

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

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

MAY 22 2006

DEPARTMENT OF
WATER RESOURCES

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
43-244 A			43-2530 B		
43-245 A			43-10236		
43-297 A					
43-298 B					
43-299 B					

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**.

Name and Address of Former
Owner/Claimant(s)

LARENE W. WHITAKER

P.O. BOX 64 Malta, ID 83342

New Owner/Claimant(s)

ANDREW W. WHITAKER and TIA K. WHITAKER

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

New Mailing Address

P.O. BOX 131

City, State and ZIP Code

Malta, ID 83342

New Telephone Number

()

Date you acquired the property

May 10, 2006

SUPPORT DATA

IN FILE # 43-244A

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	_____	_____

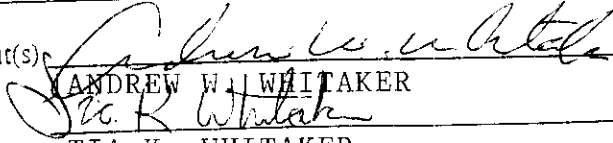
DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

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)


ANDREW W. WHITAKER
TIA K. WHITAKER

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 <u>175⁰⁰</u>
Received by <u>KW</u>	Date <u>5/22/04</u>	Receipt No. <u>C081299</u>
Processed by _____	Date _____	WR _____ Date _____

308603

WARRANTY DEED

#41751

For Value Received

LaRENE W. WHITAKER also known as LaRENE WHITAKER, a Widow

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

ANDREW W. WHITAKER and TIA K. WHITAKER, Husband and Wife
Address: P.O. BOX 131, MALTA, ID 83342

Hereinafter called the Grantee, the following described premises situated in **Cassia 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.

Right of Way Deed from C. H. Shaw and Emma O. Shaw, husband and wife, to the State of Idaho, dated August 12, 1933, and recorded October 17, 1933 as Instrument No. 110379 in Book 42 of Deeds, Page 558, records of Cassia County, Idaho, granting said State of Idaho a right of way over and across the SE¼NW¼ of Section 12, Township 13 South, Range 26 East of the Boise Meridian.

Agreement For Electric Service between Raft River Electric Cooperative, Inc., an Idaho rural electric Cooperative of Malta, Seller and Arthur Don Whitaker, LaRene W. Whitaker, Consumer, dated July 15, 1985 and recorded December 12, 1985 as Instrument No. 174764 on Film No. 177, records of Cassia County, Idaho, covering the SE¼NE¼ of Section 12, Township 13 South, Range 26 East, Boise Meridian.

Effects of Agreement For Electric Service between Raft River Electric Cooperative, Inc., an Idaho rural electric Cooperative of Malta, Seller and Joseph/Bettina Joann Wight, Consumer, dated July 7, 1994 and recorded July 11, 1994 as Instrument No. 231895 on Film No. 257, records of Cassia County, Idaho, covering part of the N¼, NE¼ of Section 12, Township 13 South, Range 26 East of the Boise Meridian.

Agreement For Electric Service between Raft River Electric Cooperative, Inc., an Idaho rural electric Cooperative of Malta, Seller and Art Whitaker and Larene W. Whitaker, Consumer, dated December 7, 1999 and recorded December 15, 1999 as Instrument No. 266403, records of Cassia County, Idaho, covering the SE¼NE¼ of Section 12, Township 13 South, Range 26 East of the Boise Meridian.

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.

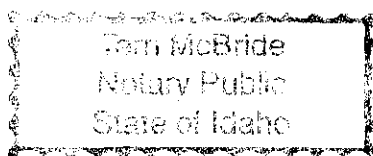
Dated: May 17, 2006

Larene W. Whitaker

LARENE W. WHITAKER

STATE OF IDAHO)
) ss.
COUNTY OF CASSIA)

On this 17th day of **May, 2006**, before me, the undersigned, a Notary Public in and for said State, personally appeared **LARENE W. WHITAKER**, 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.



Tom McBride
Notary Public
Residing at: Boise
My Commission expires: 5-5

EXHIBIT "A"

PARCEL NO. 1:

TOWNSHIP 13 SOUTH, RANGE 26 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 12: Part of the NE¼ and part of the SE¼NW¼, more particularly described as follows:

Beginning at the Northeast corner of said Section 12 said corner marked by a 5/8 inch rebar which shall be the Point of Beginning;
Thence South 00°02'11" East (South 0°04'07" West, rec.) along the east line of Section 12 for a distance of 1313.53 feet (1313.69 feet, rec.) to a ½ inch rebar at the Southeast corner of the NE¼NE¼;
Thence South 00°01'29" East along the east line of Section 12 for a distance of 1313.84 feet to a US GLO iron pipe with brass cap at the East ¼ Section corner of Section 12;
Thence North 89°57'11" West along the south line of the NE¼ for a distance of 3158.82 feet;
Thence North 02°37'49" East for a distance of 29.88 feet to a ½ inch rebar;
Thence North 02°37'49" East (North 02°39'21" East, rec.) for a distance of 604.41 feet (604.48 feet, rec.) to a 1 inch iron shaft;
Thence North 53°45'20" East (North 53°27'33" East, rec.) for a distance of 123.51 feet to a ½ inch rebar;
Thence North 31°46'11" East for a distance of 721.20 feet to a 5/8 inch rebar at the Southwest corner of the NW¼NE¼;
Thence North 00°13'50" West (North 00°05'02" West, rec.) along the west line of the NE¼ for a distance of 147.56 feet to a ½ inch rebar;
Thence North 89°46'38" East (North 89°52'47" East, rec.) for a distance of 482.52 feet (482.29 feet, rec.) to a ½ inch rebar;
Thence North 73°27'40" East (North 73°34'58" East, rec.) for a distance of 343.17 feet (343.31 feet, rec.) to a ½ inch rebar;
Thence North 51°39'14" East (North 51°45'58" East, rec.) for a distance of 681.66 feet (681.69 feet, rec.) to a ½ inch rebar;
Thence North 07°33'27" East (North 7°38'55" East, rec.) for a distance of 376.91 feet to a ½ rebar;
Thence South 68°56'13" East (South 68°50'29" East, rec.) for a distance of 151.94 feet (151.97 feet, rec.) to a ½ inch rebar;
Thence North 07°14'56" East (North 7°20'53" East, rec.) for a distance of 283.55 feet (283.56 feet, rec.) to a ½ inch rebar;
Thence North 07°14'56" East (North 7°20'53" East, rec.) for a distance of 41.12 feet (41.22 feet, rec.) to the north line of Section 12;
Thence South 89°40'17" East (South 89°34'11" East rec.) along the north line of Section 12 for a distance of 1071.18 feet (1070.82', rec.) to the Point of Beginning.

CONTINUATION

PARCEL NO. 2:

TOWNSHIP 13 SOUTH, RANGE 26 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 12: Part of the SE $\frac{1}{4}$ NW $\frac{1}{4}$, more particularly described as follows:

Beginning at the Southwest corner of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 12 said corner marked by a 5/8 inch rebar; Thence South 89°57'11" East along the south line of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ for a distance of 40.22 feet to the east right of way of State Highway 81 which shall be the Point of Beginning.
Thence along a non-tangent curve to the left along said highway right of way for a distance of 19.85 feet, said curve having a radius of 114621.60 feet and a central angle of 00°00'36" with a long chord bearing of North 00°06'21" West for a distance of 19.85 feet;
Thence South 89°57'11" East for a distance of 203.81 feet;
Thence North 00°00'01" West for a distance of 10.00 feet;
Thence South 89°57'11" East for a distance of 576.58 feet to a ½ inch rebar;
Thence South 02°37'49" West for a distance of 29.88 feet (30.00 feet, rec.) to the south line of the SE $\frac{1}{4}$ NW $\frac{1}{4}$, said corner lying North 89°57'11" West for a distance of 3158.82 feet from the East ¼ section corner of Section 12 which is marked by a US GLO iron pipe with brass cap;
Thence North 89°57'11" seconds West along the south line of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ for a distance of 575.21 feet;
Thence North 89°57'11" West along the south line of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ for a distance of 203.78 feet to the Point of Beginning.

308603

CASSIA COUNTY, IDAHO
LARRY A. MICKELSEN
RECORDER

FEB 12 2000 DEPUTY *Yo*

2000 FEB 17 PM 4 10

RECORDED AT THE CLERK'S OFFICE OF

LAND TITLE & ESCROW