

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

RECEIVED**JAN 05 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
37-795	→	—	36-15094	P. D.	—
37-796	→	—	~~36-10466~~	P. D.	—
37-798	→	—	36-10446		—
37-3155	→	—	37-10993	P. D.	—
37-7559	→	—			—

AJ

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) Michael J. Fleming
17826 HWY 30 Bliss, ID 83314
4. New Owner/Claimant(s) JIM D. SCARROW
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 3184 South 1900 East
 City, State and ZIP Code Wendell, ID 83355
 New Telephone Number (208) 536-5739
5. Date you acquired the property December 30, 2005

SUPPORT DATA
IN FILE # 36-10446

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)

[Signature]

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 *[Signature]*
 Receipted by *[Signature]*
 Processed by _____

Date 1-5-06
 Date 1-5-06
 Date _____

Fee \$225.00
 Receipt No. 2079978
 WR _____ Date _____

WARRANTY DEED

RECEIVED

#G-34842

JAN 27 2006

DEPARTMENT OF
WATER RESOURCES

For Value Received

MICHAEL JOSEPH FLEMING, an unmarried man

also shown of record as Michael J. Fleming

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

JIM D. SCARROW, an unmarried man,

Address: 3184 South 1900 East Wendell, Id 83355

Instrument # 214738 Pre-Recorded

GOODING, GOODING, IDAHO

2006-01-25

10:56:14 No. of Pages: 4

Recorded for : LAND TITLE JEROME

HELEN EDWARDS

Fee: 12.00

Ex-Officio Recorder Deputy

Helen Edwards

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

SEE EXHIBIT "A" ATTACHED HERETO:

Instrument # 214435

GOODING, GOODING, IDAHO

2005-12-30

03:18:31 No. of Pages: 4

Recorded for : LAND TITLE JEROME

HELEN EDWARDS

Fee: 12.00

Ex-Officio Recorder Deputy

Helen Edwards

SUBJECT TO:

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

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to Water Right #37-795, #37-796, #37-3155, #37-798, 37-7559, 36-15094 36-10446 and #37-10993

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: **December 29, 2005**

Michael Joseph Fleming
MICHAEL JOSEPH FLEMING

STATE OF IDAHO)

) ss.

COUNTY OF JEROME)

On this 29th day of **December, 2005**, before me, the undersigned, a Notary Public in and for said State, personally appeared **MICHAEL JOSEPH FLEMING**, 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.

[Signature]
Notary Public

Residing at: Jerome, ID

My Commission expires: 7-30-06

**RICK BERNSSEN
NOTARY PUBLIC
STATE OF IDAHO**

ORDER NUMBER: G-34842

EXHIBIT A

TRACT I

TOWNSHIP 6 SOUTH, RANGE 13 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 34: The South 12 rods of the SE $\frac{1}{4}$ SE $\frac{1}{4}$

TOWNSHIP 7 SOUTH, RANGE 13 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 2: That part of Lots 1 and 2 described as follows:

Beginning at the Southeast corner of said Lot 2;
Thence West along the South boundary line of said Lot, 7.8 chains to the East boundary
of the Hagerman-Bliss Highway;
Thence North along said East boundary, 6.63 chains to THE TRUE PLACE OF
BEGINNING;
Thence North 86°37' East 3.71 chains;
Thence North 70°37' East 3.34 chains;
Thence North 84°28' East 1.21 chains;
Thence South 67°22' East 1.23 chains;
Thence South 8°00' East 1.7 chains;
Thence South 36°07' East 7.6 chains to South boundary of Lot 1 of Section 2, said
Township and Range;
Thence East along the South boundary line of said Lot 1 to the Southeast corner thereof;
Thence North along the East boundary line of said Lot 1 to the Northeast corner thereof;
Thence West along the First Standard Parallel South, 27.56 chains;
Thence South on a line parallel to the East line of said Lot 2, to the said TRUE PLACE
OF BEGINNING.

EXCEPT Hagerman-Bliss U.S. Highway 30.

AND EXCEPT a parcel of land being on both sides of the center line of U.S. Highway
30 Project No. F-2361 (18) Highway Survey as shown on the plans thereof now
on file in the office of the Department of Highways of the State of Idaho, and lying
over and across the South 198.0 feet of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 34, Township 6
South, Range 13 East of the Boise Meridian and portion of Government Lot 2
of Section 2, Township 7 South, Range 13 East of the Boise Meridian, described
as follows:

CONTINUATION

ORDER NUMBER: G-34842

Beginning at a point being the intersection of the Easterly Right of Way line of existing U.S. Highway 30, and the North line of the South 198.0 feet of the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 34, Township 6 South, Range 13, East Boise Meridian approximately 198.0 feet North and 1295.0 feet West from the Southeast corner of said Section 34;
Thence East along the North line of the South 198.0 feet of said SE $\frac{1}{4}$ SE $\frac{1}{4}$, 25.0 feet, more or less, to a point in a line parallel with and 50.0 feet East from the center line of said U.S. Highway 30, Project No. F-2361 (18) Highway Survey;
Thence along said parallel line as follows: South 0°40'00" West, 133.0 feet more or less to a point opposite Station 219+47.57 Back equals 219+47.10 Ahead a point of spiral curvature of said Highway Survey, Southerly along a spiral curve left having a central angle of 1°52'30" a distance of 248.36 feet to a point opposite Station 221+97.10, a point of circular curvature of said Highway Survey, Southeasterly along a 3769.72 foot radius curve left, 443.0 feet more or less to a point on a Southerly boundary of the above parcel;
Thence Westerly, leaving said parallel line, along said Southerly boundary 73.0 feet, more or less, to a point in the Easterly Right of Way line of said existing U.S. Highway 30;
Thence Northerly along said existing Highway Right of Way line 810.0 feet more or less to THE POINT OF BEGINNING.

NOTE: The bearing as shown in the above exception unless otherwise noted, are from the Idaho Plane Coordinate System, based on the transverse mercator projection for the Central Zone of Idaho. To convert to geodetic bearings, a correction of 0°36'30" must be subtracted from all Northeast and Southwest bearings and added to all Northwest and Southeast bearings.

As set forth in Case no. 10316 Second Judgement and Decree of Condemnation recorded March 17, 1964, as microfilmed Instrument No. 10853.

TOWNSHIP 7 SOUTH, RANGE 13 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 1: That part of Lot 4 which lies below the rimrock:

CONTINUATION

ORDER NUMBER: G-34842

TRACT II

TOWNSHIP 6 SOUTH, RANGE 13 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 35: SW $\frac{1}{4}$ SW $\frac{1}{4}$;

Section 34: Part of the E $\frac{1}{2}$ SE $\frac{1}{4}$ more particularly described as follows:

Beginning at a point 12 rods North of the Southeast corner of Section 34;

Thence North 74 rods;

Thence West 80 rods to the West boundary line of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 34;

Thence South 74 rods;

Thence East 80 rods to the place of beginning.

EXCEPT Hagerman-Bliss U.S. Highway 30.

AND EXCEPT that part for highway purposes as set forth Second Judgement and Decree of Condemnation dated March 17, 1964 recorded March 17, 1964 as microfilmed No. 10854.

IN THE COUNTY OF GOODING, STATE OF IDAHO

End of Exhibit 'A'

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 36-10446

WATER RIGHT NUMBER: 36-10446

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JIM D SCARROW 3184 S 1900 E WENDELL, ID 83355 (208) 536-2374

Priority Date: 03/15/1961

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
UNNAMED STREAM	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	2/15 to 11/30	0.090 CFS	
	<u>Total Diversion:</u>	0.090 CFS	

Location of Point(s) of Diversion

UNNAMED STREAM	L1 (SW1/4SE1/4NE1/4)	Sec. 2,	Twp 07S,	Rge 13E, B.M.
GOODING County				

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S	13E	2			2.5	.5													3.0
					L 2	L 1													

Total Acres: 3

Dates and Other Information:

Decreed Date: 10/20/2000

Water District Number: 36A

WARRANTY DEED

#G-34842

For Value Received

MICHAEL JOSEPH FLEMING, an unmarried man

also shown of record as Michael J. Fleming
Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

JIM D. SCARROW, an unmarried man ,

Address: 3184 South 1900 East Wendell, Id 83355

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

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Instrument # 214435

GOODING, GOODING, IDAHO

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Recorded for : LAND TITLE JEROME

HELEN EDWARDS

Fee: 12.00

Ex-Officio Recorder Deputy

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***36-10466 and #37-10993**

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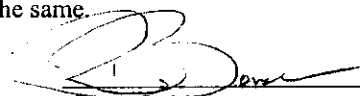
Dated: December 29, 2005

incorrect w.r. number

MICHAEL JOSEPH FLEMING

STATE OF IDAHO)
) ss.
COUNTY OF JEROME)

On this 29th day of **December, 2005**, before me, the undersigned, a Notary Public in and for said State, personally appeared **MICHAEL JOSEPH FLEMING**, 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.


Notary Public

Residing at: Jerome 501

My Commission expires: 7-30-05

**RICK BERNSEN
NOTARY PUBLIC
STATE OF IDAHO**

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IN THE COUNTY OF GOODING, STATE OF IDAHO

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