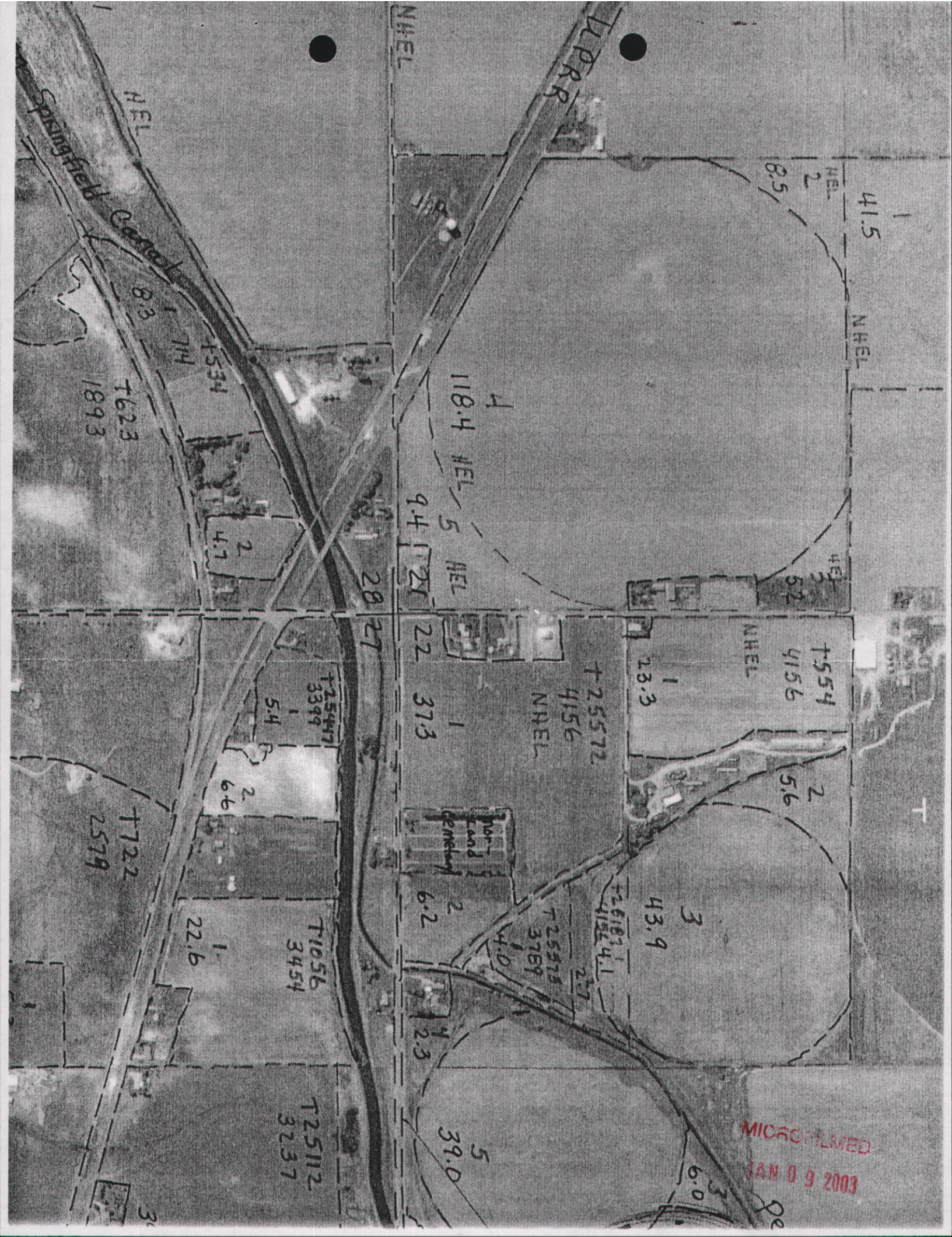




MICROFILMED
JAN 09 2003

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED
DEC 19 2002
Department of Water Resources
Eastern Region

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

- 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
35-2108					

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DEC 26 2002
Department of Water Resources

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

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

- Name and Address of Former Owner/Claimant(s)
Merrill, Clifford G
209 N 900 W
- New Owner/Claimant(s)
WTR Martin Farms
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
223 N 900 W
Blackfoot ID 83221
(208) 684-4398
- Date you acquired the property
9-27-2002

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DEC 29 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) UTR Martin Farms^{BY}
(include title if applicable) William L Martin

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>12-19-02</u>	Fee <u>\$25-</u>
Receipted by <u>gc</u>	Date <u>12-19-02</u>	Receipt No. <u>E028392</u>
Processed by _____	AJ Date _____	WR _____ Date _____

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JAN 09 2003

RECEIVED

DEC 26 2002

Department of Water Resources

RECEIVED

DEC 19 2002

Department of Water Resources
Eastern Region

QUIT CLAIM DEED

THIS INDENTURE made this 21st day of August 2002 in the year of our Lord two thousand and two between WTR MARTIN FARMS, L.L.C., of 225 North 900 West, Blackfoot, County of Bingham, State of Idaho, the parties of the first part, and CLIFFORD G. MERRILL and ROWENA MERRILL, husband and wife, of 209 North 900 West, Blackfoot, County of Bingham State of Idaho, the parties of the second part.

WITNESSETH that the said parties of the first part, for value received does by these presents remise, release and forever QUITCLAIM, unto the said parties of the second part, and to their heirs and assigns all that certain lot, piece, or parcel of land, situate, lying and being in Blackfoot, County of Bingham, State of Idaho, bounded and particularly described as follows, to-wit:

Farm land together with all improvements thereon including irrigation equipment located at approximately 209 North 900 West, Blackfoot, Idaho, the exact legal description thereof attached hereto as Exhibit A.

TOGETHER with all and singular the tenements, hereditaments, and appurtenances, thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular the said premises, together with the appurtenances, unto the parties of the second part, and to their heirs and assigns forever.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seal the day and year first above written.

MICROFILMED

JAN 9 9-12003

QUIT CLAIM DEED

01-0648-4C.DOC

WTR MARTIN FARMS, L.L.C.

By:

William Lane Martin
WILLIAM LANE MARTIN
Member of LLC

STATE OF IDAHO)
) ss.
County of Bingham)

On this 21th day of August 2002, before me, the undersigned, a notary public in and for said state, personally appeared WILLIAM LANE MARTIN member of WTR MARTIN FARMS, L.L.C., known to me to be the person whose name is subscribed 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 the day and year in this certificate first above written.

Act H. H. H. H.
Notary Public for State of Idaho
Residing at Blackfoot

My cmn exprs: 9. 18. 04

EXHIBIT A

Part of Section 22 T. 2 S.R. 34 E.B.M., described as:

Beginning at a point that is S 89° 35' 25" E 267.00 feet along the Section line and N 00° 23' 15" E 33.00 feet to the North right-of-way of a county road to the TRUE POINT OF BEGINNING all from the Southwest corner of said Section 22, and running thence S 89° 35' 25" E 572.37 feet along said right-of-way; thence N 00° 47' 15" W 634.03 feet; thence S 89° 15' 45" E 321.00 feet along the North line of the parcel described in Bingham County Instrument No. 153813; thence N 00° 47' 15" W 0.90 feet; thence S 89° 33' 56" E 181.49 feet along the South line of the N 1/2SW1/4SW 1/4; thence N 00° 22' 30" E 665.87 feet more or less to the Northeast corner of the SW 1/4 SW 1/4 of said Section 22; thence N 89° 32' 28" W 1061.69 feet along the North line of said SW 1/4 SW 1/4; thence S 00° 23' 15" W 1299.66 feet parallel to the West line of said Section 22 to the POINT OF BEGINNING.

Parcel contains 24.46 acres more or less.

Part of the Southwest quarter of Section 22, Township 2 South; Range 34, East Boise Meridian, in Bingham County, Idaho, described as:

Beginning at the Southwest corner of Block F-14 of the Moreland Cemetery, said point being East along the South line of said Section 22, 1161 feet, and North 0°22'40" West 34.2 feet from the Southwest corner of said Section 22; and running thence North 0°22'40" West along the East side of 2nd West Street of said Cemetery 631 feet to the North line of said Cemetery; thence South 89°40'20" West along said North line 321 feet to the Northwest corner of said Moreland Cemetery as plotted; thence South 0°22'40" East along the West line of said Cemetery 631 feet; thence North 89°40'20" East 321 feet to the point of beginning;

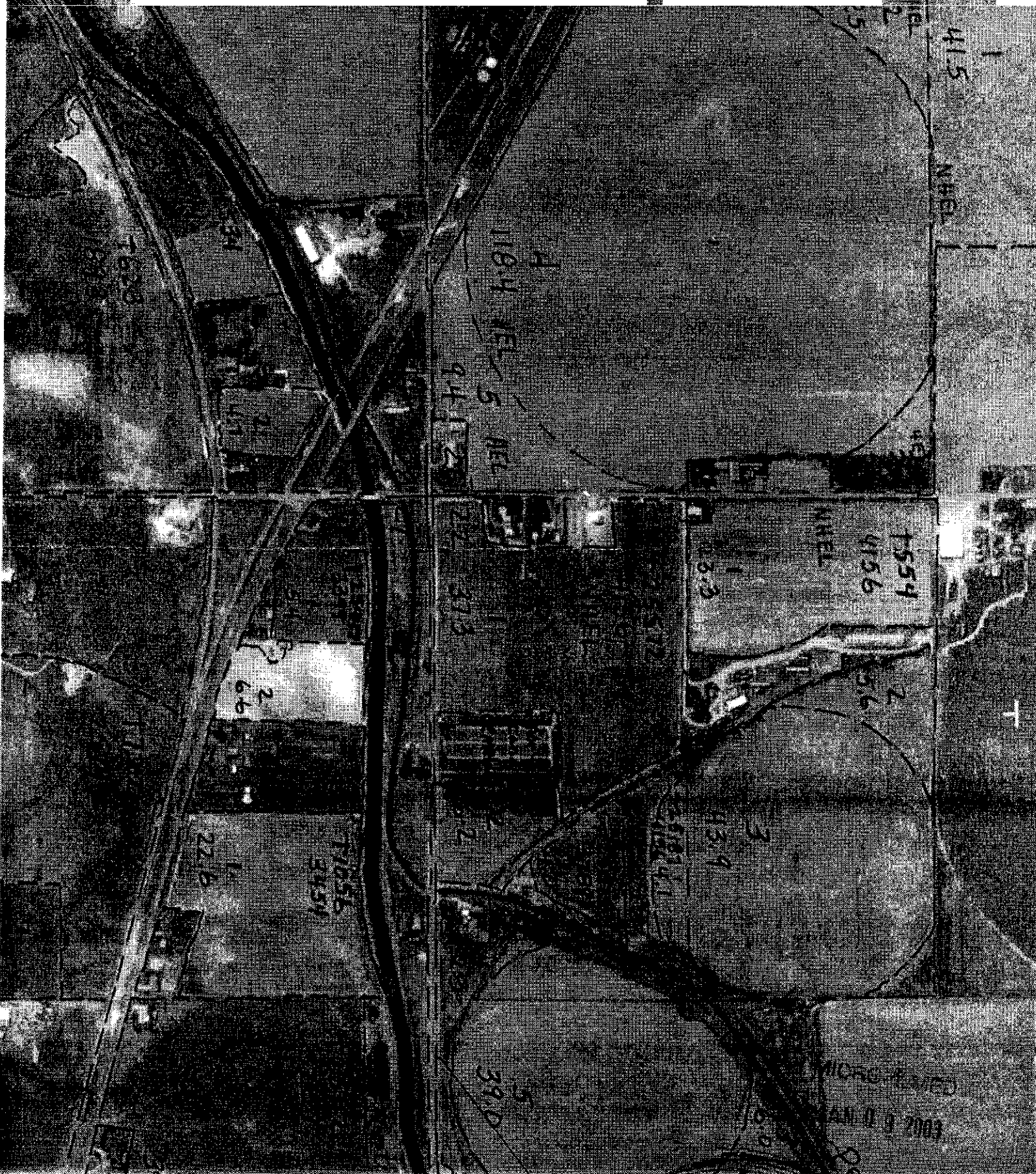
Containing 4.65 acres more or less.

Part of Section 22 T. 2 S.R. 34 E.B.M., described as:

Beginning at a point that is S 89° 35' 25" E 1328.98 feet along the Section line and N 00° 22' 30" E 665.88 feet more or less to the Southwest corner of the N1/2SE 1/4 of said section 22 to the TRUE POINT OF BEGINNING all from the Southwest corner of said Section 22, and running thence S 89° 33' 39" E 391.33 feet; thence N 89° 32' 37" E 57.62 feet; thence N 30° 21' 59" W 664.08 feet; thence N 32° 07' 23" W 112.21 feet more or less to the North line of said N1/2SE1/4; thence N 89° 32' 32" W 49.20 feet along the North line of the N1/2 SE1/4; thence S 00° 22' 30" W 665.87 feet more or less along the West line of said N1/2SE1/4 to the POINT OF BEGINNING.

Parcel contains 3.83 acres more or less.

RECORDED
JAN 9 9 2003



41.5

NHGL

104 11.5 ME

94.1 2

22 39.3

39.2

39.0

1554
4156

2
35.6

1
3.3

3
43.9

2
6.6

1
22.6

1055
3454

ENCLOSURE
F002 6 0 0 2003

2002 JAN 31 PM 3: 59

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 35-02108

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 35-02108 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
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 35-02108

2002 JAN 31 PM 1:27
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

NAME AND ADDRESS: CLIFFORD G MERRILL
ROWENA M MERRILL
209 N 900 W
BLACKFOOT, ID 83221

SOURCE: GROUNDWATER

QUANTITY: 0.72 CFS
144.00 APY

PRIORITY DATE: 09/10/1948

POINT OF DIVERSION: T02S R34E S22 SWSWSW Within Bingham County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.72 CFS 144.00 APY

PLACE OF USE: Irrigation Within Bingham County
T02S R34E S22 SWSW 36.0
36.0 Acres Total

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

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

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JAN 31 2002

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	)	CERTIFICATE OF MAILING
	)	
Case No. 39576	)	
_____	)	Water Right(s): 35-02108

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 35-02108 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

CLIFFORD G MERRILL
ROWENA M MERRILL
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
01/31/02

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JAN 31 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

December 27, 2002

WTR MARTIN FARMS
223 N 900 W
BLACKFOOT ID 83221

RE: Change of Ownership for Water Right 35-2108

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,

Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

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JAN 03 2003