

RECEIVED
AUG 21 2006
DEPT. OF WATER RESOURCES
SOUTHERN REGION

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED
AUG 17 2006
WATER RESOURCES
WESTERN REGION

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

- 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, 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
36-2669	PD				
36-11413	PD				

RECEIVED

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

AUG 23 2006

- The appropriate **FILING FEE**. See instructions for fee amounts. \$50.00
- 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**.
- 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) are 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.

- Name and Address of Former Owner/Claimant(s)

RANDY GILLETTE, PERRY GILLETTE
JERRY GILLETTE

- New Owner/Claimant(s)

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

New Mailing Address

760 W 700 N

City, State and ZIP Code

PAUL ID 83347

New Telephone Number

(208) 431-4559

- Date you acquired the property

2-26-02

REPORT DATA

FILE # 36-2469

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>AB</u>	Date <u>8-17-06</u>	Fee <u>\$25 - EC</u>
Received by <u>AB</u>	Date <u>8-17-06</u>	Receipt No. <u>W031584</u>
Processed by _____ AJ	Date _____	WR _____ Date _____

PARSONS, SMITH & STONE, LLP

ATTORNEYS AT LAW

137 WEST 13TH STREET

P. O. BOX 910

BURLEY, IDAHO 83318

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(208) 878-8382

FAX NO.
(208) 878-0146

pss@pml.org

August 14, 2006

Mr. Randy Gillette
745 C-North 750 West
Paul, ID 83347

RE: Title Opinion
Our File No. 7345.060010

Dear Randy:

You have asked us for an opinion concerning land ownership of lands described in Deeds 396009 and 457836, copies of which are attached. Also, accompanying this opinion is a copy of a map from the Minidoka County Assessor regarding Section 14 Township 8 South Range 22 East Boise Meridian.

On March 8, 1991, various corporations deeded property to you, Randy T. Gillette and Cindy Gillette. Certain of that land was in Section 14 and it was property lying north of a center pivot. This consisted of approximately 42.7 acres. While the description could have been better, it nevertheless conveyed the property.

Then on February 26, 2002, certain corporations deeded the East half of Section 14 Township 8 South Range 22 East Boise Meridian to Jerry Brent Gillette and Roanne Gillette. The Quitclaim Deed 457836 included the lands that had already been deeded by 396009, therefore, the 42.7 acres were not transferred to Jerry Brent Gillette and Roanne Gillette.

This is verified by the map of the assessor when the assessor treats the 42.7 acres still in Randy T. and Cindy Gillette.

A Quitclaim Deed only transfers whatever interest the Grantor had and in this case at the time of 457836 the Grantors had no interest in that land, so the conveyance was really of no consequence as to the 42.7 acres.

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August 14, 2006

As I mentioned above, a better description of the 42.7 acres could be obtained but for the purpose of working on the Water Rights I think that the description in 396009 is adequate.

If you need an additional opinion, please let me know.

Very truly yours,

PARSONS, SMITH & STONE, LLP


William A. Parsons

WAP:sw
Enc.

457836

QUITCLAIM DEED

FOR VALUE RECEIVED, PERRY GILLETTE FARMS, INC., an Idaho corporation; WINDY ACRES, INC., an Idaho corporation; P & B ROBERTSON FARMS, INC., an Idaho corporation; JERRY GILLETTE FARMS, INC., an Idaho corporation; and RANDY GILLETTE FARMS, INC., an Idaho corporation, do hereby release, remise, grant, bargain, sell, convey and forever quit claim unto JERRY BRENT GILLETTE and ROANNE GILLETTE, husband and wife, whose present address is 760 West, 700 North, Paul, Idaho 83347, the following described premises, located in Minidoka County, Idaho, to wit:

East One-half (E1/2) of Section 14, Township 8 South, Range 22 East, Boise Meridian, County of Minidoka, State of Idaho.

together with their appurtenances

DATED this 26th day of February, 2002.

PERRY GILLETTE FARMS, INC.

By Perry Gillette
Perry Gillette, President

WINDY ACRES, INC.

By Larry Gillette
Larry Gillette, President

P & B ROBERTSON FARMS, INC.

By Paul Robertson
Paul Robertson, President

JERRY GILLETTE FARMS, INC.

By Jerry Gillette President
Jerry Gillette, President

RANDY GILLETTE FARMS, INC.

By Randy Gillette President
Randy Gillette, President

QUITCLAIM DEED

Instrument # 457836

MINIDOKA COUNTY, RUPERT, IDAHO
2002-02-28 02:08:50 No. of Pages: 4
Recorded for: GOODMAN & BOLLAR
DUANE SMITH Fee: 12.00
Ex-Officio Recorder Deputy

- 1/2 Sec.
containing
in Sec 14N 1/2

2
AIR STRIP

396009

QUITCLAIM DEED

FOR VALUE RECEIVED LARRY RUSSELL GILLETTE and CINDY GILLETTE, husband and wife, JERRY BRENT GILLETTE and ROANNE GILLETTE, husband and wife, PAUL BARRY ROBERTSON and BECKY LYNN ROBERTSON, husband and wife, RANDY T. GILLETTE AND CINDY GILLETTE, husband and wife, PERRY GILLETTE and GAIL GILLETTE, husband and wife, formerly doing business under the name and style of Five G's, a co-partnership, do hereby release, remise, grant, bargain, sell, convey and forever quitclaim unto RANDY T. GILLETTE and CINDY GILLETTE, husband and wife, whose present address is: Route # 2, Box 2528, Paul, Idaho, 83347, the following described premises, located in Minidoka County, Idaho, to-wit:

TOWNSHIP 8 SOUTH, RANGE 22 EAST, BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO.

SECTION 13: N $\frac{1}{2}$ and SW $\frac{1}{4}$

SECTION 12: SW $\frac{1}{4}$

SECTION 14: That portion of the NE $\frac{1}{4}$ lying North
of the North half of the outer edge
of the Center Pivot Circle located on
said NE $\frac{1}{4}$ consisting of approximately
42.7 farmable acres

together with all appurtenances, all water and water rights,
ditches and ditch rights pertaining to said real property,
including all subterranean well rights and water permits and
licenses issued by the Department of Water Resources of the State
of Idaho or other applicable agencies.

DATED this 8th day of March, 1991.

Larry Russell Gillette
Larry Russell Gillette

Cindy Gillette
Cindy Gillette

Jerry Brent Gillette
Jerry Brent Gillette

Roanne Gillette
Roanne Gillette

Paul Barry Robertson
Paul Barry Robertson

Becky Lynn Robertson
Becky Lynn Robertson

SECTION 14 TOWNSHIP 8 SOUTH RANGE 22 EAST B.M.

08S22E142400

DELIS FARMS INC

389524 | 1-4-90

08S22E140100

TAX 1018

RANDY T & CINDY GILLETTE

396009 3-15-91

08S22E141250

JERRY BRENT & ROANNE GILLETTE

QC457836 2-26-2002 QC435282 5-13-98 396021 3-15-91

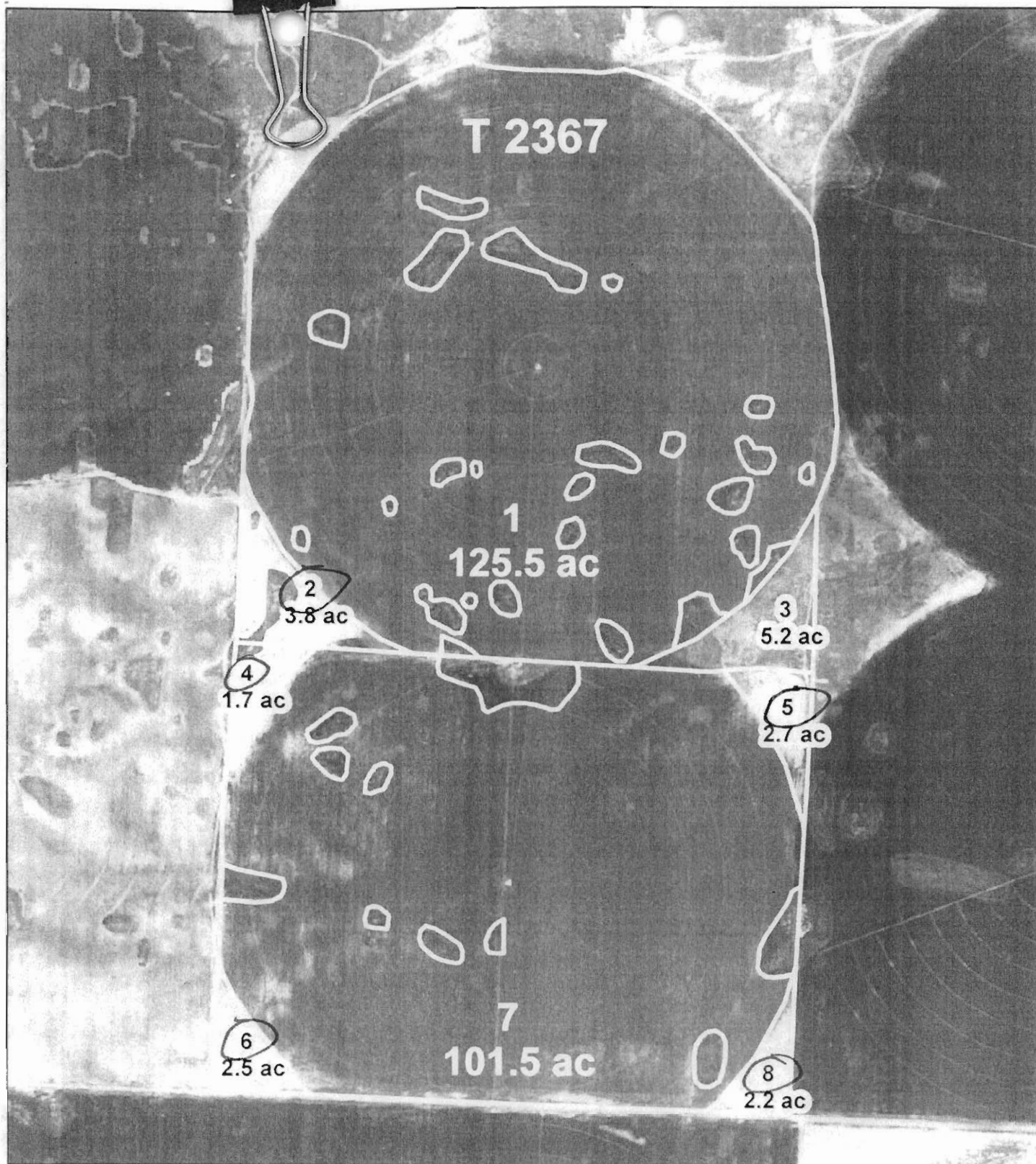
08S22E149000

JERRY BRENT & ROANNE GILLETTE

QC 396010 3-15-91

1604.7'

1488.8'



United States Department of Agriculture
Farm Service Agency

Grid:

County Name

1:7,450

Tract 2367

Farm 3764



January 31, 2006