

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.

- 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
29-12181					

Department of Water Resources

 RECEIVED
 OCT 28 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) Estate of Jay Peterson Merkley, deceased
- 4 New Owner/Claimant(s) James E. Rogers and Beverly Rogers
 Name Connector (Check one): ☐ and ☐ or ☐ and/or
- New Mailing Address 1500 E. Foremaster Lane
- City, State and ZIP Code Las Vegas, Nevada 89101
- New Telephone Number (702) 642-3333
- 5 Date you acquired the property September 7, 2004

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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	_____	_____

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Signature of New Owner(s) or Claimant(s) _____ James E. Rogers
(include title if applicable)

[Handwritten Signature]
Beverly Rogers

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 jc Date 10-19-04 Fee \$ 25⁰⁰
 Receipted by jc Date 10-19-04 Receipt No E030355
 Processed by _____ AJ Date _____ WR _____ Date _____

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20419692

WARRANTY DEED

THIS INDENTURE, made this 7th day of September, 2004,
between Mary Francis Okelberry, Individually and as Personal Representative of the Estate of Jay
Peterson Merkley, a/k/a Jay P. Merkley, a/k/a J.P. Merkley, deceased, under Letters
Testamentary, duly certified and attached hereto as Schedule "A", as Grantors and James E.
Rogers and Beverly Rogers, husband and wife, as Grantees, whose address is 1500 Foremaster
Lane, Las Vegas, Nevada 89101.

WITNESSETH: That the Grantors for value received, does, hereby grant, bargain, sell
and convey unto Grantees, their heirs and assigns, all that parcel of real property commonly
known as 5520 Bannock Highway, Pocatello, Idaho and particularly described on Schedule "B"
attached hereto and by reference incorporated herein.

Together with all and singular the tenements, hereditaments,
fixtures and appurtenances thereunto belonging or in anywise
appertaining including the rents, issues and profits thereof and
including the water well situate thereon and Idaho Department of
Water Resources Water License No. 29-12181.

SUBJECT TO: All of the taxes levied and assessed in 2004 and all
such taxes and assessments levied or assessed in subsequent years;

SUBJECT TO: all City, County, State and Federal building and
zoning laws, ordinances and regulations and;

SUBJECT TO: all reservations, rights of way, easements and
restrictions recorded against the property.

To have and to hold all and singular the foregoing Property, together with the
appurtenances and privileges thereunto incident unto the Grantees and their heirs and assigns
forever, and the Grantors warrant the property in the quiet and peaceable possession of the

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20419692

Grantees against all and every person or persons whomsoever.

Mary Francis Okelberry
Mary Francis Okelberry, Individually

Mary Francis Okelberry
Mary Francis Okelberry, Personal Representative of
the Estate of Jay Peterson Merkley, Deceased

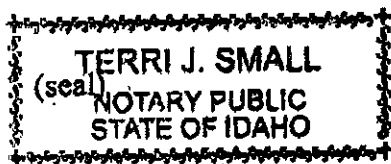
STATE OF IDAHO)

:ss

County of Bannock)

On this 1st day of September, 2004, before me, the undersigned, a Notary Public in and for said State, personally appeared Mary Francis Okelberry, known or identified to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same.

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



[Signature]
NOTARY PUBLIC FOR IDAHO

Residing at: Boonville, ID

My Commission Expires: 4/28/2005

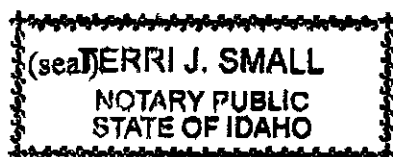
STATE OF IDAHO)

:ss

County of Bannock)

On this 1st day of September, 2004, before me, the undersigned, Notary Public, personally appeared Mary Francis Okelberry, known or identified to me to be the Personal Representative of the Estate of Jay Peterson Merkley, deceased, and acknowledged to me that she executed the same as such Personal Representative.

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



[Signature]
NOTARY PUBLIC FOR IDAHO

Residing at: Boonville, ID

My Commission Expires: 4/28/2005

SCHEDULE "B"

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A PARCEL OF LAND LOCATED IN THE NE $\frac{1}{4}$ OF SECTION 18 TOWNSHIP 7 SOUTH, RANGE 35 EAST, B.M., BANNOCK COUNTY, IDAHO. IT IS PORTION OF INSTRUMENT NO. 349148 AND IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE NE CORNER OF SECTION 18, A FOUND BANNOCK COUNTY MONUMENT-INSTRUMENT NO. 807517. THENCE N. 89°25'29"W (REC. WEST) ALONG THE NORTH LINE OF SECTION 18 A DISTANCE OF 1326.55 FEET TO THE TRUE POINT OF BEGINNING, FROM WHICH THE N $\frac{1}{4}$ OF SECTION 18-INSTRUMENT NO. 768900 BEARS N. 89°25'29"W. AND IS 1316.42 DISTANT. THENCE S. 12°27'55" E. A DISTANCE OF 133.57 FEET; THENCE S. 0°30'31" W. A DISTANCE OF 42.74 FEET; THENCE N. 89°29'29" W. A DISTANCE OF 370.70 FEET; THENCE S. 44°19'06" W. A DISTANCE OF 58.31; THENCE S. 44°45'29" E. A DISTANCE OF 19.32 FEET; THENCE S. 45°45'31" W. A DISTANCE OF 234.77 FEET TO THE NORTHEASTERLY RIGHT OF WAY LINE OF BANNOCK HIGHWAY; THENCE N. 44°30'56" W. ALONG SAID RIGHT OF WAY LINE 108.99 FEET AND CONTINUING N. 44°54'06" W. 452.79 FEET TO THE NORTH LINE OF SECTION 18; THENCE S. 89°25'29" E. ALONG THE NORTH LINE OF SECTION 18 A DISTANCE OF 933.69 FEET TO THE TRUE POINT OF BEGINNING.

20419692
FIRST AMERICAN TITLE
RECORDED AT REQUEST OF
FEE 9.00 DEPUTY JS

2004 SEP 10 AM 11:14
OFFICIAL RECORD BK# 855
LIPPIE W CHAN RECORDER
BANNOCK COUNTY IDAHO