

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

DE✓
RECEIVED

JAN 20 2009

**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 67-10540 10-20-08		0			

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)	MANN CREEK CEMETERY c/o JUDY WHRIG 1810 COVE ROAD WEISER, ID 83672
4. New Owner/Claimant(s)	HILLCREST CEMETERY MAINTENANCE DISTRICT
New Mailing Address	PD BOX 415
City, State and ZIP Code	WEISER, ID 83672
New Telephone Number	(208) 414-2692 or (208) 707-0136 or (208) 549-2348

5. Date you acquired the property

July 2, 2007

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)

Low Bruce
Phil Lind

VICE CHAIRMAN
(title if applicable)
COMMISSIONER
(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 *1-20-09*
Date *1-20-09*
Date

Receipt Amt. *\$25*
Receipt No. *W037146*
WR *[Signature]* Date *1-21-09*

This Indenture, Made the Twelfth day of May in the year of our Lord one thousand nine hundred and two, between John L. Michael and Lora S. Michael, husband and wife of the County of Washington - State of Idaho - the parties of the first part, and The Public, for use for Cemetery purposes of the County of Washington - 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 One Dollar, lawful money of the United States of America 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, convey and confirm unto the said party of the second part,

That certain tract or parcel of land, lying and being situate in the lot one in Section - Nineteen, in Township Twelve North of Range Four West of the Boise Meridian, and described as follows:

Beginning at the South East corner of the said lot one in Section Nineteen, Township Twelve North of Range Four West, and from thence run West sixteen feet, thence North on line parallel with East line of said lot one, Four Hundred and Seventeen feet, thence West five hundred and two feet, thence North One Hundred and Ninety feet, thence East Five Hundred and eighteen feet to the East line of said lot one, thence South of the East line of the East line of said lot one, six hundred and seven feet to the place of beginning.

It being understood that the said tract of land is to be used for a public burying ground only.

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

To have and to hold, all and singular, the above mentioned and described premises, together with the appurtenances, unto the said party of the second part.

And the said parties of the first part, and their heirs, the said premises, in the quiet and peaceable possession of the said party of the second part, against the said parties of the first part and their heirs, and against all and every person and 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.

Signed, sealed and delivered in the presence of: }
C. M. Harvey

John L. Michael Seal }
Lora S. Michael Seal }

State of Idaho, -- } ss.
County of Washington }

On this 12th day of May in the year 1902, before me, C. M. Harvey, a Notary Public in and for said County, personally appeared John L. Michael, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same, and on this 12th day of May, in the year 1902, before me, the officer above described, personally appeared Lora S. Michael, known to me to be the person whose name is subscribed to the within instrument, described as a married woman; and upon an examination

without the hearing of her husband, I made her acquainted with the contents of the instrument, and thereupon she acknowledged to me that she executed the same, and that she does not wish to retract such execution.

In Witness Whereof, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

(Seal)

O. M. Harvey -
Notary Public.

Filed for record at request of Frank Smith at 11 o'clock A. M., on May 29th, 1912.

F. F. Smith, -

Fees \$

Ex-officio Recorder.

BEFORE THE BOARD OF COUNTY COMMISSIONERS,
WASHINGTON COUNTY, IDAHO.

In the Matter of the Organization of)
)
HILLCREST CEMETERY MAINTENANCE DISTRICT)

I.

A petition praying for the creation of the Hillcrest Cemetery Maintenance District was duly filed and presented to the Board of County Commissioners of Washington County, Idaho, on June 5, 2006.

II.

Pursuant to the Order of the Board and Notice duly given, hearing was held on July 10, 2006, at which time all persons interested in said petition or hearing objections thereto had an opportunity to express their view. After the hearing, the Board considered any and all objections to the organization of each district, the proposed boundaries thereof and the including or excluding of any real property therefrom.

III.

Thereafter and on the 17th day of July, 2006, the Board made an order granting the petition, and did accordingly fix the boundaries as hereinafter described. The Board ordered that an election be held within said proposed district boundaries on November 7, 2006, for the purpose of determining whether said proposed district with the boundaries fixed by the Board shall be organized under the provisions of Title 27, Chapter 1, of the Idaho Code, into the Hillcrest Cemetery Maintenance District.

Instrument # 206164

STATE OF IDAHO, COUNTY OF WASHINGTON

2007-07-17 03:00:00 No. of Pages: 12

Recorded for : WASHINGTON COUNTY

SHARON WIDNER

Ex-Officio Recorder Deputy

Index to: MSC RECORDING

Fee: 0.00

Lisa M. Knight

IV.

Notice of said election was duly given and published according to the order of the Board and the law, and the election was duly conducted at the time and place ordered.

V.

On November 8, 2006, the returns from said election having been received by the Board, the Board proceeded to canvas the votes and found the votes cast for and against said proposal were as follows:

"Hillcrest Cemetery Maintenance District (Yes) 1652 votes"

"Hillcrest Cemetery Maintenance District (No) 948 votes"

It appearing therefrom that more than one half of the votes cast are "Hillcrest Cemetery maintenance District, Yes."

VI.

That the lands within the proposed Hillcrest Cemetery Maintenance District were previously fixed by the Board prior to the election are described on the attached Exhibit "A", which is hereby referred to and by this reference made a part hereof as though set forth in full herein.

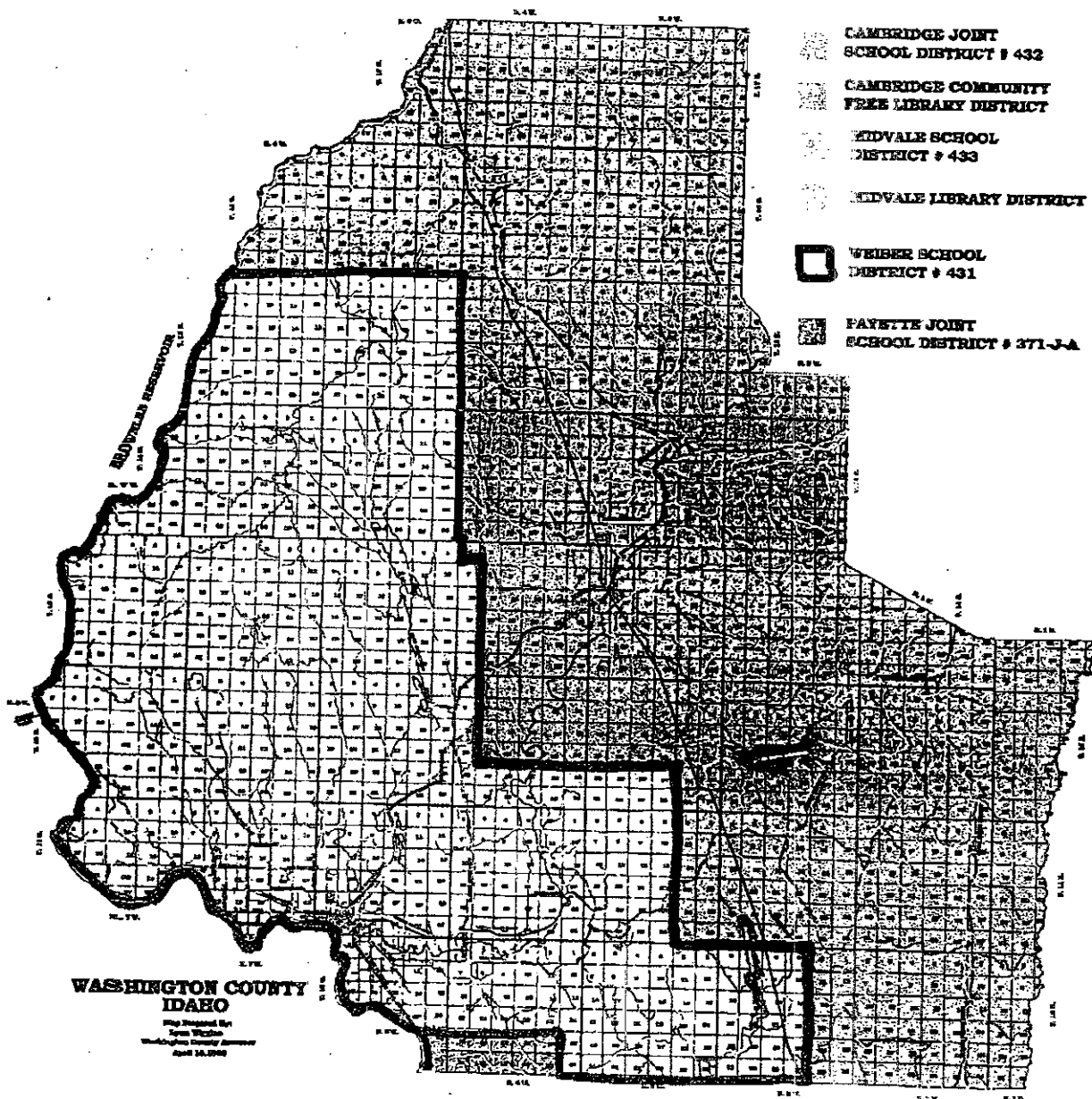
PETITION FOR THE ORGANIZATION OF A CEMETERY MAINTENANCE DISTRICT

We, the owners of real property situated within the boundaries of the proposed cemetery maintenance district hereby petition the Washington County Board of Commissioners to organize a cemetery district to be known as the "Hillcrest Cemetery Maintenance District" whose boundaries are the same as the Weiser School District Boundaries whose boundaries are described as follows:

BEGINNING at the point of intersection of the north line of Twp. 15 N with the boundary line between the states of Idaho and Oregon, said line being the middle of the center channel of the Snake River, which point is approximately the NW corner of Sec. 4, Twp. 15 N, R 6 WBM; thence east along the Washington County line 10 miles to the NE corner of Sec. 1, Twp. 15 N, R 5 WBM; thence south 13 miles to the SW corner of Sec. 6, Twp. 13 N, R 4 WBM; thence east 1 mile; thence south 3 miles to the SE corner of Sec. 19, Twp. 13 N, R 4 WBM; thence west 1/4 mile; thence south 4 & 1/4 miles; thence east 1/4 mile; thence south 1 & 3/4 miles to the SE corner of Sec. 19, Twp. 12 N, R 4 WBM; thence east 9 miles to the NE corner of Sec. 27, Twp. 12 N, R 3 WBM; thence south 8 miles to the SE corner of Sec. 34, Twp. 11 N, R 3 WBM; thence east 6 miles to the NE corner of Sec. 3, Twp. 10 N, R 2 WBM; thence south 6 miles to the county boundary; thence west on the county line to the SE corner of Sec. 35, Twp. 10 N, R 4 WBM; thence north 1 & 3/4 miles to the NE corner of the SE 1/4 NE 1/4 of Sec. 26, Twp. 10 N, R 4 WBM; thence west to the NE corner of the SW 1/4 NW 1/4 of Sec. 25, Twp. 10 N, R 5 WBM; thence south 1/4 mile; thence west to the east side of the Union Pacific Railway right-of-way; thence SE and south along the east side of the right-of-way to the intersection with the north boundary of Sec. 36, Twp. 10 N, R 5 WBM; thence west across the Union Pacific Railway right-of-way to the middle of the center channel of the Snake River, the same being the state boundary line; thence down the main channel of the Snake River to the point of beginning. (See attached map)

Wherefore, we respectfully request that the Washington County Commissioners organize a Cemetery District in accordance with this petition.

Property Owner Printed Name	Signature	Physical Address Of Property	Date Of Signature
✓ Brenda K Gomez	<i>Brenda K Gomez</i>	1810 Cemetery Rd Weiser	4-13-06
✓ Oliver B Widener	<i>Oliver B Widener</i>	1244 West 4th Weiser	4-16-06
✓ Jeff L Widener	<i>Jeff L Widener</i>	973 Jenkins Creek Rd	4/16/06
✓ Sage Rock Ranch LLC	<i>Registered Agent for Sage Rock Ranch LLC</i>	1205 Prairie Rd	4-16-06
✓ Dorothy Widener	<i>Dorothy Widener</i>	1244 W. 4th St	4-16-06
✓ Ida Widener	<i>Ida Widener</i>	973 Jenkins Creek	4-16-06
✓ Evelyn Stover	<i>Evelyn Stover</i>	690 E 4th	4-19-06
✓ Ron McDaniel Jr.	<i>Ron McDaniel Jr.</i>	1010 W 2nd St	4-19-06
✓ Lore Wootton	<i>Lore Wootton</i>	1640 Pioneer Rd.	4-19-06



ORDER

IT IS THEREFORE ORDERED that the territory embraced within the boundaries described in the attached Exhibit "A" is hereby declared to be duly organized as a cemetery maintenance district under the provisions of Title 27, Chapter 1 of the Idaho Code, to be named and designated "Hillcrest Cemetery Maintenance District."

IT IS FURTHER ORDERED that the Hillcrest Cemetery Maintenance District is hereby divided into three commissioner sub-districts, numbered one(1), two(2), and three (3) with the following boundaries set forth, in Exhibit "B".

IT IS FURTHER ORDERED that the Clerk of the Board cause one certified copy of this Order to be filed for record and recorded in the office of the Washington County Recorder and mail one certified copy to the Idaho State Tax Commission and deliver one certified copy to the Washington County Assessor.

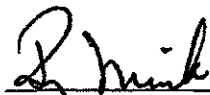
DATED: 7-2-07, 2007.



BOARD OF COUNTY COMMISSIONERS
WASHINGTON COUNTY, IDAHO


Rick Michael, Chairman


Diana L. Thomas


Roy Mink

Attest:  Sharon Mink, Clerk