

RECEIVED

APR 23 2009

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

WATER RESOURCES  
WESTERN REGION

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).

Parcel 4800

| Water Right No(s) | Adjudication Claim No(s) | Split(s) | Water Right No(s) | Adjudication Claim No(s) | Split(s) |
|-------------------|--------------------------|----------|-------------------|--------------------------|----------|
| 67-14994          |                          | NO       |                   |                          |          |
| 67-14998          |                          | }        |                   |                          |          |
| 67-15000          |                          |          |                   |                          |          |
| PD 67-14373       | 10-20-08                 |          |                   |                          |          |
| PD 67-14376       | 10-20-08                 |          |                   |                          |          |

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 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)

George and Margaret Westfall  
P.O. Box 185

Cambridge, Idaho 83610

4. New Owner/Claimant(s)

Shirley A. Westfall  
 Name Connector (Check one): [ ] and, [ ] or, [ ] and/or

New Mailing Address

235 Delaware Ave.

City, State and ZIP Code

Nampa, Idaho 83651

New Telephone Number

(208) 467-3733 Email: SAKSAW@AOL.COM

**SUPPORT DATA**

5. Date you acquired the property

03-25-09 4800

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<br>(If the right will not be split, skip this area and proceed to line 7) |                                                                            |                                                              |
|----------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|--------------------------------------------------------------|
| 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) |
| <b>Water Right and/or Adjudication Claim Number</b>                                                                  |                                                                            |                                                              |
| Irrigation                                                                                                           |                                                                            |                                                              |
| Stock                                                                                                                |                                                                            |                                                              |
| Domestic                                                                                                             |                                                                            |                                                              |
| Other                                                                                                                |                                                                            |                                                              |
| <b>Totals</b>                                                                                                        |                                                                            |                                                              |
| <b>Water Right and/or Adjudication Claim Number</b>                                                                  |                                                                            |                                                              |
| Irrigation                                                                                                           |                                                                            |                                                              |
| Stock                                                                                                                |                                                                            |                                                              |
| Domestic                                                                                                             |                                                                            |                                                              |
| Other                                                                                                                |                                                                            |                                                              |
| <b>Totals</b>                                                                                                        |                                                                            |                                                              |
| <b>Water Right and/or Adjudication Claim Number</b>                                                                  |                                                                            |                                                              |
| Irrigation                                                                                                           |                                                                            |                                                              |
| Stock                                                                                                                |                                                                            |                                                              |
| Domestic                                                                                                             |                                                                            |                                                              |
| Other                                                                                                                |                                                                            |                                                              |
| <b>Totals</b>                                                                                                        |                                                                            |                                                              |

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)

Shirley A. Westfall

(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 SL  
 Received by SL  
 Processed by \_\_\_\_\_ AJ

Date 4/23/09  
 Date 4/23/09  
 Date \_\_\_\_\_

Receipt Amt. \$125<sup>00</sup>  
 Receipt No. W037396  
 WR MA Date 4-23-09

ATTACH #2B

183728

PARCEL  
4800

## WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that **GEORGE W. WESTFALL and MARGARET C. WESTFALL**, husband and wife, hereinafter referred to as the "Grantors," for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, do hereby grant, bargain, sell, and convey unto **DONALD L. WESTFALL**, as his sole and separate property and estate, including the rents, profits, and earnings therefrom, whose address is 235 Delaware Avenue, Nampa, Idaho 83651, hereinafter referred to as the "Grantee," and Grantee's heirs, successors, and assigns, in and to the following property (the "Property"), with the tenements, hereditaments, and appurtenances thereto belonging or in any way appertaining, situated in Washington County, State of Idaho, described as follows, to wit:

The East Half of the Northeast Quarter of the Southwest Quarter of Section 11,  
Township 14 North, Range 3 West of the Boise Meridian, Washington County,  
Idaho.

Grantors hereby reserve the right to the possession, use, and occupancy of the  
Property and the rents, issues, and profits from the Property during the  
remainder of their lives.

And Grantors hereby covenant to and with Grantee and Grantee's heirs, successors, and assigns, that Grantors are lawfully seized in fee simple of the Property, subject to the easements, reservations, and restrictions of record or appearing on the Property, and that Grantors will warrant and forever defend the Property and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claims, encumbrances, restrictions, reservations and easements it is conveyed subject to. Grantors make no representation or warranty as to any permitted use under applicable land use laws and regulations.

### Right of First Refusal

This conveyance is made subject to the condition that any interest in the Property may only be sold, conveyed, hypothecated, assigned, transferred, or otherwise alienated during each 180-day period immediately after such issue of the Grantors as may have an ownership interest of record in any of the following property (the "Adjoining Property") have been offered in writing the opportunity to purchase the Property at a price no higher than and on terms no less favorable than proposed for such sale, conveyance, assignment, transfer, or other alienation of the Property to any other person or entity:

The West Half of the Northeast Quarter of the Southwest Quarter of  
Section 11, Township 14 North, Range 3 West, and all of that part of  
the Southeast Quarter of the Northwest Quarter lying South and West  
of the State Highway in Section 11, Township 14 North, Range 3 West  
of the Boise Meridian, Washington County, Idaho.

The offer to the Grantors' issue shall be deemed given upon personal service or upon mailing by certified mail, return receipt requested, postage prepaid, in the United States mail to the address to which tax notices are sent for that portion of the Adjoining Property that heir has an interest in, with such service being complete upon actual delivery or three (3) days after mailing, whichever is earlier. Those issue entitled to notice shall have thirty (30) days after service to accept by giving written notice to the Offeror at the address designated in the notice or if no such address is provided in the notice, by recording a Notice of Acceptance with the Washington County Recorder. If more than one of Grantors' issue accept such offer, then the interest subject to the right of first refusal shall be prorated among such accepting issue in accordance with their respective interests in the Adjoining Property. If the proposed alienation is to provide security for a loan, then such alienation shall be considered a sale of the Property at 80% of the fair market value of the Property. This right of first refusal shall remain effective and shall be binding upon all subsequent purchasers so long as any of Grantors' issue have an interest in any of the Adjoining Property.

DATED this 31 day of August, 2001.

George W. Westfall  
George W. Westfall

**Instrument # 183728**

WEISER, WASHINGTON, IDAHO

2001-09-07 02:32:00 No. of Pages: 2

Recorded for : LAURENCE JOHNSON

SHARON WIDNER

Fee: 6.00

Ex-Officio Recorder Deputy

Index to: DEED

Margaret C. Westfall  
Margaret C. Westfall

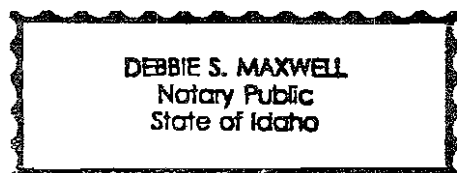
STATE OF IDAHO )

: ss.

County of Washington )

On this 31 day of August, 2001, before me, the undersigned, a Notary Public in and for said State, personally appeared **GEORGE W. WESTFALL** and **MARGARET C. WESTFALL**, husband and wife, 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.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.



Debbie S. Maxwell  
Notary Public for Idaho  
Residing at: Council Bluffs, Idaho  
My Commission Expires: 8/24/07

FILED  
MAR 1 10 1 P.M.

Shirley A. Westfall  
Full Name of Party Submitting This Document  
235 Delaware Ave.  
Mailing Address (Street or Post Office Box)  
Nampa, Idaho 83651  
City, State and Zip Code  
208 467 3733  
Telephone Number

RECORDED

MAR 25 2009

CANYON COUNTY CLERK  
J DRAKE, DEPUTY

2009 MAR 27 AM 10 07

WILLIAM H. HURST  
CANYON CNTY RECORDER

DATA 207 Shirley Westfall  
TYPE probate FEE 00

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF  
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF CANYON

IN THE MATTER OF THE ESTATE OF:

Donald L. Westfall  
Deceased.

Case No.: CV09-3830

DECREE VESTING ESTATE IN  
SURVIVING SPOUSE  
(I.C. 15-3-1205)

2009016301

RECORDED

2009 APR 2 PM 3:58  
CANYON COUNTY RECORDER  
WILLIAM H. HURST

UPON CONSIDERATION of the Petition for Summary Administration of Estate of  
Which Surviving Spouse is Sole Beneficiary filed by  
Shirley A. Westfall on 20

The Court finds that:

1. The facts set forth in the petition are true.
2. The required notice has been given or waived.
3. The decedent, Donald L. Westfall died on January 14, 2009, domiciled in Canyon County.
4. Venue is proper.
5. The decedent and the petitioner were duly married at Corinth, Mississippi, on June, 17, 1955, and remained married until the date of decedent's death.
6. The surviving spouse, Shirley A. Westfall, is the sole heir or devisee of the decedent.
7. a. The decedent died intestate.  
b. ☒ The decedent died testate, leaving a will dated July 15, 2008. The will was validly executed and is the last will of the

RECEIVED  
TYPE probate FEE 2.00  
Shirley Westfall

DECREE VESTING ESTATE IN  
SURVIVING SPOUSE

Instrument # 211860

STATE OF IDAHO, COUNTY OF WASHINGTON  
3-30-2009 12:10:00 No. of Pages: 3  
Recorded for: SHIRLEY A. WESTFALL  
SHARON WIDNER Fee: 9.00  
Ex-Officio Recorder Deputy  
Index to: DEED - DECREE

PAGE 1

Shirley Westfall

decedent.

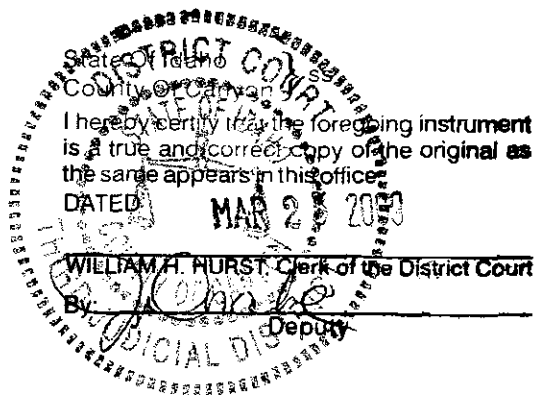
8. The schedule of property attached to this Decree is a full and complete inventory of the property owned by the decedent and properly characterizes the property as community or separate property.

THEREFORE, it is ordered, adjudged and decreed as follows:

1. Shirley A. Westfall is the surviving spouse of the decedent and is the sole heir or devisee of the decedent.
2. The property of the decedent described on the schedule attached to this Decree is hereby vested in and distributed to Shirley A. Westfall free and clear of all right, title, claim or demand of any person or persons claiming or attempting to claim under the estate of the decedent as heir, devisee, or otherwise, except as a proper creditor.
3. The surviving spouse shall assume and be liable for any and all indebtedness that might be a claim against the estate of the decedent.
4. There shall be no administration of the estate of the decedent.

DATE: MAR 25 2009

GARY D. DOMEYER  
MAGISTRATE



## SCHEDULE OF PROPERTY

The following is a full and complete inventory of the property owned by the decedent. The nature of the property is all community.

Real Property:

Donald L. Westfall - separate property

The East Half of the Northeast Quarter of the Southwest Quarter of Section 11,  
Township 14 North Range 3 West of the Boise Meridian, Washington County Idaho

Donald L. Westfall and Shirley A. Westfall - community property

Residence 21-3N-2W SE  
235 Delaware Ave. Yale Park Add  
Nampa Idaho 83651 W 150' LESS  
W 70' BLK 54

Vehicles:

.

Investments:Miscellaneous:

Salubria Cemetary Deed  
Donald L. Westfall - community property  
Section C, Row 2 Plots 17-15-14