

**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)
29-4005					

RECEIVED

NOV 16 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). **Survey** **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)

Profaizer, Della Egley

4. New Owner/Claimant(s)

Douglas L Potter

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

New Mailing Address

P.O. Box 164

City, State and ZIP Code

Bancroft ID 83217

New Telephone Number

(208) 339-1812

Email: _____

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) _____

Douglas J Potter

(title if applicable)

(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 BIML
 Received by BIML
 Processed by _____ AJ

Date 11/14/09
 Date 11/14/09
 Date _____

Receipt Amt. \$25.00
 Receipt No. E035456
 WR _____ Date _____

FIRST AMERICAN TITLE - POCATELLO OFFICE

20922676

2009 OCT 23 AM 10:10:15

Electronically Recorded by Simplifile

RECORDING REQUESTED BY

First American Title Company

AND WHEN RECORDED MAIL TO:

First American Title Company

2240 E. Center

Pocatello, ID 83201

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **315640-P (ts)**

Date: **October 22, 2009**

For Value Received, **Della C. Egley Trust, George D. Egley, Trustee, dated the 12th day of March, 1982, as amended**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Douglas L. Potter, an unmarried person**, hereinafter called the Grantee, whose current address is PO. Box 64 Bancroft ID 83217, the following described premises, situated in **Bannock County, Idaho**, to-wit:

Legal Description attached hereto as Exhibit A, and by this referenced incorporated herein.

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.

Della C. Egley Trust

George D. Egley Trustee
George D. Egley, Trustee

STATE OF Idaho)
)
) ss.
COUNTY OF Bannock)

On this **Twenty-second day of October, 2009**, before me, a Notary Public in and for said State, personally appeared **George D. Egley**, known or identified to me to be the person whose name is subscribed to the within instrument as the **Trustee** of **Della C. Egley Trust**, and acknowledged to me that he/she/they executed the same as such **Trustee**.



Notary Public for the State of Idaho
Residing at: Pocatello, Idaho
My Commission Expires: ~~4-28-2011~~ 4-11-15

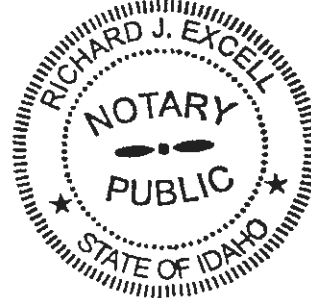


EXHIBIT A

A PARCEL OF LAND LOCATED IN SECTIONS 24 AND 25, TOWNSHIP 9 S, RANGE 38, E.B.M., BANNOCK COUNTY, IDAHO AND FURTHER DESCRIBED AS FOLLOWS:
 BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 25; THENCE NORTH 89°59'00" EAST 572.38 FT. ALONG THE NORTH LINE OF SAID SECTION 25 TO A 5/8" REBAR WITH CAP LABELED AA HUDSON PLS 4735 SET ON THE SOUTHERLY RIGHT OF WAY OF FISH CREEK ROAD, (THE TRUE POINT OF BEGINNING; THENCE NORTH 77°34'42" EAST 201.63 FT. ALONG SAID RIGHT OF WAY TO THE PC OF A 683.20 FT. RADIUS CURVE TO THE RIGHT; THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 12°24' 00" , A DISTANCE OF 147.86 FT. TO THE PT; THENCE NORTH 89°58'42" EAST 295.20 FT. ALONG SAID RIGHT OF WAY TO THE PC OF A 603.62 FT. RADIUS CURVE TO THE RIGHT; THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 58°30', A DISTANCE OF 616.31 FT. TO THE PT, WHICH IS A BANNOCK COUNTY RIGHT OF WAY MONUMENT; THENCE SOUTH 31°31'18" EAST 342.99 FT. TO A 5/8" REBAR WITH CAP SET ON SAID RIGHT OF WAY; THENCE SOUTH 74°39'26" WEST 88.62 FT. ALONG A FENCE TO A 5/8" REBAR WITH CAP SET AT A FENCE ANGLE POINT; THENCE NORTH 43°37' 08" WEST 178.04 FT. ALONG SAID FENCE TO A 5/8" REBAR WITH CAP SET AT A FENCE ANGLE POINT; THENCE NORTH 82°33'49" WEST 256.81 FT. ALONG SAID FENCE TO A 5/8" REBAR WITH CAP SET AT A FENCE ANGLE POINT; THENCE SOUTH 83°17'21" WEST 123.51 FT. TO A 5/8" REBAR WITH CAP SET ON THE 1/16TH LINE OF SAID SECTION 25; THENCE NORTH 00°04'47" EAST 396.91 FT. ALONG SAID 1/16TH LINE TO THE WEST 1/16TH CORNER ON THE NORTH LINE OF SAID SECTION 25; THENCE SOUTH 89°59'00" WEST 747.87 FT. ALONG SAID NORTH LINE TO THE TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM:

A PARCEL OF LAND LOCATED IN SECTION 24, TOWNSHIP 9 S, RANGE 38, E.B.M., BANNOCK COUNTY, IDAHO AND FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 24; THENCE NORTH 89°59'00" EAST 1036.82 FEET ALONG THE SOUTH LINE OF SAID SECTION 24 TO A 5/8" REBAR WITH CAP LABELED, " A.A. HUDSON, PLS 4735" SET ON A FENCE LINE, THE TRUE POINT OF BEGINNING; THENCE NORTH 03°43'22" WEST 37.62 FEET ALONG SAID FENCE LINE TO A 5/8" REBAR WITH CAP SET AT A FENCE CORNER; THENCE NORTH 89°24'12" EAST 75.94 FEET TO A 5/8" REBAR WITH CAP; THENCE SOUTH 85°19'11" EAST 159.60 FEET TO A 5/8" REBAR WITH CAP; THENCE SOUTH 00°04'47" WEST 25.24 FEET TO A 5/8" REBAR WITH CAP SET ON THE SOUTH LINE OF SAID SECTION 24; THENCE SOUTH 89°59'00" WEST 232.52 FEET TO THE TRUE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM:

A PARCEL OF LAND LOCATED IN SECTION 24, TOWNSHIP 9 S, RANGE 38, E.B.M., BANNOCK COUNTY, IDAHO AND FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 24; THENCE NORTH 89°59'00" EAST 758.91 FEET ALONG THE SOUTH LINE OF SAID SECTION 24 TO A 5/8" REBAR WITH CAP LABELED "A.A. HUDSON, PLS 4735" SET ON A FENCE LINE, THE TRUE POINT OF BEGINNING; THENCE NORTH 20°57'49" EAST 33.49 FEET TO A 5/8" REBAR WITH CAP SET TEN FEET SOUTHERLY FROM THE CENTERLINE OF A PRIVATE ROAD; THENCE NORTH 80°39'11" EAST 61.62 FEET TO THE POINT OF CURVATURE OF AN 821.59 FOOT RADIUS CURVE CONCAVE TO THE SOUTH; THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 14°09'21", A DISTANCE OF 202.99 FEET (CHORD = NORTH 87°43'52" EAST 202.47 FEET) TO A 5/8" REBAR WITH CAP; THENCE SOUTH 03°43'22" EAST 49.32 FEET TO A 5/8" REBAR WITH CAP SET ON SAID SOUTH SECTION LINE; THENCE SOUTH 89°59'00" WEST 278.31 FEET ALONG SAID SOUTH SECTION LINE TO THE TRUE POINT OF BEGINNING.