

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

RECEIVED ✓
 FEB 09 2007

Department of Water Resources
 Eastern 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)
LIC 35-8731					

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) Scott and Ginger Van Orden
4. New Owner/Claimant(s) Paul & Kim W. S. Leg
 Name Connector (Check one): ☐ and, ☐ or, ☒ and/or
- New Mailing Address 200 Prairie Lane
- City, State and ZIP Code Blackfoot, ID 83201
- New Telephone Number (208) 135-3494
5. Date you acquired the property 12-27-06

Receipt
 #E032598

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)		RECEIVED FEB 09 2007 Department of Water Resources Eastern Region
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		

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)

Paul K. Wagner (title if applicable)
Kim A. Wagner (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 _____
 Receipted by _____
 Processed by _____ AJ

Date _____
 Date 2/12/2007
 Date _____

Receipt Amt. _____
 Receipt No. E032598
 WR _____ Date _____

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

10/26/2006

WATER RIGHT NO. 35-8731

Owner Type	Name and Address
Current Owner	GINGER VAN ORDEN
Current Owner	SCOTT VAN ORDEN
	705 W 100 S
	BLACKFOOT, ID 83221
	(208) 684-5010

Priority Date: 05/23/1989

Basis: License

Status: Active

Source	Tributary
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume
COMMERCIAL	1/01	12/31	0.23 CFS	16.7 AFA
Total Diversion			0.23 CFS	

Location of Point(s) of Diversion:

GROUND WATER	NENE	Sec. 11	Township 03S	Range 34E	BINGHAM County
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Licensed Diversion Capacity: 0.23

Place(s) of use:

Place of Use Legal Description: COMMERCIAL BINGHAM County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
03S	34E	11		NENE										

Conditions of Approval:

1.		Commercial use is for 18 greenhouses and 3.8 acres of nursery stock. Place of use is Riverside Greenhouse.
2.	049	The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
3.	048	The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.

Water Right Report

Page 4 of 4

Dates:

Licensed Date: 02/07/1995

Decreed Date:

Permit Proof Due Date: 2/1/1991

Permit Proof Made Date: 2/21/1990

Permit Approved Date: 1/8/1990

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date: 05/23/1989

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector: AND/OR

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

Example

IDAHO DEPARTMENT OF WATER RESOURCES

WELL INSPECTION FORM

Drilling Permit No.: _____

Water Right No.: 35-08731

Owner: Don J. Callus Phone No.: 684-472

Address: 705 W. 100 S. Blackfoot, ID 83221

1. Well Location: NE , NE , Lot , Twp 38, Rge 34E,
Sec. 11, Bingham County (provide sketch map on reverse)

2. Driller: Finley

Is driller licensed? yes no License No.: _____

Date of Completion: 1979

3. Casing size: 6" Water tight cap? ☒ yes no

Casing $\geq$ 12 inches above ground? ☒ yes no

4. Evidence of well seal? ☒ yes no

☒ visual Auger to a depth of _____

5. Access Port: yes ☒ no Static Water Level: _____

Pressure Gauge: ☒ yes no Temperature: _____

Pressure: 45 psi - 50 psi

6. Flowing Artesian? yes ☒ no

Flowing: ☒ around annulus through casing

7. Are there obvious construction problems that may be a source for contamination or waste of water? yes no

Remarks: _____

211
(Agent)

5-12-92
(Inspection Date)

Form 238-I
04/92

RECEIVED
FEB 13 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

August 30, 2004

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

SCOTT VAN ORDEN
705 W 100 S
BLACKFOOT ID 83221

RE: Licensed Water Right 35-8731

Dear Mr. VanOrden:

We have been advised that you may be the current owner of the property that has been licensed as referenced above. A copy of the water right license is enclosed for your information and convenience.

Before we can modify our records to reflect your ownership of the property and the water rights referenced above, we need to have a Notice of Change in Water Right Ownership form completed and returned with the appropriate support data and filing fee. I have enclosed a copy of this form for your convenience.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. **Failure to report these changes could result in a \$100 late filing fee.** Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions regarding this matter, please call me at 208-327-7941.

Sincerely,

Karl Lynn Townsend
Secretary

KLT:k

Enclosures



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 02, 2004

SCOTT VAN ORDEN
GINGER VAN ORDEN
705 W 100 S
BLACKFOOT ID 83221

RE: Change of Ownership for Water Right 35-8731

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,

for Jeff Peppersack, Manager
Water Right Permits Section

JP:klm
Enclosure

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
158 West Pacific/P.O. Box 868
Blackfoot, ID 83221

575730

BINGHAM COUNTY RECORDER
BLACKFOOT, IDAHO

FEE 6 DEP 6

2006 DEC 29 PM 2:46

RECORDED AT THE REQUEST OF
FIRST AMERICAN TITLE COMPANY

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **192734-B (Id)**

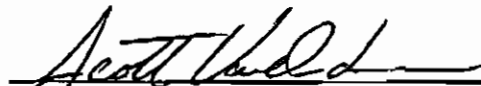
Date: **December 29, 2006**

For Value Received, **Scott VanOrden and Ginger VanOrden, husband and wife**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Paul K. Wolfley and Kim Wolfley, husband and wife**, hereinafter called the Grantee, whose current address is **205 Arave lane, Blackfoot, ID 83221**, the following described premises, situated in **Bingham County, Idaho**, to-wit:

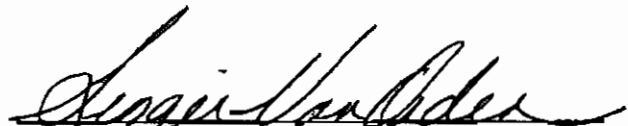
Part of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 11, Township 3 South, Range 34 E.B.M., Bingham County, Idaho, described as: Beginning at the NE corner of said Section 11, and running thence N. 89°57'55" W. 344.72 feet along the N. line of said Section 11; thence S. 00°05'56" E. 633.00 feet; thence S. 89°57'55" E. 344.72 feet to the E. line of said Section 11; thence N. 00°05'56" W. 633.00 feet to the point of beginning, EXCEPT county road.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.



Scott VanOrden

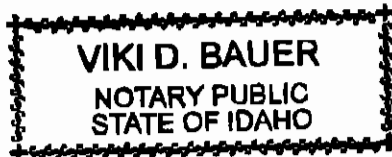


Ginger VanOrden

Date: **12/29/2006**Warranty Deed
- continuedFile No.: **192734-B (Id)**

STATE OF Idaho)
SS.
COUNTY OF Bingham)

On this **29th day of December, 2006**, before me, a Notary Public in and for said State, personally appeared **Scott VanOrden and Ginger VanOrden**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.



Viki D. Bauer
Notary Public for the State of Idaho
Residing at: Blackfoot, ID
My Commission Expires: 03/29/08

575730