

Form 1-248/42-1499-9 10/07

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

DE✓ RECEIVED
NOV 16 2007
 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 (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)
43-00361					

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)

Colleen A Boden / Carl F. Boden
1503. E. Hwy. 77 / HC 61
Malta, ID 83342 / Box 1360

4. New Owner/Claimant(s)

Eric Boden / Malta, ID 83342
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

1507 @ E. Hwy. 77

City, State and ZIP Code

Malta, ID 83342

New Telephone Number

(208) 638-5521 Email: boden@atcnut

5. Date you acquired the property

2/18/05

Form 42-248/42-1409(e) 10/07

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 <u>X</u>	<u>.16</u>	<u>10</u>
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) Eric Bodin 11/10/07
(title if applicable)
(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 AJ

Date 11/19/07
 Date 11/26/07
 Date _____

Receipt Amt. \$25
 Receipt No. 3029834
 WR _____ Date _____

300578

WARRANTY DEED

#40023

For Value Received

COLLEEN A. BODEN, a widow

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

ERIC BODEN and KATHY BODEN, husband and wife
Address: 1507 East Highway 77, Malta, ID 83342

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

SEE ATTACHED EXHIBIT "A"

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto.

SUBJECT TO:

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

Taxes for 2005 and subsequent years, a lien, but not yet due or payable.

Easement from Henry H. Ottley, as Grantor to Victor Redman and Jeannette Breslin, doing business under the firm name and style of the Albion Telephone Company, as Grantee, dated February 21, 1950 and recorded March 24, 1950 as Instrument No. 168769 in Book 14 of Miscellaneous, Page 143, records of Cassia County, Idaho, granting said Grantee the right to erect telephone poles and telephone lines and the right to replace and repair the said poles and lines over and across the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 23, Township 13 South, Range 25 East, Boise Meridian.

Easement contained in Right of Way Deed from A. J. Udy and Edna A. Udy, his wife to Cassia County, State of Idaho, dated November 29, 1952 and recorded December 16, 1952 as Instrument no. 177408 in Book 57 of Deeds on Page 64, records of Cassia County, Idaho, which reads as follows: "There is also granted hereby an easement adjacent to the above described highway right of way for relocation of all irrigation and drainage ditches and structures and such surface drain ditches as may be necessary to the proper construction of the highway."

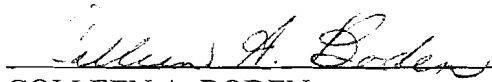
Electric Line-Right-Of-Way Easement in favor of Raft River Rural Electric Cooperative, Inc., A Cooperative Corporation, dated August 30, 1989, recorded August 30, 1989 as Instrument No. 203684 on Film No. 209, records of Cassia County, Idaho.

Agreement For Electric Service between Raft River Rural Electric Cooperative, Inc., an Idaho rural electric Cooperative of Malta, Seller and Colleen Boden, Consumer, dated March 15, 1994 and recorded May 6, 1994 as Instrument No. 230702 on Film No. 255, records of Cassia County, Idaho, covering the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 23, Township 13 South, Range 25 East of the Boise Meridian.

Well and pipeline easement contained in Quitclaim Deed executed by Colleen Anne Boden, also shown of record as Colleen A. Boden, and Richard Lance Udy and Kristine Udy, Husband & Wife, to Eric And Kathy Boden, Husband And Wife, recorded November 15, 2002 as Instrument No. 284905, records of Cassia County, Idaho.

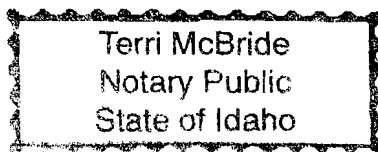
TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: **February 17, 2005**


COLLEEN A. BODEN

STATE OF IDAHO)
) ss.
COUNTY OF CASSIA)

On this 18th day of **February, 2005**, before me, the undersigned, a Notary Public in and for said State, personally appeared **COLLEEN A. BODEN**, 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.



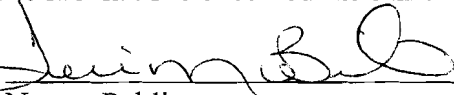

Notary Public
Residing at: Reupert
My Commission expires: 2-5-08

EXHIBIT "A"

TOWNSHIP 13 SOUTH, RANGE 25 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 23: A part of the SW¼NE¼ of said Section 23, more particularly described as follows:

Beginning at a point 19 rods West of the Southeast corner of the SW¼NE¼ of said Section 23;
Thence running North 80 rods;
Thence West 61 rods;
Thence South 80 rods;
Thence East 61 rods to the Point of Beginning.

EXCEPTING THEREFROM the following described tracts:

Tract No. 1:

That portion deeded to Cassia County, State of Idaho, for public road purposes.

Tract No. 2:

Beginning at the Southeast corner of the SW¼NE¼ of said Section 23, said corner marked by a U.S. BLM aluminum pipe and cap; thence North 89°59'14" West (West rec.) along the South line of the SW¼NE¼ for a distance of 313.50 feet (19 rods rec.); thence North 00°10'01" East parallel with the East line of the SW¼NE¼ for a distance of 574.13 feet to a ½ inch rebar which shall be the Point of Beginning;
Thence North 86°59'03" West for a distance of 353.95 feet to a ½ inch rebar;
Thence North 00°10'01" East for a distance of 695.03 feet to a ½ inch rebar on the South right of way of State Highway 77;
Thence along said right of way along a non-tangent curve to the right for a distance of 327.14 feet to a ½ inch rebar, said curve having a radius of 1110.92 feet and a central angle of 16°52'20" and a long chord bearing of South 88°40'34" East for a distance of 325.96 feet;
Thence South 04°15'12" East for a distance of 709.50 feet;
Thence North 86°59'03" West for a distance of 27.10 feet to the Point of Beginning.

-Continued-

CONTINUATION

Tract No. 3:

Beginning at the Northwest corner of the SW¼NE¼ of Section 23, said corner marked by a U.S. BLM aluminum pipe and cap; thence South 00°08'21" West along the West line of the SW¼NE¼ for a distance of 182.57 feet to the South right of way of State Highway 77; thence North 76°13'11" East along said right of way for a distance of 253.49 feet to a ½ inch rebar; thence North 76°13'11" East continuing along said right of way for a distance of 28.01 feet to a ½ inch rebar; thence South 20°34'13" East for a distance of 390.16 feet to a ½ inch rebar which shall be the Point of Beginning;;

Thence South 02°42'18" East for a distance of 173.41 feet to a ½ inch rebar;
Thence South 84°01'17" East for a distance of 61.78 feet to a ½ inch rebar;
Thence South 03°32'13" East for a distance of 259.84 feet to a ½ inch rebar;
Thence South 85°54'30" West for a distance of 223.90 feet to a ½ inch rebar;
Thence North 12°11'45" West for a distance of 162.46 feet to a ½ inch rebar;
Thence North 50°56'58" East for a distance of 143.24 feet to a ½ inch rebar;
Thence North 08°14'56" East for a distance of 192.88 feet to a ½ inch rebar;
Thence North 65°31'13" East for a distance of 36.34 feet to the Point of Beginning.

Tract No. 4:

Access easement for the benefit of Tract No. 3 above, more particularly described as follows:

Beginning at the Northwest corner of the SW¼NE¼ of said Section 23, said corner marked by a U.S. BLM aluminum pipe and cap; thence South 00°08'21" West along the West line of the SW¼NE¼ for a distance of 182.57 feet to the South right of way of State Highway 77; thence North 76°13'11" East along said right of way for a distance of 253.49 feet to a ½ inch rebar which shall be the Point of Beginning;

Thence North 76°13'11" East continuing along said right of way for a distance of 28.01 feet to a ½ inch rebar;

Thence South 20°34'13" East for a distance of 390.16 feet;

Thence South 65°31'13" West for a distance of 36.34 feet to a ½ inch rebar;

Thence North 19°20'54" West for a distance of 396.04 feet to the Point of Beginning.

300578

CASSIA COUNTY, IDAHO

LARRY A. MICKELSEN

RECORDER

FEE

DEPUTY

2007 FEB 22 PM 3 04

RECORDED AT THE REQUEST OF
LAND TITLE & ESCROW

Benny:

RECEIVED
NOV 16 2007
DEPT. OF WATER RESOURCES
SOUTHERN REGION

Here are the documents that
you asked for in our conversation
on 11/14/07. Let me know if
I am lacking anything. Thanks
for your efficient assistance w/
this -

Eric Boden

(208) 7638-3521 → Home

(208) 431-5571 → Mobile

Enclosed: Check for \$25.00