

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

RECEIVED

MAY - 5 2006

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.

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
37-10969					

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) Maria and Raul Gil
1930 East 1350 South, Gooding, ID 83330
4. New Owner/Claimant(s) James ~~Scott~~ Simmons and Ann Simmons
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
842w 470N, Shoshone, Gooding, ID 83352
New Mailing Address
City, State and ZIP Code
New Telephone Number () _____
5. Date you acquired the property _____

6. If the change in ownership affects the entire 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 or 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 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 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)

James Scott Simmons
James Scott Simmons
Ann Simmons
Ann Simmons

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>CB</u>	Date	<u>5/5/06</u>	Fee	<u>\$25-</u>
Received by		Date		Receipt No.	<u>0081158</u>
Processed by		Date		WR	
				Date	

WARRANTY DEED

#GGL-07239

For Value Received

Raul F. Gil and Maria Gil, husband and wife

Instrument # 216109

GOODING, GOODING, IDAHO

2006-05-02

10:24:49 No. of Pages: 2

Recorded for : LAND TITLE

DENISE M. GILL

Fee: 6.00

Ex-Officio Recorder Deputy

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

James S. Simmons and Ann L. Simmons, husband and wife

Address: 842 West 470 North, Shoshone, ID 83352

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

DEPARTMENT OF
WATER RESOURCES

**TOWNSHIP 5 SOUTH, RANGE 15 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO**

Section 8: Being all that certain tract or parcel of land situated in the E $\frac{1}{2}$ NW $\frac{1}{4}$ and W $\frac{1}{2}$ NE $\frac{1}{4}$, being more particularly described by metes and bounds as follows:

Commencing at the West $\frac{1}{4}$ corner of the aforementioned Section 8, from which the Northwest corner of the aforementioned Section 8 bears North 00°15'15" West, 2670.84 feet;
Thence North 89°45'29" East, 1328.05 feet along and with the center-of-section line to the Southwest corner of the E $\frac{1}{2}$ NW $\frac{1}{4}$;
Thence North 00°12'01" West, 296.77 feet along and with the West line of the E $\frac{1}{2}$ NW $\frac{1}{4}$ to the POINT OF BEGINNING of the herein described tract;
Thence North 00°12'01" West, 2369.34 feet along and with the West line of the E $\frac{1}{2}$ NW $\frac{1}{4}$ to the Northwest corner of the E $\frac{1}{2}$ NW $\frac{1}{4}$;
Thence North 89°57'41" East, 2661.12 feet along and with said section line to the Northeast corner of the W $\frac{1}{2}$ NE $\frac{1}{4}$, and also the Northeast corner of the herein described tract;
Thence South 00°00'28" West, 2656.69 feet along and with the East line of the W $\frac{1}{2}$ NE $\frac{1}{4}$ to the Southeast corner of the same. Said point also being the Southeast corner of the herein described tract;
Thence South 89°45'29" West, 931.42 feet along and with the South line of the W $\frac{1}{2}$ NE $\frac{1}{4}$;
Thence North 00°08'45" West, 212.00 feet;
Thence South 89°45'29" West, 392.00 feet to a point on the West line of the W $\frac{1}{2}$ NE $\frac{1}{4}$;
Thence South 00°08'45" East, 212.00 feet along and with the West line of the W $\frac{1}{2}$ NE $\frac{1}{4}$ to the Southwest corner of the W $\frac{1}{2}$ NE $\frac{1}{4}$;
Thence South 89°45'29" West, 810.84 feet along and with the South line of the E $\frac{1}{2}$ NW $\frac{1}{4}$;
Thence North 00°12'01" West, 296.77 feet;
Thence South 89°45'29" West, 517.21 feet to the POINT OF BEGINNING.

SUBJECT TO a 25 foot wide county road easement along the Southerly boundary of said tract.

SUBJECT TO a 33 foot wide country road easement along the Northerly boundary of said tract.

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to 154.50 shares of Capital Stock in Big Wood Canal Company, also including any licensed domestic or irrigation water rights, licenses with the State of Idaho, including but not limited to Water Right number 37-10969.

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Taxes for 2006 and subsequent years, taxes are an accruing lien, not yet due or payable.

Assessments of the American Falls Reservoir District No. 2 and the rights and powers of said District as by law provided.

Assessments of the Big Wood Canal Company and the rights and powers of said Company as by law provided.

Right of way for canals, laterals and waste ditches of Big Wood Canal Company.

Conditions contained in Right of Way Deed given by Miller and Veile, a corporation, to the State of Idaho, dated November 8, 1933, recorded July 17, 1934 in Book 25 Page 406 as Instrument Number 59577, Gooding County records, affecting a portion of the NE¹/₄NW¹/₄ and the NW¹/₄NE¹/₄ of Section 8, Township 5 South, Range 15, East Boise Meridian. By Official minutes recorded May 23, 1996 as Instrument Number 165617, records of Gooding County, Idaho, the State of Idaho's interest is now held by Gooding Highway District No. 1.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: May 1, 2006

Raul F. Gil
Raul F. Gil

Maria Gil
Maria Gil

STATE OF IDAHO)
) ss.
COUNTY OF Gooding)

On this 1st day of **May, 2006**, before me, the undersigned, a Notary Public in and for said State, personally appeared **Raul F. Gil and Maria Gil**, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Becky Shubert
Notary Public
Residing at: Gooding ID
My Commission expires: 02-23-2011

