

RECEIVED

APR 13 2008

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).

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
PD 63 001521	PD 2-6-09				
PD 63 00233P	2-6-09				
PD 63 00223C	2-6-09				
PD 63 21134	4-3-69				

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)

MILTON Houston
 23108 Boise River Rd
 Caldwell ID 83607

4. New Owner/Claimant(s)

Michael M. Lorraine A. Houston
 Name Connector (Check one): ☐ and, ☐ or ☒ and/or

New Mailing Address

23228 Boise River Rd
 Caldwell ID 83607

City, State and ZIP Code

New Telephone Number

(208)-454-1861 SUPPORT DATA
 Former Houstons @ C.M.I.

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) _____

OWNER
(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 [Signature]
 Received by [Signature]
 Processed by [Signature] AJ

Date 4-13-09
 Date 5-28-09
 Date _____

Receipt Amt. \$100.00
 Receipt No. W03750
 WR [Signature] Date 5-28-09

B

PC 63676

Don't
good

2006 MAY 2 PM 4:04

BY: [Signature]

83607-9176

GIFT DEED FOR A LIFE ESTATE

THIS GIFT DEED FOR A LIFE ESTATE, made this 2 day of May, 2006, between Michael M. Houston and Lorrie A. Houston, hereinafter "Grantors," a married couple of Caldwell, Idaho, and Milton Houston and Maxine Houston, hereinafter "Grantees," a married couple whose address is 23108 Boise River Road, Caldwell, Idaho 83607-9176;

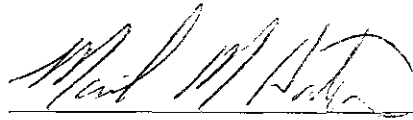
WITNESSETH: That Michael M. Houston and Lorrie A. Houston as Grantors, for the purpose of making Milton Houston and Maxine Houston as Grantees, a gift of life estate in certain real property, do hereby give, grant, bargain, sell, and convey to Milton Houston and Maxine Houston as Grantees, a life estate to that certain piece and/or parcel of land, situated, lying and being in the County of Canyon, State of Idaho, and particularly described as follows to wit:

SEE ATTACHED EXHIBIT A

This Life Estate shall include Water Right Numbers 63-21115 and 63-21117.

THIS GIFT DEED FOR A LIFE ESTATE is granted for the purpose of allowing Milton Houston and Maxine Houston as Grantees, to inhabit, use, and benefit from the above-described real property during their natural lifetime. Upon the death of both Grantees, Milton Houston and Maxine Houston, the above-described real property shall revert to Grantors, Michael M. Houston and Lorrie A. Houston.

IN WITNESS WHEREOF, Grantors, Michael M. Houston and Lorrie A. Houston, set their hands and seals the day and year first above written.

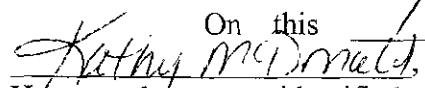


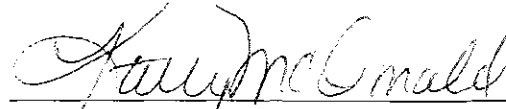
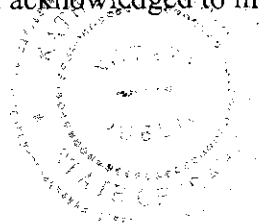
Michael M. Houston



Lorrie A. Houston

STATE OF IDAHO)
 :SS
County of Canyon)

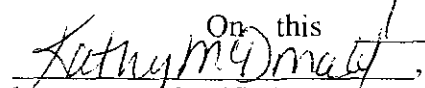
On this 1 day of May, in the year 2006, before me,
 a Notary Public, personally appeared Michael M. Houston, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

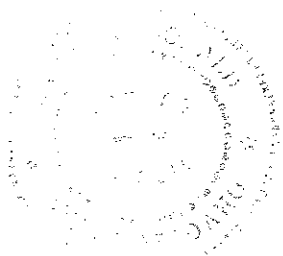


Notary Public for Idaho

Commission expires: 5-27-11

STATE OF IDAHO)
 :SS
County of Canyon)

On this 1 day of May, in the year 2006, before me,
 a Notary Public, personally appeared Lorrie A. Houston, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.



Notary Public for Idaho

Commission expires: 5-27-11

EXHIBIT A
LEGAL DESCRIPTION

The Southeast Quarter of the Southeast Quarter of Section 31, Township 5 North, Range 4 West of the Boise Meridian in Canyon County Idaho;

Excepting therefrom:

A portion of the Southeast Quarter of the Southeast Quarter of Section 31, Township 5 North, Range 4 West, Boise Meridian, Canyon County, Idaho, more particularly described, to wit:

COMMENCING at the Southwest corner of the Southeast Quarter of the Southeast Quarter of Section 31, Township 5 North, Range 4 West, Boise Meridian, Canyon County, Idaho the INITIAL POINT of this description; thence

North 0°11' East a distance of 200 feet along the West line of the said Southeast Quarter of the Southeast Quarter; thence

North 90°00' East a distance of 200 feet parallel to the South line of the said Section 31; thence

South 0°11' West a distance of 200 feet parallel to the said West line; thence

South 90°00' West a distance of 200 feet along the said South line to the INITIAL POINT of this description.

THIS PARCEL IS SUBJECT TO A 40-foot road easement on the South side and to a 28-foot road right of way on the West side.

WARRANTY DEED

SEE ATTACHED EXHIBIT A

SUBJECT TO taxes and assessments for the year 2006 and all subsequent years, together with any and all existing easements, rights-of-way, reservations, restrictions and encumbrances of record, to any existing tenancies, to all zoning laws and ordinances, and to any state of facts an accurate survey or inspection of the premises would show.

SUBJECT TO Life Estates retained by Milton Houston and Maxine Houston, Grantors, to run consecutively. It being the intention of the Grantors that the ending of one Life Estate shall in no way affect the remaining Life Estate.

This conveyance shall include any and all appurtenances, tenements, hereditaments, reversions, remainders, easements, rights-of-way and water rights in anywise appertaining to the property herein described.

The Grantors covenant to the Grantees that Grantors are the owners in fee simple of said premises; that the premises are free from all encumbrances, excepting

those as may be herein set forth, and excepting those of record, and that Grantors will warrant and defend the same from all lawful claims.

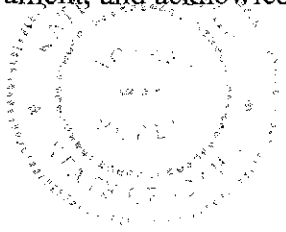
IN WITNESS WHEREOF, the Grantors have executed this instrument on this _____ day of May, 2006.

Milton Houston
Milton Houston

Maxine Houston
Maxine Houston

STATE OF IDAHO)
:SS
County of Canyon)

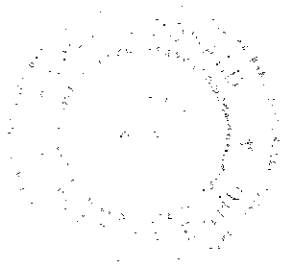
On this 1 day of May, in the year 2006, before me, Kathy McDonald, a Notary Public, personally appeared Milton Houston, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.



Kathy McDonald
Notary Public for Idaho
Commission expires: 5-27-11

STATE OF IDAHO)
:SS
County of Canyon)

On this 1 day of May, in the year 2006, before me, Kathy McDonald, a Notary Public, personally appeared Maxine Houston, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.



Kathy McDonald
Notary Public for Idaho
Commission expires: 5-27-11

EXHIBIT A
LEGAL DESCRIPTION

The Southeast Quarter of the Southeast Quarter of Section 31, Township 5 North, Range 4 West of the Boise Meridian in Canyon County, Idaho;

Excepting therefrom:

A portion of the Southeast Quarter of the Southeast Quarter of Section 31, Township 5 North, Range 4 West, Boise Meridian, Canyon County, Idaho, more particularly described, to wit:

COMMENCING at the Southwest corner of the Southeast Quarter of the Southeast Quarter of Section 31, Township 5 North, Range 4 West, Boise Meridian, Canyon County, Idaho the INITIAL POINT of this description; thence

North 0°11' East a distance of 200 feet along the West line of the said Southeast Quarter of the Southeast Quarter; thence

North 90°00' East a distance of 200 feet parallel to the South line of the said Section 31; thence

South 0°11' West a distance of 200 feet parallel to the said West line; thence

South 90°00' West a distance of 200 feet along the said South line to the INITIAL POINT of this description.

THIS PARCEL IS SUBJECT TO A 40-foot road easement on the South side and to a 28-foot road right of way on the West side.

AND

All that portion of the North Half of the Southeast Quarter in Section 31, Township 5 North, Range 4 West of the Boise Meridian, in Canyon County, Idaho lying South of the Boise River as now located.

AND

Lots 5, 6, and 7 and the Northwest Quarter of the Southeast Quarter of Section 32, Township 5 North, Range 4 West of the Boise Meridian in Canyon County, Idaho.

First American Title Insurance Company

OWNER'S POLICY

SCHEDULE A

<u>File No.:</u>	<u>Policy No:</u>	<u>Date of Policy:</u>	<u>Amt of Insurance:</u>	<u>Premium Amt:</u>	<u>Endorsements:</u>
200603676	J-2228151	May 2, 2006 at 4:41 PM	\$200,000.00	\$905.00	NONE

The Policy Number shown on this schedule must agree with the preprinted number on the cover sheet.

1. Name of Insured:

Michael M. Houston and Lorrie A. Houston husband and wife

2. The estate or interest in the land which is covered by this policy is:

Fee Simple

3. Title to the estate or interest in the land is vested in:

Michael M. Houston and Lorrie A. Houston husband and wife

4. The land referred to in this policy is described as follows:

SEE ATTACHED EXHIBIT A

Pioneer Title Company of Canyon County

By: _____

Authorized Officer or Agent

ALTA Owner's Policy 10/17/92

This Policy is invalid unless the cover sheet and Schedule B are attached.

Schedule A consists of 2 page(s)

First American Title Insurance Company

OWNER'S POLICY

SCHEDULE A

EXHIBIT A

The Southeast Quarter of the Southeast Quarter of Section 31, Township 5 North, Range 4 West of the Boise Meridian in Canyon County, Idaho;

Excepting therefrom:

A portion of the Southeast Quarter of the Southeast Quarter of Section 31, Township 5 North, Range 4 West, Boise Meridian, Canyon County, Idaho, more particularly described, to-wit:

COMMENCING at the Southwest corner of the Southeast Quarter of the Southeast Quarter of Section 31, Township 5 North, Range 4 West, Boise Meridian, Canyon County, Idaho, the INITIAL POINT of this description; thence

North 0° 11' East a distance of 200 feet along the West line of the said Southeast Quarter of the Southeast Quarter; thence

North 90° 00' East a distance of 200 feet parallel to the South line of the said Section 31; thence

South 0° 11' West a distance of 200 feet parallel to the said West line; thence

South 90° 00' West a distance of 200 feet along the said South line to the INITIAL POINT of this description.

THIS PARCEL IS SUBJECT TO A 40-foot road easement on the South side and to a 28-foot road right of way on the West side.

AND

All that portion of the North Half of the Southeast Quarter in Section 31, Township 5 North, Range 4 West of the Boise Meridian, in Canyon County, Idaho lying South of the Boise River as now located.

AND

Lots 5, 6, and 7 and the Northwest Quarter of the Southeast Quarter of Section 32, Township 5 North, Range 4 West of the Boise, Meridian in Canyon County, Idaho.

This Policy is invalid unless the cover sheet and Schedule B are attached.

Schedule A consists of 2 page(s)

First American Title Insurance Company

OWNER'S POLICY

SCHEDULE B

Exceptions from Coverage

File Number:
200603676

Date of Policy:
May 2, 2006 at 4:41:00 PM

Policy Number:
J-2228151

The Policy Number shown on this schedule must agree with the preprinted number on the cover sheet.

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

- (1) Rights or claims of parties in possession not shown by the public records.
- (2) Encroachments, overlaps, boundary line disputes, and any other matters which would be disclosed by an accurate survey or inspection of the premises including, but not limited to, insufficient or impaired access or matters contradictory to any survey plat shown by the public records.
- (3) Easements, or claims or easements, not shown by the public records.
- (4) Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
- (5) (a) Unpatented mining claims; (b) reservations or exceptions in patents or Acts authorizing the issuance thereof; (c) water rights, claims to title to water, whether or not the matters excepted under (a), (b), (c) are shown by the public records.
- (6) Taxes or special assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records. Proceedings by a public agency which may result in taxes or assessments, or notices to such proceedings, whether or not shown by the records of such agency or by the public records.

Special Exceptions

1. General taxes for the year 2006, which are a lien, payable on or before December 20 of said year and not delinquent until after said date.
2. Liens and assessments of Eureka Ditch Company. Paid current.
3. Liens and assessments of Drainage District No. 6, and the rights and powers of said District as by law provided; said assessments are collected with the general taxes. Paid current.
4. Liens and assessments of Flood Control District No. 11, and the rights and powers of said District as by law provided; said assessments are collected with the general taxes. Paid current.

ALTA Owner's Policy Form B 1987 (Amended 10/17/92)

This Policy is invalid unless the cover sheet and Schedule A are attached.

Schedule B consists of 2 page(s)

First American Title Insurance Company

OWNER'S POLICY

SCHEDULE B

Exceptions from Coverage

5. Easement as granted to Drainage District No. 6, Canyon County, Idaho by J.E. Houston and Anna C. Houston recorded May 6, 1951 as Instrument No. 410243, records of Canyon County, Idaho.

"A strip of land 75 feet wide and 3000 feet in length in the Northwest Quarter of the Southeast Quarter and the Northeast Quarter of the Southeast Quarter of Section 31, Township 5 North, Range 4 West of the Boise Meridian, Canyon County, Idaho"

6. Matters in Quitclaim Deeds recorded November 4, 1981 as Instrument Numbers 933143 and 933144, records of Canyon County, Idaho.
7. Easement as granted to Flood Control District No. 11 recorded December 14, 1983 as Instrument No. 994421, records of Canyon County, Idaho.
8. All matters, covenants, conditions, restrictions, easements and any rights, interests or claims which may exist by reason thereof, disclosed by Record of Survey recorded November 28, 1984, as Instrument No. 8428107, but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604(c).
9. A portion of this property appears to have been acquired by accretion or avulsion due to the changes of the mean high water line of the Boise River. This Commitment is issued and accepted on the assumption that title to the alluvion follows that of the abutting property and liability thereon is excepted.
10. Right, Title or Interest or claims thereof to any portion of the land described in Schedule A claimed or asserted by the State of Idaho or by adjacent or adjoining property owners including owners of property located on the opposite side of the Boise River based on changes in the course location meander lines or high water lines of said River.

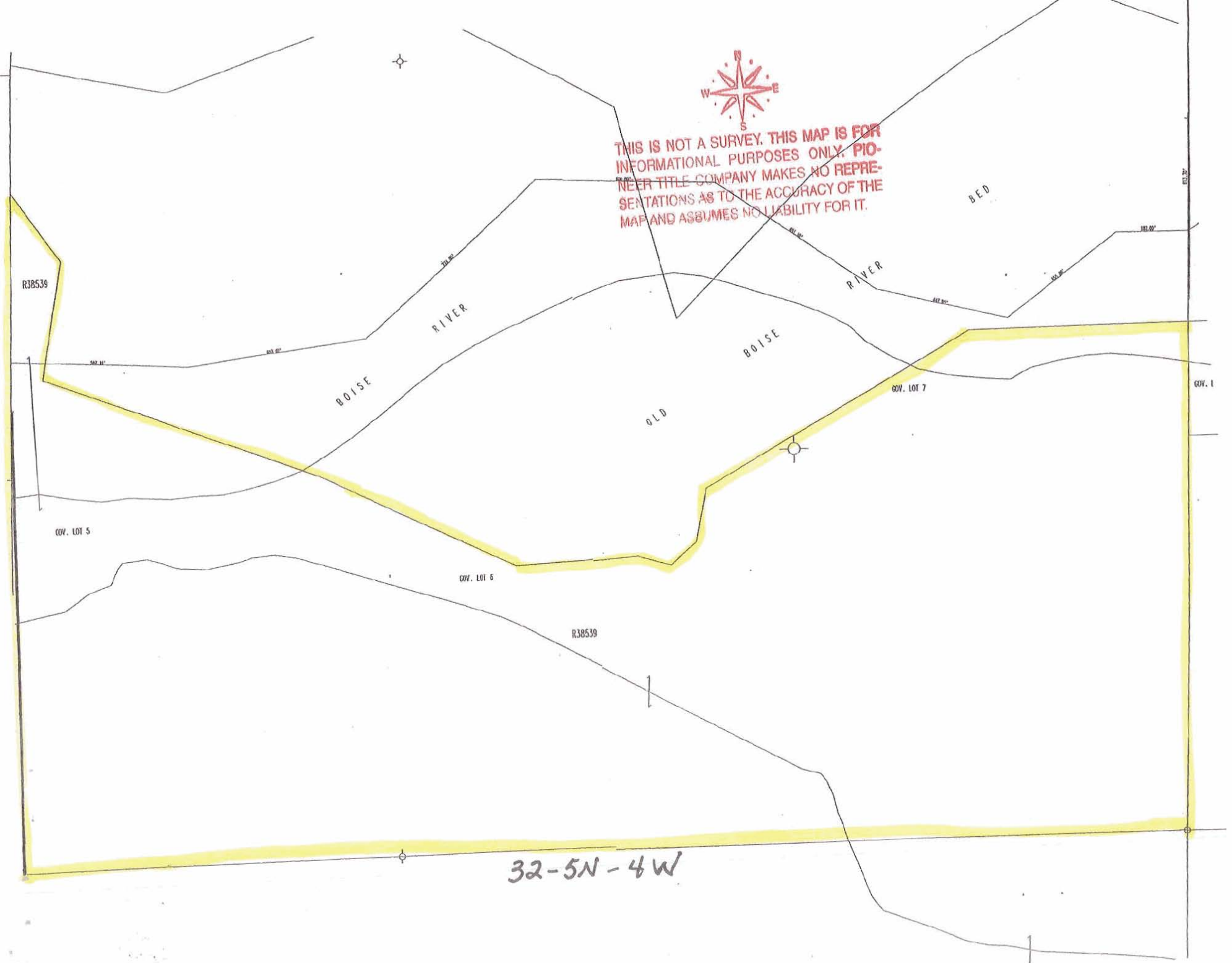
ALTA Owner's Policy Form B 1987 (Amended 10/17/92)

This Policy is invalid unless the cover sheet and Schedule A are attached.

Schedule B consists of 2 page(s)



THIS IS NOT A SURVEY. THIS MAP IS FOR
INFORMATIONAL PURPOSES ONLY. PIONEER
TITLE COMPANY MAKES NO REPRESENTATIONS
AS TO THE ACCURACY OF THE MAP AND ASSUMES
NO LIABILITY FOR IT.





THIS IS NOT A SURVEY. THIS MAP IS FOR INFORMATIONAL PURPOSES ONLY. PIONEER TITLE COMPANY MAKES NO REPRESENTATIONS AS TO THE ACCURACY OF THE MAP AND ASSUMES NO LIABILITY FOR IT.

Baise
RIVER

R38523010

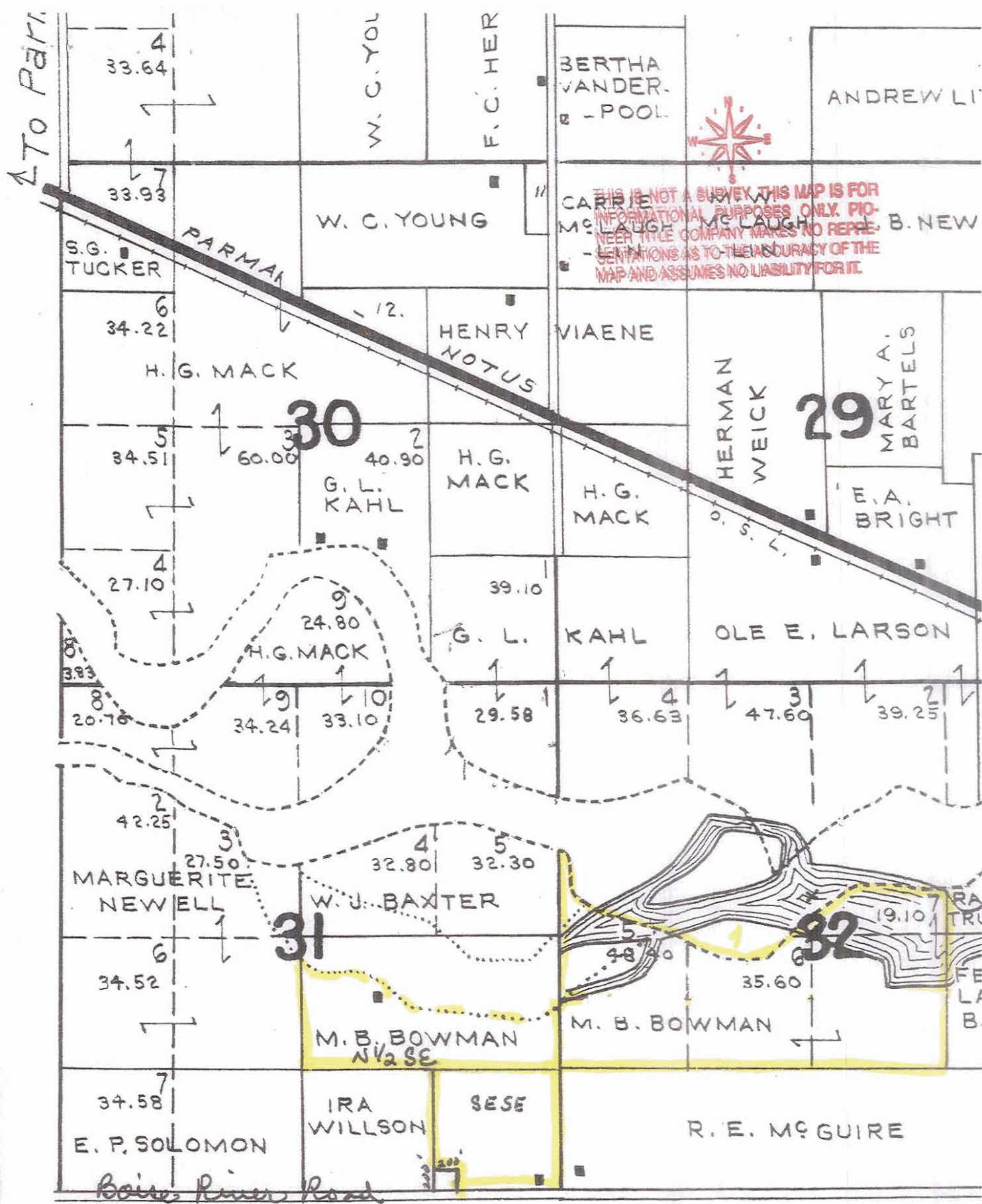
R38525

R38527

SESE

Baise River Road

31-5N-4W



NOTE: MAP SHOWS 1938 RIVER SURV
COMPLETED TIME MAP WAS MADE