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JAN 08 2010

Form 42-248/42-1409(6) 10/07

DEPARTMENT OF
WATER RESOURCES

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

JAN - 5 2009

IDWR/North

Please print or type. Attach pages with additional information. Instructions are included at the end of this form. Incomplete forms will be returned.

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 IDWR will produce new water right number(s) for the split(s).

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
81-10253	N/A	N/A			

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 on file with the county Planning and Zoning or Recorder's Office).
- OR**
- D. 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 or equivalent **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)

D. JOYCE UTZ; EDWIN E UTZ
 2207 ENTERPRISE DR
 RICHLAND WA 99352

4. New Owner/Claimant(s)

SWEARINGEN
 New Mailing Address

GLEN S. SWEARINGEN; PAMELA S.
 Name Connector (Check one): ☐ and, ☐ or, ☒ and/or

City, State and ZIP Code

131 LITTLE SMITH CR RD
 KOOSKIA ID 83539

New Telephone Number

(208) 926-4718 Email: isp561@hughes.net

SCANNED

OCT 8 2010

5. Date you acquired the property

SEPT 14, 2009

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 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 (you may copy this page, if 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 will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		

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.

7. Signature(s) of New Owner(s) or Claimant(s)

Alan Scott Swartz
(title if applicable)
Samuel Swartz
(title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

Received by _____
 Received by SPF
 Processed by _____ AJ

Date 1-5-10
 Date 10-25-10
 Date _____

Receipt Amt. 25.00
 Receipt No. CD92010
 WR SN Date 10-29-10

468776

Instrument # 468776

IDAHO COUNTY, IDAHO,

9-14-2009 02:38:54 No. of Pages: 2

Recorded for : INLAND TITLE

ROSE E. GEHRING

Ex-Officio Recorder Deputy *[Signature]* Fee: 6.00

21735 5155

WARRANTY DEED

For Value Received **EDWIN E. UTZ and JOYCE M. UTZ**, as Trustees of the **UTZ LIVING TRUST**, dated **February 21, 1996**, Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

[Signature] **PAMELA**

GLEN SCOTT SWEARINGEN and PAMELA SWEARINGEN, husband and wife as community property with right of survivorship, whose address is: 131 LITTLE SMITH CREEK ROAD, KOOSKIA, IDAHO 83539,

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

Township 33 North, Range 6 East, Boise Meridian, Idaho County, Idaho

Section 32: A parcel of land being a portion of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ described as:

Commencing at the SE corner of said SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$;

Thence N 84°59' W, 551.5 feet to the westerly line of the Big Smith Creek Road #820, said point being the TRUE POINT OF BEGINNING;

Thence S 86°47' W, 110.8 feet to the West line of said SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$;

Thence North 228.8 feet along the west line of said SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ to a point;

Thence S 53°03' E, 198.9 feet to the westerly line of said Big Smith Creek Road #820;

Thence S 25°08' W 113.8 feet along the westerly line of said road back to the TRUE POINT OF BEGINNING.

ALSO A parcel of land in Government Lot 2 of Section 32, Township 33 North, Range 6 East, B.M., more particularly described as:

Commencing at a point S 22°45' W, 4,537.8 feet from the Northeast corner of Section 32, Township 33 North, Range 6 East, Boise Meridain, and in center of road;

Thence West 247.0 feet to a point;

Thence N 18°26' W, 176.3 feet to a point;

Thence East 247.0 feet to a point in center of road;

Thence S 18°26' E, 176.3 feet to the POINT OF BEGINNING.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

WARRANTY DEED

For Value Received **EDWIN E. UTZ and JOYCE M. UTZ**, as Trustees of the **UTZ LIVING TRUST**, dated **February 21, 1996**, Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

PAMELA

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Thence North 228.8 feet along the west line of said SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ to a point;
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Thence S 25°08' W 113.8 feet along the westerly line of said road back to the TRUE POINT OF BEGINNING.

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Dated: September 2, _____, 2009

UTZ LIVING TRUST, dated February 21, 1996

Edwin E. Utz, Trustee
EDWIN E. UTZ, Trustee

Joyce M. Utz, Trustee
JOYCE M. UTZ, Trustee

Notary Acknowledgement attached to Warranty Deed UTZ TRUST to SWEARINGEN

State of ~~Idaho~~) Washington

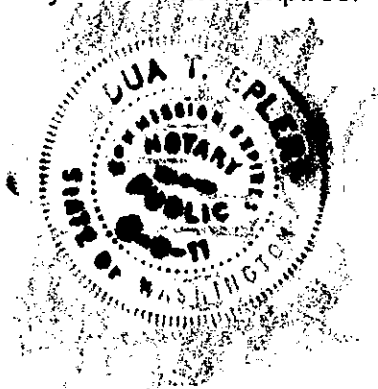
County of ~~Idaho~~) Benton

On this 2nd day of September, 2009, before me a Notary Public, personally appeared **EDWIN E. UTZ and JOYCE M. UTZ**, known or identified to me to be the persons whose names are subscribed to the within instrument as Trustee of the **UTZ LIVING TRUST**, dated **February 21, 1996** and acknowledged to me that they executed the same as such Trustees.

Dua T. Epley

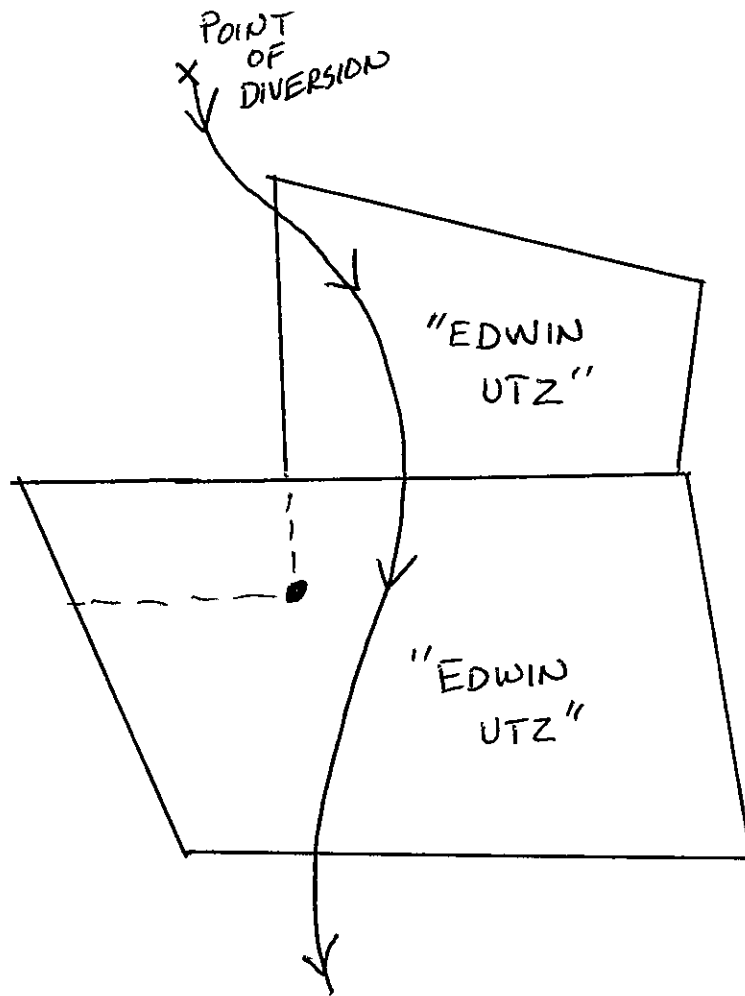
Notary Public

My commission expires: 5-9-2011



CHANGE IN WATER RIGHT OWNERSHIP

W.R.# 81-10253



POINT OF USE -
139 LITTLE SMITH CR
KOOSKIA ID 8353'

- - BRASS MONUMENT
SW CORNER SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ SEC 32

Glen Scott Swearingen
GLEN SCOTT SWEARINGEN
1... 3 2010