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MAR 16 2006

DEPARTMENT OF
WATER RESOURCES

Form 42-248/42-1409(6) July, 2000

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 (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
22-10245					

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts. \$25.00
- 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)

MICHAEL STEARS
414 W 525 S VICTOR, ID 83455

4. New Owner/Claimant(s)

WALLY M. ROTHBEE, JR

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

New Mailing Address

208 Spruce Ave P.O. Box 4689

City, State and ZIP Code

KETCHUM, ID 83340

New Telephone Number

208-726-5117 2007 / 208-720-5848

5. Date you acquired the property

9/16/05

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	_____	_____

X 7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Wally M. Rupp

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	<i>ML</i>	Date	3-16-06	Fee	\$25.00/KK
Received by		Date		Receipt No.	CD80132
Processed by	AJ	Date		WR	
				Date	

File Number: 50066 171025

TCT
Teton County Title

RECEIVED

SEP 16 2005

TETON CO., ID
CLERK RECORDER

WARRANTY DEED

FOR VALUE RECEIVED

Michael Stears and Julie Stears, husband and wife,

GRANTOR(S), hereby grants, bargains, sells, conveys and warrants unto

Wally M Rothgeb Jr., an unmarried person

GRANTEE(S), whose current address is: 208 Spruce Ave, Ketchum, ID 83340

the following described premises, to wit:

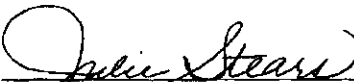
See "Exhibit A" attached hereto

Subject to: all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations of record, and payment of accruing taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that it is the owner in fee simple of said premises, that said premises are free from all encumbrances and that he will warrant and defend the same from all lawful claims whatsoever.

Dated this 16 day of September, 2005.


Michael Stears

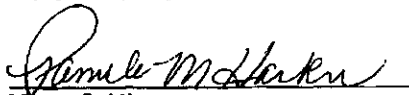

Julie Stears

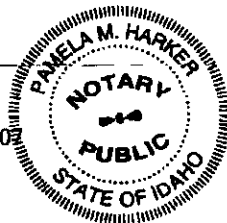
STATE OF Idaho)
) SS.
COUNTY OF Teton)

Instrument # 171025
DRIGGS, TETON, IDAHO
2005-09-16 03:39:14 No. of Pages: 2
Recorded for : TETON COUNTY TITLE
NOLAN G. BOYLE Fee: \$50
Ex-Officio Recorder Deputy
Index to: DEED, WARRANTY

On this 16 day of September, 2005, before me, the undersigned, a Notary Public, in and for said State, personally appeared Michael Stears and Julie Stears known to me, and/or identified to me on the basis of satisfactory evidence, to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

WITNESS MY HAND AND OFFICIAL SEAL.


Notary Public
Residing at: Driggs, Idaho
My commission expires: January 23, 2009



171025

EXHIBIT "A"

The North 1/2 of the Southeast 1/4 of the Northeast 1/4 of Section 30, Township 4 North, Range 45 East, B.M., Teton County, Idaho. Being Further Described as:

Parcel: 1-1

A part of the SE 1/4 NE 1/4 of Section 30, TWP. 4N., RNG. 45E., B.M., Teton County, Idaho, being further described as: Commencing at the NW corner of the SE 1/4 NE 1/4 of said Section 30: thence N 89° 59' 15" E, 535.00 Feet along the North line of the SE 1/4 NE 1/4 of said section 30 to a point:
thence South, 135.00 feet to a point;
thence West, 465.00 feet to a point ;
thence N 41° 08' 15 " W, 106.07 feet to a point on the West line of the SE 1/4 NE 1/4 of said Section;
thence N 00° 13' 49" W, 55.0 feet to the point of beginning.

Contains 1.60 acres, more or less.

Parcel: 1-2

A Part of the SE 1/4 NE 1/4 of Section 30, TWP. 4N., RNG. 45E., B.M., Teton County, Idaho, being further described as: From the NW Corner of the SE 1/4 NE 1/4 of said Section 30 N 89° 59' 15" E., 535.00 feet and thence South 135.00 feet to the POINT OF BEGINNING.
thence South, 65.00 feet to a point;
thence West, 365.00 feet to a point;
thence South 135.00 feet to a point;
thence West, 100.00 feet to a point;
thence North, 200.00 feet to a point;
Thence East, 465.00 feet to the point of beginning.

Contains 1.00 acre, more or less.

Remainder Parcel P1-1 & 2

The remainder of the N 1/2 of SE 1/4 NE 1/4 of Section 30, TWP. 4N., RNG. 45E., B.M., Teton County, Idaho, being further described as: From the NW Corner of the SE 1/4 NE 1/4 of said Section 30 S 00° 13' 49" W. 55.00 feet to THE POINT OF BEGINNING:
thence S 41° 08' 15" E., 106.07 feet to a point:
thence South 200.00 feet to a point;
thence East, 100.00 feet to a point;
thence North, 135.00 feet to a point;
thence East, 365.00 feet to a point;
thence North, 200.00 feet to a point on the North line of SE 1/4 NE 1/4:
thence N 89° 59' 15" E., 785.39 feet to the NE corner of the SE 1/4 NE 1/4;
thence S 00° 15' 12" E., 667.70 feet to the SE corner of the N/2 SE 1/4 NE 1/4;
thence N 89° 49' 49" W., 1320.69 feet to the SW corner of the N/2 SE 1/4 NE 1/4;
thence N 00° 13' 49" W., 608.49 feet to the point of beginning.

Contains 17.58 acres, more or less.

A 22-0575
Split to A22-13135, 15 acres.

Spent to A22-13135, 15 Acres.

