

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.

RECEIVED
 NOV 19 2004
 DEPARTMENT OF
 WATER RESOURCES

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 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
34-13734	-split now	X	34-13845	-Baxter	→ 34-14217 Vaden
34-13735	"	X	34-13848	-Baxter	→ 34-14218 Vaden
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

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 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**.

3. Name and Address of Former Owner/Claimant(s) DIANNA MAY BAXTER
1775 ROULETTE CIRCLE, THOUSAND OAKS, CA 91362
4. New Owner/Claimant(s) RANDALL R. AND/OR ANN VADEN
 Name Connector (Check one): ☐ and, ☐ or, ☒ and/or
- New Mailing Address P.O. Box 274
- City, State and ZIP Code MACKAY, ID 83251
- New Telephone Number (208) 588-3069
5. Date you acquired the property 11-3-04

SUPPORT DATA
IN FILE # 34-13845

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>34-13734</u>		
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	<u>1.85 IN./DAY SURFACE</u>	<u>2.719 ACRES</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 <u>34-13735</u>		
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	<u>3 IN./DAY SURFACE</u>	<u>2.719 ACRES</u>
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

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

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>[Signature]</u>	Date <u>11-19-04</u>	Fee <u>\$200.00</u>	
Received by <u>[Signature]</u>	Date <u>11-19-04</u>	Receipt No. <u>C075871</u>	
Processed by _____	AJ Date _____	WR <u>5-3-11</u>	Date _____

QUITCLAIM DEED

THIS INDENTURE, Made this 3rd day of NOVEMBER
in the year of our Lord two thousand and FOUR between
RICK SMYER AND CINDY SMYER
of MACKAY County of CUSTER
state of IDAHO, the part IES of the first part, and
of RANDALL R. VADEN AND ANN VADEN County of CUSTER
of MACKAY
State of IDAHO, the part IES of the second part.

WITNESSETH That the said part IES of the first, for and in consideration of the sum of
TWELVE THOUSAND FIVE HUNDRED FIFTY FIVE DOLLARS,
lawful money of the United States of America, to THEM in hand paid by the said part IES of
the second part, the receipt whereof is hereby acknowledged, do HERE by these presents remise, release
and forever QUITCLAIM, unto the said part IES of the second part, and to THEIR heirs and
assigns all THEIR certain lot, piece or parcel of land, situate, lying and being in
, County of CUSTER, State of Idaho, bounded and particularly
described as follows, to-wit: , State of Idaho, bounded and particularly

A Tract of land generally described as being a portion of the SE¼SW¼, Section 17, Township 7 North, Range 24 East, Boise Meridian, Custer County, Idaho, being more particularly described as follows:

Commencing at a found 5/8" rebar with plastic cap (P.L.S. #3577) marking the Northeast corner of the SE¼SW¼ (the south center-center 1/16) Section 17, Township 7 North, Range 24 East, Boise Meridian, from which a found 5/8" rebar with aluminum cap (not stamped) marking the South quarter corner of said Section 17, bears South 0°44'50" West, 1329.80 feet; thence North 89°46'14" West, 121.17 feet on or along the North line of the SE¼SW¼ said Section 17 to a found rebar with plastic cap (P.L.S. #3577) set on or along the centerline of Old Loop Road, the POINT OF BEGINNING; thence South 42°05'33" East 89.10 feet on or along said centerline to a set 5/8"x 30" rebar with plastic cap (P.L.S. #3577); thence leaving said centerline South 47°54'27" West 100.00 feet to a set 5/8" x 30" rebar with plastic cap (P.L.S. #3577); thence South 64°56'39" West, 435.23 feet to a found rebar with plastic cap (P.L.S. #3577); thence North 25°03'21" West, 352.92 feet to a found rebar with plastic cap (P.L.S. #3577) lying on or along the North line of the SE¼SW¼ said Section 17; thence on or along said line South 89°46'14" East, 558.22 feet to the POINT OF BEGINNING, as shown on the Record of Survey filed October 19, 2001, as instrument No. 223715, records of Custer County, Idaho.

TOGETHER WITH a variable width easement reserved for utilities, road construction and as an ingress and egress route. No permanent structures may be erected within said Easement. The Easement area can generally be described as being a strip lying Southeasterly of, parallel with, and adjoining the Southeast line of above described tract; being more particularly described as follows:

Commencing at a found 5/8" rebar with plastic cap (P.L.S. #3577) marking the Northeast corner of the SE¼SW¼ (the South center-center 1/16), Section 17, Township 7 North, Range 24 East, Boise Meridian; from which a found 5/8" rebar with aluminum cap (not stamped) marking the South quarter corner of said Section 17, bears South 0°44'50" West, 1329.80 feet; thence North 89°46'14" West, 121.17 feet on or along the North line of said Section 17 to a set 5/8" x 30" rebar with plastic cap (P.L.S. #3577) lying on or along the centerline of Old Loop Road; thence South 42°05'33" East, 89.10 feet on or along said centerline to a 5/8" x 30" rebar with plastic cap (P.L.S. #3577) the POINT OF BEGINNING; thence continuing along said centerline South 42°05'33" East, 30.00 feet; thence leaving said centerline South 47°54'27" West, 104.49 feet; thence South 64°56'39" West, 610.10 feet; thence North 40°16'52" West, 62.18 feet; thence North 64°56'39" East, 186.70 feet; thence South 25°03'21" East, 30.00 feet to a 5/8" x 30" rebar with plastic cap (P.L.S. #3577); thence North 64°56'39" East, 435.23 feet to a 5/8" x 30" rebar with plastic cap (P.L.S. #3577); thence North 47°54'27" East, 100.00 feet to the POINT OF BEGINNING.

TOGETHER With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD, All and singular the said premises, together with the appurtenances, unto the part of the second part, and to heirs and assigns forever.

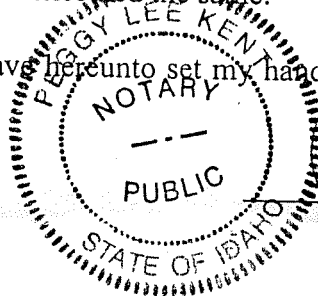
IN WITNESS WHEREOF, The said part of the first part ha hereunto set and seal the day and year first above written. hand

SIGNED, SEALED AND DELIVERED IN PRESENCE OF
Rick Smyer [Seal]
Cindy Smyer [Seal]
[Seal]
[Seal]

STATE OF IDAHO
County of CUSTER } ss.

On this third day of November in the year 2004, before me
Peggy Lee Kent a Notary Public
in and for said State, personally appeared Rick Smyer and Cindy Smyer

known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

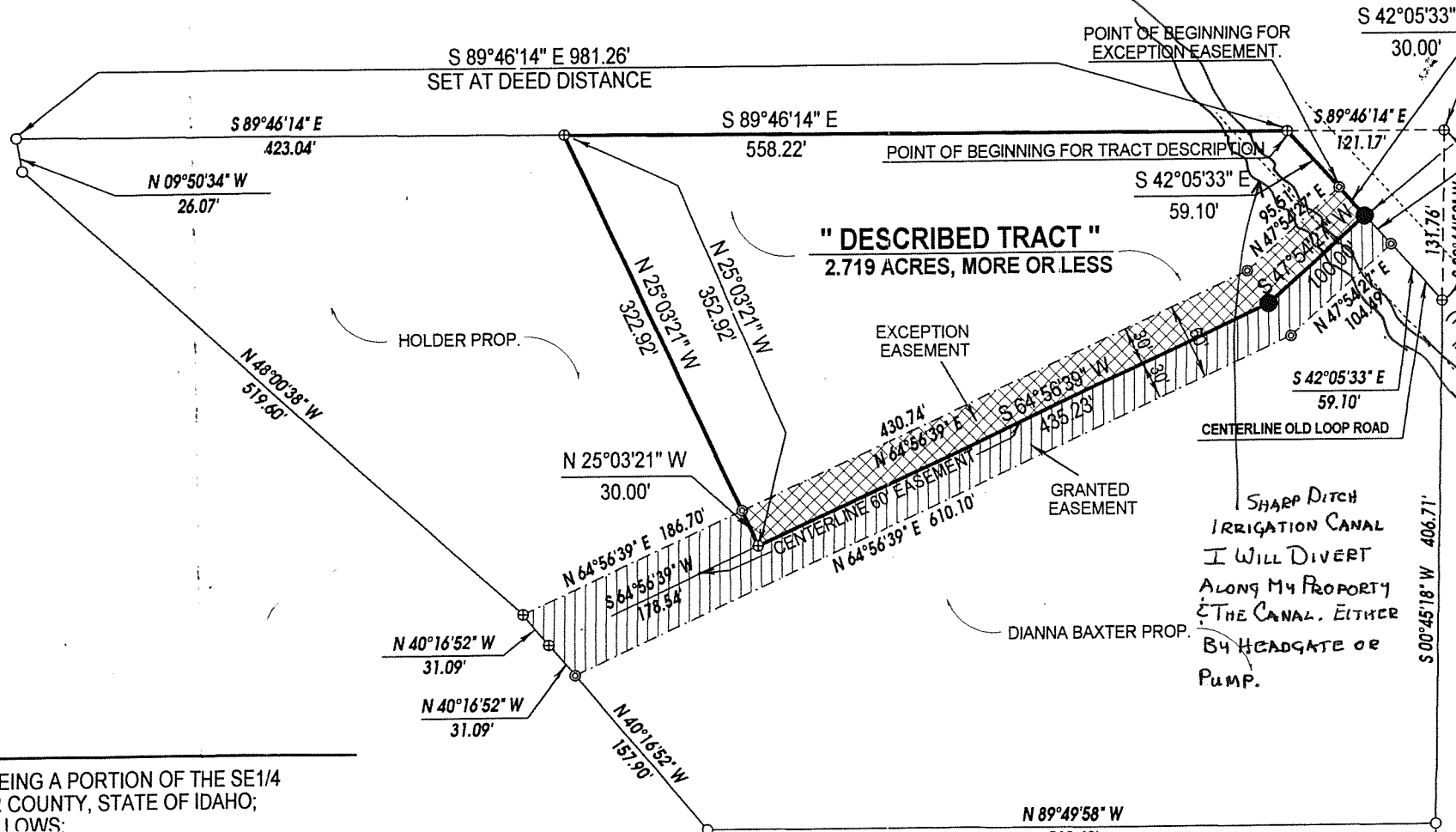


Peggy Lee Kent
Notary Public for the State of Idaho.
Residing at MACAY, Idaho

No. 230273
QUITCLAIM DEED
--TO--
Dated , 20
STATE OF IDAHO, } ss.
County of
I hereby certify that this instrument was filed for record at request of Randall Vaden
at 33 minutes past 10 o'clock A M, this 24th day of November, A.D. 2004
in my office, and duly recorded in Book of at page
By Ethal m Peck Ex-Officio Recorder.
Betsy Douglas Deputy.
Fees, \$ 6.00
Mail to Randall Vaden

RECORD OF SURVEY

A PORTION OF SECTION 17, T. 7 N., R. 24 E., B.M., CUSTER CO., STATE OF IDAHO



DESCRIPTION

AND GENERALLY DESCRIBED AS BEING A PORTION OF THE SE1/4
N 17, T. 7 N., R. 24 E., B.M.; CUSTER COUNTY, STATE OF IDAHO;
PARTICULARLY DESCRIBED AS FOLLOWS:

230199

WARRANTY DEED

For Value Received COTTONWOOD GROVE RANCHES, L.C., the Grantor, does hereby grant, bargain, sell and convey unto RICK SMYER AND CINDY SMYER, husband and wife, the Grantees, whose current address is P.O. Box 43, Mackay, Idaho 83251, the following described premises, in Custer County, Idaho, to-wit:

A tract of land generally described as being a portion of the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 17, Township 7 North, Range 24 East, Boise Meridian, Custer County, Idaho, being more particularly described as follows:

Commencing at a found 5/8" rebar with plastic cap (P.L.S. #3577) marking the Northeast corner of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ (the South center-center 1/16) Section 17, Township 7 North, Range 24 East, Boise Meridian, from which a found 5/8" rebar with aluminum cap (not stamped) marking the South quarter corner of said Section 17, bears South 0°44'50" West, 1329.80 feet; thence North 89°46'14" West, 121.17 feet on or along the North line of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ said Section 17 to a found rebar with plastic cap (P.L.S. #3577) set on or along the centerline of Old Loop Road, the POINT OF BEGINNING; thence South 42°05'33" East, 89.10 feet on or along said centerline to a set 5/8"x30" rebar with plastic cap (P.L.S. #3577); thence leaving said centerline South 47°54'27" West 100.00 feet to a set 5/8"x30" rebar with plastic cap (P.L.S. #3577); thence South 64°56'39" West, 435.23 feet to a found rebar with plastic cap (P.L.S. #3577); thence North 25°03'21" West, 352.92 feet to a found rebar with plastic cap (P.L.S. #3577) lying on or along the North line of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ said Section 17; thence on or along said South 89°46'14" East, 558.22 feet to the POINT OF BEGINNING, as shown on the Record of Survey filed October 16, 2001, as instrument No.223715, records of Custer County, Idaho.

TOGETHER WITH a variable width easement reserved for utilities, road construction and as an ingress and egress route. No permanent structures may be erected within said Easement. The Easement area can generally be described as being a strip lying Southeasterly of, parallel with, and adjoining the Southeast line of above described tract; being more particularly described as follows:

Commencing at a found 5/8" rebar with plastic cap (P.L.S. #3577) marking the Northeast corner of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ (the South center-center 1/16), Section 17, Township 7 North, Range 24 East, Boise Meridian; from which a found 5/8" rebar with aluminum cap (not stamped) marking the South quarter corner of said Section 17, bears South 0°44'50" West, 1329.80 feet; thence North 89°46'14" West, 121.17 feet on or along the North line of said Section 17 to a set 5/8"x30" rebar with plastic cap (P.L.S. #3577) lying on or along the centerline of Old Loop Road; thence South 42°05'33" East, 89.10 feet on or along said centerline to a 5/8"x30" rebar with plastic cap (P.L.S. #3577) the POINT OF BEGINNING; thence continuing along said centerline South 42°05'33" East, 30.00 feet; thence leaving said centerline South 47°54'27" West, 104.49 feet; thence South 64°56'39" West, 610.10 feet; thence North 40°16'52" West, 62.18 feet; thence North 64°56'39" East, 186.70 feet; thence South 25°03'21" East, 20.00 feet to a 5/8"x30" rebar with plastic cap (P.L.S. #3577); thence North 64°56'39" East, 435.23 feet to a 5/8"x30" rebar with plastic cap (P.L.S. #3577); thence North 47°54'27" East, 100.00 feet to the POINT OF BEGINNING.

Post-It® Fax Note

7671

Date	# of pages
To: <i>Emalee</i>	6
Co./Dept. <i>IDWR</i>	From: <i>B. Tierney</i>
Phone #	Co. <i>Custer County</i>
	Phone #

230199

TO HAVE AND TO HOLD the said premises, with its appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that it is the owner in fee simple of said premises; that it is free from all encumbrances excepting therefrom all covenants, conditions and restrictions of record and all easements of sight and of record as recorded in the records of Custer County, Idaho and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: This 22 day of October, 2004.

COTTONWOOD GROVE RANCHES, L.C.

BY: Dianna Mary Baxter

STATE OF: Calif.

: ss

County of: Ventura

On this 22 day of
October 2004, before
me, a Notary Public, per-
sonally appeared

Dianna Mary Baxter

known or identified to me to
be the person(s) whose name(s)
are subscribed to the within
instrument, and acknowledged to
me that She executed the same.

Cathy L. Price
Notary Public for Idaho California
Residing at 1063 Calle Margarita
Commission Expires Dec 15, 2007

STATE OF IDAHO, COUNTY OF CUSTER

I hereby certify that this instrument was filed for
record at the request of CCT
at 7 minutes past 3
o'clock P.M., this 27 day of Oct
2004, in my office.

Ethel M Beck
Ex-Officio Recorder

BY Lura Baker
Deputy

Fee: \$ 6.00
Mail to: CCT

