

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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?
22-10880 <i>OK</i>	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: LUDEAN MC GARRY AND THERON R MC GARRY

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): THERON R MC GARRY

Name of each new owner as listed on the conveyance document

RECEIVED

MAR 23 2011

Department of Water Resources
Eastern Region

New owner continued Name connector ☐ and ☐ or ☐ and/or

6140 WEST 5000 SOUTH

Mailing address

REXBURG

ID 83440

City

State

ZIP

208-356-6531

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: 03-29-1993

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: *Theron R McGarry*

Signature of new owner/claimant

Title, if applicable

3/3/2011

Date

Signature:

Signature of new owner/claimant

Title, if applicable

Date

For IDWR Office Use Only:

Received by *JR*

Date

3/23/2011

Receipt No.

E0316503

Receipt Amt.

\$25 -

Approved by

Processed by

Date

246228

QUITCLAIM DEED AND ASSIGNMENT

THIS INDENTURE, made this 3rd day of June, 1992, between LADEAN MCGARRY of Rexburg, Madison County, Idaho, hereinafter referred to as "GRANTOR", and HERON R. MCGARRY of 6140 West 5000 South, Rexburg, Madison County, Idaho, hereinafter referred to as "GRANTEE".

WITNESSETH, that GRANTOR, for and in consideration of a Property Settlement Agreement in connection with a divorce between the parties, One Dollar, lawful money of the United States of America, and other good and valuable considerations, GRANTOR does hereby remise, release and forever QUITCLAIM, and does hereby and assign and transfer to GRANTEE, and to GRANTEE's heirs and assigns forever, all interest of the GRANTOR in and to any of the following described leases, real estate, purchase agreements and/or other possible interests located in Madison County, Idaho, to-wit:

SEE ATTACHED EXHIBIT A

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

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances, unto the GRANTOR his heirs and assigns forever.

IN WITNESS WHEREOF, the GRANTOR has hereunto set her hand and seal the day and year first above written.

Ladean McGarry
LADEAN MCGARRY

STATE OF IDAHO)
) ss
County of)

On this 3rd day of June, 1992, before me, the undersigned, a Notary Public in and for said State, personally appeared LADEAN MCGARRY, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year in this certificate first above written.



246228

Collette Davis
Notary Public for Idaho
Residing at: *Boise, ID*
Commission Expires: *12-1-92*

MAR 2 1993

246228

Boise, ID
Boise, ID

Lot 4 in Section 13, Township 5 North, Range 39
East of the Boise Meridian.

246228

ALSO: Commencing at a point North 89°45'00"
East 330.70 feet from the Northwest corner of
Section 18, Township 5 North, Range 39 East of
the Boise Meridian, and running thence South
0°00'00" East, 1320.00 feet; thence South
89°45'00" West 330.00 feet to the West line of
Section 18; thence along said West line of
Section 18 South 0°45'00" East 1047.40 feet to
the Dike centerline; thence along said Dike
Centerline South 42°48'00" East 1295.10 feet;
thence South 70°18'00" East 421.00 feet;
thence North 76°41'46" East, 496.92 feet;
thence North 67°12'34" East 693.40 feet;
thence North 81°55'32" East 243.09 feet to the
Quarter line of Section 18; thence along said
Quarter line North 0°00'00" East 3054 feet to
the North line of Section 18, thence along said
North line of Section 18, South 89°45'00" West
2309.85 feet to the point of beginning.

Township 5 North, Range 38 East, Boise Meridian

Section 12: S½SE¼
Section 13: N½NE¼

Lot 4 and the Southeast Quarter of Section 6, Township 5
North, Range 39 East of the Boise Meridian.

ALSO: Lot 5 and the Northwest Quarter Southwest Quarter
of Section 6, Township 5 North, Range 39 East, Boise Meri-
dian.

Commencing at the Northeast corner of the S.E.¼ S.E.¼ of
Section 8, Township 5 North, Range 39 East of the Boise Meridian,
and running thence West 143½ rods; thence South 10 rods; thence
West 10 rods; thence South 118 rods, more or less, to the center-
line of the Jones Warm Slough; thence easterly following the
meanderings of the said Slough to a point 5 rods, more or less,
West of the Southeast corner of the N.E.¼ N.E.¼ of Section 17,
Township 5 North, Range 39 East, Boise Meridian; thence East 5
rods; thence North 160 rods to the point of beginning;

in the County of Madison, State of Idaho; and containing 147 acres, more or
less, together with all buildings, fences, and other improvements thereon,
and all rights thereto appertaining except as provided otherwise herein
(hereinafter the "Property"); to have and to hold the same by Tenant from
April 1, 1982, to April 1, 1985.

EXHIBIT

A

Commencing at a point 192 feet West of the Northeast corner of Section 5, Township 5 North, Range 39 East, Boise Meridian, and running thence West 2,448 feet; thence South 2,640 feet; thence East 1,018.875 feet; thence North 660 feet, more or less, to the center of the Texas Slough; thence up the center of the channel of said Texas Slough in a Northeasterly direction to a point where the thread of said stream intersects a line parallel to and 226 feet West of the East boundary line of said Section 5; thence Northerly in a straight line 646.7 feet, more or less, to a point on the South bank of a ditch which is 196 feet West and 558 feet, more or less, South of the Northeast corner of said Section 5; thence Northerly in a straight line 246.03 feet, more or less, to a point 192 feet West and 312 feet South of the point of beginning; thence North 312 feet to the point of beginning.

Commencing 1123 feet West of the NE corner of Lot 1 of Section 4, Township 5 North, Range 39 East Boise Meridian, Madison County, Idaho, and running thence South 362 feet; thence East 100 feet; thence South 958 feet; thence West 18 rods; thence South 19 rods; thence West 23 rods; thence following the meanderings of the Texas Slough in a Northeasterly direction to a point that would be 63 rods South of the NW corner of Lot 1; thence East 4 rods; thence North 63 rods; thence East 131 feet to the point of beginning.

Also,

Commencing at the NW corner of Lot 2 of Section 4, Township 5 North, Range 39 East Boise Meridian, Madison County, Idaho, and running thence South 80 rods; thence West 56 rods; thence South $13\frac{1}{4}$ rods; thence in a Southerly, Easterly, and Northerly direction following the meanderings of the Texas Slough to a point 19 rods South and 23 rods West of the NE corner of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 4, and running thence in a northeasterly direction following the meanderings of said Texas Slough to a point 4 rods East and 63 rods south of the NE corner of Lot 2; thence North 63 rods; thence West 84 rods to the point of beginning. Excepting therefrom the following described parcel: Beginning at a point 1443 feet West of the Northeast corner of Section 4, Township 5 North, Range 39 East Boise Meridian, Madison County, State of Idaho, and running thence South 99 feet; thence West 132 feet; thence North 99 feet; thence East 132 feet to the point of beginning.

Also,

Commencing at a point 19 rods South of the NE corner of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 4, Township 5 North, Range 39 East Boise Meridian, Madison County, Idaho, and running thence South 61 rods, thence West 160 rods; thence North $66\frac{1}{2}$ rods; thence East 24 rods to the intersection of the Texas Slough; thence in a Southerly, Easterly and Northerly direction following the meanderings of said Texas Slough to a point 23 rods West of the point of beginning; thence East 23 rods to the point of beginning.

Together with all water and ditch rights appertaining thereto.

Excepting therefrom any parcels residences or other improvements.

REAL PROPERTY

246228

State Land Lease

<u>Subdivision</u>	<u>Section</u>	<u>Township</u>	<u>Range B.M.</u>
S $\frac{1}{4}$ S $\frac{1}{4}$	17	4 N	41 E PUB
S $\frac{1}{4}$ SE $\frac{1}{4}$	18	4 N	41 E PUB
E $\frac{1}{2}$, E $\frac{1}{4}$ SW $\frac{1}{4}$	19	4 N	41 E PUB
SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ W $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$	20	4 N	41 E PUB

Fee Simple Title

Township 4 North, Range 41 East, Boise Meridian, Section 20, North $\frac{1}{4}$ Northeast $\frac{1}{4}$, Southeast $\frac{1}{4}$ Northeast $\frac{1}{4}$, Northeast $\frac{1}{4}$ Southeast $\frac{1}{4}$.

Also, South Half of Southeast Quarter (S $\frac{1}{2}$ SE $\frac{1}{4}$) Section 7; West 46.5 rods of the Southwest Quarter of Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$) Section 8; West 46.5 rods of the Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$), and all the Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$) Section 17, and Northeast Quarter (NE $\frac{1}{4}$) Section 18, all in Township 5 North, Range 39 East, Boise Meridian, Madison County, Idaho.

Excepting therefrom the following described parcel:

Beginning at a point 20.00 feet East of the Northeast corner of the S $\frac{1}{2}$ of the Southeast quarter of Section 7, Township 5 North, Range 39 East, Boise Meridian, Madison County, Idaho and running thence South 210.43 feet; thence West 207.00 feet; thence North 210.43 feet; thence East 207.00 feet to the point of beginning. Contains 1.00 acres less the county road right of way.

PERSONAL PROPERTY

300 Head of Cows

12 Bulls

Idaho State Brand - VO on left ribs

Along with all forest permits appertaining thereto

Also, the right to graze 20 head of cows in the Lyman Creek Grazing Association

The North-half (N $\frac{1}{2}$) Section 17. Subject to State of Idaho Oil and Gas Lease No. O-6273. Reserving to the State of Idaho and/or its assigns a road right of way for the existing road across this unit, said right of way being 33 feet on each side of the centerline as the road now exists.

PARCEL ATRACT I

Township 5 North, Range 39 East of the Boise Meridian
 Section 18: Commencing at the Northwest corner of Section 18, and running thence East 20 rods; thence South 80 rods; thence West 20 rods; thence North 80 rods to the point of beginning.

TRACT II

Township 5 North, Range 38 East of the Boise Meridian
 Section 11: N $\frac{1}{2}$ NE $\frac{1}{4}$

TOGETHER WITH easement 30.00 feet in width whose centerline is described as: Beginning at a point that is North 89°45'00" East 42.43 feet of the Northwest corner of Section 18, Township 5 North, Range 39 East of the Boise Meridian; and running thence South 20°24'06" West 165.01 feet, thence South 48°13'39" West 231.10 feet.

MORE OR LESS AND EXCEPTING: Beginning at a point that is East 26.40 feet of the Northwest corner of Section 18, Township 5 North, Range 39 East of the Boise Meridian, said point is a brass cap reference monument, and running thence North 89°45'00" East 303.60 feet; thence South 1019.85 feet; thence North 85°31'57" West 271.62 feet; thence North 02°53'13" East 675.88 feet; thence North 84°10'31" West 292.61 feet; thence North 48°13'39" East 231.10 feet; thence North 20°24'06" East 148.24 feet to the point of beginning.

ALSO LESS: Commencing at a point 108 feet, more or less, West of the Northeast corner of the N $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 11, Township 5 North, Range 38 East of the Boise Meridian, on the North bank of the Bannock Jim Slough at its intersection with the North boundary of said NE $\frac{1}{4}$, and running thence West 1545 feet, more or less, to the intersection of the said North boundary of the NE $\frac{1}{4}$ with the said North bank of the Bannock Jim Slough; thence Easterly along the said North bank to the point of beginning.

PARCEL B

Township 5 North, Range 39 East of the Boise Meridian
 Section 17: S $\frac{1}{2}$ SW $\frac{1}{4}$
 Section 18: N $\frac{1}{2}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, Government Lot 5
 Section 20: NE $\frac{1}{4}$ NW $\frac{1}{4}$, Lot 2

LESS: Beginning at the Northwest corner of the NE $\frac{1}{4}$ of Section 20, Township 5 North, Range 39 East of the Boise Meridian, which corner is monumented with a brass cap US NLM 1959, and running thence North 00°03'57" East 410.82 feet; thence South 77°15'52" West 161.62 feet; thence South 19°15'47" West 113.17 feet; thence North 77°04'10" West 207.99 feet; thence South 55°46'53" West 78.96 feet; thence South 07°23'54" West 239.63 feet; thence running along the toe of the East edge of a dike of the North Fork of the Snake for the next five miles South 44°28'01" East 257.31 feet; thence South 28°12'07" East 241.99 feet; thence South 08°32'03" East 278.87 feet; thence South 14°49'46" West 282.82 feet; thence South 38°17'45" West 403.53 feet; thence North 89°48'38" East 530.32 feet; thence North 01°37'25" West 1327.84 feet to the point of beginning.

TOGETHER WITH: Easement for egress and ingress. A strip of land 25.00 feet in width located in the S $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 17, Township 5 North, Range 39 East of the Boise Meridian whose centerline is described as beginning at a point that is North 00°03'57" East 423.30 feet from the Northwest corner of the NE $\frac{1}{4}$ of Section 20, Township 5 North, Range 39 East of the Boise Meridian, and running thence South 77°15'52" West 161.62 feet.

Easement for egress and ingress to the North Fork of the Snake River. A strip of land 25.00 feet in width located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 20, Township 5 North, Range 39 East of the Boise Meridian, whose centerline is described as follows: Beginning at a point that is South 1318.24 feet and West 610.74 feet of the Northwest corner of the NE $\frac{1}{4}$ of Section 20, Township 5 North, Range 39 East of the Boise Meridian, and running thence South 89°10'15" West 125 feet, more or less, to the East bank of the North Fork of the Snake River. y

Home Property

