

DE

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED
MAR 13 2008
DEPT. OF WATER RESOURCES
SOUTHERN 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, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s)	Adjudication Claim No(s)	Split	Water Right No(s)	Adjudication Claim No(s)	Split
36-10591					

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 usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **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)

Wally Jerke

2146 E 3100 S Wendell ID 83355

4. New Owner/Claimant(s)

Curtis And Daunya Peterson

Name Connector (Check one): ☒ and, ☐ or, ☐ and/or

New Mailing Address

2146 E. 3100 S. Wendell ID. 83355

City, State and ZIP Code

Wendell, ID 83355

New Telephone Number

(208) 536-5638

5. Date you acquired the property

April 1 1999

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 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 (one water right per box, you may copy this page as 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(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT		
(If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) Curt Peterson
(include title if applicable) _____

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.

For Office Use Only

Received by <u>CB</u>	Date <u>3/13/08</u>	Fee <u>\$2500</u>
Received by <u>CB</u>	Date <u>3/13/08</u>	Receipt No. <u>SC 30064</u>
Processed by _____ AJ	Date _____	WR _____ Date _____

WARRANTY DEED

For Value Received

Wally Jerke and Kathy Jerke, husband and wife

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

Curtis Peterson and Daunya Peterson, husband and wife
Address: 2146 East 3100 South, Wendell, ID 83355

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

SEE SCHEDULE "A" attached hereto:

**Together with all water and water rights, ditches and ditch rights used thereon or appurtenant thereto, including but not limited to 55.00 shares of capital stock in North Side Canal Company, Ltd.

SUBJECT TO:

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

Taxes for 1999 and subsequent years, which are a lien, but not yet due and payable.

Assessments of the North Side Canal Company and the rights and powers of said Company as by law provided.

Right of way for canals, laterals and waste ditches of the North Side Canal Company, Ltd.

Advertising and other restrictions as set forth in Right-of-Way Deed given to State of Idaho, recorded January 5, 1951 in Book 44 of Deeds at Page 246, Gooding County records.

Temporary and Permanent Easements as set forth in Second Judgment and Decree of Condemnation dated June 29, 1971, recorded June 29, 1971 as Instrument Number 36155, Gooding County records.

Easement for road and utilities over the South 25.00 feet of the insured premises.

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: April 5, 1999

Wally Jerke
Wally JerkeKathy Jerke
Kathy Jerke

179931

STATE OF IDAHO COUNTY OF GOODING

Filed for record at the request of Hand Title
29 min. past 1 o'clock p.m. this 7
of April 1999 9:00
By Curtis Stiles DeputySTATE OF IDAHO)
) ss.
COUNTY OF JEROME)On this 5th day of April, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared Wally Jerke and Kathy Jerke, 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.Rick Bernsen
Notary PublicResiding at: Jerome

My Commission expires: 7-30-03

RICK BERNSEN
★ NOTARY PUBLIC ★
STATE OF IDAHO
COMMISSION EXPIRES 7-30-03

SCHEDULE A

Order Number: G-28191

TOWNSHIP 8 SOUTH, RANGE 15 EAST OF THE BOISE MERIDIAN GOODING COUNTY, IDAHO

Section 2: Part of the N $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$ lying South and West of Interstate 80 N, Project No. I-80N-3(22) 159 Highway Survey as shown on the plans thereof now on file in the office of the Department of Highways of the State of Idaho:

AND

Part of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ lying North and East of irrigation lateral or canal S-10 of the North Side Canal Co., Ltd., described as follows:

Beginning at the Northeast corner of said SW $\frac{1}{4}$ SW $\frac{1}{4}$;
Thence West along the North boundary of said SW $\frac{1}{4}$ SW $\frac{1}{4}$, 623.00 feet to the S-10 Canal or lateral of the North Side Canal Co. Ltd.;
Thence in a Southeasterly direction along S-10 Canal to a point on the East boundary of said SW $\frac{1}{4}$ SW $\frac{1}{4}$ which point is 383.00 feet South of the Northeast corner thereof;
Thence North along the East boundary of said SW $\frac{1}{4}$ SW $\frac{1}{4}$, 383.00 feet to THE POINT OF BEGINNING.

EXCEPTING THEREFROM that part of the Southwest Quarter of the Southeast Quarter, more particularly described as follows:

Beginning at the South Quarter corner of Section 2, marked with a 5/8 inch rebar with survey cap;
Thence North 89°59'03" East along the Southerly boundary of Section 2, 644.60 feet to the TRUE POINT OF BEGINNING;
Thence North 0°03'57" East 375.37 feet to the centerline of the S-10 canal;
Thence along the centerline of said canal the following courses and distances:
South 36°42'55" East, 54.98 feet;
South 28°26'18" East, 196.41 feet;
South 40°06'56" East, 79.56 feet;
South 51°32'47" East, 67.99 feet;
South 73°14'13" East, 31.30 feet to the Easterly boundary of the above described parcel of land;
Thence South 0°03'57" West, 46.36 feet to the Southerly boundary of Section 2;
Thence South 89°59'03" West 261.25 feet along said Section line to THE TRUE POINT OF BEGINNING.

SUBJECT TO a 25.00 feet width County Road Right-of-Way along the Southerly boundary.

- Continued -