

Transfer No. 74737

Receipt No. E034518

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

1. Applicant Information FORREST MCKINLEY and KATHLEEN MCKINLEY
7480 W ARCO HWY
IDAHO FALLS ID 83402

Will this transfer result in an ownership change? X Yes No

2. Current Water Right**Part 2 Attached for Each Right**

	Origin/Basis	Rate	Volume	Acre Limit	Total Acres	Source
35-8001A	WR/License	0.10		5.0	51.0	GROUND WATER

3. Purpose of Transfer (Change Proposed)**Part 3A Attached for Each Proposed Right****Part 3B Attached for Each Split Right**

Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
35-8001A	NO	YES	YES	NO	NO	NO

Describe the reason for the proposed changes

applicant purchased a place of use of 4.8 acres and acquired another 0.2 acres of just this water right. this transfer

4. FOR CHANGES IN NATURE OF USE ONLY

A. Describe the expected quantity of the return flows and location of discharge after the proposed change

B. Describe the effects on other water uses resulting from the proposed change

5. Total Amounts Transferred

	Rate	Acre Limit	Total Acres	Volume
35-8001A	0.10 cfs	5.0	5.0	
TOTAL	0.10 cfs		5.0	20.0 af

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**STATE OF IDAHO
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APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in voiding its approval.

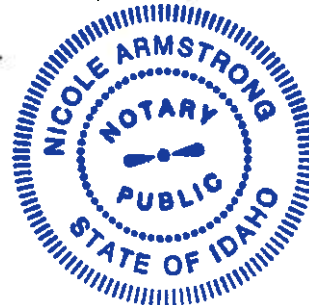
ABM Kathleen McKinley
(Signature of Applicant)

Land owners
(Title or Office)

Subscribed and sworn to before me this *17th* day of *September*, 20*08*.

Nicole Armstrong
(Notary Public)

My commission expires *1-11-2012*



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**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 35-8001A

Priority Date: October 26, 1981

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/01 11/01	0.10 CFS		
	Total Diversion	0.10 CFS		

Source and Point(s) of Diversion:

GROUND WATER	NWNENW	Sec. 13 Twp 02N	Rge 36E	BONNEVILLE County
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GROUND WATER	NWNWNW	Sec. 13 Twp 02N	Rge 36E	BONNEVILLE County
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PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N 36E 13					29.0	20.0	1.0	1.0									51.0

Total Acres: 51

Conditions/Remarks:

1. THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
2. USE OF THIS RIGHT WITH RIGHT NO. 35-08001B IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 204 AF.
3. USE OF THIS RIGHT WITH RIGHT NO. 35-08001B IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 51 ACRES IN A SINGLE IRRIGATION SEASON.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 5 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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4. RIGHT NO. 35-08001B IS ALSO DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE.
5. RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
6. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

NO

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

NO CHANGE

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 35-8001A

Priority Date: October 26, 1981

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01 11/01	0.10 CFS		
	Total Diversion	0.10 CFS		

Source and Point(s) of Diversion:

~~GROUND WATER NWNENW Sec. 13 Twp 02N Rge 36E BONNEVILLE
County~~

GROUND WATER NWNWNW Sec. 13 Twp 02N Rge 36E BONNEVILLE
County

Describe the proposed diversion system

Point of Diversion # 1 2 WELLS, 8in CASING, 360ft DEEP, 20 HP SUB. PUMP AND 75 HP PUMP

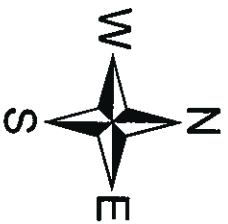
Point of Diversion # 2 2 WELLS, 8in CASING, 360ft DEEP, 20 HP SUB. PUMP AND 75 HP PUMP

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	36E	13																	5.0

Total Acres: 5

CAMPBELL TRANSFER

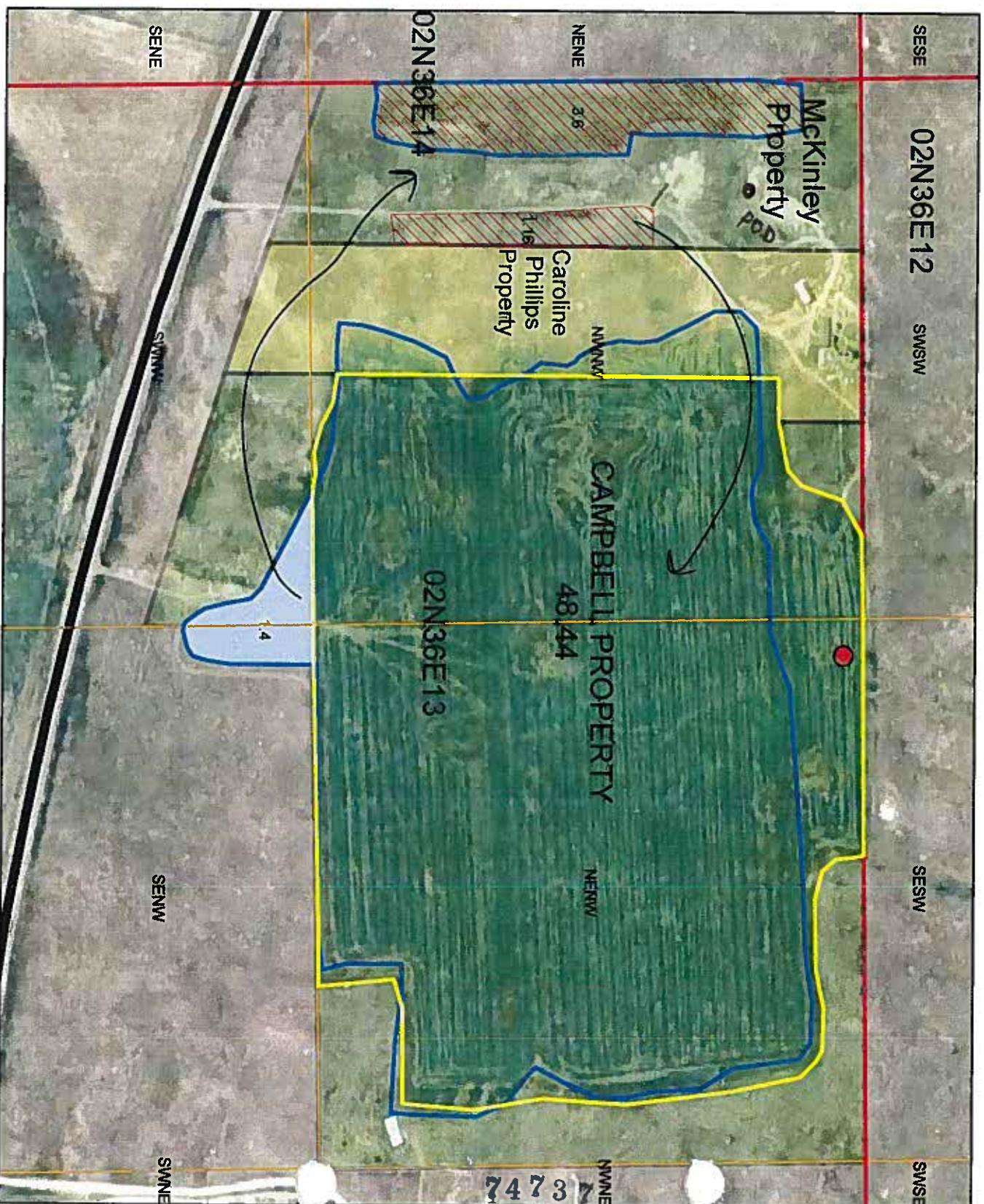


- ## Legend
-  New_POU
 -  Former_POU_8001a/b
 -  Well
 -  Section_Lines
 -  Quarter_Lines
 -  1_4_Acres_8001a/b
 -  West_Property_Rights
 -  Campbell/Mck_Property
 -  Phillips_Property
 -  Highway_20

2428

SCANNED
JUL 31 2008

Prepared by:
Robert L. Harris
April 5, 2008
2004 NAIP Aerial Photo



RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
2004 Jennie Lee Drive
Idaho Falls, ID 83404

BONNEVILLE COUNTY RECORDER
1280489 OCT19 07 PM 2 26

INSTRUMENT NO.	1280489
DATE	10-18-07
INST. CODE	2 26
IMAGED PGS	3
FEE	5.00
STATE OF IDAHO	SS
COUNTY OF BONNEVILLE	
I hereby certify that the within instrument was recorded.	
Recorded by	Ronald L. Campbell, County Recorder
By	<i>[Signature]</i>
Deputy	
Request of	FATCO

Space Above This Line for Recorder's Use Only

WARRANTY DEED

For Value Received, Derlin L. Campbell and DeOn L. Campbell, husband and wife, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto Forrest B. McKinley and Kathleen M. McKinley, husband and wife, hereinafter called the Grantee, whose current address is 7480 W Arco Highway, Idaho Falls, ID 83402, the following described premises, situated in Bonneville County, Idaho, to-wit:

BEGINNING AT THE NORTHWEST CORNER OF SECTION 13, TOWNSHIP 2 NORTH, RANGE 36, EAST OF THE BOISE MERIDIAN, BONNEVILLE COUNTY, IDAHO, AND RUNNING THENCE NORTH 89°29'50" EAST 416.00 FEET ALONG THE SECTION LINE; THENCE SOUTH 00°05'29" WEST 1422.79 FEET TO A POINT OF A CURVE ON THE NORTHERLY RIGHT OF WAY OF US HIGHWAY 20; THENCE ALONG SAID CURVE TO THE RIGHT A DISTANCE OF 444.13 FEET, SAID CURVE HAVING A RADIUS OF 11289.16 FEET, A CENTRAL ANGLE OF 2°15'36" AND A CHORD WHICH BEARS NORTH 69°24'38" WEST 444.10 FEET TO THE SECTION LINE; THENCE NORTH 00°05'29" EAST 1262.97 FEET ALONG THE SECTION LINE TO THE POINT OF BEGINNING.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to 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 said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

EXCEPTING AND RESERVING ALL WATER RIGHTS APPURTENANT TO THE ABOVE-DESCRIBED PROPERTY EXCEPT FOR THE FOLLOWING PORTION OF WATER RIGHT NOS. 35-8001A AND 35-8001B, WHICH SHALL BE CONVEYED TO THE GRANTEE: .07 CFS AND 14.4 ACRE FEET PER ANNUM FOR THE IRRIGATION OF 3.6 ACRES.

[Signature]
Derlin L. Campbell

[Signature]
DeOn L. Campbell

STATE OF Idaho)
COUNTY OF Bonneville)

On this Eighteenth day of October, 2007, before me, a Notary Public in and for said State, personally appeared Derlin L. Campbell and DeOn L. Campbell, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.



[Signature]
Notary Public for the State of Idaho
Residing at: Idaho Falls, ID
My Commission Expires: 1-27-11

229563-IF
First American Title Co.
2004 Jennie Lee Dr.
P.O. Box 3432
Idaho Falls, ID 83404

**QUITCLAIM DEED
FOR
WATER RIGHTS**

THIS INDENTURE is made this 25 day of March, 2008, between Derlin and DeOn Campbell, husband and wife, referred to herein as the "GRANTOR" and Forrest B. McKinley and Kathleen M. McKinley, husband and wife, referred to as the "GRANTEE",

WITNESSETH, that the GRANTOR, for an in consideration of the sum of Ten and No/100 Dollars (\$10.00) lawful money of the United States of America and other good and valuable consideration to GRANTOR, in hand paid by the GRANTEE, the receipt whereof is hereby acknowledged, does by these presents remise, release and forever QUITCLAIM unto the GRANTEE, and to GRANTEE's successors and assigns forever, all right, title and interest now owned or hereafter acquired by the Grantor in all the following described water rights or portions thereof in the County of Bonneville, State of Idaho, to-wit:

A portion of Water Right Nos. 35-8001A and 35-8001B in the amount of .03 cfs and 5.6 acre-feet per annum for the irrigation of 1.4 acres which is identified in the attached Exhibit A.

TOGETHER, with the tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining, and any reversions, remainders, or rents, issues and profits therefrom.

TO HAVE AND TO HOLD the said water rights unto the GRANTEE, and to GRANTEE's successors and assigns forever.

In construing this Quitclaim Deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the GRANTOR has executed the within instrument the day and year first above written.

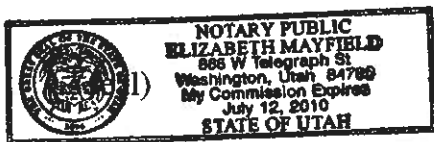
Derlin Campbell
Derlin Campbell

DeOn L. Campbell
DeOn Campbell

STATE OF UTAH)
)ss.
County of Washington)

On the 25 day of March, 2008, before me, the undersigned, a notary public in and for said State, personally appeared Derlin and DeOn Campbell, husband and wife, 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.

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



Elizabeth Mayfield
Notary Public for ~~Idaho~~ Utah
Residing at: 888 W. Telegraph St. Washington, Utah
My Commission Expires: 7/12/2010

G:\WPDATA\RLH14041 Campbell, Derlin & DeOn\6 Water Right Docs\QCD.McKinley.1.4Acres.wpd:cdv

DERLIN CAMPBELL
JUL 21 2008