

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

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MAR 12 2004

WATER RESOURCES
WESTERN 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
67-11552					

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Department of Water Resources

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)

Craig + Dixie Butler
790 River Bend Ln, Weiser, ID 83672

4. New Owner/Claimant(s)

Warren E. + Sallyann Shepard
 Name Connector (Check one): ☒ and, ☐ or, ☐ and/or

New Mailing Address

735 County Rd. 70

City, State and ZIP Code

Weiser, ID 83672

New Telephone Number

(208) 549-2856

5. Date you acquired the property

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) Sallyann Shepard
(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>DB</u>	Date <u>3-12-04</u>	Fee <u>\$25.00</u>	
Received by <u>JD</u>	Date <u>4-12-05</u>	Receipt No. <u>C077453</u>	
Processed by _____	AJ Date _____	WR _____	Date _____

WARRANTY DEED

FOR VALUE RECEIVED, B & B INVESTORS, a Partnership, the Grantor, does hereby, grant, bargain, sell and convey unto WARREN E. SHEPARD and SALLYANN SHEPARD, husband and wife, the Grantees, whose address is 7261 Glenridge View Dr., Boise, ID 83709-6831, the following described real estate situated in Washington County, State of Idaho, to-wit:

Legal description attached: Exhibit "A"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their successors and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that it is the owner in fee simple of said premises; that said premises are free from all incumbrances, and that it will warrant and defend the same from all lawful claims whatsoever.

DATED this 28 day of June, 2002.

Craig N. Butler
Craig N. Butler, Managing Partner

STATE OF IDAHO)
 : ss
County of Washington)

On this 20 day of June, 2002, before me, the undersigned, a Notary Public in and for said State, personally appeared CRAIG N. BUTLER known to me to be the person whose name is subscribed to the foregoing instrument, as Managing Partner of B & B Investors, a Partnership, and acknowledged to me that he executed the same for and on behalf of said Partnership..

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

Instrument # 186711

WEISER, WASHINGTON, IDAHO

2002-07-15 04:48:00 No. of Pages: 3

Recorded for : WASHINGTON COUNTY TITLE

SHARON WIDNER

Ex-Officio Recorder-Deputy

Index to: DEED


Notary Public for Idaho
Residing at Weiser, Idaho
Commission expires: 09/07/05

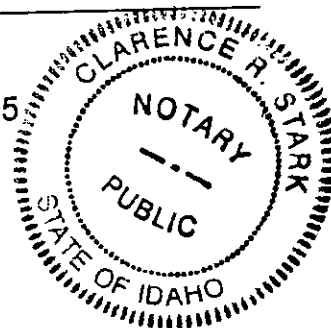


EXHIBIT "A"

IN WASHINGTON COUNTY IDAHO:

The S½NE¼SE¼ and a parcel of land situated within Government Lots 1 and 2 of Section 29, Township 11 North, Range 6 West, Boise Meridian, more particularly described as follows:

Beginning at the southeast corner of Section 29, (southeast corner of Government Lot 1) T. 11N., R.6W., B.M.;

Thence N 89°54'29" W, a distance of 1258.92 feet along the South line of said Section 29:

Thence N 6°17'02" W, a distance of 1053.64 feet;

Thence N 56°33'02" W, a distance of 150.19 feet;

Thence N 23°54'18" W, a distance of 331.43 feet;

Thence N 47°55'52" W, a distance of 327.47 feet;

Thence N 5°42'21" W, a distance of 328.58 feet to a point which bears S 0°12'51" E (South, of record Deed), a distance of 660.00 feet and S 89°40'45" W (West, of record Deed), a distance of 582.23 feet from the northeast corner of Government Lot 2 of Section 29, T.11N., R.6W., B.M.;

Thence N 89°40'45" E, to the northeast corner of the S½NE¼SE¼ of said Section 29;

Thence S 0°20'00" E along the East line of the S½NE¼SE¼ and Government Lot 1 to the southeast corner of Section 29, (southeast corner of Government Lot 1), to the POINT OF BEGINNING.

EXCEPTING: the right of way of an existing County Road known as Island Road along the East side of the above described parcel of land.

SAVE AND EXCEPT a parcel of land situated within Government Lot 1 of said Section 29, more particularly described as follows:

continued...

Legal Description continued

Beginning at the southeast corner of Government Lot 1 of Section 29, T.11N., R.6W., B.M.;

Thence N $90^{\circ}00'00''$ W, a distance of 699.14 feet along the South line of said Government Lot 1;

Thence N $5^{\circ}32'37''$ W, a distance of 313.64 feet;

Thence N $6^{\circ}59'00''$ W, a distance of 165.15 feet;

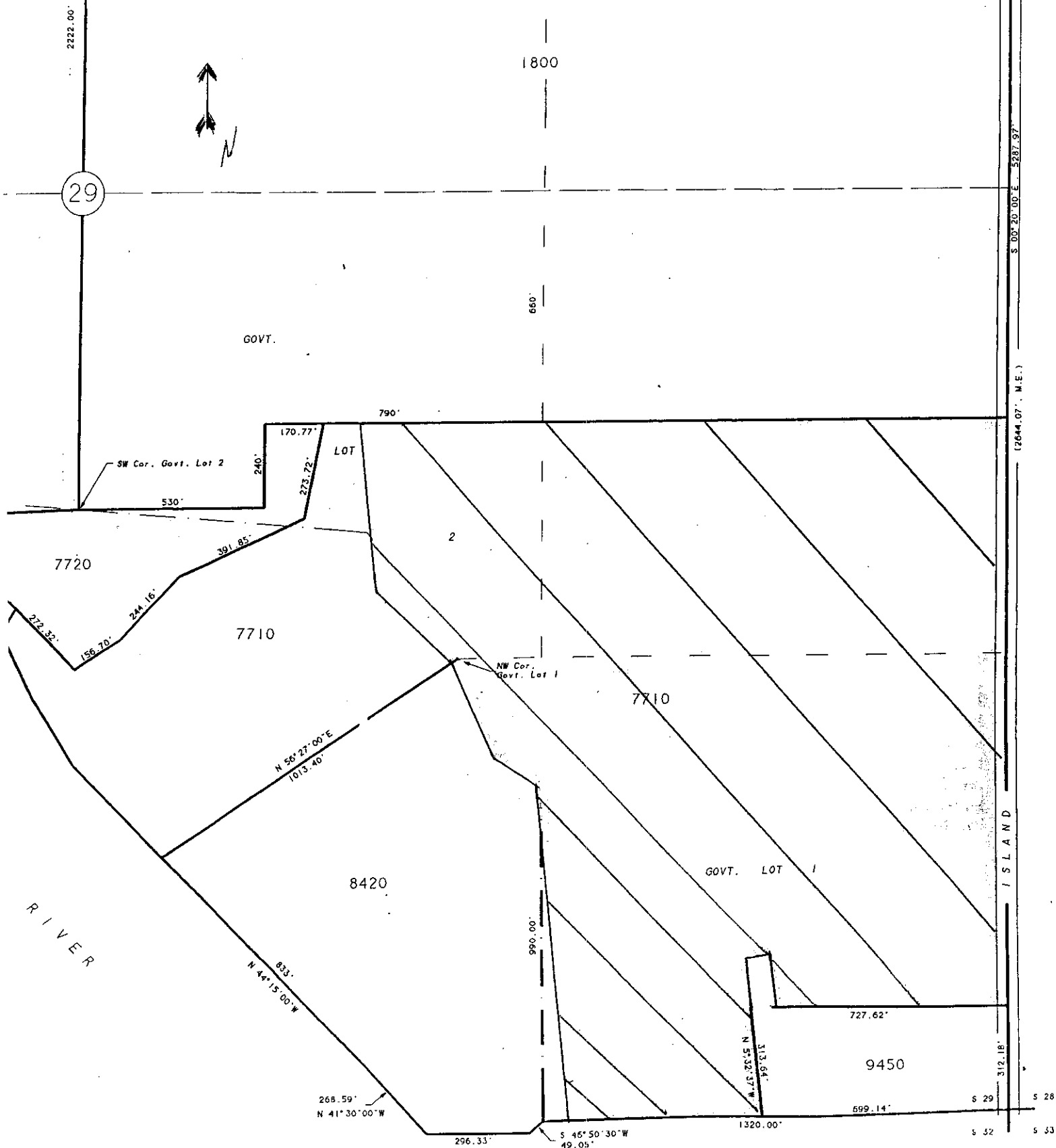
Thence N $83^{\circ}47'46''$ E, a distance of 69.11 feet;

Thence S $6^{\circ}19'22''$ E, a distance of 172.44 feet;

Thence N $90^{\circ}00'00''$ E, a distance of 660.01 feet to a point on the East line of said Government Lot 1;

Thence S $0^{\circ}20'00''$ E, a distance of 312.18 feet along the East line of said Government Lot 1 to the POINT OF BEGINNING.

This plat is made solely for purpose of assisting in locating the land and Washington County Title Co. assumes no liability for variations, if any, with actual survey.



Approved by:
Initials _____

WARRANTY DEED

COPY

FOR VALUE RECEIVED, B & B INVESTORS, a Partnership, the Grantor, does hereby, grant, bargain, sell and convey unto WARREN E. SHEPARD and SALLYANN SHEPARD, husband and wife, the Grantees, whose address is 7261 Glenridge View Dr., Boise, ID 83709-6831, the following described real estate situated in Washington County, State of Idaho, to-wit:

Legal description attached: Exhibit "A"

Reserving unto the Grantor: An easement with rights of ingress and egress over and across said parcel for the operation and maintenance of an existing irrigation system, including pump and pipeline, for the benefit of adjacent lands owned by said Grantor.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their successors and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that it is the owner in fee simple of said premises; that said premises are free from all incumbrances, and that it will warrant and defend the same from all lawful claims whatsoever.

DATED this 10 day of May, 2002.


Craig N. Butler, Managing Partner

STATE OF IDAHO)
: ss
County of Washington)

On this 10 day of May, 2002, before me, the undersigned, a Notary Public in and for said State, personally appeared CRAIG N. BUTLER known to me to be the person whose name is subscribed to the foregoing instrument, as Managing Partner of B & B Investors, a Partnership, and acknowledged to me that he executed the same for and on behalf of said Partnership.

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


Notary Public for Idaho
Residing at Weiser, Idaho
Commission expires: 09/07/05

Instrument # 186085

WEISER, WASHINGTON, IDAHO

2002-05-10 02:25:00 No. of Pages: 3

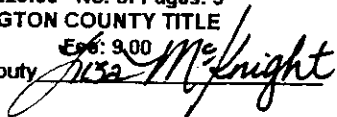
Recorded for: WASHINGTON COUNTY TITLE

SHARON WIDNER

Ex-Officio Recorder Deputy

Index to: DEED

Fee: 9.00



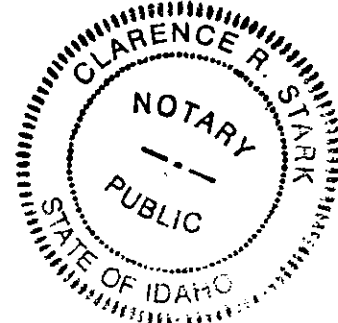


EXHIBIT "A"

A parcel of land situated within parts of Government Lots 1 and 2 and adjacent accretion lands (see 1907 Survey Record of C.W. Luck, page 192, Judgement Book C, District Court Records, Washington County, Idaho) of Section 29, Township 11 North, Range 6 West, Boise Meridian, Washington County, Idaho, more particularly described as follows:

Beginning at the southeast corner of Section 29, (southeast corner of Government Lot 1) T.11N.,R.6W.,B.M.;

Thence N 89°54'29" W, a distance of 1258.92 feet along the South line of said Section 29 to the TRUE POINT OF BEGINNING;

Thence N 6°17'02" W, a distance of 1053.64 feet;

Thence N 56°33'02" W, a distance of 150.19 feet;

Thence N 23°54'18" W, a distance of 331.43 feet;

Thence N 47°55'52" W, a distance of 327.47 feet;

Thence N 5°42'21" W, a distance of 328.58 feet to a point which bears S 0°12'51" E (South, of record Deed), a distance of 660.00 feet and S 89°40'45" W (West, of record deed), a distance of 582.23 feet from the northeast corner of Government Lot 2 of Section 29, T.11N.,R.6W.,B.M.;

Thence S 89°40'45" W, a distance of 37.00 feet;

Thence S 11°24'11"W, a distance of 273.72 feet;

Thence S 66°46'48" W, a distance of 391.85 feet;

Thence S 21°55'17" W, a distance of 90.02 feet;

Thence S 43°56'10" W, a distance of 244.16 feet;

Thence S 58°55'29" W, a distance of 156.70 feet to a point on the northeasterly bank of the Snake River;

Thence southeasterly along the northeasterly bank of the Snake River to the northwesterly corner of River Bend Estates, as the same is shown on the Official Plat thereof on file in the Office of the County Recorder of Washington County, Idaho;

Thence N 89°43'50" E (N 89°38'19" E, of record Deed) a distance of 296.33 feet along the North line of said River Bend Estates;

Thence N 46°56'01" E (N 46°50'30" E, of record Deed), a distance of 49.05 feet to the southwest corner of said Government Lot 1;

Thence S 89°54'29" E, a distance of 61.08 feet along the South line of said Government Lot 1 to the TRUE POINT OF BEGINNING.

SUBJECT to easements for drainages currently in use.

ALSO TOGETHER WITH AND SUBJECT TO all rights-of-way or easements of record or in use.

