

WD 102

DEV

**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) |
|-------------------|--------------------------|----------|-------------------|--------------------------|----------|
| 21-13094          | OK                       |          |                   |                          |          |
|                   |                          |          |                   |                          |          |
|                   |                          |          |                   |                          |          |
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|                   |                          |          |                   |                          |          |

RECEIVED

NOV 06 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. \$250
- 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)

Debra Kirschner

4. New Owner/Claimant(s)

Kimberly and Glenn Howard

Name Connector (Check one): [ ] and, [ ] or, [ ] and/or

New Mailing Address

PO Box 231

City, State and ZIP Code

Menan ID 83434

New Telephone Number

(208) 754-0463 Email: zenknit@gmail.com



**RECORDING REQUESTED BY**  
First American Title Company

**AND WHEN RECORDED MAIL TO:**  
First American Title Company  
535 First American Circle  
Rexburg, ID 83440

Microfile No. **356772**  
30 DAY SEP 2009  
At 01 O'Clock 57 M  
MARILYN RASMUSSEN  
MADISON CO RECORDER  
Fee \$6.00  
KEngland Deputy  
Recorded at Request of  
FIRST AMERICAN TITLE - RE

First American Title Company

Space Above This Line for Recorder's Use Only

## **WARRANTY DEED**

File No.: **312314-RX (ns)**

Date: **September 23, 2009**

For Value Received, **Debra S. Kirschner, an unmarried person**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Kimberly J. Day Howard and Glenn R. Howard, wife and husband**, hereinafter called the Grantee, whose current address is **1152 East Butte Road, Menan, ID 83434**, the following described premises, situated in **Madison County, Idaho**, to-wit:

### **TRACT 1:**

**COMMENCING AT A POINT THAT IS N. 89°26'25" E. 2642.59 FEET AND N. 0°04' W. 1650.00 FEET FROM THE SW CORNER OF SECTION 2, TOWNSHIP 5 NORTH, RANGE 38 E.B.M., MADISON COUNTY, IDAHO, AND RUNNING THENCE N. 0°04' W. 402.33 FEET; THENCE S. 89°26'25" W. 356.0 FEET; THENCE S. 0°47'16" W. 402.33 FEET; THENCE N. 89°26'25" E. 362.00 FEET TO THE POINT OF BEGINNING.**

### **TRACT 2:**

**TOWNSHIP 5 NORTH, RANGE 38 E.B.M., MADISON COUNTY, IDAHO.**  
**SECTION 2: COMMENCING AT A POINT N. 89°26'25" E. 1321.29 FEET; THENCE N. 0°04' W. 1320 FEET, AND N. 89°26'25" E. 869.65 FEET FROM THE SW CORNER OF SECTION 2, AT THE ROAD RIGHT-OF-WAY AS THE BEGINNING POINT; THENCE N. 89°26'25" E. 451.64 FEET; THENCE N. 0°04' W. 330 FEET; THENCE S. 89°26'25" W. 375.99 FEET TO THE ROAD RIGHT-OF-WAY; THENCE ALONG THE ROAD RIGHT-OF-WAY IN A SOUTH-SOUTHWESTERLY DIRECTION AROUND A CURVE APPROXIMATELY 346 FEET TO THE POINT OF BEGINNING.**

**Approximately 5" water (part of water rights 21-04003B included) and owner shall have the obligation to provide access for main line to adjoining neighbors.**

SUBJECT TO all easements, right 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 to by parties above.

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

**RECORDING REQUESTED BY**  
First American Title Company

**AND WHEN RECORDED MAIL TO:**  
First American Title Company  
535 First American Circle  
Rexburg, ID 83440

First American Title Company

|                                |                   |
|--------------------------------|-------------------|
| <b>Recorded Electronically</b> |                   |
| ID                             | 351272            |
| County                         | Madison           |
| Date                           | 9.30.09 Time 1:57 |
| Simplifile.com 800.460.5657    |                   |

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Date: 09/23/2009

Warranty Deed  
- continued

File No.: 312314-RX (ns)

Debra S. Kirschner  
Debra S. Kirschner

STATE OF New Mexico )  
COUNTY OF Valencia )  
SS.

On this 26 day of **September, 2009**, before me, a Notary Public in and for said State, personally appeared **Debra S. Kirschner**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.



OFFICIAL SEAL  
MELANIE JANELLE GARCIA  
NOTARY PUBLIC - STATE OF NEW MEXICO  
My commission expires: 12/31/10

Melanie J. Garcia  
Notary Public for the State of New Mexico  
Residing at: Los Lunas  
My Commission Expires: 12/31/10