

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

RECEIVED
MAY 23 2005
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
<u>37-8679</u>	_____	___	_____	_____	___
<u>37-7602</u>	_____	___	_____	_____	___
<u>37-7454</u>	_____	___	_____	_____	___
<u>37-7268</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) Louis Leon Hubsmith and Iris B. Hubsmith
647 East 130 South Dietrick, ID 83324
4. New Owner/Claimant(s) Alton L. Huyser and Paula J. Huyser, Trustees
of The Alton and Paula Huyser Trust under
Trust Agreement Dated April 1, 2001
 New Mailing Address 73 North Highway 75,
 City, State and ZIP Code Shoshone, ID 83352
- New Telephone Number () _____
5. Date you acquired the property 5/19/05

SUPPORT DATA
IN FILE # 37-7268

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) X Alton Lee Huyse Trustee
(include title if applicable) X Paula J. Huyser Trustee

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>AM</u>	Date <u>5-23-05</u>	Fee <u>\$100.⁰⁰/hr</u>
Received by <u>AM</u>	Date <u>5-23-05</u>	Receipt No. <u>C078038</u>
Processed by _____	AJ Date _____	WR _____ Date _____

WARRANTY DEED

#L-33888

COPY

For Value Received

LOUIS LEON HUBSMITH and IRIS B. HUBSMITH, husband and wife

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

**ALTON L. HUYSER and PAULA J. HUYSER, Trustees of The Alton and Paula Huyser Trust
under Trust Agreement Dated April 1, 2001**

Address: 72 North Highway 75, Shoshone, ID 83352

LINCOLN

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

SEE ATTACHED EXHIBIT "A"

SUBJECT TO:

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

Taxes subsequent to the year 2005, which are not yet due or payable.

Right of way for canals, laterals and waste ditches of Big Wood Canal Company.

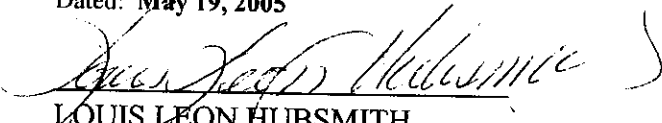
Power Line Easement given by Leo Knowles and Isabelle Knowles, husband and wife, to Idaho Power Company, a corporation, dated November 8, 1939, recorded September 18, 1941 as Instrument Number 81171, Lincoln County records, granting to said corporation a right of way and easement for erection and maintenance of an electric transmission line over and across a portion of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 19, Township 6 South, Range 19 East Boise Meridian.

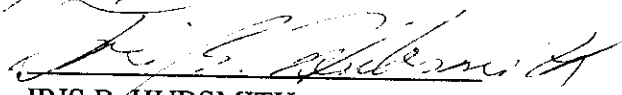
Power Line Easement given by Steven R. Shaw and Betty Lorain Shaw, his wife, to Idaho Power Company, a corporation, dated June 12, 1978, recorded December 7, 1978 as Instrument Number 136353 Lincoln County records, affecting a parcel of land located in Lot 12 of Section 19, Township 6 South, Range 19 East Boise Meridian.

**TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto
including but not limited to Water Right no. 37-8679, 37-7602, 37-7454 and 37-7268**

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: **May 19, 2005**


LOUIS LEON HUBSMITH

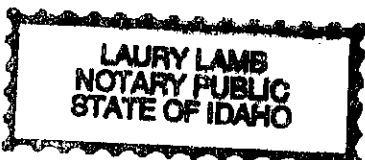

IRIS B. HUBSMITH

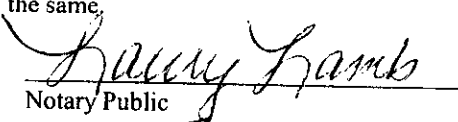
STATE OF IDAHO)

COUNTY OF Jerome)

) ss.

On this 19th day of **May, 2005**, before me, the undersigned, a Notary Public in and for said State, personally appeared **LOUIS LEON HUBSMITH and IRIS B. HUBSMITH**, known or identified to me to be the person whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.




Notary Public

Residing at: Jerome

My Commission expires: 7/2/2010

STATE OF IDAHO COUNTY OF LINCOLN Recorded at the request of LAND TITLE & ESCROW
178864
MAY 19 2005
at <u>14</u> minutes past <u>4</u> P. M. recorded by <u>Debra Jackson</u> Fee: <u>2.00</u> Return to: <u>Alton</u>

Big hand.

EXHIBIT "A"

LEGAL DESCRIPTION
FOR
ALTON HUYSER

Parcels of land located in Sections 19 and 30 of Township 6 South, Range 19 East, Boise Meridian, Lincoln County Idaho and being more particularly described as follows:

SECTION 19:

All of Government Lots 7, 11 and 12

EXCEPTING THEREFROM:

EXCEPTION #1-

A parcel of land located in Government Lot 11 of said Section 19 and being more particularly described as follows:

Commencing at the Southwest corner of said Section 19, from which the South One Quarter (S1/4) of said Section 19 bears S89°56'47"E-3541.26 feet, Thence S89°56'47"E along the South boundary of the SW1/4 of said Section 19 for a distance of 904.44 feet to the Southwest corner of Government Lot 11 of said Section 19 and being the **TRUE POINT OF BEGINNING**:

Thence N00°00'09"E along the West boundary of said Government Lot 11 for a distance of 918.00 feet;

Thence S89°56'47"E parallel with the South boundary of the SW1/4 of said Section 19 for a distance of 950.00 feet;

Thence S00°00'09"W parallel with the West boundary of said Government Lot 11 for a distance of 918.00 feet to a point on the South boundary of said Government Lot 11;

Thence N89°56'47"W along the South boundary of said Government Lot 11 for a distance of 950.00 feet to the **TRUE POINT OF BEGINNING**.

EXCEPTION #2-

All that part of Government Lot 11 that lies South and East of the Big Wood River Canal Company Lateral.

EXCEPTION #3-

A parcel of land located in Government Lot 12 of said Section 19 and being more particularly described as follows:

Commencing at the South One Quarter (S1/4) corner of said Section 19, from which the Southwest corner of said Section 19 bears N89°56'47"W-3541.26 feet, Thence N89°56'47"W along the South boundary of said Government Lot 12 for a distance of 1295.38 feet to the **TRUE POINT OF BEGINNING**:

Thence continuing N89°56'47"W along the South boundary of said Government Lot 12 for a distance of 23.03 feet to the Southwest corner of said Government Lot 12;

Thence N00°00'14"E along the West boundary of said Government Lot 12 for a distance of 321.13 feet to a point in the center of the Big Wood River Canal Company Lateral;

Thence S89°56'47"E along the center of the Big Wood Canal Company lateral for a distance of 20.24 feet to a point in line with an existing fence;

Thence S00°29'38"E along the existing fence line for a distance of 321.14 feet to the **TRUE POINT OF BEGINNING**.

SUBJECT TO:

1- 25.0 foot wide county road easement along the most Southerly boundary of the before

CONTINUATION

EXHIBIT "A"

described parcel.

2- An easement to the Big Wood Canal Company for the use and maintenance of irrigation laterals lying within the boundaries of the before described parcel.

SECTION 30:

THE NE1/4NE1/4; W1/2E1/2; GOVERNMENT LOTS 1, 2, 6, 7 and 12.

SUBJECT TO:

1- A 25.0 foot wide county road easement along the North, most Easterly and most Southerly boundaries of the before described parcel.



End of Exhibit "A"