

DE ✓

RECEIVED
APR 28 2010
DEPT. OF WATER RESOURCES
SOUTHERN REGION

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

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 Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
PD 36-16465					

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) Chris E Roberts
PO Box 135, Buhl, ID 83316
4. New Owner/Claimant(s) Dave Ross and Bonny Ross
Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
- New Mailing Address PO Box 631
Jerome, ID 83338
- City, State and ZIP Code
- New Telephone Number () _____
5. Date you acquired the property April 2010

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

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (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 (cubic feet per second or acre-feet per annum)	Description (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)

Daye Ross

Bonny Ross

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 Daye Ross

Date 4-8-2010

Fee \$25

Received by [Signature]

Date 4/8/2010

Receipt No. 5031366

Processed by _____ AJ

Date _____

WR _____

Date _____

Instrument # 233970

GOODING, GOODING, IDAHO

4-7-2010 11:17:32 No. of Pages: 4

Recorded for : LAND TITLE AND ESCROW, INC

DENISE M. GILL

Fee: 12.00

Ex-Officio Recorder Deputy

WARRANTY DEED

#GG-10591

For Value Received

Jean E. Rankin, Trustee of the Jean E. Rankin Living Trust, who acquired title as Jean E. Rankin Trust and Jean E. Rankin, a single woman

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

**Dave Ross and Bonny Ross, husband and wife as community property with rights of survivorship
Address: PO Box 631, Jerome, ID 83338**

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

See Attached Schedule A

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to Water Right number 36-16465 from the Idaho Department of Water Resources.

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Taxes for 2010 and subsequent years, taxes are an accruing lien, not yet due or payable.

Assessments levied or to be levied by any local irrigation district.

Easements and Conditions contained in Second Judgment and Decree of Condemnation in the case of The State of Idaho, ex rel, Wallace C. Burns, Ernest F. Gaffney and R. Doyle Symms, Idaho Board of Highway Directors, Plaintiff, vs. I. L. Dunham and Joyce Dunham, husband and wife, and The Federal Land Bank of Spokane, a corporation, Defendants, dated March 20, 1964, recorded March 20, 1964 as Instrument Number 10907, Gooding County records, affecting a portion of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 2, Township 7 South, Range 13, East Boise Meridian.

Easements and Conditions contained in Second Judgment and Decree of Condemnation in the case of The State of Idaho, ex rel, Wallace C. Burns, Ernest F. Gaffney and R. Doyle Symms, Idaho Board of Highway Directors, Plaintiff, vs. John C. Sanborn, Defendant, dated March 20, 1964, recorded April 17, 1964 as Instrument Number 11164, Gooding County records, affecting a portion of Government Lot 2 and the W $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 2, and the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 11, Township 7 South, Range 13, East Boise Meridian.

Restrictions for Road Right of Way contained in Warranty Deed given by Jack Martin and Lillias P. Martin, husband and wife, and Lloyd Jensen, a single man, to David P. Nicholson, dated April 21, 1969, recorded April 12, 1969 as Instrument Number 28712, Gooding County records, affecting a portion of the NW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ and the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 2, Township 7 South, Range 13, East Boise Meridian.

Roadway Maintenance Agreement by and between Mary Lou Prester, as Personal Representative of the Estate of Carroll Nicholson, deceased, and Jack Martin and Lillias P. Martin, husband and wife, dated May 6, 1986, recorded May 14, 1986 as Instrument Number 121215, Gooding County records.

-Continued-

RECEIVED
APR 08 2010
DEPT. OF WATER RESOURCES
SOUTHERN REGION

Page 2 of Warranty Deed

Restrictive Covenants dated January 3, 1997, recorded January 3, 1997 as Instrument Number 169171, Gooding County records.

Easement 10.00 feet wide for the use and maintenance of the existing irrigation ditch that lays along the Easterly boundary, as set forth in Warranty Deed recorded January 3, 1997 as Instrument Number 169175, Gooding County records.

Power Line Easement given by Larry Joe Thomas to Idaho Power Company, a corporation, dated February 11, 2000, recorded April 27, 2000 as Instrument Number 185561, Gooding County records, affecting a parcel of land in the East half of the Southeast quarter of Section 2, Township 7 South, Range 13, East Boise Meridian, Gooding County, Idaho.

Power Line Easement given by Larry Joe Thomas to Idaho Power Company, a corporation, dated February 11, 2000, recorded April 27, 2000 as Instrument Number 185563, Gooding County records, affecting a parcel of land in the East half of the Southeast quarter of Section 2, Township 7 South, Range 13, East Boise Meridian, Gooding County, Idaho.

Power Line Easement given by The Vineyard L.L.C. to Idaho Power Company, a corporation, dated February 11, 2000, recorded April 27, 2000 as Instrument Number 185564, Gooding County records, affecting a parcel of land in the Southeast quarter of Section 2, Township 7 South, Range 13, East Boise Meridian, Gooding County, Idaho.

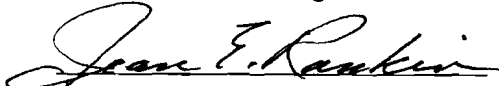
Terms and Conditions as set forth in Extinguishment of Easement by and between Larry J. Thomas and Elizabeth Thomas, husband and wife and Craig J. Laughlin, an unmarried man, dated October 15, 2002, recorded January 14, 2003 as Instrument Number 198705, Gooding County records.

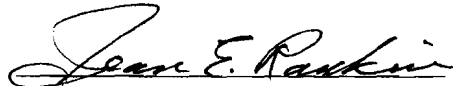
Power Line Easement given by Craig J. Laughlin to Idaho Power Company, a corporation, dated April 30, 2002, recorded April 24, 2003 as Instrument Number 200413, Gooding County records.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: April ^{6th} 5, 2010

Jean E. Rankin Living Trust


Jean E. Rankin, Trustee


Jean E. Rankin, individually

STATE OF Utah)
COUNTY OF Washington) ss.

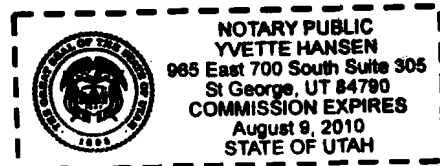
On this 6th day of April, 2010, before me, the undersigned, a Notary Public in and for said State, personally appeared Jean E. Rankin, known or identified to me to be the person whose name is subscribed to the within instrument as Trustee of the Jean E. Rankin Living Trust, and acknowledged to me that she executed the same as such Trustee.

Yvette Hansen

Notary Public

Residing at:

My Commission expires:



STATE OF Utah)
COUNTY OF Washington) ss.

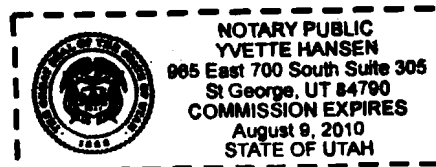
On this 6th day of **April, 2010**, before me, the undersigned, a Notary Public in and for said State, personally appeared ~~Jean E.~~ **Jean E. Rankin**, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

Yvette Hansen

Notary Public

Residing at:

My Commission expires:



CONTINUATION

SCHEDULE A

Order Number: GG-10591

Parcel No. 1:

TOWNSHIP 7 SOUTH, RANGE 13, EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 2: A parcel of land located in the E $\frac{1}{4}$ SE $\frac{1}{4}$, more particularly described as follows:

Commencing at the Southeast corner of said Section 2;
Thence North 00°06'13" West along the East boundary of the SE $\frac{1}{4}$ of Section 2 for a distance of 1,318.47 feet to the Northeast corner of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 2;
Thence North 89°53'32" West along the North boundary of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 2 for a distance of 946.88 feet to the center of an irrigation ditch and being the TRUE POINT OF BEGINNING;
Thence along the center of the irrigation ditch on the following courses:
South 11°44'08" East, 18.91 feet;
South 02°07'33" West, 141.60 feet;
South 02°36'53" East, 36.87 feet;
South 04°39'53" East, 11.19 feet to a point on a line that is parallel with and 208.0 feet South of the North boundary of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 2;
Thence leaving the center of the irrigation lateral and along the line that is parallel with and 208.0 feet South of the North boundary of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 2 on a bearing of North 89°53'32" West for a distance of 313.18 feet to a point on the arc of a curve of the Easterly right-of-way boundary of Highway U.S. 30;
Thence Northwesterly along the arc of the curve left for a distance of 163.03 feet, said arc having a radius of 3,869.72 feet and a long chord bearing and distance of North 07°32'36" West, 163.02 feet;
Thence along an existing fence line on the following courses:
North 00°33'52" West, 87.58 feet;
North 00°45'18" West, 161.61 feet;
Thence leaving the fence line and parallel with the North boundary of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 2 on a bearing of South 89°53'32" East for a distance of 308.39 feet to a point in the center of an irrigation ditch;
Thence along the center of the irrigation ditch on the following courses:
South 04°24'37" West, 22.00 feet;
South 03°49'32" East, 57.65 feet;
South 11°55'36" East, 66.92 feet;
South 11°44'08" East, 59.10 to the TRUE POINT OF BEGINNING.

EXCEPTING an eight (8) foot wide strip along the Southerly boundary as disclosed in Quitclaim Deed by and between Larry J. Thomas and Elizabeth Thomas, husband and wife and Craig J. Laughlin, an unmarried man, dated December 19, 2007, recorded December 26, 2007 as Instrument Number 224660, Gooding County records.

Parcel No. 2:

An easement for the purpose of ingress and egress for the benefit of Parcel 1 as created in Warranty Deed dated January 3, 1997, recorded January 3, 1997 as Instrument Number 169175, records of Gooding County, Idaho. Said easement being on, over and across an existing 15.0 foot wide access road that commences at the Easterly right-of-way boundary of Highway U.S. 30 and traverses adjacent to and on the Westerly side of the Westerly boundary of the before described parcel.