

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

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

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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
<u>See attached</u>					

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2. The following **REQUIRED** information must be submitted with this form:

A. The appropriate **FILING FEE**. See instructions for fee amounts.

**DEPARTMENT OF
 WATER RESOURCES**

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)

Randy J. & Patricia R. Brown
4398 E. 2900 N.

4. New Owner/Claimant(s)

Moosewong Idaho 83341
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

Luis M. & Sharon Bethencourt

City, State and ZIP Code

2930 South 2300 East Wendell ID 83355

New Telephone Number

(208) 536-6182

5. Date you acquired the property

SUPPORT DATA

FILE # 45-2285

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)

[Handwritten signatures]

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 [Signature] Date 5/9/06 Fee 25.00 + \$25.00
 Received by Chen Date 5/10/06 Receipt No. SG 28631 and 5028628
 Processed by AJ Date _____ WR _____ Date _____

+ C081552

WATER RIGHTS

A47-02438
X A47-14807
A47-00147B

160 shares of Dry Creek Strong Ditch, Inc.

47-2497
45-12465
45-2285
~~45-10102~~
45-13509
45-2310
45-2289
45-2462
45-10101
45-10243
45-4156 (not claimed in adjudication)

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54188 Sm

RECORDED FOR:
TITLEFACT
2:53:39 pm 05-01-2006
2006-010372
NO. PAGES: 6 FEE: \$18.00
KRISTINA GLASCOCK
COUNTY CLERK
DEPUTY: CHICE

WARRANTY DEED

THIS INDENTURE, made this 24th day of February, 2006, between
RANDEL J. BROWN aka RANDY BROWN aka RANDY J. BROWN and PATRICIA R.
BROWN aka TRICIA BROWN aka PATRICIA BROWN, husband and wife, of 4398 East
2900 North, Murtaugh, ID 83344, ("Grantor"), and LUIS M. BETTENCOURT and
SHARON BETTENCOURT, husband and wife, of 2928 South 2300 East, Wendell, ID
83355, ("Grantee").

WITNESSETH:

The Grantor for and in consideration of the sum of Ten Dollars (\$10.00),
lawful money of the United States of America, and other good and valuable
consideration, to the Grantor in hand paid by the Grantee, the receipt whereof is hereby
acknowledged, has granted, bargained, and sold and by these presents does grant,
bargain and sell, convey and confirm unto the Grantee, and to the heirs and assigns of
Grantee forever, all of the following described real estate situated in the County of Twin
Falls, State of Idaho, described on Exhibit A attached hereto and incorporated herein by
reference.

SUBJECT TO:

1. Exceptions 1 through 15 on the Commitment for Title Insurance dated December 20, 2005, by Land Title and Escrow, Inc., Order No. T-35075, Schedule B Section 2, described on Exhibit B attached hereto and incorporated herein by reference.
2. Real estate taxes, levies and assessments for the year 2006 and subsequent years.

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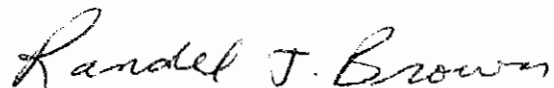
1 **TOGETHER** with all and singular the tenements, hereditaments and
2 appurtenances thereunto belonging or in anywise appertaining, the reversion and
3 reversions, remainder and remainders, rents, issues and profits thereof, and all estate,
4 right, title and interest in and to said property as well in law as in equity of the Grantor.

5
6 **TO HAVE AND TO HOLD**, all and singular the above-mentioned and
7 described premises, together with appurtenances unto the Grantee and to the heirs and
8 assigns of Grantee forever.

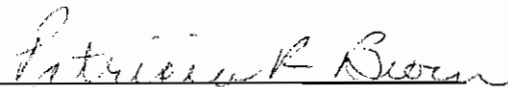
9 The Grantor shall and will warrant and by these presents will forever defend
10 the said premises in the quiet and peaceable possession of the Grantee, and the heirs
11 and assigns of Grantee against all and every person and persons whomsoever lawfully
12 claiming the same, except as aforesaid.

13 **IN WITNESS WHEREOF**, the Grantor has executed this Deed the day and
14 year first above written.

15
16 **GRANTOR**

17
18
19 

20 **RANDEL J. BROWN aka**
21 **RANDY BROWN aka**
22 **RANDY J. BROWN**

23 

24 **PATRICIA R. BROWN aka**
25 **TRICIA BROWN aka**
26 **PATRICIA BROWN**

1 STATE OF IDAHO)
2 County of Twin Falls) ss

3 On this 24th day of February, in the year 2006, before me, the
4 undersigned, a Notary Public in and for said State, personally appeared **RANDEL J.**
5 **BROWN aka RANDY BROWN aka RANDY J. BROWN** and **PATRICIA R. BROWN aka**
6 **TRICIA BROWN aka PATRICIA BROWN**, husband and wife, 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.



Susan Moore
Notary Public for Idaho
Residing at Twin Falls Idaho
My Commission Expires: 11-28-2008

25 (BrownRandy\BettencourtWD.wpd)

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PARCEL NO. 1

Township 11 South, Range 19 East, Boise Meridian, Twin Falls County, Idaho
Section 30: W $\frac{1}{2}$ SE $\frac{1}{4}$; E $\frac{1}{2}$ SW $\frac{1}{4}$

SUBJECT TO Twin Falls County Highway Right of Way.

PARCEL NO. 2

Township 11 South, Range 19 East, Boise Meridian, Twin Falls County, Idaho
Section 30: SW $\frac{1}{4}$ NE $\frac{1}{4}$

SUBJECT TO Highway District right of way.

PARCEL NO. 3

Township 11 South, Range 19 East, Boise Meridian, Twin Falls County, Idaho
Section 35: SE $\frac{1}{4}$

SUBJECT TO Highway District right of way.

PARCEL NO. 4

Township 11 South, Range 19 East, Boise Meridian, Twin Falls County, Idaho
Section 25: W $\frac{1}{2}$ SE $\frac{1}{4}$; N $\frac{1}{2}$ S $\frac{1}{2}$ SW $\frac{1}{4}$
Section 35: NE $\frac{1}{4}$

SUBJECT TO Highway District right of way.

EXCEPT:

Township 11 South, Range 19 East, Boise Meridian, Twin Falls County, Idaho
Section 35: A parcel of land located in the Northeast corner of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ more particularly described as follows:

BEGINNING at the Northeast corner of said Section 35, and being the TRUE POINT OF BEGINNING;

THENCE West 275 feet along the North boundary of said Section;

THENCE South 275 feet parallel to the East boundary of said Section;

THENCE East 275 feet parallel to the North boundary of said Section to the East boundary thereof;

THENCE North 275 feet to the TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM a fenced irrigation pond which measures 70 feet wide by 118 feet long and lies 148 feet South of the Northeast corner of said Section.

PARCEL NO. 5

Township 11 South, Range 19 East, Boise Meridian, Twin Falls County, Idaho
Section 35: A fenced irrigation pond which measures 70 feet wide by 118 feet long and lies 148 feet South of the Northeast corner of said Section.

SUBJECT TO Highway District right of way.

WATER RIGHTS

A47-02438
A47-14807
A47-00147B

160 shares of Dry Creek Strong Ditch, Inc.

47-2497
45-12465
45-2285
45-10102
45-13509
45-2310
45-2289
45-2462
45-10101
45-10243
45-4156 (not claimed in adjudication)

NOTE: The Seller has had assigned to some of the property herein being sold certain water from the Twin Falls Canal Company for the benefit of Southwest Irrigation District and such water **IS NOT** appurtenant to the described real estate nor is it being sold by this Agreement.

EXHIBIT A

COMMITMENT FOR TITLE INSURANCE
SCHEDULE B - Section 2 - EXCEPTIONS

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1. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of the land or which may be asserted by persons in possession, or claiming to be in possession, thereof.
2. Easements, liens, encumbrances, or claims thereof, which are not shown by the public records.
3. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey of the land would disclose, and which are not shown by the public records.
4. Any lien, or right to a lien, imposed by law for services, labor, or material heretofore or hereafter furnished, which lien, or right to a lien, is not shown by the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) Indian treaty or aboriginal rights, including, but not limited to, easements or equitable servitudes; or, (d) water rights, claims or title to water, whether or not the matters excepted under (a), (b), (c), or (d) are shown by the public records.
6. Taxes or assessments which are not now payable or which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
7. Any service, installation, connection, maintenance or construction charges for sewer, water, electricity, or garbage collection or disposal or other utilities unless shown as an existing lien by the public records.
8. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed insured acquires of record for value the estate or interest or mortgage thereon covered by this Commitment.
9. Easement from M.J. Campbell and Pauline J. Campbell, husband and wife, to Garnett Kidd and Alice Kidd, husband and wife, recorded April 17, 1978, as Instrument No. 734958, records of Twin Falls County, Idaho. (Easement and right of way for a 20-foot roadway which will provide Garnett Kidd and Alice Kidd and assigns ingress and egress to the following described land, more particularly described as follows: SW $\frac{1}{4}$ NE $\frac{1}{4}$, Township 11 South, Range 19 East, Boise Meridian, Section 30, Twin Falls County, State of Idaho. Said roadway runs in an east-west direction along the north boundary of the property owned by M.J. Campbell and Pauline J. Campbell, located in Section 30, Twin Falls County, State of Idaho.) (affects Parcel No. 2)
10. Power Line Easement from Jerry Bonard and Pauline Bonard, husband and wife, to the Idaho Power Company dated May 20, 1947, recorded July 7, 1947, in Book 152 of Deeds, page 633, records of Twin Falls County, Idaho. (across the W $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 35, Township 11 South, Range 19 East, Boise Meridian, said power line to run along the Western boundary of property described in Schedule A hereof) (affects Parcel No. 3)
11. Reservation in Warranty Deed from Anna Rytledge and Thomas T. Rytledge, her husband, to David A. MacFarlane dated February 1, 1917, recorded February 10, 1917, in Book 37 of Deeds, page 385, records of Twin Falls County, Idaho. (for ditches over and across said lands for the benefit of the land covered by said ditches, heretofore constructed) (affects Parcel No. 3)
12. Easement from Ray A. Assendrup and Lillian E. Assendrup, husband and wife, to Idaho Power Company dated December 8, 1949, recorded June 16, 1950, in Book 166 of Deeds, page 633, records of Twin Falls County, Idaho. (over and across the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 35, Township 11 South, Range 19 East, Boise Meridian) (affects Parcel No. 3)
13. Poleline Easement from John W. Noh and Ida L. Noh, his wife, to Idaho Power Company dated May 29, 1947, recorded July 7, 1947, as Instrument No. 372820, in Book 152 of Deeds, page 632, records of Twin Falls County, Idaho. (within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 35, Township 11 South, Range 19 East, Boise Meridian) (affects Parcels No. 4 and 5)
14. Right of Way granted to Twin Falls County for roadway 25 feet in width along the west side of the N $\frac{1}{2}$ S $\frac{1}{2}$ SW $\frac{1}{4}$, Section 25, Township 11 South, Range 19 East, Boise Meridian, Twin Falls County, Idaho, recorded in Book 21 of Deeds, page 437, records of Twin Falls County, Idaho. (affects Parcels No. 4 and 5)
15. Order of Cassia County Commissioners Creating Southwest Irrigation District recorded April 17, 1987, as Instrument No. 920478, records of Twin Falls County, Idaho. (affects Parcels No. 3 and 4)