



STATE OF IDAHO  
IDAHO DEPARTMENT OF WATER RESOURCES

RECEIVED

JUL 14 1997

**NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP**

Department of Water Resources

Please print or type. Attach pages with additional information. Instructions are on the back of this page.  
Incomplete forms will be returned.

1. Water Right No(s).: 36-11607  
 Adjudication Claim No(s).: \_\_\_\_\_
  
2. The following REQUIRED information must be submitted with this form:
  - ✓ A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.  
AND
  - \* B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)  
OR
  - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
  
3. Name and Address of Former Owner/Claimant  
Leonard Weir  
Lucien Falls, ID
  
4. New Owner/Claimant(s)  
HAROLD G. and JUDY L. CHOATE  
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or  
 New Mailing Address  
1405 A ST.  
 City, State and ZIP Code  
RUPEL, IDAHO 83350  
 New Telephone Number  
(208) 436-9146
  
5. Date you acquired the property  
12-27-1990
  
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.  
 Number of acres you irrigate X Number and type of stock \_\_\_\_\_  
 Diversion rate in CFS \_\_\_\_\_ Number of homes \_\_\_\_\_ Other uses \_\_\_\_\_
  

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

  
7. Signature of New Owner or Claimant(s)  
Harold G. Choate  
Judy L. Choate  
 (Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)
  
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

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MAY 22 2000

## INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights. Required claims may be filed by a new owner.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office, or call 1-800-451-4129, if you would like more information or need help completing this form. Please attach additional sheets to the form if you require additional space to describe or explain any of the items on the form.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at **Item 1**. If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
2. The information described at **Item 2** is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner of the water right and/or adjudication claim at **Item 3**.
4. The name, mailing address, and telephone number of the new owner(s) is entered at **Item 4**. Please indicate the relationship between multiple owners by using the connector 'and', 'or', or 'and/or'. If an 'and' is used, all parties must sign this form. If an 'and/or' or 'or' is used, all parties may sign. However, only one of the named parties is required to sign.
5. At **Item 5**, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. You may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at **Item 6**.

Please provide as much detail as possible concerning your water right: include the number of homes, irrigated acreage if more than 1/2 acre is irrigated, type and number of stock if your right is for stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

7. The new owner(s) must sign the form in the space(s) provided at **Item 7**. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

IDWR Western Region, 2735 Airport Way, Boise, ID 83705-5082 (208) 334-2190

— IDWR Southern Region, 1341 Fillmore St. N., Twin Falls, ID 83301-3380 (208) 736-3033

IDWR Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, ID 83814-2615 (208) 769-1450

IDWR Eastern Region, 900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 (208) 525-7161

395171 20-9-24 395487

Crue: No. 1514

### ASSIGNMENT OF DEED OF TRUST

FIRST INTERSTATE BANK OF IDAHO, N.A.

the beneficiary under the Deed of Trust executed by Harold G. Choate and Judy L. Choate  
 husband and wife as Trustee

To: ~~First Interstate Bank of Idaho, N.A.~~ Land Title and Escrow, Inc.  
 recorded December 27, 1990 in Volume at page Instrument No. 394862

of the Record of Mortgages for Minidoka County, Idaho, given to secure the  
 payment of promissory note for the sum of \$458,000.00\* and interest, has ENDORSED said note  
 and does hereby ASSIGN AND TRANSFER to FIRST INTERSTATE MORTGAGE COMPANY  
 all right, title and interest in said note and all rights accrued or to accrue under said Deed of Trust.

Dated: January 4, 1991

FIRST INTERSTATE BANK OF IDAHO, N.A.  
 BY: G. Marie Cooper  
 G. Marie Cooper  
 Vice President/Manager

INSTRUMENT No.

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>STATE OF IDAHO, )<br/>         County of Ada ) ss.<br/>         On this 4th day of January, 19 91,<br/>         before me, a Notary public in and for said State, personally<br/>         appeared G. Marie Cooper, known to me to<br/>         be the Vice President/Manager of the corporation that executed<br/>         this instrument on behalf of said corporation, and acknowl-<br/>         edged to me that such corporation executed the same.<br/>         IN WITNESS WHEREOF, I have hereunto set my hand<br/>         and affixed my official seal, the day and year in this certifi-<br/>         cate first above written.</p> <p style="text-align: right;"><u>G. Marie Cooper</u><br/>         Notary Public for the State of Idaho,<br/>         Expiring at 60198, 12-31-96<br/>         My Comm. Expires 10-5-96</p> | <p>STATE OF IDAHO, COUNTY OF<br/>         I hereby Certify that this instrument was filed for record at<br/>         the request of<br/>         at minutes past o'clock M.,<br/>         this day of<br/>         19 , in my office and duly recorded in Book<br/>         of Assignments at page</p> <p style="text-align: right;">Ex-Officio Recorder.<br/>         By _____<br/>         Deputy.</p> <p>Form 1<br/>         Mail to:</p> |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

395487

RECORDING REQUEST  
Land Title-Request

JAN 8 2 43 PM '91

MINIDOKA COUNTY, IDAHO  
CLERK, CLERK  
FEE \$3.00

RECORDED

RECORDED  
INDEXED

395171

RECORDING REQUEST  
Land Title-Request

JAN 18 12 18 PM '91

FEE \$3.00

RECORDED

MAY 22 2000

394862

AFTER RECORDING, RETURN TO:  
FIRST INTERSTATE BANK OF IDAHO, N.A.  
P.O. BOX 57  
BOISE, IDAHO 83757-0057

LOAN # 90281

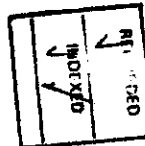
(Space Above This Line For Recording Date)

#154

## DEED OF TRUST

THIS DEED OF TRUST ("Security Instrument") is made on DECEMBER 26  
1990. The grantor is HAROLD G. CHATE AND JILL L. CHATE, HUSBAND AND WIFE ("Borrower"). The trustee is  
LAND TITLE AND ESCROW, INC. ("Trustee"). The beneficiary is  
under the laws of THE UNITED STATES OF AMERICA, and whose address is 83757-0057 ("Lender").  
Borrower owes Lender the principal sum of SEVENTY-THOUSAND AND NO/100 Dollars (\$70,000.00). This debt is evidenced by Borrower's note  
dated the same date as this Security Instrument ("Note"), which provides for monthly payments, with the full debt, if not  
paid earlier, due and payable on JANUARY 1, 2021. This Security Instrument  
secures to Lender: (a) the repayment of the debt evidenced by the Note, with interest, and all renewals, extensions and  
modifications; (b) the payment of all other sums, with interest, advanced under paragraph 7 to protect the security of this  
Security Instrument; and (c) the performance of Borrower's covenants and agreements under this Security Instrument and  
the Note. For this purpose, Borrower irrevocably grants and conveys to Trustee, in trust, with power of sale, the following  
described property located in MINIDOKA County, Idaho:

TOWNSHIP 9 SOUTH, RANGE 24 EAST, BOISE MERIDIAN, MINIDOKA COUNTY, IDAHO  
SECTION 20: THAT PART OF THE S.E. 1/4 S.E. 1/4, MORE PARTICULARLY  
DESCRIBED AS FOLLOWS:  
BEGINNING AT THE NORTHEAST CORNER OF SAID S.E. 1/4 S.E. 1/4; THENCE  
SOUTH ALONG THE EAST SECTION LINE OF SAID SECTION 20 FOR 10 RODS TO  
A POINT, WHICH POINT SHALL BE KNOWN AS THE TRUE POINT OF BEGINNING;  
THENCE WEST FOR 60 RODS;  
THENCE SOUTH FOR 8 RODS;  
THENCE EAST FOR 40 RODS TO A POINT ON THE EAST SECTION LINE OF  
SAID SECTION 20;  
THENCE NORTH ALONG SAID EAST SECTION LINE FOR 8 RODS TO THE TRUE  
POINT OF BEGINNING.



DEC 27 9 45 PM '90  
MIN. CLERK  
JILL L. CHATE

RECORDED AT REQUEST OF  
Land Title Report  
DEC 27 9 45 PM '90

394862

which has the address of 1405 A STREET  
Idaho 83757-0057 ("Property Address").

TOGETHER WITH all the improvements now or hereafter erected on the property, and all easements, rights, appurtenances, rents, royalties, mineral, oil and gas rights and profits, water rights and stock and all fixtures now or hereafter a part of the property. All replacements and additions shall also be covered by this Security Instrument. All of the foregoing is referred to in this Security Instrument as the "Property."

BORROWER COVENANTS that Borrower is lawfully seized of the estate hereby conveyed and has the right to grant and convey the Property and that the Property is unencumbered, except for encumbrances of record. Borrower warrants and will defend generally the title to the Property against all claims and demands, subject to any encumbrances of record.

THIS SECURITY INSTRUMENT combines uniform covenants for national use and non-uniform covenants with limited variations by addition to constitute a uniform security instrument covering real property.

ID. HO—Single Family—FIDM/FIDMC UNIFORM INSTRUMENT  
IS/CINOTON/2000013 (1200)

Page 1 of 4

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Form 3013 12/83

MAY 22 2000



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 36-11607

1996 NOV 22 AM 9:35

DISTRICT COURT - SRBA  
TWIN FALLS CO., IDAHO

FILED \_\_\_\_\_

NAME & ADDRESS: LEONARD A WINKLE  
1405 A ST  
RUPERT ID 83350

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 03/20/1963

POINT OF DIVERSION: T09S R24E S20 SENESE Within MINIDOKA County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE     | QUANTITY |
|-------------------------------|----------------|-------------------|----------|
| DOMESTIC 1 HOME               |                | 01-01 12-31       | 0.04 CFS |
| STOCKWATER                    |                | Irrigation Season | 0.02 CFS |

PLACE OF USE: DOMESTIC Within MINIDOKA County  
T09S R24E S20 NESE

STOCKWATER Within MINIDOKA County  
T09S R24E S20 NESE

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.

DATED: NOV 22 1996



DANIEL C. HURLBUTT  
PRESIDING JUDGE  
Snake River Basin Adjudication

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MAY 22 1997

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MAY 22 2006

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.

DATED: NOV 22 1996

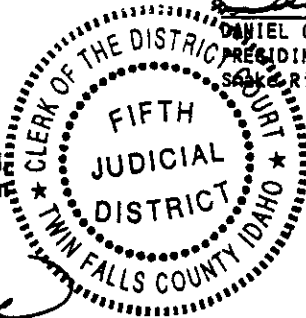
*Daniel C. Hurlbutt*

DANIEL C. HURLBUTT  
PRESIDING JUDGE  
Snake River Basin Adjudication

State of Idaho  
County of Twin Falls ss.  
I hereby certify the foregoing to be a full  
true and correct copy of the original on  
file in the above entitled action.

ROBERT S. FORT  
CLERK OF THE DISTRICT COURT

By *Robert S. Fort*  
DEPUTY CLERK



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MAY 22 1997

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MAY 22 2000



**State of Idaho**

**DEPARTMENT OF WATER RESOURCES**

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098  
Phone: (208) 327-7900 FAX: (208) 327-7866

July 6, 1999

DIRK KEMPTHORNE  
GOVERNOR

KARL J. DREHER  
DIRECTOR

HAROLD G CHOATE  
JUDY L CHOATE  
1405 A ST  
RUPERT ID 83350

RE: Decreed Water Right 36-11607

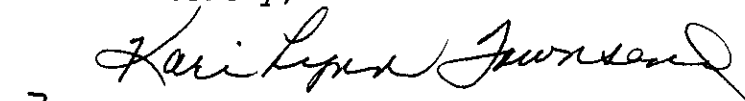
Dear Mr. & Mrs. Choate:

The department acknowledges receipt of correspondence changing ownership of the above referenced decreed water right to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report 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 the department if you have questions.

Sincerely,

  
L. GLEN SAXTON, Chief  
Water Allocations Bureau

LGS:klt

Enclosure

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MAY 22 2000