

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

OCT 17 2012

Department of Water Resources
Eastern 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?
22-7794	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Ball Family Trust
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): The Cedar Butte Addition Owner's Association, Inc.
Name of each new owner as listed on the conveyance document

New owner continued Name connector ☐ and ☐ or ☐ and/or
PO Box 856
Mailing address
Rexburg ID 83440
City State ZIP
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: July 16, 1999

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: President of HOA Date: 9/15/12
Signature: Melanie Lushman Title, if applicable: Vice President of HOA Date: 9-15-12

For IDWR Office Use Only:

Received by: [Signature] Date: 10/19/2012 Receipt No.: E038109 Receipt Amt.: \$25. -
Approved by: [Signature] Processed by: [Signature] Date: 10/19/2012

PLEASE RETURN TO: cab
HOLDEN, KIDWELL, HAHN & CRAPO
P. O. Box 50130
Idaho Falls, ID 83405

279620

QUITCLAIM DEED

THIS INDENTURE is made this 16th day of July, 1998, by and between ALLEN BALL and CONNIE BALL, not individually but as Trustees of The Allen Ball and Connie Ball Living Trust created under Trust Agreement dated January 6, 1990, the "Grantor," and THE CEDAR BUTTE ADDITION OWNERS ASSOCIATION, INC., whose mailing address is 5465 South 5th West, Idaho Falls, Idaho 83404, the "Grantee".

WITNESSETH:

That the Grantor, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) lawful money of the United States of America and other good and valuable consideration to Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, does by these presents remise, release and forever quitclaim unto the Grantee, and to Grantee's heirs and assigns forever, all right, title and interest now owned or hereafter acquired by the Grantor in all the following described real estate in the County of Madison, State of Idaho, to-wit:

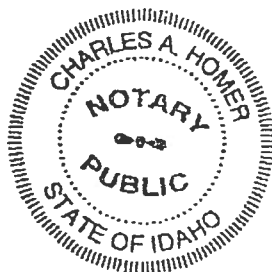
Well Lots Number 6 and 12 in Block 2, the Cedar Butte Addition, Madison County, Idaho, as per the recorded plat thereof.

TOGETHER, with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversions, any remainders, and rents, issues and profits therefrom.

TO HAVE AND TO HOLD the said premises and the appurtenances unto the Grantee, and to Grantee's heirs and assigns forever.

In construing this Quitclaim Deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the Grantor has executed the within instrument the day and year first above written.



Allen Ball
Allen Ball, not individually but as Trustee of
The Allen Ball and Connie Ball Living Trust
created under Trust Agreement dated
January 6, 1990

Microfilm No. 279620Day JUL 21 1999At 952 O'clock mMARILYN R. RASMUSSEN
MADISON COUNTY RECORDERFee \$ 6-75 Deputy

Recorded At Request of

Walden KidwellConnie Ball

Connie Ball, not individually but as Trustee of
The Allen Ball and Connie Ball Living Trust
created under Trust Agreement dated
January 6, 1990

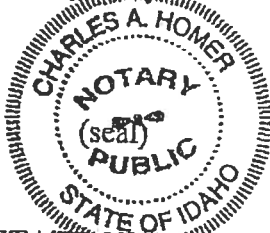
STATE OF IDAHO)

)ss.

County of Bonneville)

On the 16th day of ~~September~~ ^{July}, 1998⁹, before me, the undersigned, a notary public in and for said State, personally appeared Allen Ball, known or identified to me to be the person whose name is subscribed to the within instrument as Trustee of The Allen Ball and Connie Ball Living Trust created under Trust Agreement dated January 6, 1990 and acknowledged to me that he executed the same as such Trustee.

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

Charles A. Homer

Notary Public for Idaho

Residing at Idaho Falls, Idaho

My Commission Expires: 12/6/2004

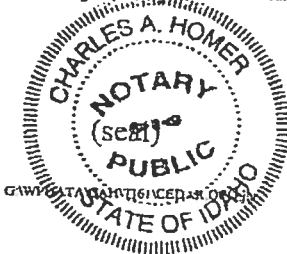
STATE OF IDAHO)

)ss.

County of Bonneville)

On the 16th day of ~~September~~ ^{July}, 1998⁹, before me, the undersigned, a notary public in and for said State, personally appeared Connie Ball, known or identified to me to be the person whose name is subscribed to the within instrument as Trustee of The Allen Ball and Connie Ball Living Trust created under Trust Agreement dated January 6, 1990 and acknowledged to me that she executed the same as such Trustee.

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

Charles A. Homer

Notary Public for Idaho

Residing at Idaho Falls, Idaho

My Commission Expires: 12/6/2004

[Close]

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

8/29/2011

WATER RIGHT NO. 22-7794

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BALL FAMILY TRUST C/O ALLEN BALL 5465 S 5TH W IDAHO FALLS, ID 83404 (208)589-1014

Priority Date: 07/05/1997

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DOMESTIC	01/01	12/31	1.1 CFS	82.8 AFA
FIRE PROTECTION	01/01	12/31	1.1 CFS	
Total Diversion			1.1 CFS	

Location of Point(s) of Diversion:

GROUND WATER	NESWNE	Sec. 13	Township 05N	Range 39E	MADISON County
GROUND WATER	NWSWNE	Sec. 13	Township 05N	Range 39E	MADISON County

DOMESTIC Use:

Number of homes: 69

Place(s) of use:

Place of Use Legal Description: DOMESTIC MADISON County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
05N	39E	13		SWNE NWSE										

Place of Use Legal Description: FIRE PROTECTION same as DOMESTIC

Conditions of Approval:

1.	X01	Domestic use is for 69 homes.
2.	X59	Points of diversion are located within Lots 6 and 12, Blk. 2, Cedar Butte Addition.
3.	X60	Place of use is located within Lots 1-28, Blk. 1; Lots 1-5, Lots 7-11, Blk. 2; Lots 1-16, Blk. 3; and Lots 1-16, Blk. 4; Cedar Butte Addition.
4.	071	The domestic use authorized under this right shall not exceed 13,000 gallons per day per home.
5.	070	The irrigation occurring under this domestic use shall not exceed 1/2 acre within each platted subdivision lot upon which a home has been constructed. This right does not provide for irrigation of common areas or for irrigation of lots upon which homes have not been constructed.
6.	077	Water shall not be diverted for fire protection use under this right except to fight or repel an existing fire.
7.	R55	This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.

Dates:

Licensed Date: 10/15/2002

Decreed Date:

Permit Proof Due Date: 8/1/1999

Permit Proof Made Date: 9/17/1999

Permit Approved Date: 8/11/1997

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date: 05/19/1997

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number: 100

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust: T

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

[Close]

