

DEV

WD# 120

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

Bingham GWR

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 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)
35-08021	OK				

RECEIVED
APR 17 2009
Department of Water Resources
Eastern Region

2. The following **REQUIRED** information must be submitted with this form:
- A. The appropriate **FILING FEE**. See instructions for fee amounts. 25.00
- 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 on file with the county Planning and Zoning or Recorder's Office).
- OR
- D. 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**.

3. Name and Address of Former Owner/Claimant(s)
Burnt Basin, Inc. c/o Ronald Searle
541 E. 1250 N.
Shelley, ID. 83274

4. New Owner/Claimant(s)
Gardner Farms (Chance Gardner,
Doug Case, David Cooper)
New Mailing Address
589 N. 150 W.
City, State and ZIP Code
Blackfoot, ID. 83221
New Telephone Number
(208) 785-5156 Email: talerguy@gmail.com

5. Date you acquired the property _____
6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 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 (you may copy this page, if 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 will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		

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.

7. Signature(s) of New Owner(s) or Claimant(s) *Hudner Farms by Lance Hudner* (title if applicable)
General Partner (title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

Received by *BAK* Date *4/17/09*
 Received by _____ Date _____
 Processed by _____ AJ Date _____

Receipt Amt. *\$ 25*
 Receipt No. *E034951*
 WR _____ Date _____

AFTER RECORDING RETURN TO:

Stephen D. Hall
 PETERSEN, MOSS & HALL
 485 "E" Street
 Idaho Falls, ID 83402
 (208) 523-4650

CORPORATION QUITCLAIM DEED

QUITCLAIM DEED made this 10th day of April, 2009, between Burnt Basin, Inc., herein referred to as Transferor, and Ron Searle and Allen Searle, whose mailing address is 521 East 1250 North, Shelley, Idaho 83274, herein referred to as Transferee, WITNESSETH:

That Transferor, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration to him in hand paid by Transferee, the receipt whereof is acknowledged, and pursuant to the Transferor's Plan of Complete Liquidation and Dissolution, dated March 2, 2009, does by these presents remise, release and forever quitclaim unto Transferee and to his heirs and assigns, as equal undivided owners, all of that certain parcel of land situated, lying and being in the County of Bingham, State of Idaho, bounded and particularly described as follows:

Township 1 South, Range 36 E.B.M., Bingham County, Idaho

Section 4: SE $\frac{1}{4}$ NW $\frac{1}{4}$; NE $\frac{1}{4}$ SW $\frac{1}{4}$; W $\frac{1}{2}$ SW $\frac{1}{4}$; Lot 4; SW $\frac{1}{4}$ NW $\frac{1}{4}$

Section 5: SE $\frac{1}{4}$ SE $\frac{1}{4}$; NE $\frac{1}{4}$ SE $\frac{1}{4}$; SW $\frac{1}{4}$ SE $\frac{1}{4}$; one-half of SE $\frac{1}{4}$ NE $\frac{1}{4}$ that lies south and east of a diagonal straight line drawn from the NE corner to the SW corner of said SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 5; one half of NW $\frac{1}{4}$ SE $\frac{1}{4}$ that lies south and east of the diagonal straight line drawn from the NE corner to the SW corner of said NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 5.

Section 8: E $\frac{1}{2}$ NE $\frac{1}{4}$; NE $\frac{1}{4}$ SE $\frac{1}{4}$; W $\frac{1}{2}$ NE $\frac{1}{4}$; W $\frac{1}{2}$ SE $\frac{1}{4}$; SE $\frac{1}{4}$ SE $\frac{1}{4}$

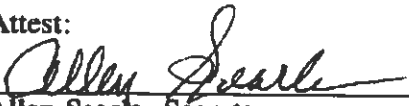
Section 9: NW $\frac{1}{4}$ SW $\frac{1}{4}$

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.

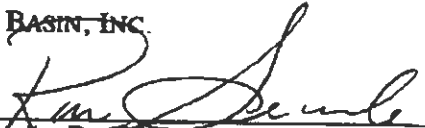
TO HAVE AND TO HOLD, all and singular, the premises together with the appurtenances unto Transferee and to his heirs and assigns forever.

IN WITNESS WHEREOF Transferor has hereunto set his hand the day and year first above written.

Attest:


 Allen Searle, Secretary

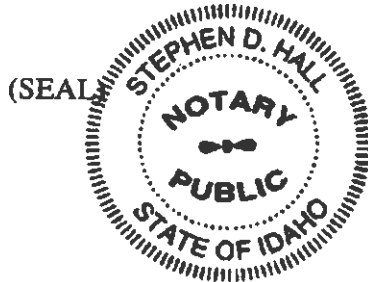
BURNT BASIN, INC.


 Ron Searle, President

CORPORATION QUITCLAIM DEED - 1

STATE OF IDAHO)
) ss.
County of Bonneville)

On April 13, 2009, before me, the undersigned Notary Public in and for the State of Idaho, personally appeared **Ron Searle** and **Allen Searle**, known to me to be the President and Secretary, respectively, of the corporation that executed the instrument or the persons who executed the instrument on behalf of the corporation, and acknowledged to me that such corporation executed the same.



Stephen D. Hall

Notary Public for State of Idaho

Residing at: Armon

My Commission Expires: 7-10-2010

AFTER RECORDING RETURN TO:

WARRANTY DEED

WARRANTY DEED made this 14th day of April, 2009, between **Ron Searle and Dayle Searle**, husband and wife, and **Allen Searle and Katy Searle**, husband and wife, herein referred to as Grantor, and **Gardner Farms**, an Idaho general partnership, composed of Lance I. Gardner, David Cooper and Doug Case, whose mailing address is 589 N. 150W., Blackfoot, Idaho 83221, herein referred to as Grantee, WITNESSETH:

That 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 heirs, successors and assigns forever, all the following described real estate located in the County of Bingham, State of Idaho:

Township 1 South, Range 36 E.B.M., Bingham County, Idaho

Section 4: SE $\frac{1}{4}$ NW $\frac{1}{4}$; NE $\frac{1}{4}$ SW $\frac{1}{4}$; W $\frac{1}{2}$ SW $\frac{1}{4}$; Lot 4; SW $\frac{1}{4}$ NW $\frac{1}{4}$

Section 5: SE $\frac{1}{4}$ SE $\frac{1}{4}$; NE $\frac{1}{4}$ SE $\frac{1}{4}$; SW $\frac{1}{4}$ SE $\frac{1}{4}$; one-half of SE $\frac{1}{4}$ NE $\frac{1}{4}$ that lies south and east of a diagonal straight line drawn from the NE corner to the SW corner of said SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 5; one half of NW $\frac{1}{4}$ SE $\frac{1}{4}$ that lies south and east of the diagonal straight line drawn from the NE corner to the SW corner of said NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 5.

Section 8: E $\frac{1}{2}$ NE $\frac{1}{4}$; NE $\frac{1}{4}$ SE $\frac{1}{4}$; W $\frac{1}{2}$ NE $\frac{1}{4}$; W $\frac{1}{2}$ SE $\frac{1}{4}$; SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 9: NW $\frac{1}{4}$ SW $\frac{1}{4}$

SUBJECT TO:

1. General taxes and assessments for the year 2009 and all subsequent years.
2. All easements and rights of way of record that affect the described property.
3. All zoning ordinances, building codes, laws and regulations, protective covenants, patent reservations, oil, gas and other mineral reservations.
4. Levies and assessments of the New Sweden Irrigation District.

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.

WARRANTY DEED - 1

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

IN WITNESS WHEREOF Grantor has hereunto set their hands on the day and year first above written.

Ron Searle
Ron Searle

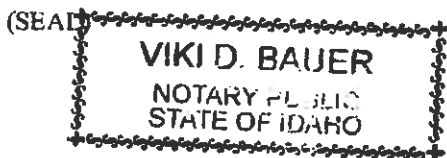
Dayle Searle
Dayle Searle

Allen Searle
Allen Searle

Katy Searle
Katy Searle

STATE OF IDAHO)
) ss.
County of Bingham)

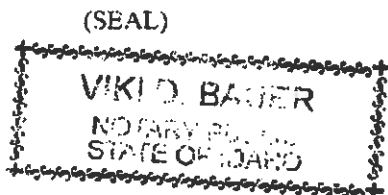
On April 14, 2009, before me, the undersigned Notary Public in and for the State of Idaho, personally appeared Ron Searle and Dayle Searle, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.



Viki D. Bauer
Notary Public for State of Idaho
Residing at: Blackfoot, Id.
My Commission Expires: 3/29/14

STATE OF IDAHO)
) ss.
County of Bingham)

On April 14, 2009, before me, the undersigned Notary Public in and for the State of Idaho, personally appeared Allen Searle and Katy Searle, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.



Viki D. Bauer
Notary Public for State of Idaho
Residing at: Blackfoot, Id.
My Commission Expires: 3/29/14

Fax Cover

To: JonieSubject: Change in ownership for winter
Right No. 35-8001Remarks: This warrenty deed covers the land
in question.From: Lance Gardner.If you have questions please call me.
604-6170Thanks LancePhone: 208-785-5156Fax: 208-785-7510

Instrument # 615336

BINGHAM COUNTY

2-10-2010

01:07:12

No. of Pages: 2

Recorded for : #6082 LANCE GARDNER

SARA J. STAUB

Fee: 6.00

Ex-Officio Recorder Deputy

Warranty Deed

For value received, _____, Seark Farms II LLC, the Grantors, does hereby grant, bargain, sell and convey unto Gardner Farms, a partnership, of 589 North 150 West, Blackfoot, Idaho, 83221, the Grantees, the following-described premises, situated in Bingham County, Idaho.

Legal Description:

Township 1 South, Range 36 East, Section 4, Lot 3

Subject to all existing rights-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 by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and the to the Grantee's heirs and assign's 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 taxes, levies, and assignments, 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.

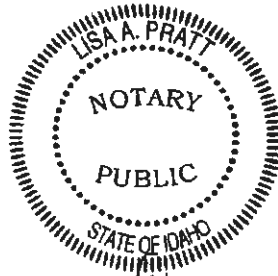
Dated Feb 20, 2010

Gardner Farms

W. J. Gardner

Seark Farms II LLC

B. Seark



State of Idaho)

County of Bingham)

On the 9 day of February, 2010
personally appeared before me to be the persons named in and who executed the foregoing
instrument, and acknowledge that they signed the same.

Lisa A. Pratt

NOTARY PUBLIC

Commission Expires in May 19, 2011

Residing in Blackfoot, Bingham, Idaho

615336