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MAY - 1 2001

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

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SEP 29 1998

Department of Water Resources

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

WATER RESOURCES
DEPARTMENTPlease print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s).: 65-04745
Adjudication Claim No(s).: _____
 2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
 3. Name and Address of Former Owner/Claimant George and Vivian Beutler
Emmett, Idaho 83617
 4. New Owner/Claimant(s) Thomas K. and Cynthia Richards
Name Connector (Check one): ☐ and, ☐ or, ☒ and/or
New Mailing Address 7999 Merrill Rd.
City, State and ZIP Code Emmett, Idaho 83617
New Telephone Number (208) 365-3799
 5. Date you acquired the property July 1, 1991
 6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
Number of acres you irrigate 39 Number and type of stock 60 Equine-feline
Equine Canine
Diversion rate in CFS _____ Number of homes Two Other uses _____
- If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner or Claimant(s) Thomas K. Richards
(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)
 8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights. Required claims may be filed by a new owner.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office, or call 1-800-451-4129, if you would like more information or need help completing this form. Please attach additional sheets to the form if you require additional space to describe or explain any of the items on the form.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at **Item 1**. If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
2. The information described at **Item 2** is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner of the water right and/or adjudication claim at **Item 3**.
4. The name, mailing address, and telephone number of the new owner(s) is entered at **Item 4**. Please indicate the relationship between multiple owners by using the connector 'and', 'or', or 'and/or'. If an 'and' is used, all parties must sign this form. If an 'and/or' or 'or' is used, all parties may sign. However, only one of the named parties is required to sign.
5. At **Item 5**, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. You may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at **Item 6**.

Please provide as much detail as possible concerning your water right: include the number of homes, irrigated acreage if more than 1/2 acre is irrigated, type and number of stock if your right is for stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

7. The new owner(s) must sign the form in the space(s) provided at **Item 7**. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

IDWR Western Region, 2735 Airport Way, Boise, ID 83705-5082 (208) 334-2190

IDWR Southern Region, 1341 Fillmore St. N., Twin Falls, ID 83301-3380 (208) 736-3033

IDWR Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, ID 83814-2615 (208) 769-1450

IDWR Eastern Region, 900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 (208) 525-7161

WARRANTY DEED

GRANTORS, GEORGE W. BEUTLER and VIVIAN J. BEUTLER, husband and wife, of Emmett, County of Gem, State of Idaho, for a good and valuable consideration, the receipt of which is hereby acknowledged, do hereby grant, bargain, sell and convey unto THOMAS K. RICHARDS and CYNTHIA RICHARDS, husband and wife, whose current address is 4567 N. Skyline, Eagle, County of Ada, State of Idaho, as GRANTEES, and to Grantees' heirs and assigns forever, all of the following described real estate located in Gem County, Idaho:

That portion of Government Lot 2, Section 25, Township 7 North, Range 3 West, B.M., Gem County, Idaho, described as follows:

Beginning at the West quarter corner of Section 25, Township 7 North, Range 3 West, B.M., being the Northwest corner of Government Lot 2, thence
S 89°42' E 1320 feet along the quarter section line to the Northeast corner of Government Lot 2; thence
S 0°18' W 1890 feet along the quarter-quarter section line to the Southeast corner of Government Lot 2; thence meandering the bluff
N 58°12' W 264 feet; thence
N 73°46' W 263.9 feet; thence
N 87°35' W 259.9 feet; thence
S 80°50' W 245.9 feet; thence
N 52°14' W 264 feet; thence
N 55°51' W 148 feet; thence
Northerly along the section line, 1447.45 feet to the Point of Beginning.

EXCEPT all road and ditch rights of way.

Said tract of land including all water and ditch rights appurtenant to or used in connection with the properties conveyed hereby.

Said tract of land subject to rights of way or easements of record or in use.

TOGETHER with all improvements and appurtenances thereto.

Subject to such rights of way, easements, covenants, restrictions and zoning regulations as appear of record or by use upon the premises.

Grantor, for itself, its heirs and assigns does hereby covenant, warrant and shall defend the quiet and peaceable possession of said premises by the Grantee, its heirs and assigns forever against the lawful claims of all persons.

In construing this deed and where the context so requires, the singular includes the plural and the masculine, feminine and the neuter.

IN WITNESS WHEREOF, GRANTOR has hereunto subscribe its name to this instrument this 26th day of April, 1991.

George W. Beutler
GEORGE W. BEUTLER

Vivian J. Beutler
VIVIAN J. BEUTLER

STATE OF IDAHO)
) ss.
County of Gem)

On this 26th day of April, 1991, before me, the undersigned, a Notary Public for Idaho, personally appeared GEORGE W. BEUTLER and VIVIAN J. BEUTLER, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they 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.

Dorothy J. Smith
Notary Public for Idaho
Residing at Emmett, Idaho
My Commission Expires 7/13/94

169391

Gen County, (IDHO) ss.
Recorded at request of
First American Title Co.
Time 4:20 PM
Date June 10, 1991
Instr. No. 169391
Recorded as a Deed

Theodore R. Kolodziej, Clerk
Deputy Recorder

Judy Bigham
Deputy

MEMORANDUM OF CONTRACT

Sellers: GEORGE W. BEUTLER and VIVIAN J. BEUTLER
7999 Merrill Road
Emmett, Idaho 83617

Buyers: THOMAS K. RICHARDS and CYNTHIA RICHARDS
4567 North Skyline
Eagle, Idaho 83616

Property:

That portion of Government Lot 2, Section 25, Township 7 North, Range 3 West, B.M., Gem County, Idaho, described as follows:

Beginning at the West quarter corner of Section 25, Township 7 North, Range 3 West, B.M., being the Northwest corner of Government Lot 2, thence
S 89°42' E 1320 feet along the quarter section line to the Northeast corner of Government Lot 2; thence
S 0°18' W 1890 feet along the quarter-quarter section line to the Southeast corner of Government Lot 2; thence meandering the bluff
N 58°12' W 264 feet; thence
N 73°46' W 263.9 feet; thence
N 87°35' W 259.9 feet; thence
S 80°50' W 245.9 feet; thence
N 52°14' W 264 feet; thence
N 55°51' W 148 feet; thence
Northerly along the section line, 1447.45 feet to the Point of Beginning.

EXCEPT all road and ditch rights of way.

NOTICE IS HEREBY GIVEN that the Sellers named herein have entered into a Real Estate Purchase Agreement with the Buyers named herein for the sale of the above-described real property. Completion of the Real Estate Purchase Agreement by the Buyers shall result in the property being conveyed to the Buyers. The recording of a quitclaim deed from Buyer to Seller shall be conclusive proof that the Buyers' interest has been forfeited, that the real estate purchase agreement has been terminated and that the Buyers no longer have any interest in the described property.

DATED this 26 day of April, 1991.

SELLER:

George W. Beutler
GEORGE W. BEUTLER

Vivian J. Beutler
VIVIAN J. BEUTLER

BUYER:

Thomas K. Richards
THOMAS K. RICHARDS
TKR.

Cynthia Richards
CYNTHIA RICHARDS

STATE OF IDAHO)
) ss.
County of Gem)

On this 26th day of April, 1991, before me, the undersigned, a Notary Public for Idaho, personally appeared GEORGE W. BEUTLER and VIVIAN J. BEUTLER, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they 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.

Barth J. Smith
Notary Public for Idaho
Residing at Emmett, Idaho
My Commission Expires 7/13/94

STATE OF IDAHO)
) ss.
County of Gem)

On this 26th day of April, 1991, before me, the undersigned, a Notary Public for Idaho, personally appeared THOMAS K. RICHARDS and CYNTHIA RICHARDS, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they 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.

Barth J. Smith
Notary Public for Idaho
Residing at Emmett, Idaho
My Commission Expires 7/13/94

REQUEST FOR NAME CHANGE ON EMMETT IRRIGATION DISTRICT RECORDS

SECRETARY-TREASURERS OFFICE:

I am the record owner of the following lands in Gem County, Idaho:

See attached legal:

How many acres are being sold: _____

This property has been sold under contract to:

Buyer's Name Thomas K. Richards and Cynthia Richards

Address _____

I hereby authorize and request that the above named contract purchaser be designated as my agent on the Emmett Irrigation Districts assessment records to receive the assessment statements and notices relating to the assessments that are required by law to be sent to the owner of the real property.

George W. Beutler
George W. Beutler

Address 7999 Y. Merrill

Vivian J. Beutler
Vivian J. Beutler

Address 7999 Merrill

Signatures of record owners & their address:
Vivian J. Beutler

I CERTIFY THAT I AM THE BUYER OF THE ABOVE PROPERTY, AND WISH THE RECORDS TO BE CHANGED SO I OR WE WILL RECEIVE THE ASSESSMENT FOR WATER NOTICE FOR THIS PROPERTY:

Thomas K. Richards
Thomas K. Richards

Address 4567 Skyline Dr.

Cynthia Richards
Cynthia Richards

Address Eagle ID 83614

Signatures of contract buyers & their address:
Cynthia Richards

Sec.-Trea.

Date changes were made

Date changes were made on
Emmett Irrigation records

REPORT OF EXAMINERS - ADJUDICATION DIVISION

Claim No. 55 4745

1. Name of Applicant... George Bentler
2. Priority... 1-1-1940
3. Source of Water.....
4. (Quan.) (Dom., Irr., Stk. water, etc.) (Period of Use)
 ..10.4 cfs Use Domestic From 1-1 To 12-31
 cfs Use From..... To.....
 cfs Use From..... To.....
5. Location of Point of Diversion: SW NW of Section 25
 Twp. 7N, Rge. 3N, County of Cem
6. Describe Diversion Works: well pump
7. Describe Location of Use:

TWP.	RGE.	SEC.	NE 1/4			NW 1/4			SW 1/4			SE 1/4			TOTALS
			NE	NW	SE	NE	NW	SE	NE	NW	SE	NE	NW	SE	
<u>7N</u>	<u>3N</u>	<u>25</u>					X								

TWP.	RGE.	COUNTY	SCALE: 1" = 1 MILE											

8. Purpose Other Than Irrigation: Domestic... household
with water
 9. Remarks: Red brick house w/ white
trim... well located... S.E. of house
no irrigation... sprig lawn... changed
diversion... rate to meet requirements
- This examination was made on the 5 day of April, 1942
- (Signed)... Erwin Ballan
 EXAMINER

IDENT. NO. 5 4745 RECEIVED MAP NO. MAY 19 1971

Department of Water Administration

claims a right to the diversion

(1) Date of priority: (When was the water first applied to a beneficial use, or date that permit was issued) April 1 1940

(2) Describe source of water: (Name of stream, lake, spring, etc., or subterranean) GROUND WATER

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed;
(Both Dates Inclusive)

Use Domestic .02 (Both Dates Inclusive)
(Domestic, irrigation, stock, etc.) Period of Use From 1/1 To 12/31

Use irrigation (Domestic, irrigation, stock, etc.) USE A PREVIOUS EDITION Period of Use From 4/1 (Mo., Day) (Both Dates Inclusive) To 10/31 (Mo., Day)

Use Stock Water 02 (Domestic, irrigation, stock, etc.) Period of Use From 11 (Mo, Day) To 12/31 (Mo, Day) (Both Dates Inclusive)

(4) Quantity of water claimed: 0.030 Cubic Feet Per Second, or 2.6 Acre Feet Per Annum,
and/or 12 gal Gallons Per Minute per day per cow

(5) A) Point of Diversion: Give location of point where water is diverted from its source. SW 1/4 Sec. 25, Twp. 74, Rge. 5W, B.M.; additional points:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.)
Give sizes and capacities; be as specific as possible. PUMP & PIPELINE WELL HOUSE

(6) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: _____ Total No. of acres _____

(7) Effluent, sewage waste, or return water from this use is discharged into _____

(8) If you are claiming water as a member of an organization, list name of organization.

(9) Remarks _____

(10) Basis of claim (Check one) ☒ A) Right based on diversion and beneficial use.
☐ B) Right decreed by court, cite title of case _____
☐ C) Right based on application, license, or claim filed with State Reclamation Engineer, Office No.: _____

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

Individual EP 2-10-78 **KEYPUNCHED**
May 19, 1971 (Date)
George W. Beutler (Signature)
 (Printed Name)

Individual **EP 2-10-78** **KEYPUNCHED**
George W. Bunker
(Signature of Client)

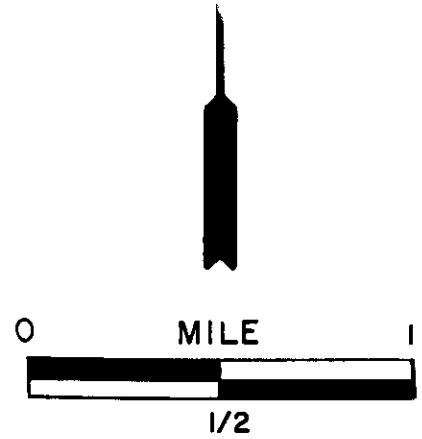
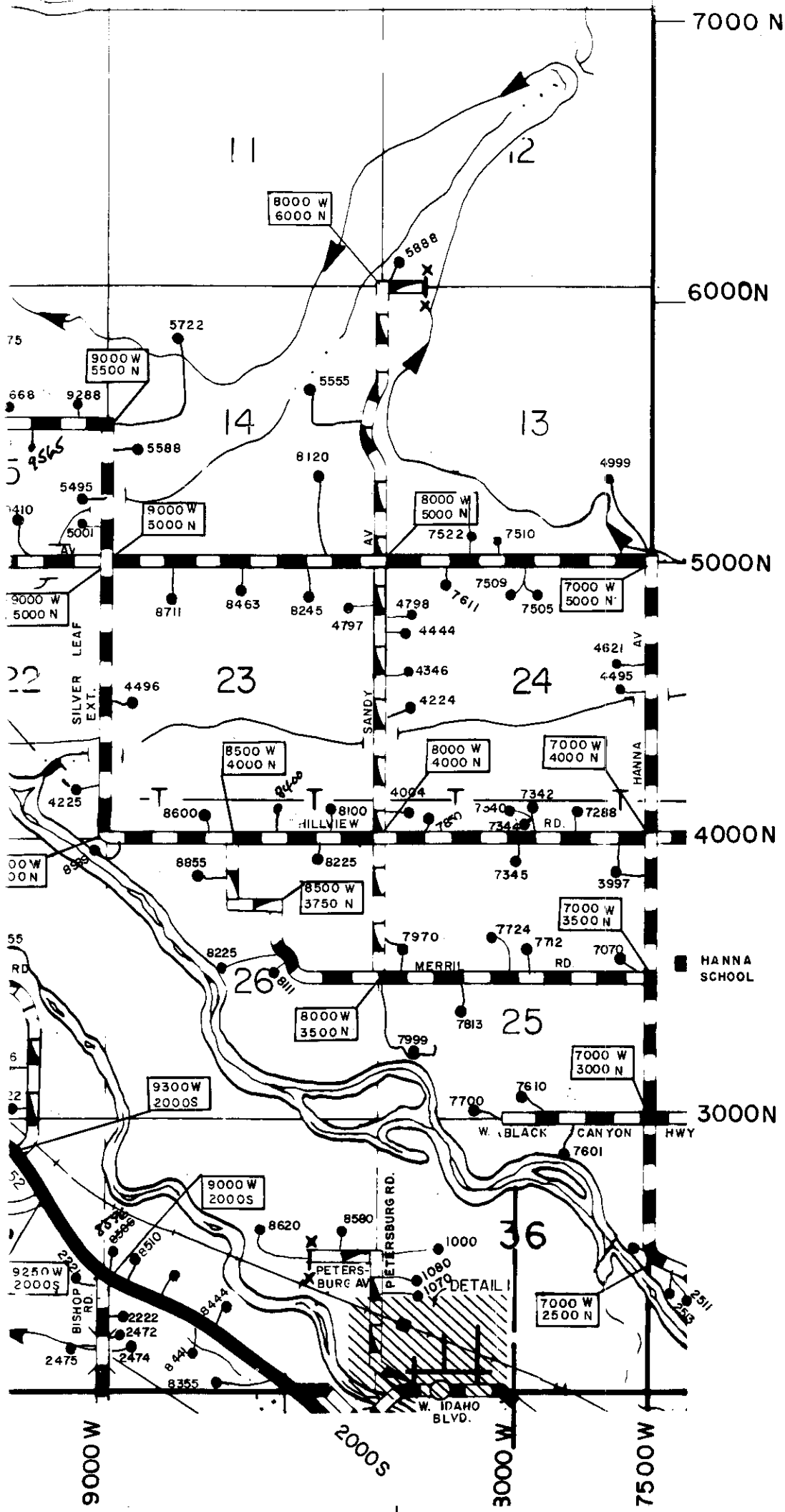
(Signature of Claimant)
Therese Benitew
(Signature of Spouse)

State of Alabama ss. Organization _____ (Signature of Spouse)
County of DeKalb ss. Organization Seal _____
On this 19th day of March 1971 (Signature of Authorized Agent)

a notary public, personally appeared George W. Bentler, Living Bentler in the year 1992, before me, known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or individual) executed the same.

My commission expires Oct 8, 1974 Notary Public residing at 1000 11th Ave
San Francisco, Calif

My commission expires Oct 8, 1974 also 2-10-78



T.7N, R.3W, B.M.

17			
16	15		
14			
13	12		
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4	3	2	1
MAP NO.		DETAILS	
8		0	

H.E.

