

RECEIVED

AUG 26 2009

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 IDWR will produce new water right number(s) for the split(s).

| Water<br>Right No(s) | Adjudication<br>Claim No(s) | Split(s) | Water<br>Right No(s) | Adjudication<br>Claim No(s) | Split(s) |
|----------------------|-----------------------------|----------|----------------------|-----------------------------|----------|
| 47-10720             |                             |          |                      |                             |          |
|                      |                             |          |                      |                             |          |
|                      |                             |          |                      |                             |          |
|                      |                             |          |                      |                             |          |
|                      |                             |          |                      |                             |          |
|                      |                             |          |                      |                             |          |

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) | Joseph M. and Cheryl A. Gellings<br>825 East 4300 North, Buhl, ID 83316                                                           |
| 4. New Owner/Claimant(s)                        | Joe E. Avelar and Anna D. Corujo                                                                                                  |
|                                                 | Name Connector (Check one): <input checked="" type="checkbox"/> and, <input type="checkbox"/> or, <input type="checkbox"/> and/or |
| New Mailing Address                             | 3904 North 1300 East                                                                                                              |
| City, State and ZIP Code                        | Buhl, ID 83316                                                                                                                    |
| New Telephone Number                            | ( )                                                                                                                               |

5. Date you acquired the property

August \_\_\_\_\_, 2009

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)

*Joe E. Avelar*  
*Anna D. Long*

(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 ASDate 3-26-09Receipt Amt. 625Received by D

Date \_\_\_\_\_

Receipt No. \_\_\_\_\_

Processed by \_\_\_\_\_ AJ

Date \_\_\_\_\_

WR \_\_\_\_\_

Date \_\_\_\_\_

Case No. 59663SM

*TitleFact, Inc.*

163 Fourth Avenue North

P.O. Box 486

Twin Falls, Idaho 83303

**TWIN FALLS COUNTY**

RECORDED FOR:  
TITLEFACT

2:41:51 pm 08-25-2009

**2009-019411**

NO. PAGES: 2

FEE: \$6.00

KRISTINA GLASCOCK  
COUNTY CLERK

DEPUTY: DWRIGHT

\*\*\*\* SPACE ABOVE FOR RECORDER \*\*\*\*

**WARRANTY DEED**

FOR VALUE RECEIVED **JOSEPH MICHAEL GELLINGS**, also shown of record as **JOE GELLINGS**, and **CHERYL A. GELLINGS**, also shown of record as **CHERYL GELLINGS**, husband and wife, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **JOE E. AVELAR and ANNA D. CORUJO**, husband and wife as community property with right of survivorship, hereinafter called Grantee, whose address is: 3904 North 1300 East,

Buhl, ID 83316, the following described premises in Twin Falls County, Idaho; to-wit:

**PARCEL NO. 1**

A parcel of land located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 24 and the NW $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 25 of said Township 9 South, Range 13 East of the Boise Meridian, more particularly described as follows: BEGINNING at the section corner marked by a Government brass cap located at the Northwest corner of

Section 25, which is the TRUE POINT OF BEGINNING;

THENCE due North 30 feet to an iron pin driven into the ground, which is sprayed with red paint;

THENCE East 1,314 feet running parallel to the South boundary of the SW $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 24,

Township 9 South, Range 13 E., B.M., to an iron pin driven into the ground and painted red;

THENCE South 30 feet, more or less, to the Southeast corner of the SW $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 24;

THENCE due South a distance of 620 feet running along the West boundary of the NE $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 25,

Township 9 South, Range 13 E., B.M., to an iron pin driven into the ground and painted red;

THENCE running in a Northwesterly direction 1,361 feet to a point which is marked by another iron pin, painted red, which is located 263 feet South of the True Point of Beginning;

THENCE North along the West boundary of the NW $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 25 to the TRUE POINT OF BEGINNING.

**TOGETHER WITH** easement for operation and maintenance of an existing pumping station and access thereto granted by Joseph Michael Gellings and Cheryl A. Gellings, husband and wife, to Joe E. Avelar, a single man, and Anna D. Corujo, a single woman, by Easement recorded October 23, 2008, as Instrument No. 2008-023018 in the records of Twin Falls County, Idaho; and re-recorded December 3, 2008 as Instrument No. 2008-025616 said easement described as a strip of land 10 feet wide on each side of the following described line:

BEGINNING at the Northwest corner of the NE $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 25, Township 9 South, Range 13 E., B.M., running South between the West border of said NE $\frac{1}{4}$ NW $\frac{1}{4}$  and the East border of NW $\frac{1}{4}$ NW $\frac{1}{4}$  of said Section 25 a distance of approximately 1,320 feet to an existing pumping station located at the Southwest corner of the NE $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 25.

**AND TOGETHER WITH** an easement for access to an existing scale location for the purpose of operating and maintaining the scales granted by Joseph Michael Gellings and Cheryl A. Gellings, husband and wife, to Joe E. Avelar, a single man, and Anna D. Corujo, a single woman, by Easement recorded October 23, 2008, as Instrument No. 2008-023019, records of Twin Falls County, Idaho; said easement described as follows:

E $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 25, Township 9 South, Range 13 E., B.M., Twin Falls County, Idaho.

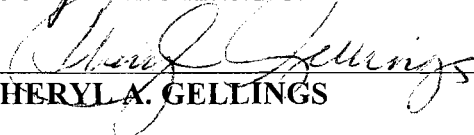
**PARCEL NO. 2**

Township 9 South, Range 13 East, Boise Meridian, Twin Falls County, Idaho  
Section 25: NE $\frac{1}{4}$ NW $\frac{1}{4}$

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and 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 they are free from all encumbrances except as described above; and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: August 20, 2009

  
JOSEPH MICHAEL GELLINGS

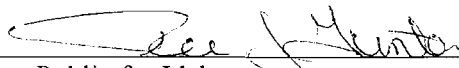
  
CHERYL A. GELLINGS

\* \* \* \* \*

STATE OF IDAHO  
County of Twin Falls

On this 25<sup>th</sup> day of August, 2009, before me, a Notary Public in and for said State, personally appeared **JOSEPH MICHAEL GELLINGS, also shown of record as JOE GELLINGS, and CHERYL A. GELLINGS, also shown of record as CHERYL GELLINGS, husband and wife,** known or identified to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and official seal the day and year first above written.

  
\_\_\_\_\_  
Notary Public for Idaho  
Residing at ~~Twin Falls~~ File  
Commission expires ~~11-28-2014~~ 4-28-10

