

RECEIVED
MAR 22 2010
Department of Water Resources
Eastern Region

Transfer No. 76384

Receipt No. E035669

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

1. Applicant Information KEITH GARDNER
153 E 200 N
BLACKFOOT ID 83221
(208)785-1617
And
KELLY GARDNER
153 E 200 N
BLACKFOOT ID 83221
(208)785-1617

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

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

	Origin/Basis	Rate	Volume	Acre Limit	Total Acres	Source
27-10029	WR/Decreed	0.05				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
27-10029	NO	YES	YES	NO	NO	NO

Describe the reason for the proposed changes

The purpose of this transfer is to change the point of diversion and place of use to the actual place of beneficial use. The original owner claimed water right 27-10029 in the NWNW of 2S, 36E, Sec. 29. This right should have been claimed in the NWNE of 2S, 36E, Sec. 29.

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

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

5. Total Amounts Transferred

	Rate	Acre Limit	Total Acres	Volume
27-10029	0.05 cfs			

Page 2

TOTAL

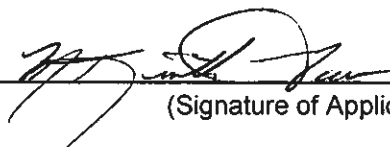
0.05 cfs

Transfer No. 76384

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.



(Signature of Applicant)

(Title or Office)



(Signature of Applicant)

(Title or Office)

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

Current Water Right No. 27-10029

Priority Date: May 01, 1898

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
DOMESTIC	1/01	12/31	0.02 CFS		
STOCKWATER	1/01	12/31	0.05 CFS		
Total Diversion			0.05 CFS		

Source and Point(s) of Diversion:

GROUND WATER NWNWNW Sec. 29 Twp 02S Rge 36E BINGHAM County

PLACE OF USE: DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02S	36E	29						X											

PLACE OF USE: STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02S	36E	29						X											

Conditions/Remarks:

1. THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. THE QUANTITY OF WATER DECREEED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. 200 CATTLE RP 0439700

Page 5

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
N/A

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. 76384

Receipt No. _____

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

Proposed Water Right No. 27-10029

Priority Date: May 01, 1898

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>
DOMESTIC	01/01 12/31	0.02 CFS		
STOCKWATER	01/01 12/31	0.05 CFS		
Total Diversion		0.05 CFS		

Source and Point(s) of Diversion:

GROUND WATER NWNWNE Sec. 29 Twp 02S Rge 36E BINGHAM County

Describe the proposed diversion system

Point of Diversion # 1 60ft X 6in WELL W/ PUMP TO ONE HOME & HYDRANTS

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
02S 36E 29		X															

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
02S 36E 29		X															

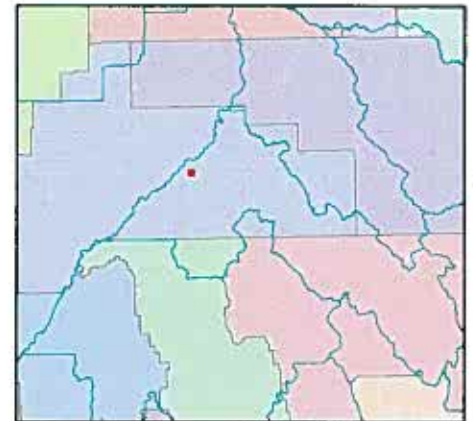


Idaho Department of Water Resources

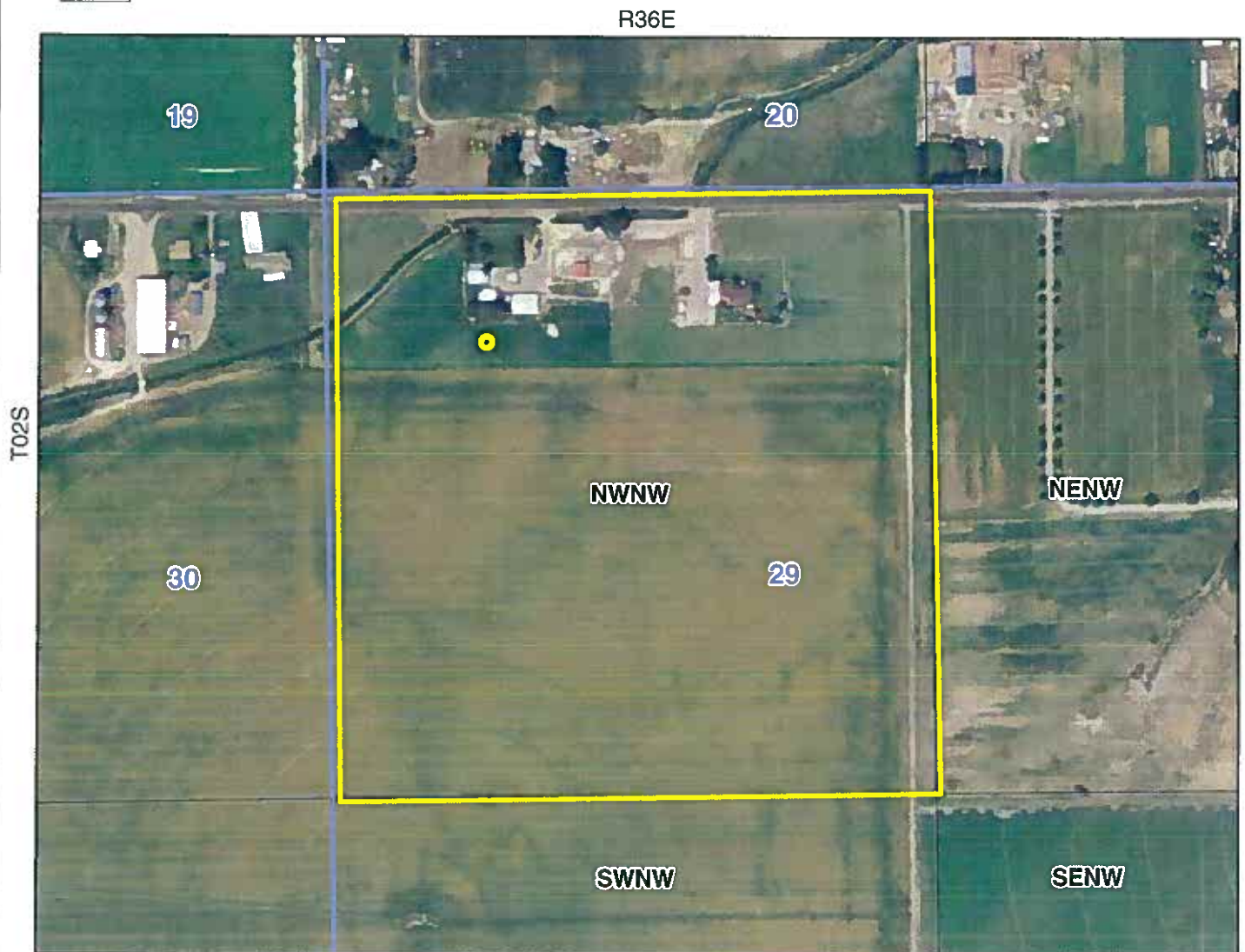
CURRENT
Water Right
27-10029
(STOCKWATER, DOMESTIC)

Legend

- Point of Diversion
- Place of Use
- State Outline
- Townships
- PLS Sections
- Quarter Quarters



Bingham County
IDWR Basin 27



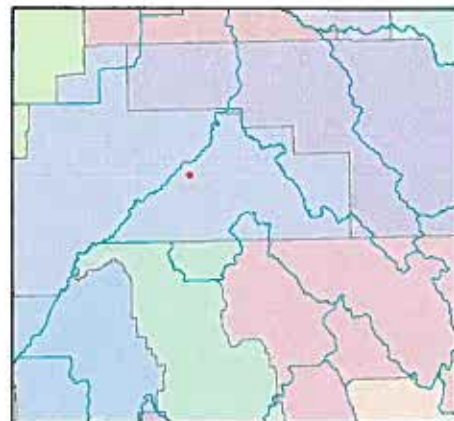


Idaho Department of Water Resources

Proposed
Water Right
27-10029
(STOCKWATER, DOMESTIC)

Legend

- Point of Diversion
- Place of Use
- State Outline
- Townships
- PLS Sections
- Quarter Quarters



Bingham County
IDWR Basin 27

R36E

T02S



76384

403547

WARRANTY DEED

For Value Received **BASIL F. POULSON and DOROTHY M. POULSON,**
Husband and Wife.

the grantors do hereby grant, bargain, sell and convey unto
M. KEITH GARDNER and KELLY S. GARDNER, Husband and Wife,
153 East 200 North, Blackfoot ID 83221

the grantees, the following described premises, in Bingham County Idaho, to wit:
Township 2 South, Range 36 East Boise Meridian, Section 29

Beginning at the Northwest corner of the Northeast quarter
of said Section 29, thence East 290 feet; thence South
575 feet; thence West 290 feet to the West line of the
Northeast quarter; thence North, along the West line of
the Northeast quarter 575 feet, more or less, to the
point of beginning.

Together with the tenements, hereditaments and appurtenances
thereunto belonging or in anywise appertaining.

Grantors to pay property taxes through 1992, with Grantees
to pay all property taxes and assessments for 1993 and
thereafter.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees,
their heirs and assigns forever. And the said Grantors do hereby covenant to and
with the said Grantees, that they are the owners in fee simple of said premises; that they are free
from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: August 24, 1992

Basil F. Poulson
BASIL F. POULSON

Dorothy M. Poulson
DOROTHY M. POULSON

403547

STATE OF IDAHO, COUNTY OF Bingham
On this 24th day of August, 1992
before me, a notary public in and for said State, personally
appeared

**BASIL F. POULSON and
DOROTHY M. POULSON**

known to me to be the persons whose names are
subscribed to the within instrument, and acknowledged to
me that they executed the same.

[Signature]
Notary Public
Blackfoot, Idaho
Reading at
Comm. Exp. 7-2-97

*T.E. M...
T.E. M...*

200 PRIMER & SONS, INC., PRESTON, IDAHO

76384

Notice of sale having been given as then required by law, and not less than the time then required by law having elapsed, Trustee, without demand on Grantor, shall sell property at the time and place fixed by it in said notice of sale, either as a whole or in separate parcels and in such order as it may determine, at public auction to the highest bidder for cash in lawful money of the United States, payable at time of sale. Trustee shall deliver to the purchaser in deed conveying the property so sold, but without any covenant or warranty express or implied. The recitals in such deed, any matters or facts shall be conclusive proof of the truthfulness thereof. Any person, including Grantor, Trustee, or Beneficiary, may purchase at such sale.

After deducting all costs, fees and expenses of Trustee and of this Trust, including cost of evidence of title and reasonable counsel fees in connection with sale, Trustee shall apply the proceeds of sale to payment of all sums expended under the terms hereof, not then repaid, with accrued interest at eight per cent per annum on all other sums then secured hereby; and the remainder, if any, to the person or persons legally entitled thereto.

7. This Deed applies to, inure to the benefit of, and binds all parties hereto, their heirs, legatees, devisees, administrators, executors, successors and assigns. The term Beneficiary shall mean the holder and owner of the note secured hereby; or, if the note has been pledged, the pledgee thereof. In this Deed, whenever the context so requires, the masculine gender includes the female and/or neuter, and the singular number includes the plural.

8. Trustee is not obligated to notify any party hereto of pending sale under any other Deed of Trust or of any action or proceeding in which Grantor, Beneficiary or Trustee shall be a party unless brought by Trustee.

9. In the event of dissolution or resignation of any Trustee, the Beneficiary may substitute a Trustee or trustees to execute the trust hereby created, and when any such substitution has been filed for record in the office of the Recorder of the county in which the property herein described is situated, it shall be conclusive evidence of the appointment of such trustee or trustees, and such new trustee or trustees shall succeed to all of the powers and duties of the trustee or trustees named herein.

Requester is hereby made that a copy of any Notice of Default and a copy of any Notice of Sale hereunder be mailed to the Grantor at his address hereinbefore set forth.

M. KEITH GARDNER

KELLY S. GARDNER

40954E

STATE OF IDAHO, COUNTY OF Bingham
On this 29th day of August, 1992
before me, a Notary Public in and for said State, personally appeared

M. KEITH GARDNER and
KELLY S. GARDNER, husband
and wife,

known to me to be the person whose name is are
and acknowledged to me that
they executed the same.

Notary Public,
Residing at Blackfoot, Idaho.
Commission Expires 9-3-97

T. E. Moore
75 E. Judicial Bldg

DEED OF TRUST
WITH POWER OF SALE

GRANTOR

TRUSTEE

BENEFICIARY

Dated August 19, 1992

REQUEST FOR FULL RECONVEYANCE

To be used only when note has been paid.

Idaho.

19

, Trustee:

The undersigned is the legal owner and holder of all indebtedness secured by the within Deed of Trust. All sums secured thereby have been fully paid. You are hereby requested and directed to cancel all evidences of indebtedness secured by said Deed of Trust and to reconvey, without warranty, the estate now held by you under the same.

Deliver to:

THE PROMISSORY NOTE OR NOTES, AND ANY EVIDENCES OF FURTHER AND/OR ADDITIONAL ADVANCES MUST BE PRESENTED WITH THIS REQUEST.

76384



MAKE CHECK PAYABLE TO:
JANICE LAWES, TAX COLLECTOR
 501 N. MAPLE #210
 BLACKFOOT, ID 83221
 (208) 782-3090

BINGHAM COUNTY TAX YEAR 2008

PARCEL NUMBER: RP0439700

Bill Number: 2616138

CODE AREA: 014000

4169 RP0439700 *****5-DIGIT 83221



GARDNER M KEITH
 153 E 200 N
 BLACKFOOT ID 83221-5841

Property Address:

Legal Description:

T28 R36E SEC 29
 T-6032

Total Acres: 3.830

DELINQUENT TAX YEARS

★ ★ ★ **IMPORTANT** ★ ★ ★
 PLEASE READ BOTH FRONT AND BACK
 ★ ★ ★ **MONTHLY PAYMENTS ARE ACCEPTED** ★ ★ ★

PLEASE SEND OR BRING STUB FOR PROPER CREDIT***
 OPEN 9-5 M-F ****USE DROP BOX AFTER HOURS
 TO AVOID LATE CHARGES, PAYMENTS MUST BE
 RECEIVED OR POSTMARKED BY THE DUE DATE.

Official Payments, the service provider, charges a nominal fee for this service



Visit www.officialpayments.com Or call 1-800-2PAY-TAX
 (Use Jurisdiction Code 2224)

TAXING DISTRICT	RATE	AMOUNT
COUNTY	.005800417	481.61
SCHOOL 55-TORT LEVY	.000058038	4.62
SCHOOL 55-BOND LEVY	.001261710	100.42
SCH 55-SUPPLEMENTAL LEVY	.003127051	248.88
BLKFT/SR FIRE	.000918571	73.11
BLFT RURAL LIB	.000528703	42.08
MOSQUITO ABATEMENT	.000481813	38.35
AMBULANCE DIST	.000310879	24.74
AMB OVERRIDE	.000084233	6.70
FLOOD #1	.000005940	0.47
TOTALS	.012577355	1,000.98
SOLID WASTE		44.00
TOTALS		44.00
Total Tax/Certs:	.012577355	1,044.98
Less Circuit Breaker:		0.00
Less Prepayments:		0.00
Less Administrative Adj:		0.00
Net Tax/Certs Due:		1,044.98
Property & Tax Summary		
Assessed Property Value:		135,890
Homeowners Exemption:		66,300
Net Taxable Market Value:		70,590
TAX DUE AMOUNTS:		
First Half:		522.49
Second Half:		522.49
Full Year:		1,044.98