

RECEIVED

FEB 02 2007

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

DEPARTMENT OF WATER RESOURCES

RECEIVED

JAN 31 2007

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

WATER RESOURCES
WESTERN REGION

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
11-4083					

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) Marvin and Valerie L. Robertson
309 South 9th Street, Montpelier, ID 83254
4. New Owner/Claimant(s) Benjamin M. Eborn and Heidi M. Eborn
 Name Connector (Check one: ☐ and, ☐ or, ☐ and/or)
- New Mailing Address P.O. Box 1126
- City, State and ZIP Code Driggs, ID 83422
- New Telephone Number (208) 313-1233
5. Date you acquired the property 1/17/2007

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) _____
(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>[Signature]</u>	Date <u>1-31-07</u>	Fee <u>\$25.00</u>	
Received by <u>[Signature]</u>	Date <u>1-31-07</u>	Receipt No. <u>W035046</u>	
Processed by _____	AJ Date _____	WR _____	Date _____

NTBL-1060
BEN EBORN
PO BOX 1126
DRIGGS, ID 83422

Instrument # 197126
BEAR LAKE COUNTY
2007-01-17 09:14:41 No. of pages: 1
Recorded for: NORTHERN TITLE COMPANY
KERRY HADDOCK Fee: 3.00
Ex-Officio Recorder Deputy
Index to: WARRANTY DEED

WARRANTY DEED

MARVIN ROBERTSON and VALERIE L. ROBERTSON, HUSBAND AND WIFE,
Grantor(s)
of, MONTPELIER County of BEAR LAKE, State of IDAHO,

hereby *CONVEY AND WARRANT* to

BENJAMIN M. EBORN AND HEIDI M. EBORN, HUSBAND AND WIFE
Grantee(s)
of DRIGGS, County of TETON, State of IDAHO

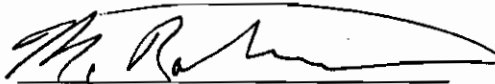
for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION, the following
described tract of land in Bear Lake County, State of Idaho:

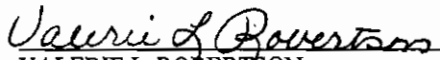
TOWNSHIP 13 SOUTH, RANGE 43 EAST OF THE BOISE MERIDIAN, BEAR LAKE COUNTY, IDAHO.

SECTION 13: S $\frac{1}{4}$ SE $\frac{1}{4}$; SW $\frac{1}{4}$ SW $\frac{1}{4}$; AND LOTS 4 AND 5.

To have and to hold the said premises, with their appurtenances unto the said Grantee(s), their heirs and assigns forever. And the said
Grantor(s) hereby covenant to and with the said Grantee(s) that they are the owner(s) in fee simple of said premises; that they are free
from all encumbrances, and that they will warrant and defend the same from all lawful claims whatsoever.
Subject to easements, restrictions and rights of way of record, and taxes for the year 2007 and thereafter.

Witness, the hand(s) of said Grantor(s), this 17th January 2007.


MARVIN ROBERTSON


VALERIE L. ROBERTSON

State of IDAHO)
County of BEAR LAKE)

On January 17th, 2007 personally appeared before me MARVIN ROBERTSON and VALERIE L.
ROBERTSON, husband and wife the signer(s) of the within instrument, who duly acknowledged to me that
they executed the same.


Notary Public

Residing: Bloomington, IL
Expires: 10/24/2011





USDA Farm Service Agency
Bear Lake County FSA
Farm 1867, Tract 5583

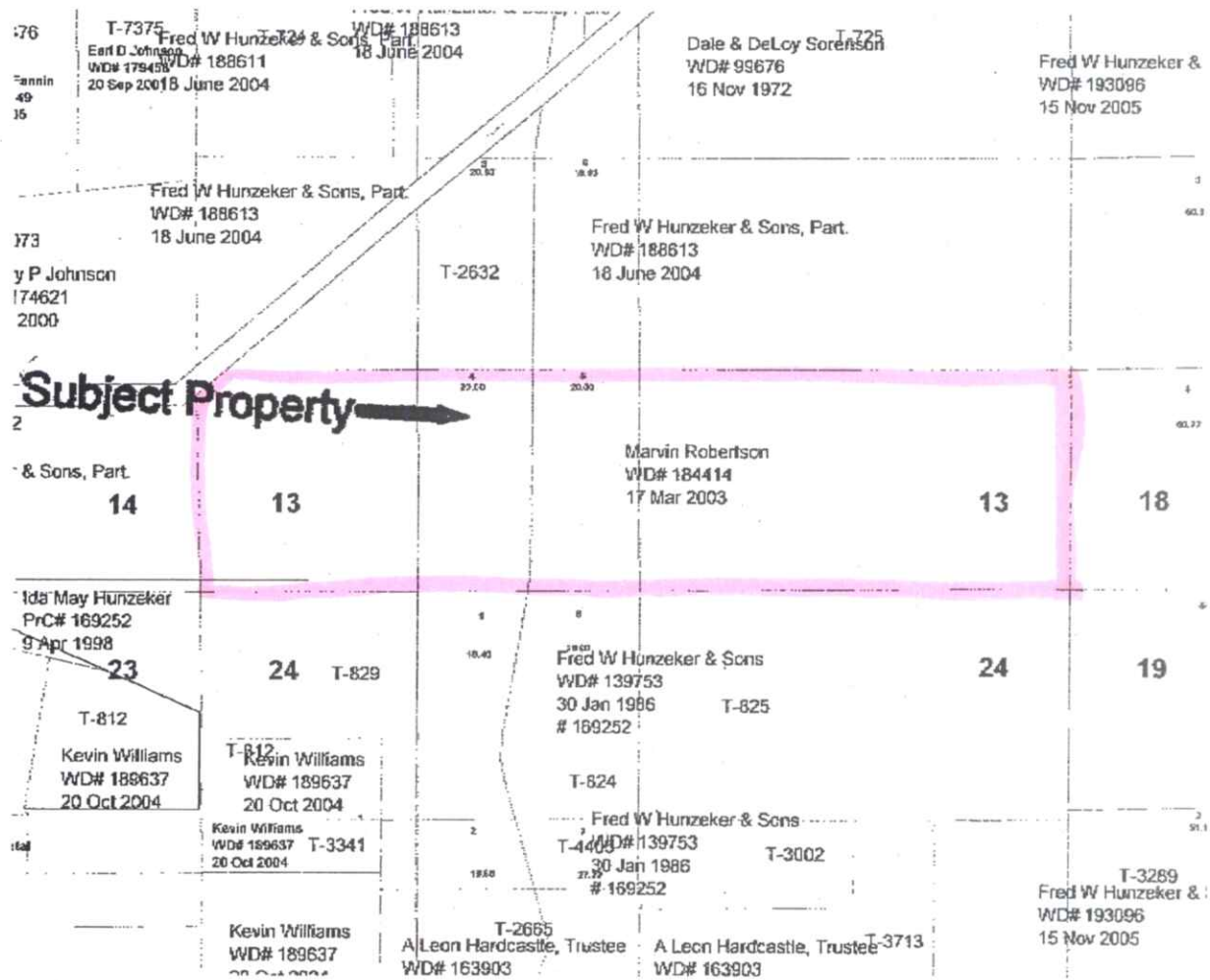
1:10,405

Field Boundaries

November 06, 2006

0 400 800 1,600 2,400 3,200 Feet





White
reproducti
compan
variation
NORTHER

WARRANTY DEED

For Value Received,

STEVEN GNEITING and TERI GNEITING, husband and wife,
of 4349 NORTH 1800 EAST, PRESTON, County of FRANKLIN, State of ID. 83263,
do(es) hereby, grant, bargain, sell, and convey unto **THE GRANTOR(S),**

MARVIN ROBERTSON and VALERIE L. ROBERTSON, husband and wife,
of 303 SOUTH 9TH STREET, MONTPELIER, County of Bear Lake, State of ID. 83254,
THE GRANTEE(S),

For the sum of ten dollars and other good and valuable consideration, the following described tract of land in the County of Bear Lake, State of Idaho:

TOWNSHIP 13 SOUTH, RANGE 43 EAST OF THE BOISE MERIDIAN:

Section 13: S½SE¼; SW¼SW¼; & Lots 4 and 5.

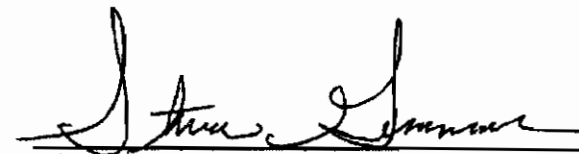
SUBJECT TO and existing Real Estate Mortgage securing an indebtedness of \$80,000.00 plus interest dated 31 March 2000 and recorded 05 April 2000 as Microfilm Instrument No. 175287, records of Bear Lake County, Idaho.

Mortgagor: STEVEN GNEITING and TERI GNEITING, husband and wife; MAXINE TAYLOR and ORAL KELLER

Mortgagee: CLYDE H. COOK and CAROLYN E. COOK, husband and wife

To have and to hold the said premises, with their appurtenances unto the said Grantee(s), their heirs and assigns forever. And the said Grantor(s) hereby covenant to and with the said Grantee(s) that they are the owner(s) in fee simple of said premises; that they are free from all encumbrances, and that they will warrant and defend the same from all lawful claims whatsoever.

DATED THIS March 13, 2003.


STEVEN GNEITING

TERI GNEITING

STATE OF IDAHO, COUNTY OF BEAR LAKE

On this 13 day of March, 2003, before me a Notary Public in and for the State, personally appeared

STEVEN GNEITING and TERI GNEITING,
husband and wife

known to me to be the person(s) whose name(s) are subscribed to the within instrument, and acknowledged

2003 MAR 17 PM 2
DEPUTY
JOAN P. EBORN
BEAR LAKE COUNTY REC
FEE

1844:

INDEXED

179735

BEAR LAKE COUNTY RECORDER
JOHN D. EGGEN

2001 OCT 23 PM 12 09

Cindy Siga \$30
DEPUTY FEE

QUITCLAIM DEED

FOR VALUE RECEIVED

ORAL S. "BUD" KELLER and SHIRLEY F. KELLER, husband and wife,

does hereby convey, release, remise and forever quit claim unto

STEVEN E. GNEITING and TERI L. GNEITING, husband and wife

whose current address is:

4349 North 1800 East
Preston, Idaho 83263

the following described premises, in Bear Lake County, Idaho, to-wit:

TOWNSHIP 13 SOUT: . RANGE 43 EAST OF THE BOISE MERIDIAN
Section 13: S1/2SE1/4; SW1/4SW1/4; & Lots 4 and 5.

DATED: OCTOBER 17, 2001

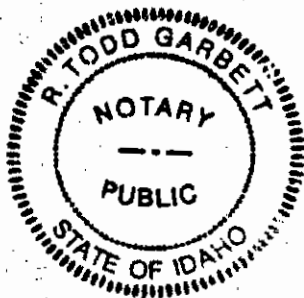
Oral S. Keller
ORAL S. "BUD" KELLER

Shirley F. Keller
SHIRLEY F. KELLER

STATE OF IDAHO)

County of Franklin)

On this 17th day of October, 2001, before me the undersigned, a Notary Public in and for said State, personally appeared ORAL S. "BUD" KELLER and SHIRLEY F. KELLER, 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.



R. Todd Garbett
NOTARY PUBLIC for State of Idaho
Residing at: Preston, Idaho
Comm. Expires: 6/26/06

File #20000101

INDEXED

175285

WARRANTY DEED

STATE OF IDAHO	
County of Bear Lake	
Date	April 15, 2000
Time	10:15 AM
Deputy	Cindy J. La
Clerk	Joan P. Eborn
Fee	\$3.00

For Value Received,

ARTHUR Q. COOK, A SINGLE MAN,
of 85 NORTH 100 WEST, CEDAR VALLEY, County of UTAH, State of UT. 84013,

THE GRANTOR(S),

do(es) hereby, grant, bargain, sell, and convey unto

STEVEN GNEITING and TERI GNEITING, husband and wife; MAXINE TAYLOR and ORAL KELLER, of 745 SOUTH STATE, PRESTON, County of FRANKLIN, State of ID. 83263,

THE GRANTEE(S),

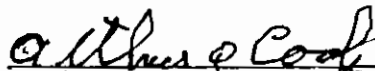
For the sum of ten dollars and other good and valuable consideration, the following described tract of land in the County of Bear Lake, State of Idaho:

TOWNSHIP 13 SOUTH, RANGE 43 EAST OF THE BOISE MERIDIAN:

Section 13: S $\frac{1}{2}$ SE $\frac{1}{4}$; SW $\frac{1}{4}$ SW $\frac{1}{4}$; & Lots 4 and 5.

To have and to hold the said premises, with their appurtenances unto the said Grantee(s), its heirs and assigns forever. And the said Grantor(s) hereby covenant to and with the said Grantee(s) that they are the owner(s) in fee simple of said premises; that they are free from all incumbrances, and that they will warrant and defend the same from all lawful claims whatsoever.

DATED THIS March 21, 2000.


ARTHUR Q. COOK

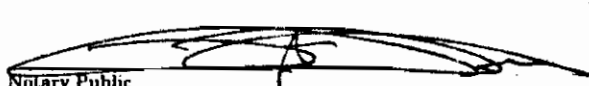
STATE OF UTAH, COUNTY OF UTAH

On this 31 day of March, 2000, before me a Notary Public in and for the State, personally appeared

ARTHUR Q. COOK, a single man

known to me to be the person(s) whose name(s) are subscribed to the within instrument, and acknowledged to me that he executed the same.

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


Notary Public

Residing at: Arvo, Utah
My Commission Expires: 6-1-2002



MAIL TAX NOTICE TO: STEVEN GNEITING, MAXINE TAYLOR and ORAL KELLER
745 SOUTH STATE, PRESTON, ID. 83263

ADDED

175286

WARRANTY DEED

STATE OF IDAHO	
County of Bear Lake	
Date	April 5, 2000
Time	11:16 AM
Deputy	Christina
Clerk	Joan P. Eborn
Fee	\$3.00

For Value Received,

CLYDE COOK and CAROLYN COOK, husband and wife,
of 71 NORTH 100 WEST, CEDAR VALLEY, County of UTAH, State of UT. 84013,

THE GRANTOR(S),

do(es) hereby, grant, bargain, sell, and convey unto

STEVEN GNEITING and TERI GNEITING, husband and wife; MAXIN TAYLOR and ORAL KELLER, of 745 SOUTH STATE, PRESTON, County of FRANKLIN, State of ID. 83263,
THE GRANTEE(S),

For the sum of ten dollars and other good and valuable consideration, the following described tract of land in the County of Bear Lake, State of Idaho:

TOWNSHIP 13 SOUTH, RANGE 43 EAST OF THE BOISE MERIDIAN:

Section 13: S $\frac{1}{4}$ SE $\frac{1}{4}$; SW $\frac{1}{4}$ SW $\frac{1}{4}$; & Lots 4 and 5.

To have and to hold the said premises, with their appurtenances unto the said Grantee(s), its heirs and assigns forever. And the said Grantor(s) hereby covenant to and with the said Grantee(s) that they are the owner(s) in fee simple of said premises; that they are free from all incumbrances, and that they will warrant and defend the same from all lawful claims whatsoever.

DATED THIS March 21, 2000.

Clyde Cook
CLYDE COOK

Carolyn Cook
CAROLYN COOK

STATE OF UTAH, COUNTY OF UTAH

On this 31 day of March, 2000, before me a
Notary Public in and for the State, personally appeared

CLYDE COOK and CAROLYN COOK,
husband and wife

known to me to be the person(s) whose name(s) are
subscribed to the within instrument, and acknowledged to
me that they executed the same.

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

[Signature]
Notary Public
Residing at: *Provo, Utah*
My Commission Expires: *6-1-2002*



MAIL TAX NOTICE TO: STEVEN GNEITING, MAXINE TAYLOR and ORAL KELLER
745 SOUTH STATE, PRESTON, ID. 83263

PERSONAL REPRESENTATIVE'S DEED**INDEXED**

THIS DEED, made this 5th day of May, 1999,

BETWEEN**BLAKE N. ALAND**, as the Personal Representative of the**ESTATE OF IVA RUTH ALAND**, IVA RUTH ALAND deceased,
of 1878 MONTEREY DRIVE, SALT LAKE CITY, UTAH, 84121,

Party of the First Part,

AND**ARTHUR Q. COOK**, a single man; and **CLYDE COOK & CAROLYN COOK**, husband and wife,
of 71 NORTH 100 WEST, CEDAR VALLEY, UTAH, 84013,

Party of the Second Part.

Witnesseth, that the said Party of the First Part, for valuable consideration, and for the purpose of conveying that certain real property from the **ESTATE OF IVA RUTH ALAND** does by these presents hereby grant, bargain, sell, convey, and confirm unto the said Party of the Second Part, and to her heirs and assigns forever, all that certain parcel of land, situated lying and being in **NEAR OVID**, County of **BEAR LAKE**, State of **ID.**, and more particulary described as follows:

TOWNSHIP 13 SOUTH, RANGE 43 EAST OF THE BOISE MERIDIAN:**Section 13: S½SE¼; SW¼SW¼; & Lots 4 and 5.**

TO HAVE AND TO HOLD, all and singular the said premises, together with the appurtenances unto the Party of the Second Part, and to her heirs and assigns forever.

IN WITNESS WHEREOF, the said Party of the First Part has hereunto set his hand and seals the day and year first above written.

Blake N. Aland
BLAKE N. ALAND

STATE OF IDAHO, COUNTY OF BEAR LAKE

On this 5th day of May, 1999, before me a Notary Public in and for the State, personally appeared

BLAKE N. ALAND

known to me to be the person whose name is subscribed to within instrument, and acknowledge to me that he executed the same, as Personal Representative of the **ESTATE OF IVA RUTH ALAND**.

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

John P. Erickson
 Notary Public
 Residing at: OVID, IDAHO
 My Commission Expires: 12/01/00

John P. Erickson
 DEPUTY
 FEE
 99 MAY 12 PM 4 37
 BEAR LAKE COUNTY RECORDER
 JOHN P. ERICKSON

172641

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 11-4083

WATER RIGHT NUMBER: 11-4083

Owner Type

Current Owner

Name and AddressRUTH ALAND
223 S 7TH ST
MONTPELIER, ID 83254

Priority Date: 12/10/1854

Basis: Statutory Claim

Status: Active

Source

OVID CREEK

Tributary

BEAR RIVER

Beneficial Use

IRRIGATION

From To

4/01 to 11/01

Diversion Rate

3.200 CFS

Annual VolumeTotal Diversion:

3.200 CFS

Location of Point(s) of Diversion

OVID CREEK

BEAR LAKE County

SE1/4SW1/4

Sec. 14, Twp 13S, Rge 43E, B.M.

Diversion point

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
13S	43E	13	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
													40.0	40.0			40.0	40.0	180.0

Total Acres: 160

Conditions of Approval:Remarks:Comments: