

T8791

NC

Deets
Excepted out of sec. 5

290.7

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T9057

T8790

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FEB 24 2004

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

RECEIVED**JAN 26 2004****DEPARTMENT OF WATER RESOURCES**

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 Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
45-12931			45-13580		
45-12932			45-2511	AJ	
45-12933			45-7033		
45-12934			45-11171	P. D.	
45-13579					

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) Howard Duncan and Carma Duncan
594 West 200 South
Burley, ID 83318
4. New Owner/Claimant(s) Craig S. Larson and Paulee A. Larson
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 28 West 208 South
- City, State and ZIP Code Burley, ID 83318
- New Telephone Number (208)- 678-4786
5. Date you acquired the property January 20, 2004

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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)

Craig S. Larson
Craig S. Larson

Paulee A. Larson
Paulee A. Larson

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.

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FEB 24 2004

For Office Use Only

Received by <i>PMCB</i>	Date <i>1-25-04</i>	Fee <i>\$25.00</i>	
Received by <i>PMCB</i>	Date <i>1-26-04</i>	Receipt No. <i>C072428</i>	<i>C072428</i>
Processed by _____	AI Date _____	WR _____	Date _____

293627

WARRANTY DEED

#37174-A

For Value Received

Carma Duncan, also known as Carma Ann Duncan, a widow

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

Craig S. Larson and Paulee A. Larson, husband and wife

Address: 28 West 208 South
Burley, Idaho 83318

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

PARCEL NO. 1:TOWNSHIP 11 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 5: ALL, EXCEPTING the following described tracts:

Tract No. 1:

Beginning at the N $\frac{1}{4}$ section corner of said Section 5, said point marked by a U.S. Government Brass Cap which shall be the Point of Beginning;

Thence South 89°40'36" East along section line for 2800.50 feet to a Brass Cap marking the Northeast corner of Section 5;

Thence South 0°12' West (Basis of Bearing) along the section line for 2642.46 feet to a 5/8 inch rebar marking the E $\frac{1}{4}$ section corner of Section 5;

Thence South 0°12' West along said section line for 2396.84 feet to a point said point lying North 0°12' East for 257.50 feet from the Southeast corner of Section 5;

Thence South 87°08'03" West (South 87°29'09" West, rec.) for 624.16 feet (624.20 feet, rec.) to a point;

Thence on a curve to the right for 795.41 feet to a point, said curve having a central angle of 30°55'39" and a radius of 1473.57 feet with a long chord bearing South 75°21'31" West (South 75°42'38" West, rec.) for a distance of 785.79 feet;

Thence South 88°56'11" West (South 89°17'18" West, rec.) for 1274.64 feet to the S $\frac{1}{4}$ section corner of Section 5, said point marked by a U.S. Government Brass Cap;

Thence North 89°53'42" West along section line for 1047.20 feet to a ½ inch rebar;

Thence on a curve to the left for 1799.79 feet to a ½ inch rebar, said curve having a central angle of 75°45'55" and a radius of 1361.05 feet with a long chord bearing North 38°55'48" East for a distance of 1671.49 feet;

Thence North 9°53'57" West for 494.49 feet to a ½ inch rebar;

Thence North 49°22'54" West for 140.99 feet to a ½ inch rebar;

Thence North 34°46'00" East for 218.74 feet to a ½ inch rebar;

Thence North 5°19'42" West for 467.87 feet to a ½ inch rebar;

Thence North 17°44'32" East for 646.74 feet to a ½ inch rebar;

2001 JAN 21 PM 4 15
RECORDED AT THE REQUEST OF
LAND TITLE & ESCROW

CASSIA COUNTY, IDAHO
LARRY A. MICKELSEN
RECORDER
FEE 1500 DEPUTY *lu*

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Thence North 32°31'59" West for 200.90 feet to a ½ inch rebar;
Thence North 54°00'19" West for 493.90 feet to a ½ inch rebar;
Thence North 68°13'25" West for 671.71 feet to a ½ inch rebar;
Thence North 5°40'59" East for 347.36 feet to a ½ inch rebar;
Thence North 22°45'43" East for 1205.02 feet to a P.K. nail on section line;
Thence North 89°57'40" East along said section line for 416.54 feet to the
Point of Beginning.

Tract No. 2:

Beginning at the North quarter corner of said Section 5, said corner marked
by a 3" Cassia County survey cap; thence South 89°57'40" West along
section line for 42.88 feet to a P.K. Nail which shall be THE POINT
OF BEGINNING;
Thence South 0°00'00" East for 425.19 feet to a ½" rebar;
Thence South 89°57'40" West for 258.47 feet to a ½" rebar;
Thence on a curve to the left for 285.01 feet to a ½" rebar, said curve having
a central angle of 12°32'34" with a radius of 1301.93 feet with a long
chord bearing of North 49°21'32" West for 284.44 feet;
Thence North 22°45'43" East for 260.11 feet to a P.K. Nail on section line;
Thence North 89°57'40" East along section line for 373.66 feet to THE POINT OF
BEGINNING.

Tract No. 3:

Beginning at the Southeast corner of said Section 5, which point shall be the
Point of Beginning;
Thence North 89°33'42" West along section line for 2657.23 feet to a point
at the S¼ corner of Section 5;
Thence North 89°17'18" East for 1274.64 feet to a point;
Thence on a curve to the left for 795.41 feet to a point, said curve having a
central angle of 30°55'38" and a radius of 1473.57 feet and a long
chord of North 75°42'38" East for a distance of 785.79 feet;
Thence North 87°29'09" East for 624.20 feet to a point on section line;
Thence South 0°33'06" West along said section line for 257.50 feet to the
Point of Beginning.

Tract No. 4:

Beginning at the N¼ section corner of said Section 5, said corner marked by
a 3 inch Cassia County survey cap; Thence South 89°57'40" West
along section line for 416.54 feet to a P.K. Nail; Thence South 22°45'43"
West for 1205.02 feet to a point; Thence South 5°40'59" West for 347.36
feet to a point; Thence South 68°13'25" East for 671.71 feet to a point;
Thence South 54°00'19" East for 333.58 feet to the Point of Beginning;
Thence South 54°00'19" East for 160.32 feet to a point;
Thence South 32°31'59" East for 200.90 feet to a point;
Thence South 17°44'32" West for 646.74 feet to a point;
Thence South 5°19'42" East for 467.87 feet to a point;
Thence South 34°46'00" West for 89.42 feet to a point;
Thence on a curve to the left for 1197.50 feet to a point, said curve having a
central angle of 49°22'07" with a radius of 1389.78 feet with a long
chord bearing of North 53°55'29" West for 1160.80 feet;
Thence on a non tangent curve to the left for 1205.08 feet to the Point of
Beginning, said curve having a central angle of 50°41'50" with a
radius of 1361.93 feet with a long chord bearing of North 50°54'26"
East for a distance of 1166.15 feet.

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TOWNSHIP 10 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 31: Lots 3 and 4, SE $\frac{1}{4}$ SW $\frac{1}{4}$ and S $\frac{1}{2}$ SE $\frac{1}{4}$

EXCEPTING THEREFROM the following described tracts:

Tract No. 1:

State of Idaho Highway Right-of-Way.

Tract No. 2:

Beginning at the Southwest section corner of said Section 31, said corner marked by a 5/8 inch rebar with a 3 inch aluminum cap on top; Thence South 89°55'02" East along the South section line for a distance of 276.15 feet to the east right of way of State Highway 30 which shall be the Point of Beginning;

Thence North 44°13'17" East along the east right of way of State Highway 30 for a distance of 1819.77 feet to $\frac{1}{2}$ inch rebar;

Thence South 00°04'58" West for a distance of 1284.56 feet to a $\frac{1}{2}$ inch rebar;

Thence South 00°04'58" West for a distance of 21.41 feet to the South line of Section 31;

Thence North 89°55'02" West along the South line of Section 31 for a distance of 1267.28 feet to the Point of Beginning.

PARCEL NO. 3:

TOWNSHIP 10 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 32: S $\frac{1}{2}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$

EXCEPTING THEREFROM the following described tract:

Beginning at the Southwest corner of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 32, said point marked by a 5/8 inch rebar; thence North 89°57'40" East (Basis of Bearing) along section line for 97.07 feet to a P.K. nail which shall be the Point of Beginning;

Thence North 17°36'40" East for 145.67 feet to a $\frac{1}{2}$ inch rebar;

Thence North 0°44'27" East for 174.70 feet to a $\frac{1}{2}$ inch rebar;

Thence South 89°46'09" East for 134.17 feet to a $\frac{1}{2}$ inch rebar;

Thence South 0°27'20" East for 312.87 feet to a P.K. nail on section line;

Thence North 89°57'40" West along said section line for 182.99 feet to the Point of Beginning.

ALSO EXCEPTING THEREFROM the following described tract:

Beginning at the S $\frac{1}{4}$ corner of said Section 32, said corner marked by a 5/8 inch rebar with a 3 inch Cassia County Survey cap on top; thence South 89°57'17" West along the South section line for a distance of 185.98 feet to a $\frac{1}{2}$ inch rebar which shall be the Point of Beginning;

Thence South 89°57'17" West along the South section line for a distance of 250.00 feet to a $\frac{1}{2}$ inch rebar;

Thence North 00°03'01" West for a distance of 1285.47 feet to a $\frac{1}{2}$ inch rebar;

Thence North 89°57'17" East for a distance of 250.00 feet to a $\frac{1}{2}$ inch rebar;

Thence South 00°03'01" East for a distance of 1285.47 feet to the Point of Beginning.

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TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to State of Idaho, Department of Water Adjudication Nos. _____.

SUBJECT TO:

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

Taxes for 2003 and subsequent years.

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

Oil And Gas Lease executed by McMurray Land & Livestock Co. to Fred Foss, dated October 18, 1945 and recorded September 10, 1946 as Instrument No. 156567 in Book 7 of Bills of Sale and Agreements on Pages 223, 224, 225 and 226, records of Cassia County, Idaho.

Right of Way Contract executed by McMurray Land and Livestock Co. to Pacific Northwest Pipeline Corporation, a Delaware corporation, its successors and assigns, dated August 10, 1955 and recorded February 13, 1956 as Instrument No. 188905 in Book 9 of Bills of Sale and Agreements, page 378-379, records of Cassia County, Idaho.

Right of Way Contract executed by McMurray Land and Livestock Co., Grantor to Pacific Northwest Pipeline Corporation, a Delaware corporation, its successors and assigns, Grantee, dated August 10, 1955 and recorded February 13, 1956 as Instrument No. 188906 in Book 9 of Bills of Sale and Agreements, Page 380 and 381, records of Cassia County, Idaho.

Power Line Easement executed by Leona E. Lyon, widow, to Idaho Power Company, a corporation, dated April 8, 1957 and recorded May 8, 1958 as Instrument No. 197165 in Book 15 of Miscellaneous, records of Cassia County, Idaho.

Boundary Agreement between Mr. Coulson P. Parrish, whose wife is Elaine J. Parrish, and Leona E. Lyon, a widow, dated April 19, 1957 and recorded February 28, 1959 as Instrument No. 200552 in Book 10 of Bills of Sale and Agreements, records of Cassia County, Idaho.

Power Line Easement between Howard Duncan and Carma Duncan, his wife and Idaho Power Company, a corporation, its licensees, successors and assigns, dated May 12, 1961 and recorded August 26, 1964 as Instrument No. 20219 on Film No. 29, records of Cassia County, Idaho.

Right of Way as disclosed by Warranty Deed executed by S. H. Kunau and Dorothy Kunau, Husband and Wife to Leona E. Lyon, A widow, dated February 17, 1958 and recorded December 28, 1967 as Instrument No. 38253 on Film no. 53, records of Cassia County, Idaho, which reads as follows: SUBJECT to right-of-way for gas pipeline."

Power Line Easement executed by Howard Duncan and Carma Duncan, his wife, to Idaho Power Company, a corporation, its licensees, successors and assigns, dated October 18, 1973 and recorded March 22, 1974 as Instrument No. 75525 on Film No. 88, records of Cassia County, Idaho.

Power Line Easement executed by Howard Duncan and Carma Duncan, his wife to Idaho Power Company, a corporation, dated November 23, 1981 and recorded February 18, 1982 as Instrument No. 141194 on Film No. 147, records of Cassia County, Idaho.

FEB 24 2004

Reservations in U. S. Patent to Carma Ann Duncan, dated August 24, 1964 and recorded June 23, 1992 as

Instrument No. 219618 on Film No. 235, records of Cassia County, Idaho.

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 encumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

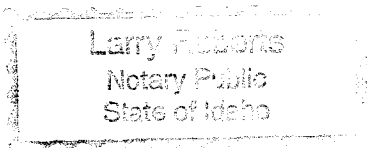
Dated this 20 day of January, 2004

Carma Ann Duncan
Carma Duncan, also known as Carma Ann
Duncan, a widow

STATE OF IDAHO)
) ss.
COUNTY OF Cassia)

On this 20 day of January, 2004, before me, the undersigned, a Notary Public in and for said State, personally appeared **Carma Duncan**, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

[Signature]
Notary Public
Residing at: Burley, ID
My Commission expires: 6-30-09



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Excerpted out of sec 5

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T8793

Sec 2

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IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 45-11171

NAME AND ADDRESS: CARMA DUNCAN
HOWARD DUNCAN
594 W 200 S
BURLEY, ID 83318

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 05/30/1960

POINT OF DIVERSION: T10S R22E S32 SWSW Within Cassia County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic 1 HOME	01-01 TO 12-31	0.04 CFS
	Stockwater	01-01 TO 12-31	0.02 CFS

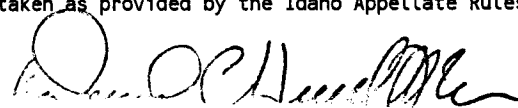
PLACE OF USE:	Stockwater		Within Cassia County
	T10S R22E S32	SWSW	
	Domestic		Within Cassia County
	T10S R22E S32	SWSW	

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



Daniel C. Hurlbutt, JR.
Presiding Judge
Snake River Basin Adjudication

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FEB 24 2004



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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 10, 2004

HOWARD DUNCAN
CARMA DUNCAN
594 W 200 S
BURLEY ID 83318

RE: Change of Ownership for Water Right 45-11171

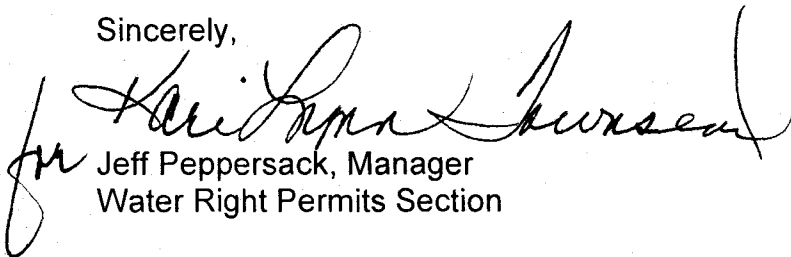
Dear Water Right Holder(s):

The department has been advised that an earlier change of ownership of the above referenced water right to Craig S. and Paulee A. Larson was in error. The department has modified its records to reflect the change in ownership back to you 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:klt

Enclosure

cc: Craig S. & Paulee A. Larson
28 W 208 S
Burley, ID 83318

Land Title & Escrow, Inc.
Attn: Nancy Garrett (Ref. #37174)
PO Box 177
Burley, ID 83318

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Receipt Details for ID C072428

Status	Adjustment Type	Version
		1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
1/26/2004 10:32:22 AM	1/26/2004 2:09:56 PM	STATE	\$25.00	Check
Payer		LAND TITLE AND ESCROW INC		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
26652			
Card Expiration Date	Credit Card Transaction #		

Comment	CHANGE IN WATER RIGHT OWNERSHIP 45-12931 456-12932 45-12933 45-12934 45-13579 45-13580 45-2511 45 7033 45-11171
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Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$25.00	OWNERSHIP CHANGES/SECURITY INTERESTS	56140	0229	21		1155

Refund(s):

Amount	Payee	Date	Document Number
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DEBBIE ALLEN . . .

PLEASE ARRANGE FOR A FULL REFUND OF THIS RECEIPT TO:

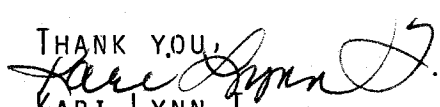
LAND TITLE & ESCROW INC

PO BOX 177

BURLEY ID 83318

PLEASE INCLUDE THEIR REF. #37174 ON THE REFUND.

THANK YOU,


KARI LYNN T.
2-10-04

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FEB 24 2004



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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 27, 2004

CRAIG S LARSON
PAULEE A LARSON
28 W 208 S
BURLEY ID 83318

RE: Change of Ownership for Water Right 45-11171

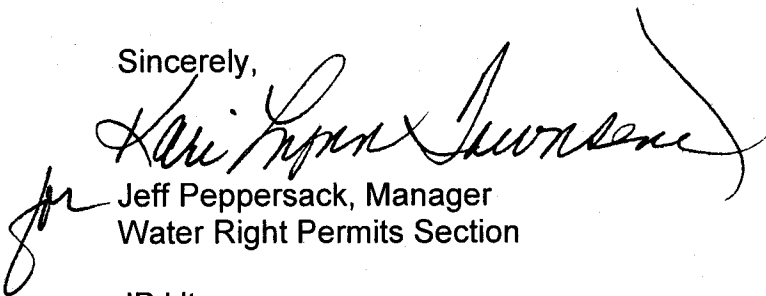
Dear Water Right Holder(s):

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. Also enclosed is a receipt for the \$25.00 filing fee.

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,


Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

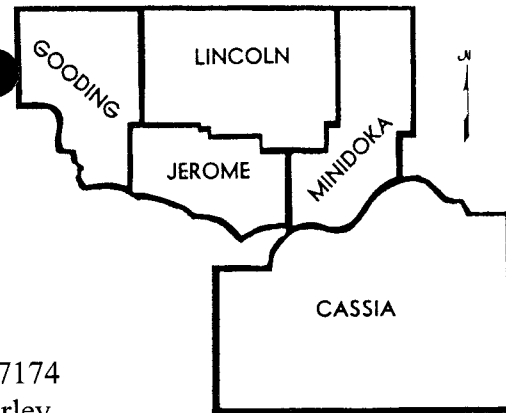
Enclosures

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FEB 24 2004

Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



REFER TO: #37174
OFFICE: Burley

January 22, 2004

Idaho Dept. of Water Resources
Attention: Kari Lynn Townsend
1301 N. Orchard Street
Boise, ID 83720

RECEIVED
JAN 26 2004
Department of Water Resources

Dear Kari Lynn:

Enclosed with this letter please find the following:

1. The original Notice of Change In Water Right Ownership executed by Craig S. and Paulee A. Larson.
2. A copy of the recorded Warranty Deed.
3. An aerial photo.
4. Land Title and Escrow's check no. 26652 in the amount of \$25.00 for the transfer fee.

Should you have any questions concerning this matter, please do not hesitate to contact me.

Very truly yours,
Land Title and Escrow, Inc.

A handwritten signature in cursive script that reads "Nancy Garrett".

Nancy Garrett
Reconveyance Department

/nrg
enc.

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FEB 24 2004