

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

WRC-1207
RECEIVED
MAY 20 2004
 DEPARTMENT OF
 WATER RESOURCES

RECEIVED
MAY 19 2004
 Department of Water Resources
 Southern Region

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
43-13139					
43-13141					
43-13143					

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) Brigham Young University
P. O. Box 21333 A-357 ASB
Provo, UT 84602-1333
4. New Owner/Claimant(s) D. Jay Harper and Jeanette W. Harper
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 1926 South 2350 East, Box 2156
- City, State and ZIP Code Malta, ID 83342
- New Telephone Number ()
- Date you acquired the property January 23, 2003

SUPPORT DATA
 IN FILE # 43-13139

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)

D. Jay Harper

Jeanette W. Harper

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>[Signature]</u>	Date <u>5/19/04</u>	Fee <u>75.00</u>
Receipted by <u>[Signature]</u>	Date <u>5/19/04</u>	Receipt No. <u>5026754</u>
Processed by <u>[Signature]</u> AJ	Date _____	WR _____ Date _____

28 199

28 099

After recording return to:

CASSIA COUNTY, IDAHO

LARRY A. MICKELSEN

RECORDER

FEE 600 DEPUTY bm

*03 JAN 23 PM 3 18

RECEIVED

LAND TITLE & ESCROW

WATER DEED

For the sum of Ten Dollars (\$10.00) and other good and valuable consideration, **BRIGHAM YOUNG UNIVERSITY**, a Utah nonprofit corporation and educational institution, Grantor, bargains, sells, grants, and conveys to **D. JAY HARPER and JEANETTE W. HARPER**, as joint tenants with right of survivorship and not as tenants in common, Grantees of 1926 South 2350 East, Box 2156, Malta ID 83342, all of its right, title and interest in and to the following specified water rights located in Cassia County, State of Idaho:

Application for Transfer No. 69392: Water Right Nos. 43-13139, 43-13141, & 43-13143 Flowrate = 0.76 cfs; Total Diversion Vol. = 184 acre-feet; **Acre Limit = 46.0 acres**

Together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or anyway appertaining, and the reversions, remainder, and remainders, and rents, issues, and profits thereof. To have and to hold all and singular the said premises, together with the appurtenances under the Grantee and to Grantee's heirs, successors, and assigns forever.

Grantor covenants only unto the said Grantee to warrant its title to the same against all claiming or to claim by, through, or under it, and against acts of itself, and that the water right is free of all liens and encumbrances suffered by it. Grantor does not warrant: (1) that there are no third party water rights senior to Grantor's water right; (2) that diversion of water under Grantor's water right will not interfere with a senior third party water right; (3) that third parties will not file an application to appropriate water claimed to be available in the same water source; (4) that the use which Grantor has made of the water right is sufficient to establish that the water right has not been forfeited in whole or in part; (5) that junior appropriators will not interfere with the water right; or (6) that the quantity or quality of water available from the water source will be suitable for Buyer's purpose.

Grantor has caused this deed to be executed this 30th day of August, 2002.

BRIGHAM YOUNG UNIVERSITY, a Utah nonprofit corporation/educational institution

By: Brad W. Farnsworth
Brad W. Farnsworth

MRB

Its: Administrative Vice President

STATE OF UTAH)
 : ss
COUNTY OF UTAH)

On this 30th day of August, 2002, personally appeared before me Brad W. Farnsworth, who acknowledged to me that he signed the foregoing instrument as Administrative Vice President of Brigham Young University, a Utah nonprofit corporation.

My commission expires:

7-28-05

Tamera S. Gustin

Notary Public

Residing at: Byu, Provo, UT 84602

Harper Water Deed_v1.WPD

