

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

Please print or type. Attach pages with additional information. Instructions are on the back of this page.

	SEC. 16 02-2341 33154	SEC. 26 02-2358 02-2420	SEC. 36 02-2420	DOMESTIC WELL SEC. 36
1. Water Right No(s):				
Adjudication Claim No(s):	A02-02341	A02-02420	A02-02420	A63-15479

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JUN 23 2000
 WATER RESOURCES
 DEPARTMENT

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AUG 29 2000

Department of Water Resources

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

A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**

AND

B. **PLAT OF PROPERTY** or **SURVEY MAP** showing the location of the place of use of the water right(s) or claim(s). (These are usually attached to your deed or on file with the county.)

OR

C. If your water right or adjudication claim 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**. *POINT OF DIVERSION IS IN SEC. 35*

3. Name and Address of Former Owner/Claimant: INITIAL BUTTE PARTNERSHIP (FORMERLY INITIAL BUTTE FARMS, INC.)
Box 2562
NYSSA, OR. 97913

4. New Owner/Claimant(s): SOUTHWEST, INC.

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address: Box 2562 **RECEIVED**

City, State and ZIP Code: NYSSA, OR 97913 **JUN 19 2000**

New Telephone Number: (541) 372-3921

Department of Water Resources

5. Date you acquired the property: AUGUST 11, 1999

6. Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below only if the water right(s) or claim(s) need to be split between owners. If necessary, attach additional pages. If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

SEC. 16 - 626 ac.; SEC. 26 - 464 ac.; SEC. 36 - 471 ac.	
Number of acres you irrigate with this water right <u>26.5736</u>	Number and type of stock _____
Diversion rate in CFS _____	Number of homes you acquired <u>1</u> Other uses _____

7. Signature of New Owner(s) SOUTHWEST, INC.
 or Claimant(s) By Gene Stunz, PRESIDENT

Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

Contact: Gene Stunz

(541) 372-3921

MICROFILMED

MAR 17 2000

Will be difficult to
 contact after 7-13-00.

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After Recording, Return to:
Southwest, Inc.
P. O. Box 2562
Nyssa, OR 97913

ADA COUNTY RECORDER
J. DAVID NAVARRO
BOISE, IDAHO

RECORDED-REQUEST OF

FEE 9- DEPT

99081041
FIRST AMERICAN

FA-130943

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WARRANTY DEED

This Warranty Deed is made on August 11, 1999, between INITIAL BUTTE PARTNERSHIP, a partnership with address at P. O. Box 2562, Nyssa, Oregon 97913, referred to as "Grantor"; and SOUTHWEST, INC., an Idaho corporation, with address at P. O. Box 2562, Nyssa, Oregon 97913, referred to as "Grantee".

Grantor, for and in consideration of the sum of \$10.00 and other good and valuable consideration, the receipt of which is acknowledged, has granted, bargained, and sold, and, by this deed, grants, bargains, sells, conveys, and confirms to Grantee and Grantee's successors and assigns forever, all of the following-described real estate situated in Ada County, Idaho, described as follows:

In Twp. 1 S., R. 1 W., B.M.:
Sec. 16: ALL.
Sec. 26: N $\frac{1}{2}$, N $\frac{1}{2}$ S $\frac{1}{2}$
Sec. 36: N $\frac{1}{2}$, SE $\frac{1}{4}$

TOGETHER WITH all water rights, ditch rights, and easements appurtenant thereto.

SUBJECT TO general and special taxes for the year 1999, an accruing lien not due or payable until the fourth Monday in November 1999 when the bills are issued, the first half of which is not delinquent until after December 20, 1999.

ALSO SUBJECT TO an easement over said land in favor of Idaho Power Company, a corporation, for power line and incidental purposes as set forth in an instrument recorded October 16, 1964, as Instrument No. 596250, Official Records.

ALSO SUBJECT TO rights of way for ditches, tunnels and telephone and transmission lines constructed by authority of the United States as granted to the United States under provisions of Section 58-604, Idaho Code 1951.

ALSO SUBJECT TO exceptions and reservations of mineral rights in favor of the State of Idaho, by deed recorded April 15, 1966, as Instrument Nos. 637176, 637177, 637178, 637179, 637180, Official Records. (47-701 Idaho Code 1947).

ALSO SUBJECT TO reservations in United States patent, recorded October 2, 1978, as Instrument No. 7852499, Official Records. (Affects the N $\frac{1}{2}$, and the N $\frac{1}{2}$ S $\frac{1}{2}$ of Sec. 26.)

ALSO SUBJECT TO an unrecorded oil and gas lease dated April 28, 1976, executed by State of Idaho, as lessor, and by James H. Ballantyne, Jr., as lessee, for the period and upon the terms, conditions, and covenants therein contained, recorded February 12, 1981, as Instrument No. 8106189, Official Records, reference being hereby made to the record thereof for full particulars.

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ALSO SUBJECT TO tenancy in common agreement for water, and maintenance provisions contained therein, recorded May 21, 1982, as Instrument No. 8221756, and amended by an Instrument recorded June 18, 1982, as Instrument No. 8226056, Official Records.

ALSO SUBJECT TO an oil and gas lease dated August 25, 1982, executed by United States Department of the Interior, Bureau of Land Management, as lessor, and by Cities Service Company, as lessee, for the period and upon the terms, conditions, and covenants therein contained, recorded October 21, 1982, as Instrument No. 8243608, Official Records, reference being hereby made to the record thereof for full particulars.

Assignment of said lease to CSC-PR Limited Partnership (49.71428%), CSC-ML 1982 Limited Partnership (28.57143%), CSC-NW 1982 Limited Partnership (13.71429%), CSC-AL 1982 Limited Partnership (3.428857%), CSC-JTT 1982 Limited Partnership (4.57143%), recorded December 5, 1982, as Instrument No. 8250889, Official Records. (Affects the N $\frac{1}{2}$, and the N $\frac{1}{2}$ S $\frac{1}{2}$ of Sec. 26)

ALSO SUBJECT TO road rights of way for Swan Falls Road. (Affects Secs. 26 and 36.)

ALSO SUBJECT TO easement for a cattleguard over a portion of said premises as disclosed by permit for installation of cattleguard recorded January 24, 1991, as Instrument No. 9104116, Official Records. (Affects a portion of the SE $\frac{1}{4}$ of Sec. 36.

TOGETHER WITH all and singular the tenements, hereditaments, and appurtenances belonging to the described property or in any manner appertaining to the property, the reversion and reversions, remainder and remainders, rents, issues, and profits of the property; and all estate, right, title, and interest in and to the property, as well in law as in equity.

TO HAVE AND TO HOLD, all and singular the described property together with the appurtenances to Grantee and Grantee's successors and assigns forever.

And Grantor and Grantor's successors and assigns shall and will warrant and, by these presents, forever defend the described property in the quiet and peaceable possession of Grantee, Grantee's successors and assigns, against Grantor and Grantor's successors and against all and every person and persons whomever, lawfully claiming the same.

IN WITNESS OF THE ABOVE, Grantor has set Grantor's hand and seal on the date first above written.

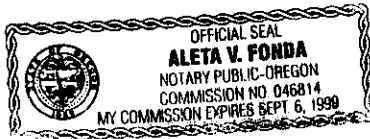
INITIAL BUTTE PARTNERSHIP

By Gene Stünz
Gene Stünz, Managing Partner

By Rosemary Hemigson
Rosemary Hemigson, Managing Partner

STATE OF OREGON)
) ss.
County of Malheur)

On this 11th day of August, 1999, before me, Aleta V. Fonda, a Notary Public, personally appeared Gene Stunz and Rosemary Henigson, known to me to be two partners in the partnership of Initial Butte Partnership, who subscribed the partnership name to the foregoing instrument, and acknowledged to me that they executed the same in the partnership name.



Aleta V. Fonda
Notary Public for Oregon
Residing at Nyssa, OR
My Commission Expires: 9/6/99

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MAR 17 2003



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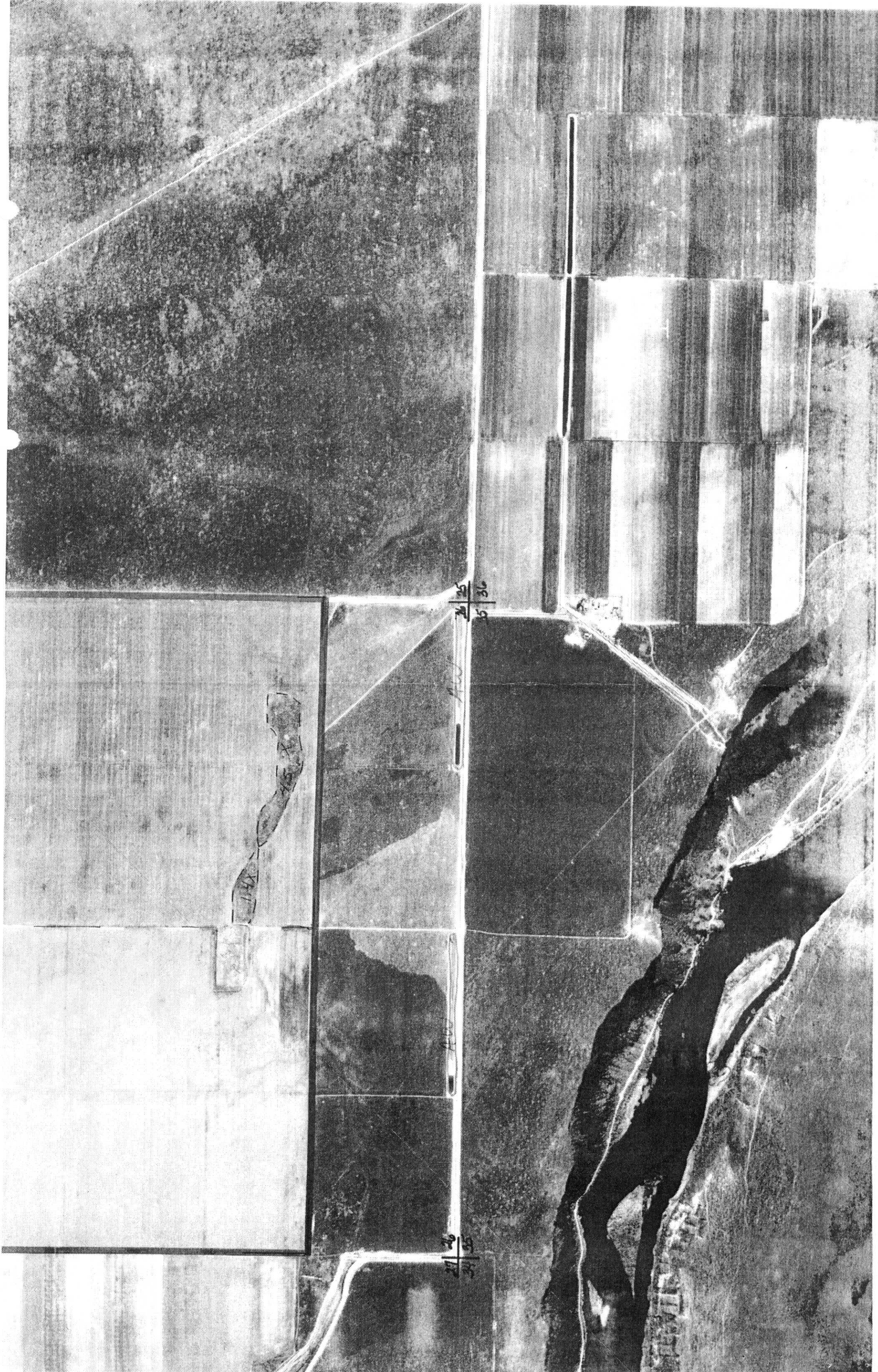
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