

RECEIVED

DEC 06 2004

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

Department of Water Resources
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.

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 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
36-2300		☒			
36-7897		☒			

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)

Glenwin & Lorraine Harris

730 W 300 S, Heyburn, ID 83336

4. New Owner/Claimant(s)

Lorraine R. Harris Family Trust

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

New Mailing Address

c/o Steven K. Harris

City, State and ZIP Code

140 N 750 W, Paul, ID 83347

New Telephone Number

(208) 438-8758

5. Date you acquired the property

3-10-03

SUPPORT DATA

IN FILE # 36-2300

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)

Steven Harris POA

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 <u>[Signature]</u>	Date <u>12-6-04</u>	Fee <u>\$50.</u>	
Received by <u>[Signature]</u>	Date <u>12-6-04</u>	Receipt No. <u>5027199</u>	
Processed by _____	AJ Date _____	WR _____	Date _____

464302

BOYD L. BAGGETT (ISB # 5030)

Attorney at Law
✓ 338 East 200 South
Burley, Idaho 83318
Telephone: (208) 678-3973
Facsimile: (208) 678-1166

(SPACE BELOW FOR FILING STAMP)

Attorney for Petitioner

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF MINIDOKA

IN THE MATTER OF THE ESTATE OF
GLENWIN HARRIS

Deceased.

CASE NO. SP 03-00053 M
DECREE VESTING ESTATE
IN SURVIVING SPOUSE

UPON CONSIDERATION of the Petition For Summary Administration of Estate of Which Surviving Spouse is Sole Beneficiary filed by LORRAINE R. HARRIS on February 14, 2003, the Court finds that:

1. The facts set forth in the petition are true.
2. The required notice has been given or waived.
3. The decedent, Glenwin Harris, died on December 8, 2002 domiciled in Minidoka County.
4. Venue is proper.
5. The decedent and Lorraine R. Harris were duly married on July 16, 1942 and remained married until the date of decedent's death.
6. The surviving spouse, Lorraine R. Harris, is the sole heir or devisee of the decedent.
7. The decedent died testate.
8. The schedule of property listed below is a full and complete inventory of the property owned by the decedent. The nature of the property (community/separate) is set forth in the following schedule:

Instrument # 464302

MINIDOKA COUNTY, RUPERT, IDAHO
2003-03-14 10:41:35 No. of Pages: 3
Recorded for: BOYD L BAGGETT
DUANE SMITH Fee: 9.00
Ex-Officio Recorder Deputy *Lu*

<u>Property Description</u>	<u>Nature of Property</u>
House - 730 W. 300 S., Heyburn, Idaho	Community
Legal Description -- Parcel 1 - The West Half (W1/2) of the following described tract, to-wit: TOWNSHIP 10 SOUTH, RANGE 23 EAST OF THE BOISE MERIDIAN, MINIDOKA COUNTY, IDAHO Section 6: Beginning at a point located North 89° 48' 20" West 1372.7 feet from the Southeast corner of said Section 6, which point shall be known as the True Point of Beginning; Thence North 211.0 feet; Thence West 414.6 feet; Thence South 0° 23' West 209.5 feet; Thence South 89° 48' 20" East 416.0 feet along the South line of said Section 6 to the True Point of Beginning. TOGETHER WITH an irrigation easement 4 feet on each side of the following described line: Beginning at a point 1025.8 feet South 89° 48' 20" East from the Southwest Corner of said Section 6; thence North 0° 23' East for 1321.2 feet to the end of easement.	
Parcel 2 - The East Half (E1/2) of the following described tract, to-wit: TOWNSHIP 10 SOUTH, RANGE 23 EAST OF THE BOISE MERIDIAN, MINIDOKA COUNTY, IDAHO Section 6: Beginning at a point located North 89° 48' 20" West 1372.7 feet from the Southeast corner of said Section 6, which point shall be known as the True Point of Beginning; Thence North 211.0 feet; Thence West 414.6 feet; Thence south 0° 23' West 209.5 feet; Thence South 89° 48' 20" East 416.0 feet along the South line of said Section 6 to the True Point of Beginning. TOGETHER WITH with an irrigation easement 4 feet on each side of the following described lines: 1) Beginning at a point that is 1025.8 feet South 89° 48' 20" East and 209.5 feet North from the Southwest Corner of said Section 6; thence North 0°23' East for 1111.7 feet to the end of the easement. 2) Beginning at a point that is 1021.8 feet South 89° 48' 20" East and 213.5 feet North from the Southwest Corner of said Section 6; thence East 414.6 feet to the end of easement.	
Farm 160 Acres - Legal Description -- T.6 S., R.22E., Sec.25,SW1/4 Of the Boise Meridian, Lincoln County, Idaho.	Community
Farm 240 Acres - Legal Description -- T.6 S., R.22E., Sec.25,NE1/4,N1/2SE1/4 Of the Boise Meridian, Lincoln County, Idaho.	Community
1992 Ford Pickup	Community
Various IRA Accounts - Keybank	Community
Certificates of Deposit Account - First Federal Savings	Community
Edward Jones Investment Accounts (Bond)	Community

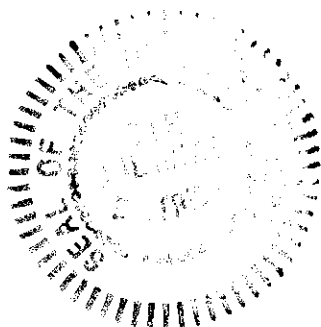
AG Edwards Investment Accounts	Community
Zions First National Bank Account Acct Number 01-411-302882-5	Community
Various DL Evans Bank Accounts and Certificates of Deposit	Community
Various Items personal property (Including household items and clothing, etc.)	Community

THEREFORE, it is Ordered, Adjudged and Decreed as follows:

1. LORRAINE R. HARRIS is the surviving spouse of the decedent and is the sole heir or devisee of the decedent.
2. The property of the decedent described on the schedule in paragraph no. 8 of this Decree is hereby vested in and distributed to LORRAINE R. HARRIS free and clear of all right, title, claim or demand of any person or persons claiming or attempting to claim under the estate of the decedent as heir, devisee, or otherwise, except as a proper creditor.
3. The surviving spouse shall assume and be liable for any and all indebtedness that might be a claim against the estate of the decedent.
4. There shall be no administration of the estate of the decedent.

Dated this 10 day of March, 2003.


Magistrate Judge



State of Idaho)
County of Minidoka) ss
I hereby certify the foregoing to be a full true and correct
copy of the original on file in the above entitled action.
Dated March 10 20 03
District Magistrate
Minidoka County, State of Idaho
Clerk of District Court of 8th Judicial
District, Magistrate Division
By Charles H. Harnish
Deputy Clerk

DECLARATION OF TRUST ESTABLISHING THE LORRAINE R. HARRIS FAMILY TRUST

This Trust Declaration, establishing the Lorraine R. Harris Family Trust, is made this 22nd day of October, 2003, by Lorraine R. Harris, herein called "Settlor". Settlor, Lorraine R. Harris has the following children, who are, as herein provided, contingent beneficiaries of this trust: Sherry Rae Ann Anderson, Steven Kent Harris, and Cindy Lorraine Harris who are all living. This trust shall be known as the **LORRIANE R. HARRIS FAMILY TRUST**.

Article I. Trust Estate

- A. All assets titled in the name of the trust from time to time are referred to as the "trust estate" and shall be held, administered, and distributed according to this instrument.
- B. Assets may be added to the trust estate at any time by the Settlor or by any other person by inter vivos or testamentary transfer.
- C. All assets transferred to the trust are and shall remain Settlor's separate property.

Article II. Original and Successor Trustees

- A. Reference in this declaration of trust to the "trustee" shall be deemed a reference to whoever is serving as trustee, whether original trustee, successor trustee, sole trustee, co-trustees or corporate trustee.
- B. Settlor shall be the original trustee to serve with all of the obligations, powers, and authority contained within this instrument.
- C. If the Settlor is deceased, or if for any reason she resigns or is unable or

ceases to serve as trustee, Steven Kent Harris shall serve as Trustee. If he is unwilling or for any reason unable to act, then Sherry Rae Ann Anderson shall so act, and if she is unable or for any reason unable to act, then Cindy Lorraine Jensen shall so act.

D. A trustee's inability to act as trustee due to physical or mental incapacity shall be conclusively established if two doctors authorized to practice medicine in the State of Idaho issue written certificates to the effect that the trustee is not capable of fulfilling his or her responsibilities as a trustee.

E. A trustee may resign by delivering to all income beneficiaries and successor trustees named herein written notice of such resignation. A resigned trustee shall serve as trustee until its successor shall accept office, and shall execute all instruments and do all acts necessary to vest title of the trust estate in the successor trustee.

F. A successor trustee shall have no liability for any act or failure to act of a previous trustee occurring prior to the date when said successor trustee takes office. Any successor trustee shall succeed as trustee with like effect as though originally named as such herein. All authorities and powers conferred upon the original trustee hereunder shall pass to a successor trustee.

G. No trustee shall be required to post any bond or other security for the faithful performance of any duties or obligations of such office.

H. The Settlor shall serve as trustee without compensation, but any successor trustee shall be entitled to reasonable compensation from the trust estate for services rendered as trustee. However, they are free to waive compensation. Reasonable compensation shall be deemed an amount not in excess of what a bank trustee would charge for similar services in the

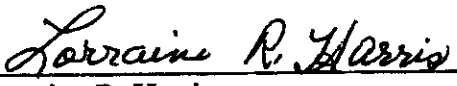
take into consideration the beneficiary's related living expenses to the extent that they are reasonable.

C. "Issue" defined. As used in this trust, the term "issue" shall refer to lineal descendants of all degrees, and shall include adopted persons who were minors at the date of adoption.

D. Choice of law. The validity of this trust and the construction of its provisions shall be governed by the laws of the state of Idaho in force on the date of execution of this instrument, regardless of any change of residence of the Settlers or any beneficiary, or the appointment of a trustee residing or doing business in another jurisdiction.

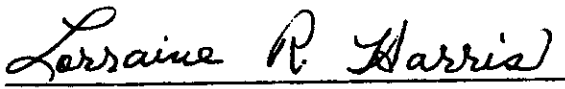
This instrument is executed this 22nd day of October, 2003, at Burley, Idaho.

SETTLOR



Lorraine R. Harris

TRUSTEE



Lorraine R. Harris

FIRST AMENDMENT TO THE LORRAINE R. HARRIS FAMILY TRUST

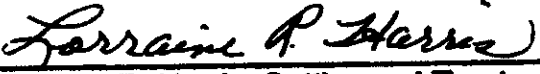
THIS AMENDMENT made this 31st day of December, 2003, by the Settlor, Lorraine R. Harris, to the Lorraine R. Harris Family Trust, dated October 22, 2003, as follows:

Pursuant to the retained authority and power of the Settlor, Lorraine R. Harris, as contained in Article II, A., of the Trust Agreement, Settlor does hereby nominate and appoint her son, Steven Kent Harris, of 140 North 750 West, Paul, Idaho 83347, as a co-trustee to serve with her as a trustee.

Steven Kent Harris shall have all powers reserved to the Trustee as contained in the Trust Agreement dated October 22, 2003.

Further, Settlor declares that either trustee, Lorraine R. Harris or Steven Kent Harris, may deal with any and all assets of the Trust without the requirement of obtaining the consent or signature of the other trustee.

Steven Kent Harris' signature below constitutes his assent to this appointment and his promise to faithfully carry out the terms of the Trust Agreement.


Lorraine R. Harris, Settlor and Trustee


Steven Kent Harris, Trustee

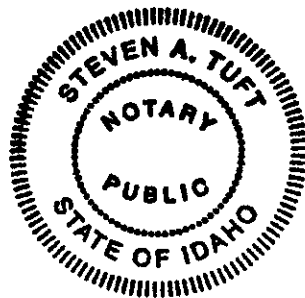
Along with such other express and implied powers as may be conferred on a trustee of a trust by Idaho law.

Lorraine R. Harris
Lorraine R. Harris, Trustor

Steven Kent Harris
Steven Kent Harris, Trustee

State of Idaho)
) ss.
County of Cassia)

Subscribed and sworn to before me this 31st day of December, 2003



Steven A. Tuft
Notary Public for Idaho
Residing at Burley
Commission Expires: 3/15/06

AMENDED TRUST CERTIFICATION - 3

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