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Form 42-246/0-1-000(6) February 3, 1997

RECEIVED

STATE OF IDAHO  
IDAHO DEPARTMENT OF WATER RESOURCES

MAR 14 2000

## 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): 36-11238  
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 Ernest Asson and Mary Asson  
Rt. 5, 200 N 255 W, Rupert, ID 83350
4. New Owner/Claimant(s) D. Lind Garner and Karla R. Garner, husband and wife  
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or  
New Mailing Address 200 N 250 W  
City, State and ZIP Code Rupert, ID 83350  
New Telephone Number (208) 436-4085
5. Date you acquired the property March 1, 2000
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 \_\_\_\_\_ 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)

D. Lind Garner  
Karla R. Garner

(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..

MICROFILMED

MAR 20 2000

446634

DEED OF PERSONAL REPRESENTATIVE

HA  
THIS DEED made the 29th day of February, 2000, by DAVID ASSON, Personal Representative of the Estate of Mary Criston Asson, deceased, herein called the First Party, Grantor, and D. LIND GARNER and KARLA ~~X~~. GARNER, husband and wife, herein called the Second Party, Grantee, whose present address is 255 West 200 North, Rupert, ID 83350,

WITNESSETH:

That the First Party, by virtue of the power and authority to him given and vested and by reason thereof and for value received, has granted, conveyed and confirmed, and by these presents does grant, remise, convey and confirm, unto the Second Party, Grantee and their heirs forever, all of the following described real property located in Minidoka County, Idaho, to-wit:

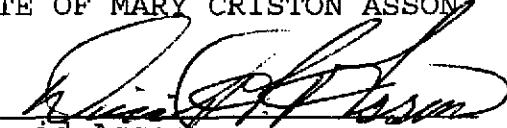
East Half of the Southwest Quarter (E $\frac{1}{2}$ SW $\frac{1}{4}$ )  
of Section 12, Township 9 South, Range 23  
East Boise Meridian, Minidoka County, Idaho.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging, or in anywise appertaining; and the reversion, remainder and remainders, rents, issues and profits thereof, and also all the estate, right, title and interest, property, possession, claim and demand whatsoever, which the said Mary Criston Asson, decedent, had in her lifetime, and at the time of her decease, and which the First Party has, by virtue of his appointment as Personal Representative of the Estate of Mary Criston Asson, deceased, in and to the above-described premises, with appurtenances.

TO HAVE AND TO HOLD all and singular the above-granted premises, together with appurtenances, and every part thereof, unto the Second Party, their heirs and assigns forever.

IN WITNESS WHEREOF the First Party has hereunto set my hand the day and year first above written.

ESTATE OF MARY CRISTON ASSON

By:   
David Asson  
Personal Representative

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MAR 20 2000

STATE OF IDAHO )

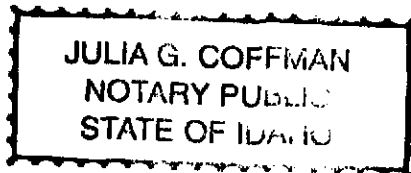
) ss.

County of Minidoka )

On the 3<sup>rd</sup> day of March, 2000, before me the undersigned Notary Public in and for said State, personally appeared David Asson, Personal Representative of the Estate of Mary Criston Asson, deceased, known to me to be the person whose name is subscribed to the within and foregoing 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 first above written.

(SEAL)



Julia G. Coffman  
Notary Public  
Residing at Rupert, Idaho  
My Commission Expires: 6-20-02

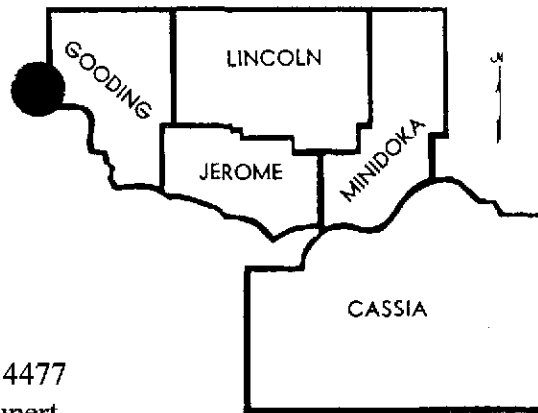
446634  
RECORDED AT REQUEST OF  
Land Title-Rupert  
FILM NO. \_\_\_\_\_  
00 MAR 3 11 58  
MINIDOKA COUNTY, IDAHO  
DUANE SMITH, RECORDER  
FEE 6 DEPUTY Jul

MICROFILMED

MAR 28 2000

# Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



REFER TO #14477

OFFICE: Rupert

RECEIVED

MAR 06 2000

Department of Water Resources  
Southern Park

STATE OF IDAHO  
IDAHO DEPARTMENT OF  
WATER RESOURCES  
1341 FILMORE, SUITE #200  
TWIN FALLS, ID. 83301-3380

RE: #14477 D. LIND GARNER/ESTATE OF MARY ASSON

Filing Department:

Please find enclosed the Notice of Change of Water Right Ownership in reference to the above referred to order on Water Right No. 36-11238.

Should you have any questions concerning this letter please don't hesitate to contact this office.

Very truly yours,  
LAND TITLE AND ESCROW, INC.

A handwritten signature in cursive script that reads "Julia B. Coffman".

Julia Coffman  
Escrow Officer

enclosure

BOX 177, BURLEY, IDAHO 83318  
PHONE 678-3524 - FAX 678-4435

BOX 349, JEROME, IDAHO 83338  
PHONE 324-3357 - FAX 324-6961

BOX 473, GOODING, IDAHO 83330  
PHONE 934-8477 - FAX 934-5890

BOX 111, RUPERT, IDAHO 83350  
PHONE 436-0606 - FAX 436-1199

RECORDED

MAR 20 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 36-11238

1996 NOV 26 AM 11:23  
DISTRICT COURT - SRBA  
TWIN FALLS CO., IDAHO

FILED \_\_\_\_\_

NAME & ADDRESS: ERNEST ASSON  
MARY ASSON  
RT 5  
200 N 253 W  
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: 12/31/1915

POINT OF DIVERSION: T09S R23E S12 SWSSEW 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 |

PLACE OF USE: DOMESTIC Within MINIDOKA County  
T09S R23E S12 SESW

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 6 1996

  
DANIEL C. HURLBUTT  
PRESIDING JUDGE  
Snake River Basin Adjudication

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.

State of Idaho

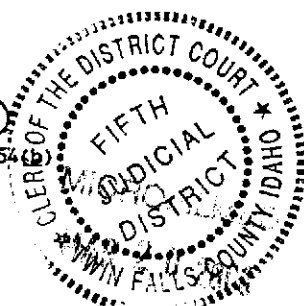
County of Twin Falls ss.

I hereby certify the foregoing to be a full,  
true and correct copy of the original on  
file in the above entitled action.

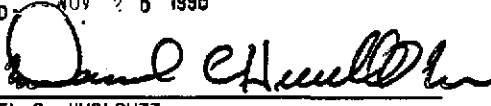
ROBERT S. FORT

CLERK OF THE DISTRICT COURT

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)  
Water Right 36-11238



DATED: NOV 26 1996

  
DANIEL C. HURLBUTT  
PRESIDING JUDGE  
Snake River Basin Adjudication



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

DIRK KEMPTHORNE  
GOVERNOR

KARL J. DREHER  
DIRECTOR

March 17, 2000

D LIND GARNER  
KARLA GARNER  
200 N 250 W  
RUPERT ID 83350

RE: Change of Ownership for Decreed Water Right 36-11238

Dear Mr. & Mrs. Garner:

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,

*Jeff Peppersack*  
for Jeff Peppersack, Manager  
Water Right Permits Section

JP:klt

Enclosure

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MAR 20 2000