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SEP 23 2011

WATER RESOURCES
WESTERN REGION

Form 42-248/42-1409(6) 10/07

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WATER RESOURCES
WESTERN REGION

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form. Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case IDWR will produce new water right number(s) for the split(s).

Water Right No(s).	Adjudication Claim No(s).	Split(s)	Water Right No(s).	Adjudication Claim No(s).	Split(s)
~~78 12215~~	~~47~~				
78 12215					

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are on file with the county Planning and Zoning or Recorder's Office).
- OR**
- D. If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency or equivalent **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

Ben Art Ken, 920 Sage Creek Rd, Nampa ID 83686

4. New Owner/Claimant(s)

Cheryl Shoemaker 1/2, Shirley M. Snyder 1/2, Brent Otley

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

POB 472

POB 282

3927 Culp Lane

City, State and ZIP Code

Riggins ID

Kendrick ID

Burns OR

New Telephone Number

()

Email: _____

5. Date you acquired the property

8/3/2009 12/21/2009

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (you may copy this page, if necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number <u>78-12215 V1</u>		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number <u>78-12215</u>		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

7. Signature(s) of New Owner(s) or Claimant(s)

Shirley Snyder

(title if applicable)

(title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:
 Received by _____
 Receipted by Jan
 Processed by _____ AJ

 Date _____
 Date 9-23-11
 Date _____

 Receipt Amt. 250
 Receipt No. W039651
 WR Jan Date 9-23-11

5. Date you acquired the property

8/3/2009 12/21/2009

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (you may copy this page, if necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

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Other		
Totals		
Water Right and/or Adjudication Claim Number <u>78-12215</u>		
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Other		
Totals		
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

7. Signature(s) of New Owner(s) or Claimant(s)

Cheryl J. Shoemaker

(title if applicable)

(title if applicable)

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For IDWR Office Use Only:

Received by _____ Date _____
 Received by _____ Date _____
 Processed by _____ AJ Date _____

Receipt Amt. _____
 Receipt No. _____
 WR _____ Date _____

468014

Instrument # 468014

IDAHO COUNTY, IDAHO,

8-3-2009 09:22:39 No. of Pages: 3

Recorded for : MICHAEL WASKO

ROSE E. GEHRING

Fee: 9.00

Ex-Officio Recorder Deputy

GIFT DEED

AITKEN

FOR VALUE RECEIVED, BEN ~~AITKEN~~, dealing with his sole and separate property, of P.O. Box 472, Riggins, Idaho 83549, dealing with his sole and separate property

as GRANTOR, does hereby grant, bargain, sell and convey as each her sole and separate property including income therefrom, unto CHERYL J. SHOEMAKER, of POB 472, Riggins, Idaho 83549 and SHIRLEY M. SNYDER, of POB 282, Kendrick, Idaho 83537, as GRANTEES, the following described premises, situated in Idaho County, Idaho, to-wit:

For legal description, see Exhibit "A" attached hereto and made a part hereof;

SUBJECT TO encumbrances and easements of record, and those printed or typed restrictions in a standard title policy.

TOGETHER WITH all water rights, and first right of refusal in CHERYL J. SHOEMAKER OR SHIRLEY M. SNYDER OR BRENT OTLEY.

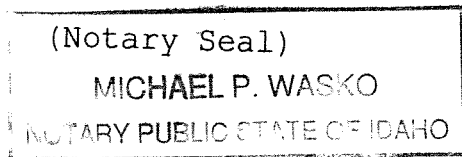
TO HAVE AND TO HOLD the premises, with their appurtenances unto the GRANTEES, their agents and assigns forever, and the GRANTOR does hereby covenant to and with the said GRANTEES that the GRANTOR is the owner in fee simple of said premises; that the premises are free from all encumbrances, except as noted above, and that GRANTOR will warrant and defend the same from all lawful claims whatsoever.

DATED this 19 day of January, 2009.

BEN AITKEN
BEN AITKEN

STATE OF IDAHO) ss.
County of Lewis)

On this 19th day of January, 2009, before me a Notary Aiken ^{AW}
Public in and for the said state, personally appeared BEN ~~AIKEN~~,
and ~~PHYLLIS AIKEN~~, known or identified to me (or proven on oath
to me by _____) to be the person whose names ^{are} ~~are~~
subscribed to the within instrument and acknowledged to me that
they executed the same.



Michael P. Wasko
Notary Public, State of Idaho
Residing at Nezperce, therein
My Commission Expires: 7/9/10.

EXHIBIT "A"

Idaho County, Idaho:

Township 24N, R1EBM Section 22, A tract of land located in the NW1/4 of section 22, Township 24 North, Range 1 East, Boise Meridian, Idaho county, Idaho; and being more particularly described as follows: commencing at the Section Corner common to Sections 16, 15, 22 and 21, Township 24 North, Range 1 E.B.M. which is the TRUE POINT OF BEGINNING, thence South 89°21'55" East, 476.86 feet to a point; thence South 13°07'12" West, 757.02 feet to a point; thence South 73°01'46 East, 524.07 feet to a point on the Westerly right-of-way of U.S. Highway 95; thence continuing along said Highway Right-of-way, South 19847'14" West, 181.80 feet to a point; thence on a curve to the right along said Highway Right-of-way with a Radius of 1407.57 feet, an arc distance of 255.07 feet to a point; thence continuing along said Highway Right-of Way, South 30°10'14" West, 503.97 feet to a point; thence along the centerline of the Squaw Creek Road, South 62°29'45" West, 79.32 feet to a point; thence continuing along said Squaw Creek Road, North 55°41'33" West, 180.40 feet to a point; thence continuing along said centerline of Squaw Creek Road, North 74°48'55" West, 154.60 feet to a point on the Section line between Sections 22 and 21; thence continuing on said section line North 0°32'15" West, 1627.70 feet to the true point of beginning; Comprising 19.80 acres more or less. 19.54 acres after ROW taken of Deed #341027
Sometimes described as Tax# 275

AND

A tract of land located in the NW1/4 of Section 22, Township 24 North, Range 1 E.B.M., Idaho county, Idaho, the northwest section of Tax#145, being more particularly described as follows:

Beginning at Section corner common to Sections 15, 16, 21 and 22 of T24N, R1E.B.M.

Thence S. 89°21'55" E 476.86 feet more or less

Thence S. 13°07'12" W 757.02 feet more or less to the SW corner of Tax 238

Thence S 09°27'42" W 794.99 feet more or less to a point

Thence N 90° W 160 feet more to less to the Section line between sections 21 and 22

Thence N 00°32'15" W 1526.70 feet more or less to the Section corner common to Section 15, 16, 21 and 22, the point of beginning.

Sometimes described as Tax# 253.

GIFT DEED

Michael P. Wasko
Attorney at Law
Cottonwood, Idaho