

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

RECEIVED

MAR 09 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>36-13848</u>	_____	___	_____	_____	___
<u>36-7703</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) Delbert E. & Harriet Waters
367 S. 1900 E., Jerome, ID 83338
4. New Owner/Claimant(s) Tim Waters & Linda Waters
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 1931 Hunt Road
- City, State and ZIP Code Jerome, ID 83338
- New Telephone Number (208) 825-4275
5. Date you acquired the property 3--8-06

SUPPORT DATA

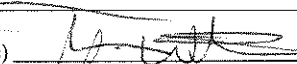
IN FILE # 36-7703

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	_____	_____

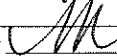
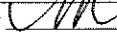
7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)


Tim Waters

Linda Waters

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  Date 3-8-06 Fee \$ 50.00/sx
 Received by  Date 3-8-06 Receipt No. C080548
 Processed by _____ AJ Date _____ WR _____ Date _____

WARRANTY DEED

#J-35222

Instrument # 2061321
JEROME COUNTY, JEROME, IDAHO
2006-03-08 12:07:45 No. of Pages: 2
Recorded for : LAND TITLE & ESCROW
CHERYL WATTS Fee: 6.00
Ex-Officio Recorder Deputy 

For Value Received

**DELBERT E. WATERS and HARRIETT WATERS, Trustees, under
THE DELBERT E. WATERS and HARRIETT WATERS LIVING TRUST,
dated November 15, 1991**

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

**TIM WATERS and LINDA WATERS, HUSBAND AND WIFE
Address: 1931 Hunt Road, Jerome, ID 83338**

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

TOWNSHIP 9 SOUTH, RANGE 20, EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 5: Tract A, EXCEPTING THEREFROM the following described parcel of land:

Commencing at the Northwest corner of Section 5;
Thence East along the North boundary of said Section 5, 1150.00 feet to THE TRUE
POINT OF BEGINNING;
Thence South parallel to the West boundary of said Section 5, 164.00 feet;
Thence East parallel to the North boundary of said Section 5, 288.00 feet;
Thence North parallel to the West boundary of said Section 5, 164.00 feet to the North boundary of said
Section 5;
Thence West along the North boundary of said Section 5, 288.00 feet to THE TRUE
POINT OF BEGINNING.

TOWNSHIP 8 SOUTH, RANGE 20, EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 32: SW $\frac{1}{4}$ SW $\frac{1}{4}$; W $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$; W $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$; SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$;
SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$; E $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$;

SUBJECT TO:

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

Taxes for 2006 and subsequent years, taxes are an accruing lien, 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.

Right of way for roads, canals, laterals and waste ditches as contained in an Agreement by and between the State of Idaho, and the Twin Falls North Side Land and Water Company, dated August 21, 1907, recorded in Book 15 Page 589, Jerome County records.

Contract between the United States of America and American Falls Reservoir District No. 2, dated September 21, 1927, recorded December 3, 1928 in Book 69 Page 440 to 532, Jerome County records, provides for storage rights in American Falls Reservoir District.

Permit recorded November 5, 1927 in Book 88, Page 403, Jerome County records; The Federal Power Commission grants to the Idaho Power Company easements for electric transmission lines over Government lands.

Agreement dated May 16, 1950, filed May 25, 1950 in Book 143 Page 283, Jerome County records; United States of America and Robert L. Miles et ux pertaining to the irrigation of land under American Falls Reservoir District No. 2

Power Line Easement given by Delbert E. Waters and Harriett Waters, husband and wife, to Idaho Power Company, dated April 17, 1962, recorded August 17, 1962 in Book 168 Misc. Page 192 as Instrument Number 151635, Jerome County records, affecting the NW¼NW¼ of Section 5, Township 9 South, Range 20 East Boise Meridian.

Power Line Easement given by Delbert Waters and Harriet Waters, husband and wife, to Idaho Power Company, dated March 30, 1966, recorded August 3, 1966 in Book 184 Misc. Page 53 as Instrument Number 169076, Jerome County records, affecting a portion of the SW¼ of Section 32, Township 8 South, Range 20, East Boise Meridian.

Right of Way Deed given by Delbert Waters, Robert Miles, Harriet Waters and Esther Miles to Hillsdale Highway dated May 4, 1966, recorded May 15, 1967 in Book 182 Deeds Page 527 as Instrument Number 172208, Jerome County records, affecting a portion of the SW¼SW¼ of Section 32, Township 8 South, Range 20, East Boise Meridian.

Power Line Easement given by Delbert E. Waters and Harriett Waters, husband and wife, to Idaho Power Company, a corporation, dated August 19, 1977, recorded January 30, 1978 in Book 184 Misc. Page 1612 as Instrument Number 230750, Jerome County records, affecting a portion of the NE¼NW¼ of Section 5, Township 9 South, Range 20, East Boise Meridian.

Easement for the purposes of maintaining and repairing and existing buried mainline irrigation pipeline as revealed by Quitclaim Deed dated April 9, 1992, recorded April 9, 1992 as Instrument Number 921183, Jerome County records.

Well Agreement by and between The Delbert E. Waters and Harriett Waters Living Trust, by and through Delbert E. Waters and Harriett Waters, Trustees, and Timothy Hollis Waters and Linda Waters, husband and wife, dated April 9, 1992, recorded April 9, 1992 as Instrument Number 921184, Jerome County records.

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to 106.1 shares of American Falls District No. 2 water and Idaho Dept. of Water Resources water right #36-7703 and #36-13848.

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: March 8, 2006

THE DELBERT E. WATERS AND
HARRIETT WATERS LIVING TRUST

Delbert E. Waters
DELBERT E. WATERS, Trustee

Harriett Waters
HARRIETT WATERS, Trustee

STATE OF IDAHO)
) ss.
COUNTY OF JEROME)

On this 8 day of March, 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared DELBERT E. WATERS and HARRIETT WATERS, known or identified to me to be the persons whose names are subscribed to the within instrument as Trustees of the DELBERT E. WATERS and HARRIETT WATERS LIVING TRUST, dated November 15, 1991, and acknowledged to me that they executed the same as such trustees.

Sylvia Busman
Notary Public
Residing at: Swain Falls Rd
My Commission expires: 06-07-2010

