

RECEIVED

JUN 13 2012

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?
13-961	Yes ☒		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Pond Brothers and Bartlome Partnership
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Blair D. Mathews and Sherri M. Mathews, H&W
Name of each new owner as listed on the conveyance document

New owner continued 91 River Road Name connector ☒ and ☐ or ☐ and/or

Mailing address

Grace

ID

83241

City

State

ZIP

208-681-8010

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: 7/10/2006

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: Blair D. Mathews Title, if applicable _____ Date _____
Signature of new owner/claimant

Signature: Sherri M. Mathews Title, if applicable _____ Date _____
Signature of new owner/claimant

For IDWR Office Use Only:

Received by JP Date 7/27/2012 Receipt No. E037845 Receipt Amt. \$100.-

Approved by JP Processed by JP Date 8/30/2012

WARRANTY DEED

Order No.:3080540224ER

FOR VALUE RECEIVED

George R Wanlass, a married man

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Blair D. Mathews and Sherri M. Mathews, Husband and Wife
~~Blair Mathews and Sherri Mathews, Husband and Wife~~

whose current address is

635 Hwy 34 Grace, ID 83241

the grantee(s), the following described premises, in Caribou County, Idaho, TO WIT:

Caribou County, Idaho:

Township 11 South, Range 40 East of the Boise Meridian:

Section 25: S½ S½ SW¼

Section 26: S½ S½ SE¼, SW¼ SW¼

ALSO, Beginning at a point of the center line of Thatcher Canal 118 feet West of the South Quarter Corner, and running thence West along the South Section line 1207 feet, more or less, to the South 1/16th Corner on South Section line;

thence North 705 feet;

thence East to center of Thatcher Canal

thence Southeasterly along center line of said canal following the meanderings thereof, to the POINT OF BEGINNING.

EXCEPT THEREFROM, beginning at a point 705 feet North of the Southwest Corner of the Southeast Quarter of the Southwest Quarter of said Section 26, and running thence East 430 feet to the West side of the county road;

thence South 37°43' East along the said county road 427 feet;

thence South 71° West 348 feet;

thence North 38°45'50" West 578.5 feet, to the POINT OF BEGINNING.

Section 35: N½, SW¼.

Section 36: All that part of the N½ NW¼, SW¼ NW¼, NW¼ SW¼, lying and being in Caribou County.

ALSO, BEGINNING at a point in the Bear River 2095.5 feet, more or less, North of the Southeast Corner of the SW¼ SW¼ of said Section 36, and running

thence North 841.5 feet, more or less, to the center of Bear River;

thence following the meanderings of Bear River in a Southeasterly and Southwesterly direction, to the POINT OF BEGINNING.

ALSO, all that portion of the NW¼ NE¼ lying West of Bear River in Section 36, aforesaid.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

George R Wanlass

State of Idaho

County of Caribou

} ss.

On this 10th day of July, in the year 2006 before me, a Notary Public in and for said state, personally appeared George R Wanlass known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

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

ANGIE MENDENHALL
Notary Public
State of Idaho

Angie Mendenhall
Notary Public for the State of Idaho
Residing at: Grace
Commission Expires: 01-20-12

CARIBOU COUNTY

2012 OWNER PARCEL LISTING

MATHEWS BLAIR D

06/05/2012
2:38:52PM

Sort Order: Primary Owner Name

Parcel Number	Primary Owner	Mailing Address	Property Address	Legal Description	Catg	Acres	Values		
							Market	Total HOE	Total Taxable
RL40710	MATHEWS BLAIR D	91 RIVER RD GRACE, ID 83241	GRACE, ID 83241	S1/2S1/2SW1/4, 40 AC. SEC 25 T11S R40E	1 4 19	12.000 25.000 3.000	4,908 5,825 0		
				RL40710 TOTAL:		40.000	\$10,733	\$0	\$10,733
RL40770	MATHEWS BLAIR D	91 RIVER RD GRACE, ID 83241	GRACE, ID 83241	TR TAX #10, S1/2S1/2SE1/4, SW1/4SW1/4, 87.25 AC. SEC 26, T11S R40E	3 4 5 19	30.000 40.000 6.000 2.250	5,730 9,320 312 0		
				RL40770 TOTAL:		78.250	\$15,362	\$0	\$15,362
RL41010	MATHEWS BLAIR D	91 RIVER RD GRACE, ID 83241	GRACE, ID 83241	N1/2 & SW1/4, 480 AC. SEC 35 T11S R40E	1 3 4 5 10 19 31 32	407.000 25.000 30.000 9.000 1.000 8.000 0.000 0.000	165,242 4,775 6,210 468 10,000 0 62,578 23,395		
				RL41010 TOTAL:		480.000	\$272,668	\$-36,290	\$236,378
RL41050	MATHEWS BLAIR D	91 RIVER RD GRACE, ID 83241	GRACE, ID 83241	TR W1/2 WEST OF RIVER, TR NW1/4 NE1/4 WEST OF RIVER, 125.10 AC SEC 36, T11S R40E	1 5 19	12.000 111.000 2.100	4,909 22,977 0		
				RL41050 TOTAL:		125.100	\$27,886	\$0	\$27,886

TOTAL PARCEL COUNT: 4

TOTAL TAXABLE VALUE: \$290,359

✱



P/D - Bear River Pump
P/D - Thatcher Irrig.
Co. Canal

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

6/11/2012

WATER RIGHT NO. 13-961

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JUSTIN POND
Current Owner	DAVID BARTLOME
Current Owner	L A POND
	35 LOIS LN
	HORSESHOE BEND, ID 83629
	(208) 870-2232

Priority Date: 04/18/1904

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BEAR RIVER	GREAT SALT LAKE

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/20	9/30	12 CFS	
Total Diversion			12 CFS	

Location of Point(s) of Diversion:

BEAR RIVER	NWSW	Sec. 21	Township 10S	Range 40E	CARIBOU County
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Place(s) of use:

Place of Use Legal Description: IRRIGATION CARIBOU County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
11S	40E	25		SWNW			SENE							
				NESW			NWSW			SWSW			SESW	
		26		NENE			NWNE			SWNE			SENE	
				NESW			NWSW			SESW				
		35		NESE			NWSE			SWSE			SESE	
				NENE			NWNE			SWNE			SENE	
		36		NENW										
				NESE			NWSE			SWSE			SESE	
				NWNW			SWNW							
				NESW										
12S		1		NWNW										
		2		NENE			NWNE							

Conditions of Approval:

1. P/D DECREE SW1/4 SEC 21, GENTILE VALLEY CANAL. P/U AC IRR=560.

Dates:

Licensed Date:

Decreed Date: 07/14/1920

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

Other Information:

State or Federal:

Owner Name Connector:

Water District Number: 11

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:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

LOAN POLICY

SCHEDULE A

Order Number	Policy Number	Date of Policy	Amount of Insurance	Premium Amount
3080540224ER	72107-3017026	July 11, 2006 At 3:10PM	\$462,850.00	\$75.00

1. Name of Insured:

Lewiston State Bank

2. The estate or interest in the land which is encumbered by the insured mortgage is:

Fee Simple

3. Title to the estate or interest in the land is vested in:

Blair D. Mathews and Sherri M. Mathews, Husband and Wife

4. The insured mortgage and assignments thereof, if any, are described as follows:

- i. A Mortgage to secure an indebtedness as shown below and any other obligations secured thereby:
Amount: \$462,850.00.
Mortgagor: Blair D. Mathews and Sherri M. Mathews, husband and wife.
Mortgagee: Lewiston State Bank.
Loan No.: 4100251-851.
Dated: June 2, 2006.
Recorded: July 11, 2006.
Instrument No.: 176063 of Official Records.

5. The land referred to in this Policy is described as follows:

Caribou County, Idaho:

Township 11 South, Range 40 East of the Boise Meridian:

Section 25: S½ S½ SW¼

Section 26: S½ S½ SE¼, SW¼ SW¼

ALSO, Beginning at a point of the center line of Thatcher Canal 118 feet West of the South Quarter Corner, and running thence West along the South Section line 1207 feet, more or less, to the South 1/16th Corner on South Section line;

thence North 705 feet;

thence East to center of Thatcher Canal

thence Southeasterly along center line of said canal following the meanderings thereof, to the POINT OF BEGINNING.

EXCEPT THEREFROM, beginning at a point 705 feet North of the Southwest Corner of the Southeast Quarter of the Southwest Quarter of said Section 26, and running thence East 430 feet to the West side of the county road;

thence South 37°43' East along the said county road 427 feet;

thence South 71° West 348 feet;

thence North 38°45'50" West 578.5 feet, to the POINT OF BEGINNING.

Section 35: N½, SW¼.

Section 36: All that part of the N½ NW¼, SW¼ NW¼, NW¼ SW¼, lying and being in Caribou County.

ALSO, BEGINNING at a point in the Bear River 2095.5 feet, more or less, North of the Southeast Corner of the SW¼ SW¼ of said Section 36, and running

thence North 841.5 feet, more or less, to the center of Bear River;

thence following the meanderings of Bear River in a Southeasterly and Southwesterly direction, to the POINT OF BEGINNING.

ALSO, all that portion of the NW¼ NE¼ lying West of Bear River in Section 36, aforesaid.

END OF SCHEDULE A

LOAN POLICY

Order No.: 3080540224ER
Policy No.: 72107-3017026

SCHEDULE B

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

PART I

GENERAL EXCEPTIONS:

1. Rights or claims of parties in possession not shown by the public records.
2. Encroachments, overlaps, boundary line disputes, and any other matter which would be disclosed by an accurate survey or inspection of the premises including, but not limited to, insufficient or impaired access or matters contradictory to any survey plat shown by the public records.
3. Easements, or claims of easements, not shown by the public records.
4. Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the public records.
6. Taxes or special assessments which are not shown as existing liens by the public records of any taxing authority that levies taxes or assessments on real property or by the public records. Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.

SPECIAL EXCEPTIONS

8. Taxes, including any assessments collected therewith, for the year 2006, which are a lien not yet payable.
9. Exceptions and reservations contained in the deed from the State of Idaho
Recorded: December 7, 1945.
Book: 93 of Deeds at page 622.
Wherein mineral rights are reserved to the state. (47-701 Idaho Code).
10. Right of way for ditches, tunnels, telephone and distribution lines constructed by authority of the United States, as granted to the United States under the provisions of Section 58-604 Idaho Code.
11. Rights of the State of Idaho in and to that portion of said premises, if any, lying in the bed or former bed of the Bear River, if it is navigable.
12. Any question of location, boundary or area related to the Bear River, including, but not limited to, any past or future changes in it.

13. Any prohibition or limitation on the use, occupancy, or improvements of the land resulting from the rights of the public, appropriators, or riparian owners to use any waters, which may now cover the land or to use any portion of the land which is now or may formerly have been covered by water.
14. The right of use, control, or regulation by the United States of America in exercise of power over navigation.
15. Any difference in the mean high water line of the Bear River and the meander line as shown by government survey.
16. An easement for the purpose shown below and rights incidental thereto as set forth in document:
Granted to: Utah Power & Light Company.
Purpose: Public Utilities.
Recorded: February 10, 1930.
Instrument No.: 149214 of Official Records.
Book: 62 of Deeds, Page 609. (Section 35)
17. An easement for the purpose shown below and rights incidental thereto as set forth in document:
Granted to: Utah Power & Light Company.
Purpose: Public Utilities.
Recorded: November 3, 1958.
Instrument No.: 41833 of Official Records. (Section 35)
18. An easement for the purpose shown below and rights incidental thereto as set forth in document:
Granted to: Utah Power & Light Company.
Purpose: Public Utilities.
Recorded: July 8, 1960.
Instrument No.: 44788 of Official Records. (Section 35)
19. An easement for the purpose shown below and rights incidental thereto as set forth in document:
Granted to: Utah Power & Light Company.
Purpose: Public Utilities.
Recorded: August 6, 1962.
Instrument No.: 48367 of Official Records. (Section 35)
19. Joint Use Agreement and Easement for Irrigation Pipeline and the terms and conditions contained therein
Between: Danny Forsgren and Donna Forsgren, husband and wife
and: George R. Wanlass.
Recorded: July 11, 2006.
Instrument No.: 176060 of Official Records.

END OF SCHEDULE B - PART I

LOAN POLICY

Order No.: 3080540224ER

Policy No.: 72107-3017026

SCHEDULE B

EXCEPTION FROM COVERAGE

In addition to the matters set forth on PART I of this Schedule, the title to the estate or interest in the land described or referred to in Schedule A is subject to the following matters, if any be shown, but the Company insures that these matters are subordinate to the lien or charge of the insured mortgage upon the estate or interest:

PART II

SPECIAL EXCEPTIONS:

1. A Mortgage to secure an indebtedness as shown below and any other obligations secured thereby:
Amount: \$201,000.00.
Mortgagor: Blair D. Mathews and Sherri M. Mathews, husband and wife.
Mortgagee: Lewiston State Bank.
Loan No.: 4100251-802.
Dated: June 9, 2006.
Recorded: July 11, 2006.
Instrument No.: 176064 of Official Records.
2. A Mortgage to secure an indebtedness as shown below and any other obligations secured thereby:
Amount: \$84,100.00.
Mortgagor: Blair Mathews and Sherri Mathews, husband and wife.
Mortgagee: George R. Wanlass, a married man.
Dated: July 10, 2006.
Recorded: July 11, 2006.
Instrument No.: 176065 of Official Records.

END OF SCHEDULE B

Countersigned:

Authorized Signature