

RECEIVED

MAY 23 2005

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

DEPARTMENT OF
WATER RESOURCES

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
63-21619					
63-21618					

- 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)

Rudolph Nedberg
31606 Hwy 95 PARMA ID 83860

- 4 New Owner/Claimant(s)

DALE W. PIERCY / RAMONA PLAZA

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

New Mailing Address

31367 Hwy 95 PARMA, ID 83860

City, State and ZIP Code

New Telephone Number

208 722-5788

- 5 Date you acquired the property

Nov. 26, 1996 63-21619 5.28
April 1, 1993 63-21618 5.29

SUPPORT DATA

IN FILE # 63-21618

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) Dale W. Riney
(include title if applicable) Kamere Plaza

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		Date <u>5/19/05</u>	Fee <u>\$50</u>
Received by <u>82</u>	Date <u>5-19-05</u>	Receipt No. <u>W032953</u>	
Processed by _____	AJ Date _____	WR _____	Date _____

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WARRANTY DEED

For value received, RUDOLPH NEDBALEK and GERALDINE E. NEDBALEK, husband and wife, of 31606 HWY 95, Parma, Idaho 83660, Grantors, do hereby convey, grant, bargain, and sell unto DALE W. PIERCY, a single man, of 31367 HWY 95, Parma, Idaho 83660, Grantee, the following described premises in Canyon County, Idaho, to wit:

THE East $\frac{1}{2}$ of the NE $\frac{1}{4}$, Section 29, T 6 N, R 5 W, BM, Canyon County, Idaho, LESS than that part of said SE $\frac{1}{4}$ lying Southwest of Lateral D-280-05.

ALSO EXCEPTING THEREFROM: A Parcel of land being on both sides of the centerline of U.S. Highway No. 95, Project No. IR-F-3111(38) Highway Survey as shown on the plans thereof now on file in the office of the Idaho Transportation Department and being a portion of the E $\frac{1}{2}$ NE $\frac{1}{4}$, Section 29, T 6 N, R 5 W, BM, Canyon County, Idaho, described as follows, to-wit: BEGINNING At the NE corner of the NE $\frac{1}{4}$, Section 29, T 6 N, R 5 W, BM, Canyon County, Idaho; thence S 0° 49' 52" E along the East line of said NE $\frac{1}{4}$ a distance of 2,667 feet, more or less, to the SE corner NE $\frac{1}{4}$ that bears S 89° 10' 38" E 60.30 feet from Station 250+66.18 of said U.S. Highway No. 95, Project No. IR-F-3111(38) Highway Survey; thence N 88° 57' 56" W along the South line of said NE $\frac{1}{4}$ a distance of 160.30 feet to a point in a line parallel with and 100 feet Westerly from the centerline and opposite Station 250+66.77 of said Highway survey; thence N 0° 49' 22" E along said parallel line 1,333.23 feet to a point in the South line of the NE $\frac{1}{2}$ NE $\frac{1}{4}$, Section 29 opposite Station 246+00.00 of said Highway Survey; thence N 89° 10' 38" W along said last South line 10 feet to a point in a line parallel with and 110 feet Westerly from the centerline and opposite Station 264+00.00 of said Highway Survey; thence N 0° 49' 22" E along said last parallel line 1,333.78 feet to a point in the North line of said NE $\frac{1}{4}$; thence S 89° 15' 01" E along said North line 170 feet, more or less, to the PLACE OF BEGINNING. Highway Station Reference: 250+66.77 to 277+33.83. The bearing as shown in the above land description, unless otherwise noted, are from the Idaho Plane Coordinate System, based on the transverse mercator projector for the West Zone of Idaho.

TOGETHER With all water, water rights, ditches and rights of way for ditches appurtenant thereto.

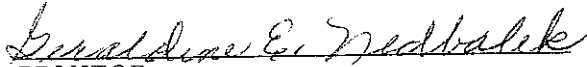
TOGETHER With all tenements, hereditaments and appurtenances thereto belonging or used in connection therewith.

To have and to hold said premises, with their appurtenances unto the said Grantee, Grantee's heirs and assigns forever. Grantors do hereby covenant to and with Grantee that Grantors are the owners in fee simple of said premises; that said premises are free from all encumbrances and that Grantors will warrant and defend the same from all lawful claims whatsoever, subject only to the following encumbrances:

1. Restrictions imposed by law, ordinance or regulation by any governmental entity, department or agency;
2. Restrictions contained in any covenants of record affecting the premises;
3. All rights of way or easements, affecting the premises regardless of how evidenced or acquired and whether the same appear of record or not;
4. Taxes and assessments of all taxes units not yet due and payable;
5. Reservations in patents or state grants or in acts authorizing the issuance thereof;
6. All repayment contracts between irrigation districts within which said premises are situated and any government or agency; and
7. The bonded debt of all taxing units within which said premises are located.

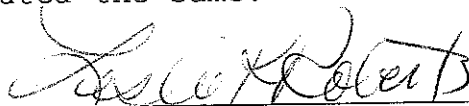
DATED This 1st day of April, 1993.


GRANTOR


GRANTOR

STATE OF IDAHO)
 : ss.
County of Canyon)

On the 1st day of April, 1993, before me,
the undersigned, a notary public for said state, personally appeared before me, RUDOLPH NEDBALEK and GERALDINE E. NEDBALEK, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument, who acknowledged to me that they executed the same.



Notary Public for Idaho
Residing at: Nampa
My commission expires: 7-14-98

009944081

RECORDED

99 NOV 5 PM 4 45

G NOEL HALES
CANYON COUNTY RECORDER
BY 

PIONEER — CALDWELL

REQUEST
TYPE Deed 9-00pd
CK

INSTRUMENT NO. 200347596

LT # 2645 DWP
RP

WARRANTY DEED

For value received, RUDOLPH NEDBALEK, as Trustee of the Rudolph and Geraldine Nedbalek Trust, of 31608 HWY 95, Parma, Idaho 83660, Grantor, does hereby convey, grant, bargain, and sell unto DALE W PIERCY and RAMONA PLAZA, husband and wife, of 28202 Old Fort Boise Road, Parma, Idaho 83660, Grantees, the following described premises in Canyon County, Idaho, to wit:

The Northwest Quarter (NW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$), and the Southwest Quarter (SW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$), Section 28, Township 6 North, Range 5 West of the Boise Meridian, less the following portion thereof, to-wit:-

Beginning at the Southwest corner of the Northwest Quarter (NW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of the aforesaid Section 28, and running East 860 feet along the South boundary line of the aforesaid Northwest Quarter (NW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$), thence North 22° 0' West 450 feet; thence North 44° 0' West 998 feet to the intersection of the West boundary line of the Northwest Quarter (NW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of the aforesaid Section 28; thence South 1135 feet along the aforesaid West boundary line, to the point of beginning, containing 13 10 acres, more or less, according to the survey thereof

TOGETHER With all water, water rights, ditches and rights of way for ditches appurtenant thereto

TOGETHER With all tenements, hereditaments and appurtenances thereto belonging or used in connection therewith

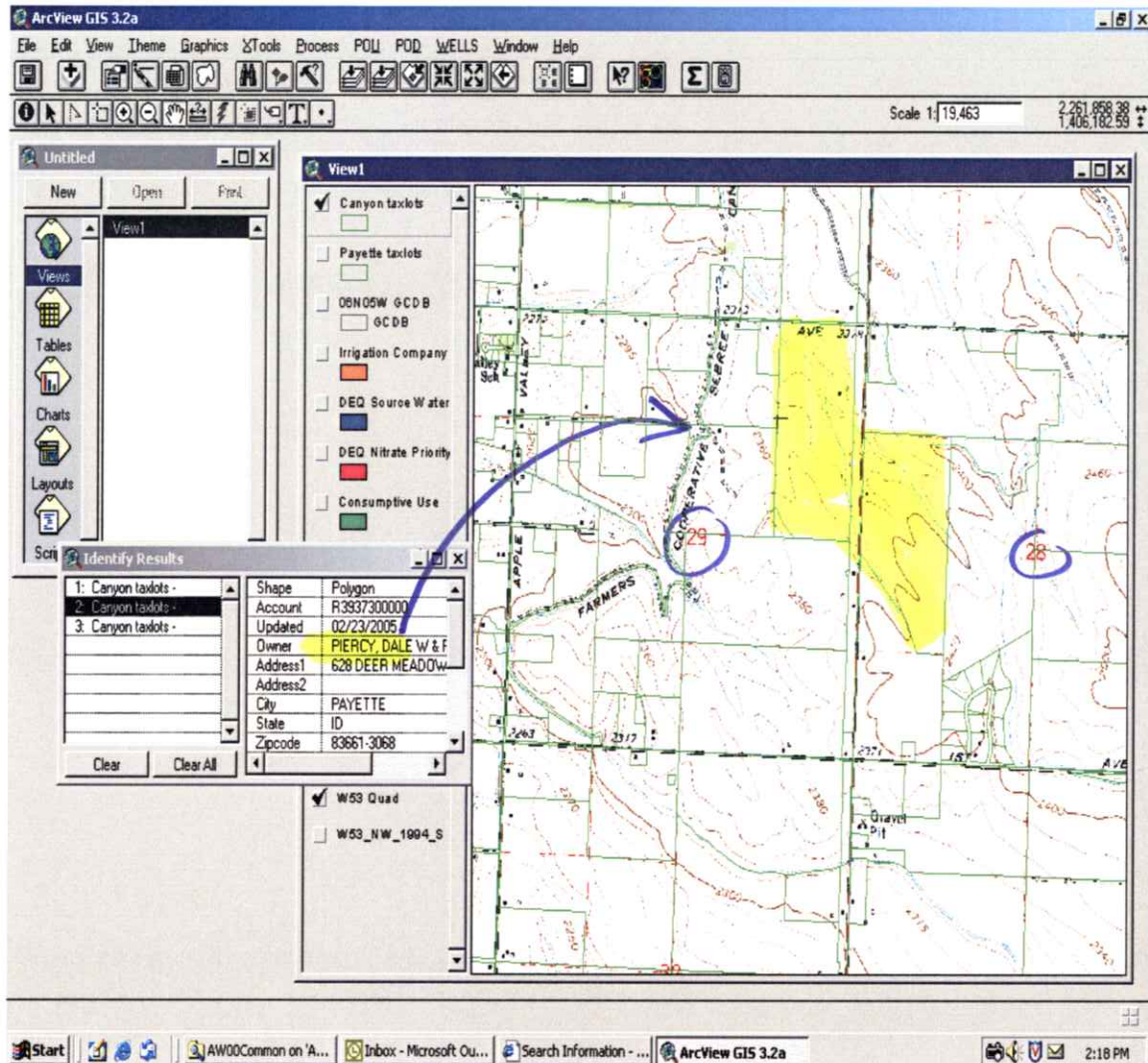
However, reserving unto Rudolph Nedbalek a life estate.

DWP
RP
RN.

To have and to hold said premises, with their appurtenances unto the said Grantees, Grantees' heirs and assigns forever Grantor does hereby covenant to and with Grantees that Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances and that Grantor will warrant and defend the same from all lawful claims whatsoever, subject only to the following encumbrances:

- 1 Restrictions imposed by law, ordinance or regulation by any governmental entity, department or agency;
- 2 Restrictions contained in any covenants of record affecting the premises;
- 3 All rights of way or easements, affecting the premises regardless of how evidenced or acquired and whether the same appear of record or not;

T6N R5W S.28, S.29



63-21618

63-21619