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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)
29-07066					

RECEIVED

JAN 15 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.
 - 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)

AQUA LIFE INC
RT 5 BOX 5053
BUHL, ID 83316

4. New Owner/Claimant(s)

Rowland's INC
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

114 ROWLAND ROAD

City, State and ZIP Code

POCATELLO, ID 83204

New Telephone Number

(208) 251-2627 Email: Bob.Rowland@IDANE

5. Date you acquired the property OCT 1, 1962

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) Rowland's Inc BO Bob Rowland, Pres
(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 _____ AJ

Date 1-15-09
 Date 1-15-09
 Date _____

Receipt Amt. \$25.00
 Receipt No. 6034719
 WR _____ Date _____

Rowland's Inc.

-SINCE 1892-

1141 Rowland Road
Pocatello, ID 83204-7416

Phone: ~~(208) 251-1281~~ (208) 251-2627

January 15, 2009

Idaho Department of Water Resources
900 Nth Skyline Ste. A
Idaho Falls, Idaho 83402
Attn: Jonie Bard

OK Data Entered

Dear Jonie:

I have enclosed the following:

1. A completed IDWR "Notice of Change in Water Right Ownership" form
2. A copy of a B&W aerial photograph showing lands of Rowland's Inc.
3. A copy of a color aerial photograph showing lands of Rowland's Inc.
4. A copy of a topographic map indicating the point of diversion.
3. A copy of a Warranty Deed, instrument No. 391868

These documents are submitted in support of requesting a change to the records of the Idaho Department of Water Resources for Water Right Number 29-07066.

Presently, the current owner of Water Right Number 29-07066 is shown on the IDWR records as Thousand Springs Trout Farms Inc. The record should be corrected to show Rowland's Inc. as the owner of Water Right Number 29--07066.

The enclosed copy of a Warranty Deed, dated October 1, 1962 shows the transfer of property from individual Rowland family members to Rowland's Inc., a C corporation formed in 1962. This is the latest deed of record for the property relative to Water Right Number 29-07066. The Warranty Deed clearly shows that the SE1/4 of the SW1/4 of Section 6, Township 6 South, East of the Boise Meridian is the property of Rowland's Inc. The property within the SE 1/4 of the SW 1/4 is the site of a trout farm owned and operated by Rowland's Inc

The diversion point of 44.77 cfs of Baptiste Spring for Water Right Number 29-07066 is in the SE1/4 of the SW1/4, Section 6 South, Range 34 EBM, Power County. The coordinates are : 42°55'27" N, 112°31'65" W. This diversion is for the propagation of fish.

Please note that the enclosed maps, etc. show variable spellings for the source water, i.e. Baptiste, Batiste & Batise. I believe the spelling "Batise" is the correct one as it is shown on documents that I have that are dated prior to 1900.

Thank you for your attention to this matter.

Rowland's Inc


Bob Rowland, President

WARRANTY DEED

THIS INDENTURE, made this 1st day of October 1962, between Verley C. Rowland and Ethel R. Rowland, husband and wife, Thomas B. Rowland and Opal E. Rowland, husband and wife, and Margaret H. Rowland, a single person, all of Pocatello, County of Bannock, State of Idaho, the parties of the first part, and Rowland's, Inc., of Pocatello, County of Bannock, State of Idaho, the party of the second part;

WITNESSETH:

That the said parties of the first part, for and in consideration of the sum of Ten and no/100 Dollars, lawful money of the United States of America, and other valuable consideration, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, do by these presents, Grant, Bargain, Sell and Convey and Confirm unto said party of the second part, and to its successors and assigns forever, all that certain lot, piece or parcel of land situate, lying and being in the County of Bannock and County of Power, State of Idaho, bounded and more particularly described as follows, to-wit:

TRACT 1: Beginning at corner No. 1, which is a blue lava stone 20" x 14" x 6" marked with an "X" on top and set 12" in the ground on the N and S center line of Section six (6), Township six (6) South, Range thirty-four (34) E. B. M. at a point seven hundred and sixty-seven (767) feet southerly from the South one-sixteenth (1/16th) Section corner on the said center line; running thence Southerly on the half section line six hundred and sixty-one (661) feet to the quarter section corner, which is corner No. 2; thence easterly on the section line between Section Six (6) and Section Seven (7), six hundred seventy-eight (678) feet to corner No. 3, which is a pink quartzite stone 16" x 16" x 10" marked with an X on top and set 12" in the ground; thence in a northwesterly direction nine hundred seventy-nine and eight-tenths (979.8) feet to corner No. 1, the place of beginning, the same being a part of the Southwest quarter (SW 1/4) of the South east Quarter (SE 1/4) of Section six (6), Township Six (6) South, Range thirty-four (34) E. B. M. and containing five and fifty-one hundredths (5.51) acres, more or less.

TRACT 2: Beginning at corner No. 1, which is a blue lava stone 18" x 11" x 7" marked with an "X" on top and set 12" in the ground at a point on the west boundary line of Line one, (1), Section Seven (7); Township six (6) South, Range thirty-four (34) E. B. M. seven hundred and three (703) feet south of the Northwest Corner of said Lot one (1); running thence South on the one-sixteenth (1/16th) Section line forming the west boundary of said Lot one (1), seven hundred sixty-four and five tenths (764.5) feet to the southwest corner of said Lot one (1) which is corner No. 2; thence east on the North one-sixteenth (1/16th) section line of Section seven (7), twelve hundred and forty-one feet (1241) to the southeast corner of said Lot one (1), which is corner No. 3; thence north on the section line thirty-three (33) feet to corner No. 4 which is a blue lava stone 8" x 12" x 21" set 12" in the ground

391868

and marked with an "X" on top; thence westerly on a line parallel to the North one-sixteenth (1/16th) section line and thirty-three (33) feet north thereof, four hundred eighteen and two tenths (418.2) feet to corner No. 5, which is a blue lava stone 7" x 11" x 18" set 12" in the ground and marked with an "X" on top; thence in a Northwest-erly direction eleven hundred and ten (1110) feet to the place of be-ginning, the same being a part of lot one (1), of Section seven (7), Township six (6) South, Range thirty-four (34) E. B. M. and contain-ing seven and eighty-five hundredths (7.85) acres more or less.

The intention being to convey hereby all of that portion of Lot one (1), Section Seven (7), and all that portion of the Southwest quarter (SW 1/4) of the Southeast quarter (SE 1/4) of Section six (6), Township six (6) South, Range thirty-four (34) E. B. M. lying on the Southwestern side of a straight line connecting corners 1 and 3 of Tract 1, and corners 1 and 5 of Tract 2, as hereinbefore described, and also a strip thirty-three (33) feet wide along the south line of said Lot one (1) extending to the east boundary line thereof.

Subject to a right of way and easement along and through the lands hereinbefore described as Tract No. 2, for the purpose of laying and maintaining a pipe line from the springs on said land, or from the Portneuf River on said land to the adjoining lands owned by William P. Havenor, and also the right to construct and maintain on said land a pump house or engine house not to exceed twenty (20) feet square, provided that the said William P. Havenor or his assigns shall not interfere with the free use and enjoyment of said land for agricul-tural purposes by the said party of the second part and its assigns.

Also the Lot numbered two (2) of Section Seven (7) in Township six (6) South of Range thirty-four (34) E. B. M. containing forty-four and eighteen hundredths (44.18) acres; save and except that portion of the said Lot 2 described as follows:

Beginning at a point the the N 1/16 line of said Section 7, said point bearing S 89° 43' E, a distance of 595.05 feet from the N 1/16 corner on the Meridional Centerline of said Section 7; thence continuing S 89° 43' E., along said N 1/16 line 85.80 feet; thence N 12° 05' E 254.45 feet; thence N 67° 55' W 131.95 feet; thence S 3° 09' W 298.35 feet, more or less, to the point of beginning; containing 0.67 acre, more or less.

Also the Lot numbered three (3) of Section seven (7) and the south-east quarter (SE 1/4) of the Southwest quarter (SW 1/4) of Section six (6) in Township six (6) South of Range thirty-four (34) E. B. M. containing eighty-three and seventy-four hundredths (83.74) acres.

Also the Lot four (4) Section seven (7), Township six (6) South, Range thirty-four (34) East of the Boise Meridian; also Lot seven (7) Section six (6), Township six (6) South of Range thirty-four (34) East of the Boise Meridian, containing eighty-seven and fifty-four hundredths (87.54) acres

Together with all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances and privileges thereunto incident unto the said party of the second part, and to its successors and assigns forever and the said parties of the first part warrant the said premises in the quiet and peaceable possession of the said party of the second part, its successors and assigns against the said parties of the first part, and their heirs and assigns and against all and every person or persons whomsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals the day and year first above written.

Thomas B Rowland
Opal E. Rowland
Verley C. Rowland
Ethel R. Rowland
Margaret H. Rowland

STATE OF IDAHO)
COUNTY OF BANNOCK) SS:

On this 3 day of May 1963, before me a Notary Public in and for said County and State, personally appeared Verley C. Rowland and Ethel R. Rowland, husband and wife, Thomas B. Rowland and Opal E. Rowland, husband and wife, and Margaret H. Rowland, a single person, known 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.

Wesley J. Menick

and their heirs and assigns and against all and every person or persons whomsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals the day and year first above written.

Thomas B. Rowland

Opal E. Rowland

Verley C. Rowland

Ethel R. Rowland

Margaret H. Rowland

STATE OF IDAHO)

SS:

COUNTY OF BANNOCK)

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

Leslie J. Merrill

NOTARY PUBLIC for the State of Idaho

Residing at Pocatello, Idaho

-3-

391868

NO
RECORDED AT REQUEST OF

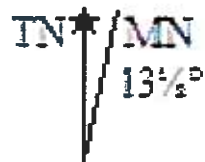
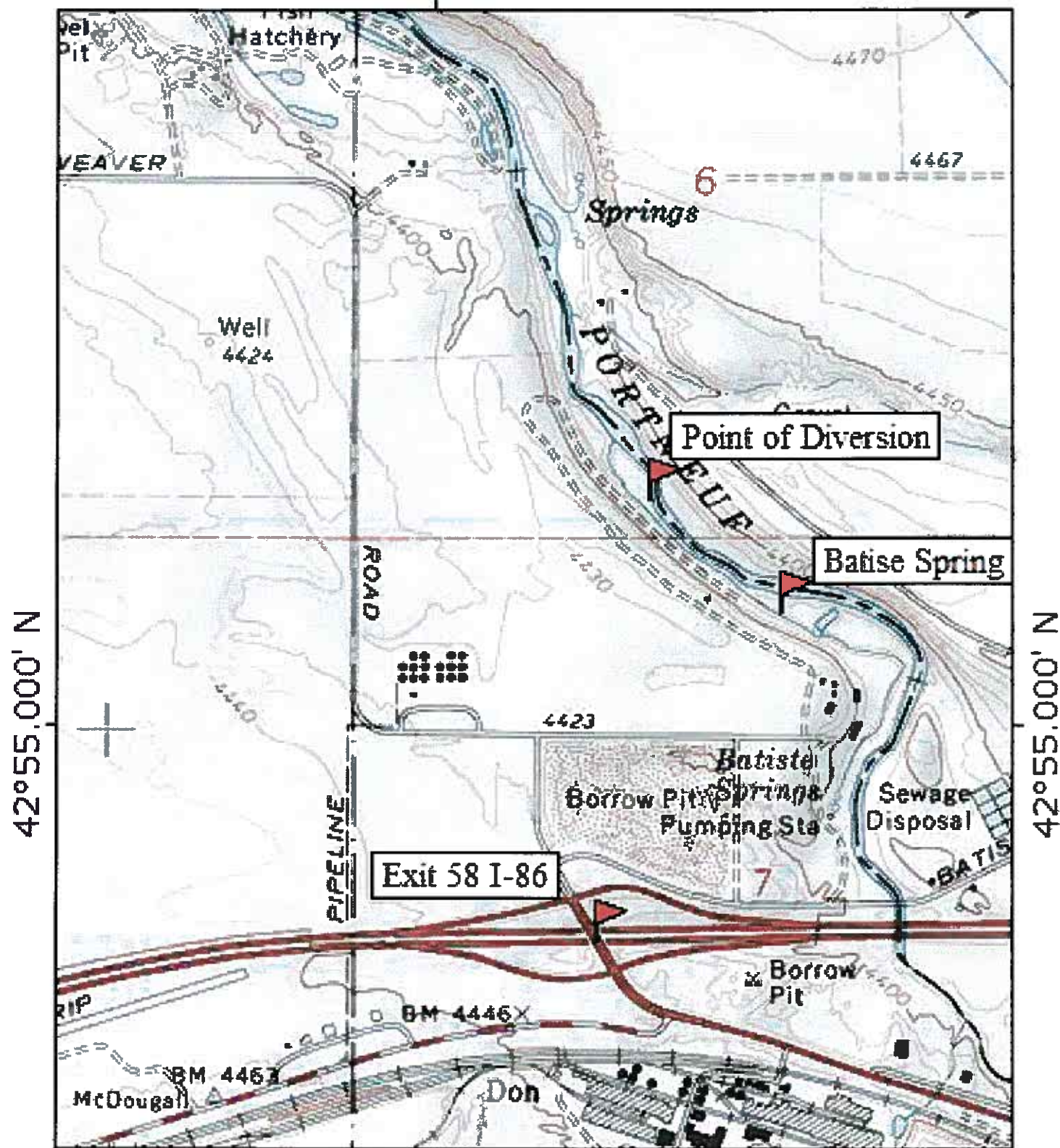
Merrill & Merrill

Spaulding Bldg.-Pocatello

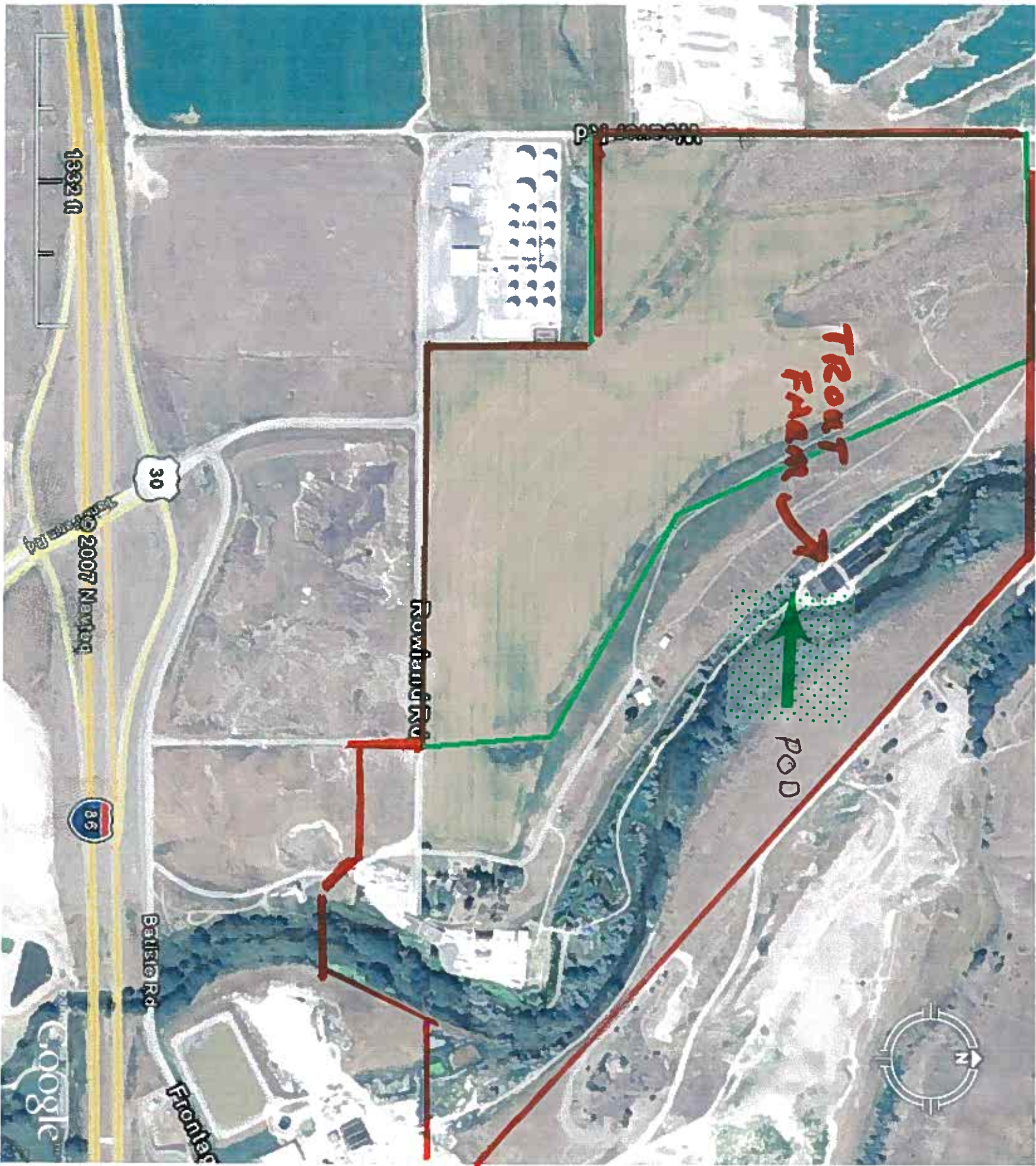
MAY 13 2 11 PM '63

OFFICIAL RECORD BK. NO. 177
BANNOCK COUNTY, IDAHO
CLERK OF COUNTY CLERK

Map printed on 01/15/09 from "Idaho.tpo" and "Untitled.t
WGS84 112°32.000' W



WGS84 112°32.000' W
Map created with TOPO!® ©2002 National Geographic (www.nationalgeographic.com)



TROUT
FARM

POD



30

Frontier Rd

Baustein Rd

Frontier



2007 Mapping



Google

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