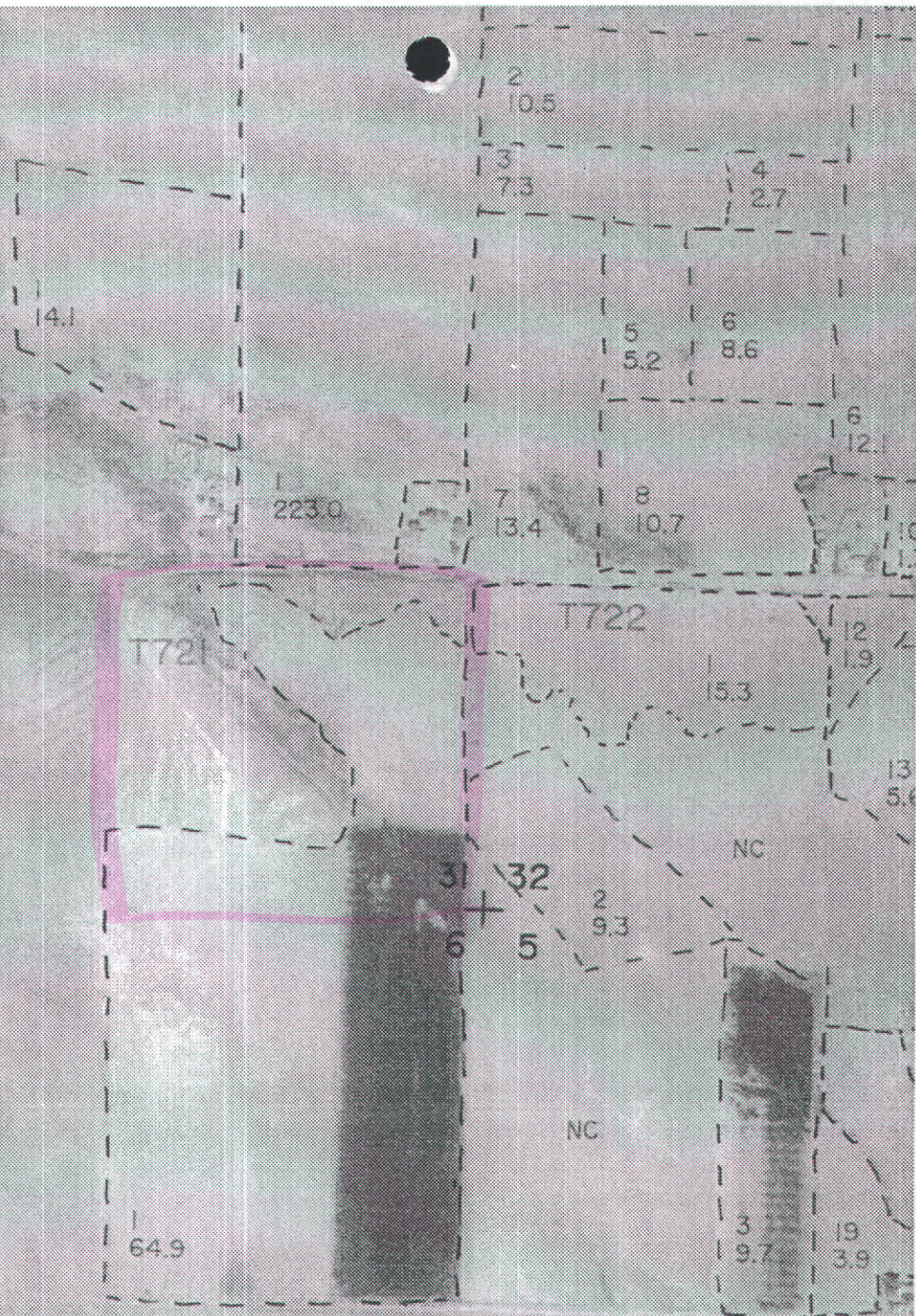


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MAR 16 2004

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DEC - 8 2002

Department of Water Resources

45-629

Hi Karilyn,

I came across this ownership change while reviewing some irrigation rights. They were processed already but 45-629 was not listed but should have been changed also. It was partially decreed 7/24/1998, so do you want to solicit the fees and change this one also?

Thanks,

Jeanie
Southern AJ

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MAR 16 2004

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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MAR 05 2004
Department of Water Resources
Southern Region

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>45-629</u>					

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)

CELIA S MARCHANT / GERALD L MARCHANT
RT 1 BASIN, OAKLEY, IDAHO 83346

4. New Owner/Claimant(s)

~~CRAIG~~ CRAIG S HAWKES / RENAE B HAWKES
Name Connector (Check one): ☐ and, ☐ or, ☒ and/or

New Mailing Address

2014 S. 50 E.

City, State and ZIP Code

OAKLEY, IDAHO 83346

New Telephone Number

(208) 869-9242

5. Date you acquired the property

APRIL 20, 2001

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MAR 10 2004

Department of Water Resources

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 _____

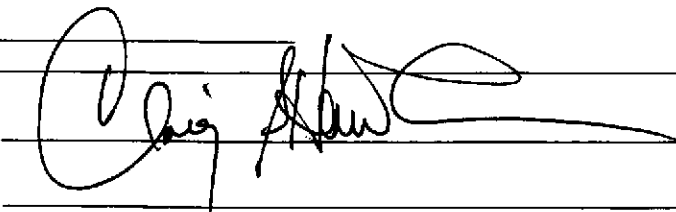
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

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>C. SKINNER</u>	Date <u>3/5/2004</u>	Fee <u>\$25.00</u>
Received by <u>C. SKINNER</u>	Date <u>3/5/2004</u>	Receipt No. <u>5026522</u>
Processed by _____	AJ Date _____	WR _____ Date _____

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MAY 16 2004

274528

WARRANTY DEED

THIS INDENTURE, made this 20th day of April, 2001, between Steve Manning and Heidi Manning, husband and wife whose address is 2014 South Poleline Road, Oakley, Idaho 83346 ("Grantor"), and Craig S. Hawker and Renae B. Hawker, husband and wife, whose address is 2927 North 4300 East, Murtaugh, Idaho 83344, ("Grantee").

WITNESSETH:

That 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 Cassia, State of Idaho, to-wit:

See Exhibit "A".

SUBJECT TO: See Exhibit "B"

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

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

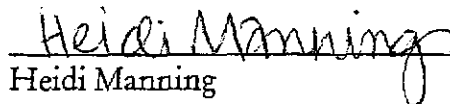
The Grantor shall and will warrant and by these presents will forever defend the said premises in the quiet and peaceable possession of the Grantee, and the heirs and assigns of

MICROFILMED

1 Grantee against all and every person and persons whomsoever lawfully claiming the same,
2 except as aforesaid.

3
4 IN WITNESS WHEREOF, the Grantor has executed this Deed the day and
5 year first above written.

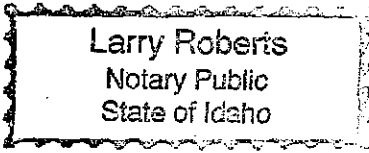
6 
7 Steve Manning

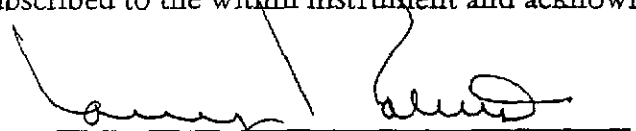
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9 Heidi Manning

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1 STATE OF IDAHO)
2) ss
3 County of Cassia)

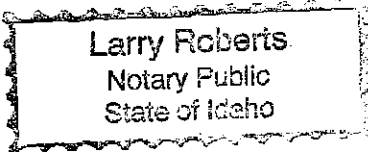
4 On this 20th day of April, in the year 2001, before me, the undersigned, a
5 Notary Public in and for said State, personally appeared Steve Manning, known or identified
6 to me to be the person whose name is subscribed to the within instrument and acknowledged
7 to me that he executed the same.

8  Larry Roberts
9 Notary Public
10 State of Idaho


11 Notary Public for Idaho
12 Residing at Burley, ID
13 My commission expires on 6-30-03.

14 STATE OF IDAHO)
15) ss
16 County of Cassia)

17 On this 20th day of April, in the year 2001, before me, the undersigned, a
18 Notary Public in and for said State, personally appeared Heidi Manning, known or identified
19 to me to be the person whose name is subscribed to the within instrument and acknowledged
20 to me that she executed the same.

21  Larry Roberts
22 Notary Public
23 State of Idaho


24 Notary Public for Idaho
25 Residing at Burley, ID
26 My commission expires on 6-30-03.

Exhibit A

PARCEL NO. 1:

TOWNSHIP 13 SOUTH, RANGE 23 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 31: SE $\frac{1}{4}$ SE $\frac{1}{4}$

TOWNSHIP 14 SOUTH, RANGE 23 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 6: Lot 1

Section 16: W $\frac{1}{2}$ W $\frac{1}{2}$, EXCEPT South 50 feet

PARCEL NO. 2:

TOWNSHIP 14 SOUTH, RANGE 23 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 5: SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$

Exhibit A

2010 1 6 2004

Exhibit B

1. Well Construction and Operating Agreement between Jesse R. Bedke and Marguerite Bedke, husband and wife; and M. Roy Steel and Iona Steel, husband and wife, dated September 29, 1961 and recorded October 6, 1961 as Instrument No. 3678 on Film No. 9, records of Cassia County, Idaho. (Covering the SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ and S $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 5, Township 14 South, Range 23 East of the Boise Meridian)
2. Exception and Reservation in Warranty Deed from John K. Firth and Carolyn H. Firth, husband and wife, to Donald K. Bedke and Susan Bedke, husband and wife, dated April 13, 1988 and recorded May 10, 1988 as Instrument No. 195244 on Film No. 198, records of Cassia County, Idaho, which reads as follows: "Excepting and Reserving .036 cfs of License number 45-0590 for stock water purposes by the Grantor."
3. Terms and Conditions contained in Pond, Ditch, Pipeline And Easement Agreement between Donald K. Bedke and Susan Bedke, husband and wife, Marguerite H. Robinson (formerly Bedke), a widow, Bruce Bedke and Martha J. Bedke, husband and wife, and John Firth and Carolyn Firth, husband and wife, dated March 11, 1988 and recorded October 30, 1990 as Instrument No. 210262 on Film No. 220, records of Cassia County, Idaho.
ASSIGNED TO: Steve Manning and Heidi Manning, husband and wife by an Assignment from Donald K. Bedke and Susan Bedke, husband and wife, dated March 14, 2000 and recorded March 15, 2000 as Instrument No. 268003, records of Cassia County, Idaho.
4. Right-of-Way as disclosed by Warranty Deed from Donald K. Bedke and Susan Bedke, Husband and Wife, to Steve Manning and Heidi Manning Husband and Wife, dated March 14, 2000 and recorded March 15, 2000 as Instrument No. 268000, records of Cassia County, Idaho, which reads as follows: "RESERVING unto the Grantors, their successors or assigns, a 50 foot wide right of way for ingress and egress over and across the North 50 feet of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 16, Township 14 South, Range 23 East Boise Meridian, Cassia County, Idaho."

Exhibit B

274528
CASSIA COUNTY, IDAHO
DARRELL H. ROSKELLEY
RECORDER
FEE 1500 DEPUTY *[Signature]*
APR 20 PM 4 02
RECORDED AT THE REQUEST OF
LAND TITLE & ESCROW

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2

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 45-00629

NAME AND ADDRESS: CELIA S MARCHANT
GERALD L MARCHANT
RT 1 BASIN
OAKLEY, ID 83346

SOURCE: SPRINGS TRIBUTARY: BASIN CREEK

QUANTITY: 0.04 CFS
4.10 AFY

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

PRIORITY DATE: 12/31/1941

POINT OF DIVERSION: T13S R23E S31 SESE Within Cassia County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.04 CFS 4.10 AFY

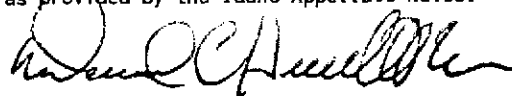
PLACE OF USE: Stockwater Within Cassia County
T13S R23E S31 SESE

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



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

March 11, 2004

CRAIG S HAWKER
RENAE B HAWKER
2014 S 50 E
OAKLEY ID 83346

RE: Change of Ownership for Water Right 45-629

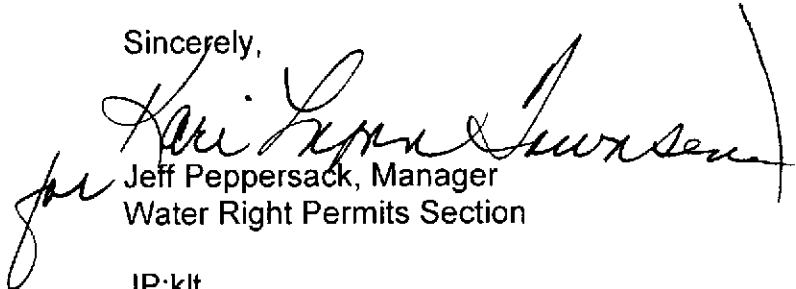
Dear Water Right Holder(s):

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,


Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

MICHAEL L. DREHER

MAR 15 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 11, 2004

CRAIG S HAWKER
RENAE B HAWKER
2927 N 4300 W
MURTAUGH ID 83344

RE: **Decreed Water Right 45-629**

Dear Mr. & Mrs. Hawker:

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

Before we can modify our records to reflect your ownership of the property and the water right 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,



Kari Lynn Townsend
Secretary

KLT:k

Enclosures

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MAR 9 6 2004

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DEC - 8 2002

Department of Water Resources 45-629

Hi Karilyn,

I came across this ownership change while reviewing some ~~injection~~ right. They were processed already but 45-629 was not listed but should have been ~~changed~~ also. It was partially decreed 7/24/1998, so do you want to solicit the fees and charge this one also?

Thanks,

Jeanie
Southern AJ

RECORDED

MAR 16 2003