

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

DE
 RECEIVED
 OCT 26 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 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
XD 37-12979					

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) is 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)

Dana R. Wilkins & John R. Wilkins
HC-60 Box 1203, Bliss, ID 83314

4. New Owner/Claimant(s)

Layne Osborne & Judy Osborne

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

New Mailing Address

18208 US Hwy 30

City, State and ZIP Code

Hagerman, ID. 83332

New Telephone Number

() _____

5. Date you acquired the property

10/23/2007

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) Lyn Osborne
(include title if applicable) July Osborne

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>[Signature]</u>	Date <u>10/31/07</u>	Fee <u>\$25</u>
Receipted by <u>[Signature]</u>	Date <u>11/1/07</u>	Receipt No. <u>5029812</u>
Processed by _____ AJ	Date _____	WR _____ Date _____

WARRANTY DEED

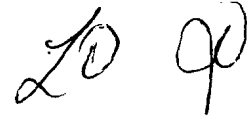
#GG-08574

For Value Received

Jonathan L. Hess and Jami L. Hess, husband and wife

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

Layne Osborne and Judy Osborne, husband and wife
Address: 18208 US Hwy. 30, Hagerman, ID 83332



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

Lot 3 in Block 3 of Malad Estates Subdivision, Gooding County, Idaho, as the same is platted in the official plat thereof, now of record in the office of the Recorder of said County.

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.

2007 taxes are an accruing lien, the first one-half of which is not delinquent until after December 20, 2007.

Assessments levied or to be levied by any local irrigation district.

Easement for erecting and maintaining poles and transmission lines over the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 27, Township 6 South, Range 13, East Boise Meridian, contained in Judgment in the case of The Beaver River Power Company, a corporation, Plaintiff, vs. Ida Bell Waddington Frost, John Doe Frost, her husband, John William Waddington, a minor, and Andrew Jackson Waddington, a minor, Defendants, dated July 18, 1912, recorded July 18, 1912 in Book 2 Page 34, Gooding County records.

Conditions and restrictions contained in Warranty Deed given by Fred Leach and Nettie M. Leach, husband and wife, first parties, to the State of Idaho, second party, dated August 24, 1955, recorded November 26, 1955 in Book 46 Page 329 as Instrument Number 128569, Gooding County records, affecting the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 27, Township 6 South, Range 13, East Boise Meridian.

Conditions and restrictions contained in Warranty Deed given by Fred Leach and Nettie M. Leach, husband and wife, first parties, to the State of Idaho, second party, dated August 6, 1957, recorded October 16, 1957 in Book 49 Page 124 as Instrument Number 133379, Gooding County records, affecting the NE $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 27, Township 6 South, Range 13, East Boise Meridian.

Instrument # 223913

GOODING, GOODING, IDAHO

2007-10-23 11:16:15 No. of Pages: 3

Recorded for : LAND TITLE AND ESCROW, INC

DENISE M. GILL Fee: 9.00

Ex-Officio Recorder Deputy



Page 2 of Warranty Deed

Conditions and restrictions contained in Quitclaim Deed by and between the Idaho Department of Highway, acting by and through the Idaho Board of Highway Directors, party of the first part, and Fred Leach and Nettie M. Leach, husband and wife, parties of the second part, dated June 26, 1957, recorded March 26, 1958 in Book 49 Page 226 as Instrument Number 134666, Gooding County records, affecting the NE $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 27, Township 6 South, Range 13, East Boise Meridian.

Reservation for easement to convey domestic water through pipeline contained in Warranty Deed given by Fred Leach and Nettie M. Leach, husband and wife, parties of the first part, to Wilbert B. Cline and Ruth C. Cline, husband and wife, parties of the second part, dated December 17, 1958, recorded February 3, 1959 in Book 49 Page 443 as Instrument Number 136711, Gooding County records, pertaining to the NE $\frac{1}{4}$ SW $\frac{1}{4}$ and a Tract of land in Lot 1 of Section 27, Township 6 South, Range 13, East Boise Meridian.

Reservation for a domestic spring located over the NE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ and Lot 2 of Section 27, Township 6 South, Range 13, East Boise Meridian, as contained in Quitclaim Deed dated August 15, 1975, recorded September 8, 1975 as Instrument Number 56218, Gooding County records, and Warranty Deed dated December 11, 1972, recorded October 20, 1978 as Instrument Number 72869, Gooding County records.

Power Line Easement given by W. B. Cline and Ruth C. Cline, husband and wife, to Idaho Power Company, a corporation, dated February 17, 1976, recorded November 15, 1976 as Instrument Number 61948, Gooding County records, affecting the NE $\frac{1}{4}$ SW $\frac{1}{4}$ and a tract of land in Lot 1 of Section 27, Township 6 South, Range 13, East Boise Meridian.

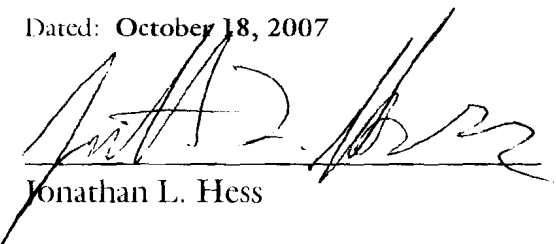
Malad Estates Subdivision Declaration of Protective Covenants dated July 23, 1979, recorded July 27, 1979 as Instrument Number 77995, Gooding County records. Amended Covenants dated September 10, 1979, recorded September 18, 1979 as Instrument Number 78881, Gooding County records. Amended Covenants dated May 2, 1984, recorded June 6, 1984 as Instrument Number 108608, Gooding County records. Amended Covenants dated May 14, 1988, recorded May 23, 1988 as Instrument Number 132268, Gooding County records.

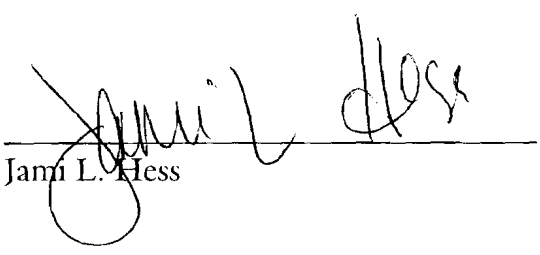
Easements and set back lines as shown on the recorded plat.

Sanitary Restrictions as shown on the recorded plat.

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

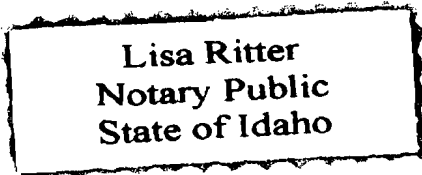
Dated: October 18, 2007

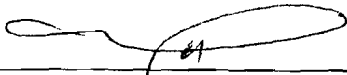

Jonathan L. Hess


Jami L. Hess

STATE OF IDAHO)
) ss.
COUNTY OF Gooding)

On this 22 day of **October, 2007**, before me, the undersigned, a Notary Public in and for said State, person appeared **Jonathan L. Hess and Jami L. Hess**, 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: Gooding, ID
My Commission expires: 10/8/10

MALAD ESIAIES SUBDIVISION

A SUBDIVISION OF A PORTION OF LOT 12, THE NE 1/4 AND SW 1/4
SECTION 27 T16S, R13E B.M. GOODING COUNTY, IDAHO

THIS PLAT IS MADE SOLELY FOR THE PURPOSE OF
ASSISTING IN LOCATING THE LAND, AND THE CO.
ASSUMES NO LIABILITY FOR VARIATIONS, IF ANY,
WITH AN ACTUAL SURVEY.

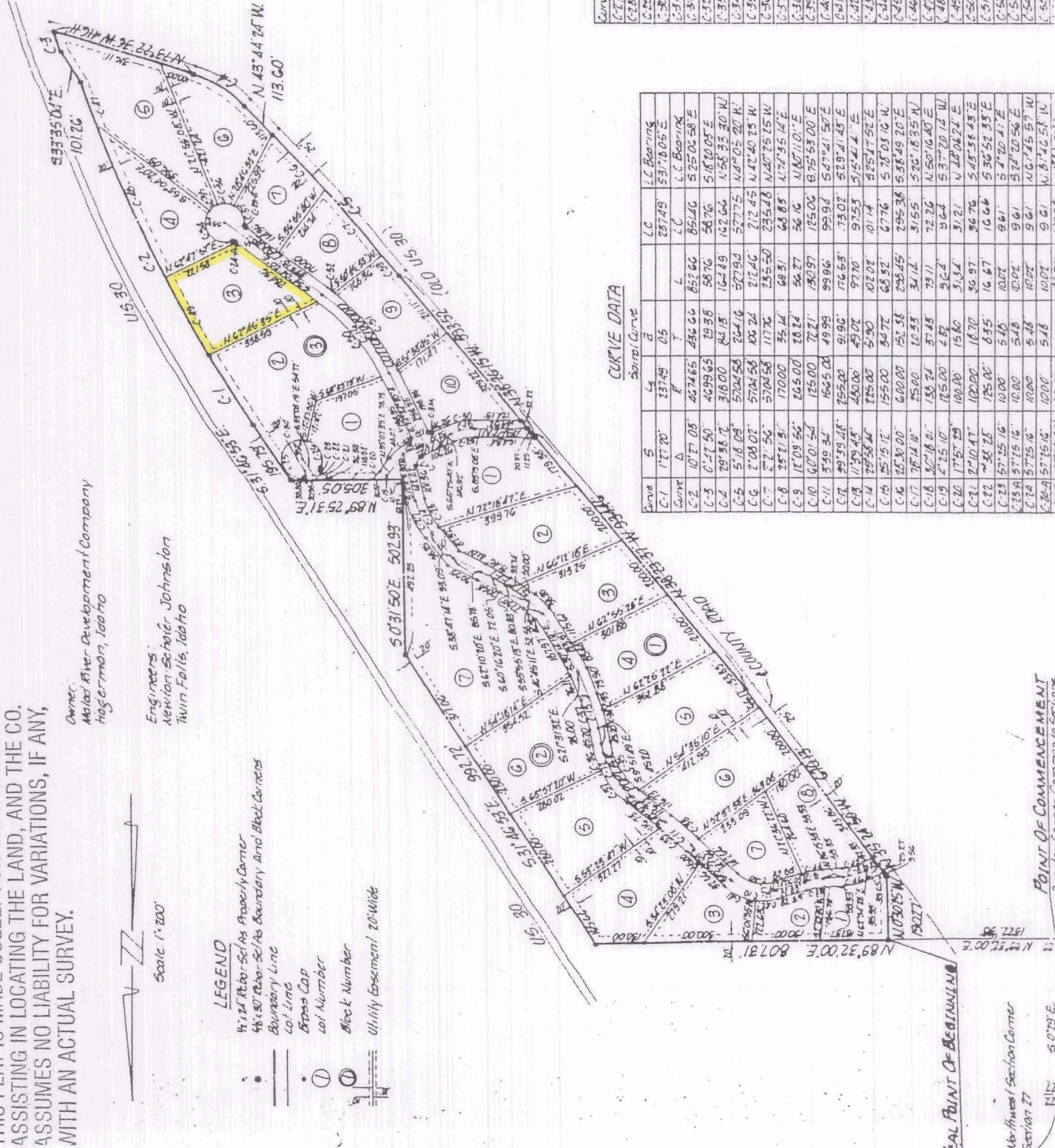
Owner:
Malad River Development Company
Hagerman, Idaho

Engineers:
Newton Schaefer, Johnston
Twin Falls, Idaho

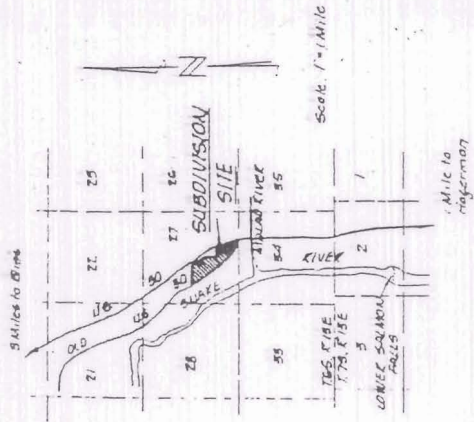
LEGEND

- 1/2" Red Seal As Property Corner
- 48" Red Seal As Boundary and Black Corners
- Boundary Line
- Lot Line
- Grass Cap
- Lot Number
- Block Number
- Utility Easement 20' Wide

Scale: 1" = 200'



VICINITY MAP



Curve	LC	LC Bearing	LC	L	T	R	Δ
C-26	15° 54' 43"	250.00	531° 05' E	85.40	85.40	85.40	85.40
C-27	15° 54' 43"	250.00	531° 05' E	85.40	85.40	85.40	85.40
C-28	25° 15' 12"	180.00	531° 05' E	85.40	85.40	85.40	85.40
C-29	25° 15' 12"	180.00	531° 05' E	85.40	85.40	85.40	85.40
C-30	25° 15' 12"	180.00	531° 05' E	85.40	85.40	85.40	85.40
C-31	25° 15' 12"	180.00	531° 05' E	85.40	85.40	85.40	85.40
C-32	25° 15' 12"	180.00	531° 05' E	85.40	85.40	85.40	85.40
C-33	25° 15' 12"	180.00	531° 05' E	85.40	85.40	85.40	85.40
C-34	25° 15' 12"	180.00	531° 05' E	85.40	85.40	85.40	85.40
C-35	25° 15' 12"	180.00	531° 05' E	85.40	85.40	85.40	85.40
C-36	25° 15' 12"	180.00	531° 05' E	85.40	85.40	85.40	85.40
C-37	25° 15' 12"	180.00	531° 05' E	85.40	85.40	85.40	85.40
C-38	25° 15' 12"	180.00	531° 05' E	85.40	85.40	85.40	85.40
C-39	25° 15' 12"	180.00	531° 05' E	85.40	85.40	85.40	85.40
C-40	25° 15' 12"	180.00	531° 05' E	85.40	85.40	85.40	85.40
C-41	25° 15' 12"	180.00	531° 05' E	85.40	85.40	85.40	85.40
C-42	25° 15' 12"	180.00	531° 05' E	85.40	85.40	85.40	85.40
C-43	25° 15' 12"	180.00	531° 05' E	85.40	85.40	85.40	85.40
C-44	25° 15' 12"	180.00	531° 05' E	85.40	85.40	85.40	85.40
C-45	25° 15' 12"	180.00	531° 05' E	85.40	85.40	85.40	85.40
C-46	25° 15' 12"	180.00	531° 05' E	85.40	85.40	85.40	85.40
C-47	25° 15' 12"	180.00	531° 05' E	85.40	85.40	85.40	85.40
C-48	25° 15' 12"	180.00	531° 05' E	85.40	85.40	85.40	85.40
C-49	25° 15' 12"	180.00	531° 05' E	85.40	85.40	85.40	85.40
C-50	25° 15' 12"	180.00	531° 05' E	85.40	85.40	85.40	85.40
C-51	25° 15' 12"	180.00	531° 05' E	85.40	85.40	85.40	85.40
C-52	25° 15' 12"	180.00	531° 05' E	85.40	85.40	85.40	85.40
C-53	25° 15' 12"	180.00	531° 05' E	85.40	85.40	85.40	85.40
C-54	25° 15' 12"	180.00	531° 05' E	85.40	85.40	85.40	85.40
C-55	25° 15' 12"	180.00	531° 05' E	85.40	85.40	85.40	85.40

POINT OF COMMENCEMENT
Quarter Corner Section 27
N15 5° 19' E

Malad River Section Corner
Section 27

PERSONAL REPRESENTATIVE'S DEED.

FOR GOOD AND VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, GARRY PEDROW, Personal Representative of the Estate of John Rees Wilkins, deceased, as Grantor, does hereby grant, sell and convey to JONATHAN L. HESS and JAMI L. HESS, husband and wife, residing at 2476 South 1050 East, Hagerman, ID 83332, all right, title, interest, and estate of the decedent at the time of decedent's death, and all right, title and interest that the estate may have subsequently acquired by operation of law or otherwise, in and to the real property situated in the County of Gooding, State of Idaho, described as follows:

Lot 3 in Block 3 of MALAD ESTATES SUBDIVISION, Gooding County, Idaho, according to the plat thereof, recorded August 22, 1975 as Instrument No. 55997, in the Office of the County Recorder of said County.

And all appurtenances thereto.

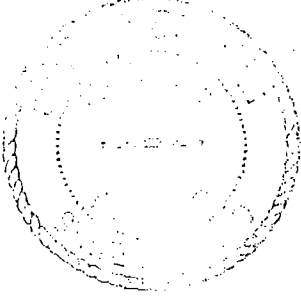
DATED This 6-8-06 day of June, 2006.

Garry Pedrow P.R.
GARRY PEDROW
Personal Representative

STATE OF IDAHO)
) ss.
County of Gooding)

On this 8th day of June, 2006, before me, the undersigned Notary Public in and for said County and State, personally appeared GARRY PEDROW, 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.

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



Danmark Jensen
NOTARY PUBLIC FOR IDAHO
Residing at: HAGERMAN, IDAHO
Commission Expires: 08/04/2010