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Map
K-2

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

RECEIVED
 JAN 22 2005
 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
35-07376					
35-08027940					

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) Sundown Corp Inc. At: Darrel Gardner
P.O. Box 683, Tona, ID 83427
4. New Owner/Claimant(s) De/ Ray Holm and Sons
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 2725 East 500 North
- City, State and ZIP Code Roberts, Idaho 83444
- New Telephone Number (208) 524-8988
5. Date you acquired the property _____

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) Jim Holm, Partner, Del Ray Holm
Tom Holm

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>J. Hall</u>	Date <u>1-27-03</u>	Fee <u>\$50.00</u>
Received by <u>J. Hall</u>	Date <u>1-27-03</u>	Receipt No. <u>0067072</u>
Processed by _____	AJ Date _____	WR _____ Date _____

MICROFILMED
MAR 11 2003

CORPORATION WARRANTY DEED

1087319

BONNEVILLE COUNTY RECORDER

1087319 AUG28'02 PM 1 31

SUNDOWN RANCH, INC., a Corporation under the laws of the State of Idaho having been duly authorized by its Board of Directors, as GRANTOR,

for good and valuable considerations, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto **DEL RAY HOLM AND SONS**, an Idaho general partnership, as GRANTEE, whose address is 2725 East 500 No., Roberts Id 83444, and Grantee's successors and assigns, all of the following described real property, to-wit:

Township 3 North, Range 36 East of the Boise Meridian, Bonneville County, Idaho.

Section 9: ALL

EXCEPTING THEREFROM ALL OF THE FOLLOWING DESCRIBED PROPERTIES:

- a. That certain property conveyed to Bonneville County for roadway purposes by that certain Quitclaim Deed recorded in Book 156 at Page 565 of Deed Records on June 25, 1964, at 10:27 a.m., records of Bonneville County, Idaho.
- b. Beginning at the Southeast Corner of Section 9, Township 3 North, Range 36 East of the Boise Meridian, Bonneville County, Idaho; running thence West 641.73 feet along the South line of said Section 9; thence North 221.87 feet; thence N88°30'58"E 641.95 feet to the East line of said Section 9; thence South 238.49 feet along the East line of Section 9 to the point of beginning.

Section 10: W1/2.

SUBJECT TO the 2002 and subsequent years general taxes and assessments, all existing patent reservations, easements, right of ways, protective and restrictive covenants, zoning ordinances and applicable building codes, laws and regulations.

TOGETHER WITH any and all improvements, water and ditch rights, easements, tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversion, remainder, rents, issues, and profits thereof.

Grantor, for itself, and its successors and assigns, does hereby warrant and agree to forever defend the Grantee, and Grantee's successors and assigns, in the quiet and peaceful possession of said premises against the lawful claims of any and all persons.

In construing this Deed and where the context so requires, the singular includes the plural, and the masculine, the feminine and neuter.

Dated: August 20, 2002

SUNDOWN RANCH, INC.

Corporation Name

by: Eldon Croft Pres
President
Irene Gardner Sec

STATE OF IDAHO)

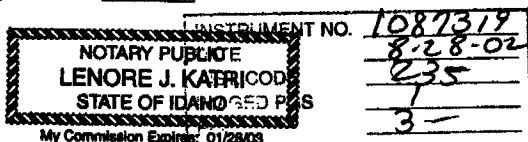
COUNTY OF Bonneville) ss

On August 20, 2002, before me, the undersigned, personally appeared Eldon Croft and Irene Gardner

known or identified to me to be President & Secretary of the corporation that executed the within instrument, and acknowledged to me that such corporation executed the same.

[Signature]
Notary Public for the State of Idaho

Commission Expiration Date: _____



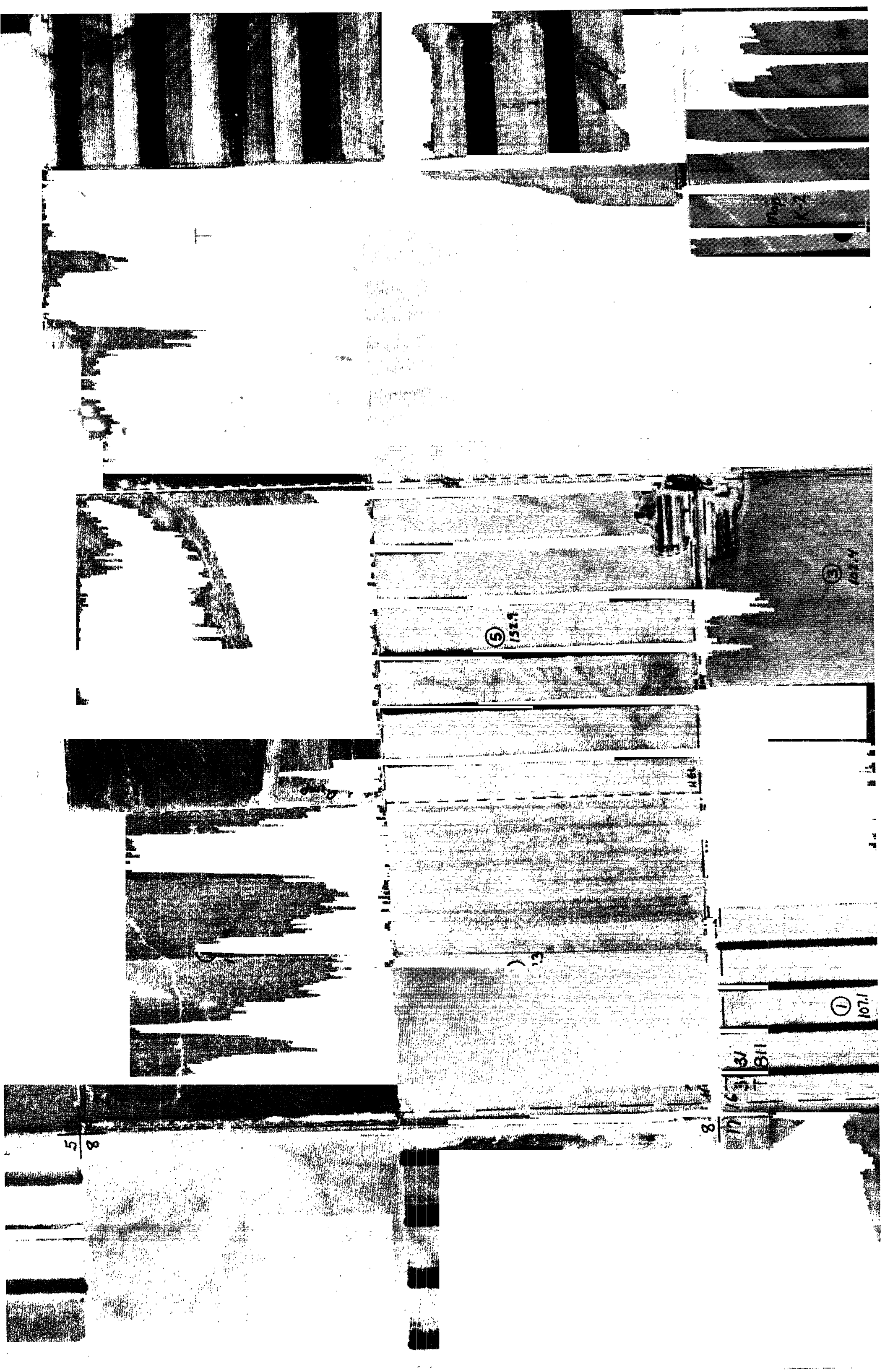
STATE OF IDAHO) ss
COUNTY OF BONNEVILLE)
I hereby certify that the within instrument was recorded.
By [Signature] Deputy
Request of BLT

INSTRUMENT NO.	<u>1086683</u>
DATE	<u>8-21-02</u>
INST. CODE	<u>235</u>
IMAGED PGS	<u>1</u>
FEE	<u>3.00</u>
STATE OF IDAHO) ss COUNTY OF <u>BONNEVILLE</u>)	
I hereby certify that the within instrument was recorded.	
Ronald Longoria, County Recorder	
By <u>[Signature]</u>	Deputy
Request of <u>BLT</u>	

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MAR 11 2003

Bonneville Land & Title Co.



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⑤ 152.9

① 107.1

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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

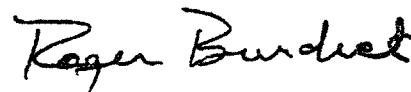
For Water Right 35-02794B

On November 30, 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 1*, 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 35-02794B is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED February 25, 2002.



ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

MICROFILMED

MAR 11 2003

DISTRICT COURT-SRBA
 Fifth Judicial District
 County of Twin Falls - State of Idaho
 FEB 25 2002
 By _____ Clerk
 _____ Deputy Clerk

Water Right 35-02794B

QUANTITY: 0.95 CFS

PAGE 1
Feb-19-2002

2002 FEB 19 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): 35-02794B

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 35-02794B was mailed
on February 19, 2002, with sufficient first-class postage prepaid
to the following:

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

ABERDEEN-AMERICAN FALL GROUND
ABERDEEN-AMERICAN FALLS GROUND
BINGHAM GROUND WATER DIST.
BINGHAM GROUND WATER DISTRICT
SUNDOWN CORP INC
UPPER VALLEY IRRIGATORS ASSOC
UPPER VALLEY IRRIGATORS ASSOC.

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

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

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MAR 11 2003

CERTIFICATE OF MAILING

PAGE 1
02/19/02

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

DIANA DELANEY
Chief Deputy Clerk

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MAR 11 2003

CERTIFICATE OF MAILING

PAGE 2
02/19/02



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

January 31, 2003

DEL RAY HOLM & SONS
2725 E 500 N
ROBERTS ID 83444

RE: Change of Ownership for Water Rights 35-2794B and 35-7376

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water rights to you. The department has modified its records to reflect the changes in ownership and has enclosed computer-generated reports 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,

Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosures

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MAR 11 2003

RECEIVED

JAN 27 2003

Department of Water Resources

Del Ray Holm & Sons, Inc.
2725 EAST 500 NORTH
ROBERTS, IDAHO 83444
208-524-8988 / 208-243-2405

January 22, 2003

Ms. Kay Walker
Department of Water Resources
1301 North Orchard Street
Boise, Idaho 83706

RE: Notice of Change of Water Right Ownership - Water Right Permit Nos. 35-02794B and 35-07376

Dear Ms. Walker:

Enclosed herewith is the "Notice of Change in Water Right Ownership" Form that has been completed in regards to the subject permit numbers as per the instructions. Also enclosed is the supporting documentation as requested in the form and check in the amount of fifty (\$50.00) for the change fee.

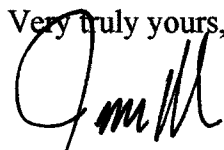
The Legal Description of the property is:

Section 9, Section 10 W1/2, Township 3 North, Range 36 East of the Boise Meridian, Bonneville County, Idaho

Also, for your information, an Application for Amendment for Water Right Permit No. 35-08103 along with a check in the amount of \$50.00 was mailed January 21, 2003. I have left telephone messages with you in an effort to confirm its mailing.

Thank you for your time and effort in regards to these permits. If you have any questions or need additional information, please call me at 243-2405 or 552-2345. Also, Ms. Wendy Nelson of Bonneville Land and Title Co. at 524-6600 will also provide additional information upon your request.

Very truly yours,



James S. Holm
Del Ray Holm & Sons

Enclosures: Notice of Change In Water Right Ownership Form
Filing Fee (\$50.00) Check No. 4923
Corporation Warranty Deed
Aerial Photo from the USDA Identifying Points of Diversion
Legal Descriptions Specific to Permits (SRBA)

MICROFILMED

MAR 11 2003