

WA

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

RECEIVED

JUN 08 2006

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

DEPT. 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 or 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
36-7171 PD					
36-8205					

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2. The following **REQUIRED** information must be submitted with this form:

DEPARTMENT OF
 WATER RESOURCES

- 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) LAVERNE R. WILLIAMS
3529 East Trail Bluff Lane
BOISE, IDAHO 83716
4. New Owner/Claimant(s) JOSEPH KEARL AND MELYNDA KEARL
 Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
- New Mailing Address 478 East 1500 North
RUPERT, ID. 83350
- City, State and ZIP Code
- New Telephone Number 208 532-4500
5. Date you acquired the property 5-23-06

SUPPORT DATA
 36-7171
 IN FILE #

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)

Joseph Kears
Melinda Kears

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 6/8/06 Fee 50.00
 Received by CHE Date 6/8/06 Receipt No. 2028702
 Processed by _____ AJ Date _____ WR _____ Date _____

WARRANTY DEED

#19926

For Value Received

484743

LAVERNE R. WILLIAMS, a widow

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

JOSEPH KEARL and MELYNDA KEARL, husband and wife
Address: 478 East 1500 North, Rupert, Id. 83350

Hereinafter called the Grantee, the following described premises situated in Minidoka 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 2006 and subsequent years, a lien, but not yet due or payable.

Assessments of the A & B Irrigation District and the rights and powers of said District as by law provided.
(Affects a portion of Parcel No. 3)

Assessments of the Minidoka Irrigation District and the rights and powers of said District as by law provided.
(Affects Parcel Nos. 1, 2, 4 and a portion of Parcel No. 3)

Reservations in United States Patent, dated September 7, 1954, executed by United States of America, Bureau of Land Management, to James T. Gibson and Cora E. Gibson, recorded September 7, 1954 in Book 3 of Patents, Page 579, Minidoka County records, which recites inter alia: there is reserved a right-of-way for ditches or canals constructed; and reserving also, to the United States, pursuant to the provisions of the Act of August 1, 1946 (60 Stat. 755), all uranium, thorium or any other material which is or may be determined to be peculiarly essential to the production of fissionable materials; also reserved is a right-of-way for Federal Aid Highway under the Act of November 9, 1921 (42 Stat. 212).
(Affects Part of Parcel No. 1 only.)

A Power Line Easement, dated October 11, 1954, executed by Clarence E. Rich and Frances J. Rich, his wife, to Idaho Power Company, a corporation, recorded August 19, 1955 in Book 36 of Deeds, Page 85, Minidoka County records, granting a right of way and easement for the erection and continued maintenance of electrical transmission lines and other equipment over, on and across the following location in Minidoka County, Idaho: Tract D, Section 25, Township 8 S., Range 24 E., Boise M.; together with all rights of ingress and egress. (Affects Parcel No. 3)

A Power Line Easement, dated March 19, 1957, executed by H. Edward Dunn and Evelyn Dunn, his wife, to Idaho Power Company, a corporation, recorded January 22, 1958 in Book 36 of Deeds, Page 346, Minidoka County records, granting a right of way and easement for the erection and continued maintenance of electrical transmission lines and other equipment over, on and across the following location in Minidoka County, Idaho: NE4 SE4, Section 25 T8S R24E BM, 1 pole located South 1318 feet and West 135 feet from the E¼, N½SE¼, Section 29, T8S R 25 E BM; the center line of said transmission line being more particularly described as follows: Beginning at a point on the West boundary of NW¼SE¼ said Section 29 at Survey Station 290+20 which is North 1560 feet from the South ¼ corner of said Section 29, Thence N 87°15' E 2641 feet to the East boundary of NE¼SE¼ said Section 29; together with all rights of ingress and egress. (Affects Parcel No. 3)

Instrument # 484743

MINIDOKA COUNTY, RUPERT, IDAHO
2006-05-25 03:37:01 No. of Pages: 6
Recorded for : RUPERT LAND TITLE
DUANE SMITH Fee: 18.00
Ex-Officio Recorder Deputy 

CONTINUED

A Reservation in United States Patent, dated March 2, 1959, executed by United States of America, Bureau of Land Management, to Clarence E. Rich, recorded March 19, 1959 in Book 6 of Patents, Page 107, Minidoka County records, which recites inter alia: Reserving unto the United States, its permittee or licensee, the right to enter upon, occupy and use, any part or all of that portion of the N½NW¼ said Section 25 and the NE¼NE¼ said Section 26 lying within 150 feet of the centerline of the transmission line right of way of the Idaho Power Company, Project No. 786, for the purposes provided in the Act of June 10, 1920 (41 Stat. 1063) and subject to the conditions and limitations of Section 24 of said Act, as amended by the Act of August 26, 1935 (49 Stat. 846).

(Affects Parcel No. 3)

A Reservation in United States Patent, dated March 2, 1959, executed by United States of America, Bureau of Land Management to Bynum W. Williams, recorded July 30, 1959 in Book 6 of Patents, Page 158, Minidoka County records, which recites inter alia: Reserving unto the United States, its permittee or licensee the right to enter upon, occupy and use, any part or all of that portion of the N½NE¼, NE¼NW¼ said Section 25 lying within 150 feet of the center line of the transmission line right of way of the Idaho Power Company, Project No. 786, for the purposes provided in the Act of June 10, 1920 (41 Stat. 1063), and subject to the conditions and limitations of Section 24 of said Act, as amended by the Act of August 26, 1935 (49 Stat. 846). (Affects Parcel No. 3)

A Power Line Easement, dated June 28, 1960, executed by Bynum Williams and Laverne Williams his wife, to Idaho Power Company, a corporation,, recorded July 28, 1960 in Book 39 of Deeds, Page 197, Minidoka County records, granting a right of way and easement for the erection and continued maintenance of electrical transmission lines and other equipment over, on and across the following location in Minidoka County, Idaho: Tract "C" of Section 25 T8S 24E BM; the center line of said transmission line being more particularly described as follows: Beginning at a point on the West boundary of said Tract "C" at Survey Station 3297+93 which is East 1665.6 feet and South 87.3 feet from the Northwest corner of said Section 25; Thence N 89°19' E 2522 feet to the East boundary of said Tract "C"; together with all rights of ingress and egress. (Affects Parcel No. 3)

Effects of a License and Certificate of Water Right, dated June 8, 1962, executed by State of Idaho Reclamation Engineer, to James Gibson, recorded April 26, 1963, as Document No. 164616, Minidoka County records, wherein right to waste water, not to exceed .30 cubic feet per second, for purpose of irrigating 15 acres situated in the NW¼NW¼ of Section 31, Township 8 South, Range 25 East, Boise Meridian, Minidoka County, Idaho. (Affects Parcel No. 1)

A Power Line Easement, dated October 5, 1971, executed by Newman & Williams Livestock Company, to Rural Electric Company, a cooperative association, recorded October 12, 1971 as Document No. 219879, Minidoka County records, granting a right of way and easement for the erection and continued maintenance of electrical transmission lines and other equipment over, on and across the following location in Minidoka County, Idaho: Lots 1 and 2: NW¼NW¼ and NW¼NE¼, Section 31, Township 8 South, Range 25 East, Boise Meridian; together with all rights of ingress and egress. (Affects Parcel Nos. 1, 2 & 3)

A Power Line Easement, dated May 7, 1973, executed by Bynum W. Williams and Laverne R. Williams, his wife, to Idaho Power Company, a corporation, recorded March 26, 1974 as Document No. 240456, Minidoka County records, granting a right of way and easement for the erection and continued maintenance of electrical transmission lines and other equipment over, on and across the following location in Minidoka County, Idaho: SE¼NE¼, Sec. 25, Twp 8S, RGE 24E, BM; together with all rights of ingress and egress. (Affects Parcel No. 3)

An Irrigation Water Delivery Agreement, dated November 16, 1984, executed by and between Milton J. Hill and Rose Mary Hill, husband and wife, First Party, and Bynum W. Williams and LaVerne Williams, husband and wife, Second Party, recorded December 19, 1984 as Document No. 349754, Minidoka County records. (Affects Parcel Nos. 3 & 4)

An Irrigation Water Delivery Agreement, dated November 21, 1984, executed by and between Gary L. Hansen and Colleen M. Hansen, husband and wife, First Party, and Bynum W. Williams and LaVerne Williams, husband and wife, Second Party, recorded December 28, 1984 as Document No. 349903, Minidoka County records. (Affects Parcel Nos. 3 & 4)

Road Easement, dated July 7, 1992, executed by Laverne R. Williams, a single person, to Allan V. Bryngelson and Fanny S. Bryngelson, husband and wife, recorded July 7, 1992 as Document No. 402730, Minidoka County records.

(Affects the NW¼NE¼ of Parcel No. 1 only.)

CONTINUED

Easement for the placement of irrigation mainline over and across the herein described real property, as evidenced by Warranty Deed, dated September 9, 1992, from Laverne R. Williams, Grantor, to Lawrence Raymond Bott and Judy Ann Bott, husband and wife, Grantees, recorded September 9, 1992 as Document No. 403629, Minidoka County records. (Affects Parcel No. 2).

Grant Of Easement, dated November 7, 1996, executed by and between Laverne Williams, a single person, and A & B Irrigation District, a duly organized irrigation district, recorded November 25, 1996 as Document No. 427117, Minidoka County records. (Affects Parcel No. 3)

A Power Line Easement, dated June 4, 2005, executed by Laverne R. Williams, to Idaho Power Company, a corporation, recorded August 24, 2005 as Document No. 479944, Minidoka County records, granting a right of way and easement for the erection and continued maintenance of electrical transmission lines and other equipment over the herein described real property, together with all rights of ingress and egress. (Affects Parcel No. 3)

Lack of a right of access to and from said land. (Affects Parcel No. 4)

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 23, 2006

Laverne R. Williams
LAVERNE R. WILLIAMS

STATE OF IDAHO)
) ss.
COUNTY OF MINIDOKA)

On this 25th day of May, 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared LAVERNE R. WILLIAMS, 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.

Julia G. Coffman
Notary Public
Residing at: RUPERT, ID.
My Commission expires: 6-20-08

JULIA G. COFFMAN
NOTARY PUBLIC
STATE OF IDAHO

EXHIBIT "A"

Order Number: 19926

PARCEL NO. 1:

TOWNSHIP 8 SOUTH, RANGE 25 EAST, BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

SECTION 31: NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, and Lots 1 and 2, **SAVE AND EXCEPT** the following described tracts:

TRACT NO. 1:

Beginning at the Northeast corner of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 31, said corner marked by a U.S. Reclamation Service pipe with brass cap; thence South 0°30'49" East along the East line of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ for 548.51 feet to a ½ inch rebar which shall be the POINT OF BEGINNING;

Thence South 0°30'49" East along the East line of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ for 775.33 feet to a ¾ inch rebar at the Southeast corner of the NW $\frac{1}{4}$ NE $\frac{1}{4}$;

Thence North 88°47'18" West along the South line of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ for 1215.85 feet to a ½ inch rebar;

Thence North 0°27'30" West for 265.15 feet to a ½ inch rebar;

Thence on a non-tangent curve to the left for 1343.14 feet to a ½ inch rebar, said curve having a central angle of 72°40'36" with a radius of 1058.89 feet with a long chord bearing of North 67°14'05" East for 1254.89 feet;

Thence South 88°46'27" East for 53.63 feet to the POINT OF BEGINNING.

TRACT NO. 2:

Beginning at the North ¼ section corner of said Section 31, said corner marked by a U.S. Reclamation Service pipe with brass cap; thence South 89°40'39" West along section line for 700.97 feet to the POINT OF BEGINNING;

Thence South 4°38'00" West for 316.36 feet to a ½ inch rebar;

Thence North 88°23'52" West for 701.91 feet to a ½ inch rebar;

Thence North 0°27'30" West for 291.60 feet to a ½ inch rebar on section line;

Thence North 89°40'39" East along section line for 729.53 feet to the POINT OF BEGINNING.

PARCEL NO. 2:

TOWNSHIP 8 SOUTH, RANGE 25 EAST, BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

SECTION 31: Part of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ and part of Lot 1, more particularly described as follows:

Beginning at the North ¼ section corner of said Section 31, said corner marked by a U.S. Reclamation Service pipe with brass cap; thence South 89°40'39" West along section line for 700.97 feet to the POINT OF BEGINNING;

Thence South 4°38'00" West for 316.36 feet to a ½ inch rebar;

Thence North 88°23'52" West for 701.91 feet to a ½ inch rebar;

Thence North 0°27'30" West for 291.60 feet to a ½ inch rebar on section line;

Thence North 89°40'39" East along section line for 729.53 feet to the POINT OF BEGINNING.

(CONTINUED)

Order Number: 19926

PARCEL NO. 3:

**TOWNSHIP 8 SOUTH, RANGE 24 EAST, BOISE MERIDIAN
MINIDOKA COUNTY, IDAHO**

SECTION 25: Farm Unit C, Tract C, and that part of Farm Unit D, Tract D lying in Section 25, of the North Side Pumping Division of the Minidoka Project, Idaho, (as shown by plat, dated July 22, 1954, filed in the office of the County Recorder, Minidoka County, Idaho), AND that part of Farm Unit F, Tract F, lying in said Section 25, of the North Side Pumping Division of the Minidoka Project, Idaho, (as shown by plat, dated April 15, 1958, filed in the office of the County Recorder, Minidoka County, Idaho), and part of the N½SE¼, more particularly described as follows:

Beginning at the North quarter section corner of Section 25, said corner marked by an iron pipe which shall be the POINT OF BEGINNING;

Thence North 89°42'47" East along the North line of Section 25 for a distance of 1508.09 feet to the Northeast corner of Tract C (corner No. 2 Tract A);

Thence South 23°33'35" East (recorded as South 23°34' East) along the tract line common to Tract A and Tract C for a distance of 2054.28 feet to a ½ inch rebar;

Thence South 00°37'48" West for a distance of 767.12 feet to a ½ inch rebar;

Thence South 72°18'05" East for a distance of 95.51 feet to a ½ inch rebar;

Thence South 89°43'36" East for a distance of 247.55 feet to a ½ inch rebar on the East line of Section 25;

Thence South 00°03'51" West along the East line of Section 25 for a distance of 723.01 feet to a ½ inch rebar;

Thence North 89°31'20" West for a distance of 100.00 feet to a ½ inch rebar;

Thence South 35°21'36" West for a distance of 700.92 feet to a ½ inch rebar on the South line of the N½SE¼;

Thence North 89°31'20" West along the South line of the N½SE¼ for a distance of 2124.96 feet to the Southwest corner of the N½SE¼;

Thence South 89°50'00" West along the South line of the N½SW¼ for a distance of 8.28 feet;

Thence South 89°50'00" West along the South line of the N½SW¼ for a distance of 133.55 feet to a ⅝ inch rebar;

Thence North 00°31'45" West (recorded as 0°31'30" West) for a distance of 2863.80 feet (2864.82 feet) to a point;

Thence North 00°31'45" West (recorded as North 0°31'30" West) for a distance of 1084.26 feet to a ½ inch rebar on the North line of Section 25;

Thence North 89°28'16" East for a distance of 150.33 feet to the POINT OF BEGINNING,

SAVE AND EXCEPT the following described tract:

Beginning at the Northwest corner of said N½SE¼, which point shall be known as the TRUE POINT OF BEGINNING;

Thence East for 16 rods;

Thence South for 10 rods;

Thence West for 16 rods;

Thence North for 10 rods to the TRUE POINT OF BEGINNING.

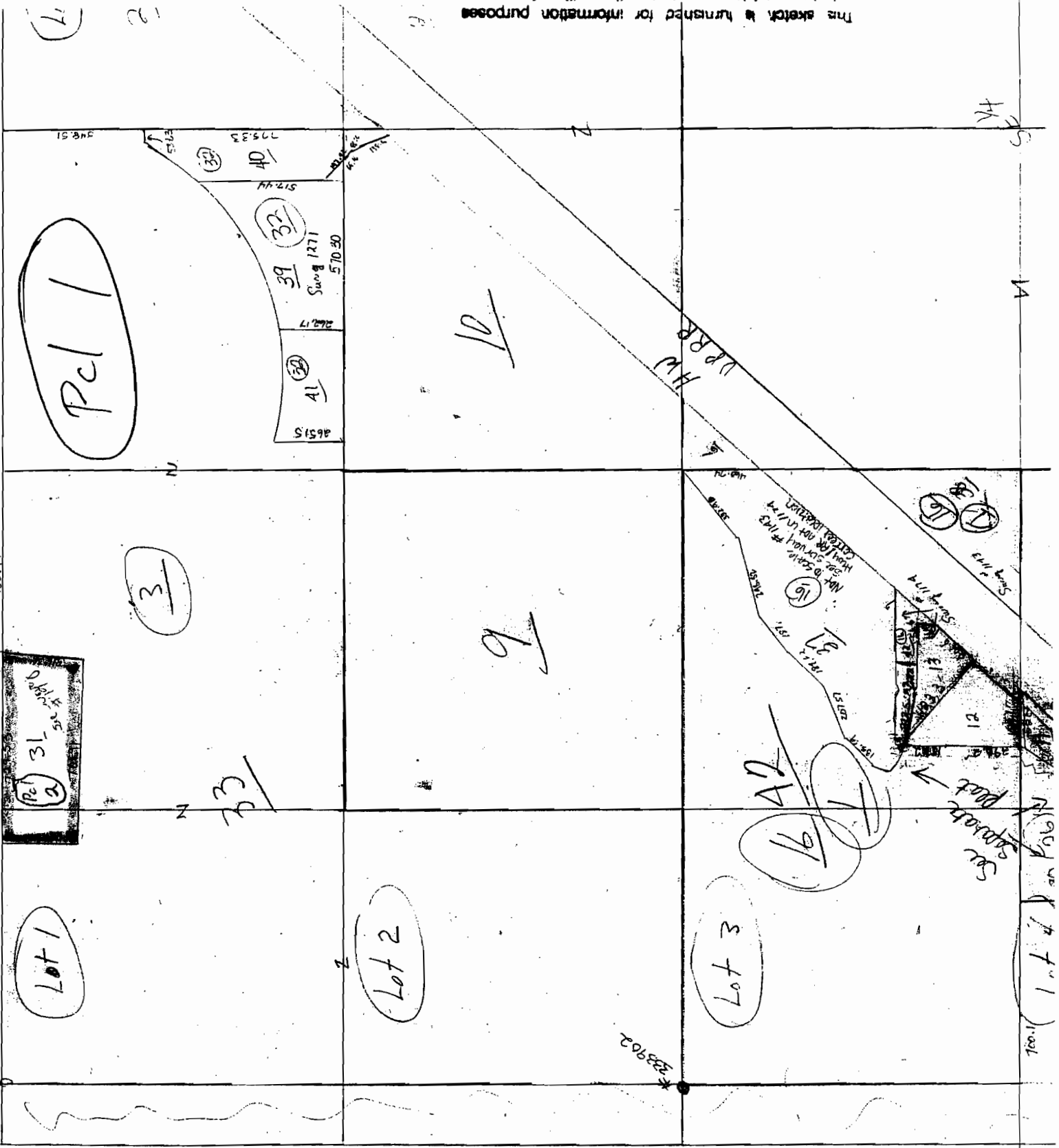
(CONTINUED)

Order Number: 19926

PARCEL NO. 4:

**TOWNSHIP 8 SOUTH, RANGE 24 EAST, BOISE MERIDIAN
MINIDOKA COUNTY, IDAHO**

**SECTION 25: Beginning at the Northwest corner of the NW $\frac{1}{4}$ SE $\frac{1}{4}$;
Thence East for 16 rods;
Thence South for 10 rods;
Thence West for 16 rods;
Thence North for 10 rods to the PLACE OF BEGINNING.**



This sketch is furnished for information purposes only to assist in property location with reference to streets and other parcels. No representation is made as to accuracy and the Company assumes no liability for any loss occurring by reason of reliance thereon.

SECTION 25

SO., RANGE, 24

TOWNSHIP 8

E.B.M. SCALE 1" = 400'

TRACT A

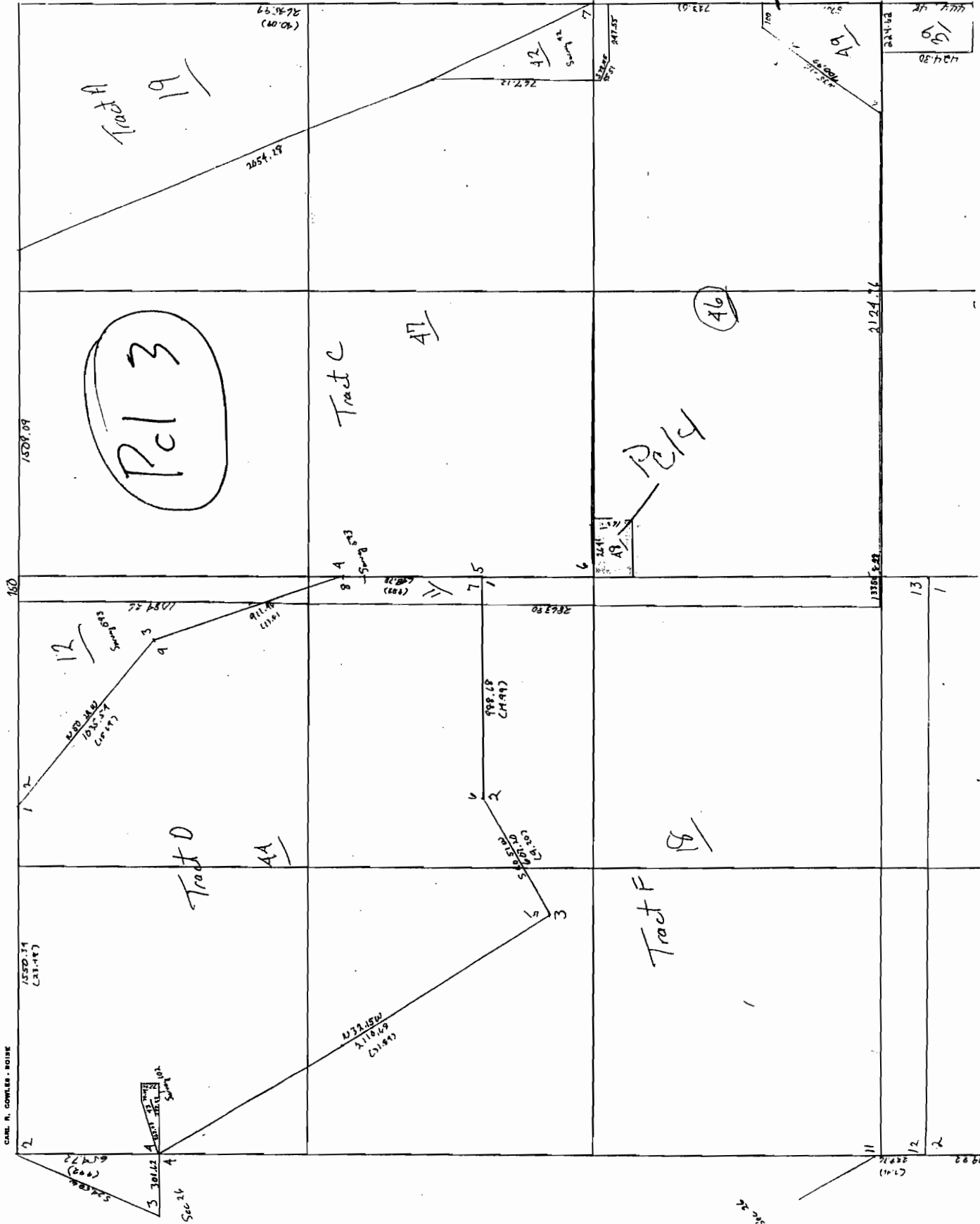
TRACT B

TRACT C

TRACT D

TRACT E

TRACT F



TRACT A

TRACT B

TRACT C

TRACT D

TRACT E

TRACT F

SECTION 25

SO., RANGE, 24

TOWNSHIP 8

E.B.M. SCALE 1" = 400'

CARL H. COWLES - ROISE

TRACT A

TRACT B

TRACT C

TRACT D

TRACT E

TRACT F

SECTION 25

SO., RANGE, 24

TOWNSHIP 8

E.B.M. SCALE 1" = 400'

CARL H. COWLES - ROISE