

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAR 31 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?
A22-10172	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Dottie Drake (a/k/a Dorthella Drake) or Harold Drake
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Richard Leon Hatfield or his successor as trustee of The Dorthella Drake Supplemental Needs Trust
Name of each new owner as listed on the conveyance document
- New owner continued ☐ Name connector ☐ and ☐ or ☐ and/or
- 3680 Rugby Drive
- Mailing address
- Boise Idaho 83704
- City State ZIP
- (208) 283-9420
- 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: February 22, 2011

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: [Signature] Trustee 3/30/11
Signature of new owner/claimant Title, if applicable Date

Signature: _____
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by [Signature] Date 3/31/2011 Receipt No. E036524 Receipt Amt. \$50. -
Approved by _____ Processed by _____ Date _____ \$25. - for

this app.

REXBURG, MADISON, IDAHO
2-23-2011 03:43:09 No. of Pages: 1
Recorded for : FORSBERG LAW OFFICES
KIM H. MUIR Fee: 10.00
Ex-Officio Recorder Deputy

FORSBERG LAW OFFICES, CHTD.

49 PROFESSIONAL PLAZA
REXBURG, ID 83440

WILLIAM R. FORSBERG
ATTORNEY AT LAW
wforsberg@cableone.net

TROY EVANS
ATTORNEY AT LAW
troyevans@cableone.net

- FACSIMILE COVER SHEET -

July 22, 2011

To: Idaho Department of Water Resources ATTN: Jonie
Fax: 525-7177
Subject: Harold and Dottie Drake Water Right Transfers - Water Right Nos. A22-10172 and A22-10173
Pages: 5/inc.

Attached is a copy of the Decree Vesting Estate in Surviving Spouse in the matter of the estate of Harold Drake. This should be sufficient to remove Harold's name from the water rights and allow Dottie (Dorthella) to transfer them to Richard Leon Hatfield or his successor as trustee of The Dorthella Drake Supplemental Needs Trust.

Please let me know if you need any further information from us to transfer these water rights.

Julie Ball, Certified Paralegal
to William Forsberg

From the desk of...

JULIE BALL

FORSBERG LAW OFFICES, CHTD.

49 Professional Plaza
Rexburg, ID 83440

(208) 356-7474
Fax: (208) 656-0010

JUL/22/2011/FRI 10:07 AM

FORSBERG LAW OFFICES

FAX No. 208 656 0010

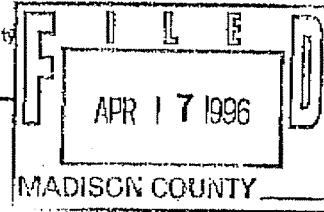
P. 001

28-976

ALLIANCE TITLE & ESCROW
P.O. BOX 732
REXBURG, ID 83440

JAY F. BATES, ESQ
ATTORNEY AT LAW
157 EAST MAIN
RIGBY, IDAHO 83442
(208) 745-7504
FAX (208) 745-6313

Microfilm No. **280468**
19 Day April 1996
At 126 O'Clock A M
CONNIE M. KELLER
Jefferson Co., Recorder
Fee \$ 12.00 SC Deputy
Recorded at Request of AKU



ATTORNEY FOR: Applicant
BY: Jay F. Bates
Our File No. 96-1097

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF MADISON

IN THE MATTER OF THE ESTATE OF)

HAROLD DRAKE)

Deceased.)

CASE NO. SP-96-105

DECREE VESTING
ESTATE IN SURVIVING
SPOUSE

(I.C. 15-3-1205)

Upon consideration of the Petition for Summary Administration of Estate of Which Surviving Spouse is Sole Beneficiary filed by Dorthella Drake on April 17, 1996, the Court finds that:

1. The facts set forth in the petition are true.
2. The required notice has been given or waived.
3. The decedent, Harold Drake died on February 16, 1996, domiciled in Madison County.
4. Venue is proper.
5. The decedent and Dorthella Drake were duly married at Elko, Nevada, on March 29, 1980, and remained married until the date of decedent's death.

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AST
For Filing
Date 4-19-96 Time 12:25 PM

JUL/22/2011/FRI 10:07 AM FORSBERG LAW OFFICES FAX No. 208 656 0010

P. 002

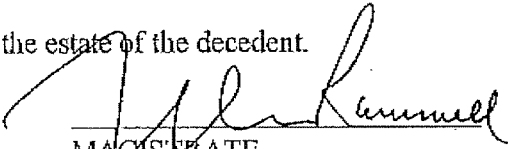
260976

6. The surviving spouse, Dorthella Drake, is the sole heir or devisee of the decedent.
7. The decedent died intestate.
8. The schedule of property attached to this Decree is a full and complete inventory of the property owned by the decedent and properly characterizes the property as community or separate property.

THEREFORE, it is ordered, adjudged and decreed as follows:

1. Dorthella Drake is the surviving spouse of the decedent and is the sole heir or devisee of the decedent.
2. The property of the decedent described on the schedule attached to this Decree is hereby vested in and distributed to Dorthella Drake free and clear of all right, title, claim or demand of any person or persons claiming or attempting to claim under the estate of the decedent as heir, devisee, or otherwise, except as a proper creditor.
3. The surviving spouse shall assume and be liable for any and all indebtedness that might be a claim against the estate of the decedent.
4. There shall be no administration of the estate of the decedent.

Dated: 4-17-96


MAGISTRATE

JUL/22/2011/FRI 10:07 AM

FORSBERG LAW OFFICES

FAX No. 208 656 0010

P. 003

JAY F. BATES
ATTORNEY AT LAW
157 EAST MAIN
RIGBY, ID 83442
(208) 745-7504
FAX (208) 745-6313

260976

ATTORNEY FOR PETITIONER
BY: JAY F. BATES
Our File No:96-1097

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF MADISON

IN THE MATTER OF THE ESTATE OF)
)
) CASE NO. *SP 96-105*
)
HAROLD DRAKE,)
) SCHEDULE OF
) DISTRIBUTION
)

Deceased.)

Name and Address of
Distributee

Dorthella Drake
5813 S. 43 West
Rexburg, Idaho 83440

Description of Property to be Distributed

1. A parcel of land situated in Madison County, State of Idaho, Section 21, Township 5 North, Range 39 East Boise Meridian, more particularly described as follows: Beginning at the North East Corner of Section 21 Township 5 North Range 39 East of the Boise Meridian, thence South along the East Section line of said Section for a distance of 2622.12 feet to the East Quarter Corner of Section 21, Township 5 North, Range 39 East of the Boise Meridian, thence S07°50'30"W for a distance of 1309.26 feet to the true point of beginning; thence S10°29'30"E along the West R.O.W. Nelson Road for a distance of 307.18 feet; thence S06°21'36"E along said R.O.W. for a distance of 623.04 feet; thence S88°32'24"W for a distance of 313.44 feet; thence N07°49'48"W for a distance of 272.70 feet; thence N23°23'48"W for a distance of 226.52 feet; thence N43°57'24"W for a distance of 106.62 feet; thence N15°16'24"W for a distance of 119.19 feet; thence N30°39'48"W for a distance of 116.94 feet; thence N08°57'24"E for a distance of 168.88 feet; thence S88°59'41"E for a distance of 454.31 feet to the true point of beginning.

2. Lot 25, in Block 1, of the Boulevard addition to the City of Rigby, Jefferson County, State of Idaho according to the duly recorded plat or plan thereof.

3. Part of the Southwest 1/4 of Section 28, Township 5 North, Range 39 East Boise Meridian, Jefferson County, Idaho.

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FAX No. 208 656 0010

P. 004

260976

Beginning at a point on the North line of the Lorenzo-Menan Highway that is East 1781.78 feet along the section line and N00°16'36"E 33.00 feet from the Southwest corner of Section 28 and running thence N00°16'36"E 128.80 feet; thence N50°12'16"W 209.65 feet; thence N29°48'14"W 76.68 feet; thence N07°33'27"W 501.96 feet; thence N87°01'26"E 181.20 feet thence S76°05'29"E 147.94 feet; thence 34°56'00"E 27.71 feet; thence S52°53'50"E 305.03 feet; thence N89°56'21"E 113.14 feet; thence S51°25'26"E 130.64 feet; thence S20°51'04"E 83.94 feet; thence S07°15'43"E 90.22 feet; thence S15°40'38"W 53.45 feet; thence S02°09'59"E 293.72 feet to the said north line of the Lorenzo-Menan Highway; thence West 572.33 feet along said north line to the point of beginning.

4. Lots 48 and 49, Block 2 of the Armstrong Addition to the City of Rigby, Jefferson County, Idaho according to the recorded plat thereof. Subject to patent reservations, easements and rights of way for highways, roads, ditches, canals, pole, power and transmission lines as they exist; and to all existing zoning ordinances and applicable building codes, laws and regulations.

5. 1973 Chevy Pickup
6. 1994 Trails West House Tractor
7. 1987 Caprice Classic
8. 1973 Dodge 21 foot motor home
9. 1980 Chevy Pickup
10. Cattle - 48 Calves and 2 Steers
11. Proceeds of 1994 crop of grain sale
12. 1982 Chevy S10 Pickup
13. Farm Machinery

_____ Any now unknown or hereafter discovered or aquired assets and any income net of reasonable administration expenses recieved, subsequent to the date hereof, shall be distributed in the same proportions as set forth above, and all property standing in the name of the decedent, whether herein described or not;

DATED: This 11 day of April, 1996.

APPROVED AND ORDERED BY THE COURT:

State of Idaho
County of Madison

SS

260976

I hereby certify that the within instrument was

filed APR 22 1996

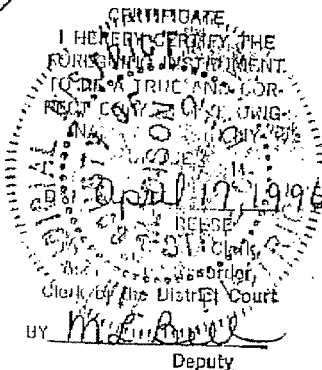
19 at 10:20 M., and

recorded on 260976 Fee 1200

by BETH D. REESE, Recorder

[Signature] Deputy
At the request of [Signature]

-ALLIANCE TITLE AND ESCROW



JUL/22/2011/FRI 10:07 AM FORSBERG LAW OFFICES

FAX No. 208 656 0010

P. 005

COPY

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A22-10172
Date Received: 7/11/1988
Receipt No: E000695
Received By: ENC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DOTTIE DRAKE
Address: 5813 S. 4300W.
REXBURG, ID

83440

OR

Name: HAROLD DRAKE
Address: 5813 S. 4300 W.
REXBURG, ID

208-356-6321

83440

2. Date of Priority: JUL 20, 1952

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05N	39E	21	NE	SE	SE		MADISON

5. Description of diverting works:
4" DIAMETER WELL 45' DEEP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		

7. Total Quantity Appropriated is:
0.040 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is 1.2 Acre Feet Per Annum.

9. Non-irrigation uses:
D/ ONE HOME PLUS IRRIGATION OF LAWN AND GARDEN.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	39E	21	SE	SE		DOMEST	

11. Place of use in counties: MADISON

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Harold Drake Date: July 11, 1988

Date: _____

State of Idaho)
County of Bannock) ss.

Subscribed and sworn (or affirmed) before me this 11 day

of July 19 88

Ernest Carlson
Notary Public

Seal

Residing at Idaho Falls, ID
My Commission Expires 14 June 1994

ORIGINAL PRODUCED FOR
IDAHO DEPARTMENT OF LANDS
BY

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY



A22-10172

111° 52' 30"
43° 45'

430000m E

Point of Diversion

432

50'

434

4844000m

*Two 51
265390*

4843

4842

4841

4840

43° 30'

4839

