

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

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SEP 05 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)
43-10130	0	0			
43-10131	0	0			

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)

Nell R. Duffee
Almo Idaho

4. New Owner/Claimant(s)

See attached
 Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

City, State and ZIP Code

New Telephone Number

() _____

new owner:

--

George E. Thomas	Michael R. Thomas
8677 S. 5170 W.	21805 Clearwater Ridge
West Jordan, Utah 84088	Julietta Idaho 83535
801 282 3443	208 791 2058

Connie Burke	Cindee Lantz-Miracle
609 E. St. Kitts	2832 E. Autumn Way
Meridian, Id. 83642	Meridian, Id. 83642
208 895 8270	208 888 2625

5. Date you acquired the property

L.R. Seal date 11/22/06

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		
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		

all is if
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) *Ray E Thomas* (title if applicable)
Emily Lutz-Miracle (title if applicable)
Michael Thomas (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]*
 Receipted by *[Signature]*
 Processed by *[Signature]* AJ

Date *4/5/07*
 Date *9/6/07*
 Date

Receipt Amt. *\$50.00*
 Receipt No. *5029709*
 WR _____ Date _____

312485

~~312354~~

Being Re-Recorded to correct Legal Description

PERSONAL REPRESENTATIVE'S DEED

THIS INDENTURE, made this 22nd day of November, 2006, at Burley, Idaho, by and between **George Eugene Thomas, Personal Representative of the Estate of Neil R. Durfee**, 8677 South 5170 West, West Jordan, Utah 84088, the party of the first part; and, **George Eugene Thomas, Personal Representative of the Estate of Colleen Joyce Thomas**, whose address is 8677 South 5170 West, West Jordan, Utah 84088, the party of the second part.

W I T N E S S E T H:

WHEREAS, under and by virtue of the law in such cases made and provided, the party of the first part has heretofore been appointed and has qualified as, and is the duly appointed, qualified and acting Personal Representative of Neil R. Durfee, deceased; and,

WHEREAS, Amended Letters Testamentary were issued by the Magistrate Court of the County of Cassia, State of Idaho, on the 13th day of October, 2006, the Honorable Michael R. Crabtree presiding, appointing the party of the first part, Personal Representative of the Estate of Neil R. Durfee, deceased, and said Amended Letters Testamentary were recorded in the records of the County Recorder of Cassia County, State of Idaho, on October 24, 2006 as Instrument Number 311687; and,

WHEREAS, the party of the first part, by virtue of the governing law of the State of Idaho in such case is made and provided, has power over the title to the real property hereinafter described and the authority to transfer and convey the same,

NOW, THEREFORE, the said George Eugene Thomas, Personal Representative of the Estate of Neil R. Durfee deceased, party of the first part herein, pursuant to the authority conferred upon him hereinbefore specified, and pursuant to the order of the aforementioned court, has granted, bargained, sold and conveyed and by these presents does grant, bargain, sell, and convey unto the said party of the second part, and to his heirs, and assigns, forever, all of the right, title, interest and Estate of the said Neil R. Durfee, deceased, at the time of his death and also all the right, title, and interest that said Estate may have acquired by operation of the law or otherwise other than or in addition to that of the decedent at the time of his death, and also all of the right, title, interest, and estate of the heirs and devisees of said decedent, in and to all that certain real property located and situated in the County of Cassia, State of Idaho, and more particularly described as follows, to-wit:

PARCEL NO. 1:

TOWNSHIP 15 SOUTH, RANGE 24 EAST OF THE BOISE

PERSONAL REPRESENTATIVE'S DEED - 1

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RECEIVED

SEP 05 2007

DEPT. OF WATER RESOURCES
SOUTHERN REGION

MERIDIAN, CASSIA COUNTY, IDAHO.

Section 22: Part of the NE¼SE¼, more particularly described as follows:

Beginning at the East quarter corner, said corner marked by a U.S. GLO iron pipe with brass cap on top; Thence South 89°41'03" West along the quarter section line for a distance of 767.32 feet to the East right-of-way of the Almo-Elba Highway; Thence South 25°37'35" West along said right-of-way for a distance of 1166.66 feet to a ½" rebar, which shall be the POINT OF BEGINNING;

Thence South 68°10'28" East for a distance of 195.18 feet to a ½" rebar; Thence South 08°13'01" West for a distance of 197.71 feet to a ½" rebar; Thence North 68°49'44" West for a distance of 254.67 feet to a ½" rebar on the East right-of-way of the Almo-Elba Highway;

Thence North 25°37'35" East along said right-of-way for a distance of 195.50 feet to the POINT OF BEGINNING.

SAVE AND EXCEPT THAT PORTION DEEDED TO THE STATE OF IDAHO FOR HIGHWAY PURPOSES.

PARCEL NO. 2:

A pipeline easement reserved for the benefit of Parcel No. 1 in Warranty Deed from Neil R. Durfee, a single person, Grantor to Loughmiller, Inc., Grantee, dated March 7, 2002 and recorded April 1, 2002 as Instrument No. 280625, records of Cassia County, Idaho, over the following described land:

Beginning at the E¼ Section corner of said Section 22, said corner marked by a U.S. General Land Office iron pipe with brass cap on top; Thence South 89°41'03" West along the ¼ section line for a distance of 767.32 feet to the East right of way of the Almo-Elba Highway; Thence South 25°37'35" West along said right of way for a distance of 1166.66 feet to a 1/2 inch rebar; Thence South 68°10'28" East for a distance of 195.18 feet to a 1/2 inch rebar; Thence South 08°13'01" West for a distance of 34.26 feet to the Point of Beginning;

Thence South 45°18'11" East for a distance of 63.18 feet;
Thence South 78°35'15" East for a distance of 88.06 feet;

PERSONAL REPRESENTATIVE'S DEED - 2

Thence North 87°50'25" East for a distance of 75.23 feet;
Thence South 02°09'35" East for a distance of 10.00 feet;
Thence South 87°50'25" West for a distance of 76.42 feet;
Thence North 78°35'15" West for a distance of 92.24 feet;
Thence North 45°18'11" West for a distance of 58.77 feet;
Thence North 08°13'01" East for a distance of 12.44 feet to
the Point of Beginning.

TOGETHER with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, and all improvements appurtenant thereto or reasonably necessary to the use thereof, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title, and interest in and to the said property as well in law as in equity of the said Neil R. Durfee, deceased, and of the party of the first part.

TO HAVE AND TO HOLD all and singular the above mentioned and described premises, together with appurtenances, unto the party of the second part, and to his heirs and assigns forever, and that said party of the first part and its successors hereby covenant to and with the party of the second part and with his heirs and assigns that said party of the first part is the duly appointed, qualified and acting Personal Representative of the Estate of Neil R. Durfee, deceased, having full power and authority to convey all the right, title, interest and Estate of said decedent and his heirs, devisees, and assigns in and to the above described real property; and that the party of the first part and its successors shall and will warrant and by these presents will forever defend such title to said premises and the quiet and peaceable possession of the party of the second part and his heirs and assigns thereto against the said Neil R. Durfee, deceased, and his heirs, devisees and assigns and against all and every person and persons whomsoever and against all lawful claims and demands whatsoever.

IN WITNESS WHEREOF, the party of the first part, Personal Representative of the Estate of Neil R. Durfee, deceased, as aforesaid, has hereunto set his hand and seal the day and year first above written.

A handwritten signature in cursive script, appearing to read "George Eugene Thomas", written over a horizontal line.

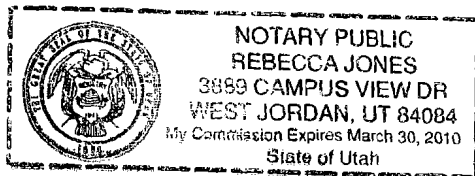
George Eugene Thomas
Personal Representative of
the Estate of Neil R. Durfee

STATE OF UTAH)
County of SLC) ss.

On this 22 day of November, 2006, before me the undersigned, a Notary Public in and for said State, personally appeared **GEORGE EUGENE THOMAS**, known to me to be the Personal Representative of the Estate of Neil R. Durfee, and known to me to be the person whose name is subscribed to the within and foregoing instrument and acknowledged to me that he executed the same on behalf of said Estate.

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

(SEAL)



Rebecca Jones
Notary Public
Residing at: West Jordan, Utah
Commission Expires: 3-30-2010

312485

CASSIA COUNTY, IDAHO

LARRY A. MICKELSEN

RECORDER

FEE 12.00 DEPUTY bm

2006 DEC 6 PM 2 54

RECORDED AT THE REQUEST OF

Durfee Estate Office

Box 759
Idaho, ID 83318
RECORDED AT THE REQUEST OF
Durfee Estate Office

2006 NOV 30 PM 3 08

FEE 12.00 DEPUTY bm

RECORDER

LARRY A. MICKELSEN

CASSIA COUNTY, IDAHO

312354

PERSONAL REPRESENTATIVE'S DEED - 4

C:\Documents and Settings\User\My Documents\REALEST\Deeds\Durfee,Neil.PR.Deed.wpd

312486

~~312355~~

Being Re-Recorded to correct Legal Description

312486

PERSONAL REPRESENTATIVE'S DEED

THIS INDENTURE, made this 22nd day of November, 2006, at Burley, Idaho, by and between **George Eugene Thomas, Personal Representative of the Estate of Colleen Joyce Thomas**, 8677 South 5170 West, West Jordan, Utah 84088, the party of the first part; and, **George Eugene Thomas**, a married man, as his sole and separate property; **Connie R. Burke**, a married woman, as her sole and separate property; **Cindee Lantz-Miracle**, a married woman, as her sole and separate property; and **Michael R. Thomas**, an unmarried man, as tenants in common and not as joint tenants with rights of survivorship, whose collective address is 8677 South 5170 West, West Jordan, Utah 84088, the party of the second part.

W I T N E S S E T H:

WHEREAS, under and by virtue of the law in such cases made and provided, the party of the first part has heretofore been appointed and has qualified as, and is the duly appointed, qualified and acting Personal Representative of Colleen Joyce Thomas, deceased; and,

WHEREAS, Letters Testamentary were issued by the Magistrate Court of the County of Ada, State of Idaho, on the 26th day of October, 2006, the Honorable Christopher M. Bieter presiding, appointing the party of the first part, Personal Representative of the Estate of Colleen Joyce Thomas, deceased, and said Letters Testamentary were recorded in the records of the County Recorder of Cassia County, State of Idaho, on November 29, 2006 as Instrument Number 312301; and,

WHEREAS, the party of the first part, by virtue of the governing law of the State of Idaho in such case is made and provided, has power over the title to the real property hereinafter described and the authority to transfer and convey the same,

NOW, THEREFORE, the said George Eugene Thomas, Personal Representative of the Estate of Colleen Joyce Thomas deceased, party of the first part herein, pursuant to the authority conferred upon him hereinbefore specified, and pursuant to the order of the aforementioned court, has granted, bargained, sold and conveyed and by these presents does grant, bargain, sell, and convey unto the said party of the second part, and to their heirs, and assigns, forever, all of the right, title, interest and Estate of the said Colleen Joyce Thomas, deceased, at the time of her death and also all the right, title, and interest that said Estate may have acquired by operation of the law or otherwise other than or in addition to that of the decedent at the time of her death, and also all of the right, title, interest, and estate of the heirs and devisees of said decedent, in and to all that certain real property located and situated in the County of Cassia, State of Idaho, and more particularly described as follows, to-wit:

PERSONAL REPRESENTATIVE'S DEED - 1

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RECEIVED

SEP 05 2007

DEPT. OF WATER RESOURCES
SOUTHERN REGION

PARCEL NO. 1:

TOWNSHIP 15 SOUTH, RANGE 24 EAST OF THE BOISE MERIDIAN, CASSIA COUNTY, IDAHO.

Section 22: Part of the NE $\frac{1}{4}$ SE $\frac{1}{4}$, more particularly described as follows:

Beginning at the East quarter corner, said corner marked by a U.S. GLO iron pipe with brass cap on top; Thence South 89°41'03" West along the quarter section line for a distance of 767.32 feet to the East right-of-way of the Almo-Elba Highway; Thence South 25°37'35" West along said right-of-way for a distance of 1166.66 feet to a $\frac{1}{2}$ " rebar, which shall be the POINT OF BEGINNING;

Thence South 68°10'28" East for a distance of 195.18 feet to a $\frac{1}{2}$ " rebar; Thence South 08°13'01" West for a distance of 197.71 feet to a $\frac{1}{2}$ " rebar; Thence North 68°49'44" West for a distance of 254.67 feet to a $\frac{1}{2}$ " rebar on the East right-of-way of the Almo-Elba Highway;

Thence North 25°37'35" East along said right-of-way for a distance of 195.50 feet to the POINT OF BEGINNING.

SAVE AND EXCEPT THAT PORTION DEEDED TO THE STATE OF IDAHO FOR HIGHWAY PURPOSES.

PARCEL NO. 2:

A pipeline easement reserved for the benefit of Parcel No. 1 in Warranty Deed from Neil R. Durfee, a single person, Grantor to Loughmiller, Inc., Grantee, dated March 7, 2002 and recorded April 1, 2002 as Instrument No. 280625, records of Cassia County, Idaho, over the following described land:

Beginning at the E $\frac{1}{4}$ Section corner of said Section 22, said corner marked by a U.S. General Land Office iron pipe with brass cap on top; Thence South 89°41'03" West along the $\frac{1}{4}$ section line for a distance of 767.32 feet to the East right of way of the Almo-Elba Highway; Thence South 25°37'35" West along said right of way for a distance of 1166.66 feet to a 1/2 inch rebar; Thence South 68°10'28" East for a distance of 195.18 feet to a 1/2 inch rebar; Thence South 08°13'01" West for a distance of 34.26 feet to the Point of Beginning;

Thence South 45°18'11" East for a distance of 63.18 feet;
Thence South 78°35'15" East for a distance of 88.06 feet;
Thence North 87°50'25" East for a distance of 75.23 feet;
Thence South 02°09'35" East for a distance of 10.00 feet;
Thence South 87°50'25" West for a distance of 76.42 feet;
Thence North 78°35'15" West for a distance of 92.24 feet;
Thence North 45°18'11" West for a distance of 58.77 feet;
Thence North 08°13'01" East for a distance of 12.44 feet to
the Point of Beginning.

TOGETHER with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, and all improvements appurtenant thereto or reasonably necessary to the use thereof, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title, and interest in and to the said property as well in law as in equity of the said Colleen Joyce Thomas, deceased, and of the party of the first part.

TO HAVE AND TO HOLD all and singular the above mentioned and described premises, together with appurtenances, unto the party of the second part, and to their heirs and assigns forever, and that said party of the first part and its successors hereby covenant to and with the party of the second part and with their heirs and assigns that said party of the first part is the duly appointed, qualified and acting Personal Representative of the Estate of Colleen Joyce Thomas, deceased, having full power and authority to convey all the right, title, interest and Estate of said decedent and her heirs, devisees, and assigns in and to the above described real property; and that the party of the first part and its successors shall and will warrant and by these presents will forever defend such title to said premises and the quiet and peaceable possession of the party of the second part and their heirs and assigns thereto against the said Colleen Joyce Thomas, deceased, and her heirs, devisees and assigns and against all and every person and persons whomsoever and against all lawful claims and demands whatsoever.

IN WITNESS WHEREOF, the party of the first part, Personal Representative of the Estate of Colleen Joyce Thomas, deceased, as aforesaid, has hereunto set his hand and seal the day and year first above written.


George Eugene Thomas
Personal Representative of
the Estate of Colleen Joyce Thomas

STATE OF UTAH)
)ss.
County of SLC)

On this 22 day of November, 2006, before me the undersigned, a Notary Public in and for said State, personally appeared **GEORGE EUGENE THOMAS**, known to me to be the Personal Representative of the Estate of Colleen Joyce Thomas, and known to me to be the person whose name is subscribed to the within and foregoing instrument and acknowledged to me that he executed the same on behalf of said Estate.

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

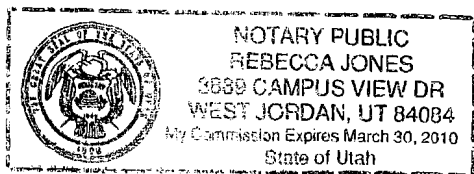
Rebecca Jones

Notary Public

Residing at: West Jordan, Utah

Commission Expires: 3-30-2010

(SEAL)



312486

CASSIA COUNTY, IDAHO

LARRY A. MICKELSEN

RECORDER

DEPUTY

FEE 12.00

2006 DEC 6 PM 2 55

RECORDED AT THE REQUEST OF

Deft Law Office

Box 759
Burdley, ID 83318

2006 NOV 30 PM 3 11

RECORDED AT THE REQUEST OF

Deft Law Office

FEE 12.00

DEPUTY DM

LARRY A. MICKELSEN

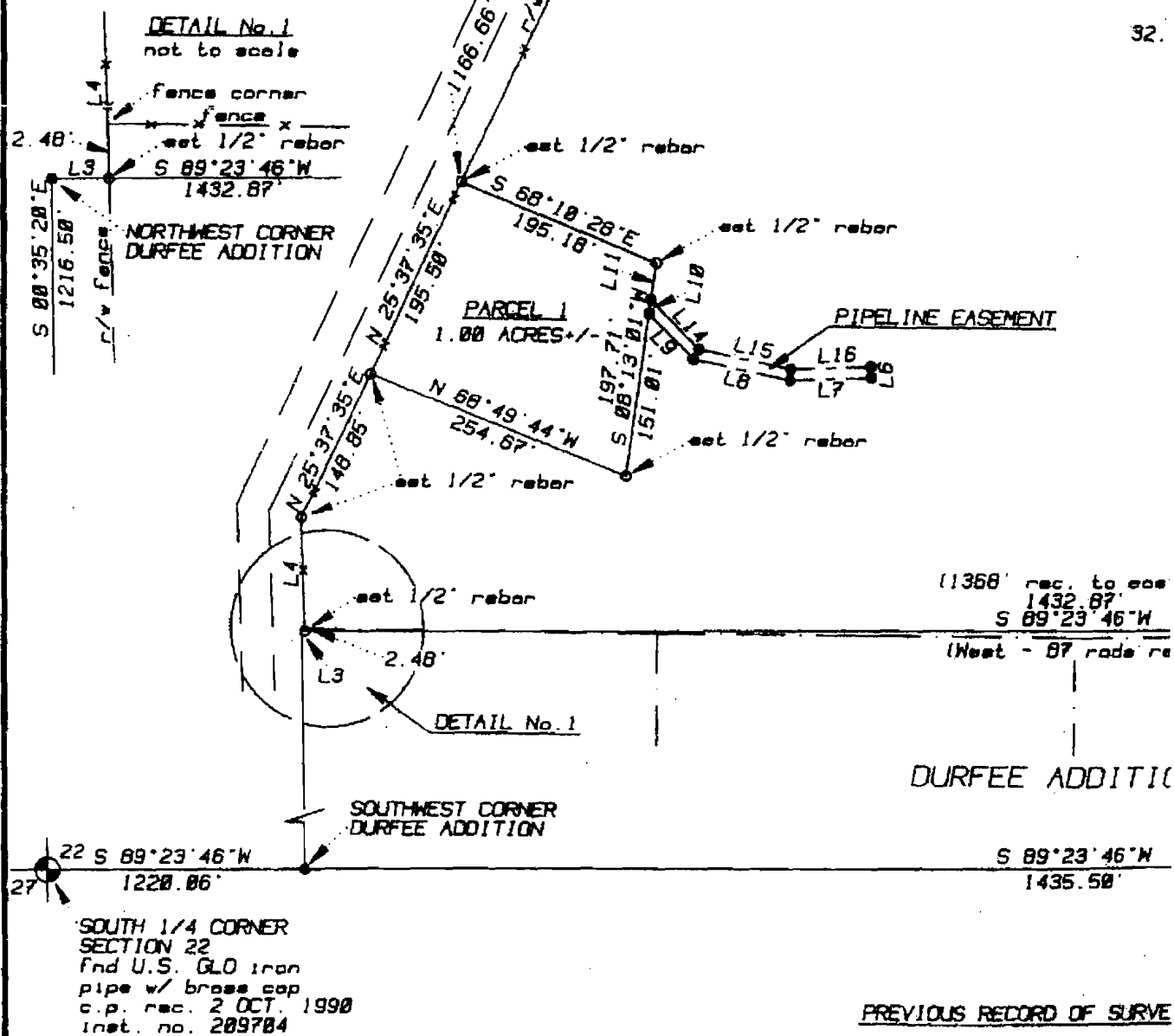
RECORDER

312355



BASIS OF BEARING = GPS ORIENTATION TO NORTH

32.



PREVIOUS RECORD OF SURVE

PROPERTY SURVEY FOR JOHN
SEC. 23 & 26, DWLS # 225
REC. 12 JUN. 1991. INST.

PROPERTY SURVEY FOR HARD
SEC. 22. DMLS # 3052-938
REC. 27 DEC. 1993; INST.

PROPERTY SURVEY FOR BASE
CFC 22 DWG S # 5786-018