

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

SEP 09 2005

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

DEPARTMENT OF WATER RESOURCES

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 division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
45-7454 P.D.		X			
45-7688		X			

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 usually attached to your deed or on file with the county).

OR

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 **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**.

Name and Address of Former Owner/Claimant(s)	<u>Lynn Mitchell</u> 992 E. 300 N. Declo, ID 83323	<u>Dell Mitchell</u> 999 E. 300 N. Declo, ID 83323
New Owner/Claimant(s)	<u>Lynn Mitchell</u>	<u>Dell Mitchell</u>
	Name Connector (Check one): [] and, [] or, [] and/or	
New Mailing Address	<u>992 E. 300 N.</u>	<u>999 E. 300 N.</u>
City, State and ZIP Code	<u>Declo, ID 83323</u>	<u>Declo, ID 83323</u>
New Telephone Number	(208) <u>654-2434</u> (208) <u>654-2451</u>	(Lynn) (Dell)
Date you acquired the property	<u>September 2, 2005</u>	

If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 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 (one water right per box, you may copy this page as 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(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number 45-7454

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation (Lynn)	<u>.32 cfs</u>	<u></u>
Stock	<u></u>	<u></u>
Domestic	<u></u>	<u></u>
Other <u>Irrigation (Dell)</u>	<u>1.48 cfs</u>	<u></u>
Total	<u>1.80 cfs</u>	

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number 45-7688

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation (Lynn)	<u>.03 cfs</u>	<u></u>
Stock	<u></u>	<u></u>
Domestic	<u></u>	<u></u>
Other <u>Irrigation (Dell)</u>	<u>.79 cfs</u>	<u></u>
Total	<u>.82 cfs</u>	

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Lynn Mitchell

Dell Mitchell

Jan Mitchell

Susan Mitchell

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.

For Office Use Only

Received by PmcG

Date 9.9.05

Fee \$100⁰⁰ x 2 = \$200⁰⁰

Receipted by PmcG

Date 9.9.05

Receipt No. 6079054

Processed by AJ

Date

WR

Date

QUITCLAIM DEED

EC-1424

303969

For Value Received

Dell N. Mitchell and Susan L. Mitchell, husband and wife

Hereinafter called the grantor, hereby remises, releases, and forever Quitclaims unto

Lynn N. Mitchell and Jan D. Mitchell, also known as Jan Mitchell, husband and wife

**ADDRESS: 992 East 300 North
Declo, Idaho 83323**

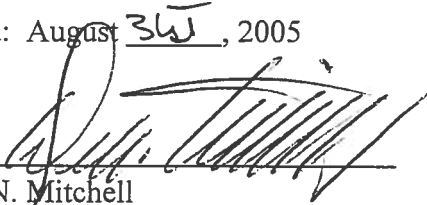
Hereinafter called the grantee, the following described premises, in **Cassia** County, Idaho to-wit:

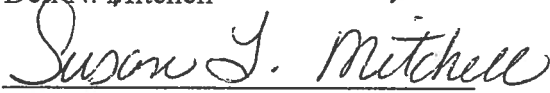
See attached Exhibit "A" for legal description

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including .32 cfs in State of Idaho, Department of Water Resources Adjudication No. 45-7454 and .03 cfs in State of Idaho, Department of Water Resources Adjudication No. 45-7688.

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

Dated: August 31st, 2005


Dell N. Mitchell


Susan L. Mitchell

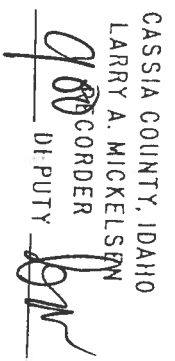
STATE OF IDAHO)
) ss.
COUNTY OF Cassia)

RECORDED AT THE REQUEST OF
LAND TITLE & ESCROW

2005 SEP 7 AM 9 50

FEE 9.00 RECORDER

DEPUTY

CASSIA COUNTY, IDAHO
LARRY A. MICKELSON


303969

On this 31st day of August, 2005, before me, the undersigned, a Notary Public in and for said State, personally appeared **Dell N. Mitchell and Susan L. Mitchell**, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Larry Roberts
Notary Public
State of Idaho

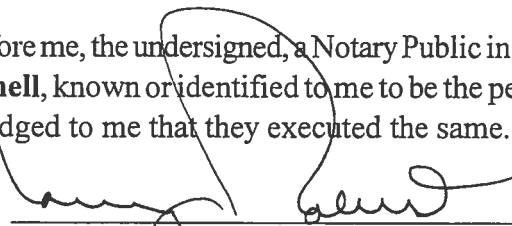

Notary Public
Residing at: Burley, ID
My Commission expires: 6-30-09

EXHIBIT "A"

PARCEL "1", A PORTION OF THAT REAL PROPERTY CONVEYED TO LYNN AND JAN MITCHELL AND TO DELL AND SUSAN MITCHELL BY THE QUITCLAIM DEED RECORDED JULY 8, 1980 AS INSTRUMENT No. 127472, CASSIA COUNTY RECORDS, AND BY THE WARRANTY DEED DATED DECEMBER 8, 1976 AND RECORDED NOVEMBER 1, 2001 AS INSTRUMENT No. 277988, CASSIA COUNTY RECORDS.

TOWNSHIP 10 SOUTH, RANGE 24 EAST, BOISE MERIDIAN, CASSIA COUNTY, IDAHO.

SECTION 1: A PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (SE1/4SW1/4), AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE 5/8" REBAR AND ALUMINUM CAP MARKING THE SOUTH QUARTER CORNER OF SAID SECTION 1 AND RUNNING THENCE ALONG THE SOUTH LINE THEREOF NORTH 89°43'02" WEST 430.00 FEET TO A 1/2" REBAR MARKING THE SOUTHWEST CORNER OF THAT REAL PROPERTY CONVEYED TO LYNN AND JAN MITCHELL BY THE WARRANTY DEED RECORDED DECEMBER 22, 1976 AS INSTRUMENT No. 95105, CASSIA COUNTY RECORDS, LAST SAID REBAR BEING THE TRUE POINT OF BEGINNING;

THENCE ALONG THE WEST LINE OF LAST SAID LANDS OF MITCHELL NORTH 0°03'23" EAST 435.60 FEET TO A 1/2" REBAR AT THE NORTHWEST CORNER THEREOF;

THENCE NORTH 89°43'02" WEST 459.00 FEET TO A 1/2" REBAR;

THENCE SOUTH 0°03'23" WEST 435.60 FEET TO A 1/2" REBAR ON SAID SOUTH LINE OF SECTION 1;

THENCE ALONG SAID SOUTH LINE SOUTH 89°43'02" EAST 459.00 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL "1" CONTAINS 4.59 ACRES, MORE OR LESS, AND IS SUBJECT TO A 25 FOOT WIDE COUNTY ROAD EASEMENT ALONG THE SOUTH LINE THEREOF, AND MAY BE SUBJECT TO OTHER EASEMENTS OF RECORD AND TO OTHER EASEMENTS LEGALLY ESTABLISHED.

PARCEL "2", A PORTION OF THAT REAL PROPERTY CONVEYED TO LYNN AND IAN MITCHELL AND TO DELL AND SUSAN MITCHELL BY THE WARRANTY DEED DATED MARCH 10, 1976 AND RECORDED NOVEMBER 1, 2001 AS INSTRUMENT No. 277986, CASSIA COUNTY RECORDS, AND BY THE QUITCLAIM DEED RECORDED JULY 8, 1980 AS INSTRUMENT 127472, CASSIA COUNTY RECORDS.

TOWNSHIP 10 SOUTH, RANGE 24 EAST, BOISE MERIDIAN, CASSIA COUNTY, IDAHO.

SECTION 1: A PORTION OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER (NE1/4SW1/4), AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE 5/8" REBAR AND ALUMINUM CAP MARKING THE WEST QUARTER CORNER OF SAID SECTION 1, AND RUNNING THENCE ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER THEREOF SOUTH 89°40'08" EAST 1309.20 FEET TO THE IRON PIPE AND BRASS CAP MARKING THE NORTHWEST CORNER OF THE AFORESAID NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 1; THENCE ALONG THE WEST LINE THEREOF SOUTH 0°19'24" WEST 93.95 FEET TO THE INTERSECTION THEREOF WITH THE CENTERLINE OF THE No. 311 IRRIGATION LATERAL, SAID INTERSECTION BEING THE TRUE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID WEST LINE SOUTH 0°19'24" WEST 6.05 FEET TO A 1/2" REBAR SET THEREON;

THENCE CONTINUING ALONG SAID WEST LINE SOUTH 0°19'24" WEST 1022.81 FEET TO A 1/2" REBAR SET AT THE INTERSECTION THEREOF WITH THE NORTHWESTERN TOP OF BANK OF THE MAIN SOUTH SIDE IRRIGATION CANAL;

THENCE CONTINUING ALONG SAID WEST LINE SOUTH 0°19'24" WEST 58.54 FEET TO THE INTERSECTION THEREOF WITH THE CENTERLINE OF SAID IRRIGATION CANAL;

THENCE ALONG SAID CANAL CENTERLINE AS FOLLOWS:

NORTH 58°42'20" EAST 305.22 FEET,

ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 28°08'42", A RADIUS OF 500.00 FEET, AN ARC LENGTH OF 245.61 FEET, A CHORD BEARING OF NORTH 44°37'59" EAST AND A CHORD LENGTH OF 243.15 FEET,

NORTH 30°33'38" EAST 245.63 FEET,

ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 9°03'46", A RADIUS OF 600.00 FEET, AN ARC LENGTH OF 94.91 FEET, A CHORD BEARING OF NORTH 35°05'31" EAST AND A CHORD LENGTH OF 94.81 FEET,

NORTH 39°37'24" EAST 334.54 FEET, AND

ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 12°24'30", A RADIUS OF 600.00 FEET, AN ARC LENGTH OF 129.94 FEET, A CHORD BEARING OF NORTH 33°25'08" EAST AND A CHORD LENGTH OF 129.69 FEET TO THE INTERSECTION THEREOF WITH THE SOUTHEASTERLY EXTENSION OF THE CENTERLINE OF THE AFORESAID No. 311 IRRIGATION LATERAL;

THENCE ALONG SAID EXTENSION, AND ALONG SAID LATERAL CENTERLINE AS FOLLOWS:

QUITCLAIM DEED

303970

303970

EC-1424

CASSIA COUNTY, IDAHO

LARRY A. MICKELSEN

RECORDER

FEE 900 DEPUTY Om

For Value Received

Lynn N. Mitchell and Jan D. Mitchell, husband and wife

2005 SEP 7 AM 9 52

Hereinafter called the grantor, hereby remises, releases, and forever Quitclaims unto

RECORDED AT THE REQUEST OF
LAND TITLE & ESCROW

Dell N. Mitchell and Susan L. Mitchell, husband and wife

ADDRESS: 999 East 300 North

Declo, Idaho 83323

LAND TITLE & ESCROW

Hereinafter called the grantee, the following described premises, in Cassia County, Idaho to-wit:

See attached Exhibit "A" for legal description

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including 1.48 cfs in State of Idaho, Department of Water Resources Adjudication No. 45-7454 and .79 cfs in State of Idaho, Department of Water Resources Adjudication No. 45-7688.

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

Dated: September 2, 2005

Lynn N. Mitchell
Lynn N. Mitchell

Jan D. Mitchell
Jan D. Mitchell

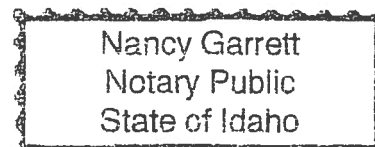
STATE OF IDAHO)
) ss.
COUNTY OF Cassia)

On this 2nd day of Sept., 2005, before me, the undersigned, a Notary Public in and for said State, personally appeared **Lynn N. Mitchell and Jan D. Mitchell**, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Nancy Garrett
Notary Public

Residing at: Burley, ID

My Commission expires: 2-5-08



PARCEL NO. 1:

TOWNSHIP 10 SOUTH, RANGE 24 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 1: Commencing at the Southeast corner of the SE¼SW¼ of Section 1, the True Point of Beginning;
Thence West 924 feet;
Thence North 1320 feet;
Thence East 924 feet;
Thence South 1320 feet to the Point of Beginning.

EXCEPT the following described tracts:

Tract No. 1:

Commencing at the Southeast corner of the SE¼SW¼ of said Section 1, thence West 30 feet to the True Point of Beginning;
Thence North 435.6 feet;
Thence West 200 feet;
Thence South 435.6 feet;
Thence East 200 feet to the Point of Beginning.

Tract No. 2:

Commencing at the Southeast corner of the SE¼SW¼ of said Section 1, thence West 230 feet to the True Point of Beginning;
Thence North 435.6 feet;
Thence West 200 feet;
Thence South 435.6 feet;
Thence East 200 feet to the True Point of Beginning.

Tract No. 3:

Commencing at the 5/8 inch rebar and aluminum cap marking the South quarter corner of said Section 1 and running thence along the south line thereof North 89°43'02" West 430.00 feet to a ½ inch rebar marking the southwest corner of that real property conveyed to Lynn and Jan Mitchell by the Warranty Deed recorded December 22, 1976 as Instrument No. 95105, Cassia County records, last said rebar being the True Point of Beginning;
Thence along the West line of last said lands of Mitchell North 0°03'23" East 435.60 feet to a ½ inch rebar at the Northwest corner thereof;
Thence North 89°43'02" West 459.00 feet to a ½ inch rebar;
Thence South 0°03'23" West 435.60 feet to a ½ inch rebar on said South line of Section 1;
Thence along said South line South 89°43'02" East 459.00 feet to the True Point of Beginning.

PARCEL NO. 2:

TOWNSHIP 10 SOUTH, RANGE 24 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

- Section 1: That part of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ lying on the East side of the Minidoka Southside Canal
EXCEPT the West 30 feet;
That part of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ lying on the Southeast side of the Minidoka Southside Canal.

PARCEL NO. 3:

TOWNSHIP 10 SOUTH, RANGE 24 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

- Section 1: A portion of the Northeast quarter of the Southwest quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$), and more particularly described as follows:

Commencing at the 5/8 inch rebar and aluminum cap marking the West quarter corner of said Section 1, and running thence along the North line of the Southwest quarter thereof South 89°40'08" East 1309.20 feet to the iron pipe and brass cap marking the northwest corner of the aforesaid Northeast quarter of the Southwest quarter of Section 1, and the True Point of Beginning;

Thence along the North line of said Northeast quarter of the Southwest quarter of Section 1 South 89°40'27" East 905.18 feet to a ½ inch rebar set at the intersection thereof with the western top of bank of the Main South Side Irrigation Canal;

Thence continuing along last said North line South 89°40'27" East 44.34 feet to the intersection thereof with the centerline of said irrigation canal;

Thence Southwesterly along said centerline along a curve to the right said curve having a central angle of 19°03'58", a radius of 600.00 feet, an arc length of 199.66 feet, a chord bearing of South 17°40'54" West, and a chord length 198.74 feet, to the intersection thereof with the Southeasterly extension of the centerline of the No. 311 irrigation lateral;

Thence along said extension, and along said lateral centerline as follows:

North 62°47'07" West 69.39 feet;

North 75°12'05" West 34.77 feet;

North 86°02'39" West 540.75 feet, and

North 84°52'11" West 255.91 feet to the intersection thereof with the West line of the aforesaid Northeast quarter of the Southwest quarter of Section 1;

Thence along said West line North 0°19'24" East 93.95 feet to the True Point of Beginning.