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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.

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
45-307B	45-14062 45-14065	XX			

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)

THE ESTATE OF BENNIE GERALD CHATBURN

3236 Chicory Way Boise, ID 83706

New Owner/Claimant(s)

SCOTT E. GARNER TRUST

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

New Mailing Address

610 Mason Lane

City, State and ZIP Code

Lake in the Hills, IL 60156

New Telephone Number

() _____

Date you acquired the property

6.

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 <u>45-307B</u>		
Water Use	Diversion Rate or Volume	Description
	(cubic feet per second or acre-feet per annum)	(acres, number and type of stock, homes, etc)
Irrigation	<u>.261</u>	<u>15.00 water acres / .2174%</u>
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

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 _____		
Water Use	Diversion Rate or Volume	Description
	(cubic feet per second or acre-feet per annum)	(acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7.

Signature of New Owner(s) or Claimant(s) SCOTT E. GARNER LIVING TRUST
(include title if applicable)

BY: *Scott Garner*, Trustee
SCOTT E. GARNER, Trustee

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 <u><i>[Signature]</i></u>	Date <u>4/6/07</u>	Fees <u>\$100</u>
Received by <u><i>[Signature]</i></u>	Date <u>4/9/07</u>	Receipt No. <u>5029394</u>
Processed by _____	Date _____	WR _____ Date _____

314604

WARRANTY DEED

#43108

For Value Received

FRANCES C. FIELD, Personal Representative of THE ESTATE OF BENNIE GERALD CHATBURN, deceased

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

SCOTT E. GARNER TRUSTEE OF THE SCOTT E. GARNER LIVING TRUST dated April 26, 2001

Address: 610 Mason Lane, Lake in the Hills, IL 60156

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

SEE ATTACHED EXHIBIT "A"

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto.

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Taxes for 2007 and subsequent years, a lien, but not yet due or payable.

Any assessments levied, or to be levied, by the City of Albion.

THIS PROPERTY IS BEING CONVEYED WITH THE RESTRICTION THAT NO HOME OR HOMES SHALL BE ALLOWED TO BE PLACED ON THE PROPERTY EXCEPT FOR HOMES THAT ARE BUILT ON THE PREMISES.

This deed is executed pursuant to Letters Testamentary dated December 12, 2005 and recorded March 21, 2007 as Instrument No. 314596, records of Cassia County, Idaho.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: March 12, 2007

THE ESTATE OF BENNIE GERALD CHATBURN

BY: Frances C. Field
FRANCES C. FIELD, Personal Representative

RECORDED AT THE REQUEST OF
LAND TITLE & ESCROW

2007 MAR 21 PM 4 34

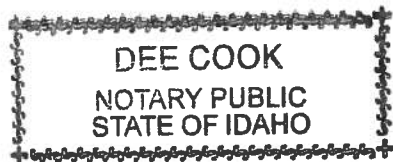
FILED 900 DEPUTY 26

CASSIA COUNTY, IDAHO
LARRY A. MICKELSEN
RECORDER

314604

STATE OF IDAHO)
COUNTY OF ADA) ss.
)

On this 13th day of March, 2007, before me, the undersigned, a Notary Public in and for said State, personally appeared FRANCES C. FIELD, known or identified to me to be the person whose name is subscribed to the within instrument as Personal Representative of the Estate of Bennie Gerald Chatburn, and acknowledged to me that she executed the same as such Personal Representative.



Dee Cook
Notary Public
Residing at: Boise ID
My Commission expires: 3/19/2011

EXHIBIT "A"

**TOWNSHIP 12 SOUTH, RANGE 25 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO**

Section 6: Part of the NW¼SE¼, more particularly described as follows:

Beginning at the Northeast corner of the NW¼SE¼ of said Section 6, said corner marked by a 5/8 inch rebar which shall be the Point of Beginning;
Thence South 01°04'32" West along the East line of the NW¼SE¼ for a distance of 1326.04 feet to a 5/8 rebar with 2 inch cap on top at the Southeast corner of the NW¼SE¼;
Thence South 89°49'15" West along the South line of the NW¼SE¼ for a distance of 8.22 feet to the Northeasterly right of way of State Highway 77;
Thence North 45°32'07" West along the Northeasterly right of way of State Highway 77 for a distance of 769.10 feet to a highway right of way marker at Station 431+53.20;
Thence along said highway right of way on a tangent curve to the right for a distance of 492.76 feet to a ½ inch rebar, said curve having a radius of 778.60 feet and a central angel of 36°15'40" with a long chord bearing of North 27°24'17" West for a distance of 484.57 feet;
Thence North 89°21'43" East (East, rec.) for a distance of 224.19 feet (239 feet +/-, rec.) to a ½ inch rebar;
Thence North 02°34'08" East (North, rec.) for a distance of 161.00 feet to a ½ inch rebar;
Thence South 89°21'43" West (West, rec.) for a distance of 57.71 feet to a ½ inch rebar;
Thence South 89°21'43" West (West, rec.) for a distance of 32.35 feet;
Thence North 02°05'00 East (North, rec.) for a distance of 163.02 feet to an iron pipe fence corner;
Thence South 89°21'43" West (West, rec.) for a distance of 149.77 feet (150 feet, rec.) to a iron pipe fence corner;
Thence South 89°21'43" West (West, rec.) for a distance of 1.52 feet to the East right of way of Main Street;
Thence North 01°26'17" East (North, rec.) along the East right of way of Main Street for a distance of 30.33 feet (30 feet, rec.) to a ½ inch rebar on the North line of the NW¼SE¼;
Thence North 89°47'08" East along the North line of the NW¼SE¼ for a distance of 198.77 feet to a ½ inch rebar;
Thence North 89°47'08" East along the North line of the NW¼SE¼ for a distance of 609.53 feet to the Point of Beginning.

