

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

NOV 26 2010

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?
ED 78-4000 ^{NOT WPO. MATCH}	Yes ☐		Yes ☐		Yes ☐
WV 78-7348	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Victor Lowell Sheline and Helane Jo Sheline Revocable Trust

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Richard L. Stubbs

Name of each new owner as listed on the conveyance document

Tyra H. Stubbs

New owner continued

Name connector

☐ and

☐ or

☒ and/or

1322 E. Braemere Rd.

Mailing address

Boise

Idaho

83702

City

State

ZIP

208-345-8600

rlstubbs@careyperkins.com

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: August 17, 2009

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.

SUPPORT DATA

IN FILE # 78-7348

7. Signature:

Signature of new owner/claimant

Title, if applicable

November 23, 2010

Date

- Signature:

Signature of new owner/claimant

Title, if applicable

November 23, 2010

Date

For IDWR Office Use Only:

Received by VW

Date 11-24-10

Receipt No. C092146

Receipt Amt. 25.00

Approved by _____

Processed by SR

Date 12-2-10

468247

RECEIVED

NOV 26 2010

DEPARTMENT OF
WATER RESOURCESWARRANTY DEED

GRANTOR, VICTOR LOWELL SHELINE and MELANE JO SHELINE, as Trustees of THE VICTOR LOWELL SHELINE and MELANE JO SHELINE REVOCABLE TRUST, dated December 17, 1990, of Pine Shadows #329, 2050 W. SR 89-A, Cottonwood, AZ 86326, for a good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey to RICHARD L. STUBBS and TYRA H. STUBBS, husband and wife, of 1322 E. Braemers Road, Boise, ID 83702, as GRANTEE, and to grantee's heirs and assigns forever, all of the following described real estate located in the County of Idaho, State of Idaho, to wit:

See Exhibit "A" attached hereto and hereby incorporated by this reference.

TOGETHER with all improvements, water, water rights, ditches, ditch rights, easements, hereditaments and appurtenances thereto.

Subject to:

1. General taxes for the year 2009, which are a lien, not yet due and payable.
2. Any claim arising from any change in the centerline of Elk Creek and/or Little Elk Creek.
3. POWER LINE EASEMENT to IDAHO POWER COMPANY, a corporation, recorded April 24, 1948 as Instrument Number 159349.
4. RIGHT OF WAY for access in Warranty Deed recorded September 4, 1953 as Instrument Number 177760.
5. EASEMENT AND RIGHT OF WAY for stock driveway purposes in Warranty Deed recorded October 12, 1962 as Instrument Number 210190.
6. EASEMENT for construction and maintenance of an irrigation ditch in Warranty Deed recorded July 11, 1966 as Instrument Number 223887.
7. All matters, covenants, conditions, restrictions, easements and any rights, interests or claims which may exist by reason thereof, disclosed by Record of Survey noted below, but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, or national

WARRANTY DEED

1

Instrument # 468247

IDAHO COUNTY, IDAHO,

8-17-2009 03:06:35 No. of Pages: 4

Recorded for: INLAND TITLE

ROSE E. GEHRING Fee: 12.00

Ex-Officio Recorder Deputy *[Signature]*

1 origin to the extent such covenants, conditions or
2 restrictions violate 42 USC 3604(c).

Record of Surveys:

3 Recorded April 2, 1981 as Instrument Number 290260;
4 Recorded March 13, 1989 as Instrument Number 346494;
5 Recorded December 10, 1993 as Instrument Number 371912;
6 Recorded December 12, 1995 as Instrument Number 383961;
7 Recorded April 20, 1999 as Instrument Number 405615;
8 Recorded June 23, 2000 as Instrument Number 412336.

- 9
10 8. The perpetual and unrestricted right to travel upon
11 the land by persons, vehicles and equipment as described
12 in Quitclaim Deed recorded August 25, 1994 as Instrument
13 Number 376112.

14 TO HAVE AND TO HOLD the said premises, with their
15 appurtenances, unto the said Grantees, their heirs and assigns
16 forever. And the said Grantors do hereby covenant to and with the
17 said Grantees that they are the owners in fee simple of said
18 premises; that they are free from all encumbrances, and that they
19 will warrant and defend the same from all lawful claims whatsoever,
20 except general taxes for the year 2009, and easements,
21 reservations, restrictions and rights-of-way of record or in use.

22 Except as otherwise expressly provided in this instrument,
23 GRANTORS, hereby declare pursuant to Title 5, Chapter 2 of the
24 Idaho Code, that in the event GRANTORS shall have permitted or
25 suffered at any time prior to the making of this instrument, any
26 person or entity to possess, use or occupy the above-described
27 premises, or any portion thereof, for any purpose, with or without
the knowledge of GRANTORS, it was not the intent of GRANTORS, by
permitting or suffering such possession, use or occupation, to
thereby define property boundaries or ownership thereof.

In construing this deed, and where the context so requires,
the singular includes the plural and the masculine, the feminine
and the neuter.

1 IN WITNESS WHEREOF, Grantors have hereunto subscribed their
2 names to this instrument this 13th day of ~~July~~^{August}, 2009.

3
4 Victor Lowell Sheline, Trustee Helane Jo Sheline, Trustee
5 VICTOR LOWELL SHELINÉ HELANE JO SHELINÉ
6 Trustee of THE VICTOR Trustee of THE VICTOR
7 LOWELL SHELINÉ and LOWELL SHELINÉ and
8 HELANE JO SHELINÉ HELANE JO SHELINÉ
9 REVOCABLE TRUST, dated REVOCABLE TRUST, dated
10 December 17, 1990 December 17, 1990

11 STATE OF ARIZONA)
12) ss.
13 County of Yavapai

14 On this 13 day of August, 2009, before me,
15 Roger E Brown, a Notary for the said County and
16 State, personally appeared VICTOR LOWELL SHELINÉ and HELANE JO
17 SHELINÉ, as Trustees of THE VICTOR LOWELL SHELINÉ and HELANE JO
18 SHELINÉ REVOCABLE TRUST, dated December 17, 1990, known or
19 identified to me to be the persons whose names are subscribed to
20 the within instrument, and they acknowledged to me that they freely
21 executed the same and that the statements therein contained are
22 true.

23 IN WITNESS WHEREOF, I have hereunto set my hand and affixed my
24 official seal the day and year first above written.

25 (NOTARY SEAL)

26 Roger E Brown
Notary Public for State of Arizona.
Residing at Yavapai, therein.
My commission expires on 5-28-11, 2011.

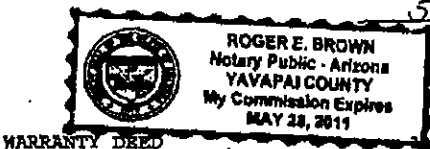


EXHIBIT A

The land referred to in this Commitment is described as follows:

Township 22 North, Range 1 East, Boise Meridian, Idaho County, Idaho,
A Tract of land located in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 23 and the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 26, more particularly described from a Record of Survey recorded March 13, 1989 as Instrument Number 346494 as follows: Commencing at the $\frac{1}{4}$ corner common to Section 23 and 26,
Thence S 89°44'04" E, 1319.236 feet to the E 1/16 corner;
Thence N 00°00'45" W, 1319.900 feet to the brass cap monument at the SE 1/16 corner, which point is the INITIAL POINT OF BEGINNING;
Thence S 00°00'45" E, 399.213 feet along the East line of SW $\frac{1}{4}$ SE $\frac{1}{4}$ to a point in the center of Little Elk Creek;
Thence S 88°05'41" W, 1359.883 feet meandering along the centerline of Little Elk Creek to a point;
Thence S 58°03'39" W, 483.270 feet meandering along the centerline of Little Elk Creek to a point which is 15 feet Westerly of an old road;
Thence S 32°37'23" W, 136.377 feet leaving Little Elk Creek and following the Westerly line of a 30 foot wide Right of Way;
Thence S 27°47'54" W, 322.658 feet along said Right of Way line to a point which is 30 feet Westerly of a found property pin;
Thence S 38°29'46" W, 245.407 feet along said Right of Way line to a point which is 30 feet Westerly of a found property pin;
Thence S 45°59'26" W, 239.231 feet along said Right of Way line to a point of intersection with the Easterly Right of Way line of the County Road;
Thence N 18°50'19" E, 47.883 feet along the Easterly Right of Way line of the County Road;
Thence N 05°09'26" E, 222.117 feet along said county Right of way line to a point on the Southerly bank of Elk Creek;
Thence N 34°38'52" E, 465.360 feet meandering along the centerline of Elk Creek;
Thence N 03°39'47" E, 674.733 feet meandering along the centerline of Elk Creek;
Thence N 44°08'59" E, 194.882 feet meandering along the centerline of Elk Creek to a found property pin situated on the North line of the SE $\frac{1}{4}$ SW $\frac{1}{4}$;
Thence S 89°43'22" E, 522.255 feet along said North line to the C-S 1/16 corner;
Thence S 89°38'58" E, 1321.812 feet along the North line of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ back to the INITIAL POINT OF BEGINNING.

AND

Township 22 North, Range 1 East, Boise Meridian, Idaho County, Idaho
A parcel of property located within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 23 and the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 26, more particularly described as follows:
Commencing at the $\frac{1}{4}$ corner common to Sections 23 and 26,
Thence N 89°52'48" W., 800.457 feet along the section line to a property line,
Thence N 15°13'40" W., 208.068 feet to a found property corner, which point is the INITIAL POINT OF BEGINNING;
Thence N 38°29'46" E., 2.811 feet to a found property corner,
Thence N 27°47'54" E., 324.101 feet to a found property corner,
Thence N 32°37'23" E., 195.448 feet to a point in the center of Little Elk Creek,
Thence S 89°03'39" W., 67.381 feet along the center of Little Elk Creek,
Thence S 32°37'23" W., 136.377 feet to a found property corner,
Thence S 27°47'54" W., 322.658 feet to a found property corner,
Thence S 38°29'46" W., 245.407 feet to a found property corner,
Thence S 45°59'26" W., 239.232 feet to a point on the Easterly R.O.W. line of the County Road,
Thence S 18°50'19" W., 65.176 feet along said R.O.W. line,
Thence N 45°59'26" E., 301.138 feet to a found property corner,
Thence N 38°29'46" E., 245.407 feet back to the INITIAL POINT OF BEGINNING.

21706 5132