



Co-owned by Gerny + Ted, Yamasaki

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED
MAR 08 2004 2004
Department of Water Resources
Department of Water Region

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, 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>35-4078</u>					
<u>35-12487</u>					
<u>35-12486</u>					

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts. \$ ~~20.00~~ ~~50.00~~ \$50.00
- 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) are 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)

Gerald + Sally Yamaski

New Owner/Claimant(s)

Ted OR Gerald Yamaski
Name Connector (Check one): ☐ and, ☒ or, ☐ and/or

New Mailing Address

7262 N 26th W

City, State and ZIP Code

Idaho Falls, ID 83402

New Telephone Number

(208) 522-8690

5. Date you acquired the property

2/9/04

SUPPORT DATA

IN FILE # 35-12486

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	_____	_____

Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Donald J. Gonsky

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>gc</u>	Date <u>3-1-04</u>	Fee <u>\$50</u>
Received by <u>gc</u>	Date <u>3-1-04</u>	Receipt No. <u>E029571</u>
Processed by <u>AJ</u>	Date _____	WR _____ Date _____

DEED OF DISTRIBUTION
BY PERSONAL REPRESENTATIVE

THIS DEED, made by GERALD YAMASAKI, as personal representative of the Estate of Sally A. Yamasaki, deceased, GRANTOR, to GERALD YAMASAKI, GRANTEE, whose current address is 7262 North 26 West, Idaho Falls, Idaho 83402, and TED FRANK YAMASAKI, GRANTEE, whose current address is 7262 North 26 West, Idaho Falls, Idaho 83402.

WHEREAS, Grantor is the qualified personal representative of said estate, filed as Probate Case No. CV-03-621, in Bonneville County, Idaho;

WHEREAS, Grantees are entitled to distribution of the hereinafter described real property;

THEREFORE, for the valuable consideration received, Grantor quitclaims, transfers, and conveys to Grantees the following described real property in Bonneville, County, Idaho:

Beginning at a point that is S0°10'03"W 2538.77 feet along the Section line from the Northwest corner of Section 26, Township 3 North, Range 37 East of the Boise Meridian, and running thence S0°10'03"W 100.02 feet to the West 1/4 corner of Section 26; thence S0°10'03"W 1428.49 feet along the West line of said Section 26; thence S89°35'11"E 2644.26 feet to a point on the West right-of-way line of Interstate 15 being a point on a curve having a radius of 23068.31 feet and a chord that bears N0°25'32"W 437.69 feet; thence to the right along said curve 437.70 feet through a central angle of 1°05'14"; thence N0°07'09"E 1090.86 feet along said Interstate 15; thence N89°35'11"W 2638.81 feet to the Point of Beginning, containing 92.63 acres.

EXCEPTING THEREFROM a 1 Acre parcel in the Northwest corner of the above described parcel described as follows: Beginning at the West 1/4 corner of Section 26, Township 3 North, Range 37 East of the Boise Meridian, and running thence N0°10'03"E 202.44 feet along the West line of said Section 26; thence S74°47'39"E 234.75 feet; thence S1°11'48"W 126.12 feet; thence N89°49'07"W 30.40 feet; thence South 44.00 feet; thence N89°49'57"W 194.18 feet to the West line of said Section 26; thence N0°10'03"E 28.56 feet to the Point of Beginning, containing 1.01 acres.

TOGETHER WITH all water and water rights appurtenant thereto,
whether represented by license, permit or otherwise; and

SUBJECT TO: Interstate 15 right-of-way along the East side, and a
county road right-of-way along the West side of the above
described property.

TO HAVE AND TO HOLD the said premises with their tenements,
hereditaments, and appurtenances unto the said Grantees, their successors and assigns forever.

EXECUTED this 9 day of February, 2004.



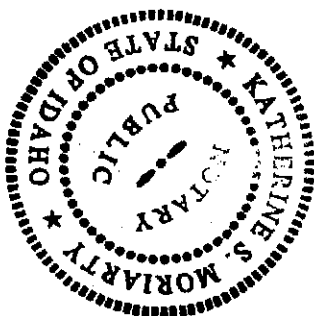
GERALD YAMASAKI
Personal Representative of the
Estate of Sally A. Yamasaki, deceased.

INSTRUMENT NO.	1143102
DATE	2-10-04
INST. CODE	285
IMAGED PGS	8
FEE	90
STATE OF IDAHO) ss	
COUNTY OF BONNEVILLE)	
I hereby certify that the within	
instrument was recorded	
Ronald Longmore, County Recorder	
By	K Swanson
Deputy	
Request of	Hopkins

STATE OF IDAHO)
 :
COUNTY OF Bonneville)

On this 9th day of February, 2004, before me, the undersigned, a notary public in and for said state, personally appeared, GERALD YAMASAKI, known or identified to me to be the person whose name is subscribed to the within instrument, as Personal Representative of the Estate of Sally Yamasaki, deceased, and acknowledged to me that he executed the same as such Personal Representative.

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



Katherine S. Moriarty
Notary Public for Idaho
Residing at Idaho Falls
My Commission Expires: 1/22/2010

DEED OF DISTRIBUTION
BY PERSONAL REPRESENTATIVE

THIS DEED, made by GERALD YAMASAKI, as personal representative of the Estate of Sally A. Yamasaki, deceased, GRANTOR, to TED FRANK YAMASAKI, GRANTEE, whose current address is 7262 North 26 West, Idaho Falls, Idaho 83402.

WHEREAS, Grantor is the qualified personal representative of said estate, filed as Probate Case No. CV-03-621, in Bonneville County, Idaho;

WHEREAS, Grantee is entitled to distribution of the hereinafter described real property;

THEREFORE, for the valuable consideration received, Grantor quitclaims, transfers, and conveys to Grantee the following described real property in Bonneville, County, Idaho:

TRACT I:

PARCEL EAST OF I-15

Beginning at a point on the Easterly right-of-way of Interstate 15 and the centerline of a drain ditch, said point being S0°10'03"W 1580.03 feet and East 2637.98 feet and S55°25'51"E 363.66 from the Northwest Corner of Section 26, Township 3 North, Range 37 East of the Boise Meridian and running thence along the centerline of said drain ditch the following 15 courses:

(1) S70°25'47"E 199.51 feet, (2) N84°24'10"E 128.70 feet,
(3) N67°28'50"E 506.80 feet, (4) S2°43'10"W 251.20 feet,
(5) S3°16'40"E 251.30 feet, (6) S18°04'30"W 155.80 feet,
(7) S6°35'30"E 172.10 feet, (8) S50°19'50"E 389.50 feet,
(9) S34°49'10"E 305.00 feet, (10) S39°12'00"E 191.00 feet,
(11) S60°32'30"E 321.50 feet, (12) S48°09'10"E 350.50 feet,
(13) S9°02'24"E 111.55 feet, (14) S0°04'58"W 295.47 feet,
(15) S26°50'00"W 86.30 feet; thence S29°18'02"W 190.49 feet to the Northwestern side of The Great Western Canal; thence along the Westerly side of said canal the following 6 courses:
(1) S16°36'52"W 116.73 feet, (2) S11°50'56"W 270.10 feet,
(3) S26°14'34"W 166.23 feet, (4) S36°17'46"W 402.61 feet,
(5) S38°11'35"W 109.64 feet, (6) S32°44'22"W 259.04 feet to the South line of said Section 26; thence N89°33'44"W 1117.50 feet along the South line of Section 26 to a point on a curve on the Easterly right-of-way of Interstate 15 having a radius of 22,768.31 feet and a chord that bears N1°57'43"W 1652.12 feet; thence to the right along said curve 1652.48 feet through a central angle of

4°09'30"; thence N0°07'09"E 1862.99 feet to the Point of Beginning, containing 111.28 acres.

TOGETHER WITH all water and water rights appurtenant thereto, whether represented by license, permit or otherwise; and

SUBJECT TO: Interstate 15 right-of-way on the West side; a drainage ditch and Great Western Canal along the East side of the above described property.

TRACT II:

PARCEL WEST OF I-15

Beginning at a point that is S0°10'03"W 1428.48 feet along the Section line from the West 1/4 corner of Section 26 or S0°10'03"W 4067.28 feet from the Northwest corner of Section 26, Township 3 North, Range 37 East of the Boise Meridian, and running thence S0°10'03"W 1210.30 feet to the Southwest corner of said Section 26; thence S89°33'44"E 2643.22 feet along the South line of Section 26 to the Westerly right-of-way line of Interstate 15; thence N0°10'04"E 90.00 feet; thence N86°11'31"E 50.46 feet to a point on a curve having a radius of 23068.31 feet and a chord that bears N2°21'27"W 1119.00 feet; thence to the right along said curve 1119.11 feet through a central angle of 2°46'47"; thence N89°35'11"W 2644.26 feet to the Point of Beginning, containing 74.02 acres.

TOGETHER WITH all water and water rights appurtenant thereto, whether represented by license, permit or otherwise; and

SUBJECT TO: Interstate 15 right-of-way along the East side, and a county road right-of-way along the West side of the above described property.

TO HAVE AND TO HOLD the said premises with their tenements,

hereditaments, and appurtenances unto the said Grantee, his successors and assigns forever.

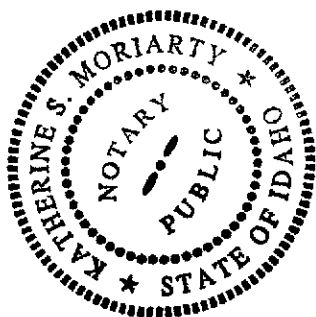
EXECUTED this 9 day of February, 2004.


GERALD YAMASAKI
Personal Representative of the
Estate of Sally A. Yamasaki, deceased.

STATE OF IDAHO)
 :
COUNTY OF Bonneville)

On this 9th day of February, 2004, before me, the undersigned, a notary public in and for said state, personally appeared, GERALD YAMASAKI, known or identified to me to be the person whose name is subscribed to the within instrument, as Personal Representative of the Estate of Sally Yamasaki, deceased, and acknowledged to me that he executed the same as such Personal Representative.

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



Katherine S. Moriarty
Notary Public for Idaho
Residing at Idaho Falls
My Commission Expires: 1/22/2010

INSTRUMENT NO.	<u>1143101</u>
DATE	<u>2-10-04</u>
INST. CODE	<u>285</u>
IMAGED PGS	<u>93</u>
SEE	
STATE OF IDAHO) ss	
COUNTY OF BONNEVILLE)	
I hereby certify that the within instrument was recorded.	
Ronald Loagnore, County Recorder	
By	<u>K Swanson</u>
Deputy	
Request of	<u>Hopkins</u>

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

NOV 28 PM 3:19

Water Right 35-12486

DISTRICT COURT-SRBA
TWIN FALLS CO. IDAHO
CLERK

NAME & ADDRESS: GERALD YAMASAKI
7262 N 26TH W
IDAHO FALLS ID 83402

SOURCE: GROUNDWATER

QUANTITY: 0.19 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 06/01/1930

POINT OF DIVERSION: T03N R37E S26 SWSNW Within BONNEVILLE County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	10-01 06-01	0.19 CFS
	DOMESTIC 3 HOMES	01-01 12-31	0.08 CFS

PLACE OF USE: STOCKWATER Within BONNEVILLE County
T03N R37E S26 SWNW

DOMESTIC Within BONNEVILLE County
T03N R37E S26 SWNW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE

DATED:



DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

DATED:



DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 35-12486

MICROFILMED
PAGE 1
DEC 16 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 10, 2004

TED FRANK YAMASAKI
GERALD YAMASAKI
7262 N 26 W
IDAHO FALLS ID 83402

RE: Change of Ownership for Water Rights 35-12486 & 35-12487

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,

for Jeff Peppersack, Manager
Water Right Permits Section

JP:klm
Enclosure