

JUL 13 2010

Department of Water Resources
Eastern Region

Transfer No. 76652

Receipt No. E035961

Page 1

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

1. Applicant Information RESTON A CONDIT
6440 E SIDEHILL LANE
IDAHO FALLS ID 83401
208-419-3497

And

HEATHER N CONDIT
6440 E SIDEHILL LANE
IDAHO FALLS ID 83401

Will this transfer result in an ownership change? ☒X Yes ☐ No

2. Current Water Right**Part 2 Attached for Each Right**

	Origin/Basis	Rate	Volume	Acre Limit	Total Acres	Source
25-14267	WR/Decreed	0.02	3.8		1.1	GROUND WATER

3. Purpose of Transfer (Change Proposed)**Part 3A Attached for Each Proposed Right****Part 3B Attached for Each Split Right**

Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
25-14267	NO	YES	NO	NO	NO	NO

Describe the reason for the proposed changes

Applicants are seeking to change the point of diversion to a domestic well located on their property.
An ownership change will also occur in the transfer.

4. FOR CHANGES IN NATURE OF USE ONLY**A. Describe the expected quantity of the return flows and location of discharge after the proposed change**

N/A

B. Describe the effects on other water uses resulting from the proposed change

N/A

5. Total Amounts Transferred

	Rate	Acre Limit	Total Acres	Volume
25-14267	0.02 cfs		1.1	3.8 af
TOTAL	0.02 cfs		1.1	3.8 af

Transfer No. 76652

Receipt No. _____

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in voiding its approval.

Reston A. Condit

(Signature of Applicant)

(Title or Office)

Gleather Condit

(Signature of Applicant)

(Title or Office)

Transfer No. 76652

Receipt No. _____

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 25-14267

Priority Date: August 10, 1966

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01 11/01	0.02 CFS	3.8 AFA	
Total Diversion		0.02 CFS	3.8 AFA	

Source and Point(s) of Diversion:

GROUND WATER SENE Sec. 30 Twp 02N Rge 39E BONNEVILLE
County

PLACE OF USE: IRRIGATION

Tw	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
02N	39E	19																1.1	1.1

Total Acres: 1.1

Conditions/Remarks:

1. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Page 4

Documentation of Ownership of the Current Place of Use
Warranty Deed

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?
NO

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer
No change

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?
NO

Transfer No. 76652

Receipt No. _____

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A

Proposed Water Right No. 25-14267

Priority Date: August 10, 1966

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01 11/01	0.02 CFS	3.8 AFA	
	Total Diversion	0.02 CFS	3.8 AFA	

Source and Point(s) of Diversion:

GROUND WATER SESE Sec. 19 Twp 02N Rge 39E BONNEVILLE
County

Describe the proposed diversion system

Point of Diversion # 1 Domestic well to underground sprinkler irrigation system.

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	39E	19																1.1	1.1

Total Acres: 1.1

76 65 2



Legend

- POU
- Township/Range
- Sections
- QQ

0 0.03 0.06 0.12 Miles



1 inch = 0.09 miles



RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
2004 Jennie Lee Drive
Idaho Falls, ID 83404

INSTRUMENT NO.	283896
DATE	11-29-07
INST. CODE	205
IMAGED PGS	3.00
FEE	
STATE OF IDAHO	
COUNTY OF BONNEVILLE	
I hereby certify that the within instrument was recorded.	
Ronald Longmore, County Clerk	
By	<i>[Signature]</i>
Regrd. to	FH10

Space Above This Line for Recorder's Use Only

WARRANTY DEED

For Value Received, **David C. Dahlberg and Michelle E. Dahlberg, husband and wife**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Reston A. Condit and Heather N. Condit, husband and wife**, hereinafter called the Grantee, whose current address is **6440 E. Sidehill Lane, Idaho Falls, ID 83401**, the following described premises, situated in **Bonneville County, Idaho**, to-wit:

LOT 7, BLOCK 2, FIRST AMENDED PLAT OF THE MCDANIEL SUBDIVISION, DIVISION NO. 1, TO THE COUNTY OF BONNEVILLE, STATE OF IDAHO, ACCORDING TO THE OFFICIAL PLAT RECORDED JUNE 14, 2000 AS INSTRUMENT NO. 1024690.

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.

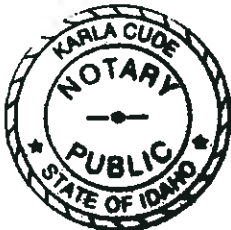
TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from 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.

[Signature: David C. Dahlberg]
David C. Dahlberg

[Signature: Michelle E. Dahlberg]
Michelle E. Dahlberg

STATE OF Idaho)
SS.
COUNTY OF Bonneville)

On this 20th day of November, 2007, before me, a Notary Public in and for said State, personally appeared **David C. Dahlberg and Michelle E. Dahlberg**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.



[Signature: Karla Cude]
Notary Public for the State of Idaho
Residing at: Rigby, Idaho
My Commission Expires: 6/28/2012

235789-IF
First American Title Co.
2004 Jennie Lee Dr.
P.O. Box 3432
Idaho Falls, ID 83404

76652

72187

BONNEVILLE COUNTY RECORDER

FILE No. 00025800

1072187 MAR 4 '02 PM 4 43

INSTRUMENT NO.

WARRANTY DEED

FOR VALUABLE CONSIDERATION RECEIVED HILLPOINT PROPERTIES LLC Grantor(s), do hereby grant, bargain, sell and convey unto DAVID C. DAHLBERG and MICHELLE E. DAHLBERG, Husband and Wife Grantee(s), whose current address is the following described real estate situated in Bonneville County, State of Idaho, to wit: 5080 E. SUNNYSIDE IDAHO FALLS, ID 83406

Lot 7, Block 2, First Amended Plat of the McDaniel Subdivision, Division No. 1, to the County of Bonneville, State of Idaho, according to the plat recorded June 14, 2000, under Instrument No. 1024690.

TO HAVE AND TO HOLD the described premises, together with all tenements, hereditaments and appurtenances thereunto belonging, unto the Grantee, his/her/it successors and assigns forever, Grantor does hereby covenant to and with the Grantee that he/she is the owner in fee simple of said premises and that he/she will warrant and defend the same from all lawful claims whatsoever.

DATED: 12/21/01

Michael E. Dahlberg
HILLPOINT PROPERTIES LLC

STATE OF IDAHO

THIS SPACE FOR COUNTY RECORDERS USE ONLY

COUNTY OF BONNEVILLE

On this 21st day of December, 2001, before me, the undersigned, a Notary Public in and for the State personally appeared HILLPOINT PROPERTIES LLC, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he executed the same.

Ronald Longmire
Notary Public
Residing at: Idaho Falls, Idaho
My Commission Expires: 11-13-2004
01-23-2007

INSTRUMENT NO.	1072187
DATE	3-4-02
INST. CODE	205
IMAGED PGS	2
FEE	6.00
STATE OF IDAHO } COUNTY OF BONNEVILLE } ss I hereby certify that the within instrument was recorded. Ronald Longmire, County Recorder By <u>R. Longmire</u> Deputy Request of <u>ITT</u>	

IDAHO TITLE & TRUST
P.O. BOX 50367
IDAHO FALLS, ID 83405

Idaho Title & Trust
400 Memorial Drive, PO BOX 50367, Idaho Falls, ID 83402

76 65 2

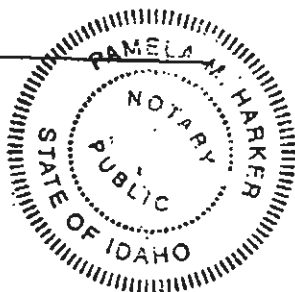
STATE OF IDAHO

COUNTY OF BONNEVILLE

ON THIS 21st DAY OF Dec, 2001, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC
IN AND FOR SAID STATE, PERSONALLY APPEARED George Z. McDaniel, KNOWN
OR IDENTIFIED TO ME TO BE THE MANAGING MEMBER OF THE LIMITED LIABILITY COMPANY THAT
EXECUTED THE WITHIN AND FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT SUCH COMPANY
EXECUTED THE SAME.

IN WHITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THE
DAY AND YEAR IN THIS CERTIFICATE FIRST ABOVE WRITTEN.

Pamela M. Harker
NOTARY PUBLIC
RESIDING AT: Wabo Falls Id
COMM EXP.: 01-23-2007



MONTEVILLE COUNTY RECORDER

950576 MAR 8 '99 # 229

Upon recording return to:
Gregory P. Meacham
Meacham & Decker, PLLC
1970 E 17th Street, Ste. 103
Idaho Falls, Idaho 83404
(208) 522-0022

CORPORATION WARRANTY DEED

WARRANTY DEED made this 7th day of October, 1998, by **McDaniel Farms, Inc.** a corporation created and existing under and by virtue of the laws of the State of Idaho, and duly authorized to transact business in the State of Idaho, with its principal place of business at 2425 S 60 E, Idaho Falls, Idaho 83406, herein referred to as Grantor, and **Hillpoint Properties LLC**, whose mailing address is 2425 S 60 E, Idaho Falls, Idaho 83406, herein referred to as Grantee, witnesseth:

Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt whereof is hereby acknowledged has granted, bargained, and sold, and does, by these presents, grant, bargain, sell, convey, and confirm unto Grantee and to its successors and assigns forever, all the following described real estate situate in the County of Bonneville, State of Idaho:

SECTION 19: SW1/4 SE1/4 and SE1/4 SE1/4, South and East of the Gardner Canal.

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PROPERTY:

All of the above described property lying within the boundaries of McDaniel Subdivision, Division No. 1, Bonneville County, Idaho, according to the recorded plat thereof.

Beginning at a point that is N56°32'02"W 1476.48 feet from the Southeast Corner of Section 19, Township 2 North, Range 39, East of the Boise Meridian, said Point of Beginning being also the Point of Beginning of a Quit Claim Deed Instrument No. 344666, Bonneville County Records, and running thence S88°55'W 50.00 feet; thence S4°54'W 376.56 feet; thence N71°20'E 96.24 feet; thence N58°20'E 154.00 feet; thence N44°10'41"E 103.05 feet; thence N0°24'11"W 217.67 feet; thence S79°09'W 201.85 feet; thence N48°02'W 16.32 feet to the Point of Beginning.

Beginning at the Southeast corner of Section 19, Township 2 North, Range 39, East of The Boise Meridian, and running thence N0°38'E 376.14 feet along the Section line; thence N89°22'W 119.97 feet; thence S6°23'W 378.00 feet, more or less, to the South line of said Section 19; thence S89°22'E 157.40 feet along said South line to the Point of Beginning.

That portion of the following described property lying East of the Gardner Canal:

Beginning at a point that is N56°32'02"W 1476.48 feet and S08°55'W 50.00 feet from the Southeast corner of Section 19, Township 2 North, Range 39,

Page -1-

Idaho Title & Trust
P.O. Box 50367
Idaho Falls, ID 83404

SCANNED

1. *What is the purpose of this document?*
 2. *What are the main findings of the study?*
 3. *What are the implications of the findings?*
 4. *What are the limitations of the study?*
 5. *What are the conclusions of the study?*

East of the Boise Meridian, and running thence S88°55'W 150.00 feet; thence S4°54'W 426.00 feet; thence N.71°20'E 162.76 feet; thence N4°54'E 376.56 feet to the Point of Beginning.

That certain property conveyed to Bonneville County for roadway purposes by that certain Quit Claim Deed recorded as Instrument No. 448370, records of Bonneville County, Idaho.

SECTION 30: N1/2 NE1/4, South of Gardner Canal

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PROPERTY:

Beginning at a point that is West 2156.56 feet along the Section line an South 166.65 feet from the Northeast corner of Section 30, Township 2 North, Range 39, East of the Boise Meridian, said point being on the South side of the Gardner Canal and running thence N68°17'30"W 247.75 feet along said canal; thence S56°03'30"W 79.35 feet along said canal; thence S15°50'15"W 92.12 feet along said Canal; thence N87°24'20"E 127.50 feet; thence N80°43'30"E 198.61 feet to the Point of Beginning.

Beginning at the Northeast corner of Section 30, Township 2 North, Range 39, East of the Boise Meridian; running thence S00°13'46"W along the Section line 47.67 feet; thence N87°13'41"W 186.89 feet, more or less, to the centerline of Foothill Road; thence N0°42'49"E along said centerline 40.80 feet, more or less, to a point that bears N89°22'00"W along the Section line from the Point of Beginning; thence S89°22'00"E along the Section line 183.52 feet, more or less, to the Point of Beginning.

That portion lying within the boundaries of Quail Ridge Estates, Division No. 1, 2 an 3, Bonneville County, Idaho, according to the recorded plat thereof.

That portion lying within the boundaries of Bit O' Heaven Subdivision, Bonneville County, Idaho, according to the record plat thereof.

That certain property conveyed to Bonneville County for roadway purposes by that certain Quit Claim Deed record as Instrument No. 448371, records of Bonneville County, Idaho.

AND ALSO: NE1/4 NW1/4, South and East of Gardner Canal.

All of Quail Ridge Estates Division No. 3, Bonneville County, Idaho, according to the recorded plat thereof.

Lots 1, 2, 3, 4 and 5, Block 2, McDaniel Subdivision, Division No.1, Bonneville County, Idaho, according to the recorded plat thereof.

TOGETHER with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, specifically including the reversion and reversions, remainder and remainders, rents, issues, and profits thereof; and all estate, right, title and interest in and to the property, as well in law as in equity.

TO HAVE AND TO HOLD, all and singular the above-described premises together with the appurtenances unto grantee and to his heirs and assigns forever.

And Grantor and its successors shall and will warrant and by these presents forever defend the premises in the quiet and peaceable possession of Grantee, Grantee's successors and assigns against Grantor and its successors and against all and every person and persons whomsoever lawfully claiming the same.

IN WITNESS WHEREOF, Grantor has caused these presents to be subscribed by its president, and its corporate seal to be hereunto affixed and attested by its secretary, both acting pursuant to a resolution adopted by the board of directors, a certified copy of which has been delivered to the grantee.

ATTEST:

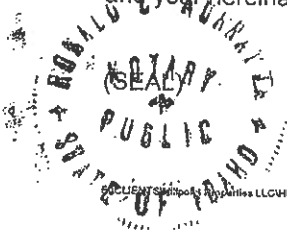
Its: Secretary

STATE OF IDAHO
MADISON
County of Bonneville

INSTRUMENT NO.	990576
DATE	3-3-99
By	George Z. McDaniel
INST CODE	235
IMAGED PGS	3
FEE	9-
STATE OF IDAHO COUNTY OF BONNEVILLE } ss I hereby certify that the within instrument was recorded. Ronald Longmore, County Recorder By <u>Christina</u> Deputy Request of	

On this 7th day of October, 1998, before me, the undersigned, Ron Murray, a Notary Public in and for the State of Idaho, personally appeared George Z. McDaniel, who, being by me first duly sworn, declared that he is the president of McDaniel Farms, Inc., that he signed the foregoing document as president of the corporation, and that the statements therein contained are true.

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



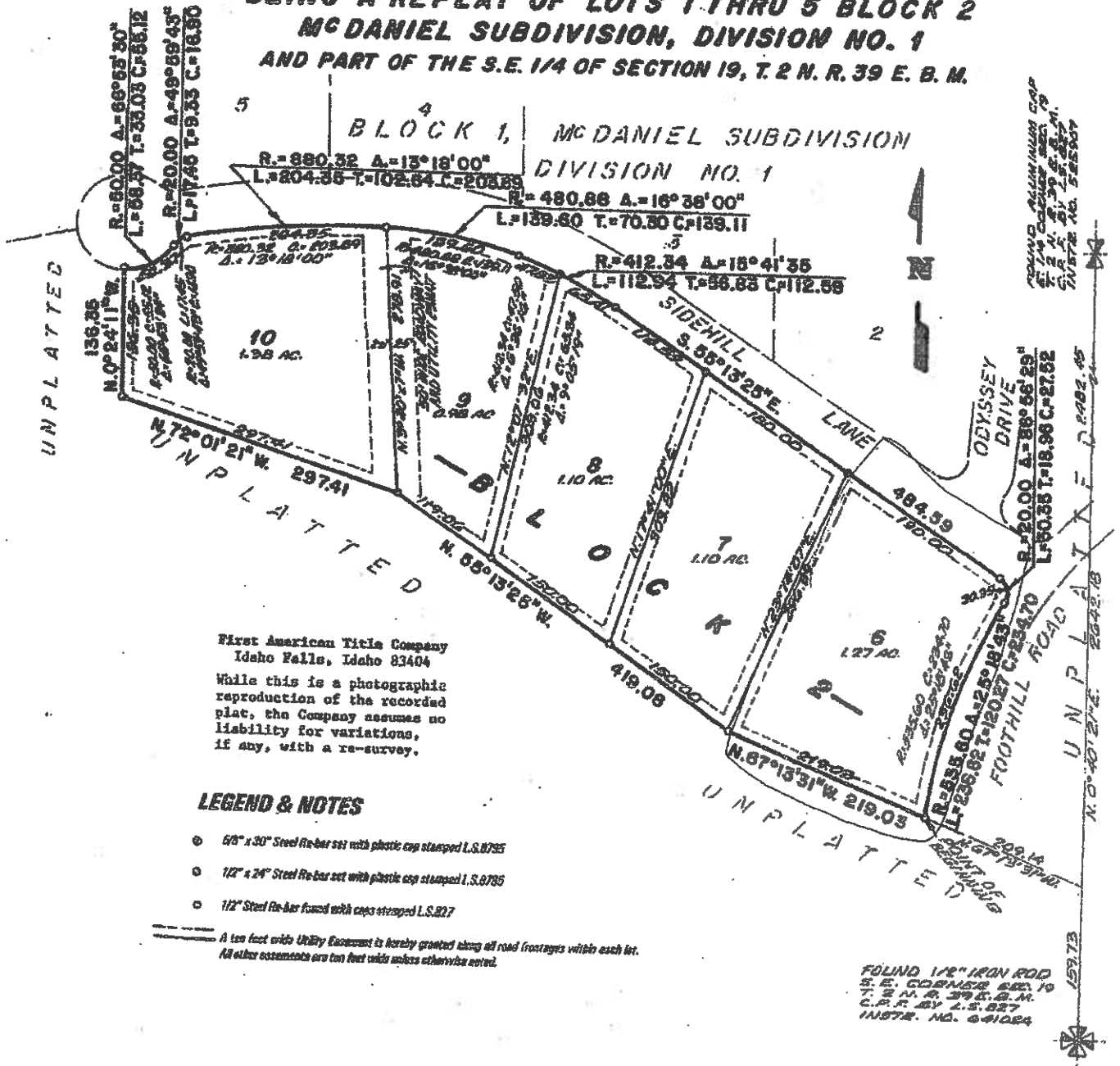
Ronald C. Murray
NOTARY PUBLIC FOR IDAHO
Residing at: Reensburg, ID
My Commission Exp.: 8/31/00

25-2131

Zee medals

FIRST AMENDED PLAT OF THE MCDANIEL SUBDIVISION DIVISION NO. 1 BONNEVILLE COUNTY, IDAHO

BEING A REPLAT OF LOTS 1 THRU 5 BLOCK 2
MCDANIEL SUBDIVISION, DIVISION NO. 1
AND PART OF THE S.E. 1/4 OF SECTION 19, T.2 N. R. 39 E. B. M.



SCANNED

CARVER
6460 E. SIDEHILL LN.
IDAHO FALLS, IDAHO 83401



Legend

- POU
- Township/Range
- Sections
- QQ

0 0.025 0.05 0.1 Miles



1 inch = 0.09 miles



2009 Aerial Photography

76 65 2