

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

RECEIVED

APR 02 2004 *mm*

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, 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
15-4145					
~~15-4146~~	REMOVED				
	PER CAROLYN BARNES				

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts. **\$50-**
- 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) are 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)

Cleo, Delon + Ivan Schwartz

4. New Owner/Claimant(s)

Joseph D. & Carolyn L. Barnes
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

2165 W 1500N

City, State and ZIP Code

Malad Idaho 83252

New Telephone Number

(208) 766-2457

5. Date you acquired the property

Sept. 2003

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)

Joseph D. & Carolyn L. Barnes

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>jm</u>	Date <u>4/2/04</u>	Fee <u>\$50.00</u>
Received by <u>jm</u>	Date <u>4/2/04</u>	Receipt No. <u>0073314</u>
Processed by _____ AJ	Date _____	WR _____ Date _____

Warranty Deed

Correction Deed to replace Warranty Deed recorded as #135355 dated 12-10-2003

FOR VALUE RECEIVED, KEVIN DAVIS SCHWARTZ and CAROLYN SCHWARTZ BARNES, Personal Representatives of the Estate of IVAN WILLIAM SCHWARTZ, deceased, JULIE ESTEP, Personal Representative of the Estate of WILLIAM IVAN SCHWARTZ JR., deceased, CAROLYN SCHWARTZ BARNES, JaNAE SCHWARTZ WOOD; DeLON SCHWARTZ, KEVIN DAVIS SCHWARTZ; OLGA ANN SCHWARTZ WIMP; and RUTH JEAN SCHWARTZ, sole and only heirs at law of CLEO D. SCHWARTZ, deceased the GRANTORS, do hereby grant, bargain, sell, convey and confirm unto The JOSEPH D. & CAROLYN S. BARNES REVOCABLE LIVING TRUST", the GRANTEES, whose current address is 2165 West 1500 North, Malad, Idaho 83252, the following described premises, in Oneida County, Idaho, to wit:

A parcel of land located in Sections 17 and 18, Township 14 South, Range 36 East, Boise Meridian, Oneida County, Idaho and more particularly described as follows:

Commencing at the Northwest corner of said Section 17, from which the West quarter corner of Section 17 bears South 00° 01' 14" East 2619.68 feet; Thence South 03° 50' 21" East 1067.04 feet to a 5/8" rebar and cap labeled "Brian Allen, PLS 9163" set at an existing fence line, the True Point of Beginning.

Thence along existing fence lines the following eight (8) courses:

Thence South 65° 35' 28" East 338.56 feet to a 5/8" rebar and cap;

Thence South 42° 55' 20" East 21.28 feet to a 5/8" rebar and cap;

Thence South 07° 05' 33" East 307.99 feet to a 5/8" rebar and cap;

Thence South 11° 00' 59" West 140.46 feet to a 5/8" rebar and cap;

Thence South 34° 13' 45" West 106.17 feet to a 5/8" rebar and cap;

Thence South 23° 18' 09" West 34.82 feet to a 5/8" rebar and cap;

Thence North 58° 20' 21" West 54.58 feet to a 5/8" rebar and cap;

Thence South 40° 19' 53" West 444.19 feet to a 5/8" rebar and cap set

At the North Boundary of the parcel of land described in instrument number 99247, as recorded in the official records of Oneida County;

Thence North 61° 08' 29" West 142.70 feet along said North Boundary to a 5/8" rebar with cap set at the Northwest corner of said parcel;

Thence South 40° 51' 31" West 265.17 feet along the West boundary of said parcel to a 5/8" rebar and cap set on the Northerly right of way line of St. Johns Road (Project M.P. 731), a County Road;

Thence North 61° 12' 05" West 281.72 feet along said right of way line to a 5/8" rebar with cap;

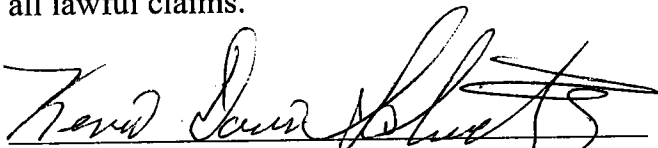
Thence North 31° 07' 39" East 1197.03 feet to the True Point of Beginning. Containing approximately 13.03 acres.

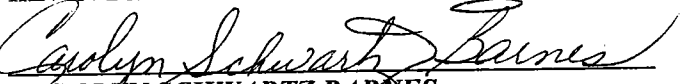
TOGETHER WITH three and three sixths (3 3/6) shares of Capitol Stock of the Malad Valley Irrigating Company.

TO HAVE and TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever, and the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that they are free from all incumbrances, and that they will warrant and defend the same from all lawful claims.

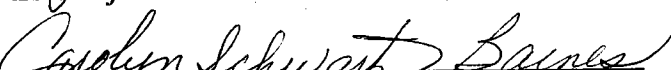
Dated: January 30, 2004

Microfilm No. **135826**
26 Day March 2004
At 3:20 P.M.
Cecilia L. Wright
Oneida Co. Recorder
Fee \$ 6.00
Recorded at Request of
Ruth Thomas


KEVIN DAVIS SCHWARTZ


CAROLYN SCHWARTZ BARNES
Personal Representatives of the Estate of Ivan William Schwartz, Deceased


JULIE ESTEP, Personal Representative of the Estate of William Ivan Schwartz Jr., Deceased


CAROLYN SCHWARTZ BARNES


JaNAE SCHWARTZ WOOD

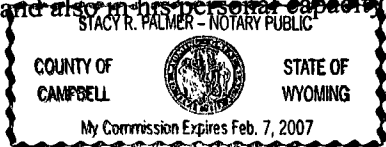
135826

DeLon Schwartz
DeLON SCHWARTZ
Kevin Davis Schwartz
KEVIN DAVIS SCHWARTZ
Olga Ann Schwartz Wimp
OLGA ANN SCHWARTZ WIMP
Ruth Jean Schwartz
RUTH JEAN SCHWARTZ

STATE OF WYOMING

COUNTY OF Campbell SS

On this 3rd day of February, 2004, before me, the undersigned Notary Public in and for said State, personally appeared **KEVIN DAVIS SCHWARTZ**, known to me to be a Co-Personal Representative of the Estate of **IVAN WILLIAM SCHWARTZ**, deceased, and acknowledged to me that he executed the same as such Personal Representative and also in his personal capacity.

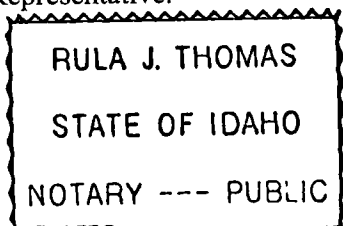


Stacy R Palmer
 Notary Public
 Residing at: 600 W. Boxelder Gillette
 My Commission expires: 02 07 2007

STATE OF IDAHO

COUNTY OF ONEIDA, SS

On this 3rd day of March, 2004, before me, the undersigned Notary Public in and for said State, personally appeared **CAROLYN SCHWARTZ BARNES**, known to me to be a Co-Personal Representative of the Estate of **IVAN WILLIAM SCHWARTZ**, deceased, and acknowledged to me that she executed the same as such Personal Representative.

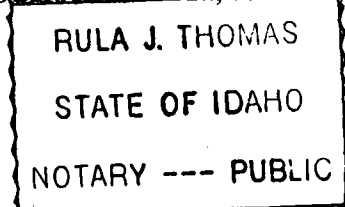


Rula J. Thomas
 Notary Public
 Residing at: Malad, Idaho
 My Commission expires: 11-08-2005

STATE OF IDAHO

COUNTY OF ONEIDA, SS

On this 22 day of March, 2004, before me, the undersigned Notary Public in and for said State, personally appeared **JULIE ESTEP**, known to me to be a Personal Representative of the Estate of **IVAN WILLIAM SCHWARTZ JR.**, deceased, and acknowledged to me that she executed the same as such Personal Representative.

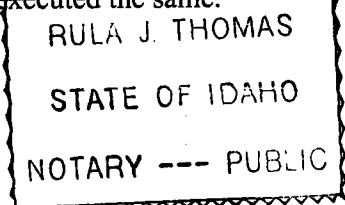


Rula J. Thomas
 Notary Public
 Residing at: Malad, Idaho
 My Commission expires: 11-08-2005

STATE OF IDAHO

COUNTY OF ONEIDA, SS

On this 3rd day of March, 2004, before me, the undersigned Notary Public in and for said State, personally appeared **CAROLYN SCHWARTZ BARNES**, **DeLON SCHWARTZ**, and **RUTH JEAN SCHWARTZ**, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

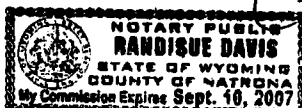


Rula J. Thomas
 Notary Public
 Residing at: Malad, Idaho
 My Commission expires: 11-08-2005

STATE OF WYOMING

COUNTY OF Natrona SS

On this 17th day of February, 2004, before me, the undersigned Notary Public in and for said State, personally appeared **JaNAE SCHWARTZ WOOD** and **OLGA ANN SCHWARTZ WIMP**, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.



Randisue Davis
 Notary Public
 Residing at: 3430 Brookview Dr., Casper, WY
 My Commission expires: 9-10-07

135826

095247

State of Idaho, County of Oneida: ss.

I hereby certify that this instrument was filed for record at
 request of James H. Heidendyke, at 37 minutes past 9
 o'clock A.M. this 11 day of March A.D., 1976 in my office
 and duly recorded on Film as Inst. No. 99247

WARRANTY DEED

Fee 2.00
 \$

Ex-Officio Recorder

By For Value Received, Ivan Schwartz and Cleo D. Schwartz,
Deputy

husband and wife, of Malad City, Idaho, and Robert F. Jones
 and Dwen A. Jones, husband and wife, of Malad City, Idaho, the
 Grantors, do hereby grant, bargain, sell and convey unto
 Joseph D. Barnes and Carolyn S. Barnes, husband and wife, of
 Malad, Idaho, the Grantees, the following described premises,
 to-wit:

Catherine @ Oneida
 Assessor's verified
 Ownership in T14S
 R36E S18 SE 1/4 NE 1/4
 -KM
 223.05

Commence at the Northwest Corner of Section 17,
 Township 14 South, Range 36 East Boise Meridian;
 thence running East 908 feet; thence South 21°10'
 West 642 feet, thence South 16°12' West 665 feet;
 thence South 22°00' West 632 feet; thence South
 41°00' West 738.8 feet to the North side of the
 county road and the true point of beginning;
 thence running northwesterly along the North side
 of said county road 163 feet; thence North 41°00'
 East 265 feet; thence Southeast approximately
 parallel to said county road 167 feet, more or
 less, to point 265 feet North 41°00' East of the
 point of beginning; thence South 41°00' West 265
 feet to the true point of beginning.

TO HAVE AND TO HOLD the said premises, with their appur-
 tenances unto the said Grantees, their heirs and assigns forever.
 And the said Grantors do hereby covenant to and with the said
 Grantees, that they are the owners in fee simple of said
 premises; that said premises are free from all incumbrances, and
 that they will warrant and defend the same from all lawful claims
 whatsoever.

DATED: March 20, 1976.

Robert F. Jones
Dwen A. Jones
Ivan Schwartz
Cleo D. Schwartz

STATE OF IDAHO,
 County of Oneida, ss

On this 20th day of March, 1976, before me, Laura E. Crowther,
 a notary public, personally appeared Ivan Schwartz and Cleo D.
 Schwartz, and Robert F. Jones and Dwen A. Jones, known to me to

be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Laura E. Crowther

Notary Public

Residing at: Malad, Idaho

My Commission Expires: 6-15-79

