

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

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

RECEIVED
FEB 25 2004
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
36-87	15CFS	☒			
36-10524					
36-87	36-16306	☒			
	36-16307	☒			

RECEIVED

FEB 27 2004

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)	Oliver and Yoshie Payne P .O. Box 745, Shoshone, ID 83352
4. New Owner/Claimant(s)	Patricia A. Bender
New Mailing Address	2825 south 850 East,
City, State and ZIP Code	Hagerman, ID 83332
New Telephone Number	(336) 625-3211
5. Date you acquired the property	February 13, 2004

SUPPORT DATA

IN FILE # 36-87

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)

Patricia A. Bender 2-18-04
Patricia A. Bender

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 [Signature]Date 2/26/04Fees \$50.00 and \$75.00Received by [Signature]Date 2/26/04Receipt No. 5026503 / 5026504Processed by [Signature]

AJ

Date _____

WR _____

Date _____

STATE OF ~~North Carolina~~ Arizona)

) ss.

COUNTY OF LA PAZ)

On this 9th day of **February, 2004**, before me, the undersigned, a Notary Public in and for said State, personally appeared **Oliver Payne and Yoshie Payne**, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Cathy VanderWeyden

Notary Public

Residing at: LA PAZ COUNTY

My Commission expires: 06-24-07



WARRANTY DEED

#GG-05092

Corrected deed

Instrument # 204945

GOODING, GOODING, IDAHO

2004-02-17

04:20:16

No. of Pages: 2

Recorded for : LAND TITLE

HELEN EDWARDS

Ex-Officio Recorder Deputy

Fee: 6.00

H. Edwards

For Value Received

Oliver Payne and Yoshie Payne, husband and wife

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

Patricia A. Bender, an unmarried woman

Address: 2825 South 850 East, Hagerman, ID 83332

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

TOWNSHIP 7 SOUTH, RANGE 13 EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 27: A parcel of land located in the Northeast Quarter of the Northwest Quarter, more particularly described as follows:

Beginning at the Northeast corner of said NE $\frac{1}{4}$ NW $\frac{1}{4}$;

Thence South 00°02'03" East a distance of 850.49 feet along the Easterly boundary of said NE $\frac{1}{4}$ NW $\frac{1}{4}$ to the TRUE POINT OF BEGINNING;

Thence South 00°02'03" East a distance of 449.96 feet along the Easterly boundary of said NE $\frac{1}{4}$ NW $\frac{1}{4}$ to the Southeast corner of said NE $\frac{1}{4}$ NW $\frac{1}{4}$;

Thence South 89°54'56" West a distance of 289.17 feet along the Southerly boundary of said NE $\frac{1}{4}$ NW $\frac{1}{4}$;

Thence North 00°59'13" East a distance of 472.23 feet;

Thence South 85°33'54" East a distance of 281.61 feet to the TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM: the South 20 feet which was conveyed to the Hagerman Highway District in Deed recorded October 16, 1951 in Book 45 of Deeds Page 183 as Instrument Number 116541, records of Gooding County, Idaho.

SUBJECT TO: the rights of public roads which affect the Easterly 25.00 feet.

SUBJECT TO:

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

Taxes for 2004 and subsequent years, taxes are an accruing lien, not yet due or payable.

Assessments levied or to be levied by any local irrigation district.

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to Idaho Department of Water right number 36-87 and 36-10524.

(As to water right 36-87, .15 cfs transferring for 2.0 acres)

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: February 5, 2004

Oliver Payne

Oliver Payne

Yoshie Payne

Yoshie Payne

WARRANTY DEED

#GG-04328

For Value Received

Paul Orland Peterson, an unmarried man

Instrument # 200391

GOODING, GOODING, IDAHO

2003-04-22

04:33:56 No. of Pages: 1

Recorded for : LAND TITLE

HELEN EDWARDS

Ex-Officio Recorder Deputy

Fee: 3.00

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

Oliver Payne and Yoshie Payne, husband and wife

Address: 2821 South 850 East, Hagerman, ID 83332

Mailing address: P.O. Box 745, Shoshone, ID 83352

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

TOWNSHIP 7 SOUTH, RANGE 13 EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 27: A parcel of land located in the Northeast Quarter of the Northwest Quarter, more particularly described as follows:

Beginning at the Northeast corner of said NE $\frac{1}{4}$ NW $\frac{1}{4}$;
Thence South 00°02'03" East a distance of 850.49 feet along the Easterly boundary of said NE $\frac{1}{4}$ NW $\frac{1}{4}$ to the TRUE POINT OF BEGINNING;
Thence South 00°02'03" East a distance of 449.96 feet along the Easterly boundary of said NE $\frac{1}{4}$ NW $\frac{1}{4}$ to the Southeast corner of said NE $\frac{1}{4}$ NW $\frac{1}{4}$;
Thence South 89°54'56" West a distance of 289.17 feet along the Southerly boundary of said NE $\frac{1}{4}$ NW $\frac{1}{4}$;
Thence North 00°59'13" East a distance of 472.23 feet;
Thence South 85°33'54" East a distance of 281.61 feet to the TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM: the South 20 feet which was conveyed to the Hagerman Highway District in Deed recorded October 16, 1951 in Book 45 of Deeds Page 183 as Instrument Number 116541, records of Gooding County, Idaho.

SUBJECT TO: the rights of public roads which affect the Easterly 25.00 feet.

SUBJECT TO:

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

Taxes for 2003 and subsequent years, taxes are an accruing lien, not yet due or payable.

Assessments levied or to be levied by any local irrigation district.

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to State of Idaho Department of Water Right No. 36-87, and domestic water right Number 36-10524. *Part of Right 36-87, .15 cfs for 2.0 acres.**

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.

Instrument # 200482

GOODING, GOODING, IDAHO

2003-04-28

02:12:37 No. of Pages: 1

Recorded for : LAND TITLE

HELEN EDWARDS

Ex-Officio Recorder Deputy

Fee: 3.00

Dated: April 4, 2003

Paul Orland Peterson

Paul Orland Peterson

STATE OF WYOMING)

) ss.

COUNTY OF Sheridan)

Instrument # 204990

GOODING, GOODING, IDAHO

2004-02-20

01:40:57 No. of Pages: 1

Recorded for : LAND TITLE

HELEN EDWARDS

Ex-Officio Recorder Deputy

Fee: 3.00

On this 1st day of April, 2003, before me, the undersigned, a Notary Public in and for said State, personally appeared Paul Orland Peterson, 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.

Linda J. Kiester
Notary Public
Residing at: Sheridan, WY
My Commission expires: 2/06





21	22
28	27

Brad
Gish

83.5

473
T-566

415
T-621

480
T-573

479
T-572

533
T-718

OAC
Park
View

Avail
11.3

evenly