

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

RECEIVED**FEB 17 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 (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
<u>37-10230</u>	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

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) Shawn & Sarah Keppner
P. O. Box 451, Hailey, ID 83333
4. New Owner/Claimant(s) Craig M. Hurlbut
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
1068 Cabarton Road
 New Mailing Address
Cascade, ID 83611
 City, State and ZIP Code
 New Telephone Number () _____
5. Date you acquired the property 2-3-06

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) Craig M. Hurlbut
(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>LM</u>	Date <u>2-17-06</u>	Fee <u>\$25.00</u>	
Receipted by <u>LM</u>	Date <u>2-17-06</u>	Receipt No. <u>0080354</u>	
Processed by _____	AJ Date _____	WR _____	Date _____

WARRANTY DEED

#L-35112

For Value Received

SHAWN KEPPNER and SARAH KEPPNER, husband and wife

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

CRAIG M. HURLBUT, an unmarried man
Address: 1068 Cabarton Road, Cascade, Idaho 83611

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

SEE ATTACHED LEGAL DESCRIPTION, EXHIBIT "A"

SUBJECT TO:

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

The second one half of 2005 Taxes is due and payable, but not delinquent until after June 20, 2006.

Taxes subsequent to the year 2005, which are 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.

Power Line Easement given by Donald E. Peak and Debbie F. Peak, husband and wife, to Idaho Power Company, a corporation, dated August 14, 1981, recorded December 18, 1981 as Instrument Number 141956, Lincoln County records, affecting a portion of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 12, Township 5 South, Range 16 East, Boise Meridian.

Power Line Easement given by Debbie E. Peak, to Idaho Power Company, a corporation, dated October 4, 1985, recorded March 28, 1986 as Instrument Number 149286, Lincoln County records, affecting a portion of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ and SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 12, Township 5 South, Range 16 East, Boise Meridian.

Statement of Intent to Declare Manufactured Home Real Property recorded August 9, 2002, as Instrument Number 173109, Lincoln County records.

Subject to a 25.00 foot wide county road easement as set forth in Warranty Deed dated August 15, 2002, recorded August 16, 2002 as Instrument No. 173164, 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 12 shares of capital stock in Big Wood Canal Company, and State of Idaho, Dept. of Water Resources water right #37-10230.

STATE OF IDAHO COUNTY OF LINCOLN Recorded by the LAND TITLE & ESCROW	180279
FEB 03 2006	
at <u>20</u>	by <u>Emmily Dugan</u>
recorded by <u>Emmily Dugan</u>	by <u>hand</u>
Fee <u>12.00</u>	

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.

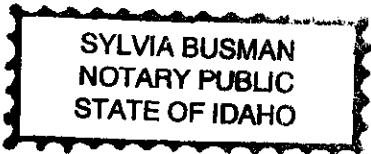
Dated: February 2, 2006

Shawn Keppner
SHAWN KEPPNER

Sarah Keppner By Shawn Keppner Her attorney in Fact
SARAH KEPPNER, BY SHAWN KEPPNER,
HER ATTORNEY IN FACT

STATE OF IDAHO)
COUNTY OF JEROME) ss.

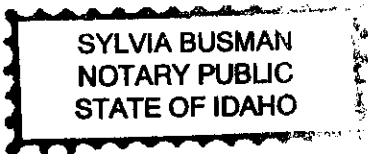
On this 2nd day of February, 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared SHAWN KEPPNER, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.



Sylvia Busman
Notary Public
Residing at: Linn Falls, OR
My Commission expires: 06-09-2010

STATE OF IDAHO)
COUNTY OF JEROME) ss.

On this 2nd day of February, 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared SHAWN KEPPNER, known or identified to me to be the person whose name is subscribed to the within instrument, as the Attorney-In-Fact of SARAH KEPPNER and acknowledged to me that he subscribed the name of SARAH KEPPNER thereto as principal, and his own name as Attorney-In-Fact.



Sylvia Busman
Notary Public
Residing at: Linn Falls, OR
My Commission expires: 06-09-2010

EXHIBIT "A"

Parcel No. 1:

TOWNSHIP 5 SOUTH, RANGE 16 EAST OF THE BOISE MERIDIAN, LINCOLN COUNTY, IDAHO

Section 12: A parcel of land located in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ more particularly described as follows:

Commencing at the East one quarter (E $\frac{1}{4}$) corner of said Section 12.

Thence N89°02'03" W along the South Boundary of the NE $\frac{1}{4}$ of Section 12 for a distance of 985.84 feet to THE TRUE POINT OF BEGINNING.

Thence continuing N89°02'03" W along the South Boundary of the NE $\frac{1}{4}$ for a distance of 346.36 feet to the Southwest corner of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 12;

Thence N00°11'43" W along the West Boundary of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ for a distance of 366.60 feet;

Thence N70°25'25" E for a distance of 195.36 feet;

Thence N77°28'45" E for a distance of 121.08 feet;

Thence N49°10'42" E for a distance of 271.17 feet;

Thence N68°11'57" E for a distance of 192.52 feet;

Thence S62°26'06" E for a distance of 176.14 feet;

Thence N88°57'58" E for a distance of 489.24 feet to a point on the East Boundary of the NE $\frac{1}{4}$ of Section 12;

Thence S00°09'00" E along the East Boundary of the NE $\frac{1}{4}$ of Section 12 for a distance of 319.84 feet;

Thence N62°14'31" W for a distance of 224.86 feet;

Thence S56°59'38" W for a distance of 473.20 feet;

Thence S80°18'02" W for a distance of 74.64 feet;

Thence N88°12'49" W for a distance of 133.37 feet;

Thence S48°53'27" W for a distance of 241.71 feet to the TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM a parcel of land located in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, more particularly described as follows:

Commencing at the East one-quarter corner of said Section 12, from which the Northeast corner of said Section 12 bears North 00°09'00" West, 2662.97 feet;

Thence from said East one-quarter corner on a bearing of North 89°02'03" West along the South boundary of the NE $\frac{1}{4}$ of Section 12 for a distance of 1262.45 feet to a point in line with an existing fence line and being THE TRUE POINT OF BEGINNING;

-Continued-

Thence continuing North 89°02'03" West along the South boundary of the NE¼ of Section 12 for a distance of 69.75 feet to the Southwest corner of the SE¼NE¼ of Section 12;
Thence North 00°11'43" West along the West boundary of the SE¼NE¼ of Section 12 for a distance of 328.47 feet;
Thence South 74°29'45" East along an existing fence line for a distance of 81.59 feet;
Thence South 02°47'34" West along the existing fence line for a distance of 201.11 feet;
Thence South 01°05'36" East along the existing fence line for a distance of 106.99 feet to THE TRUE POINT OF BEGINNING.

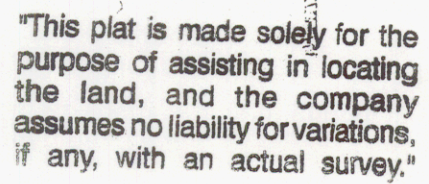
Parcel No. 2:

**TOWNSHIP 5 SOUTH, RANGE 16 EAST OF THE BOISE MERIDIAN,
LINCOLN COUNTY, IDAHO**

Section 12: A parcel of land located in the SE¼NE¼ described as follows:

Commencing at the East quarter corner of said Section 12 and being THE TRUE POINT OF BEGINNING;
Thence North 89°00'24" West along the East-West center section line for a distance of 985.84 feet;
Thence North 48°53'27" East for a distance of 241.71 feet;
Thence South 88°12'49" East for a distance of 133.37 feet;
Thence North 80°18'02" East for a distance of 74.64 feet;
Thence North 56°59'38" East for a distance of 473.20 feet;
Thence South 62°14'31" East for a distance of 224.86 feet to a point on the East boundary of the NE¼ of Section 12;
Thence South 00°09'00" East along the East boundary of the NE¼ for a distance of 337.00 feet to the East quarter corner of Section 12 and THE TRUE POINT OF BEGINNING.

North half



Corner of Pct #4
is within Pct #70