

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

**RECEIVED****JAN 13 2005**Department of Water Resources  
Southern Region

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<br>Right No(s). | Adjudication<br>Claim No(s). | Split | Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split |
|-----------------------|------------------------------|-------|-----------------------|------------------------------|-------|
| 37-10423              |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |

**RECEIVED**  
**JAN 18 2005**  
 DEPARTMENT OF  
 WATER RESOURCES

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) Larry Urrutia and Patty Urrutia  
417 E. Hwy 26, Shoshone, ID 83352
4. New Owner/Claimant(s) Donald W. Wise and Debra D. Wise  
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 391 E. Highway 26, Shoshone, ID 83352
- City, State and ZIP Code \_\_\_\_\_
- New Telephone Number ( ) \_\_\_\_\_
5. Date you acquired the property 1-05-2005

6. If the change in ownership affects the entire water right for each water right 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.

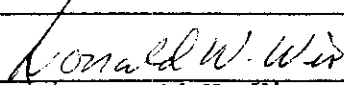
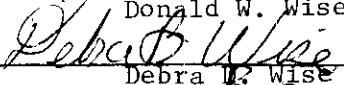
**DESCRIPTION OF YOUR PORTION OF WATER RIGHT**  
(If the right(s) will not be split, skip this area and proceed to item 7)

|                                                    |                                                                            |                                                              |
|----------------------------------------------------|----------------------------------------------------------------------------|--------------------------------------------------------------|
| Water Right and/or Adjudication Claim Number _____ |                                                                            |                                                              |
| Water Use                                          | Diversion Rate or Volume<br>(cubic feet per second or acre-feet per annum) | Description<br>(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<br>(cubic feet per second or acre-feet per annum) | Description<br>(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)

  
 \_\_\_\_\_  
 Donald W. Wise  
  
 \_\_\_\_\_  
 Debra B. Wise

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>Hawcutt</u> | Date <u>1/14/05</u> | Fee <u>25.00</u>           |
| Received by <u>Hawcutt</u> | Date <u>1/14/05</u> | Receipt No. <u>5027293</u> |
| Processed by _____         | AJ Date _____       | WR _____ Date _____        |

# WARRANTY DEED

#GL-05933

For Value Received

**Aric Frostenson and Michelle Frostenson, husband and wife**

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

**Donald W. Wise and Debra B. Wise, husband and wife**  
**Address: 391 E. Highway 26, Shoshone, ID 83352**

|                                                                                                     |               |
|-----------------------------------------------------------------------------------------------------|---------------|
| STATE OF IDAHO<br>COUNTY OF LINCOLN<br>Recorded at the request of<br><b>LAND TITLE &amp; ESCROW</b> | <b>178082</b> |
| <b>JAN 07 2005</b>                                                                                  |               |
| at <u>24</u> minutes past <u>3 P.</u> M.                                                            |               |
| recorded by <u>Nelson Jackson</u>                                                                   |               |
| Fee <u>6.00</u> Return to <u>Alma</u>                                                               |               |

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

**TOWNSHIP 5 SOUTH, RANGE 18, EAST OF THE BOISE MERIDIAN, LINCOLN COUNTY, IDAHO**

Section 33: That part of the Southwest Quarter more particularly described as follows:

Commencing at the South Quarter corner of said Section 33;  
Thence South 89°48'00" West along the South boundary of said Section 33 for a distance of 2,667.47 feet to the Southwest corner of Section 33;  
Thence North 02°39'52" East along the West boundary of Section 33 for a distance of 728.28 feet to the centerline of Highway U.S. 93;  
Thence North 57°27'17" East along the centerline of Highway U.S. 93 for a distance of 2,214.56 feet to the point of curvature of a 2°30' curve left;  
Thence South 32°32'43" East for a distance of 40.00 feet to a point of curvature on the Southerly right-of-way boundary of Highway U.S. 93;  
Thence Northerly along the arc of the curve left for a distance of 125.00 feet, said arc having a long chord bearing and distance of North 55°55'09" East, 124.98 feet;  
Thence continuing along the arc of the curve left for a distance of 200.00 feet to the approximate point of intersection of the Southerly right-of-way of Highway U.S. 93 and a ditch referred to as F-Waste Ditch, said arc having a long chord bearing and distance of North 51°55'36" East, 199.94 feet, said point being the TRUE POINT OF BEGINNING;  
Thence South 32°35'07" East for a distance of 200.00 feet;  
Thence North 57°24'53" East for a distance of 200.00 feet;  
Thence North 32°35'07" West to the intersection of the Southerly right-of-way of Highway U.S. 93;  
Thence Southerly along the right-of-way boundary to the TRUE POINT OF BEGINNING.

## SUBJECT TO:

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

The first one-half 2004 taxes are paid, the balance is due and payable, but not delinquent until after June 20, 2005.

Taxes subsequent to the year 2004, which are not yet due or payable.

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

Terms and Conditions as contained in Right of Way Deed given by Western Lands Incorporated to the State of Idaho, dated November 9, 1936 in Book 37, Page 528 as Instrument Number 72246, Lincoln County records.

Power Line Easement given by Larry Urrutia and Judy Urrutia, husband and wife to Idaho Power Company, a corporation, dated April 19, 1978, recorded May 3, 1979 as Instrument Number 137136, Lincoln County records, affecting a portion of the NE¼SW¼ of Section 33, Township 5 south, Range 18, East Boise Meridian.

Easement by Lawrence John and Patricia Gail Urrutia dated May 23, 2003 and recorded May 29, 2003 as Instrument Number 174859, records of Lincoln County, Idaho.

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to licensed domestic or irrigation water rights and licenses with the State of Idaho, including water right number 37-10423.

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.

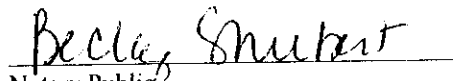
Dated: January 3, 2005

  
Aric Frostenson

  
Michelle Frostenson

STATE OF IDAHO                    )  
                                              ) ss.  
COUNTY OF Gooding            )

On this 3rd day of January, 2005, before me, the undersigned, a Notary Public in and for said State, personally appeared Aric Frostenson and Michelle Frostenson, 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.

  
Notary Public  
Residing at: Wendell ID  
My Commission expires: 02-23-05

Becky Shubert  
Notary Public  
State of Idaho

33-5-18

5. 28' N. 2° 39' 52" E.  
= 659.88

