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RECEIVED
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WATER RESOURCES
WESTERN REGION

**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 Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
AS 67-519		X			
WR → 67-11447		?			

COPY

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) Sybil M. Clark / Harvey D. Clark III.
1498 Thousand Springs Rd, Weiser, ID 83672
4. New Owner/Claimant(s) James D. Winston Penny J. Winston
Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
- New Mailing Address 1262 Syracuse Lane
- City, State and ZIP Code Manterca, CA 95336
- New Telephone Number (209) 239-3145
5. Date you acquired the property 11-4-05

OK TO SPLIT 67-519

DLN (9-1-06)

cc: W.A.
9-1-06
ms

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SEP - 1 2006

Form 42-24B/42-1409(6) July, 2008

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 <u>67-519</u>		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
<u>Irrigation</u>	<u>UNK</u>	<u>4.85 ACRES - PASTURE</u>
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 <u>67-11447</u>		
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		
<u>Domestic</u>	<u>UNK</u>	<u>FUTURE HOME</u>
Other		
Total		

7. Signature of New Owner(s) or Claimant(s) X James D. Winston
(include title if applicable) X Penny J. Winston

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 <u>4/18/07</u>	\$25	
Processed by <u>AS</u>	Date <u>9-1-06</u>	Receipt No. <u>0083079</u>	
		WR	Date

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SEP - 1 2006

Approved by:
Initials _____



Warranty Deed



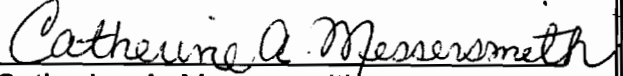
FOR VALUE RECEIVED, LEONARD W. MESSERSMITH and CATHERINE A. MESSERSMITH, husband and wife, the Grantors, do hereby, grant, bargain, sell and convey unto JAMES D. WINSTON and PENNY J. WINSTON, husband and wife, the Grantees, whose address is 1262 Syracuse Lane, Manteca, CA 95336, the following described real estate situated in Washington County, State of Idaho, to-wit:

See attached legal description.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their successors and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that said premises are free from all incumbrances, and that they will warrant and defend the same from all lawful claims whatsoever.

DATED this 2 day of November, 2005.

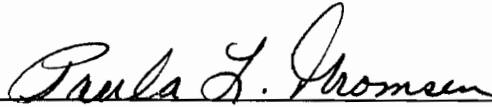

Leonard W. Messersmith


Catherine A. Messersmith

STATE OF IDAHO)
: ss
County of Washington)

On this 2nd day of November, 2005, before me, the undersigned, a Notary Public in and for said State, personally appeared LEONARD W. MESSERSMITH and CATHERINE A. MESSERSMITH, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.


Notary Public for Idaho
Residing at Weiser, Idaho
Commission expires: 3-11-2009

Instrument # 199217

WEISER, WASHINGTON, IDAHO

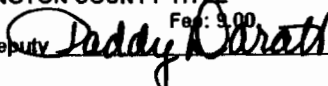
2005-11-04 10:06:00 No. of Pages: 3

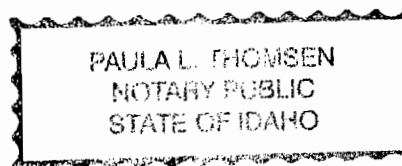
Recorded for : WASHINGTON COUNTY TITLE

SHARON WIDNER

Ex-Officio Recorder Deputy

Index to: DEED


Fee: \$0.00



SCANNED
SEP - 1 2006

Legal Description to Warranty Deed
Messersmith / Winston

IN WASHINGTON COUNTY, IDAHO:

All that part of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ (Government Lot 1) of Section 19, Township 12 North, Range 4 West of the Boise Meridian; lying westerly of the Mann Creek Ditch, EXCEPTING THEREFROM the West 2 rods of said Lot 1, and FURTHER EXCEPTING all that portion lying South of the following described line:

Beginning at the northwest corner of Lot 1 of Section 19, T.12N., R.4W., B.M.;

Thence S 0°19'11" E, a distance of 493.65 feet along the west line of said Lot 1, to the True Point of Beginning of said line;

Thence N 89°40'49" E, at 90°00'00" to the west line of said Lot 1, a distance of 532.89 feet to a point on the westerly right-of-way line of the Mann Creek Ditch, the Point of Termination of said line;

This parcel is granted SUBJECT TO AND TOGETHER WITH a 22.00 foot wide ingress-egress and utility easement disclosed by Warranty Deed recorded as Instrument No. 194522, said easement being more fully described in the following excepted parcel:

AND ALSO EXCEPTING a parcel of land situated within Government Lot 1 of Section 19, Township 12 North, Range 4 West, Boise Meridian, more particularly described as follows:

Beginning the northwest corner of Government Lot 1 of said Section 19;

Thence N 89°50'11" E, a distance of 33.00 feet along the north line of said Government Lot 1 to the TRUE POINT OF BEGINNING;

Thence continuing N 89°50'11" E, a distance of 362.46 feet along the north line of said Government Lot 1 to a point on the westerly side of the Mann Creek Ditch;

Thence S 38°52'58" E, a distance of 20.67 feet along the westerly side of said Mann Creek Ditch;

Thence S 2°13'02" W, a distance of 113.12 feet;

Thence N 88°29'01" W, a distance of 63.86 feet;

Thence S 0°19'17" E, parallel to the west line of said Government Lot 1, a distance of 6.40 feet;

Thence S 89°50'11" W, parallel to the north line of said Government Lot 1, a distance of 306.50 feet to a point 33.00 feet east of the west line of said Government Lot 1;

Thence N 0°19'17" W, parallel to the west line of said Government Lot 1, a distance of 133.67 feet to the TRUE POINT OF BEGINNING;

SUBJECT TO AND TOGETHER WITH a 22 foot wide ingress-egress and utility easement along the easterly side of the above described parcel of land, the easterly boundary of said easement being the easterly boundary of the above described parcel of land.

THIS PARCEL IS ALSO SUBJECT TO THE FOLLOWING RIGHTS OF WAY:

An existing County Road known as Thousand Springs Road.

An existing County Road known as Mann Creek Road.

U.S. Highway 95, Project 40-A.

WARRANTY DEED

193476

For Value Received

HARVEY D. CLARK III, a single person AND SYBIL M. ARNETT fka SYBIL M. CLARK, a married person as her sole and separate property

does hereby GRANT, BARGAIN, SELL AND CONVEY unto

LEONARD W. MESSERSMITH AND CATHERINE A. MESSERSMITH, husband and wife

whose current address is 1106 E. WASHINGTON, WEISER, ID 83672

the following described premises, to-wit:

IN WASHINGTON COUNTY, IDAHO:

SEE ATTACHED EXHIBIT "A"

Instrument # 193476

WEISER, WASHINGTON, IDAHO

2004-04-22 04:33:00 No. of Pages: 2

Recorded for: AMERITITLE

SHARON WIDNER

Ex-Officio Recorder Deputy *Lisa McKnight*

Index to: DEED

Together with all water, water rights, ditches and ditch rights appurtenant thereto and in anywise belonging.

Subject to all valid outstanding reservations, easements, rights-of-way, restrictions, dedications, mineral leases, mineral reservations and mineral conveyances of record.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said grantees their heirs and assigns forever. And the said grantors do hereby covenant to and with the said grantees that they are the owners in fee simple of said premises; that they are free from all encumbrances, excepting reservations, easements, encumbrances, restrictions and rights of way appearing of record and/or existing and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: APRIL 22, 2004

X Harvey D. Clark III by Sybil M. Arnett per Court order
HARVEY D. CLARK III BY SYBIL M. ARNETT
COURT APPOINTED

Sybil M. Arnett
SYBIL M. ARNETT

STATE OF ~~IDAHO~~ CALIFORNIA
COUNTY OF ~~WASHINGTON~~ Alameda

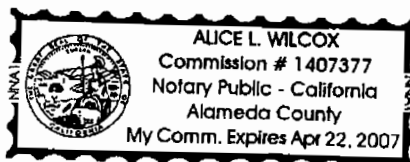
STATE OF CALIFORNIA,
COUNTY OF _____

On this 21st day of APRIL, 2004, before me, a notary public in and for the said State, Personally appeared SYBIL M. ARNETT known to me to be the person whose name is subscribed to the within instrument, as COURT APPOINTED for HARVEY D. CLARK III and acknowledged to me that she subscribed the name of HARVEY D. CLARK III thereto as principal, and her own name as COURT APPOINTED.

On this _____ day of APRIL, 2004, before me a notary public in and for the said State, Personally appeared SYBIL M. ARNETT known 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 186 SO. K' St.
Comm. Expires 4-22-07

Notary Public
Residing at _____
Comm. Expires: _____



SCANNED

SEP - 1 2006

193476

* File Number: W10523

EXHIBIT "A"

All that part of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ (Lot 1) of Section 19, Township 12 North, Range 4 West of the Boise Meridian, Washington County, Idaho lying Westerly of the Mann Creek Ditch, EXCEPTING THEREFROM the West 2 rods of said Lot 1 and FURTHER EXCEPTING all that portion lying south of the following described line:

Beginning at the northwest corner of Lot 1 of Section 19, T.12N., R.4W., B.M.;

Thence S 0°19'11" E, a distance of 493.65 feet along the west line of said Lot 1, to the True Point of Beginning of said line;

Thence N 89°40'49" E, at 90°00'00" to the west line of said Lot 1, a distance of 532.89 feet to a point on the westerly right-of-way line of the Mann Creek Ditch, the Point of Termination of said line.

SCANNED

SEP - 1 2006

WARRANTY DEED

For Value Received

HARVEY D. CLARK III, a single person AND SYBIL M. ARNETT fka SYBIL M. CLARK, a married person as her sole and separate property

does hereby **GRANT, BARGAIN, SELL AND CONVEY** unto

LEONARD W. MESSERSMITH AND CATHERINE A. MESSERSMITH, husband and wife

whose current address is 1106 EAST WASHINGTON, WEISER, ID 83672

the following described premises, to-wit:

IN WASHINGTON COUNTY, IDAHO:

SEE ATTACHED EXHIBIT "A"

Instrument # 193477

WEISER, WASHINGTON, IDAHO

2004-04-22

04:33:00 No. of Pages: 2

Recorded for : AMERITITLE

SHARON WIDNER

Ex-Officio Recorder Deputy
Index to: DEED

Index to: DEED

Together with all water, water rights, ditches and ditch rights appurtenant thereto and in anywise belonging.

Subject to all valid outstanding reservations, easements, rights-of-way, restrictions, dedications, mineral leases, mineral reservations and mineral conveyances of record.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said grantees their heirs and assigns forever. And the said grantors do hereby covenant to and with the said grantees that they are the owners in fee simple of said premises; that they are free from all encumbrances, excepting reservations, easements, encumbrances, restrictions and rights of way appearing of record and/or existing and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: APRIL 20, 2004

HARVEY D. CLARK III BY SYBIL M. ARNETT

STATE OF
COUNTY OF

On this ____ day of APRIL, 2004, before me, a notary public in and for the said State, Personally appeared SYBIL M. ARNETT known to me to be the person whose name is subscribed to the within instrument, as COURT APPOINTED for HARVEY D. CLARK III and acknowledged to me that she subscribed the name of HARVEY D. CLARK III thereto as principal, and her own name as COURT APPOINTED.

Notary Public

Residing at

Comm. Expires

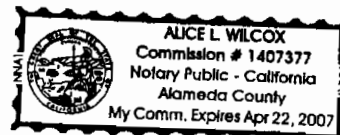
SYBIL M. ARNETT

STATE OF CALIFORNIA,
COUNTY OF Alameda

On this 20th day of APRIL, 2004, before me a notary public in and for the said State, personally appeared SYBIL M. ARNETT known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same

Notary Public

Residing at 186 SO. K' ST - Livermore, CA.

Comm. Expires: 04-22-07

SCANNED

SEP - 1 2000

193477

File Number: W10523

EXHIBIT "A"

All that part of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ (Lot 1) of Section 19, Township 12 North, Range 4 West of the Boise Meridian, Washington County, Idaho lying Westerly of the Mann Creek Ditch, EXCEPTING THEREFROM the West 2 rods of said Lot 1 and FURTHER EXCEPTING all that portion lying south of the following described line:

Beginning at the northwest corner of Lot 1 of Section 19, T.12N., R.4W., B.M.;

Thence S 0°19'11" E, a distance of 493.65 feet along the west line of said Lot 1, to the True Point of Beginning of said line;

Thence N 89°40'49" E, at 90°00'00" to the west line of said Lot 1, a distance of 532.89 feet to a point on the westerly right-of-way line of the Mann Creek Ditch, the Point of Termination of said line.

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SEP - 1 2006

282

194522

WARRANTY DEED

For Value Received

LEONARD W. MESSERSMITH AND CATHERINE A. MESSERSMITH, husband and wife

does hereby **GRANT, BARGAIN, SELL AND CONVEY** unto

RICHARD G. BAER AND SARA B. BAER, husband and wife

whose current address is P.O. BOX 24, COUNCIL, ID 83612

the following described premises, to-wit:

IN WASHINGTON COUNTY, IDAHO:

SEE ATTACHED EXHIBIT "A"

Instrument # 194522

WEISER, WASHINGTON, IDAHO

2004-08-02 03:52:00 No. of Pages: 2

Recorded for : AMERITITLE

SHARON WIDNER

Ex-Officio Recorder Deputy

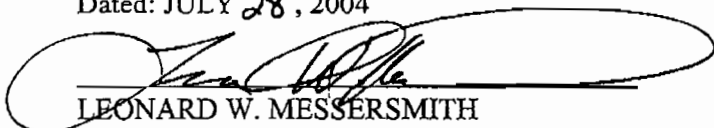
Index to: DEED

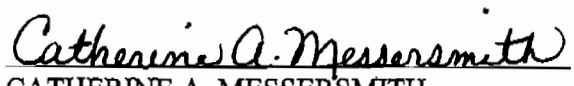
Together with all water, water rights, ditches and ditch rights appurtenant thereto and in anywise belonging.

Subject to all valid outstanding reservations, easements, rights-of-way, restrictions, dedications, mineral leases, mineral reservations and mineral conveyances of record.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said grantees their heirs and assigns forever. And the said grantors do hereby covenant to and with the said grantees that they are the owners in fee simple of said premises; that they are free from all encumbrances, excepting reservations, easements, encumbrances, restrictions and rights of way appearing of record and/or existing and that they will warrant and defend the same from all lawful claims whatsoever.

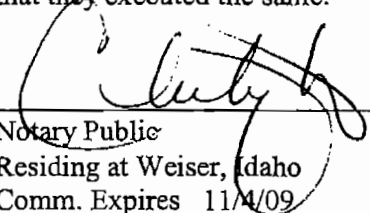
Dated: JULY 28, 2004

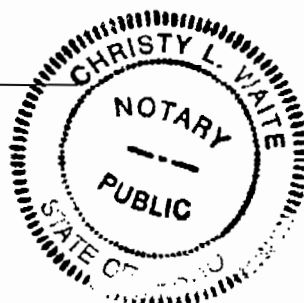

LEONARD W. MESSERSMITH


CATHERINE A. MESSERSMITH

STATE OF IDAHO, COUNTY OF WASHINGTON

On this 28th day of JULY, 2004, before me, a notary public in and for the said State, Personally appeared
LEONARD W. MESSERSMITH AND CATHERINE A. MESSERSMITH
known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.


Notary Public
Residing at Weiser, Idaho
Comm. Expires 11/4/09



SCANNED

SEP - 1 2006

File Number: W10665

EXHIBIT "A"

A parcel of land situated within Government Lot 1 of Section 19, Township 12 North, Range 4 West, Boise Meridian, Washington County, Idaho, more particularly described as follows:

Beginning at the northwest corner of Government Lot 1 of Section 19, T.12N., R.4W., B.M.;

Thence N 89°50'11" E, a distance of 33.00 feet along the north line of said Government Lot 1 to the TRUE POINT OF BEGINNING;

Thence continuing N 89°50'11" E, a distance of 362.46 feet along the north line of said Government Lot 1 to a point on the westerly side of the Mann Creek Ditch;

Thence S 38°52'58" E, a distance of 20.67 feet along the westerly side of said Mann Creek Ditch;

Thence S 2°13'02" W, a distance of 113.12 feet;

Thence N 88°29'01" W, a distance of 63.86 feet;

Thence S 0°19'17" E, parallel to the west line of said Government Lot 1, a distance of 6.40 feet;

Thence S 89°50'11" W, parallel to the north line of said Government Lot 1, a distance of 306.50 feet to a point 33.00 feet east of the west line of said Government Lot 1;

Thence N 0°19'17" W, parallel to the west line of said Government Lot 1, a distance of 133.67 feet to the TRUE POINT OF BEGINNING.

SUBJECT TO AND TOGETHER WITH a 22.00 foot wide ingress-egress and utility easement along the easterly side of the above described parcel of land, the easterly boundary of said easement being the easterly boundary of the above described parcel of land.

ALSO SUBJECT TO the right-of-way of an existing County Road known as Thousand Springs Road.

ALSO SUBJECT TO the right-of-way of an existing County Road known as Mann Creek Road.

ALSO SUBJECT TO the right-of-way of U.S. Highway 95, Project 40-A.

SURVEY FOR

LEONARD MESSERSMITH

WITHIN

GOVERNMENT LOT 1 OF SECTION 19, T.12N., R.4W., B.M.

WASHINGTON COUNTY, IDAHO

CERTIFICATE OF ENGINEER/SURVEYOR

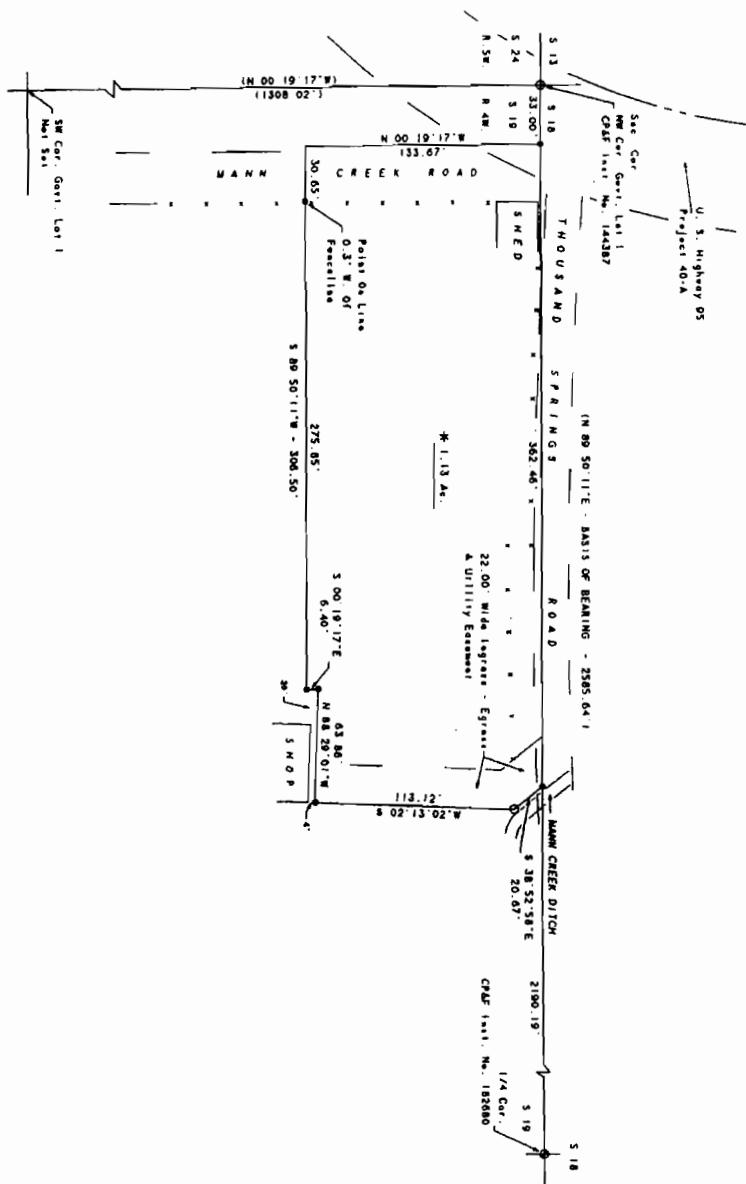
I, S. RAND MALLINX, A REGISTERED PROFESSIONAL ENGINEER AND LAND SURVEYOR IN THE STATE OF IDAHO, DO HEREBY CERTIFY THAT THE SURVEY REPRESENTED ON THIS PLAT WAS PERFORMED BY ME OR UNDER MY SUPERVISION IN ACCORDANCE WITH THE LAWS OF THE STATE OF IDAHO IN JULY OF 2004.

REFERENCES

1. PLAT OF PINE SUBDIVISION
2. RECORD OF SURVEY - MALLINX ENR., INC. - INST. NO. 181224
3. RECORD OF SURVEY - MALLINX ENR., INC. - INST. NO. 182095
4. DEED INST. NO. 158576

INDEX NO. 1244-19-4-4-00-00

MALLINX ENGINEERING, INC.
REGISTERED, IDAHO 81672
JULY 19, 2004



LEGEND

- FOUND 5/8 INCH REBAR W/ALUMINUM CAP MARKED PELS 2476
- FOUND 5/8 INCH REBAR W/PLASTIC CAP MARKED MALLINX 2476
- SET 1/2 INCH REBAR W/PLASTIC CAP MARKED MALLINX 2476
- () PREVIOUSLY RECORDED - MALLINX ENR., INC.
- x x x x EXISTING FENCE
- * AREA INCLUDES RIGHTS-OF-WAY OF U.S. HIGHWAY 95, PROJECT 40-A, MANN CREEK ROAD, AND THOUSAND SPRINGS ROAD ARE BY PRESCRIPTIVE USAGE. THE RIGHTS-OF-WAY ARE NOT SHOWN ON DEED INST. NO. 158576.

NOTE RIGHTS-OF-WAY OF U.S. HIGHWAY 95, PROJECT 40-A, MANN CREEK ROAD, AND THOUSAND SPRINGS ROAD ARE BY PRESCRIPTIVE USAGE. THE RIGHTS-OF-WAY ARE NOT SHOWN ON DEED INST. NO. 158576.

