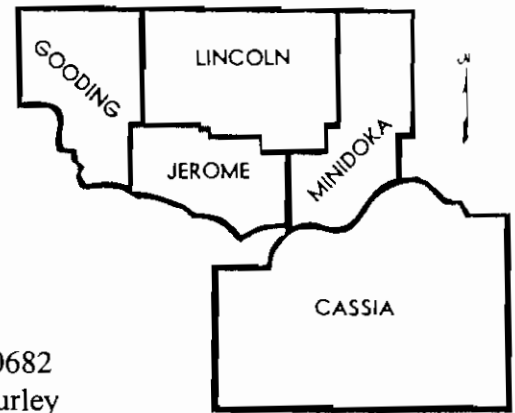


# Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



REFER TO: 40682  
OFFICE: Burley

September 19, 2006

Department of Water Resources  
Attn: Kara Alder  
Fax No. 287-6700

WAT  
SEP 19 2006

RE: Water transfer No. A45-11253

Dear Kara:

You and I had conversation last month regarding the transfer of the above water right to Ron and Darlene Nulph. I believe I can see where the mixup came in. It appears from the Notice of Claim to a Water Right that the Woodhouses filed on June of 1989 he had changed the legal description to read Section 21 instead of Section 22 which is what it should have been. Mr. Woodhouse doesn't own any property in Section 21 that I can see and Section 22 is the correct legal description. I am sending you a copy of the Warranty Deed wherein we transferred ownership for this legal description for your use.

Should you have any questions concerning this matter, please do not hesitate to contact me at (208) 878-3524.

Very truly yours,  
Land Title and Escrow, Inc.

A handwritten signature in black ink, appearing to read "Terri L. McBride".

Terri L. McBride  
Senior Escrow Officer



## 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](http://www.idwr.idaho.gov).

August 17, 2006

JAMES E. RISCH  
Governor

KARL J. DREHER  
Director

RON NULPH  
DARLENE NULPH  
1151 S HWY 27  
BURLEY ID 83318

21 2006

RE: Water Right No(s). 45-11253

Dear Mr. & Mrs. Nulph:

The Department of Water Resources acknowledges receipt of the additional information you submitted in support of your Notice of Change in Water Right Ownership filed on <date> for the water right no(s) referenced above. The Snake River Basin Adjudication (SRBA) Court issued a partial decree describing the water right(s) with a place of use different than your property as described in the documentation you originally submitted. We have reviewed your additional information and found that it is not sufficient to resolve the place of use discrepancy.

In order to process your change in ownership, we need documentation to show that you own the water right(s) or the property described as the place of use for the water right(s). If you believe that the SRBA Court issued the partial decree(s) with an error in the description of the place of use, you may be able pursue one of the following options with the Court.

- 1) Motion to set-aside – a motion filed with the SRBA Court which, if granted, would provide a process to correct the partial decree. You would need to provide justification for the correction.
- 2) Motion to file late claim – a motion filed with the SRBA Court which, if granted, would allow you to file a new claim for your existing water use. A late claim would be investigated for validity and accuracy by the Department.

Please contact Danni Smith of this office at 287-4910 if you have questions related to the SRBA. Ms. Smith can assist you with the SRBA Court's processes.

As additional alternatives, you could pursue one of the following options with the Department.

- 1) New Appropriation – an application for permit filed with the Department to develop a new water right. If a permit is approved, the priority date is the date that the application is filed. Some areas of the state are closed to new development. Please note that a water right permit is not required for certain domestic uses from a ground water source.
- 2) Water Right Transfer – an application filed with the Department to change an existing water right. In this case, the purpose of the transfer would be to change the place of use (and possibly the point of diversion) to your property description. You would need to provide evidence of ownership or authorization from the current owner of record before the Department could process the application.

If you choose to file an application for permit or transfer with the Department, you may be able to apply any fees submitted with your Notice of Change in Water Right Ownership to the application. Please contact staff from the Water Right Permits section of this office if you have additional questions related to the applications described above.

Please let us know within 30 days how you plan to proceed. If we do not hear from you within 30 days we will return your Notice of Change in Water Right Ownership and all attachments and refund any fees submitted with your notice.

Sincerely,

A handwritten signature in black ink, appearing to read "Kara A. Alder", written in a cursive style.

Kara A Alder  
Secretary



State of Idaho

## DEPARTMENT OF WATER RESOURCES

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

FAX TRANSMITTAL COVER SHEETJAMES E. RISCH  
GovernorKARL J. DREHER  
DirectorDATE: 8/25/2006TO: Teri McBrideFROM: Kara Alder

## DOCUMENT

DESCRIPTION: Notice of change in water right  
ownership. + copies of all documents  
that I have.

## COMMENTS:

Thank you -COVER SHEET + 7 PAGES287-6700PLEASE CONTACT Kara Alder IF YOU DON'T RECEIVE THIS  
ENTIRE DOCUMENT

# 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.

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<br>Right No(s) | Adjudication<br>Claim No(s) | Split | Water<br>Right No(s) | Adjudication<br>Claim No(s) | Split |
|----------------------|-----------------------------|-------|----------------------|-----------------------------|-------|
| A45-11253            |                             |       |                      |                             |       |
|                      |                             |       |                      |                             |       |
|                      |                             |       |                      |                             |       |
|                      |                             |       |                      |                             |       |

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) Trafford Kent Woodhouse & Diane Woodhouse
4. New Owner/Claimant(s) Ron Nulph and Darlene Nulph  
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 1151 S. Hwy 27
- City, State and ZIP Code Burley, ID 83318
- New Telephone Number ( )
5. Date you acquired the property 10-5-05

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<br>(cubic feet per second or acre-feet per annum) | Description<br>(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<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                         | _____                                                                      | _____                                                        |
| Stock                                              | _____                                                                      | _____                                                        |
| Domestic                                           | _____                                                                      | _____                                                        |
| Other _____                                        | _____                                                                      | _____                                                        |
| Total                                              | _____                                                                      | _____                                                        |

Signature of New Owner(s) or Claimant(s) \_\_\_\_\_  
(include title if applicable)

*Edith M. Smith*  
*Don J. Smith*

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 _____  | Date _____ | Fee _____           |
| Received by _____  | Date _____ | Receipt No. _____   |
| Processed by _____ | Date _____ | WR _____ Date _____ |

**304463 WARRANTY DEED**

#40682

RECEIVED

For Value Received

**TRAFFORD KENT WOODHOUSE and DIANE WOODHOUSE, Husband and Wife**

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

**RON NULPH and DARLENE NULPH, Husband and Wife**  
Address: 1151 SOUTH HIGHWAY 27, BURLEY, ID 83318

Hereinafter called the Grantee, the following described premises situated in Cassia County, Idaho, to-wit:

**SEE ATTACHED EXHIBIT "A"****TOGETHER WITH** all water and water rights, ditches and ditch rights used thereon or appurtenant thereto.**SUBJECT TO:**

All reservations in patents or deeds in the chain of title.

Taxes for 2005 and subsequent years, a lien, but not yet due or payable.

Assessments of the Southwest Irrigation District and the rights and powers of said District as by law provided.

Power Line Easement from Vern S. Hoffbuhr to Idaho Power Company, a corporation, dated January 28, 1958 and recorded February 14, 1959 as Instrument No. 200372 in Book 16 of Miscellaneous, records of Cassia County, Idaho, over and across the N $\frac{1}{4}$  of Section 22, Township 12 South, Range 22 East of the Boise Meridian.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: October 3, 2005

Trafford Kent Woodhouse  
TRAFFORD KENT WOODHOUSEDiane Woodhouse  
DIANE WOODHOUSE

RECORDED BY INFO THE CLERK OF COURTS

2005 OCT 5 PM 4 18

FEE 9.00 DEPUTY

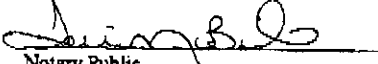
CASSIA COUNTY, IDAHO  
LARRY A. MCKEISSEN  
RECORDER

304463

STATE OF IDAHO )  
 ) ss.  
COUNTY OF CASSIA )

On this 3<sup>rd</sup> day of October, 2005, before me, the undersigned, a Notary Public in and for said State, personally appeared **TRAFFORD KENT WOODHOUSE** and **DIANE WOODHOUSE**, 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.

Terri McBride  
Notary Public  
State of Idaho

  
Notary Public

Residing at: Idaho

My Commission expires: 2-5-08

## EXHIBIT "A"

PARCEL NO. 1:

TOWNSHIP 12 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN,  
CASSIA COUNTY, IDAHO

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

Beginning at the Southwest section corner of Section 22, said corner marked by a U.S. General Land Office iron pipe with brass cap on top; Thence North 00°25'22" West (North 0°19' West rec.) along the West section line for a distance of 2239.36 feet (2243.24 feet rec.) to the Southerly right of way of State Highway 27; Thence North 33°40'29" East (North 33°43'14" East rec.) along said right of way for a distance of 509.17 feet (504.33 feet rec.) to a ½ inch rebar which shall be the Point of Beginning;  
Thence North 33°40'29" East (North 33°43'14" East rec.) continuing along said right of way for a distance of 973.39 feet (373.71 feet rec.) to a ½ inch rebar;  
Thence South 68°51'10" East for a distance of 256.35 feet to a ½ inch rebar;  
Thence South 03°36'07" West for a distance of 215.33 feet to a ½ inch rebar;  
Thence South 89°33'24" West for a distance of 73.06 feet to a 3/8 inch rebar;  
Thence South 89°33'24" West (South 89°37' West rec.) for a distance of 359.54 feet (360.11 feet rec.) to the Point of Beginning.

PARCEL NO. 2:

TOWNSHIP 12 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN,  
CASSIA COUNTY, IDAHO

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

Beginning at the Southwest section corner of Section 22, said corner marked by a U.S. General Land Office iron pipe with brass cap on top; Thence North 00°25'22" West (North 0°19' West rec.) along the West section line for a distance of 2239.36 feet (2243.24 feet rec.) to the Southerly right of way of State Highway 27; Thence North 33°40'29" East (North 33°43'14" East rec.) along said right of way for a distance of 882.56 feet to a ½ inch rebar; Thence South 68°51'10" East for a distance of 88.00 feet to the Point of Beginning;  
Thence North 21°33'33" East for a distance of 20.17 feet;  
Thence North 86°45'07" West for a distance of 1.42 feet;  
Thence North 03°14'53" East for a distance of 20.00 feet;  
Thence South 86°45'07" East for a distance of 20.00 feet;  
Thence South 03°14'53" West for a distance of 20.00 feet;  
Thence North 86°45'07" West for a distance of 8.04 feet;  
Thence South 21°33'33" West for a distance of 23.41 feet;  
Thence North 68°51'10" West for a distance of 10.00 feet to the Point of Beginning.

# Idaho Department of Water Resources Receipt

Receipt ID C079311

|                |         |               |                      |        |       |        |
|----------------|---------|---------------|----------------------|--------|-------|--------|
| Payment Amount | \$25.00 | Date Received | 10/7/2005 1:25:01 PM | Region | State | Status |
| Payment Type   | Check   | Check Number  | 19550                |        |       |        |

Payer LAND TITLE AND ESCROW INC

Comment OWNERSHIP CHANGE FOR #45-11253

## Fee Detail

|                                              |      |    |       |      |
|----------------------------------------------|------|----|-------|------|
| Amount Description                           | Fund | FD | PCA   | SO   |
| \$25.00 OWNERSHIP CHANGES/SECURITY INTERESTS | 0229 | 21 | 56140 | 1155 |

Signature Line (Dept. Representative)

Form No. 42-1409 (2) b 9/88

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION  
OF RIGHTS TO THE USE OF WATER FROM  
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Identification No. A45-11253Date Received 6-6-89Receipt Number 5007705NOTICE OF CLAIM  
TO A  
WATER RIGHTACQUIRED UNDER STATE LAW  
For Domestic and/or Stockwater Purposes  
Where Daily Use is less than 13,000 gallons per day.JUN 6 1989  
Department of Water Resources  
Southern Region Office

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) Truffed KEAT AND/OR DIANE WOODHOUSE Phone (208) 678-2748Mailing Address Star Rt Box 24 Burley ID Zip 833182. Date of Priority (Only one per claim) 6/6/89 12-31-1960 By Phone 6/29/89 P.D.H. Month/Day/Year3. Source of water supply (Check one) ( ) Groundwater or Other (x) (a) well

Name or kind of source

which is tributary to (b) \_\_\_\_\_

4. Location of point of diversion is: Township 12 S Range 22 ESection 22 SE 1/4 of NE 1/4 of \_\_\_\_\_ 1/4, Govt. Lot \_\_\_\_\_, BM.,County of CASSIA

Additional points of diversion if any: \_\_\_\_\_

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. well pump & pipeline

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For Domestic purposes from 1958 11 1 to 12 31 amount .04 (cfs)  
(Both dates are inclusive)

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_

7. Total quantity claimed .04 (cfs)8. Total consumptive use claimed is de minimus

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9. Non-irrigation uses. Describe fully. (Domestic: give number of households served If single ownership; Stockwater: Type and Number of livestock) 3

MAR 09 1993

10. Place of use is: Township: 12 S Range 22 E  
Section 21 SE 1/4 of N E 1/4, Govt. Lot \_\_\_\_\_, B.M..  
County of CASSIA for (Circle One) Domestic Stock Domestic and Stock

Additional places of use, if any \_\_\_\_\_

11. In which county (ies) are lands listed above as place of use located? CASSIA

12. Do you own the property listed above as place of use? Yes No \_\_\_\_\_  
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

14. Remarks: \_\_\_\_\_

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court \_\_\_\_\_ Decree Date \_\_\_\_\_ Plaintiff vs Defendant \_\_\_\_\_

If applicable provide IDWR Water Right Number \_\_\_\_\_

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understood the form entitled "How you will receive notice in the Snake River Basin Adjudication". (b.) I/We do \_\_\_\_\_ do not \_\_\_\_\_ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of Attachments \_\_\_\_\_

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Kent Woodhouse Date 6/6/89

\_\_\_\_\_ Date \_\_\_\_\_

For Organizations: I do solemnly swear or affirm that I am \_\_\_\_\_

of \_\_\_\_\_ Title \_\_\_\_\_ that I have signed the foregoing

document in the space below as \_\_\_\_\_ Organization \_\_\_\_\_

\_\_\_\_\_ Title \_\_\_\_\_ of \_\_\_\_\_ Organization \_\_\_\_\_

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent \_\_\_\_\_ Date \_\_\_\_\_

Title and Organization \_\_\_\_\_

State of Idaho/or \_\_\_\_\_ } SS.

County of Turn Falls }

Subscribed and sworn (or affirmed) before me this 6 day of June 19 89

SEAL

Notary Public Loren D. Halmer

Residing at Turn Falls

My Commission Expires 3/21/93

Last Name \_\_\_\_\_ Ident No. \_\_\_\_\_

Copies: White-State, Yellow-Claimant

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MAR 09 1993