

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

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

RECEIVED
 JAN 18 2005
 Department of Water Resources

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 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
A78-04187					

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)

Barry & Shirley Merritt
 P.O. Box 504, Riggs, Id. 83549

4. New Owner/Claimant(s)

Darcy K. Allen
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

P.O. Box 2422

City, State and ZIP Code

McCall, Idaho - 83638

New Telephone Number

208 634-4650

5. Date you acquired the property

March 30, 2005

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>S/b</u>	Date <u>11.23.05</u>	Fee <u>\$ 25</u>	
Received by _____	Date _____	Receipt No. <u>6079717</u>	
Processed by _____ AJ	Date _____	WR _____	Date _____

440834

WARRANTY DEED

GRANTOR, BARRY MERRITT, a married man joined by his wife SHIRLEY MERRITT, of P. O. Box 504, Riggins, ID 83549, for a good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey to DARCY K. ALLEN, a single person, of P. O. Box 2422, McCall, ID 83638, as GRANTEE, and to grantee's heirs and assigns forever, all of the following described real estate located in the County of Idaho, State of Idaho, to wit:

See Exhibit "A" attached hereto and hereby incorporated by this reference.

TOGETHER with all improvements, water, water rights, ditches, ditch rights, easements, hereditaments and appurtenances thereto.

Subject to:

1. General taxes for the year 2005, which are a lien, not yet due and payable.

2. Easement, including the terms and conditions thereof, by and between E. R. MERRITT and EVELYN MERRITT, his wife and THE STATE OF IDAHO, Fish and Game Department, recorded July 8, 1964, under Instrument No. 215886, Book 101 page 195, records of Idaho County, Idaho.

3. Conditions and reservations in Easement Agreement, by and between WILLIAM ROAKEY and MARGARET ROAKEY, husband and wife, WILLIAM D. ROAKEY and RITA J. ROAKEY, husband and wife, and THE STATE OF IDAHO, Fish and Game Department, recorded July 8, 1964, under Instrument No. 215888, Book 101 page 200, records of Idaho County, Idaho.

4. Road and Utility Easement, including the terms and conditions thereof, by and between EDDIE E. MERRITT and EVELYN M. MERRITT, husband and wife, and FRANKIE A. HEATH and WILLETTA M. HEATH, husband and wife, recorded February 14, 1977, under Instrument No. 266978, records of Idaho County, Idaho.

5. Water and Sewer Users Agreement, including the terms and conditions thereof, by and between RAPID RIVER HOMEOWNERS ASSOCIATION WATER AND SEWER DISTRICT, INC., a quasi municipal corporation and BARRY MERRITT and SHIRLEY MERRITT, husband and wife, recorded September 22, 2000, under Instrument No. 0413682, records of Idaho County, Idaho.

6. Ditch as shown on Survey No. S-2211, recorded October 13, 2004, under Instrument No. 438147, records of Idaho County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said Grantees, their heirs and assigns forever. And the said

EXHIBIT A

Township 23 North, Range 1 East, Boise Meridian, Idaho County, Idaho
Section 5: A parcel of Government Lot 4, more particularly
described as follows:

Beginning at a point on the West line of said
Government Lot 4, from which point the West $\frac{1}{4}$ corner of
said Section 5 bears S 00°00'19" W, 1800.25 feet;
thence N 00°00'19" E, 320.51 feet along the West line
of said Government Lot 4;
thence S 81°43'00" E, 67.40 feet to the Northwest
corner of the Idaho Power parcel, a 5/8" rebar;
thence S 07°11'00" E, 135.95 feet;
thence S 10°37'00" W, 98.70 feet;
thence S 24°00'00" W, 25.05 feet to an Idaho Power
property corner monument;
thence S 44°40'00" W, 78.77 feet to the place of
beginning.
Sometimes known as Assessor's Tax No. 55.

ALSO:

A strip of land for roadway purposes:

Beginning at a point on the West line of said Lot 4,
from which point the West $\frac{1}{4}$ corner of said Section 5
bears S 00°00'19" W, 2120.76 feet;
thence N 00°00'19" E, 511.3 feet to the Northwest
corner of said Section 5;
thence N 00°05' W, 100 feet to the public road as now
located;
thence East 25 feet;
thence S 00°05' E, 100 feet;
thence S 00°10' W, 514.8 feet;
thence N 80°15' W, 25.4 feet to the place of beginning.

LONG SUBDIVISION
INST. NO. 402826

HEATH

DRIVE

N 24°15'43" E
67.40'

(N 89°54'38" E)
N 89°55'17" E
10.65'

N 89°55'17" E
14.35'
(N 89°54'38" E)

67.40'
N 81°43'00" W
59.90'

119.50'
N 81°43'00" W

7.50'

3.00'

S 07°11'00" E
135.95'

132.95'

(324.84')

324.68'

317.29'

320.51'

308.68'

0.474 ACRES

rock wall

shed roof

3.56'

(N 00°25'07" W)

N 00°21'24" W

N 00°00'19" E

N 00°35'19" W

S 10°37'00" W
98.70'

existing ditch

shed roof

2.29'

section line

deed line

S 24°00'00" W
25.05'

S 44°40'00" W
78.77'

N 44°40'00" E
15.14'

(N 50°00'17" E)
N 49°42'33" E
11.45'

#87
Fish Trap Rd.

With extra
Land

This to be corrected
& Final plat

IDAHO POWER
INST. NO. 21818

This is already
Recorded w/ county
as New Survey.
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