

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

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
A 35-02774 B					
35-07644 B					

RECEIVED

MAR 13 2002

Department of Water Resources
Eastern Region

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts. \$50
- 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)

G Briens Paul/Katherine

4. New Owner/Claimant(s)

REIDG STEWART

Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

3100W 1000 S

City, State and ZIP Code

Aberdeen, ID 83210

New Telephone Number

(208) 397-4572

5. Date you acquired the property

11/2001

MICROFILMED

JUN 05 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	_____	_____

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7. Signature of New Owner(s) or Claimant(s) Reid J. Stewart
(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.

For Office Use Only

Received by QC Date 3-13-02 Fee \$50-
 Received by QC Date 3-14-02 Receipt No. E027540
 Processed by _____ AJ Date _____ WR _____ Date _____

MICROFILMED
JUN 05 2002

CK per
Dave C

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
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FEB 06 2002

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A 35-02774 B _____

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Department of Water Resources
Eastern Region

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Name Connector (Check one): [] and, [] or, [] and/or

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City, State and ZIP Code

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(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.

For Office Use Only

Received by <u>JC</u>	Date <u>3-13-02</u>	Fee <u>\$50-</u>
Received by <u>JC</u>	Date <u>3-14-02</u>	Receipt No. <u>E027540</u>
Processed by _____	Date _____	WR _____ Date _____

MICROFILMED
JUN 9 5 2002

±10093

RECORDED AT THE REQUEST OF
BLACKFOOT, IDAHO

505710

RECEIVED

FEE 6.00 CLERK 2.00

Form RD 1955-49
(Rev 10-98)

Position 5

MAR 20 2002

2001 NOV -2 PM 2:48

UNITED STATES DEPARTMENT OF AGRICULTURE
~~XXXXXXXXXXXXXXXXXXXX~~
FARM SERVICE AGENCY

RECORDED AT THE REQUEST OF

Reid Stewart
3100 W. 1000 S.
Aberdeen, ID
83210

QUITCLAIM DEED

The UNITED STATES OF AMERICA, acting through the United States Department of Agriculture, CONVEYS and QUIT-CLAIMS to Superior Farm Trust, 35 S. Main, Hyde Park, UT 84318

Grantee, for the sum of \$135,000.00

all interest in the following described real estate situated in the County or Parish of Bingham

State of Idaho

, to-wit:

Township 4 South, Range 31 E.B.M., Bingham County, Idaho
Section 29: NE 1/4

Commonly Known as: 1008 S. 2800 W., Aberdeen, Idaho

ABSTAINING FROM
12289

2774B

7644B

BLACKFOOT FSA OFFICE

OCT 29 2001

MICROFILMED

JUN 05 2002

This deed is executed and delivered pursuant to the provisions of

Accepted Bid (Form RD 1955-46) dated October 11, 2001 and the

authority set forth in 7 C.F.R. part 1900, subpart A.

No member of Congress shall be admitted to any share or part of this deed or to any benefit that may arise therefrom.

Dated October 17

in the year 2001

UNITED STATES OF AMERICA (Grantor)

By

Wayne Hammon, State Executive Director

(Insert Name of USDA Agency)

Farm Service Agency

~~Rural Development~~

United States Department of Agriculture

In the presence of:

*

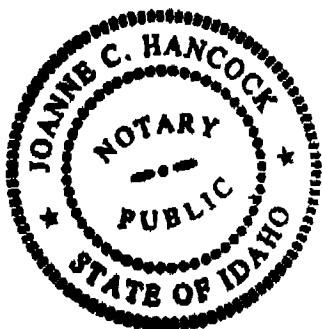
*

ACKNOWLEDGMENT

State of Idaho
County of Ada

On this 17th day of October, 2001, before me, the undersigned, a Notary Public in and for said State, personally appeared Wayne Hammon, known to me to be the State Executive Director, Farm Service Agency, USDA, and person whose name is authorized to the within instrument and acknowledged to me that he executed the same.

In WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal on the day and year last above mentioned.



Joanne C. Hancock
Joanne C. Hancock, Notary Public in and for
State of Idaho
Residing at Nampa, Idaho RD 1955-49 (10-98) Reverse
My Bond Expires 6-24-2004
MICROFILMED

UN 05 2002

505710

502438

ORIGINAL

UNITED STATES MARSHAL'S DEED

THIS DEED, made and entered into this 29th day of June, 2001, between James H. Benham, United States Marshal for the District of Idaho, by virtue of his office, of the first part, and Farm Service Agency, United States Department of Agriculture, 1600 Highland Dr., Blackfoot, ID 83221, of the second part;

WHEREAS, in and by a Order of Judgment and Decree of Foreclosure filed on December 16, 1999, in and by the District Court of the United States, held in and for the District of Idaho, in a lawsuit then pending in said Court, wherein the United States of America was plaintiff and Paul O'Brien and Katherine O'Brien were the defendants, it was, among other things, ordered, adjudged, and decreed that the mortgaged premises described in the Complaint and in the Order of Judgment and Decree of Foreclosure in said action be sold at public auction by the United States Marshal for the District of Idaho in the manner directed by law, a copy of which Order of Sale thereon was duly issued and delivered to said Marshal, requiring him to make sale of said property as therein directed;

AND WHEREAS, in obedience to said Order of Judgment and Decree of Foreclosure and Order of Sale, and after due public notice given as required by law, the said Marshal did, on the 4th day of May, 2000, at 1:30 p.m. of said day, duly sell at public auction the premises described to Farm Service Agency, United States Department of Agriculture, 1600 Highland Dr., Blackfoot, ID 83221 for a bid of \$159,475.00, that being the highest and best bid and Farm Service Agency the highest and best bidder which will more fully appear by reference to a Certificate of Sale given to said Farm Service Agency on behalf of the said United States Marshal bearing date on May 4, 2000.

United States Marshal's Deed - Page 1

MICROFILMED

JUN 05 2002

NOW THEREFORE, I, James H. Benham, United States Marshal for the District of Idaho, by virtue of my office, for and in consideration of \$159,475.00 have sold and by these presents do sell the real and appurtenant property situated in the County of Bingham, State of Idaho, and more particularly described as follows:

SALE PARCEL I

REAL PROPERTY

PARCEL NO. 1: Township 4 South, Range 31 E.B.M., Bingham County, Idaho
Section 29: NE 1/4

Commonly known as: 1008 S. 2800 W., Aberdeen, Idaho

and the irrigation equipment appurtenant thereto listed below:

1 Pump and Motor A.O. Smith S/N #62445
2600' of buried steel mainline of sizes 8" through 10"
4 Wheel lines Thunderbird 5'
4 Handlines Hook & Latch 4"

APPURTENANT PROPERTY

100 H.P. AO Smith electric motor, S/N #62445 and Vertiline Turbine Pump S/N #37771532
2600' of buried steel mainline of sizes 8" through 10"
4 Thunderbird Wheel lines
4 Pierce Hook & Latch Handlines

TO HAVE AND TO HOLD, the above-described premises unto said grantees and assigns forever.

IN WITNESS WHEREOF, said grantor as Marshal aforesaid, doth hereunto set his hand the day and year first above written.

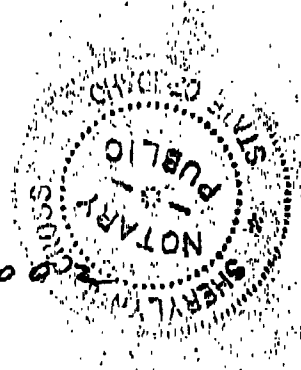

JAMES H. BENHAM
United States Marshal
for the District of Idaho

STATE OF IDAHO)
) s s.
County of Ada)

I, the undersigned, a Notary Public for the State of Idaho, do hereby certify that James H. Benham, United States Marshal for the District of Idaho, who is known to me to be the person who executed the foregoing deed of conveyance, this day personally appeared before me and acknowledged that he executed the same as said United States Marshal for the District of Idaho, for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal at the City of Boise, State of Idaho, this 27th day of June, 2001.

Sheryl Ann Cross
NOTARY PUBLIC
Residing at Boise, Idaho
My Commission Expires: 12/16/2002



MICROFILMED

MAY 05 2002

United States Marshal's Deed - Page 3

BINGHAM COUNTY RECORDER
BLACKFOOT, IDAHO
FEE 9.00 # 502438
2001 JUL 23 PM 4:02
RECORDED AT THE REQUEST OF
Bingham County FSA Office
725 Brown Ave Dr 22
Blackfoot ID 83221-1684

502438

2002 FEB 15 PM 2:50
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 35-02774B

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 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 35-02774B is hereby decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED February 4, 2002.

Roger Burdick

ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

In Re SRBA

Case No. 39576

Water Right 35-02774B

DISTRICT COURT-SRBA
TAMPA, FLA. LSC CO., DAHO

JUN 05 2002

2002 FEB 15 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)

CERTIFICATE OF MAILING

Case No. 39576)
_____)

Water Right(s): 35-02774B

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 35-02774B was mailed
on February 15, 2002, with sufficient first-class postage prepaid
to the following:

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

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

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

CERTIFICATE OF MAILING

PAGE 1
02/15/02

MICROFILMED
JUN 05 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

April 11, 2002

REID G STEWART
3100 W 1000 S
ABERDEEN ID 83210

RE: Change of Ownership for Water Rights 35-2774B and 35-7644B

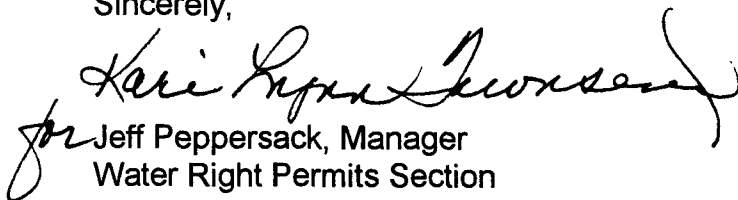
Dear Water Right Holder(s):

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,


for Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosures

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JUN 05 2002