

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

RECEIVED
SEP 20 2004

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

Department of Water Resources
Southern Region

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
A43-00371			A43-10318		
A43-00475		XX	A43-07107		XX
A43-10594					
A43-10320					
A43-10319					

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**.

Name and Address of Former
Owner/Claimant(s)

R yan K. Hawker

New Owner/Claimant(s)

Ruel M. or Kathryn Barker

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

1621 W. 950 N

City, State and ZIP Code

Provo, UT 84604

New Telephone Number

() _____

Date you acquired the property

8-31, 2004

SUPPORT DATA

IN FILE # 43-371

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

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	0.3	24.06 ac.
Stock		
Domestic		
Other		
Total		

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	0 .22	20 . ac.
Stock		
Domestic		
Other		
Total		

7.

Ruel M. Barker
RUEL M. BARKER
Kathryn Barker
KATHRYN BARKER

BY: Ruel M. Barker
RUEL M. BARKER, Attorney-In-Fact

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.

Received by [Signature] Date 11/11/04 Fee 325.00
 Received by KA Date 11/25/05 Receipt No. C079727
 Processed by AJ Date _____ WR _____ Date _____

297758

WARRANTY DEED

#39420

For Value Received

RYAN K. HAWKER, An Unmarried Person

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

RUEL M. BARKER and KATHRYN BARKER, Husband and Wife
Address: 1621 WEST 950 NORTH, PROVO, UT 84604

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

SEE ATTACHED EXHIBIT "A"

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto.

SUBJECT TO:

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

Taxes for 2004 and subsequent years, a lien, but not yet due or payable.

Right of Way reserved in Deed from A. J. Barker and Elizabeth Barker, his wife, to Elihu Pettengill and Mary Adeline Pettengill, dated February 23, 1907 and recorded August 10, 1908 in Book 10 of Deeds, Page 558, records of Cassia County, Idaho, which reads as follows: "A reserve of right of way for stock to get to range of a strip two (2) rods wide and (80) rods long is to be used by S. H. Barker." (Parcel No. 1)

Easement Agreement between Lewis Ottley and Margaret Ottley, husband and wife, parties of the first part and Louis A. Eames, party of the second part, dated April 30, 1965 and recorded July 12, 1965 as Instrument No. 25168 on Film No. 35, records of Cassia County, Idaho, over and across the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 6, Township 14 South, Range 25 East of the Boise Meridian. (Parcel No. 1)

Agreement For Purchase of Power between Raft River Rural Electric Cooperative, Inc., the Seller, and Rex Ottley, as Consumer, dated July 14, 1980 and recorded September 4, 1980 as Instrument No. 128847 on Film No. 137, records of Cassia County, Idaho, covering E $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 7, Township 14 South, Range 25 East of the Boise Meridian.

Interest of S. H. Barker, A. M. Barker or Raymond Anderson in and to Tax No. 1009 which is a strip of ground 2 rods by 80 rods running East and West through the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 6, Township 14 South, Range 25 East of the Boise Meridian.

NOTE: Real Estate Taxes are assessed in the name of S. H. Barker c/o A. M. Barker, c/o Raymond Anderson.

RECORDED AT THE REQUEST OF
LAND TITLE & ESCROW

2001 AUG 31 PM 2 37

CASSIA COUNTY, IDAHO
LARRY A. MICKELSEN
RECORDER
FEE 120 DEPUTY 46

291150

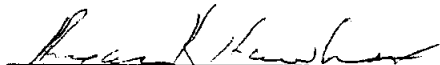
Right-of-way disclosed by Warranty Deed executed by Rex Ottley and LeFawn Ottley, husband and wife, Grantors to Ryan K. Hawker, a married man, dealing with his sole and separate property, Grantee, dated February 1, 1988 and recorded February 5, 1988 as Instrument No. 193551 on Film No. 196, records of Cassia County Idaho, which reads as follows: "SUBJECT TO a right-of-way for ingress and egress extending from the West boundary line in a Northwesterly direction to an existing county road."

Utility easement disclosed by Warranty Deed executed by Rex Ottley and LeFawn Ottley, husband and wife, Grantors to Ryan K. Hawker, a married man, dealing with his sole and separate property, Grantee, dated February 1, 1988 and recorded February 5, 1988 as Instrument No. 193551 on Film No. 196, records of Cassia County Idaho, which reads as follows: "SUBJECT TO a utility easement extending from the West boundary line in a Northwesterly direction along an existing powerline to the West boundary of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 7. ALSO the right of ingress and egress for maintenance."

Agreement For Electric Service between Raft River Rural Electric Cooperative, Inc., an Idaho rural electric Cooperative of Malta, Seller and Ryan Hawker, Consumer, dated July 31, 2000 and recorded August 3, 2000 as Instrument No. 270483, records of Cassia County, Idaho, covering the E $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 7, Township 14 South, Range 25 East of the Boise Meridian.

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.

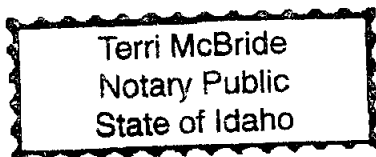
Dated: August 25, 2004

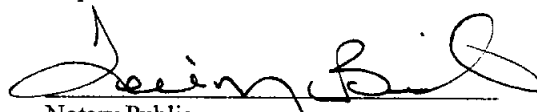


RYAN K. HAWKER

STATE OF IDAHO)
) ss.
COUNTY OF CASSIA)

On this 25th day of August, 2004, before me, the undersigned, a Notary Public in and for said State, personally appeared RYAN K. HAWKER, 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: Lupari
My Commission expires: 2-5-08

CONTINUATION

SCHEDULE A

Order Number: 39420

PARCEL NO. 1:

TOWNSHIP 14 SOUTH, RANGE 25 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 6: E½SE¼ EXCEPT the North 14 rods.

Section 7: E½NE¼

EXCEPTING THEREFROM the following described tract:

Beginning at the Northwest corner of the E½NE¼ of said Section 7, said corner marked by a 5/8 inch rebar; thence South 00°42'13" East along the West line of the E½NE¼ for a distance of 597.05 feet to the Point of Beginning; Thence South 89°17'47" East for a distance of 21.31 feet to a ½ inch rebar; Thence South 89°17'47" East for a distance of 1308.61 feet to a ½ inch rebar on the East section line; Thence South 00°47'40" East along said line for a distance of 268.06 feet to a ½ inch rebar; Thence North 88°42'42" West for a distance of 233.01 feet to a ½ inch rebar; Thence South 15°00'27" West for a distance of 421.48 feet to a ½ inch rebar; Thence South 02°10'41" East for a distance of 328.69 feet to a ½ inch rebar; Thence South 23°07'28" West for a distance of 379.56 feet to a ½ inch rebar; Thence North 89°39'57" West for a distance of 319.22 feet to a ½ inch rebar; Thence North 01°29'52" West for a distance of 419.26 feet to a ½ inch rebar; Thence North 25°34'28" West for a distance of 337.43 feet to a ½ inch rebar; Thence North 59°56'55" West for a distance of 172.69 feet to a ½ inch rebar; Thence North 85°32'15" West for a distance of 198.29 feet to a ½ inch rebar; Thence North 85°32'15" West for a distance of 25.38 feet to the West line of the E½NE¼; Thence North 00°42'13" West along said line for a distance of 534.57 feet to the Point of Beginning.

ALSO EXCEPTING right-of-way for county road over and across said property.

-Continued-

CONTINUATION

SCHEDULE A

Order Number: 39420

PARCEL NO. 2:

TOWNSHIP 14 SOUTH, RANGE 25 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 6: SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, North 12 rods of the NE $\frac{1}{4}$ SW $\frac{1}{4}$, and North 10 rods of the NW $\frac{1}{4}$ SE $\frac{1}{4}$, EXCEPT the following described tracts:

Tract No. 1

Beginning at the Southeast corner of Lot 2 in said Section 6;
Thence South along the East boundary line of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 6 for 12.65 rods;
Thence West 160 rods;
Thence North along the East boundary line of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 6 for 8.91 rods to the Southwest corner of Lot 3 in said Section 6;
Thence East along the South boundary line of the said Lots 2 and 3 for 160 rods to the Point of Beginning.

Tract No. 2:

Beginning at a point on the North boundary line of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 6 which is 33 feet East of the Northeast corner of Lot 6 in said Section 6;
Thence North 34 feet;
Thence West 33 feet;
Thence South along the East boundary line of Lot 5 and 6 in said Section 6, 197 feet 2 inches;
Thence Easterly 631 feet;
Thence North on a line parallel with the East boundary line of said Lot 6, 53 feet 11.5 inches;
Thence Westerly 598 feet;
Thence Northerly 103 feet to the Point of Beginning.

EXCEPT right-of-way for county road over and across said property.

PARCEL NO. 3:

TOWNSHIP 13 SOUTH, RANGE 25 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 30: SW $\frac{1}{4}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$

19 20
30 29

9469

40.0

T1305

T1417

6
156.1

T1308

T1311

T9410

30 29
31 32

T1419

40.0

T1961

3
9.6

8.4

2
19.2

13.8

18.6

51.2

2
17.6

4
11.7

2
19.5

1 6
12 7

