

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

RECEIVED

DEC - 1 2003

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
25-11713					

- 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) Gordon Harmer
403 N 3900 E Rigby ID 83442
- 4 New Owner/Claimant(s) Van H. Warner and/or Karen Warner
 Name Connector (Check one): ☐ and ☐ or ☒ and/or
- New Mailing Address 403 N 3900 E
- City, State and ZIP Code Rigby, ID 83442
- New Telephone Number (208) 745-7438
- 5 Date you acquired the property 11/91

- 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)

Van Warner
Karen Warner

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 JL Date 11-21-03 Fee \$25-
 Received by JL Date 11-21-03 Receipt No E 029379
 Processed by _____ AJ Date _____ WR _____ Date _____

ASSIGNMENT AND ASSUMPTION OF CONTRACT

KNOW ALL MEN BY THESE PRESENTS:

For value received, we, GORDON W. HARMER and GLORIA D. HARMER, husband and wife, Assignors herein, of RTZ Bx 76F, Pocatello, Idaho, do hereby sell, transfer, set over, and assign to VAN H. WARNER and KAREN WARNER, husband and wife, Assignees herein, of 405 N. 3900 E., Rigby, Idaho, all of our right, title, and interest in and to that certain Contract of Sale entered into on or about May 25, 1985, by and between KENT ORANGE WARNER and BRENDA WARNER, husband and wife; RUTH W. HARROP, aka RUTH HARMER, and HERB HARROP, husband and wife, and ANNE STEGELMEIER, aka ANN STEGELMEIER, and LOREN L. STEGELMEIER, husband and wife, as Vendor, and GORDON W. HARMER and GLORIA D. HARMER, husband and wife, as Purchaser.

The Assignors also hereby sell, transfer, and assign to the Assignees all of their right, title, and interest in and to the following described real property situate in the County of Jefferson, State of Idaho, to-wit:

SEE ATTACHED EXHIBIT "A" WHICH IS BY REFERENCE HERETO INCORPORATED HEREIN AS THOUGH FULLY SET FORTH

It is agreed by and between the Assignors and Assignees that there are still sums due and owing on the said Contract of Sale with a payment due and payable on or before the 1st day of January, 1991 in the amount of \$287.11, and a like amount due and payable on or before the 1st day of each and every succeeding month thereafter until the entire principal balance and accrued interest have been paid in full.

It is further agreed by the Assignors and Assignees that the Assignees shall pay the monthly payment due on the 1st day of January, 1991, and all other payments required pursuant to the terms of the said original Contract of Sale until the entire balance of principal and interest required under the terms of said Contract of Sale have been paid in full. Assignors and Assignees agree that Assignees shall also perform all other obligations for which the Assignors would have been obligated and shall have all of the rights that the Assignors

would have had pursuant to the terms of the above-described Contract of Sale.

IN WITNESS WHEREOF, the parties hereto have executed this agreement as of the 1st day of January, 1991.

Gordon W. Harmer
GORDON W. HARMER

Gloria D. Harmer
GLORIA D. HARMER

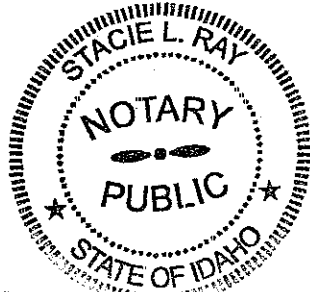
Van H. Warner
VAN H. WARNER

Karen Warner
KAREN WARNER

STATE OF IDAHO)
County of Bonneville ; ss.

On this 11th day of NOVEMBER, 2003, 1991, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared GORDON W. HARMER and GLORIA D. HARMER, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first written.

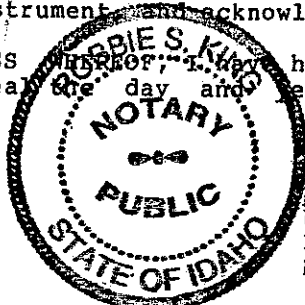


Stacie L. Ray
Notary Public for Idaho
Residing at: Idaho Falls
My Commission Expires: 10/08/08

STATE OF IDAHO)
County of Bonneville ; ss.
Jefferson

On this 18th day of November, 2003, 1991, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared VAN H. WARNER and KAREN WARNER, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first written.



Robbie S. King
Notary Public for Idaho
Residing at: Shutty, Idaho
My Commission Expires: 04/21/09

Commencing at the Southeast corner of Section 12, Township 4 North, Range 38 E.B.M., in Jefferson County, Idaho, and running thence North 300 feet; thence West 400 feet; thence South 300 feet; thence East 400 feet to the place of beginning.

Reserving unto Donald V. Warner and Nadine H. Warner of Route #1, Box B, Rigby, ID 83442, Rights of Way and Easement of the following:

1. Ditch Right of Ways and Easements

All existing ditches running through the following property:

Commencing at the Southeast corner of Section 12, Township 4 North, Range 38 E.B.M., in Jefferson County, Idaho, and running thence North 300 feet; thence West 400 feet; thence South 300 feet; thence East 400 feet to the place of beginning.

servicing the farm described as:

N1SE1; Section 12, T4N, R38EBM Jefferson County, Idaho

together with an easement on sufficient land adjacent to said ditches for the operation, use, and maintenance of said ditches.

2. Right of Way for Ingress and Egress to Farm

A 35 foot right of way on an existing road (barnyard road) located on the following property:

Commencing at the Southeast corner of Section 12, Township 4 North, Range 38 E.B.M., in Jefferson County, Idaho, and running thence North 300 feet; thence West 400 feet; thence South 300 feet; thence East 400 feet to the place of beginning.

servicing the farm described as:

N1SE1; Section 12, T4N, R38EBM Jefferson County, Idaho

together with an easement on sufficient land adjacent to said road for the operation, use, and maintenance of said road.

WARRANTY DEED

THIS INDENTURE, made this 1st day of January, 1991, between KENT ORANGE WARNER and BRENDA WARNER, husband and wife, of Box 55, Terretton, ID 83450; RUTH W. HARROP, aka RUTH WARNER, and HERB HARROP, her husband, of 259 J. Street, Idaho Falls, ID 83401; and ANNE STEGELMEIER, aka ANN STEGELMEIER, and LOREN L. STEGELMEIER, her husband, of 262 E. 2nd N., Rexburg, Idaho 83440, the parties of the first part; and VAN H. WARNER and KAREN WARNER, husband and wife, of 405 N. 3900 E., Rigby, ID 83442, parties of the second part.

WITNESSETH, that the said parties of the first part, for and in consideration of the sum of TEN AND NO/100 (\$10.00) DOLLARS lawful money of the United States of America, and other good and valuable consideration to the parties of the first part in hand paid by the parties of the second part, the receipt whereof is hereby acknowledged, has granted, bargained, sold, and by these presents does grant, bargain, sell, and convey and confirm unto the said parties of the second part, and to the parties of the second parts' heirs and assigns forever all of the following described real estate situate in the County of Jefferson, State of Idaho, to-wit:

SEE ATTACHED EXHIBIT "A" WHICH IS BY REFERENCE HERETO INCORPORATED HEREIN AS THOUGH FULLY SET FORTH

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversions, remainder and remainders, and rents, issues and profits thereof; and all estate, right, title, and interest in and to said property, as well in law as in equity, of said parties of the first part.

TO HAVE AND TO HOLD, all and singular the above-mentioned and described premises, together with the appurtenances unto the parties of the second part, and to parties of the second parts' heirs and assigns forever. And the said parties of the first part, and said parties of the first parts' heirs shall and will warrant and by these presents forever defend the said premises in the quiet and peaceable possession of the said parties of the second part, and parties of the second parts' heirs and assigns, against the said parties of the first part, and the parties of the first parts' heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same.

IN WITNESS WHEREOF, the said parties of the first part hereunto have set their hands.

Kent O. Warner

KENT ORANGE WARNER

Brenda Warner

BRENDA WARNER

Ruth W. Harrop

RUTH W. HARROP

Herb Harrop

HERB HARROP

Ann Stegelmeier

ANNE STEGELMEIER

Loren L. Stegelmeier

LOREN L. STEGELMEIER

Commencing at the Southeast corner of Section 12, Township 4 North, Range 38 E.B.M., in Jefferson County, Idaho, and running thence North 300 feet; thence West 400 feet; thence South 300 feet; thence East 400 feet to the place of beginning.

Reserving unto Donald V. Warner and Nadine H. Warner of Route #1, Box B, Rigby, ID 83442, Rights of Way and Easement of the following:

1. Ditch Right of Ways and Easements

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Commencing at the Southeast corner of Section 12, Township 4 North, Range 38 E.B.M., in Jefferson County, Idaho, and running thence North 300 feet; thence West 400 feet; thence South 300 feet; thence East 400 feet to the place of beginning.

servicing the farm described as:

N1/2SE1/4; Section 12, T4N, R38EBM Jefferson County, Idaho

together with an easement on sufficient land adjacent to said ditches for the operation, use, and maintenance of said ditches.

2. Right of Way for Ingress and Egress to Farm

A 35 foot right of way on an existing road (barnyard road) located on the following property:

Commencing at the Southeast corner of Section 12, Township 4 North, Range 38 E.B.M., in Jefferson County, Idaho, and running thence North 300 feet; thence West 400 feet; thence South 300 feet; thence East 400 feet to the place of beginning.

servicing the farm described as:

N1/2SE1/4; Section 12, T4N, R38EBM Jefferson County, Idaho

together with an easement on sufficient land adjacent to said road for the operation, use, and maintenance of said road.

CONSENT TO ASSIGNMENT AND ASSUMPTION OF CONTRACT

KENT ORANGE WARNER and BRENDA WARNER, husband and wife, RUTH W. HARROP a/k/a RUTH HARMER, and HERB HARROP, husband and wife, and ANNE STEGLEMEIER, a/k/a ANNE STEGLEMEIER, and LOREN L. STEGELMEIER, husband and wife, are the Vendor in that certain Contract of Sale dated the 25th day of May, 1985, wherein GORDON W. HARMER and GLORIA D. HARMER, husband and wife are the Purchaser.

KENT ORANGE WARNER and BRENDA WARNER, husband and wife, RUTH W. HARROP a/k/a RUTH HARMER, and HERB HARROP, husband and wife, and ANNE STEGLEMEIER, a/k/a ANNE STEGLEMEIER, and LOREN L. STEGELMEIER do hereby consent to the Assignment and Assumption of said Contract of Sale, dated the 25th day of May, 1985, and to a copy of which this Consent is attached.

KENT ORANGE WARNER and BRENDA WARNER, husband and wife, RUTH W. HARROP a/k/a RUTH HARMER, and HERB HARROP, husband and wife, and ANNE STEGLEMEIER, a/k/a ANNE STEGLEMEIER, and LOREN L. STEGELMEIER do hereby agree to fulfill all other obligations to VAN H. WARNER and KAREN WARNER as they would have been and were obligated to do by said Contract of Sale to GORDON W. HARMER and GLORIA D. HARMER.

KENT ORANGE WARNER and BRENDA WARNER, husband and wife, RUTH W. HARROP a/k/a RUTH HARMER, and HERB HARROP, husband and wife, and ANNE STEGLEMEIER, a/k/a ANNE STEGLEMEIER, and LOREN L. STEGELMEIER do further hereby state and agree that GORDON W. HARMER and GLORIA

D. HARMER shall have no further liability or obligation under the terms of said Contract of Sale.

DATED this 25th day of May, 1991.

Kent O. Warner

KENT ORANGE WARNER

Brenda Warner

BRENDA WARNER

Ruth W. Harrop

RUTH W. HARROP

Herb Harrop

HERB HARROP

Anne H. Stegelemier

ANNE STEGELEMIER

Loren L. Stegelemier

LOREN L. STEGELEMIER

STATE OF IDAHO)
 : ss.
County of Jefferson)

On this 30th day of ^{Oct. 2003} ~~May~~, 1991, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared KENT ORANGE WARNER and BRENDA WARNER, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first written.

KATHRYN M. TOMLINSON
Notary Public
State of Idaho

Kathryn M. Tomlinson

Notary Public for

Residing at:

My Commission Expires:

ASSIGNMENT AND ASSUMPTION OF CONTRACT

Page 2

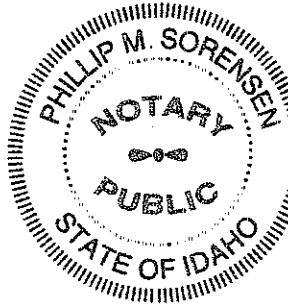
MY COMMISSION EXPIRES
September 4, 2009
BONDED TRUST NOTARY PUBLIC UNDERWRITING

STATE OF IDAHO)
County of Bonneville)

: SS.

On this 21 day of October 2003, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared RUTH W. HARROP and HERB HARROP, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first written.



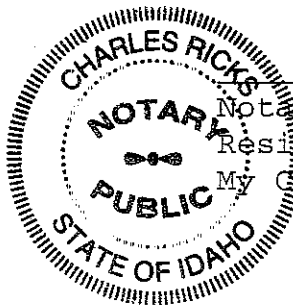
Phillip M. Sorensen
Notary Public for
Residing at: Idaho Falls ID
My Commission Expires: 11/12/2005

STATE OF IDAHO)
County of Madison)

: SS.

On this 3 day of Nov 2003, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared ANNE STEGELMEIER and LOREN L. STEGELMEIER, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first written.



Charles Rick
Notary Public for Idaho
Residing at: Sugar City
My Commission Expires: Oct 17 2009