

Transfer No. 76183

Receipt No. E035534BMK
1-8-2010

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

1. Applicant Information KORTNY L ALBERTSON
 579 N 2850 E
 ROBERTS ID 83444

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
35-2389	WR/License	4.44	1,432.0		358.0	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
35-2389	NO	NO	YES	NO	NO	NO

Describe the reason for the proposed changes

Applicant would like to dry up corners and avoid potential violations through changing his POU.

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
35-2389	4.44 cfs	358.0	358.0	1,432.0 af
TOTAL	4.44 cfs	358.0	358.0	1,432.0 af

RECEIVED

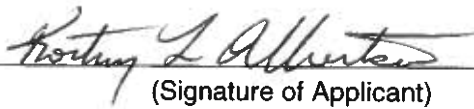
JAN 08 2010

Department of Water Resources
 Eastern Region

Transfer No. 76183
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)

Owner
(Title or Office)

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

Current Water Right No. 35-2389

Priority Date: December 02, 1954

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>
IRRIGATION	04/01 10/31	4.44 CFS	1,432.0 AFA	
	Total Diversion	4.44 CFS	1,432.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER NESW Sec. 33 Twp 05N Rge 36E JEFFERSON
County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N 36E 33		2.9	39.0		3.0	3.1	40.0	40.0	40.0	40.0	37.0	37.0		39.0	37.0		358.0

Total Acres: 358

Conditions/Remarks:

1. THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
2. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

Documentation of Ownership of the Current Place of Use

Warranty Deed & Tax Lot Data

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

It will be dry.

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. 76183

Receipt No. _____

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

Proposed Water Right No. 35-2389

Priority Date: December 02, 1954

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>
IRRIGATION	04/01 10/31	4.44 CFS	1,432.0 AFA	
	Total Diversion	4.44 CFS	1,432.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER NESW Sec. 33 Twp 05N Rge 36E JEFFERSON
County

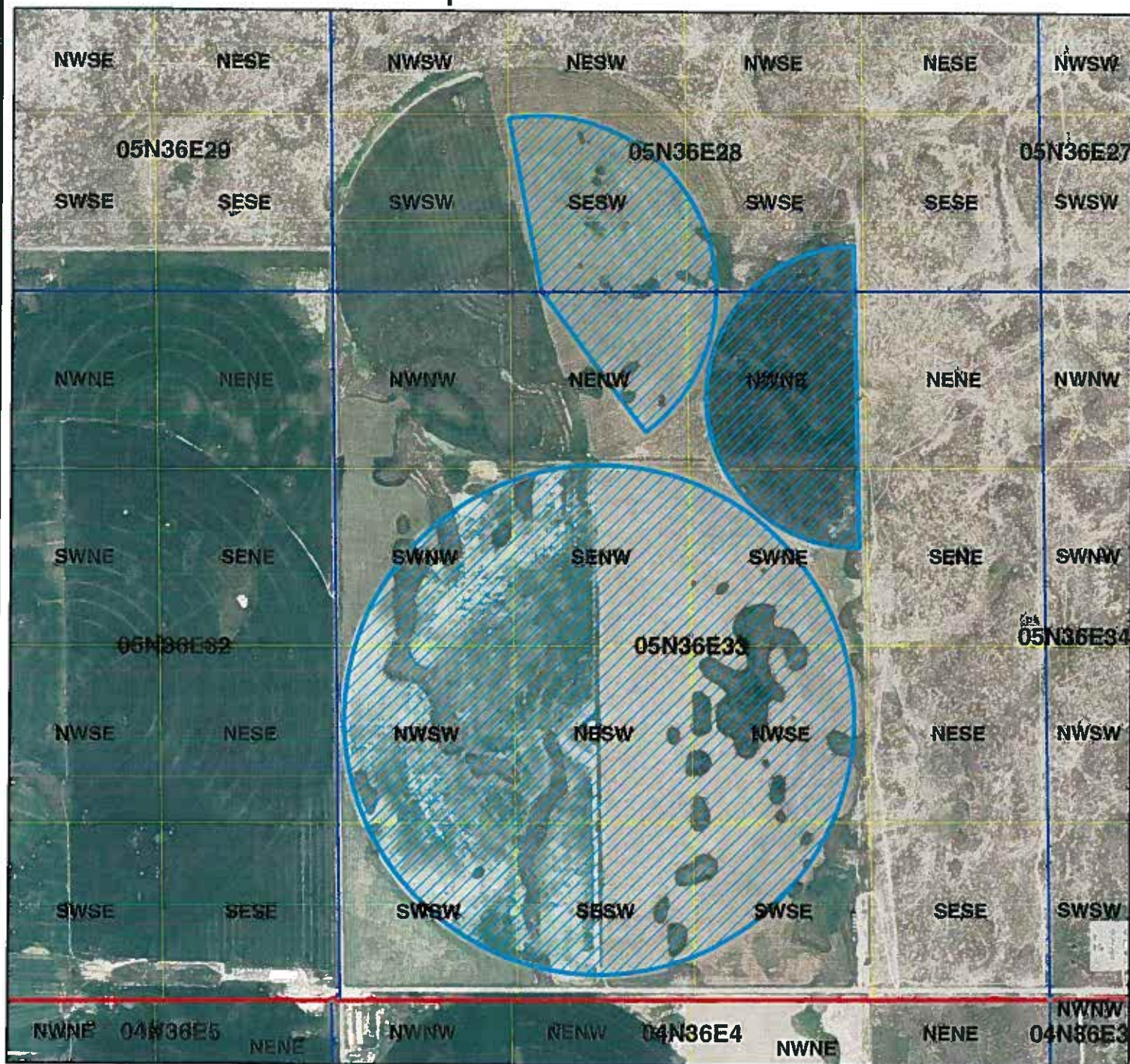
Describe the proposed diversion system

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
05N	36E	28																	38.0	
05N	36E	33			34.0	31.0		16.0		22.0	39.5		40.0	37.0	17.0	33.0		35.5	15.0	320.0

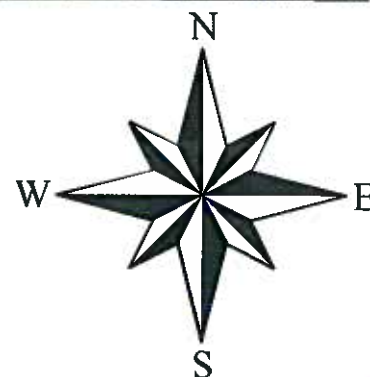
Total Acres: 358

Proposed Water Use



Legend

-  Albertson Proposed
 Township/Range
 Sections
 QQ



76 18 3

Imagery: NAIP 2009
Idaho Department of Water Resources
Map Prepared by Heather Bohac, January 19, 2009


 ALLIANCE TITLE & ESCROW CORP.
 3069910073

WARRANTY DEED

For Value Received MARIAN W. INGHAM, with a 18.75% interest; MARGARET J. BASSETT, with a 18.75% interest; FIRST SECURITY BANK OF UTAH, Successor Trustee of the MARGARET JEAN WATKINS BEHUNIN LIFETIME TRUST, dated September 16, 1964, also known as the MARGARET J. BASSETT TRUST, with a 6.25% interest; FIRST SECURITY BANK OF UTAH, Successor Trustee of the MARIAN VIRGINIA WATKINS INGHAM LIFETIME TRUST, dated September 16, 1964, also known as the MARIAN V. INGHAM TRUST, with a 6.25% interest; and THOMAS R. MUIR, LYALL J. GARDNER, surviving spouse of RUTH GARDNER, Deceased, RICHARD ARTHUR KEDDINGTON, MARY ANN KEDDINGTON MOON, ROBERT MUIR KEDDINGTON and STEPHEN JARVIS KEDDINGTON, with a 50% interest

300103

Microfilm No.	293
Day	October
Year	1999
Hour	4:45
Minute	00
Second	00
AM/PM	P
Recorder	CONNIE M. KELLER
Deputy	ATC
Recorded at Request of	ATC

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

KORTNY L. ALBERTSON and K. ANN ALBERTSON, husband and wife

whose current address is

632 North 2872 East, Roberts, ID 83444

the grantee(s), the following described premises, in JEFFERSON County IDAHO, to wit:

TOWNSHIP 5 NORTH, RANGE 36 EAST OF THE BOISE MERIDIAN, JEFFERSON COUNTY, IDAHO.

SECTION 33: SW 1/4 NE 1/4
 S 1/2 NW 1/4
 SW 1/4
 W 1/2 SE 1/4

RECEIVED BY
 ASSESSOR
 For PLATTING
 Date 10/21/99 Time 4:45

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor do hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Subject to all existing patent reservations, easements, right of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations.

and that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: OCTOBER 26, 1999

MARIAN W. INGHAM

MARGARET J. BASSETT

FIRST SECURITY BANK OF UTAH, Successor Trustee of the MARGARET JEAN WATKINS BEHUNIN LIFETIME TRUST, dated September 16, 1964, also known as the MARGARET J. BASSETT TRUST

FIRST SECURITY BANK OF UTAH, Successor Trustee of the MARIAN VIRGINIA WATKINS INGHAM LIFETIME TRUST, dated September 16, 1964, also known as the MARIAN V. INGHAM TRUST

By: _____

By: _____

THOMAS R. MUIR

LYALL J. GARDNER

**WARRANTY DEED**

For Value Received **MARIAN W. INGHAM**, with a 18.75% interest; **MARGARET J. BASSETT**, with a 18.75% interest; **FIRST SECURITY BANK OF UTAH**, Successor Trustee of the **MARGARET JEAN WATKINS BEHUNIN LIFETIME TRUST**, dated September 16, 1964, also known as the **MARGARET J. BASSETT TRUST**, with a 6.25% interest; **FIRST SECURITY BANK OF UTAH**, Successor Trustee of the **MARIAN VIRGINIA WATKINS INGHAM LIFETIME TRUST**, dated September 16, 1964, also known as the **MARIAN V. INGHAM TRUST**, with a 6.25% interest; and **THOMAS R. MUIR, LYALL J. GARDNER**, surviving spouse of **RUTH GARDNER**, Deceased, **RICHARD ARTHUR KEDDINGTON**, **MARY ANN KEDDINGTON MOON**, **ROBERT MUIR KEDDINGTON** and **STEPHEN JARVIS KEDDINGTON**, with a 50% interest

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

KORTNY L. ALBERTSON and K. ANN ALBERTSON, husband and wife

whose current address is

the grantee(s), the following described premises, in **JEFFERSON County IDAHO**, to wit:

TOWNSHIP 5 NORTH, RANGE 36 EAST OF THE BOISE MERIDIAN, JEFFERSON COUNTY, IDAHO.

**SECTION 33: SW 1/4 NE 1/4
S 1/2 NW 1/4
SW 1/4
W 1/2 SE 1/4**

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor do hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Subject to all existing patent reservations, easements, right of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations.

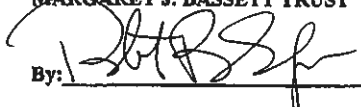
and that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: **OCTOBER 26, 1999**

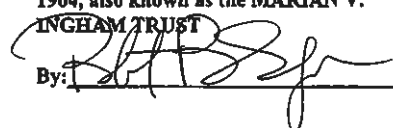
MARIAN W. INGHAM

MARGARET J. BASSETT

FIRST SECURITY BANK OF UTAH, Successor Trustee of the **MARGARET JEAN WATKINS BEHUNIN LIFETIME TRUST**, dated September 16, 1964, also known as the **MARGARET J. BASSETT TRUST**

By: 

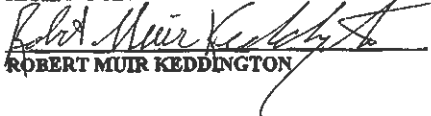
FIRST SECURITY BANK OF UTAH, Successor Trustee of the **MARIAN VIRGINIA WATKINS INGHAM LIFETIME TRUST**, dated September 16, 1964, also known as the **MARIAN V. INGHAM TRUST**

By: 

THOMAS R. MUIR

LYALL J. GARDNER


 RICHARD ARTHUR KEDDINGTON


 ROBERT MUIR KEDDINGTON


 MARY ANN KEDDINGTON MOON


 STEPHEN JARVIS KEDDINGTON

STATE OF UTAH, COUNTY OF SALT LAKE

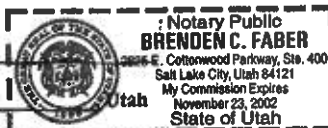
On this 27 day of OCTOBER, 1999
 before me, a Notary Public in and for said State, personally
 appeared

MARIAN W. INGHAM

known to me to be the person(s) whose name(s)
 subscribed to the within instruments and acknowledged to
 me that they executed the same.


 Notary Public,

Residing at _____
 Comm. Expires _____



STATE OF UTAH, COUNTY OF SALT LAKE

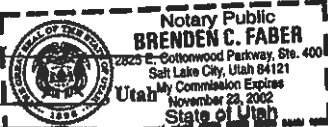
On this 27th day of OCTOBER, 1999
 before me, a Notary Public in and for said State, personally
 appeared

MARGARET J. BASSETT

known to me to be the person(s) whose name(s)
 subscribed to the within instruments and acknowledged to
 me that they executed the same.


 Notary Public,

Residing at _____
 Comm. Expires _____



STATE OF UTAH, COUNTY OF _____

On this _____ day of OCTOBER, 1999
 before me, a Notary Public in and for said State, personally
 appeared _____

known or identified to me to be the _____
 of the corporation that executed the instrument or the person
 who executed the instrument on behalf of said corporation
 which is subscribed to the within instrument as Successor
 Trustee of the MARGARET JEAN WATKINS BEHUNIN
 LIFETIME TRUST, dated September 16, 1964, also known
 as the MARGARET J. BASSETT TRUST, and acknowledged
 to me that such corporation executed the same as such
 Successor Trustee.

Notary Public,

Residing at _____, Utah
 Comm. Expires _____

RICHARD ARTHUR KEDDINGTONMARY ANN KEDDINGTON MOONROBERT MUIR KEDDINGTONSTEPHEN JARVIS KEDDINGTON

STATE OF UTAH, COUNTY OF _____
 On this _____ day of OCTOBER, 1999
 before me, a Notary Public in and for said State, personally
 appeared

MARIAN W. INGHAM

known to me to be the person(s) whose name(s)
 subscribed to the within instruments and acknowledged to
 me that they executed the same.

Notary Public, _____
 Residing at _____, Utah
 Comm. Expires _____

STATE OF UTAH, COUNTY OF _____
 On this _____ day of OCTOBER, 1999
 before me, a Notary Public in and for said State, personally
 appeared

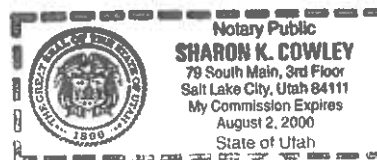
MARGARET J. BASSETT

known to me to be the person(s) whose name(s)
 subscribed to the within instruments and acknowledged to
 me that they executed the same.

Notary Public, _____
 Residing at _____, Utah
 Comm. Expires _____

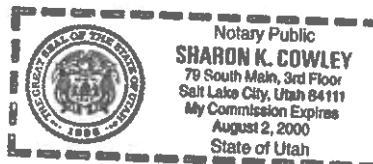
STATE OF UTAH, COUNTY OF Salt Lake
 On this 28 day of OCTOBER, 1999
 before me, a Notary Public in and for said State, personally
 appeared Robert B. Edgar
 known or identified to me to be the Trust Officer
 of the corporation that executed the instrument or the person
 who executed the instrument on behalf of said corporation
 which is subscribed to the within instrument as Successor
 Trustee of the MARGARET JEAN WATKINS BEHUNIN
 LIFETIME TRUST, dated September 16, 1964, also known
 as the MARGARET J. BASSETT TRUST, and acknowledged
 to me that such corporation executed the same as such
 Successor Trustee.

Sharon K. Cowley
 Notary Public, _____
 Residing at Salt Lake, Utah
 Comm. Expires 2/2/2000



STATE OF UTAH, COUNTY OF Salt Lake
 On this 28 day of **OCTOBER, 1999**
 before me, a Notary Public in and for said State, personally
 appeared Robert B. Edgar
 known or identified to me to be the Trust Officer
 of the corporation that executed the instrument or the person
 who executed the instrument on behalf of said corporation
 which is subscribed to the within instrument as Successor
 Trustee of the MARGARET JEAN WATKINS BEHUNIN
 LIFETIME TRUST, dated September 16, 1964, also known
 as the MARGARET J. BASSETT TRUST, and acknowledged
 to me that such corporation executed the same as such
 Successor Trustee.

Sharon K Cowley
 Notary Public,
 Residing at Salt Lake, Utah
 Comm. Expires 3/2/2000



STATE OF UTAH, COUNTY OF _____
 On this _____ day of **OCTOBER, 1999**
 before me, a Notary Public in and for said State, personally
 appeared **THOMAS R. MUIR**

known to me to be the person(s) whose name(s)
 subscribed to the within instruments and acknowledged to
 me that they executed the same.

 Notary Public,
 Residing at _____, Utah
 Comm. Expires _____

STATE OF _____, COUNTY OF _____
 On this _____ day of **OCTOBER, 1999**
 before me, a Notary Public in and for said State, personally
 appeared **LYALL J. GARDNER**

known to me to be the person(s) whose name(s)
 subscribed to the within instruments and acknowledged to
 me that they executed the same.

 Notary Public,
 Residing at _____,
 Comm. Expires _____

STATE OF UTAH, COUNTY OF _____
 On this _____ day of **OCTOBER, 1999**
 before me, a Notary Public in and for said State, personally
 appeared **RICHARD ARTHUR KEDDINGTON**

known to me to be the person(s) whose name(s)
 subscribed to the within instruments and acknowledged to
 me that they executed the same.

 Notary Public,
 Residing at _____, Utah
 Comm. Expires _____

STATE OF UTAH, COUNTY OF _____
 On this _____ day of OCTOBER, 1999
 before me, a Notary Public in and for said State, personally
 appeared _____
 known or identified to me to be the _____
 of the corporation that executed the instrument or the person
 who executed the instrument on behalf of said corporation
 which is subscribed to the within instrument as Successor
 Trustee of the MARGARET JEAN WATKINS BEHUNIN
 LIFETIME TRUST, dated September 16, 1964, also known
 as the MARGARET J. BASSETT TRUST, and acknowledged
 to me that such corporation executed the same as such
 Successor Trustee.

Notary Public,
 Residing at _____, Utah
 Comm. Expires _____

STATE OF UTAH, COUNTY OF SALT LAKE
 On this 27th day of OCTOBER, 1999
 before me, a Notary Public in and for said State, personally
 appeared

THOMAS R. MUIR

known to me to be the person(s) whose name(s)
 subscribed to the within instruments and acknowledged to
 me that they executed the same.

BC Faber
 Notary Public,
 Residing at _____, Utah
 Comm. Expires _____



STATE OF _____, COUNTY OF _____
 On this _____ day of OCTOBER, 1999
 before me, a Notary Public in and for said State, personally
 appeared

LYALL J. GARDNER

known to me to be the person(s) whose name(s)
 subscribed to the within instruments and acknowledged to
 me that they executed the same.

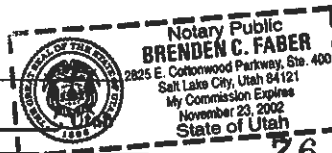
Notary Public,
 Residing at _____, _____
 Comm. Expires _____

STATE OF UTAH, COUNTY OF SALT LAKE
 On this 27th day of OCTOBER, 1999
 before me, a Notary Public in and for said State, personally
 appeared

RICHARD ARTHUR KEDDINGTON

known to me to be the person(s) whose name(s)
 subscribed to the within instruments and acknowledged to
 me that they executed the same.

BC Faber
 Notary Public,
 Residing at _____, _____
 Comm. Expires _____



76183

300103

STATE OF UTAH, COUNTY OF SALT LAKE
On this 27th day of OCTOBER, 1999
before me, a Notary Public in and for said State, personally
appeared

MARY ANN KEDDINGTON MOON

known to me to be the person(s) whose name(s)
subscribed to the within instruments and acknowledged to
me that they executed the same.

BC Faber
Notary Public,
Residing at _____
Comm. Expires _____

 Notary Public
BRENDEN C. FABER
2825 E. Cottonwood Parkway, Ste. 400
Salt Lake City, Utah 84121
My Commission Expires
November 23, 2002
State of Utah

STATE OF UTAH, COUNTY OF SALT LAKE
On this 27th day of OCTOBER, 1999
before me, a Notary Public in and for said State, personally
appeared

ROBERT MUIR KEDDINGTON

known to me to be the person(s) whose name(s)
subscribed to the within instruments and acknowledged to
me that they executed the same.

BC Faber
Notary Public,
Residing at _____
Comm. Expires _____

 Notary Public
BRENDEN C. FABER
2825 E. Cottonwood Parkway, Ste. 400
Salt Lake City, Utah 84121
My Commission Expires
November 23, 2002
State of Utah

STATE OF UTAH, COUNTY OF SALT LAKE
On this 27th day of OCTOBER, 1999
before me, a Notary Public in and for said State, personally
appeared

STEPHEN JARVIS KEDDINGTON

known to me to be the person(s) whose name(s)
subscribed to the within instruments and acknowledged to
me that they executed the same.

BC Faber
Notary Public,
Residing at _____
Comm. Expires _____

 Notary Public
BRENDEN C. FABER
2825 E. Cottonwood Parkway, Ste. 400
Salt Lake City, Utah 84121
My Commission Expires
November 23, 2002
State of Utah

nd-dl-for

10/1/99



WARRANTY DEED

For Value Received **MARIAN W. INGHAM**, with a 18.75% interest; **MARGARET J. BASSETT**, with a 18.75% interest; **FIRST SECURITY BANK OF UTAH**, Successor Trustee of the **MARGARET JEAN WATKINS BEHUNIN LIFETIME TRUST**, dated September 16, 1964, also known as the **MARGARET J. BASSETT TRUST**, with a 6.25% interest; **FIRST SECURITY BANK OF UTAH**, Successor Trustee of the **MARIAN VIRGINIA WATKINS INGHAM LIFETIME TRUST**, dated September 16, 1964, also known as the **MARIAN V. INGHAM TRUST**, with a 6.25% interest; and **THOMAS R. MUIR**, **LYLE J. GARDNER**, surviving spouse of **RUTH GARDNER**, Deceased, **RICHARD ARTHUR KEDDINGTON**, **MARY ANN KEDDINGTON MOON**, **ROBERT MUIR KEDDINGTON** and **STEPHEN JARVIS KEDDINGTON**, with a 50% interest

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

KORTNY L. ALBERTSON and K. ANN ALBERTSON, husband and wife

whose current address is

632 North 2872 East, Roberts, ID 83444

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**SECTION 33: SW 1/4 NE 1/4
S 1/2 NW 1/4
SW 1/4
W 1/2 SE 1/4**

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor do hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Subject to all existing patent reservations, easements, right of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations.

and that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: **OCTOBER 26, 1999**

MARIAN W. INGHAM

FIRST SECURITY BANK OF UTAH, Successor Trustee of the **MARGARET JEAN WATKINS BEHUNIN LIFETIME TRUST**, dated September 16, 1964, also known as the **MARGARET J. BASSETT TRUST**

By: _____

THOMAS R. MUIR

RECEIVED BY

REGISTER

FOR PLATTING

Date: **11/01/99** Time: **4:03**

MARGARET J. BASSETT

FIRST SECURITY BANK OF UTAH, Successor Trustee of the **MARIAN VIRGINIA WATKINS INGHAM LIFETIME TRUST**, dated September 16, 1964, also known as the **MARIAN V. INGHAM TRUST**

By: _____

LYLE J. GARDNER
Lyle J. Gardner 29

76183

300130

1st **November 1999**
4:03 **3:00 PM**
M. KELLER
6.086 **Deputy**
ATEL

STATE OF UTAH, COUNTY OF _____

On this _____ day of OCTOBER, 1999

before me, a Notary Public in and for said State, personally appeared _____

known or identified to me to be the _____

of the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation which is subscribed to the within instrument as Successor Trustee of the MARGARET JEAN WATKINS BEHUNIN LIFETIME TRUST, dated September 16, 1964, also known as the MARGARET J. BASSETT TRUST, and acknowledged to me that such corporation executed the same as such Successor Trustee.

Notary Public, _____

Residing at _____, Utah

Comm. Expires _____

STATE OF UTAH, COUNTY OF _____

On this _____ day of OCTOBER, 1999

before me, a Notary Public in and for said State, personally appeared

THOMAS R. MUIR

known to me to be the person(s) whose name(s) subscribed to the within instruments and acknowledged to me that they executed the same.

Notary Public, _____

Residing at _____, Utah

Comm. Expires _____

STATE OF KentuckyCOUNTY OF JeffersonOn this 28 day of OCTOBER, 1999

before me, a Notary Public in and for said State, personally appeared

LYLE J. GARDNERLYALL

known to me to be the person(s) whose name(s) subscribed to the within instruments and acknowledged to me that they executed the same.

Notary Public, Carla G. PoeResiding at Jefferson Co., KentuckyComm. Expires 6-9-03

STATE OF UTAH, COUNTY OF _____

On this _____ day of OCTOBER, 1999

before me, a Notary Public in and for said State, personally appeared

RICHARD ARTHUR KEDDINGTON

known to me to be the person(s) whose name(s) subscribed to the within instruments and acknowledged to me that they executed the same.

Notary Public, _____

Residing at _____, Utah

Comm. Expires _____