

See Exhibit "A" attached hereto.

SUBJECT to all easements, rights of way and exceptions of record.

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 it is the owner in fee simple of said premises; that they are free from all encumbrances, and that it will warrant and defend the same from all lawful claims whatsoever.

DATED: This 27th day of January, 2011.

GRANTOR

James W. Hubbard
James W. Hubbard, Trustee

STATE OF IDAHO)

: ss

County of Caribou)

On this ____ day of January, 2011, before me personally appeared James W. Hubbard, known or identified to me to be the person whose name is subscribed to the within instrument as Trustee and acknowledged to me that he executed the same as such Trustee of The Merrill B. Hubbard and Shirley B. Hubbard Family Trust

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

(SEAL) KENA ANN MOORE
NOTARY PUBLIC
STATE OF IDAHO

Ken Moore
NOTARY PUBLIC FOR IDAHO
Residing at Idaho Falls, ID
Comm. Exp.: 8/5/15

Exhibit "A"

Caribou County, Idaho:

Township 10 South, Range 41 East of the Boise Meridian:

Section 17: S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$.

EXCEPT THEREFROM, Beginning at the Northwest corner of the SE $\frac{1}{4}$ NW $\frac{1}{4}$, and running thence South 500 feet; thence East 436 feet; thence North 500 feet; thence West 436 feet, to the Point of Beginning.

ALSO EXCEPT THEREFROM, A tract of land in the E $\frac{1}{2}$ NW $\frac{1}{4}$ and in the W $\frac{1}{2}$ NE $\frac{1}{4}$ of said Section 17, more particularly described as follows:
Beginning at a point on the Southerly right of way line of McPherson Canyon Road, said point being 27.6 feet South and 1013.6 feet East from the Northwest Corner of said Section 17; thence South 89°20' East 284 feet; thence South 0°40' West 245 feet; thence South 89°20' East 619.3 feet, to the True Point of Beginning, said point being the Northeast corner of a tract of land deeded to Grace Sno-Goers, Inc., under Recorder's Instrument No. 75788, in the records of Caribou County, Idaho, and running
thence South 4°00' West 900 feet along said tract;
thence South 26°34'49" West 202.54 feet to the North 1/16th line of said Section 17, said point being the Northeast line of a 5-acre tract;
thence South 0°08'28" East 500 feet along said tract;
thence South 150 feet;
thence East 1103 feet;
thence North 1801.2 feet to the Southerly right of way line of the McPherson Canyon Road;
thence South 80°26' West 305.5 feet along said right of way;
thence South 98°51' West 221 feet along said right of way;
thence North 86°04' West 224 feet along said right of way;
thence South 82°04' West 207.24 feet along said right of way, to the True Point of Beginning.

EXCEPT THEREFROM, any portion thereof lying within the right of way of a County Road.

Section 19: Beginning at the Northwest corner of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 19, and running thence East 924 feet; thence Southwesterly 3960 feet, more or less, to a point 330 feet East from the Southwest corner of the NE $\frac{1}{4}$ SE $\frac{1}{4}$; thence West 330 feet; thence North 3960 feet, to the Point of Beginning.

Section 20: N $\frac{1}{2}$.

Section 21: N $\frac{1}{2}$ N $\frac{1}{2}$ and the North 440 feet of the S $\frac{1}{2}$ N $\frac{1}{2}$.

Together with all buildings and structures located on said property, 390 Shares of Stock in the Last Chance Canal Company, 468 Shares of Stock in the East Branch Canal Company, and all other water and water rights appurtenant to said real property, and all main line, wheel lines, hand lines and pumps located upon said property.