

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

RECEIVED

JAN 26 2005

Department of Water
Southern Region

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

RECEIVED

- 1 Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. 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 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
<u>36-77B</u>	_____	___	_____	_____	___
_____	_____	___	_____	_____	___
_____	_____	___	_____	_____	___
_____	_____	___	_____	_____	___
_____	_____	___	_____	_____	___

- 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) **R.A. GENTRY CHILDS, SR., AS TRUSTEE OF THE CHILDS FAMILY**
2003 TRUST DATED AUGUST 19, 2002. 3206 LOOKOUT DR., ENID,
OK, 73701
- 4 New Owner/Claimant(s) **MARK FRANKLIN NEBEKER and REBECCA JANE NEBEKER AS TRUSTEE**
 Name Connector (Check one): ☐ and ☐ or ☐ and/or
OF THE 1996 NEBEKER FAMILY TRUST. 602 HARVARD CT.
915 E 2700 S
WOODLAND, CA 95695 HAGERMAN ID 83332
- New Mailing Address
- City, State and ZIP Code
- New Telephone Number **(530) 383-4046 208-837-9181**
- 5 Date you acquired the property **January 21, 2005**

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)

Mark Franklin Appleh Trustee
William Gene Appleh Trustee

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 *Handwritten Signature*Date *1/26/05*Fee *\$25.00*Received by *REGION*Date *3-21-05*Receipt No *5027477*

Processed by _____

Date _____

WR _____

Date _____

WARRANTY DEED

JAN 26 2005

For Value Received

the grantor(s), do(es) hereby grant, bargain, sell, and convey unto

**MARK FRANKLIN NEBEKER and REBECCA JANE NEBEKER AS TRUSTEES OF
THE 1996 NEBEKER FAMILY TRUST**

the grantee(s), whose current address is

911 B EAST 2700 SOUTH, HAGERMAN, ID 83332

the following described premises, to-wit:

See Attached Exhibit "A"

Instrument # 209560

GOODING, GOODING, IDAHO
2005-01-21 01:56:12 No. of Pages: 2
Recorded for : GOODING TITLE
HELEN EDWARDS Fee: 6.00
Ex-Officio Recorder Deputy

TOGETHER WITH WATER RIGHT NO. 36-77B FROM IDAHO DEPARTMENT OF
WATER RESOURCES

TO HAVE AND TO HOLD the said premises with their appurtenances unto the said Grantee(s), his/her/their heirs and assigns forever And the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s), that he/she/they are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises and that he/she/they will warrant and defend the same from all claims whatsoever.

Dated: January 21, 2005

CHILDS FAMILY 2002 TRUST, DATED AUGUST 19, 2002

R. A. GENTRY CHILDS, SR, TRUSTEE

STATE OF

: SS

COUNTY OF

On This 13th day of January, in the year 2005, before me a Notary Public in and for said State, personally appeared **R. A. GENTRY CHILDS, SR.**, known or identified to me to be the person whose name is subscribed to the within Instrument as trustee of the CHILDS FAMILY 2002 TRUST DATED AUGUST 19, 2002 and acknowledged to me that he executed the same.

WITNESS my hand and official seal.

Notary Public of Idaho

Residing at:

Commission Expires

TITLE & ESCROW
COMPANIES

EXHIBIT A
G050019

Township 7 South Range 13 East Boise Meridian Gooding County Idaho

Section 22: A parcel of land located in a portion of the NW¼SE¼ more particularly described as follows:

COMMENCING at the Northeast corner of Section 22;
THENCE South 89°13'50" West 2,649.04 feet to the North Quarter corner of Section 22;
THENCE South 00°15'05" East 2,643.24 feet to the Northwest corner of NW¼SE¼, Section 22;
THENCE South 00°15'16" East 1,337.98 feet to the Southwest corner of said NW¼SE¼ and being the REAL POINT OF BEGINNING;
THENCE North 88°56'13" East 528.00 feet along the South boundary of said NW¼SE¼;
THENCE North 00°15'16" West 775.50 feet parallel with the West boundary of said NW¼SE¼ to the center of a stone fence;
THENCE North 49°21'09" East 358.05 feet along the center of said stone fence;
THENCE North 40°38'51" West 12.00 feet;
THENCE along the center of a ditch as follows:
South 72°08'33" West 10.82 feet;
North 78°45'56" West 15.75 feet;
South 69°13'24" West 48.63 feet;
South 68°17'20" West 75.76 feet;
South 76°14'07" West 26.47 feet;
South 86°39'21" West 60.50 feet;
South 86°27'17" West 63.81 feet;
South 87°56'55" West 58.94 feet;
South 84°52'46" West 38.67 feet;
South 86°35'30" West 90.66 feet;
South 88°48'51" West 30.00 feet;
North 81°01'04" West 26.25 feet;
North 64°23'30" West 34.90 feet;
North 76°35'24" West 23.05 feet;
South 70°58'58" West 47.59 feet;
North 85°56'47" West 70.62 feet;
North 86°40'11" West 46.46 feet;
THENCE South 88°20'52" West 41.68 feet to the West boundary of the NW¼SE¼, Section 22;
THENCE South 00°15'16" East 972.28 feet along the West boundary of said NW¼SE¼ to the REAL POINT OF BEGINNING

SUBJECT TO a county roadway easement along the Westerly boundary of the above described parcel

ALSO SUBJECT TO a 10.00 foot wide irrigation ditch easement parallel with adjoining and East of the West boundary of the above described parcel

ALSO SUBJECT TO a 5.00 foot wide irrigation ditch easement parallel with adjoining, and South of the entire Northerly boundary of the above described parcel

TOGETHER WITH a 5.00 foot wide irrigation ditch easement parallel with, adjoining and North of the entire Northerly boundary of the above described parcel