

Transfer No. 74709
 Receipt No.E033925

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

1. Applicant Information DON E BROWN
 280 N 4570 E
 RIBGY ID 83442
 (208) 538-6835
 And
 LUAINA BROWN
 280 N 4570 E
 RIGBY ID 83442
 (208) 538-6835

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
25-4305	WR/Beneficial Use	2.27	454.4		113.6	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
25-4305	NO	YES	YES	NO	NO	NO

Describe the reason for the proposed changes

Moving point of diversion to current location of pump.

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

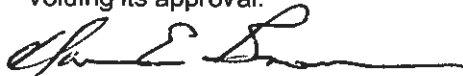
	Rate	Acre Limit	Total Acres	Volume
25-4305	2.27 cfs		113.6	454.4 af
TOTAL	2.27 cfs		113.6	454.4 af

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**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.

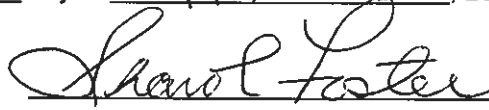



(Signature of Applicant)

4-4-08

(Title or Office)

Subscribed and sworn to before me this 4th day of April, 2008.


(Notary Public)

My commission expires 5-5-09



Transfer No. 74709

Receipt No. _____

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

Current Water Right No. 25-4305

Priority Date: May 01, 1949

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>
IRRIGATION	04/01 10/31	2.27 CFS	454.4 AFA	
	Total Diversion	2.27 CFS	454.4 AFA	

Source and Point(s) of Diversion:

GROUND WATER SESW Sec. 17 Twp 04N Rge 40E JEFFERSON
County

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		
04N	40E	17						1.4				.1	27.0	38.0	22.0					88.5
								L 3				L 2								
04N	40E	18																2.1		2.1
04N	40E	20								23.0										23.0

Total Acres: 113.6

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.

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Documentation of Ownership of the Current Place of Use *Quit Claim*

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*

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

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

Proposed Water Right No. 25-4305

Priority Date: May 01, 1949
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 10/31	2.27 CFS	454.4 AFA	
	Total Diversion	2.27 CFS	454.4 AFA	

Source and Point(s) of Diversion:

GROUND WATER NWNW Sec. 20 Twp 04N Rge 40E JEFFERSON
County

Describe the proposed diversion system

Point of Diversion # 1 pump mainline and sprinkler system

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	
04N 40E 17									5.7 L 2	5.9	36.0	36.0					83.6
04N 40E 20					15.0	15.0											30.0

Total Acres: 113.6



New P.O.D.

New P.O.D.

25-4305

AFFIDAVIT

STATE OF UTAH

County of

)
) ss.
)

DON E. BROWN and LUAINE BROWN, being first duly sworn, deposes and says:

1. That on April 5, 1995, G. Ruth Brown, executed a Quit Claim Deed to Don E. Brown and Luaina Brown, which was recorded in Jefferson County, Idaho, on June 19, 1996, Recording No. 281257.

2. That at the time said Quite Claim Deed was executed, G. Ruth Brown was extremely ill and believed it to be in her best interest at that time to convey the real property located in Jefferson County to Don E. Brown, her only child and only heir, and my wife, Luaina Brown.

3. That my mother, G. Ruth Brown, continued to live on said property until her death on September 19, 1996.

4. That by virtue of a Will executed by G. Ruth Brown, Don Brown is the sole heir and devisee and will inherit the real estate described in the Quit Claim Deed irregardless of the Quit Claim Deed.

5. Said Quit Claim Deed was signed and recorded in error and both of us disclaim, nulify and reject said conveyance.

6. That G. Ruth Brown's estate will be probated in Jefferson County, Idaho, according to Idaho law and a Personal Representative's Deed will be executed at the appropriate time and in accordance with Idaho law.

DATED this 22 day of September, 1998.

Microfilm No. **293179**
24 Day September 19 98
At 11:30 o'clock AM
CONNIE M. KELLER
Jefferson Co. Recorder
Fee \$ 6.00 SA Deputy
Received at Request of John Kaden

Don E. Brown
Don E. Brown

Luaina Brown
Luaina Brown

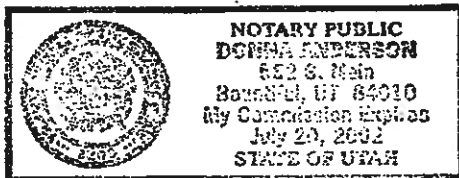
STATE OF UTAH

County of

)
: ss.
)

ON THIS 22 day of September, 1998, before me, a Notary Public in and for said State of Utah, personally appeared DON BROWN and LUAINA BROWN known to me to be the persons that executed the same, and acknowledged to me that they executed the same.

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



Donna Anderson
Notary Public for Utah
Residing at:
My commission expires:

Recorded at the request of Don E. Brown. Mail tax notices to Don E. Brown, 833 East Mill Street, Bountiful, UT 84010.

Recorded by _____ Book _____ Page _____ Ref.: _____

QUIT-CLAIM DEED

G. Ruth Brown, Grantor, of Bountiful, Davis County, State of Utah, hereby QUIT-CLAIMS to Don E. Brown and Luaina Brown, as joint tenants with rights of survivorship, Grantees, of Bountiful, Davis County, State of Utah, for the sum of Ten Dollars and other good and valuable consideration, the following tracts of land in Jefferson County, State of Idaho:

Parcel 1: The north one-half of the northwest quarter of Section 20, Township 4 North, Range 40 EBM.

Parcel 2: Lots 2, 3 and the west one-half of the southwest quarter; and the southeast quarter of the southwest quarter of Section 17, Township 4 North, Range 40 EBM.

Parcel 3: That certain part of the southeast quarter of the southeast quarter lying north and east of Lowder Slough of Section 18, Township 4 North, Range 40 EBM.

Parcel 4: A parcel 17 by 13 rods in the southwest corner of the northeast quarter of the northeast quarter of Section 19, Township 4 North, Range 40 EBM.

WITNESS the hand of the Grantor, this 5th day of April, 1995:

G. Ruth Brown
G. Ruth Brown, GRANTOR

STATE OF UTAH)
) SS
COUNTY OF SALT LAKE)

On the 5th day of April, 1995, G. Ruth Brown personally appeared before me, a Notary Public of the State of Utah, and acknowledged that she is the signor of the within Quit-Claim deed, and that she executed the same.

Mineral No. 281257
19 On June 1995
at 8:30 o'clock PM
CONNIE M. KELLER
Jefferson Co. Recorder
Fee \$ 3.00 SE Deputy
Recorded at Request of
Don E. Brown

RECEIVED BY
ASSESSOR
For PLATTING
Notary Public
Kirsti A. Jorgenson
Notary Public
STATE OF UTAH
My Comm. Exp. JUN 30, 1996
124 S 600 E SLC UT 84102

C.

Do- Brown H 801 293 -8337

TOTAL P.01