

Transfer No. 74908

Receipt No. 5030282

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

1. Applicant Information PATRICIA A RAINS
1326 S 2100 E
GOODING ID 83330
(208)731-4717

RECEIVED
JUL 07 2008
DEPT. OF WATER RESOURCES
SOUTHERN REGION

Will this transfer result in an ownership change? ☒ Yes ☐ No

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

	Origin/Basis	Rate	Volume	Acre Limit	Total Acres	Source
37-12611	WR/Beneficial Use	0.07				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
37-12611	NO	YES	YES	NO	NO	NO

Describe the reason for the proposed changes

Application filed to correct the POD & POU legal descriptions on partial decree 37-12611 to reflect the actual historical locations.

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**

N/A

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

N/A

5. Total Amounts Transferred

	Rate	Acre Limit	Total Acres	Volume
37-12611	0.07 cfs			
TOTAL	0.07 cfs			

Transfer No. 74908

Receipt No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
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.



Patricia A. Rains

(Signature of Applicant)

(Title or Office)

Subscribed and sworn to before me this 7th day of July, 2008.

Mary A. Baldwin

(Notary Public)

My commission expires 10/16/2010

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

Current Water Right No. 37-12611

Priority Date: March 01, 1908

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
STOCKWATER	1/01	12/31	0.03 CFS		
DOMESTIC	1/01	12/31	0.04 CFS		
	Total Diversion		0.07 CFS		

Source and Point(s) of Diversion:

GROUND WATER NWNENW Sec. 10 Twp 05S Rge 15E GOODING County

PLACE OF USE: STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S	15E	10						X											

PLACE OF USE: DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S	15E	10						X											

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. THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Page 4

3. THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
4. STOCKWATER, 100 HEAD PARCEL NO. 05S15E102400A.

Documentation of Ownership of the Current Place of Use

WARRANTY DEED & QUITCLAIM DEEDS

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 actual physical change. Application filed to correct the POD & POU legal descriptions on the partial decree.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?
NO

Proposed Water Right No. 37-12611

Source: GROUND WATER

GROUND WATER SWNWNW Sec. 10 Twp 05S Rge 15E GOODING County

PLACE OF USE: STOCKWATER

PLACE OF USE: DOMESTIC

[illegible]

05S15E4

05S15E3

05S15E9

05S15E10

PLACE
OF
USE

POINT OF
DIVERSION



QUIT CLAIM DEED

Instrument # 223831

GOODING, GOODING, IDAHO

2007-10-16

11:12:39 No. of Pages: 2

Recorded for : RAINS, PATRICIA A

DENISE M. GILL

Fee: 6.00

Ex-Officio Recorder Deputy

DL

FOR VALUE RECEIVED

DORIS O. ROBERTSON, a widow

GRANTOR

Hereby Convey, Release, Remise and Forever Quitclaim Unto

PATRICIA A. RAINS, an unmarried woman

GRANTEE

Whose address is: **1326 S. 2100 E., GOODING, ID 83330**

The following described premises, to-wit:

See Exhibit "A"

TOGETHER WITH 37-12611

Dated: OCTOBER 15, 2007

Doris O. Robertson

DORIS O. ROBERTSON

State of IDAHO

County of

Gooding

} ss.
}

On this 15th day of OCTOBER, 2007, before me, the undersigned, a notary public in and for said state, personally appeared **DORIS O. ROBERTSON**, 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.

WITNESS my hand and official seal.

Nancy A. Staldberg
Notary Public
Residing At *Sanfield*
Commission Expires: *9-15-11*

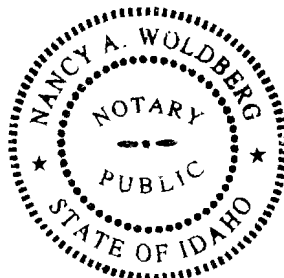


EXHIBIT "A"

Township 5 South, Range 15 East of the Boise Meridian, Gooding County, Idaho.

Section 10: A parcel of land located in the Northwest Quarter of the Northwest Quarter, more particularly described as follows:

BEGINNING at the Northwest corner of said Section 10;
THENCE South 0°00'00" West 778.16 feet along the Westerly boundary of said Section 10 to THE TRUE POINT OF BEGINNING;
THENCE North 85°25'29" East 481.74 feet;
THENCE South 3°30'49" West 313.45 feet;
THENCE South 89°44'06" East 226.24 feet;
THENCE South 14°19'03" West 282.83 feet to the Southerly boundary of said Northwest Quarter of the Northwest Quarter;
THENCE North 89°56'09" West 617.29 feet along the Southerly boundary of said Northwest Quarter of the Northwest Quarter to the Southwest corner of said Northwest Quarter of the Northwest Quarter;
THENCE North 0°00'00" East 548.84 feet along the Westerly boundary of said Northwest Quarter of the Northwest Quarter to the TRUE POINT OF BEGINNING.

SUBJECT TO the rights of a public road which affects the Westerly 25.00 feet thereof.

CERTIFICATE OF VITAL RECORD

STATE OF IDAHO
IDAHO DEPARTMENT OF HEALTH AND WELFARE
BUREAU OF VITAL RECORDS AND HEALTH STATISTICS
CERTIFICATE OF DEATH

Date Filed **DECEMBER 07, 2001**

State File No. **2001-08595**

DECEDENT - NAME JOHN CULLEN ROBERTSON				AGE 84 YEARS	
DATE OF DEATH NOV. 29, 2001		SEX MALE	SOCIAL SECURITY NUMBER [REDACTED]	DATE OF BIRTH JUNE 16, 1917	BIRTHPLACE IDAHO
WAS DECEDENT EVER IN U.S. ARMED FORCES? YES	MARITAL STATUS MARRIED	SURVIVING SPOUSE (if wife, maiden name) DORIS TRACY		CITY, TOWN OR LOCATION OF DEATH GOODING, IDAHO	
RESIDENCE STATE IDAHO		CITY, TOWN OR LOCATION GOODING			
FATHER - NAME JOHN C ROBERTSON					BIRTHPLACE MISSISSIPPI
MOTHER - FULL MAIDEN NAME MABEL L. TIBBS					BIRTHPLACE OHIO
NAME AND ADDRESS OF MORTUARY DEMARAY FUNERAL SERVICE, GOODING, IDAHO					
FUNERAL SERVICE LICENSEE DOWELL DEMARAY					
METHOD OF DISPOSITION BURIAL		TIME OF DEATH 11:10 A.M.		MANNER OF DEATH NATURAL	
CAUSE OF DEATH (underlying cause last) a. CHRONIC OBSTRUCTIVE PULMONARY DISEASE					Approximate Interval Between Onset and Death 10 YEARS
DUE TO (or as a consequence of): b. END STAGE DEGENERATIVE JOINT DISEASE					10 YEARS
DUE TO (or as a consequence of): c. RHEUMATOID ARTHRITIS					10 YEARS
DUE TO (or as a consequence of): d. CHRONIC PAIN SECONDARY TO SPINAL FRACTURES					5 YEARS
OTHER SIGNIFICANT CONDITIONS CONTRIBUTING TO DEATH but not resulting in the underlying cause given above PULMONARY HYPERTENSION					AUTOPSY PERFORMED? NO
NAME OF CERTIFIER REID WAYNE LOFGAN, D.O.				TITLE OF CERTIFIER PHYSICIAN	
CORONER REVIEW AREA					
ACTION				NAME	
EXTERNAL CAUSES ONLY					
DATE OF INJURY		HOUR OF INJURY		INJURY AT WORK?	
DESCRIPTION OF HOW INJURY OCCURRED					
PLACE OF INJURY		LOCATION OF INJURY			

This is a true and correct reproduction of the document officially registered and placed on file with the IDAHO BUREAU OF VITAL RECORDS AND HEALTH STATISTICS.

DATE ISSUED: **JANUARY 10, 2002**

This copy is not valid unless prepared on engraved border displaying state seal and signature of the Registrar.

Jane S. Smith
JANE S. SMITH
STATE REGISTRAR



WARRANTY DEED

#GG-07223

For Value Received

William D. Chasteen and Julie Chasteen, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

Bootjack Limited Partnership, an Idaho Limited Partnership
Address: P.O. Box 856, Shoshone, ID 83352

Hereinafter called the Grantee, the following described premises situated in Gooding County, Idaho, to-wit:

TOWNSHIP 5 SOUTH, RANGE 15, EAST OF THE BOISE MERIDIAN, - GOODING COUNTY, IDAHO

Section 10: N $\frac{1}{2}$ NW $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$;

EXCEPTING THEREFROM a parcel of land located in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, described as follows:

Beginning at the Northwest corner of said Section 10;

**Thence South 0°00'00" West, 778.15 feet along the Westerly boundary of said Section 10 to
THE TRUE POINT OF BEGINNING;**

Thence North 85°25'29" East, 481.74 feet;

Thence South 3°30'49" West, 313.45 feet;

Thence South 89°44'06" East, 226.24 feet;

Thence South 14°19'03" West, 282.83 feet to the Southerly boundary of said NW $\frac{1}{4}$ NW $\frac{1}{4}$;

**Thence North 89°56'09" West, 617.29 feet along the Southerly boundary of said NW $\frac{1}{4}$ NW $\frac{1}{4}$ to
the Southwest corner of said N $\frac{1}{2}$ NW $\frac{1}{4}$;**

**Thence North 0°00'00" East, 548.84 feet along the Westerly boundary of said NW $\frac{1}{4}$ NW $\frac{1}{4}$ to
THE TRUE POINT OF BEGINNING.**

SUBJECT TO the rights of a public road which affects the Westerly 25.00 feet thereof.

**TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto
including but not limited to 60.0 Shares of Capital Stock of the Big Wood Canal Company and 33 Shares of the
American Falls Reservoir District No. 2.**

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Taxes for 2006 and subsequent years, taxes are an accruing lien, not yet due or payable.

Instrument # 216308

GOODING, GOODING, IDAHO

2006-05-11 02:28:52 No. of Pages: 2

Recorded for : LAND TITLE

DENISE M. GILL

Fee: 6.00

Ex-Officio Recorder Deputy



Page 2 of Warranty Deed

Assessments of the American Falls Reservoir District No. 2 and the rights and powers of said District as by law provided.

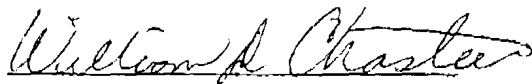
Assessments of the Big Wood Canal Company and the rights and powers of said Company as by law provided.

Right of way for canals, laterals and waste ditches of Big Wood Canal Company.

Power Line Easement given by William D. Chasteen and Julie J. Chasteen to Idaho Power Company, a corporation, dated February 26, 1998, recorded October 6, 1998 as Instrument Number 177438, Gooding County records, affecting a parcel of land in the NW¼ Section 10, T5S, R15E, BM, Gooding County, Idaho.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The 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 incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: May 10, 2006



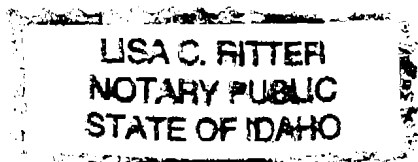
William D. Chasteen

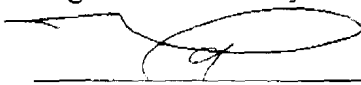

Julie Chasteen

STATE OF IDAHO)
) ss.

COUNTY OF Gooding)

On this 10 day of May, 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared **William D. Chasteen and Julie Chasteen**, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.





Notary Public
Residing at: Hagerman, ID
My Commission expires: 10/8/10

For Value Received

Hereinafter called the grantor, hereby remises, releases, and forever Quitclaims unto

Hereinafter called the grantee, the following described premises, in **Gooding** County, Idaho to-wit:

Together with Water Right Number 37-12611 from the Idaho Department of Water Resources.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto said Grantee, and the grantee's heirs and assigns forever.

Hershel Kerner, General Partner

Sharon Kerner, General Partner

Ex-Officio Recorder Deputy

02-23-2011

EXHIBIT "A"

Township 5 South, Range 15 East of the Boise Meridian, Gooding County, Idaho.

Section 10: A parcel of land located in the Northwest Quarter of the Northwest Quarter, more particularly described as follows:

BEGINNING at the Northwest corner of said Section 10;
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SUBJECT TO the rights of a public road which affects the Westerly 25.00 feet thereof.

6040297



SPECIAL CORPORATE WARRANTY DEED

ASSET # 506109

FOR VALUE RECEIVED,

Federal Home Loan Mortgage Corporation, organized and existing under the laws of the United States of America
a corporation duly organized and existing under the laws of the State of Idaho, grantor, does hereby Grant, Bargain, Sell
and Convey unto

Patricia A. Rains, an unmarried person

whose address is: 1326 South 2100 East, Gooding, ID 83330
grantee, the following described real estate, to-wit:

See Exhibit "A" attached hereto and made a part hereof for
legal description consisting of one page.

SUBJECT TO current years taxes, irrigation district assessment, public utility easements, subdivision restrictions and
U.S. patent reservations.

TO HAVE AND TO HOLD The said premises, with their appurtenances unto the said Grantee, his heirs and assigns
forever. And the said Grantor does hereby covenant to and with the said Grantee, that it is the owner in a fee simple of
said premises; that they are free from all encumbrances and that it will warrant and defend the same from all lawful claims
whatsoever, except as to the reservations from and exceptions to warranty when the claim is by, through or under Grantor,
but not otherwise.

IN WITNESS WHEREOF, The Grantor, pursuant to a resolution of its Board of Directors has caused its corporate
name to be hereunto subscribed by its President this 28 day of June, 2004

Federal Home Loan Mortgage Corporation

Instrument # 207008

GOODING, GOODING, IDAHO

2004-07-01

04:17:05

No. of Pages: 2

Recorded for: GOODING TITLE

HELEN EDWARDS

Fee: 6.00

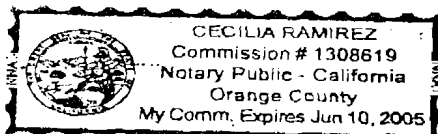
Ex-Officio Recorder Deputy

By 
Burrow Closing Management Corporation
as attorney-in fact

JULIO GONZALEZ, CLOSING COORDINATOR

STATE OF CALIFORNIA)
COUNTY OF ORANGE) SS

On this 28 day of JUNE in the year 2004, before me, a
Notary Public in and for said State, personally appeared JULIO GONZALEZ
of Burrow Closing Management Corporation, known or identified to me to be the
person whose name is subscribed to the within Instrument as the attorney-in-fact
of Federal Home Loan Mortgage Corporation, and acknowledged to me that such
Corporation executed the same, and acknowledged to me that subscribed the name
of Federal Home Loan Mortgage Corporation, thereto as principal and own name
as attorney-in-fact.



Notary Public of CALIFORNIA
Residing at ORANGE
Commission Expires: JUNE 10, 2005

First American Title Company of Idaho

EXHIBIT "A"

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