

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

RECEIVED**OCT 28 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
36-7456A					
36-7456B					

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)

Rodney J. McKay and Cathy McKay

4. New Owner/Claimant(s)

Bryan E. McKay and Shannon McKay

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

601A East 750 North

City, State and ZIP Code

Jerome ID 83330

New Telephone Number

(208) 367-2511

5. Date you acquired the property

9/17/04

SUPPORT DATA

IN FILE # 36-7456A

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 Eyan E. McKay
(include title if applicable) Sharon McKay

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 S/O Date 10.28.04 Fee \$50.00 (\$25 x 2)
 Received by M Date 10.29.04 Receipt No. C075616
 Processed by _____ AJ Date _____ WR _____ Date _____

NOV - 5 2004

Instrument # 2044910

JEROME COUNTY, JEROME, IDAHO

2004-09-14

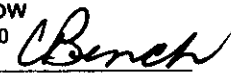
04:14:49 No. of Pages: 3

Recorded for : LAND TITLE & ESCROW

CHERYL WATTS

Fee: 9.00

Ex-Officio Recorder Deputy

DEPARTMENT OF
WATER RESOURCES

J-33192

WARRANTY DEED

FOR VALUE RECEIVED,

RODNEY J. McKAY, aka RODNEY McKAY and CATHY McKAY, husband and wife, the "Grantors", do hereby grant, bargain, sell and convey unto **BRYAN E. McKAY, aka BRYAN McKAY and SHAWNA McKAY**, whose address is 6014 E. 750 N., Jerome, Idaho 83338, the "Grantees", the Grantors' one-half (1/2) interest in the following described premises located in Jerome County, Idaho, to wit:

PARCEL A:

TOWNSHIP 7 SOUTH, RANGE 17 EAST, BOISE MERIDIAN, JEROME COUNTY, IDAHO

Section 13: E $\frac{1}{2}$ SE $\frac{1}{4}$; W $\frac{1}{2}$ SE $\frac{1}{4}$

PARCEL B:

TOWNSHIP 7 SOUTH, RANGE 18 EAST, BOISE MERIDIAN, JEROME COUNTY, IDAHO

Section 18: E $\frac{1}{2}$ NW $\frac{1}{4}$; S $\frac{1}{2}$ NE $\frac{1}{4}$; Lots 1, 2, 3 and 4; and W $\frac{1}{2}$ W $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$

Together with water rights appurtenant thereto, including, but not limited to the following:

Water Right No. 36-7456(A);

Water Right No. 36-7456(B); and

213 shares of stock in the North Side Canal Co., Ltd.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. The said Grantors do hereby covenant to and with the said Grantees, that they are the owners of said premises; that they will warrant and defend the same from all lawful claims whatsoever, except as hereinabove specifically provided, and the specific exceptions listed below:

1. 2004 taxes and subsequent years, taxes are an accruing lien, not yet due or payable.

2. Assessments of the North Side Canal Company and the rights and powers of said Company as by law provided.
3. Right of way for roads, canals, laterals and waste ditches as contained in an Agreement by and between the State of Idaho, and the Twin Falls North Side Land and Water company, dated August 21, 1907, recorded in Book 15 Page 589, Jerome County records.
4. Power Line Easement granted by Antonia Etchart and Pete Etchart, wife and husband, to Idaho Power Company, dated March 26, 1947; recorded April 30, 1949 in Book 134 Page 634 as Instrument No. 105809; records of Jerome County, for a right of way and easement over and across the E $\frac{1}{2}$ NW $\frac{1}{4}$ Section 18, Township 7 South, Range 18, East Boise Meridian.
5. Power Line Easement granted by Antonio Etchart and Pete Etchart, wife and husband, to Idaho Power Company, dated September 24, 1962; recorded March 19, 1963 in Book 168 Page 238 as Instrument No. 153921; records of Jerome County, for a right of way and easement over and across the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 18, Township 7 South, Range 18, East Boise Meridian.
6. Power Line Easement granted by Antonia Etchart and Pete Etchart, wife and husband, to Idaho Power Company, dated January 27, 1965; recorded May 4, 1965 in Book 168 Page 484 as Instrument No. 163623; records of Jerome County, Idaho, for a right of way and easement for a transmission line over and across a portion of S $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 18, Township 7 South, Range 18, East of the Boise Meridian.
7. Power Line Easement granted by Antonio Etchart, Lona and Leon McKay and Gay McKay, his wife to Idaho Power Company, dated March 7, 1975; recorded November 18, 1975 in Book 184 Misc. Page 1140 as Instrument No. 215083; records of Jerome County, affecting a parcel of land located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 13, Township 7 South, Range 17, East Boise Meridian and Lot 3 in Section 18, Township 7 South, Range 18 East Boise Meridian.
8. Power Line Easement granted by Leon McKay and Gay McKay, his wife to Idaho Power Company, dated February 8, 1985; recorded June 6, 1985 as Instrument No. 290458; records of Jerome County, affecting a parcel of land located in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 7 and the NE $\frac{1}{4}$ NW $\frac{1}{4}$

- of Section 18 Township 7 South, Range 18, East Boise Meridian.
9. Right of way Easement given by Leon McKay and Gay McKay, husband and wife to Idaho Power Company, a corporation, dated January 3, 1991, recorded January 10, 1991 as Instrument Number 910216, Jerome County records affecting a portion of the NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 18, Township 7 South, Range 18 East Boise Meridian.

DATED THIS 9th day of September, 2004.

Rodney McKay
RODNEY E. McKAY, aka RODNEY McKAY

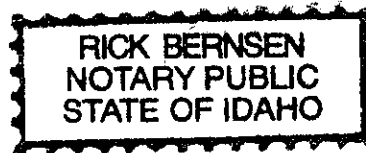
Cathy McKay
CATHY McKAY

STATE OF IDAHO)
 : ss.
County of Jerome)

On this 9th day of September, 2004, before me, the undersigned, a Notary Public in and for said County and State, personally appeared RODNEY E. McKAY, aka RODNEY McKAY and CATHY McKAY, husband and wife, known to me to be the persons whose names are subscribed to the within and foregoing instrument, and who acknowledged to me that they executed the same.

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

[Signature]
NOTARY PUBLIC for Idaho
Residing at: Jerome
Commission Expires: 7/30/09



J-33431

COPY

Instrument # 20-4913

JEROME COUNTY, JEROME, IDAHO

2004-09-14 04:26:57 No. of Pages: 4

Recorded for : LAND TITLE & ESCROW

CHERYL WATTS

Fee: 12.00

Ex-Officio Recorder Deputy

Bunch

WARRANTY DEED

FOR VALUE RECEIVED,

BRYAN E. McKAY, aka BRYAN McKAY and SHAWNA McKAY, husband and wife, the "Grantors", do hereby grant, bargain, sell and convey unto **RODNEY J. McKAY, aka RODNEY McKAY and CATHY McKAY**, husband and wife, whose address is 601AF, 750 N. Jerome, ID 83338, the "Grantee", the Grantors' one-half ($\frac{1}{2}$) interest in the following described premises located in Jerome County, Idaho, to wit:

PARCEL NO. 1:

TOWNSHIP 7 SOUTH, RANGE 17, EAST OF THE BOISE MERIDIAN, JEROME COUNTY, IDAHO

Section 16: SW $\frac{1}{4}$ NE $\frac{1}{4}$;

NW $\frac{1}{4}$ NE $\frac{1}{4}$, EXCEPTING THE FOLLOWING TRACT:

Beginning at the North quarter corner of said Section 16;
Thence South 0°05' East, 40.0 feet to the South right of way
of a county road,
THE TRUE POINT OF BEGINNING;
Thence South 89°38' East, 1321.0 feet along said right of
way to the East line of said NW $\frac{1}{4}$ NE $\frac{1}{4}$;
Thence South 0°05' East, 874.69 feet along the East line of
said NW $\frac{1}{4}$ NE $\frac{1}{4}$;
Thence North 89°38' West, 1321.0 feet to the West line of
said NW $\frac{1}{4}$ NE $\frac{1}{4}$;
Thence North 0°05' West, 874.69 feet to THE TRUE POINT
OF BEGINNING.

NE $\frac{1}{4}$ NE $\frac{1}{4}$, EXCEPTING THEREFROM the following tract:

Beginning at the North quarter corner of said Section 16;
Thence South 89°38' East along the North line of said Section
16, a distance of 1321.00 feet to the West line of said
NE $\frac{1}{4}$ NE $\frac{1}{4}$;
Thence South 0°05' East along the West line of said
NE $\frac{1}{4}$ NE $\frac{1}{4}$, a distance of 40.00 feet to a point on the
South right of way of a county road, THE TRUE POINT

OF BEGINNING;
Thence South 89°38' East along said right of way a distance
of 276.32 feet;
Thence South 48°59' East, 271.07 feet;
Thence South 31°13' East, 171.40 feet;
Thence South 80°56' West, 290.60 feet;
Thence South 2°46' West, 256.00 feet;
Thence South 34°13' West, 299.70 feet;
Thence North 89°38' West, 100.50 feet to a point on the West
line of said NE $\frac{1}{4}$ NE $\frac{1}{4}$;
Thence North 0°05' West along the West line of said
NE $\frac{1}{4}$ NE $\frac{1}{4}$ a distance of 874.69 feet to THE TRUE
POINT OF BEGINNING.

PARCEL No. 2:

TOWNSHIP 7 SOUTH, RANGE 17 EAST, BOISE MERIDIAN, JEROME
COUNTY, IDAHO

Section 16: NE $\frac{1}{4}$ NW $\frac{1}{4}$;

EXCEPTING THEREFROM the North 40 feet deeded in the
State of Idaho for highway purposes, by Deed recorded in
Book 102, Page 378, Jerome County records.

PARCEL No. 3:

TOWNSHIP 7 SOUTH, RANGE 17 EAST, BOISE MERIDIAN, JEROME
COUNTY, IDAHO

Section 16: NW $\frac{1}{4}$ SE $\frac{1}{4}$, lying East of the R-11 canal of the North Side
Canal Co., Ltd.; E $\frac{1}{2}$ SE $\frac{1}{4}$; SE $\frac{1}{4}$ NE $\frac{1}{4}$;

PARCEL No. 4:

TOWNSHIP 7 SOUTH, RANGE 17 EAST, BOISE MERIDIAN, JEROME
COUNTY, IDAHO

Section 22: SW $\frac{1}{4}$ NW $\frac{1}{4}$; NW $\frac{1}{4}$ SW $\frac{1}{4}$;

Together with 374.62 shares of stock in the North Side Canal Co., Ltd., and
other water rights appurtenant thereto

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. The said Grantors do hereby covenant to and with the said Grantees, that they are the owners of said premises; that they will warrant and defend the same from all lawful claims whatsoever, except as hereinabove specifically provided, and the specific exceptions listed below:

1. 2004 taxes and subsequent years, taxes are an accruing lien, not yet due or payable.
2. Assessments of the North Side Canal Company and the rights and powers of said Company as by law provided.
3. Right of way for roads, canals, laterals and waste ditches as contained in an Agreement by and between the State of Idaho, and the Twin Falls North Side Land and Water Company, dated August 21, 1907, recorded in Book 15 Page 589, Jerome County records.
4. Easement for right of way for highway 40 feet wide across the North Side of the N $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 16, in addition to the Statutory 25 feet, granted to The State of Idaho by instrument recorded July 10, 1934 in Book 107 Page 61, Jerome County records.
5. Easement for relocation of irrigation and drainage ditches contiguous to the highway, as set forth in Deed granted to the State of Idaho, recorded October 16, 1933 in Book 102 Page 446, Jerome County records.
6. Reservations contained in Deeds from the State of Idaho to Joe Barnes and C.L. Barnes; granting rights of way for ditches, tunnels and telephone and transmission lines, constructed by authority of the United States, and reserving all mineral rights in lands sold subsequent to May 8, 1923 (Sec. 47-701, Idaho Code) Deeds recorded May 10, 1950 in Book 141 Page 261 and 262, Jerome County records.
7. Easement for Drainage Ditch over and across the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 16, granted by E. E. Shawver to the State of Idaho by Instrument dated September 13, 1934, filed September 26, 1934 and recorded in Book 107, Page 95, Jerome County records.
8. Easement for Pole Line over and across the E $\frac{1}{2}$ NW $\frac{1}{4}$ and the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 16, together with right of ingress and egress and the right to trim trees, granted to the Idaho Power Co. by Instrument recorded

September 4, 1941 in Book 120, Page 347, Jerome County records.

9. Easement for Power Line within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 22, together with right of ingress and egress and the right to trim trees, granted to the Idaho Power Company by Instrument No. 109533 dated April 9, 1949, recorded June 10, 1950, in Book 142, Page 204, Jerome County records.
10. Easement for Power Line within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 22, together with right of ingress and egress and the right to trim trees, granted to the Idaho Power Company by Instrument dated March 7, 1956, recorded May 8, 1956 in Book 2 of Orders, page 567, Jerome County records.
11. Easement for Power Line over and across the SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 16, together with the right of ingress and egress and the right to trim trees, granted to the Idaho Power Co. by Instrument No. 180405 dated June 4, 1968, recorded April 8, 1969 in Book 184 of Miscellaneous, page 246, Jerome County records.
12. Easement to Idaho Power Company, recorded January 31, 1974, as Instrument Number 204002, Jerome County records.
13. Easement to Idaho Power Company, recorded January 24, 1997, as Instrument Number 970302, Jerome County records.

DATED THIS 9th day of September, 2004.

Bryan E. McKay
BRYAN E. MCKAY, aka BRYAN MCKAY

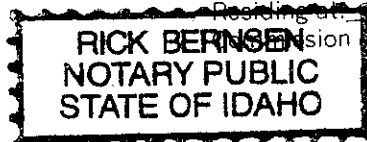
Shawna McKay
SHAWNA MCKAY

STATE OF IDAHO)
)ss.
County of Jerome)

On this 9th day of September, 2004, before me, the undersigned, a Notary Public in and for said County and State, personally appeared BRYAN E. MCKAY, aka BRYAN MCKAY and SHAWNA MCKAY, husband and wife, known to me to be the persons whose names are subscribed to the within and foregoing instrument, and who acknowledged to me that they executed the same.

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

[Signature]
NOTARY PUBLIC for Idaho
Residing at Jerome
Commission Expires: 7/30/09

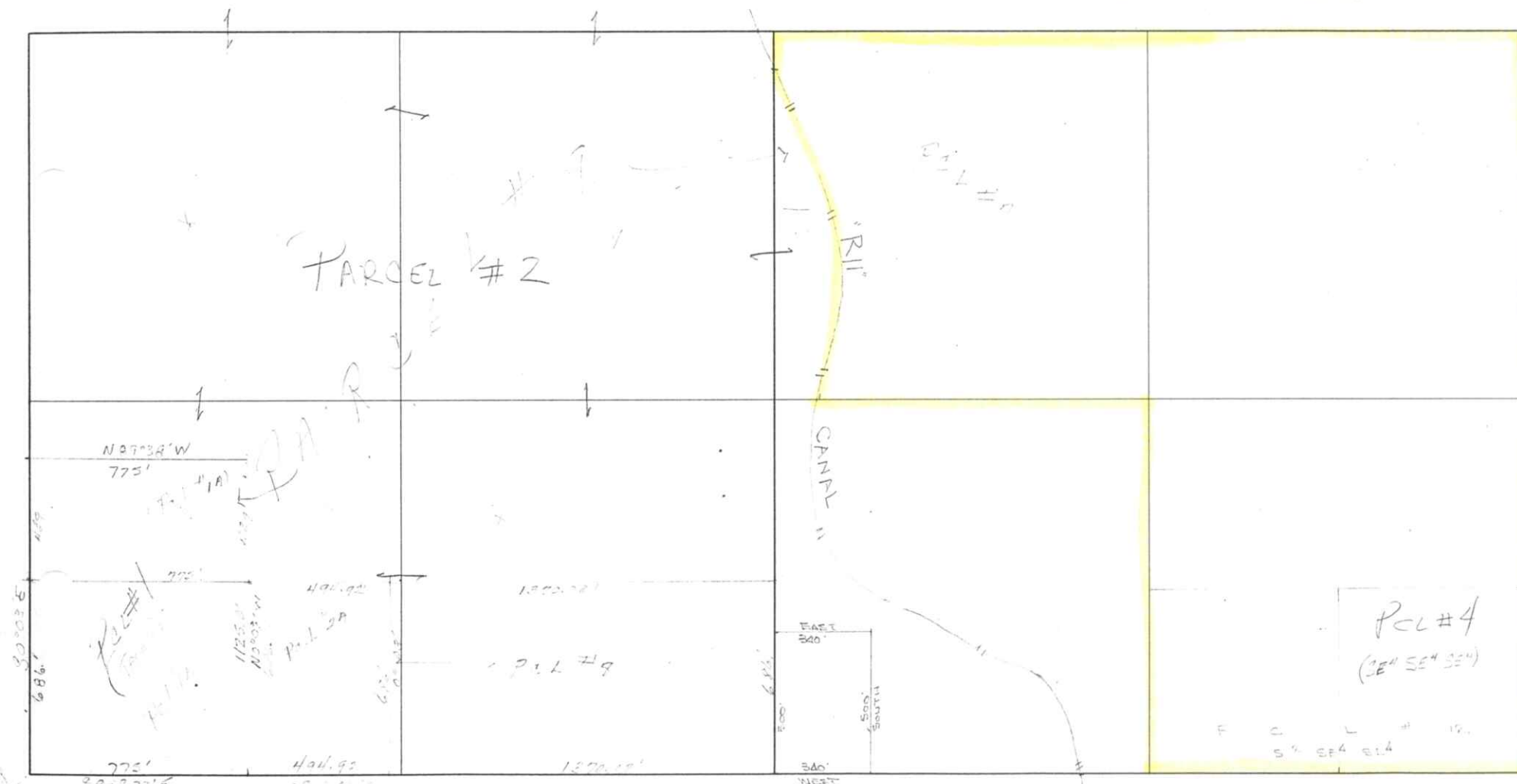


NOTE: This map is a copy of the original map filed for record in the office of the County Clerk of Jerome County, Idaho, on the 12th day of March, 1900, and is subject to the same conditions as the original map.

NORTH
HALF



SCALE 1" = 400'



SCALE 1"=400'

NORTH
HALF

"This plat is made solely for the
purpose of assisting in locating
the land, and the company
assumes no liability for variations,
if any, with an actual survey."



"This plat is made solely for the purpose of assisting in locating the land, and the company assumes no liability for variations, if any, with an actual survey."

