

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
APR 25 2011
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?
75-14432 OK	Yes ☐		Yes ☐		Yes ☐
75-14434 OK	Yes ☐		Yes ☐		Yes ☐
75-14579	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name:

Gertrude Maxwell
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s):

David R And Brenda S. Rhodes
Name of each new owner as listed on the conveyance document

New owner continued Name connector ☒ and ☐ or ☐ and/or

2283 S. 55th West

Mailing address

Idaho Falls

City

ID

State

83402

ZIP

208-523-8113

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: _____

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.

Signature: David Rhodes
Signature of new owner/claimant

owner
Title, if applicable

4-25-11
Date

Signature: Brenda Rhodes
Signature of new owner/claimant

owner
Title, if applicable

4-25-11
Date

For IDWR Office Use Only:

Received by se Date 4/25/11

Receipt No. E036592

Receipt Amt. 75.00

Approved by _____

Processed by _____

Date _____

SUPPORT DATA

Request \$25 refund

IN FILE # 75-14432

11-5597 LG

Instrument # 285048 # Pages: 5
LEMHI COUNTY, Idaho
Jan 26, 2011 2:49:47 pm Fee: \$ 22.00
For: ALLIANCE TITLE
TERRI J. MORTON, Recorder
TMORTON Deputy

PERSONAL REPRESENTATIVES' WARRANTY DEED

For Value Received **William Robert Maxwell and Linda K. Heffner**, formerly known as **Linda K. Hathhorn**, Co-Personal Representatives of the **Estate of Gertrude Maxwell, deceased**, Lemhi County Case No. CV-2010-238, said Estate having a the mailing address of PO Box 134, Salmon, Idaho, 83467, does hereby grant, bargain, and convey unto **David R. Rhoades and Brenda S. Rhoades**, all of the estate's interest in the following described real estate, to wit:

A PARCEL OF LAND LOCATED IN GOVERNMENT LOTS 7, 11 AND 13 OF SECTION 6, T. 22 N., R. 22 E., BOISE MERIDIAN, LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

See Exhibit A attached hereto and incorporated herein as though set forth at large.

Together with any and all improvements located thereon and any and all mineral rights, water and water rights, ditch and ditch rights used in connection therewith or appurtenant thereto.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor

Estate Warranty Deed - p. 1

does hereby covenant to and with the said Grantees, that the Estate is the owner in fee simple of said premises. That said property is free from all other encumbrances excepting therefrom all covenants, conditions and restrictions of record and all easements of sight and of record as recorded in the records of Lemhi County, Idaho; that said Estate will warrant and defend the same from all lawful claims whatsoever.

DATED: This 24 day of January, 2011.

ESTATE OF GERTRUDE MAXWELL

BY: William Robert Maxwell

William Robert Maxwell, Co-Personal Representative

BY: Linda K. Heffner 1-26-11
Linda K. Heffner, Co-Personal Representative

STATE OF ARIZONA)
 :SS

County of _____)

On this ____ day of January, 2011 , before me, a Notary Public in and for said State, personally appeared **William Robert Maxwell**, known to me to be one of the **Co-Personal Representatives of the Estate of Gertrude Maxwell, deceased**, and acknowledged to me that he executed the same on behalf of said Estate.

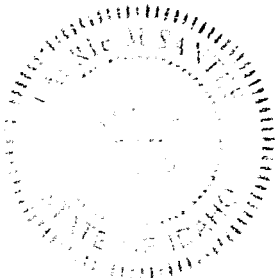
Notary Public for _____
Residing at _____
My Commission Expires: _____

Estate Warranty Deed - p. 2

STATE OF IDAHO)
 :SS

County of Lemhi)

On this 26th day of January, 2011 , before me, a Notary Public in and for said State, personally appeared **Linda K. Heffner**, known to me to be one of the **Co-Personal Representatives of the Estate of Gertrude Maxwell, deceased**, and acknowledged to me that she executed the same on behalf of said Estate.



Laurie M Santee
Notary Public for Idaho
Residing at Salmon, Idaho.
My Commission Expires: 6-19-2013

William Robert Maxwell, Co-Personal Representative

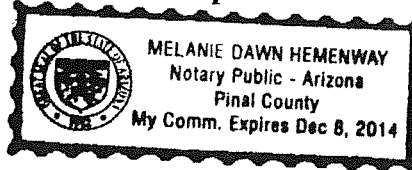
BY: _____

Linda K. Heffner, Co-Personal Representative

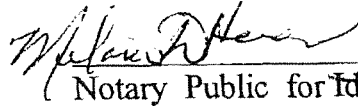
STATE OF ARIZONA)

:SS

County of Pinal)



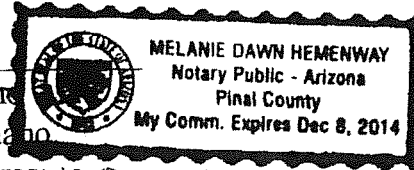
On this 24 day of January, 2011, before me, a Notary Public in and for said State, personally appeared **William Robert Maxwell**, known to me to be one of the **Co-Personal Representatives of the Estate of Gertrude Maxwell, deceased**, and acknowledged to me that he executed the same on behalf of said Estate.



Notary Public for Idaho

Residing at Salmon, Idaho

My Commission Expires: 12-8-2014



Order No.: 3071105597L-G

**LEGAL DESCRIPTION
EXHIBIT 'A'**

A PARCEL OF LAND LOCATED IN GOVERNMENT LOTS 7, 11 AND 13 OF SECTION 6, T. 22 N., R. 22 E., BOISE MERIDIAN, LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT THE SW CORNER OF SAID SECTION 6 FROM WHICH THE W1/4 CORNER OF SAID SECTION BEARS N 00°19'17"E 2642.81 FT., THE BASIS OF BEARING FOR THIS DESCRIPTION;

THENCE N 00°19'17"E ALONG THE WESTERLY BOUNDARY OF SAID SECTION A DISTANCE OF 1673.10 FT. TO THE SW PROPERTY CORNER OF THE PARCEL SHOWN ON RECORD OF SURVEY (R.O.S.) INSTRUMENT NUMBER 237757 FILED IN THE LEMHI COUNTY COURTHOUSE IN SURVEY BOOK 11, PAGE 16;

THENCE THE FOLLOWING COURSES AND DISTANCES ALONG THE SOUTHERLY BOUNDARY OF SAID PARCEL ON SAID R.O.S.;

N 82°12'32"E 1312.97 FT.; N 00°02'22"E 683.59 FT.;

S 89°38'25"E 344.13 FT.; N 85°06'38"E 283.81 FT.;

N 81°22'38"E 260.17 FT.; S 78°46'55"E 307.08 FT. TO A POINT ON THE

WESTERLY RIGHT-OF-WAY OF DIAMOND CREEK ROAD AND A POINT ON THE WESTERLY BOUNDARY OF THE DIAMOND CREEK ROAD PARCEL AS SHOWN ON LOT SPLIT PLAT (L.S.P.) INSTRUMENT NUMBER 263520 FILED IN THE LEMHI COUNTY COURTHOUSE IN PLAT BOOK 8, PAGE 47;

THENCE THE FOLLOWING COURSES AND DISTANCES ALONG SAID RIGHT-OF-WAY AND PARCEL BOUNDARY;

S 16°38'03"W 286.38 FT.; S 36°10'36"W 121.24 FT.;

S 31°57'07"E 26.74 FT. TO A POINT ON THE CENTERLINE OF DIAMOND CREEK ROAD AND THE NE PROPERTY CORNER OF THE PARCEL SHOWN ON R.O.S. INSTRUMENT NUMBER 271599 FILED IN THE LEMHI COUNTY COURTHOUSE IN SURVEY BOOK 16, PAGE 45;

THENCE THE FOLLOWING COURSES AND DISTANCES ALONG SAID CENTERLINE, R.O.S., AND R.O.S. INSTRUMENT NUMBER 224862 FILED IN THE LEMHI COUNTY COURTHOUSE IN SURVEY BOOK 7, PAGE 90;

S 34°15'12"W 89.31 FT.; S 43°59'23"W 59.03 FT.;

331.18 FT. ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 41°21'49", A RADIUS OF 458.74 FT., AND A CHORD BEARING OF S 42°43'58"W FOR A DISTANCE OF 324.03 FT.;

S 22°03'03"W 173.25 FT.; 173.78 FT. ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 21°52'27", A RADIUS OF 455.18 FT., AND A CHORD BEARING OF S 11°06'54"W FOR A DISTANCE OF 172.72 FT.;

S 00°10'40"W 146.67 FT.; 185.32 FT. ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 17°40'54", A RADIUS OF 600.50 FT., AND A CHORD BEARING OF S 08°39'47"E FOR A DISTANCE OF 184.58 FT.;

S 17°30'14"E 268.72 FT.; 236.37 FT. ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 36°39'54", A RADIUS OF 369.37 FT., AND A CHORD BEARING OF S 00°49'47"W FOR A DISTANCE OF 232.36 FT.;

S 19°09'44"W 155.34 FT.; 168.98 FT. ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 23°09'48", A RADIUS OF 417.99 FT., AND A CHORD BEARING OF S 07°34'51"W FOR A DISTANCE OF 167.84 FT.; 230.78 FT. ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 18°07'44", A RADIUS OF 729.36 FT., AND A CHORD BEARING OF S 05°03'49"W FOR A DISTANCE OF 229.81 FT.;

S 14°07'41"W 113.12 FT. TO A POINT ON THE SOUTHERLY BOUNDARY OF TRACT 37 AS SHOWN ON SAID R.O.S. INSTRUMENT NUMBER 224862;

THENCE N 76°07'13"W ALONG SAID SOUTHERLY BOUNDARY A DISTANCE OF 49.18 FT. TO CORNER 2 OF TRACT 37 AND A POINT ON THE SOUTHERLY BOUNDARY OF SAID SECTION 6;

THENCE N 89°58'02"W ALONG SAID SOUTHERLY BOUNDARY A DISTANCE OF 1883.20 FT. TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM:

A FRACTION OF LOT 13, SECTION 6, TOWNSHIP 22 NORTH, RANGE 22 EAST, BOISE MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO WIT: COMMENCING AT THE MEANDER CORNER ON THE LINE BETWEEN SECTIONS 6 AND 7, RUN THENCE NORTH 22° 09' WEST 716.92 FEET TO THE POINT OF BEGINNING AND THE SOUTHWESTERLY CORNER OF THE TRACT OF LAND HEREIN DESCRIBED; THENCE NORTH 11° 09' EAST 358.28 FEET; THENCE NORTH 6° 10' WEST 304.58 FEET; THENCE NORTH 67° 35' EAST, 293.72 FEET; THENCE SOUTH 1° 10' EAST 261.8 FEET; THENCE SOUTH 13° 54' EAST 509.95 FEET; THENCE SOUTH 88° 45' WEST 436.0 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM:

A FRACTION OF LOT 13, SECTION 6, TOWNSHIP 22 NORTH, RANGE 22 EAST, BOISE MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO WIT: COMMENCING AT THE MEANDER CORNER ON THE LINE BETWEEN SECTIONS 6 AND 7, RUN THENCE NORTH 1° 28' EAST 1075.5 FEET TO THE POINT OF BEGINNING AND THE SOUTHEASTERLY CORNER OF THE TRACT OF LAND HEREIN DESCRIBED; THENCE NORTH 79° 49' WEST 131.73 FEET; THENCE NORTH 24° 32' WEST 164.26 FEET; THENCE SOUTH 80° 45' EAST 209.84 FEET; THENCE SOUTH 3° 52' WEST 139.33 FEET TO THE POINT OF BEGINNING.