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Documents
In File

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

RECEIVED**MAY 02 2002**WATER RESOURCES
WESTERN 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. 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
65-17224					
65-07155A					
Copies Attached					

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) Robert L. Baxek
P.O. Box 623
4. New Owner/Claimant(s) CASCADE, Idaho 83611
Name Connector (Check one) ☐ and, ☒ or ☒ and/or
Stephen R. Myrick CAROLINE G MYRICK
New Mailing Address 2060 So. Dubouah Drive
City, State and ZIP Code Boise, Idaho 83709
New Telephone Number (208) 375-3123 WORK 336-9500
5. Date you acquired the property December 11, 2001

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- 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) Stephen R. Meyer
(include title if applicable) _____

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 KH Date 5/21/02 Fee \$ 50.00
 Received by KH Date 5/21/02 Receipt No. W029118
 Processed by _____ AJ Date _____ WR _____ Date _____

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COPY

WARRANTY DEED
(WITH RETAINED EASEMENT AND RESTRICTIONS)

FOR VALUE RECEIVED, ROBERT L. BRUECK, a married man dealing with his separate property, the Grantor, does hereby grant, bargain, sell and convey unto STEPHEN R. MYRICK and wife, CAROLINE G. MYRICK, whose current address is 2060 South Deborah Place, Boise Idaho 83709, the Grantees, the following described premises in Valley County, Idaho, to wit:

A parcel of land located in Lots 3 and 4, Section 7, Township 14 North, Range 3 East, Boise Meridian more particularly described as follows:

Beginning at a point which is N. 89° 53.7' E. a distance of 887.6 feet from the South 1/16 corner common to Section 12 and 7. T. 14 N., R. 3 E., B.M., thence N. 00° 6.3' W. a distance of 144.0 feet to an iron pin and the True Point of Beginning;

Thence N. 89° 53.7' E. a distance of 208.80 feet to a point;

Thence S. 24° 11.8' E. a distance of 216.50 feet to a point,

Thence S. 13° 25 1' W. a distance of 57.80 feet to a point;

Thence N. 48° 16.83' W. a distance of 380.65 feet to the Point of Beginning.

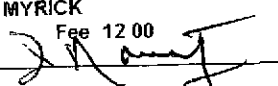
TOGETHER WITH:

An easement for constructing, using and maintaining a reservoir and pipeline over and across adjoining real property as conveyed by God's Acres, a corporation, by the certain easement dated August 1, 1965 and recorded December 8, 1969 in the Office of the Recorder of Valley County, Idaho.

SUBJECT TO:

1. Unpatented mining claims; reservations or exceptions in patents or in Act authorizing the issuance thereof; water rights, claims or title to water.

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Instrument # 259259
VALLEY COUNTY, CASCADE, IDAHO
2001-12-21 02:16:54 No. of Pages 4
Recorded for STEPHEN R MYRICK
LELAND G HEINRICH Fee 12.00
Ex-Officio Recorder Deputy 
Index to DEEDS

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NOV 26 2003

1. EASEMENT filed for record in the office of the Recorder of Valley County, Idaho December 8, 1969 as Instrument No 71359.
1. EASEMENT as shown on Warranty Deed filed for record in the office of the Recorder of Valley County, Idaho on October 6, 1975 as instrument No. 86347.
1. SURVEY as shown on plat of God's Acres Subdivision No. 1 in Plat Book 3 at Page 30.
5. EASEMENT AND RESTRICTIONS as set forth below

SAVE AND EXCEPT, and there is retained hereby in favor of Grantor, his heirs, executors, and assigns, a perpetual access EASEMENT along the common boundary between the property hereby conveyed and the adjacent property currently owned by Grantor (to-wit. Lot 7, Block 6, God's Acres Subdivision No. 1, as shown on the plat thereof recorded in Plat Book 3 at page 30), which easement shall be located entirely upon the property hereby conveyed and shall be 20 feet in width (but not to exceed the width of the property hereby conveyed) running along and adjacent to the aforesaid common boundary line (from one end of said boundary line all the way to the other end of said boundary line), with the right to erect, construct, install and use, operate, inspect, repair, maintain, and replace driveway surfacing materials over said easement, for the purpose of ingress and egress (by the owner or owners of said Lot 7, and his, her, or their family members, guests, and invitees) over said easement tract to the adjacent Lot 7. The easement hereby granted (a) shall be perpetual, and (b) shall be an easement appurtenant and constitute a covenant running with the land for the benefit of Grantor, his heirs and assigns as owner or owners of the said Lot 7.

DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS. In order to protect the value of the above-described Lot 7, Block 6, God's Acres Subdivision No. 1 and of Lot 6, Block 6 of God's Acres Subdivision No. 1, as shown on the plat thereof recorded in Plat Book 3 at page 30 (said lots being hereinafter referred to as the "benefitted tracts"), which presently is also owned by Grantor, and in accordance with both the doctrines of restrictive covenant and implied equitable servitude, Grantor hereby declares that all of the property hereby conveyed shall be held, sold, and conveyed subject to the following easement, restriction, covenants, and conditions, to-wit: No improvement, fence, wall, antenna, hedge, shrub, or tree shall be placed or permitted to remain on the property hereby conveyed that is higher than the following heights, in each instance such height being calculated from the existing contours of elevation of the land:

As measured along a line from the corner boundary of the property hereby conveyed at the closest point to the intersection of West Mountain Road and Wapiti Drive to the farthest point within said property the height of any item described above shall not exceed: (a) for deed for sale of J-Cabin.doc

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APR 2 2003

land perpendicular to such line within the first 180 feet, higher than 25 feet; (b) for land perpendicular to such line within the next 90 feet, higher than 20 feet; and (c) For land perpendicular to such line for the remaining distance, higher than 15 feet.

Any person who is an owner of either of the benefitted tracts shall have the right to enter upon the property hereby conveyed, or to cause or permit contractors, agents, or employees to go upon the property hereby conveyed for the purpose of removing or reducing the height of anything that is caused or permitted to be placed or constructed or to grow on the property hereby conveyed that is in excess of the heights described above, and no such person shall be deemed guilty of a trespass or be liable for damages as a result of enforcing the restrictions set forth above. Likewise, any owner of either of the benefitted tracts shall have the right to enforce, by any proceeding at law or in equity, the restrictions, conditions, covenants, and restrictions set forth above.

GRANTEES ARE ACQUIRING THE PROPERTY "AS IS" WITH ALL FAULTS AND DEFECTS, AND GRANTEES ACKNOWLEDGE AND AGREE THAT GRANTOR HAS NOT MADE, DOES NOT MAKE AND SPECIFICALLY DISCLAIMS ANY REPRESENTATIONS, WARRANTIES, PROMISES, COVENANTS, AGREEMENTS, OR GUARANTIES OF ANY KIND OR CHARACTER WHATSOEVER, WHETHER EXPRESS OR IMPLIED, ORAL OR WRITTEN, PAST, PRESENT, OR FUTURE, OF, AS TO, CONCERNING OR WITH RESPECT TO (A) THE NATURE, QUALITY, OR CONDITION OF THE PROPERTY, INCLUDING, WITHOUT LIMITATION, THE WATER, SOIL AND GEOLOGY, OR THE PRESENCE OR ABSENCE OF ANY POLLUTANT, HAZARDOUS WASTE, GAS, OR SUBSTANCE OR SOLID WASTE ON OR ABOUT THE PROPERTY, (B) THE INCOME TO BE DERIVED FROM THE PROPERTY, (C) THE SUITABILITY OF THE PROPERTY FOR ANY AND ALL ACTIVITIES AND USES WHICH GRANTEES MAY INTEND TO CONDUCT THEREON, (D) THE COMPLIANCE OF OR BY THE PROPERTY OR ITS OPERATION WITH ANY LAWS, RULES, ORDINANCE OR REGULATIONS OF ANY GOVERNMENTAL AUTHORITY OR BODY HAVING JURISDICTION, (E) THE HABITABILITY, MERCHANTABILITY, OR FITNESS FOR A PARTICULAR PURPOSE OF THE PROPERTY, (F) ANY CONSEQUENCES ARISING AS A RESULT OF GRANTOR'S ACQUISITION OF THE PROPERTY THROUGH FORECLOSURE OR DEED IN LIEU OF FORECLOSURE, OR (G) ANY OTHER MATTER RELATED TO OR CONCERNING THE PROPERTY. GRANTEES HAVE BEEN GIVEN THE OPPORTUNITY TO INSPECT THE PROPERTY AND ARE RELYING SOLELY ON THEIRS OWN INSPECTIONS AND INVESTIGATIONS OF THE PROPERTY AND NOT ON ANY INFORMATION PROVIDED BY GRANTOR.

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MICHAEL

NOV 25 2003

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And said Grantor does hereby covenant to and with the said Grantees that he is the owner in fee simple of said premises; that said premises are free from all encumbrances and that he will warrant and defend the same from all lawful claims whatsoever.

DATED: 12-11-01, 2001.

Robert L. Brueck
ROBERT L. BRUECK

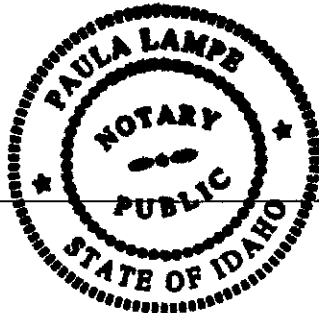
THE STATE OF IDAHO

COUNTY OF Ada

On this 11 day of December, 2001, before me, a Notary Public in and for said State, personally appeared ROBERT L. BRUECK, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he 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.

Paula Lampe



Notary Public
Residing at: Boise Idaho
1-11-07
My commission expires on

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

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 65-07155A

NAME AND ADDRESS: ROBERT L BRUECK
PO BOX 623
CASCADE, ID 83611

SOURCE: DEER CREEK TRIBUTARY: CASCADE RESERVOIR

QUANTITY: 0.02 CFS
0.75 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 08/18/1970

POINT OF DIVERSION: T14N R03E S07 LOT 03 (NWSW) Within Valley County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic 1 HOME	01-01 TO 12-31	0.02 CFS
			0.75 AFY

PLACE OF USE: Domestic Within Valley County
T14N R03E S07 LOT 03 (NWSW)

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

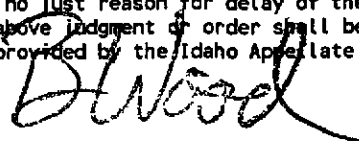
THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

PARCEL NO. 14N03E07S995

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

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MAY 24 2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 20, 2003

STEPHEN R MYRICK
CAROLINE G MYRICK
2060 S DEBORAH PL
BOISE ID 83709

RE: Change of Ownership for Water Rights 65-7155A and 65-17224

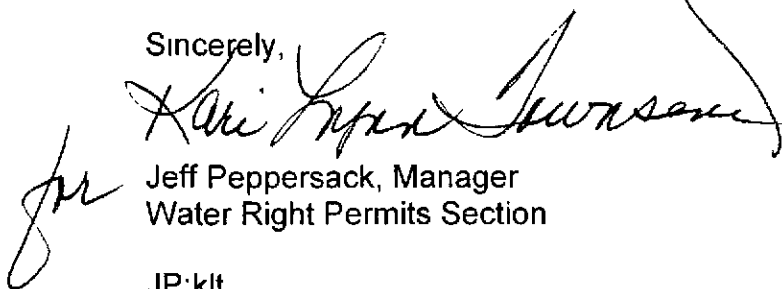
Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water rights to you. The department has modified its records to reflect the changes in ownership and has enclosed computer-generated reports for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,


Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosures

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NOV 28 2003