

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED  
SEP 02 2010  
DEPT. OF WATER RESOURCES  
SOUTHERN REGION

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 division of the existing water right or adjudication claim record will be required.

| Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split | Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split |
|-----------------------|------------------------------|-------|-----------------------|------------------------------|-------|
| SEE ATTACHED LIST     |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |

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) Warren Yadon & Kim Yadon
4. New Owner/Claimant(s) George Kelley and/or JoAnn Kelley  
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address Box 25
- City, State and ZIP Code Albion, ID 83311
- New Telephone Number (208) 673-5364
5. Date you acquired the property August 17, 2010

SUPPORT DATA

IN FILE # 45-7153

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<br>(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<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | _____                                                                      | _____                                                        |
| Stock                                                                                                                   | _____                                                                      | _____                                                        |
| Domestic                                                                                                                | _____                                                                      | _____                                                        |
| Other _____                                                                                                             | _____                                                                      | _____                                                        |
| Total                                                                                                                   | _____                                                                      | _____                                                        |

| DESCRIPTION OF YOUR PORTION OF WATER RIGHT<br>(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<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | _____                                                                      | _____                                                        |
| Stock                                                                                                                   | _____                                                                      | _____                                                        |
| Domestic                                                                                                                | _____                                                                      | _____                                                        |
| Other _____                                                                                                             | _____                                                                      | _____                                                        |
| Total                                                                                                                   | _____                                                                      | _____                                                        |

7. Signature of New Owner(s) or Claimant(s) \_\_\_\_\_  
(include title if applicable)

*George Kelley*

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 greeder Date 9/2/2010 Fee \$ 325.00  
 Received by \_\_\_\_\_ Date \_\_\_\_\_ Receipt No. 5031607  
 Processed by \_\_\_\_\_ AJ Date \_\_\_\_\_ WR \_\_\_\_\_ Date \_\_\_\_\_

Idaho Water License # 45-07498  
Idaho Water License # A45-07260  
Idaho Water License # A45-07176  
Idaho Water License # A45-07153  
Idaho Water License # A45-02078  
Idaho Water License # 45-00218  
Idaho Water License # A45-00243  
Idaho Water License # A45-00279A  
Idaho Water License # A45-00326B  
Idaho Water License # A45-04175  
Idaho Water License # A45-02091  
Idaho Water License # A45-00526A  
Idaho Water License # A45-10817

CASSIA COUNTY  
RECORDED FOR:  
LAND TITLE AND ESCROW  
4:32:51 pm 08-20-2010  
2010-003970  
NO. PAGES: 3 FEE: \$16.00  
DEE YEAMAN  
COUNTY CLERK  
DEPUTY: HLMARR

**DEED OF DISTRIBUTION**

DEED made this 17 day of August 2010 between WARREN YADON and

KIM YADON, as Trustees for the benefit of George Kelley and JoAnn Kelley, husband and wife, ("GRANTORS"), and GEORGE KELLEY and JOANN KELLEY, husband and wife, of Box 25, Albion, ID 83318, ("GRANTEE").

WHEREAS, Grantors are Trustees for the benefit of George Kelley and JoAnn Kelley as ordered in an Amended Judgment in the District Court of the Fifth Judicial District of the State of Idaho, In and For the County of Cassia, in Case No. CV 2008-903 and recorded July 9, 2009 as Instrument No. 2009-003450 records of Cassia County, Idaho; and

WHEREAS, the Grantee is entitled to receive distribution of the property hereinafter described pursuant to the Amended Judgment.

**NOW, THEREFORE, WITNESSETH:**

The Grantors for the purpose of distributing the real property described in the Amended Judgment, together with the Water Rights, does by these presents hereby distribute, grant, convey and confirm to the Grantee and the heirs and assigns of Grantee forever, all that certain parcel of land situate, lying and being in Cassia County, State of Idaho, to-wit:

**PARCEL NO. 1:**

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

Section 3: S $\frac{1}{2}$ SW $\frac{1}{4}$

Section 10: W $\frac{1}{2}$ , W $\frac{1}{2}$ NE $\frac{1}{4}$  and the NW $\frac{1}{4}$ SE $\frac{1}{4}$

**PARCEL NO. 2:**

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

Section 9: S½NW¼ and S½NE¼, LESS the following described tract of ground, to-wit:

Commencing at a point 1679 feet West of the East quarter corner of said Section 9;

Thence North 133 feet;

Thence West 321 feet to a point 133 feet North and 2000 feet West of the East quarter corner of said Section 9;

Thence West 475 feet to a point 133 feet North and 2475 feet West of the East quarter corner of said Section 9;

Thence Westerly 125 feet to a point 103 feet North and 2600 feet West of said East quarter corner of said Section 9;

Thence West 52.5 feet, more or less, to the North-South quarter section line of said Section 9;

Thence South 103 feet, more or less, to the center of said Section 9;

Thence East along the East-West quarter section line 973.5 feet more or less to the Point of Beginning.

and including, but not limited to the following Water Rights:

Idaho Water License # 45-07498 •

Idaho Water License # A45-07260 •

Idaho Water License # A45-07176 •

Idaho Water License # A45-07153 •

Idaho Water License # A45-02078 •

Idaho Water License # 45-00218 •

Idaho Water License # A45-00243 •

Idaho Water License # A45-00279A •

Idaho Water License # A45-00326B •

Idaho Water License # A45-04175 •

Idaho Water License # A45-02091 •

Idaho Water License # A45-00526A •

Idaho Water License # A45-10817 •

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 the premises, together with appurtenances and water rights unto the Grantee and the heirs and assigns of Grantee forever.

IN WITNESS WHEREOF, Grantors have executed this Deed the day and  
year first above written.

**GRANTORS**

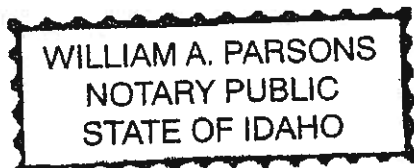
WARREN YADON, Trustee

By Dee Yeaman  
**DEE YEAMAN**, Clerk of the Court  
Signing pursuant to Court Order on behalf of  
Warren Yadon

K. Yadon  
**KIM YADON**, Trustee

STATE OF IDAHO           )  
                                          ) ss  
County of Cassia        )

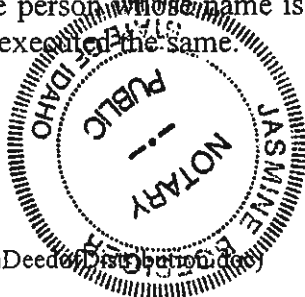
On this 17 day of August in the year 2010, before me, the undersigned, a  
Notary Public in and for said State, personally appeared **DEE YEAMAN**, Clerk of the Court  
on behalf of **WARREN YADON**, known or identified to me to be the person whose name is  
subscribed to the within instrument, and acknowledged to me that he executed the same.



William Parsons  
Notary Public for Idaho  
Residing at: Burley  
Comm. Exp.: 7/20/2016

STATE OF IDAHO           )  
                                          ) ss  
County of Cassia        )

On this 17<sup>th</sup> day of August in the year 2010, before me, the undersigned, a  
Notary Public in and for said State, personally appeared **KIM YADON**, known or identified to  
me to be the person whose name is subscribed to the within instrument, and acknowledged to  
me that she executed the same.



Jasmine Borsiger  
Notary Public for Idaho  
Residing at: Rupert, ID  
Comm. Exp.: 24 Sept. 2013

(Kelley)YadonDeed of Distribution

MAJESTATE COURT  
CLERK OF COURT  
FILED  
2010 AUG 13 P 1:59

**GEORGE KELLEY and JOANN** )  
**KELLEY, husband and wife,** )  
) )  
Plaintiffs, )  
) )  
vs. )  
) )  
**WARREN YADON and KIM YADON,** )  
) )  
Defendants. )

ORDER RE: CONVEYANCE

ORDER RE: CONVEYANCE - 1

William A. Parsons for the Plaintiffs, Sam Angell for Defendant, Warren Yadon, and Steve Tuft advised the court that he would not appear for the hearing.

The Court heard oral argument of counsel and being fully advised that George Kelley and JoAnn Kelley will assume the debt to RABO AGRIFINANCE and that Warren Yadon and Kim Yadon will be fully exonerated from all liability on the obligation to RABO AGRIFINANCE. The Court is further advised that all real estate taxes have been paid current.

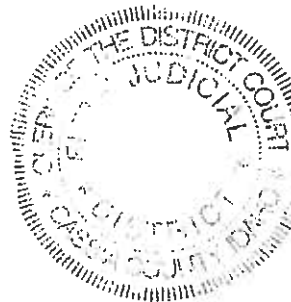
**IT IS THEREFORE ORDERED:**

1. Warren Yadon, as Trustee, shall execute a Deed of Distribution to George Kelley and JoAnn Kelley, husband and wife, and deliver the same to Land Title and Escrow, Inc., Box 177 Burley, Idaho 83318 on or before August 20, 2010.
2. In the event Warren Yadon does not execute the Deed of Distribution, the Clerk of the Court shall execute the same on his behalf pursuant to law.
3. The Motion to Strike the Affidavit of William A. Parsons is denied.
4. No fees allowed.

DATED this 13 day of August 2010.

/s/ Michael R. Crabtree  
MICHAEL R. CRABTREE  
District Judge

ORDER RE: CONVEYANCE - 2



State of Idaho )  
County of Cassia ) ss

I hereby certify that the foregoing instrument is a full, true and correct copy of the original as filed in this office.

Dated 17 August 2010

Dee Yeaman  
Clerk of the District Court, Ex-officio Auditor  
and Recorder, Cassia County, Idaho

By N. Angell Deputy

**CONFORMED COPIES TO:**

Steven A. Tuft  
Tuft Law Office  
Box 759  
Burley, ID 83318

Sam L. Angell  
Anderson Nelson Hall Smith, P.A.  
Box 51630  
Idaho Falls, ID 83405-1630

William A. Parsons  
Parsons, Smith, Stone, Loveland  
& Shirley, LLP  
Box 910  
Burley, ID 83318

DATED this 13 day of August 2010.

CLERK OF THE COURT

By   
Deputy