

Jefferson Clark

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

WD # 31

WD # 110

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

RECEIVED

FEB 22 2010

Department of Water Resources
Eastern Region

DEV

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

- 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)
WD 31-10122	OK				
WD 31-88	OK				

- The following **REQUIRED** information must be submitted with this form:

SUPPORT DATA

- The appropriate **FILING FEE**. See instructions for fee amounts.

IN FILE # 31-88

- 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**.
- 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

- 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**.

- Name and Address of Former Owner/Claimant(s)
Virgene Hirschi & David J. Hirschi, Jr.
1749 East 100 North
Rexubrg, ID 83440
- New Owner/Claimant(s)
See Attached Deed
Name Connector (Check one): ☐ and, ☐ or, ☒ and/or
New Mailing Address
1737 East 100 North
City, State and ZIP Code
Rexburg, ID 83440
New Telephone Number
(208) 356-4713 Email: _____

Microfilm No. 052504
17 Day February 2010
At 9:30 O'Clock A
LISA BLACK
Clark Co. Recorder
Fee \$ 12.00 CB
Recorded at Request of
Ricky Andrews, Rins

PERSONAL REPRESENTATIVE'S DEED

THIS INDENTURE, Made this 11th day of February, 2010, between MICHAEL HIRSCHI, Personal Representative of the ESTATES OF VIRGENE B. HIRSCHI and DAVID JUNIOR HIRSCHI, deceased, with the estates pending in the Seventh Judicial District, Fremont County, Idaho, under Case No. CV-09-542, of 1737 East 100 North, Rexburg, ID 83440, the party of the first part, and **Marne Tucker**, of Rt. 1 Box 2825, Roosevelt, UT 84066, **William Hirschi**, of 1725 East 100 North, Rexburg, ID 83440, **Michael Hirschi**, 1737 East 100 North, Rexburg, ID 83440, **JoLynn Davis**, of 1743 East 100 North, Rexburg, ID 83440, **RaeAnn Hall**, of 2601 East 95th North, Idaho Falls, ID 83401, **Michele Smith**, of 1015 East 100 South, Logan, UT 84321 and **Cindy Nelson**, of 1328 West 11940 South, Riverton, UT 84065, the parties of the second part,

WITNESSETH, That the said party of the first part, MICHAEL HIRSCHI, as the duly appointed, qualified and acting Personal Representative of THE ESTATES OF VIRGENE B. HIRSCHI and DAVID JUNIOR HIRSCHI, does by these presents grant, convey, and confirm unto the said Marne Tucker, William Hirschi, Michael Hirschi, JoLynn Davis, RaeAnn Hall, Michele Smith and Cindy Nelson, the said parties of the second part, and to their heirs and assigns forever, all of said estates' interest in and to the following described real property, located in Clark County, Idaho, to-wit:

All of Lots 3 and 4, and S1/2NE/4, all in Section 5, Township 12 North, Range 39 East, Boise Meridian, together with all water rights and lateral ditches, or other ditches used in the irrigation fo said land, and especially all the right acquired by virtue of that certain water filing dated April 28th, 29th, 1898, recorded March 1, 1898 in Book 1 of Water Location, at Page 50. Also: H. E. Survey No. 510, embracing a portion of approximately Section 36 in Township 14 North, Range 38 East, and Section 31, Township 14 North, Range 39 East Boise Meridian, more particularly bounded and described as follows: Beginning at Corner No. 1 from which the South Quarter Corner to said Section 36 bears South 16°22' East 26.20 chains distant; thence North 19°46' West 36.36 chains to Corner No. 2; thence North 79°14' East 64.53 chains to Corner No. 3; thence South 19°9' West 17.09 chains to Corner No. 4; thence South 49°26' West 41.61 chains to Corner No. 5; thence South 76°58' West 14.18 chains to Corner No. 1, the place of beginning, containing 157.76 acres, according to the official plat of the Survey of said land, returned to the General Land Offices by the Surveyor-General of the United States of America.

TOGETHER WITH all water and water rights appurtenant to the premises.

TOGETHER WITH all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders and rents, issues and profits thereof;

SUBJECT TO all indebtedness.

TO HAVE AND TO HOLD, unto the said parties of the second part, and to their heirs and assigns forever.

IN WITNESS WHEREOF, The said party of the first part, as Personal Representative,
has, as aforesaid, hereunto set his hand and seal the day and year first above written.

Michael Hoch.

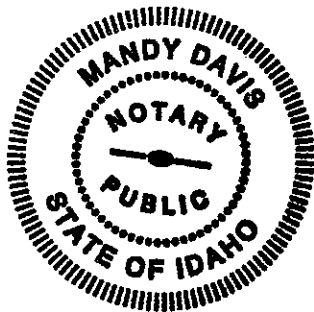
MICHAEL HIRSCHI

as Personal Representative of the
Estates of VIRGENE B. HIRSCHI
and DAVID JUNIOR HIRSCHI

Acknowledgment

STATE OF IDAHO,)
County of Madison. ss.
)

On this 11th day of February, 2010, before me, the undersigned, a Notary Public in and for said State, personally appeared MICHAEL HIRSCHI, known to me to be the person whose name is subscribed to the within instrument, as the Personal Representative of THE ESTATES OF VIRGENE B. HIRSCHI and DAVID JUNIOR HIRSCHI, and acknowledged to me that he executed the same as such Personal Representative of said estate.



Mandy Dano

Notary Public for Idaho

Residing at: *ST. Anthony*

My Commission Expires: 6-24-2011

053504