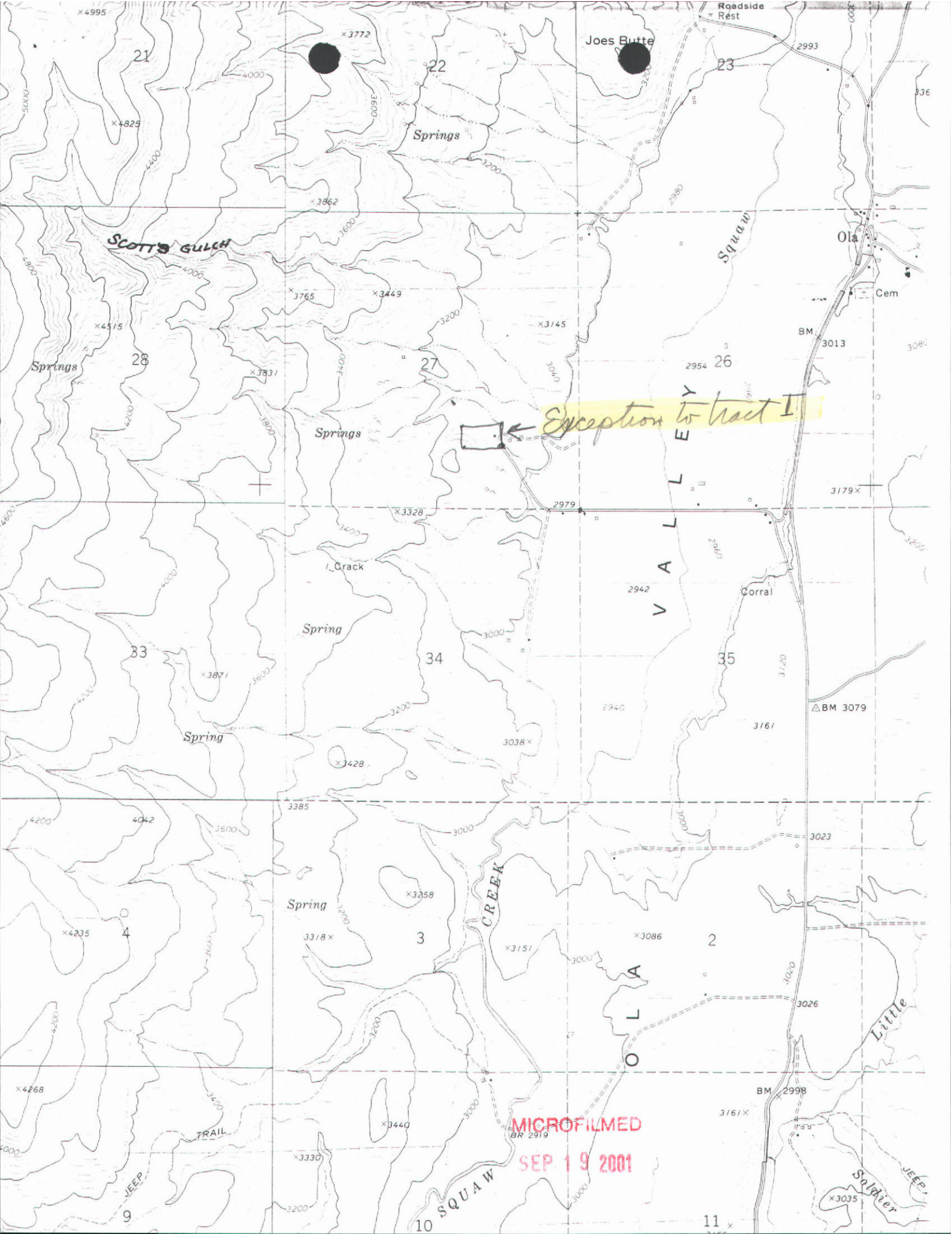




Exception to tract I

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SEP 19 2001

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

**RECEIVED****DEC 05 2000****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.

**RECEIVED**

| Water Right No(s). | Adjudication Claim No(s) | Split |
|--------------------|--------------------------|-------|
| 65-03013           | A65-03013                | N     |
| 65-03016           | A65-03016                | N     |
| 65-03017           | A65-03017                | N     |

| Water Right No(s). | Adjudication Claim No(s) |  |
|--------------------|--------------------------|--|
|                    |                          |  |
|                    |                          |  |
|                    |                          |  |
|                    |                          |  |
|                    |                          |  |

Department of Water Resources

65-00354 }  
 65-03014 } recently  
 65-03015 } decided  
 65-11348 } SRRA -  
                        NO SP

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)

Louisebelle McOdenott Walter L. Odenott  
HC 78 Box 3875 OLA Id. 83657

- (4) New Owner/Claimant(s)

Roger Vaughn Spiker Sharon Marie Spiker  
 Name Connector (Check one) ☐ and, ☒ or, ☐ and/or

New Mailing Address

Box 74

City, State and ZIP Code

OLA Id. 83657

New Telephone Number

(208) 584-3553

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- (5) Date you acquired the property

10/10/00

**SEP 11 2001**

See file 65-00354 for support documentation.

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<br>(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<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | _____                                                                      | _____                                                        |
| Stock                                                                                                                   | _____                                                                      | _____                                                        |
| Domestic                                                                                                                | _____                                                                      | _____                                                        |
| Other _____                                                                                                             | _____                                                                      | _____                                                        |
| <b>Total</b>                                                                                                            | _____                                                                      | _____                                                        |

| DESCRIPTION OF YOUR PORTION OF WATER RIGHT<br>(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<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | _____                                                                      | _____                                                        |
| Stock                                                                                                                   | _____                                                                      | _____                                                        |
| Domestic                                                                                                                | _____                                                                      | _____                                                        |
| Other _____                                                                                                             | _____                                                                      | _____                                                        |
| <b>Total</b>                                                                                                            | _____                                                                      | _____                                                        |

7

Signature of New Owner(s) or Claimant(s)  
(include title if applicable)

*R. G. V. ...*

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 RL Date 12/5/00 Fee \$100  
 Received by RL Date 12/5/00 Receipt No W027200  
 Processed by \_\_\_\_\_ AJ Date \_\_\_\_\_ WR \_\_\_\_\_ Date \_\_\_\_\_

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SEP 12 2001

## WARRANTY DEED

GRANTOR, LOURABELLE MARIE ODERMOTT HUTCHISON, a married woman dealing with her sole and separate property, of Ola, County of Gem, State of Idaho; for a good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto ROGER VAUGHN SPIKER and SHARON MARIE SPIKER, husband and wife, whose current address is P.O. Box 74, Ola, Idaho, 83657, as Grantees and to Grantees' heirs and assigns forever, all of the following described real estate located in Gem County, Idaho:

See Exhibit "A" which is attached hereto and incorporated herein by reference as if set out in full including all water and ditch rights appurtenant to or used in connection with the property conveyed hereby.

ALSO RESERVING THEREFROM, an easement for access to and use of shop and shop equipment and garage and gas tank on the property conveyed as depicted in Exhibit "B." This easement is solely for the benefit of the Seller and is only for the duration of the Seller's life. Upon Seller's death, this limited easement shall automatically terminate without further notice or action of the parties.

ALSO RESERVING THEREFROM, the right to continue to use the existing domestic spring water source for the residence retained by Seller as long as the domestic spring is adequate for domestic use. In the event the domestic spring water no longer flows or is otherwise no longer adequate, then the Buyer's obligation to provide water shall automatically terminate. The Buyer shall have the sole right to manage and maintain the domestic spring and water line. In the event the domestic spring no longer flows, the Buyer shall provide water to the Seller for the benefit of the Seller and shall terminate upon Seller's death. Upon the Seller's death, the then owner of the Seller's property and each transferee thereafter shall reimburse the Buyer for one-half of the maintenance and repair cost of the domestic spring and water system. Also, the Buyer shall have the easement for water lines as described in the Bergey Land Survey attached hereto as Exhibit "C." The domestic spring water use is perpetual and is to stay with the land as long as the domestic spring continues to flow.

TOGETHER with all improvements and appurtenances thereto said tract of land including all water and ditch rights appurtenant to or used in connection with the properties conveyed hereby.

Grantor, for herself, her heirs and assigns, does hereby covenant, warrant and shall defend the quiet and peaceable possession of said premises by the Grantees, their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, Grantor has hereunto subscribed her name to this instrument this  
10 day of October, 2000.

Lourabelle Marie Odermott Hutchison  
LOURABELLE MARIE ODERMOTT  
HUTCHISON

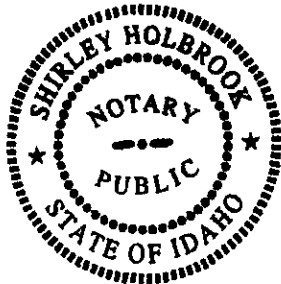
STATE OF IDAHO )

ss.

County of Gem )

On this 10<sup>th</sup> day of October, in the year 2000, before me, SHIRLEY HOLBROOK  
a Notary Public in and for said State, personally appeared LOURABELLE MARIE ODERMOTT  
HUTCHISON, known or identified to me to be the person whose name is subscribed to the within  
instrument, and acknowledged to me that she 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.



Shirley Holbrook  
Notary Public for Idaho  
Residing at: Sammet, Idaho  
Commission Expires: 4-19-2006

WARRANTY DEED - 2

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OCT 11 2001

**TRACT I**

**IN THE COUNTY OF GEM, STATE OF IDAHO**

**The SW ¼ of the NW ¼ of Sec 26; and  
the NE ¼ of the SE ¼ and S ½ of the NE ¼ of Sec 27;**

**All in Twp 10 N. R. 1 E. B.M.,**

**The SW ¼ of the SW ¼ of Sec 21;**

**the W ½ of the SW ¼ of Sec 26;**

**the S ½ of the NW ¼, the SW ¼, the W ½ of the SE ¼ and the SE ¼ of the SE ¼ of Sec 27;**

**the N ½ of Sec 28; and**

**the N ½ of the NW ¼, and the SW ¼ of the NW ¼ of Sec 34;**

**All in Twp 10 N. R 1 E. B.M.;**

**EXCEPT THE FOLLOWING DESCRIPTION:**

**A parcel of land being a portion of the S ½ of Section 27, T. 10 N., R 1 E., B.M., and being more particularly described as follows:**

**Beginning at an aluminum cap marking the Northeast corner of said Section 27, thence  
South 00°09'50" West 5239.63 feet to an iron pin marking the Southeast corner of said Section 27,  
thence  
North 50°16'07" West 1825.85 feet to an iron pin marking the REAL POINT OF BEGINNING, also  
said point being PT.A; thence  
South 87°21'12" West 706.07 feet to an iron pin; thence  
North 05°20'57" West 355.32 feet to an iron pin; thence  
South 84°59'13" East 750.04 feet to an iron pin; thence  
South 01°57'24" West 255.78 feet to the point of beginning**

**TRACT II**

**TOGETHER WITH a waterline easement for operation, maintenance and repair lying within said  
Tract I and lying 5.00 feet left of and 5.00 feet right of the following described centerline:**

**Beginning at PT. A referred to in said Tract I; thence  
North 01°57'24" East 15.87 feet along the Easterly boundary of said Tract I to the REAL POINT OF  
BEGINNING of Waterline Easement No. 1, also said point being PT B; thence  
North 74°07'36" West 87.33 feet to a point; thence  
North 66°26'59" West 49.08 feet to a point; thence  
North 32°36'57" West 22.54 feet to a point, said point being PT. C; thence  
South 70°45'31" West 256.10 feet to a point; thence  
South 75°59'02" West 58.88 feet to a point, said point being PT. D and lying on the Southerly  
boundary line of said Tract I; thence continuing  
South 75°59'02" West 71.18 feet to a point; thence  
South 86°19'54" West 63.12 feet to a point; thence  
North 83°06'01" West 91.39 feet to a point, said point being PT. E and lying on said Southerly  
boundary of Tract I; thence continuing  
North 83°06'01" West 44.02 feet to the Westerly boundary of said Tract I, said point being the point  
of terminus of said Water line Easement No. 1.**

**TOGETHER WITH a waterline easement for operation, maintenance and repair lying within said  
Tract I and lying 5.00 feet left of and 5.00 right of the following described centerline except as noted  
below:**

**Beginning at Point C as referred to in said Waterline Easement No. 1, also said point being the  
REAL POINT OF BEGINNING of Waterline Easement No. 2; thence**

North 43°13'22" East 40.97 feet to a point; thence lying 7.50 feet left of and 2.50 feet right of said centerline,  
North 05°26'48" East 64.00 feet to a point; thence lying 5.00 feet left of and 5.00 feet right of said centerline,  
North 20°54'02" East 23.00 feet to a point; thence  
South 79°27'46" East 106.00 feet to a point on said Easterly boundary of Tract I, said point being the point of terminus of said Waterline Easement No. 2.

**TOGETHER WITH** an Ingress-Egress Easement lying 10.00 feet left of and 10.00 feet right of the following described centerline lying within said Tract I and being more particularly described as follows:

Beginning at PT. A as referred to in said Tract I, said point being the **REAL POINT OF BEGINNING** of Ingress-Egress Easement No. 1; thence  
North 33°13'08" West 77.56 feet to a point, said point being PT F; thence  
North 43°39'16" East 12.06 feet to a point; thence  
North 57°35'53" East 27.19 feet to a point; thence  
North 83°04'04" East 14.38 feet to a point on said Easterly boundary of Tract I, said point being the point of terminus of said Ingress-Egress Easement No. 1.

**TOGETHER WITH** an Ingress-Egress easement lying 10.00 feet left of and 10.00 feet right of the following described centerline lying within said Tract I and being more particularly described as follows:

Beginning at PT. F as referred to in said Ingress-Egress Easement No. 1, said point being the **REAL POINT OF BEGINNING** of Ingress-Egress Easement No. 2; thence  
South 11°55'42" West 69.00 feet to a point on said Southerly boundary of Tract I, said point being the point of terminus of said Ingress-Egress Easement No. 2.

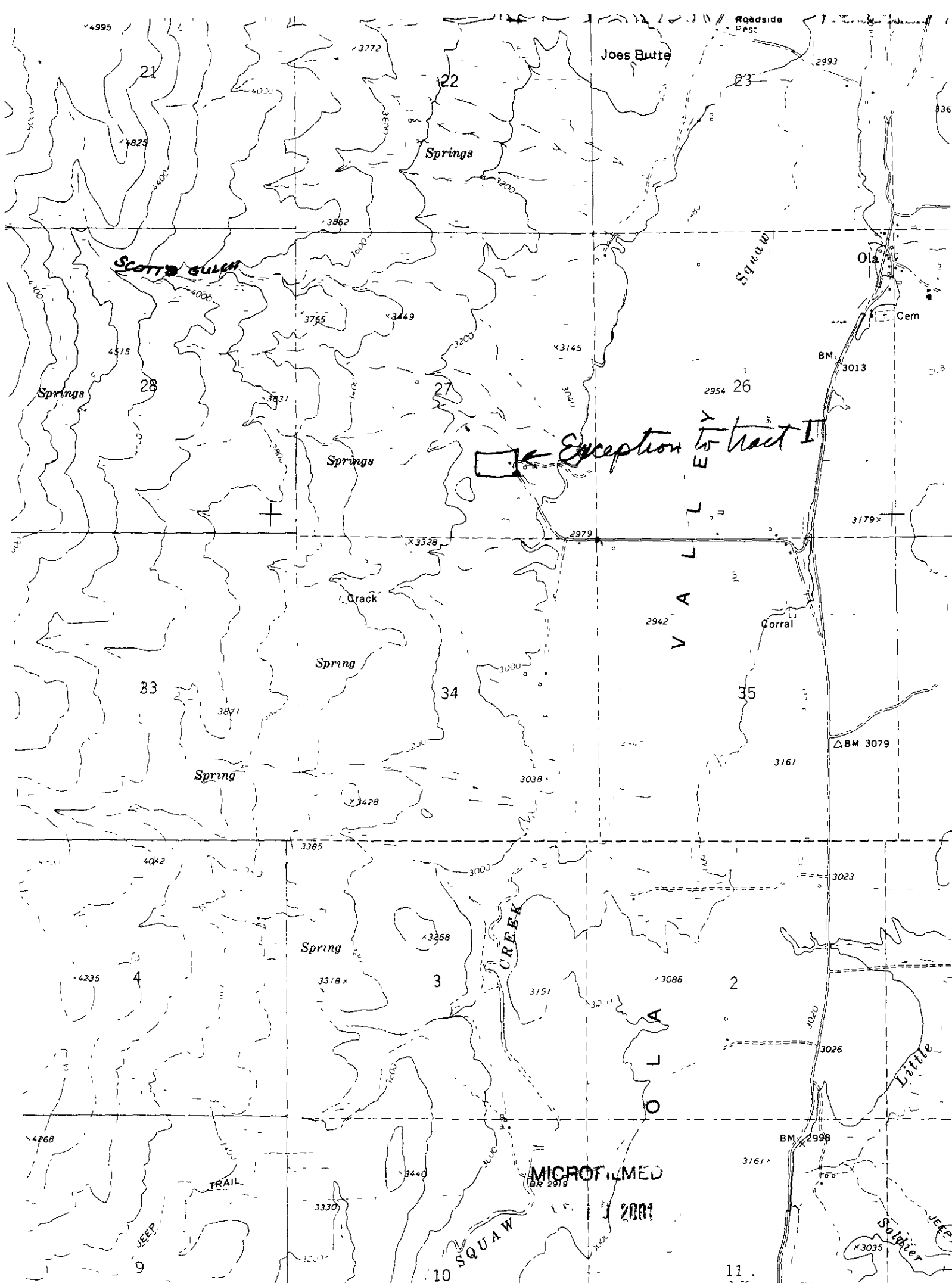
**ALSO TOGETHER WITH** any easements of record or appearing on said Tract I.

**RESERVING** a waterline easement for operation, maintenance and repair being a portion of said Waterline Easement No. 1 and lying Southerly of said Southerly boundary of Tract I and lying 5.00 feet left of and 5.00 feet right of the following described centerline and being more particularly described as follows:

Beginning at PT. D as referred to in said Waterline Easement No. 1, said point being the **REAL POINT OF BEGINNING** of Waterline Easement No. 3; thence  
South 75°59'02" West 71.18 feet to a point; thence  
South 86°19'54" West 63.12 feet to a point; thence  
North 83°06'01" West 91.39 feet to PT. E as referred to in said Waterline Easement No. 1, said point being the point of terminus of said Waterline Easement No. 3.

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SEP 19 2001



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 )  
Case No. 39576 )  
PARTIAL DECREE PURSUANT TO  
I.R.C.P. 54(b) FOR  
Water Right 65-00354

NAME AND ADDRESS: LAURA BELLE M ODERMOTT  
WALTER L ODERMOTT  
HC 78 BOX 3815  
OLA, ID 83657

SOURCE: SPRING TRIBUTARY: SQUAW CREEK  
QUANTITY: 0.07 CFS  
4.10 AFY

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

PRIORITY DATE: 04/15/1966

POINT OF DIVERSION: T10N R01E S26 NWSW Within Gem County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY             |
|-------------------------------|----------------|----------------|----------------------|
|                               | Stockwater     | 01-01 TO 12-31 | 0.07 CFS<br>4.10 AFY |

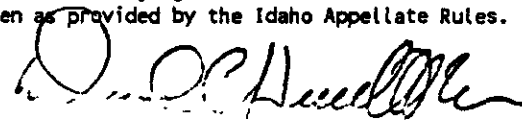
PLACE OF USE: Stockwater Within Gem County  
T10N R01E S26 , NWSW

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.

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.



Daniel C. Hurlbutt, JR.  
Presiding Judge  
Snake River Basin Adjudication

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SEP 13 2001



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](http://www.idwr.state.id.us)

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

July 27, 2001

ROGER VAUGHN SPIKER  
SHARON MARIE SPIKER  
PO BOX 74  
OLA ID 83657

RE Change of Ownership for Water Rights 65-354, 65-3014/15, & 65-11348

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,

for Jeff Peppersack, Manager  
Water Right Permits Section

JP klt

Enclosures

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SEP 13 2001