

BASIS OF BEARING = GPS ORIENTATION TO NORTH

CERTIFICATE OF SURVEY

I, Steven C. Pearson, a Registered Professional Land Surveyor, Idaho License No. 3623, do hereby certify that this Record of Survey has been prepared from a survey made on the ground under my supervision and that this map is an accurate representation of said survey.

NOTE

- C - SET IRON PIN (1/2" x 24" rebar) w/ L.S. no. attached.
 - - NO CORNER SET.
- OTHER SURVEY CONTROL FOUND OR SET AS NOTED.

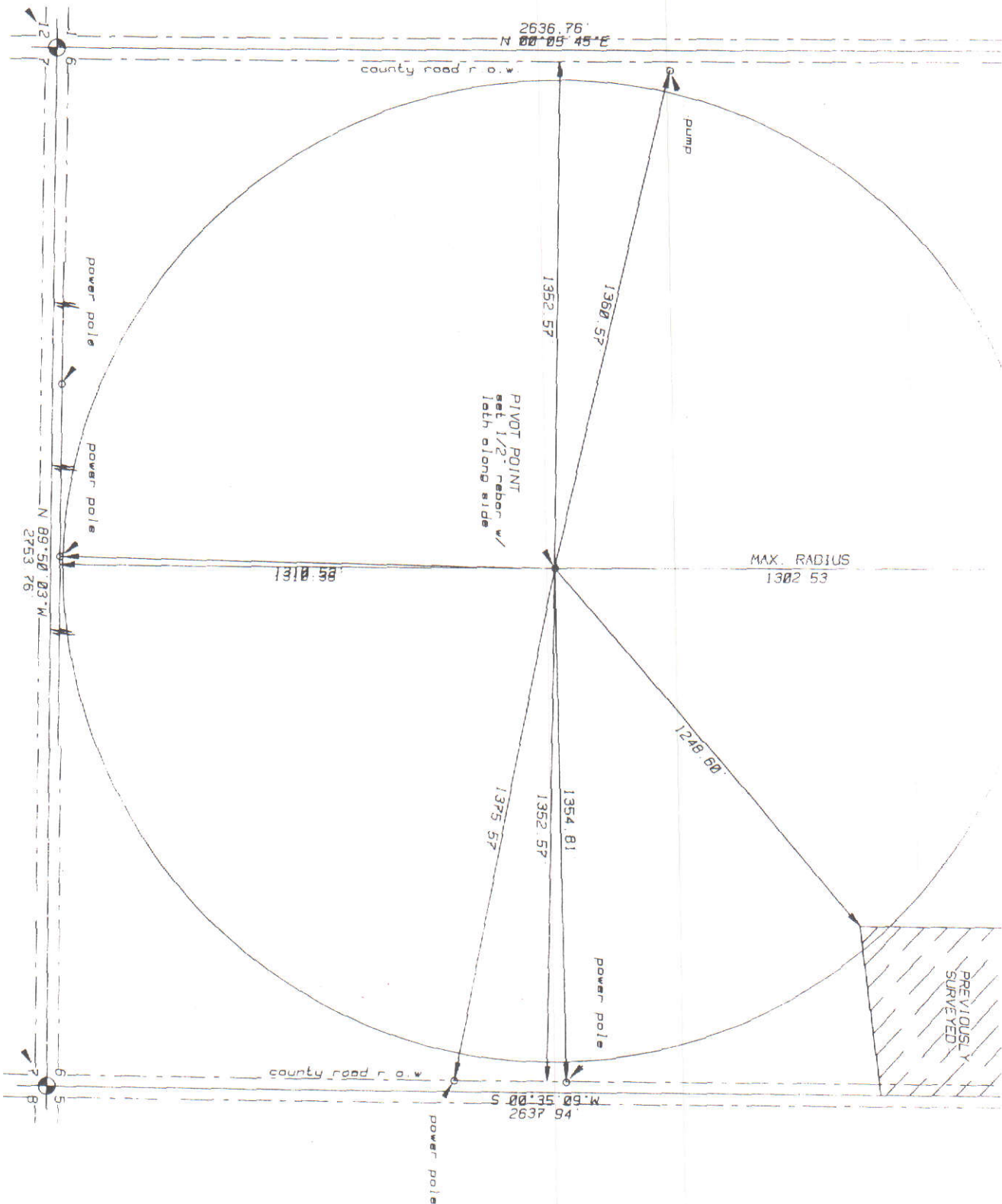
SECTION 6

T.8 S. R.23 E. B.M.
MINIDOKA COUNTY, IDAHO

MICROFILMED
FEB 10 2004

PREVIOUS RECORD OF SURVEY

PROPERTY SURVEY FOR MIKE BALL
LS 7922
REC 27 AUG 1999, INST NO. 443563
PROPERTY SURVEY FOR STEVE YOUNG - DESERT VIEW FARMS, SEC. 1 OF T.8 S. R.22 E. B.M.
DMLS # 5476-0062
REC 15 MAY 2000, INST NO 447827



SOUTHWEST CORNER
SECTION 6
fnd 5/8" rebar
c.p. rec. 2 MAY 2000
inst. no. 447661

SOUTHEAST CORNER
SECTION 6
fnd U.S.B.R. iron pipe
w/ brass cap
c.p. rec. 5 NOV 2001
inst. no. 455463

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.

RECEIVED
JAN 27 2004
Department of Water Resources
Southern Region

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
36-02396					

RECEIVED
JAN 27 2004
Department of Water Resources
Southern Region

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) Bonnie Ingram
500 Cedar
Burley, ID 83318
4. New Owner/Claimant(s) Colin L. Hayes and Sue E. Hayes
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 860 North 750 West
- City, State and ZIP Code Paul, ID 83347
- New Telephone Number (208) 532-4397
- Date you acquired the property October 21, 2003

MICROFILMED
FEB 10 2004

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)

Colin L. Hayes
Colin L. Hayes

Sue E. Hayes
Sue E. Hayes

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 <i>[Signature]</i>	Date <i>1/28/04</i>	Fee <i>\$25.00</i>
Received by <i>[Signature]</i>	Date <i>2-5-04</i>	Receipt No. <i>C 072575</i>
Processed by _____	AJ Date _____	WR _____ Date _____

Microfilm
Feb 10 2004

WARRANTY DEED

#37691MC

468942

For Value Received

Bonnie Jean Ingram, also known as Bonnie Ingram

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

Colin L. Hayes and Sue E. Hayes, husband and wife

**Address: 860 North 750 West
Paul, Idaho 83347**

Hereinafter called the Grantee, the following described premises situated in Minidoka County, Idaho, to-wit:

**TOWNSHIP 8 SOUTH, RANGE 23 EAST OF THE BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO**

Section 6: Lots 4 and 5 and E $\frac{1}{2}$ SE $\frac{1}{4}$

SAVE AND EXCEPT the following described property:

Beginning at the East quarter corner of said Section 6,
Thence South 88°22'30" West for 446.10 feet;
Thence South 0°36'30" West for 470.60 feet;
Thence North 82°24'30" East for 450.30 feet to a point on the East section
line of said Section 6;
Thence North 0°36'30" East along said East section line for 423.75 feet
to the Point of Beginning

**TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto
including but not limited to State of Idaho Water Adjudication No. A36-02679.**

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Taxes for 2003 and subsequent years.

Assessments levied, or to be levied, by Magic Valley Ground Water District.

MADE
SEP 10 2004

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: October 21, 2003

Bonnie Jean Ingram
Bonnie Jean Ingram

STATE OF IDAHO)
) ss.
COUNTY OF Cassia)

On this 21st day of October, 2003, before me, the undersigned, a Notary Public in and for said State, personally appeared **Bonnie Jean Ingram**, 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.

Larry Roberts
Notary Public
State of Idaho

Larry Roberts
Notary Public
Residing at: Butley, ID
My Commission expires: 6-30-09

Instrument # 468942

MINIDOKA COUNTY, RUPERT, IDAHO
2003-10-21 01:03:42 No. of Pages: 2
Recorded for: BURLEY LAND TITLE
DUANE SMITH Fee: 6.00
Ex-Officio Recorder Deputy

CERTIFICATE OF SURVEY

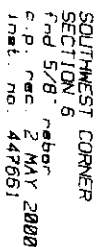
NOTE

SECTION 6

MINIDOKA COUNTY. IDAHO

PROPERTY SURVEY FOR MIKE BALL
10-2022

REC 15 MAY 2000. INST NO 447827



SOUTHEAST CORNER
SECTION 6
fnd U.S.B.R. iron pipes
w/ brass cap
c.p. rec. 5 NOV. 2001
inst no 455463

Important Information About Your Water Right

August 27, 2001

BONNIE INGRAM
500 CEDAR
BURLEY, ID 83318

Dear Water Right Claimant(s):

The reverse side of this letter contains a copy of an ***Order Amending Irrigation Period of Use Element in Partial Decree and Incorporating into Partial Decree An Express Statment Regarding General Provisions, Nunc Pro Tunc*** (hereinafter "***Order***") for water right number 36-02396. According to Idaho Department of Water Resources (IDWR) records, you are the current owner of this water right. If you are not the current owner, please contact IDWR immediately at:

Idaho Department of Water Resources
1301 North Orchard
Boise, ID 83706
800-451-4129

The Purpose of the ***Order*** is to set forth beginning and ending dates for the irrigation period of use for this water right. As stated in the face of the ***Order***, this action was necessary following the decision of the Idaho Supreme Court in *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998). This ***Order*** also incorporates into the ***Partial Decree*** an express statement that the ***Partial Decree*** is subject to such general provisions necessary for the definition or for the efficient administration of the water right. This express statement is necessary to comply with the requirements of Idaho Code section 42-1412(6). This ***Order*** in combination with the ***Partial Decree*** that was issued for this water right on January 15, 1998, sets forth all of the elements of your water right. The Snake River Basin Adjudication (SRBA) Court suggests that you keep this document in a safe location together with a copy of the ***Partial Decree*** to show evidence of the water right. The original of this ***Order*** and the original of the ***Partial Decree*** for this water right are on file with SRBA Court. If you do not have a copy of the original ***Partial Decree***, one can be obtained by contacting the SRBA Court at (208) 736-3011. Please note that the ***Order*** is entered ***Nunc Pro Tunc***, meaning that the ***Order*** will be treated as if it were issued the same date that the ***Partial Decree*** was originally issued.

Sincerely,



Diana Delaney
Case Administrator

MICRO

FEB 28 2002

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)

Water Right 36-02396

Case No. 39576)

ORDER AMENDING IRRIGATION PERIOD OF USE ELEMENT
IN PARTIAL DECREE AND INCORPORATING INTO PARTIAL
DECREE AN EXPRESS STATEMENT REGARDING GENERAL
PROVISIONS, *NUNC PRO TUNC*

A *Partial Decree* was entered for the above-captioned irrigation water right on January 15, 1998. The period of use element was decreed as "irrigation season." In *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998), the Idaho Supreme Court remanded with the directive to include specific dates for the period of use element. Following remand, IDWR filed a *Supplemental Director's Report, Reporting Area 3, IDWR Basin 36, Regarding Revision of Period of use (For Irrigation Water Uses) and Conjunctive Management General Provisions*, which included an irrigation period of use recommendation for this water right. No objections were filed to this recommendation and the time period for filing objections has now expired.

THEREFORE, IT IS ORDERED that the period of use for the irrigation element of the above-captioned water right is hereby amended and decreed as:

PERIOD OF USE: 03-15 11-15

IT IS FURTHER ORDERED that the *Partial Decree* for the above-captioned water right is hereby amended and decreed to contain the following:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the court at a point in time no later than the entry of a final unified decree. I.C. section 42-1412(6).

This order is being entered *nunc pro tunc* as of the date the *Partial Decree* was issued and is not intended to modify any subsequent administrative changes for the water right, if any, which occurred following entry of the *Partial Decree*.

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 August 27, 2001

Roger Burdick
ROGER BURDICK
Presiding Judge
Snake River Basin Adjudication

MINOR AMEND
FEB 10 2004

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 36-02396

1998 JAN 15 AM 10:45

FILED

NAME & ADDRESS: BONNIE INGRAM
500 CEDAR
BURLEY ID 83318

SOURCE: GROUNDWATER

QUANTITY: 1.48 CFS

USE OF THIS RIGHT WITH RIGHT NO. 36-02679 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 1.83 CFS, A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 540 AF.

PRIORITY DATE: 07/01/1959

POINT OF DIVERSION: T08S R23E S06 LOT 4 (SWNWSE) Within MINIDOKA County

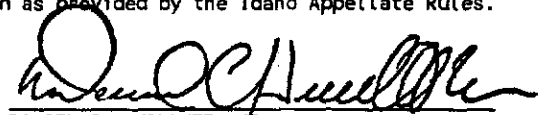
PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	1.48 CFS

PLACE OF USE:	IRRIGATION	Within MINIDOKA County
	T08S R23E S06	NESE 34 Lot 4 (NWSE)32 Lot 5 (SWSE)30 SESE 39
	135 ACRES TOTAL	

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 74 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

MICROFILMED
FEB 10 1998



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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 5, 2004

COLIN L HAYES
SUE E HAYES
860 N 750 W
PAUL ID 83347

RE: Change of Ownership for Water Right 36-2396

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced 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 this office if you have any questions regarding this matter.

Sincerely,

for
Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

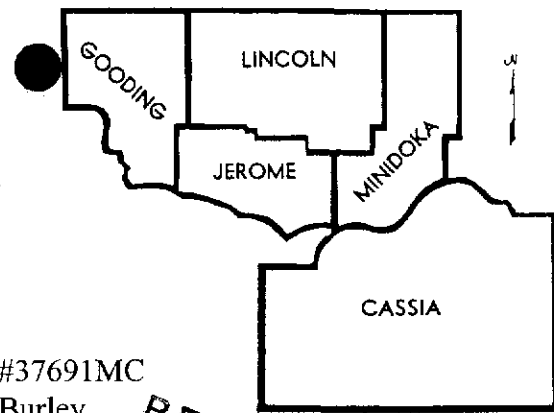
Enclosure

cc: Land Title & Escrow, Inc. (Ref. # 37691MC)
Nancy Garrett
PO Box 177
Burley, ID 83318

RECEIVED
FEB 10 2004

Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



REFER TO: #37691MC

OFFICE: Burley

RECEIVED
FEB - 4 2004
Department of Water Resources

February 4, 2004

Kari Lynn Townsend
Idaho Dept. of Water Resources
1301 N. Orchard Street
Boise, ID 83706

RE: Colin L. Hayes

Dear Kari Lynn:

Enclosed with this letter please find a copy of the recorded Warranty Deed on Colin L. Hayes and Land Title and Escrow's check no. 26753 in the amount of \$25.00 for the water transfer fee. You are holding the other documents for the transfer.

Thanks for all your help!

Very truly yours,
Land Title and Escrow, Inc.

A handwritten signature in cursive script that reads "Nancy Garrett".

Nancy Garrett
Reconveyance Department

/nrg
enc.

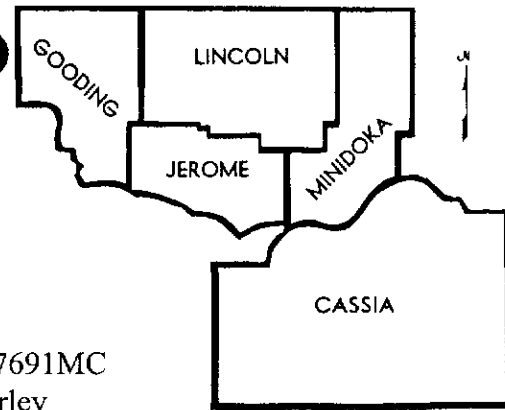
36-02396

MICHAEL...

FEB 10 2004

Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



REFER TO: #37691MC
OFFICE: Burley

January 26, 2004

ID. Dept. of Water Resources
1341 Fillmore St., Suite 200
Twin Falls, ID 83301

RECEIVED
JAN 27 2004
Department of Water Resources
Southern Region

Dear Clerk:

Enclosed with this letter please find an original executed Notice of Change In Water Right Ownership and a copy of the survey.

Please make the necessary changes in the records to indicate the new owner as Colin L. Hayes and Sue E. Hayes for future assessments and notices.

Should you have any questions concerning this matter, please do not hesitate to contact me.

Very truly yours,
Land Title and Escrow, Inc.

A handwritten signature in cursive script that reads "Nancy Garrett".

Nancy Garrett
Reconveyance Department

/nrg
enc.
cc: Colin L. Hayes

[Faint handwritten notes]
JAN 27 2004