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AUG 26 2003

Department of Water Resources

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

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
<u>81-07070</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) John M. or Milly Sue Smith
HC 75 Box 104 Kooskia ID 83539
4. New Owner/Claimant(s) MARVIN R OR DEBORAH K WAPLES
 Name Connector (Check one): ☐ and ☐ or ☐ and/or
- New Mailing Address 212 RAINBOW DRIVE #11276
- City, State and ZIP Code LIVINGSTON, TX 77399
- New Telephone Number 208 870-3770
5. Date you acquired the property 13 AUGUST 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) Mark R L/H
(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 <u>Mark</u>	Date <u>8-26-03</u>	Fee <u>\$25.00</u>
Receipted by <u>Mark</u>	Date <u>8-26-03</u>	Receipt No. <u>2070626</u>
Processed by _____ AJ	Date _____	WR _____ Date _____

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Department of Water Resources
WARRANTY DEED

COPY

Computer
INDEXED
SCANNED

0430748

THIS INDENTURE, made on this 13th day of August, 2003, by and between THERRAL E. JACKSON, a single man, of Rt. 2 Box 528, Kamiah, ID 83536, hereinafter referred to as the Grantor, and MARVIN R. WAPLES and DEBORAH K. WAPLES, husband and wife, of 212 Rainbow Dr. #11276, Livingston, TX 77399, hereinafter referred to as the Grantees.

WITNESSETH:

That the said Grantor, for and in consideration of the sum of Ten Dollars (\$10.00), lawful money of the United States of America, and other good and valuable considerations to her in hand paid by the said Grantees, the receipt whereof is hereby acknowledged, having granted, bargained, sold, and by these presents does grant, bargain, sell, convey, and confirm unto the said Grantees, their heirs and assigns, forever all the following described real property situate in the County of Idaho, State of Idaho, to wit:

See Schedule C, attached hereto and hereby incorporated by this reference. TOGETHER WITH those rights that benefit the property that were acquired under a Mutual Water Line Easement dated the 16th day of August, 1982 and recorded on the 18th day of August, 1982 as Idaho County Instrument #299274, and together with any water rights benefiting the property.

TOGETHER WITH, all and singular, the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, the remainder and remainders, rents, issues and profits thereof, and all estate, right, title, and interest in and to the said property as well in law as in equity of the said Grantor.

TO HAVE AND TO HOLD, all and singular, the above mentioned and described premises, together with the appurtenances unto the said Grantees, their heirs and assigns, forever.

And the said Grantor, for himself, his heirs, executors, and administrators, does covenant, grant, bargain, and agree to and with the said Grantees, their heirs and assigns, that at the time of the ensealing and delivery of these presents he was well seized of the premises above conveyed as of good, sure, perfect, absolute, and indefeasible estate of inheritance, in fee simple, and have good right, full power and lawful authority to grant,

bargain, sell, and convey the same in the manner and form aforesaid, and that the same are free and clear from all and former grants, bargains, liens, taxes, assessments, and encumbrances of whatever kind or nature whatsoever, *EXCEPT*:

- 1) General taxes for the year 2003, which are a lien, not yet due and payable.
- 2) Subject to conditions and reservations in Patent, by and between United States of America and Emmett E. Rynearson and June O. Rynearson, recorded February 25, 1964 under Instrument #214778, Book 100 page 387, records of Idaho County, Idaho.
- 3) Subject to conditions and reservations in Warranty Deed, by and between Emmet E. Rynearson and June O. Rynearson, husband and wife, and J. W. Morrison and Mildred E. Morrison, husband and wife, recorded August 5, 1966 under Instrument #224127, Book 105 page 230, records of Idaho County, Idaho.
- 4) Subject to Easement, including the terms and conditions thereof, by and between John Smith and Sue Smith, husband and wife, and Idaho County Light & Power Cooperative Association, Inc., a corporation, recorded July 1, 1983 under Instrument #305689, records of Idaho County, Idaho.

Therral E. Jackson
Deborah K. Waples
Maria R. H. H.
~~Subject to that Mutual Water Line Easement dated the 16th day of August, 1982 and recorded on the 18th day of August, 1982 as Idaho County Instrument #299274, including the terms and conditions thereof, which easement was between James W. Morrison and Midge Morrison, Edwin Utz and Joyce Utz, Harvey Thompson and Dora Thompson, J. Loyd Puryear and Velma Puryear, Syringa Land and Timber Company, Inc., Howard Daugherty and Virginia Daugherty, John H. Kreisman and Naomi K. Kreisman, Barney H. Benton and Esther B. Benton, and William Douglas Benton and Patricia M. Benton.~~

And that the above bargained premises, in the quiet and peaceable possession of the said Grantees, their heirs and assigns, against all and every person or persons lawfully claiming or to claim whole or any part thereof, the said Grantor will and shall WARRANT AND FOREVER DEFEND.

That this Deed is given by Grantor to Grantees not on account of any default in any security agreements or arrangements which pertain to the real property hereinabove written and described, but is given for full consideration paid by Grantees to Grantor.

IN WITNESS WHEREOF, the said Grantor has hereunto set his hand and seal the day and year first above written.

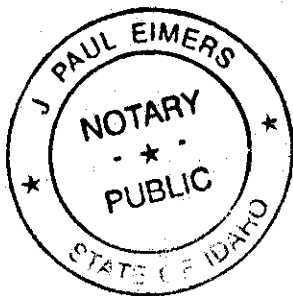
Therral E. Jackson
THERRAL E. JACKSON

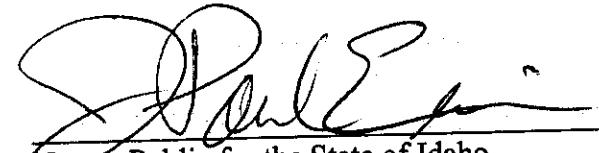
STATE OF IDAHO)
 ss
County of Idaho)

On this 13th day of August, 2003, before me, a Notary Public in and for said County and State, personally appeared THERRAL E. JACKSON, a single man, known to me to be the person whose name is subscribed to the within instrument and he acknowledged to me that he freely executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

(NOTARY SEAL)




Notary Public for the State of Idaho,
Residing at Grangeville, therein.
My commission expires 8-24-2005.

SCHEDULE C

PARCEL I:

Township 33 North, Range 6 East, Boise Meridian, Idaho County, Idaho
 Section 32: That part of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, described as follows:

Commencing at a point 208.0 feet North of the Southeast corner of said SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 32, said point being the Point of Beginning;
 thence West, 209.43 feet to a point;
 thence North, 45.5 feet to a point;
 thence N 70°33' W, 153.5 feet to the East line of the Big Smith Creek Road #820;
 thence N 33°16' E, along the East line of said road 153.5 feet to a point;
 thence S 48°41' E, 100.0 feet to a point;
 thence N 41°19' E, 75.00 feet to a point;
 thence N 48°41' W, 100.0 feet to a point;
 thence N 41°19' E, 8.3 feet to a point on the North line of the S $\frac{1}{4}$ N $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 32;
 thence East along the North line of said S $\frac{1}{4}$ N $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 32, 214.7 feet to a point on the East line of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 32;
 thence South along said East line 287.0 feet to the Point of Beginning.

PARCEL II:

Township 33 North, Range 6 East, Boise Meridian, Idaho County, Idaho
 Section 32: That part of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, described as follows:

Commencing at the Southeast corner of said SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 32;
 thence N 60°42' W, 240.2 feet to the Point of Beginning;
 thence N 68°21' W, 229.6 feet to a point on the East line of the Big Smith Creek Road #820;
 thence N 33°42' E, along the east line of said road 123.9 feet to a point;
 thence S 70°33' E, 153.5 feet to a point;
 thence South 136.0 feet to the Point of Beginning.

STATE of IDAHO	
County of Idaho	
Recorded at request of TITLE CO.	
IDAHO COUNTY TITLE CO.	
at 4:00 P.M.	on 8-13-05
ROSE E. GEHRING	
By B. H. G. Brn	Recorder
Fees \$ 12.00	Deputy

m/pu

SCHEDULE C

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PARCEL I:

Department of Water Resources

Township 33 North, Range 6 East, Boise Meridian, Idaho County, Idaho
 Section 32: That part of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, described as follows:

Commencing at a point 208.0 feet North of the Southeast corner of said SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 32, said point being the Point of Beginning;
 thence West, 209.43 feet to a point;
 thence North, 45.5 feet to a point;
 thence N 70°33' W, 153.5 feet to the East line of the Big Smith Creek Road #820;
 thence N 33°16' E, along the East line of said road 153.5 feet to a point;
 thence S 48°41' E, 100.0 feet to a point;
 thence N 41°19' E, 75.00 feet to a point;
 thence N 48°41' W, 100.0 feet to a point;
 thence N 41°19' E, 8.3 feet to a point on the North line of the S $\frac{1}{4}$ N $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 32;
 thence East along the North line of said S $\frac{1}{4}$ N $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 32, 214.7 feet to a point on the East line of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 32;
 thence South along said East line 287.0 feet to the Point of Beginning.

PARCEL II:

Township 33 North, Range 6 East, Boise Meridian, Idaho County, Idaho
 Section 32: That part of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, described as follows:

Commencing at the Southeast corner of said SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 32;
 thence N 60°42' W, 240.2 feet to the Point of Beginning;
 thence N 68°21' W, 229.6 feet to a point on the East line of the Big Smith Creek Road #820;
 thence N 33°42' E, along the east line of said road 123.9 feet to a point;
 thence S 70°33' E, 153.5 feet to a point;
 thence South 136.0 feet to the Point of Beginning.

STATE of IDAHO	
County of Idaho	
Recorded at request of	
IDAHO COUNTY TITLE CO.	
at	4:00 p m on 8-13-03
ROSE E. GEHRING	
By	Bella G. O'Brien Recorder
Fees \$	12.50 Deputy

m/pu

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Department of Water Resources

THIS PLAT IS MADE SOLELY FOR THE PURPOSE
OF ASSISTING IN LOCATING THE LAND AND THE
COMPANY ASSUMES NO LIABILITY FOR VARI-
ATIONS, IF ANY, WITH AN ACTUAL SURVEY.

