

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

DEC 27 2011

DEPT. OF WATER RESOURCE
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?
37-539G	Yes ☒		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Hyndman Peak Homeowners Association, Inc.
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Boxall Estate
Name of each new owner as listed on the conveyance document
c/o Calvin Kidney, Wells Fargo Trust
New owner continued ☐ Name connector ☐ and ☐ or ☐ and/or
PO Box 2618
Mailing address
Boise ID 833701
City 393 State ZIP
208.999-2438 calvin.e.kidney@wellsfargo.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: N/A

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: Calvin E. Kidney Calvin E. Kidney
Signature of new owner/claimant Assistant Vice President
Title, if applicable Trust Asset Administrator Manager
Date 8 Dec 2011
Signature: _____
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by DB Date 12-27-2011 Receipt No. 5032284 Receipt Amt. \$100-
Approved by _____ Processed by _____ Date _____

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

Instrument # 593189

HAILEY, BLAINE, IDAHO
12-21-2011 12:16:50 No. of Pages: 4
Recorded for : HYNDMAN PEAK HOA, INC
JOLYNN DRAGE Fee: 19.00
Ex-Officio Recorder Deputy
Index to: WTY/QC/CORP DEED

XB

(space above line for Recorder's use)

QUITCLAIM DEED

FOR VALUE RECEIVED, HYNDMAN PEAK HOMEOWNERS' ASSOCIATION, INC., an Idaho non-profit corporation ("Grantor"), does hereby convey, release, remise and forever quitclaim to WELLS FARGO BANK, a national association, Trustee under the Last Will and Testament of David W. Boxall, Deceased, whose address is MAC.N9305-101, Sixth and Marquette, Minneapolis, Minnesota, 55479 ("Grantee"), all its right, title and interest in and to the following described water rights, appurtenant to real property situated in Blaine County, Idaho:

That portion of Water Right No. 37-539G, the Order for Partial Decree for which is attached hereto as **Exhibit A**, appurtenant to Lot 36, Hyndman Peak Subdivision, to wit: 0.048 cfs to irrigate 1.27 acres.

DATED this 16th day of December, 2011.

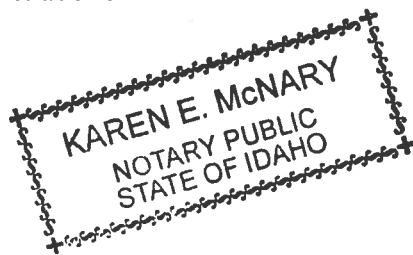
HYNDMAN PEAK HOMEOWNERS' ASSOCIATION, INC.

By: *Lita Bennett England*
Board Vice President

STATE OF IDAHO)
 : ss.
County of Blaine)

On this 16 day of DECEMBER, 2011, before me the undersigned Notary Public in and for said State, personally appeared RITA BENNETT ENGLE, known or identified to me to be the BOARD VICE PRESIDENT of HYNDMAN PEAK HOMEOWNERS' ASSOCIATION, INC., and the person who executed the foregoing instrument on behalf of said corporation and acknowledged to me he executed the same on behalf of said corporation.

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



Karen E. McNary
Notary Public for Idaho
Residing at : Hooley, ID
Comm. Expires: 9-28-16

EXHIBIT A

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho
JUN 29 2011
By _____ Clerk Deputy Clerk

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

ORDER OF PARTIAL DECREE

Subcase No. 37-00539G
(Hyndman Peak Homeowners Assn.)

On May 24, 2011, a *Special Master's Report and Recommendation* was filed for the above-captioned water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report and Recommendation* and wholly adopts them as its own.

Therefore, IT IS ORDERED that the above-captioned water right be decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED

June 29, 2011


ERIC J. WILDMAN
Presiding Judge
Snake River Basin Adjudication

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
)
Case No. 39576)
)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(B) FOR
Water Right 37-005390

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho
JUN 29 2011
By _____ Clerk Deputy Clerk

NAME AND ADDRESS: HYNDMAN PEAK HOMEOWNERS ASSN
PO BOX 3700
KETCHEUM, ID 83340

SOURCE: EAST FORK WOOD RIVER TRIBUTARY: BIG WOOD RIVER

QUANTITY: 0.85 CFS

This right shall provide no more than 3.5 afa per acre at the
field headgate for irrigation of the lands in the place of use
whenever sprinkler methods of irrigation are used.

PRIORITY DATE: 06/03/1884

POINT OF DIVERSION: T03N R18E S03 SWSNE Within Blaine County
NESENE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	0.85 CFS

PLACE OF USE:	Irrigation	Within Blaine County
	T03N R18E S03	
	SWNE 4.5	SENE 2.2
	NESW 5.8	SESW 9.2
	NWSE 0.7	
	22.4 Acres Total	

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance
with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a
final judgment and that the court has and does hereby direct that the above judgment or order shall be a final
judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication