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SEP - 7 2000

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

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, 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
82-07151					

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) are 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)

Richard D. Wilhite
 Po Box 153, 550 Kayla Ln Elk City ID

4. New Owner/Claimant(s)

Mark & Elizabeth Koogler *

Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

Po Box 131 550 Hidden Springs Rd

City, State and ZIP Code

Elk City ID 83525

New Telephone Number

208 842-2913

* Mark E Koogler
 Elizabeth A Koogler

5. Date you acquired the property

May 29, 1998

Receipt # N013921
 9.1.20
 \$25.20



Mark Koogler
 P.O. Box 131
 Elk City, ID 83525

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)

Mark C. Koogler
Elizabeth A. Koogler

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> D </u>	Date <u>9-1-00</u>	Fee <u>\$25.00</u>
Received by <u> D </u>	Date <u>9-1-00</u>	Receipt No. <u>N 013921</u>
Processed by _____	AJ Date _____	WR _____ Date _____

400022

WARRANTY DEED

County of IDAHO	ss
Recorded at request of	INLAND TITLE CO.
at	15 minutes past 3 o'clock P.M.
this	29 day of May 1998
By	ROSE E. GEHRING
Recorder	
Deputy	
Fee \$	9.00

COMPUTER 11
INDEXED 11
TRACTED 11
FILMED 11
ASSESSOR 11

THIS INDENTURE, made on this 29 day of May, 1998, by and between RICHARD D. WILLHITE and SUSAN A. WILLHITE, husband and wife, hereinafter referred to as the Grantors, and MARK E. KOOGLER and ELIZABETH A. KOOGLER, husband and wife, of General Delivery, Elk City, ID 83525, hereinafter referred to as the Grantees.

WITNESSETH:

That the said Grantors, for and in consideration of the sum of Ten Dollars (\$10.00), lawful money of the United States of America, and other good and valuable considerations to them in hand paid by the said Grantees, the receipt whereof is hereby acknowledged, having granted, bargained, sold, and by these presents do grant, bargain, sell, convey and confirm unto the said Grantees, their heirs and assigns, all the following described real property situate in the County of Idaho, State of Idaho, to wit:

The real property which is more particularly described on SCHEDULE C attached hereto and by this reference made a part hereof.

TOGETHER WITH, all and singular, the tenements, hereditaments, and appurtenances thereunto belonging or in any wise appertaining, the reversion and reversions, the remainder and remainders, rents, issues, and profits thereof, and all estate, right, title and interest in and to the said property as well in law as in equity of the said Grantors.

TO HAVE AND TO HOLD, all and singular, the above mentioned and described premises, together with the appurtenances unto the said Grantees, their heirs and assigns forever.

And the said Grantors, for themselves, their heirs, executors, and administrators, do covenant, grant, bargain, and agree to and with the said Grantees, their heirs and assigns, that at the time of the ensealing and delivery of these presents they were well seized of the premises above conveyed as of good, sure, perfect, absolute, and indefeasible estate of inheritance, in fee simple, and have good right, full power, and lawful authority to grant, bargain, sell, and convey the same in the manner and form aforesaid, and that the same are free and clear from all and former grants, bargains, liens, taxes, assessments, and encumbrances of whatever kind or nature whatsoever, **EXCEPT:**

1. Taxes for 1998 which are an accruing lien not yet due or payable.
2. EASEMENT dated August 23, 1990 by and between JAMES F. TITUS and NETTIE M. TITUS, husband and wife, and GARY G. BEARD and NIKKI L. BEARD, as joint tenants, including the terms and conditions thereof, recorded December 10, 1990 as Instrument No. 356549 records of Idaho County, Idaho.
3. MATTERS as shown on surveys: recorded February 6, 1996 as Instrument Number 385067; recorded February 6, 1996 as Instrument Number 385069; all records of Idaho County, Idaho.
4. EASEMENT agreement dated August 22, 1984 by and between TOM B. LOGAN and MILDRED T. LOGAN, formerly MILDRED T. SCOTT, husband and wife, and JAMES

F. TITUS and NETTIE M. TITUS, including the terms and conditions therein, recorded September 4, 1984 as Instrument Number 315446, records of Idaho County, Idaho.

And that the above bargained premises, in the quiet and peaceable possession of the said Grantees, their heirs and assigns, against all and every person or persons lawfully claiming or to claim whole or any part thereof, the said Grantors will and shall WARRANT AND FOREVER DEFEND.

That this Deed is given by Grantors to Grantees not on account of any default in any security agreements or arrangements which pertain to the real property hereinabove written and described, but is given for full consideration paid by Grantees to Grantors.

IN WITNESS WHEREOF, the said Grantors have hereunto set their hands and seals the day and year first above written.

Richard D. Willhite
R.D. Willhite
RICHARD D. WILLHITE

Susan A. Willhite
SUSAN A. WILLHITE

STATE OF IDAHO)

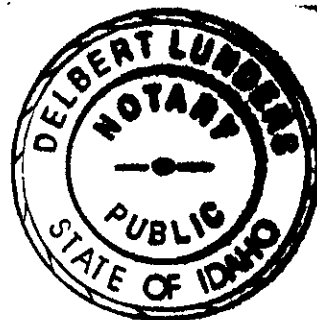
ss

County of Idaho)

On this 29 day of May, 1998 before me, a Notary for the said County and State, personally appeared RICHARD D. WILLHITE and SUSAN A. WILLHITE, husband and wife known or identified to me to be the persons whose names are subscribed to the within instrument, and they acknowledged to me that they freely executed the same.

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

Delbert L. Lundberg
Notary Public for State of IDAHO
My commission expires: 8-24-98.



First American Title Insurance

15954

SCHEDULE C

PROPERTY DESCRIPTION

PARCEL I- FREE INTEREST

Township 29 North, Range 8 East, Boise Meridian, Idaho County, Idaho
~~Section 15~~: A parcel of land in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ and further described as follows:
COMMENCING at the One Quarter Corner between Sections 15 and 16 which is a 2" pipe Monument with cap;
Thence South 89°59' East, 1318.05 feet to the TRUE POINT OF BEGINNING;
Thence continuing South 89°59' East, 835.05 feet;
Thence continuing South 53°47' East, 598.42 feet;
Thence North 89°59' West, 1318.05 feet;
Thence North 0°01' East, 353.29 feet to the TRUE POINT OF BEGINNING.

AND

Township 29 North, Range 8 East, Boise Meridian, Idaho County, Idaho
Section 15: Part of ~~Lot 3~~ described as:
Commencing at a point which lies South 89°59' East 1318.05 feet from the West quarter corner of Section 15 said Township and Range;
Thence North 00°01' East, 609.85 feet;
Thence South 53°47' East, 1034.05 feet;
Thence North 89°59' West, 835.05 feet to THE POINT OF BEGINNING.

PARCEL II- EQUITABLE INTEREST

An EASEMENT as described in Instrument Number 315446, records of Idaho County, Idaho, over and across the Northeast corner of the following described property:
That portion of Lot 3 being the N $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 15 Township 29 North, Range 8 East, Boise Meridian, Idaho County, Idaho
Said easement being approximately 210.86 feet in length and 15 feet in width.