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FEB 17 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<br>Right No(s). | Adjudication<br>Claim No(s). | Split | Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split |
|-----------------------|------------------------------|-------|-----------------------|------------------------------|-------|
| 36-14587              |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |

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) Frank Hunter  
159 W. 500 N. Jerome, ID 83338
4. New Owner/Claimant(s) Cody D. Bingham and Elizabeth K. Bingham  
Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
- New Mailing Address 159 West 500 North
- City, State and ZIP Code Jerome, ID 83338
- New Telephone Number ( )
5. Date you acquired the property February , 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<br>(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<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | _____                                                                      | _____                                                        |
| Stock                                                                                                                   | _____                                                                      | _____                                                        |
| Domestic                                                                                                                | _____                                                                      | _____                                                        |
| Other _____                                                                                                             | _____                                                                      | _____                                                        |
| <b>Total</b>                                                                                                            | _____                                                                      | _____                                                        |

| DESCRIPTION OF YOUR PORTION OF WATER RIGHT<br>(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<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | _____                                                                      | _____                                                        |
| Stock                                                                                                                   | _____                                                                      | _____                                                        |
| Domestic                                                                                                                | _____                                                                      | _____                                                        |
| Other _____                                                                                                             | _____                                                                      | _____                                                        |
| <b>Total</b>                                                                                                            | _____                                                                      | _____                                                        |

7.

Signature of New Owner(s) or Claimant(s)  
(include title if applicable)

Cody D. Bingham  
Cody D. Bingham  
Elizabeth K. Bingham  
Elizabeth K. Bingham

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 [Signature] Date 2-17-2010 Fee \$25  
 Received by Cole Date 2/18/2010 Receipt No. 8031286  
 Processed by \_\_\_\_\_ AJ Date \_\_\_\_\_ WR \_\_\_\_\_ Date \_\_\_\_\_

JAAR®

File No. #

Bingham

IDAHO DEPARTMENT OF WATER RESOURCES  
Water Right Report

WATER RIGHT NO. 36-14387

**Owner Type** **Name and Address**  
Current Owner FRANK HUNTER  
139 W 500 N  
JEROME, ID 83338  
(208)324-8606

Priority Date: 07/28/1947  
Basis: Decreed  
Status: Active

**Source** **Tributary**  
GROUND WATER

| Beneficial Use  | From | To    | Diversion Rate | Volume |
|-----------------|------|-------|----------------|--------|
| STOCKWATER      | 1/01 | 12/31 | 0.02 CFS       |        |
| DOMESTIC        | 1/01 | 12/31 | 0.04 CFS       |        |
| Total Diversion |      |       | 0.06 CFS       |        |

Location of Point(s) of Diversion:

GROUND WATER NENW Sec. 26 Township 07S Range 16E JEROME County

Place(s) of use:  
Place of Use Legal Description: STOCKWATER JEROME County

| Township | Range | Section | Lot | Tract | Acres |
|----------|-------|---------|-----|-------|-------|
| 07S      | 16E   | 26      |     | NENW  |       |

Place of Use Legal Description: DOMESTIC JEROME County

| Township | Range | Section | Lot | Tract | Acres | Lot | Tract | Acres | Lot | Tract | Acres | Lot | Tract | Acres |
|----------|-------|---------|-----|-------|-------|-----|-------|-------|-----|-------|-------|-----|-------|-------|
| 07S      | 16E   | 26      |     | NENW  |       |     |       |       |     |       |       |     |       |       |

Conditions of Approval:

1. THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. PARCEL NO. RL07S16E260029 STOCKWATER/50 CATTLE

Dates:  
Decreed Date: 12/13/1996  
Number of Protests: 0

Other Information:  
State or Federal: S  
Mitigation Plan: False

# WARRANTY DEED

#EC-469 {J-39136

For Value Received

Instrument # 2100653  
JEROME COUNTY, JEROME, IDAHO  
2-12-2010 02:36:52 No. of Pages: 3  
Recorded for : LAND TITLE & ESCROW  
MICHELLE EMERSON Fee: 9.00  
Ex-Officio Recorder Deputy *Chen*

**Melvin F. Hunter also shown of record as Frank Hunter, and Elizabeth L. Hunter also shown of record as Betty Hunter, husband and wife**

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

**Cody D. Bingham and Elizabeth K. Bingham, husband and wife as community property with rights of survivorship**

**Address: 159 West 500 North, Jerome, ID 83338**

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

**SEE ATTACHED SCHEDULE A**

*CD  
AKB*

**TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to 80 Shares of North Side Canal Company Water Stock; Idaho Department of Water Resources Water Right #36-14587.**

## **SUBJECT TO:**

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

**Taxes for 2010 and subsequent years, a lien, but not yet due or payable**

**Assessments of the North Side Canal Company and the rights and powers of said Company as by law provided.**

**Right of way for roads, canals, laterals and waste ditches as contained in an Agreement by and between the State of Idaho, and the Twin Falls North Side Land and Water Company, dated August 21, 1907, recorded in Book 15 Page 589, Jerome County, records.**

**Subject to a 25.00 feet in width county road right-of-ways along the Westerly and Northerly boundaries as disclosed in Warranty Deed, dated October 17, 2003, recorded October 20, 2003 as Instrument Number 2036668, Jerome 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.**

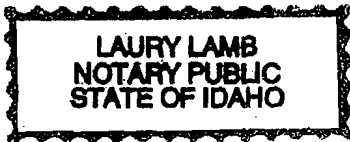
Dated: February 12, 2010

Melvin F. Hunter  
Melvin F. Hunter

Elizabeth L. Hunter  
Elizabeth L. Hunter

STATE OF IDAHO                     )  
                                                      ) ss.  
COUNTY OF JEROME                     )

On this 12 day of **February, 2010**, before me, the undersigned, a Notary Public in and for said State, personally appeared **Melvin F. Hunter and Elizabeth L. Hunter**, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.



Laury Lamb  
Notary Public  
Residing at: Residing at: Jerome, ID  
My Commission Expires: 4-2-2010

**SCHEDULE A**

**PARCEL NO. 1:**

**TOWNSHIP 7 SOUTH, RANGE 16, EAST OF THE BOISE MERIDIAN,  
JEROME COUNTY, IDAHO**

**Section 26: NW¼NW¼;**

**EXCEPTING THEREFROM that part of the NW¼NW¼, described as follows:**

**Beginning at the Northwest Corner for Section 26 marked with a steel pin and survey cap, the TRUE  
POINT OF BEGINNING;**

**Thence South 245.00 feet along the Westerly boundary of Section 26;**

**Thence South 89°27'18" East 153.63 feet to a point on a non-tangent curve;**

**Thence 129.99 feet Northeasterly along a curve right having a radius of 676.50 feet and a chord of North  
44°44'41" East 129.79 feet;**

**Thence North 151.95 feet to the Northerly boundary of Section 26;**

**Thence North 89°27'18" West 245.00 feet along said Section line to the TRUE POINT OF BEGINNING.**

**PARCEL NO. 2:**

**TOWNSHIP 7 SOUTH, RANGE 16 EAST OF THE BOISE MERIDIAN,  
JEROME COUNTY, IDAHO**

**Section 26: NE¼NW¼;**