

[illegible]

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

RECEIVED**JUN 24 2002**

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, 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
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<u>35-7195</u>					
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

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

A. The appropriate **FILING FEE**. See instructions for fee amounts. \$25 -

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)

MARK-MAXEL, INC.

4. New Owner/Claimant(s)

BERKLEY & CONNIE A. WRAYName Connector (Check one): ☐ and, ☐ or, ☒ and/or

New Mailing Address

960 W. HWY 26

City, State and ZIP Code

BLACKFOOT, ID 83221

New Telephone Number

208, 684-4431

5. Date you acquired the property

5/15/00**MICROFILMED****JUL 10 2002**

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 _____

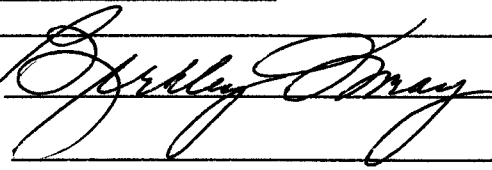
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	

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)

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.

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For Office Use Only

Received by QC Date 6-14-02 Fee \$25
 Receipted by QC Date 6-14-02 Receipt No. E 027864
 Processed by _____ AJ Date _____ WR _____ Date _____

1111 10 2002

41936

490366

Warranty Deed

 BINGHAM COUNTY RECORDER
 BLACKFOOT, IDAHO

 FEE 16.00 DEP DP

2000 MAY 18 PM 4:31

RECORDED AT THE REQUEST OF

FIRST AMERICAN TITLE COMPANY

 For Value Received **MARK MAKER, INC.**

 Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto
BERKLEY WRAY and CONNIE A. WRAY, husband and wife

 whose address is: 960 W US Hwy 26
Blackfoot ID 83221

Hereinafter called the Grantee, the following described premises situated in Bingham County, Idaho, to-wit:

PARCEL I:

Township 2 South, Range 34 E.B.M., Bingham County, Idaho

 Section 25: S½NE¼NW¼, SE¼NW¼, SW¼NE¼, Lot 2, and that portion of the S½N½NE¼ lying South and West of U.S. Highway No. 26, **EXCEPT:** Part of Section 25 T. 2 S.R. 34 E.B.M. described as: Beginning at the East quarter corner of said Section 25 thence N. 00°33'02" W. 543.93 feet along the Section line; thence S. 73°19'54" W. 112.79 feet; thence S. 49°04'16" W. 50.34 feet; thence S. 29°01'07" W. 350.52 feet; thence S. 00°33'02" E. 175.77 feet to the East-West half Section line; thence S. 89°38'15" E. 320.44 feet along said East-West half Section line to the point of beginning.

ALSO EXCEPTING FROM PARCEL I:

Part of Section 25 T. 2 S.R. 34 E.B.M., described as: Beginning at a point that is N. 89°38'15" W. 1547.20 feet along the East-West half Section line from the East quarter corner of said Section 25; and running thence N. 35°30'05" W. 240.82 feet; thence N. 89°12'51" W. 284.95 feet; thence S. 00°22'49" W. 197.27 feet; thence S. 89°38'15" E. 49.83 feet; thence N. 00°22'49" E. 58.81 feet; thence S. 89°38'15" E. 30.00 feet; thence S. 00°22'49" W. 58.81 feet; thence S. 89°38'15" E. 346.27 feet to the point of beginning.

PARCEL II:

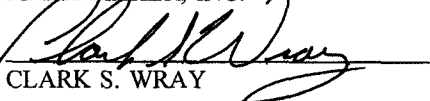
A 20 foot wide main line easement 10 feet each side of the following described center line: Part of Section 25 T. 2 S.R. 34 E.B.M., described as: Beginning at a point that is N. 89°38'15" W. 1921.43 feet along the East-West half Section line and N. 01°25'42" E. 25 feet from the East quarter corner of said Section 25; and running thence N. 01°25'42" E. 171.89 feet along said center line and prolongation of an existing main line to the terminus of said center line.

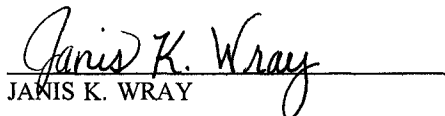
TOGETHER WITH all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, including all water, water rights, ditch and ditch rights.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: MAY 15, 2000

MARK MAKER, INC.


 CLARK S. WRAY

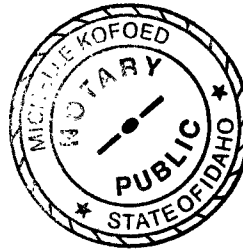

 JARVIS K. WRAY

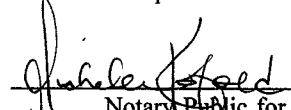
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10 2002

STATE OF IDAHO)
 : ss.
COUNTY OF BINGHAM)

On this 17th day of MAY, 2000, before me
a Notary Public in and for said State, personally appeared CLARK S. WRAY AND JANIS K. WRAY,
known or identified to me to be the PRESIDENT AND SECRETARY of the corporation who executed the
instrument on behalf of said corporation, and acknowledged to me that said corporation executed the same.




Notary Public for Idaho
Residing at: BLACKFOOT IDAHO
My Commission expires: 4-14-2006

490366

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JUL 10 2002

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1.2 MICROFILMED
JUN 10 2002

2002 JAN 31 PM 3:56

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

**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)

ORDER OF PARTIAL DECREE

For Water Right 35-07195

On November 27, 2001, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order I*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 35-07195 is hereby decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED January 31, 2002.

Roger S. Burdick

ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

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
Water Right 35-07195

2002 JAN 31 PM 1:23
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: MARK-MAKER INC
630 W 150 N
BLACKFOOT, ID 83221

SOURCE: GROUNDWATER

QUANTITY: 2.56 CFS
652.00 AFY

PRIORITY DATE: 12/20/1971

POINT OF DIVERSION: T02S R34E S25 SWSWNE Within Bingham County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-20 TO 10-10	2.56 CFS 652.00 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 20 AND AFTER OCTOBER 10 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE: Irrigation Within Bingham County
T02S R34E S25 LOT 01 (NENE)12.0° NWNE 20.0°
SWNE 38.0°, LOT 02 (SENE)36.0°
NENW 20.0° SENW 37.0°
163.0 Acres Total

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

A MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE MAINTAINED AS A PART OF THE DIVERTING WORKS.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

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.

Roger Burdick
Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

2002 JAN 31 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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)
_____)

CERTIFICATE OF MAILING

Water Right(s): 35-07195

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 35-07195 was mailed
on January 31, 2002, with sufficient first-class postage prepaid
to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

C & L FARMS
DEL RAY HOLM
HOLM BROS. PARTNERSHIP, HOLM
R & M FARMS PARTNERSHIP
THEODORE L DEFFINGER
Represented by:
BLAIR J. GROVER
215 FARNSWORTH WAY
PO BOX 36
RIGBY, ID 83442-0036
Phone: 208-745-6653

CERTIFICATE OF MAILING

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JUL 10 2002

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01/31/02

ABERDEEN-AMERICAN FALLS
BINGHAM GROUND WATER DISTRICT
MARK-MAKER INC
UPPER VALLEY IRRIGATORS ASSOC.

Represented by:
JEFFREY C. FEREDAY
PO BOX 2720
BOISE, ID 83701-2720
Phone: 208-388-1200

FREMONT MADISON IRRIG. DIST.

Represented by:
JERRY R. RIGBY
PO BOX 250
REXBURG, ID 83440-0250
Phone: 208-356-3633

ALBERT & CHRISTINE WADA
BRENT STOLWORTHY
CLYDE M WILSON
DARWIN BROWN
FRANK S & AGNES H WADA
GERALD J BUTIKOFER
JAY L & MERRI LYNN STOLWORTHY
KENT B CORNELISON
KENT SEARLE
LDS CHURCH
LINDEN J & LOIS J BUTIKOFER
MERLE & ULENE BUTIKOFER
MURDOCH-WILSON FARMS
PAUL & ALICE HEYREND
WAYNE HANSEN

Represented by:
KENT W FOSTER
PO BOX 50130
IDAHO FALLS, ID 83405
Phone: 208-523-0620

STATE OF IDAHO
Represented by:
NATURAL RESOURCES DIV CHIEF
STATE OF IDAHO
ATTORNEY GENERAL'S OFFICE
PO BOX 44449
BOISE, ID 83711-4449

CERTIFICATE OF MAILING

PAGE 2
DIANA DELANEY 01/31/02
Chief Deputy Clerk

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JUN 10 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 27, 2002

BERKLEY WRAY
CONNIE WRAY
960 W HWY 26
BLACKFOOT ID 83221

RE: Change of Ownership for Water Right 35-7195

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 Keri Lynn Townsend
Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

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JUL 10 2002