

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

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JAN 30 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.

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
51-4037					
51-12360					

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Department of Water Resources
Southern Region

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) 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)

4. New Owner/Claimant(s)

PURITY SWEET INC

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

New Mailing Address

315 EAST AV H

City, State and ZIP Code

Jerome Idaho 83338

New Telephone Number

(208) 212-2009

5. Date you acquired the property

SUPPORT DATA

IN FILE # 51-4037

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) _____
(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>[Signature]</u>	Date <u>11/26/06</u>	Fee <u>\$25.00 x 2 = \$50.00</u>
Received by <u>mm</u>	Date <u>3.13.06</u>	Receipt No. <u>C-080572</u>
Processed by _____	AJ Date _____	WR _____ Date _____

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MAR 13 2006
DEPARTMENT OF
WATER RESOURCES

1 Raymundo G. Peña, (ISB #3192)
2 **PENA LAW OFFICE**
3 724 8th Street
4 P. O. Box 676
5 Rupert, Idaho 83350
6 Telephone (208) 436-1123
7 Facsimile (208) 436-1124
8 ISB#3192

Instrument # 253334

MURPHY, OWYHEE, IDAHO

2005-09-09 11:15:20 No. of Pages: 6

Recorded for : PENA LAW OFFICES

CHARLOTTE SHERBURN

Ex-Officio Recorder Deputy

Index to: DEED, SHERIFF'S

Fee: 18.00

B. Swano

6 **IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF THE**
7 **STATE OF IDAHO, IN AND FOR THE COUNTY OF OWYHEE**

9 HARRY SHOWALTER, deceased, by
10 ANITA SHOWALTER, Personal
11 Representative, and ANITA
12 SHOWALTER,

Plaintiffs,

12 vs.

13 SYLVIA OLIVAS, a single person;
14 MATTHEW OLIVAS and TRINE
15 OLIVAS, Husband and Wife; AND any and
16 all other persons unknown, claiming any
17 right, title, lien or interest in the real
18 property, personal property and/or water
19 rights described in the complaint adverse to
20 Plaintiff's right, title, or interest thereto,

Defendants.

Case No.: CV-96-01314

SHERIFF'S DEED

19 THIS INDENTURE, made this 1st day of September, 2005, between Gary
20 Aman, Sheriff of Owyhee County, State of Idaho, and Purity Sweet, Inc., the purchaser.

21 WHEREAS, in and by that certain Judgment and Decree of Foreclosure
22 rendered by the District Court of the Third Judicial District of the State of Idaho, in and for
23 the County of Owyhee, on May 12, 2000, in a certain action the pending in said court,
24 wherein Harry Showalter, deceased, by Anita Showalter, Personal Representative, and
25 Anita Showalter were plaintiff's, and Matthew B. Olivas and Trine Olivas, husband and
26 wife, and Sylvia Olivas, a single person, were defendants, and of which said decree a
27 copy, with an order of sale thereon, was delivered to said Sheriff, for execution, it was,
28

1 among other things ordered, adjudged and decreed, that all singular the mortgaged
2 premises described in the compliant in said action, and specifically described in said
3 decree, be sold at public auction by said Sheriff, in the manner required by law, and
4 according to the course and practice of said court; that any of the parties to said action
5 might become the purchaser at such sale; and that said Sheriff execute the usual
6 certificated and deeds to the purchaser, as required by law;

7 AND WHEREAS, said Sheriff did, at the hour of 11:00 o'clock a.m., on the
8 4th day of February, 2005, after due public notice had been given, as required by the laws
9 of this state, and the course and practice of said court, duly sell at public auction certain
10 real property at the Owyhee County Courthouse located at 20381 State Hwy 78, City of
11 Murphy, County of Owyhee, Idaho, pursuant to said decree, and the provisions of law, the
12 property was sold to Purity Sweet Inc., for the sum of \$510,000.00 plus sheriff's costs,
13 lawful money of the United States, it being the highest bidder, and that being the highest
14 sum bid for the same.

15 AND WHEREAS, said Purity Sweet, Inc., thereupon paid to Sheriff sum of
16 money so bid by credit bid;

17 AND WHEREAS, the Sheriff thereupon made and issued the usual
18 certificate, in duplicate, of said sale, in due form of law, and delivered one thereof to said
19 purchaser, and caused the other to be filed and recorded in the Recorder's office of the
20 County of Owyhee, Idaho, as instrument No. 250803;

21 AND WHEREAS, the certificate of sale is now held by Purity Sweet, Inc. by
22 virtue of the assignment of the Certificate of Sale as appears of record as Instrument
23 #251077, records of Owyhee County, Idaho;

24 NOW, Gary Aman, Sheriff, in order to carry into effect the sale so made by
25 him as aforesaid, in pursuance of said decree, and in conformity to the statute in such case
26 made and provided, and also, in consideration of the premises and of said sum of
27 \$510,000.00 lawful money of the United States paid at the time of sale; the receipt whereof
28 is hereby acknowledged, has granted, bargained, sold and conveyed, and by these

1 presents does grant, bargain, sell and convey unto said purchaser, and to its successors
2 and assigns forever, the following described real property;

3
4 A parcel of land within the West Half of the Northwest Quarter (W $\frac{1}{2}$ NW $\frac{1}{4}$) of
5 Section
6 24, Township 16 South, Range 9 East, Boise, Meridian, Owyhee County, Idaho, and
more particularly described as follows:

7 COMMENCING at a brass-cap marking the Northwest corner of
8 Section 24, Township 16 South, Range 9 East, Boise Meridian;
9 THENCE South 54°09' East, 859.6 feet to the true point of beginning;
10 THENCE South 34°13' East, 560.0 feet;
11 THENCE South 55°47' West, 1230.7 feet to the west boundary of
12 said Section 24;
13 THENCE North 0°13' East, 678.9 feet along the west boundary of
14 said Section 24;
15 THENCE North 55°47' East, 846.9 feet to the True Point of
16 Beginning.

17 Together with all water rights evidenced by water right numbers 51-04037, A51-
18 04037 and A51-12760.

19 EXCEPTING THE FOLLOWING DESCRIBED 2 PARCELS OF LAND:

20 PARCEL NO. 1

21 A parcel of land in the NW $\frac{1}{4}$, Section 24, Township 16 South, Range 9 East, Boise
22 Meridian, being more particularly described as follows:

23 BEGINNING at the NW corner of the NW $\frac{1}{4}$ of Section 24, Township
24 16 South, Range 9 East, Boise Meridian
25 THENCE running South 0°12'33" West for a distance of 358.0 feet to
26 a point;
27 THENCE running South 35°36'34" East for a distance of 512.9 feet,
28 said point is the TRUE POINT OF BEGINNING, said point is also the SW corner of
Lot 1, Block 12 of Murphy Hot Springs Subdivision No. 1 as recorded in Owyhee
County Courthouse;

1 THENCE South 26°30' East for a distance of 124.28 feet;
2 THENCE North 56°28' East for a distance of 189.61 feet;
3 THENCE North 46°27' West for a distance of 128.32 feet to a point,
4 which lies on the Southerly boundary of said Murphy Hot Springs Subdivision No.
5 1;

6 THENCE South 55°47' West for a distance of 145.43 feet, along the
7 Southerly boundary of Lot 1, Block 12, Murphy Hot Springs Subdivision No. 1 to the
8 TRUE POINT OF BEGINNING.

9 PARCEL NO. 2:

10 a PARCEL OF LAND IN THE NW¼ of Section 24, Township 16 South, Range 9
11 East, Boise Meridian, Owyhee County, Idaho, described as follows:

12 BEGINNING at the Northeast corner of Lot 28, Block 7, Murphy Hot
13 Springs Subdivision No. 2, Owyhee County, Idaho;

14 THENCE North 34°13'00" West 37.5 feet to a point;

15 THENCE South 55°47'00" West 85 feet, more or less, to the East
16 Bank of Jarbidge River;

17 THENCE in a Southeasterly direction 37.5 feet, more or less, to the
18 Northwest corner of Lot 29, Block 7 of Murphy Hot Springs Subdivision No. 2;

19 THENCE North 55°47'00" East 80.8 feet to the point of Beginning.

20 TOGETHER with 0.060 (cfs) of water evidenced by IDWR Water Right Number 51-
21 04037.

22 Electric grill; propane grill; commercial toaster; electric cash register; adding
23 machine; two (2) display cases; large propane heater (ceiling type); large wood
24 stove; ice maker; ice storage chest; three (3) refrigerators; four (4) freezers; storage
25 cabin two (2) tables; eight (8) chairs; one (1) corner booth; two (2) straight back
26 booths; assorted pots, pans, plates, glasses, cups and tableware; one (1) swamp
27 cooler; one (1) air compressor; two (2) dish washers; one (1) pool table; one (1)
28 juke box; records (not current); miscellaneous towels and swim suits; two (2)
washers; two (2) dryers; two (2) beds left in house; bed frames and springs; bed
linens; bed spreads; five (5) mobile homes, one (1) in end of bathrooms, more
particularly described on Exhibit "A" attached hereto and by this reference made a

1 part hereof; refrigerated trailer for deer, pop and storage (summer); and five (5)
2 electric heaters; together with all additions thereto and replacements thereof.

- 3 1. 1954 Starfleet trailer house, Identification Number 5427SF-1, 613,
4 Idaho Title No. 612529
- 5 2. 1955 Richardson trailer house, Identification Number 35,220,955,
6 Idaho Title No. 1 196556
- 7 3. 1955 Commodore trailer house, Identification Number 54,313, Idaho
8 Title No. B 1546170
- 9 4. 1960 Detritter trailer house, Identification Number FJ361CKP-10, 490,
10 Idaho Title No. 1171038

11
12 Together with all and singular the tenements, hereditaments, and
13 appurtenances thereunto belonging, or in anywise appertaining, and the reversion and
14 reversions, remainder and remainders, rents, issues and profits thereof.

15 TO HAVE AND TO HOLD, all and singular, the premises above mentioned
16 and described, and hereby conveyed, or intended so to be, together with the
17 appurtenances, to said Purity Sweet, Inc., its successors and assigns forever.

18
19 IN WITNESS WHEREOF, said grantor, as Sheriff aforesaid, hereunto sets
20 his hand the day and year first above written.

21
22
23
24 
25 Gary Aman, Sheriff of
26 Owyhee County, State of Idaho
27
28

1
2
3
4
5 STATE OF IDAHO)
6 County of Owyhee } ss.

7 I, Tiffany Walker, Notary Public for the State of Idaho,
8 do hereby certify that **Gary Aman**, Sheriff of the County of Owyhee, State of Idaho, who
9 is to me known to be the person named in and who executed the foregoing Sheriff's Deed,
10 this day personally appeared before me and acknowledged that he executed the same as
11 said Sheriff of Owyhee County, for the uses and purposes therein set forth.

12 IN WITNESS WHEREOF, I have hereunto set my hand this 1st day
13 of September, 2005.
14



Tiffany Walker
Notary Public For Idaho
Residing at: Murphy, Id
My Commission Expires: 5/1/07