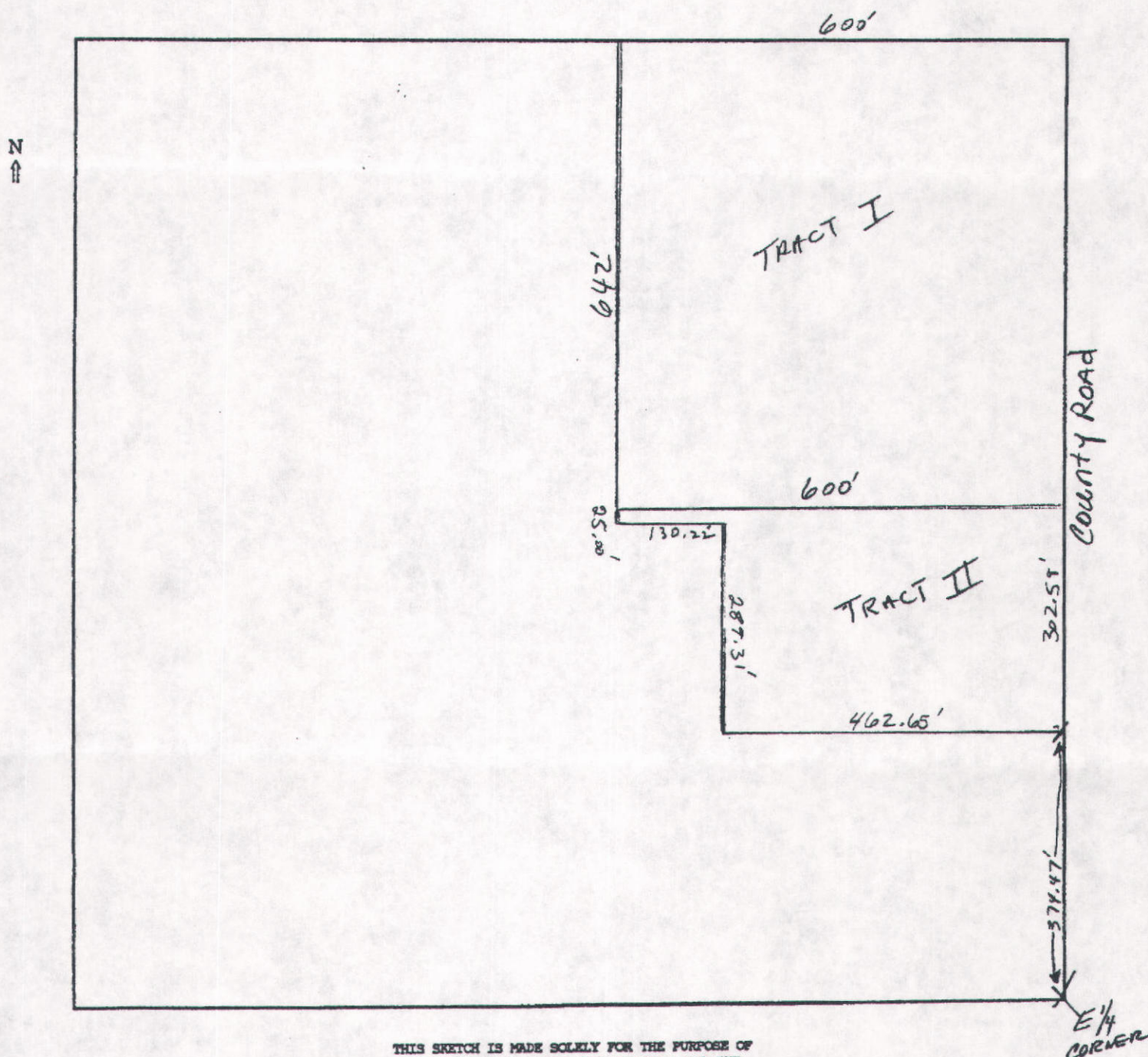


SE⁴NE⁴ SEC 9, T3S, R34 E.B.M.



THIS SKETCH IS MADE SOLELY FOR THE PURPOSE OF
ASSISTING IN LOCATING THE PREMISES AND THE
COMPANY ASSUMES NO LIABILITY FOR VARIATIONS
IF ANY, WITH AN ACTUAL SURVEY.
FIRST AMERICAN TITLE COMPANY

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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, 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
35-10435 pd					

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) 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)

Marie Johnson Larsen

702 E. 400 N. Firth, Idaho 83736

4. New Owner/Claimant(s)

Merlin and/or Sue Zan Morgan

Name Connector (Check one) [] and, [] or, ☒ and/or

New Mailing Address

237 S. 900 W.

City, State and ZIP Code

Blackfoot, Idaho 83301

New Telephone Number

(208) 684-3780

5. Date you acquired the property

July 29, 1996

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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)

Muelin Morgan
Muelin Morgan

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 J. Masi

Date 10.4.01

Fee \$25.00

Received by J. Masi

Date 10.4.01

Receipt No C 056718

Processed by _____ AJ

Date _____

WR _____

Date 10.17.01

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SCHEDULE A

Order No. 35984

Policy No. J 593897

Amount of Insurance: \$125,000.00

Premium \$665.00

Date of Policy: July 29, 1996, at 11:28 a.m.

1. Name of Insured:

MERLIN MORGAN and SUE ZAN MORGAN

2. The estate or interest in the land which is covered by this policy is:

An equitable interest as set forth in paragraph 3A

3. Title to the estate or interest in the land is vested in:

MERLIN MORGAN and SUE ZAN MORGAN, husband and wife, as to the equitable title created by that certain Unrecorded Contract of sale upon the terms, conditions and provisions contained therein, constructive notice of which was given by Notice of Sale of Property:

Recorded: July 29, 1996, Instrument No. 446155

Vendor: A. Marie Larsen and The Cow Palace, Inc., an Idaho Corporation

Purchaser: Merlin and Sue Zan Morgan, husband and wife

4. The land referred to in this policy is described as follows:

TRACT I

Township 3 South, Range 34 E.B.M., Bingham County, Idaho

Section 9: Beginning at a point 1,319.06 feet N. from the SE corner of the NE $\frac{1}{4}$; thence W. 600 feet; thence S. 642 feet; thence E. 600 feet; thence N. 642 feet to the point of beginning.

TRACT II

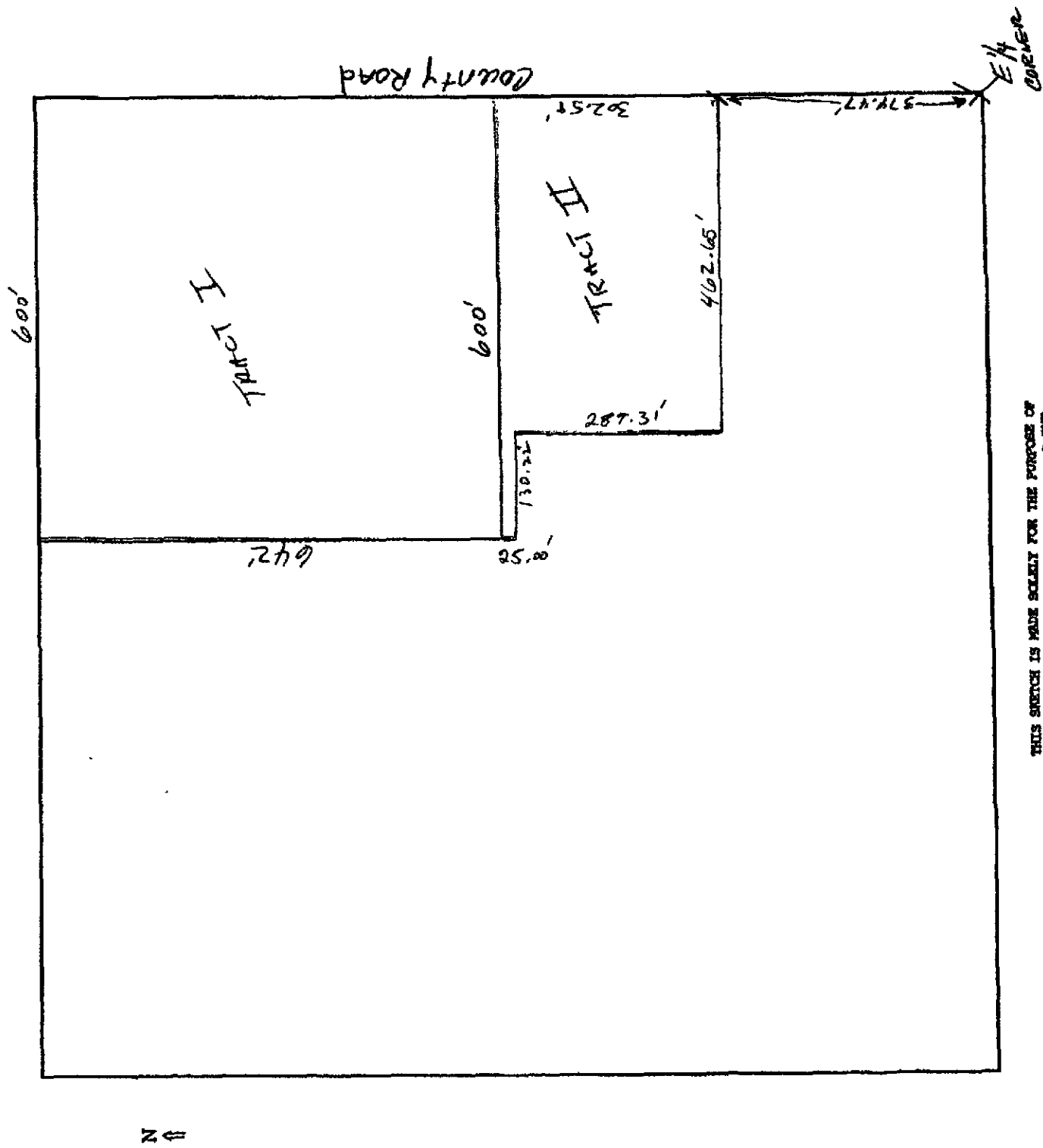
Township 3 South, Range 34 E.B.M., Bingham County, Idaho

Section 9: Beginning at a point that is N. 00°00'00" E. 374.47 feet along the Section line from the E $\frac{1}{4}$ corner of said Section 9 and running thence S. 88°33'33" W. 462.65 feet; thence N. 01°26'27" W. 289.31 feet; thence N. 90°00'00" W. 130.22 feet; thence N. 00°00'00" E. 25 feet; thence N. 90°00'00" E. 600 feet to the E. line of said Section 9; thence S. 00°00'00" E. 302.59 feet along said E. line of said Section 9 to the point of beginning.

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SE4NE4 Sec 9, T3S, R34 E.B.M.



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2007.11.20

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 1977 NOV 28 AM 11:20
I.R.C.P. 54(b) FOR

Water Right 35-10435

DISTRICT CLERK OF THE
FIFTH JUDICIAL DISTRICT
TWIN FALLS, IDAHO
FILED _____

NAME & ADDRESS: MARIE JOHNSON
130 S 900 W
BLACKFOOT ID 83221

SOURCE: GROUNDWATER

QUANTITY: 0.26 CFS

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

PRIORITY DATE: 03/01/1978

POINT OF DIVERSION: T03S R34E S09 SENE Within BINGHAM County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.26 CFS

PLACE OF USE: STOCKWATER Within BINGHAM County
T03S R34E S09 SENE

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 28 1997


DANIEL C. HURLBUTT, JR.
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.

DATED: NOV 28 1997

MICROFILMED

OCT 21 1998


DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

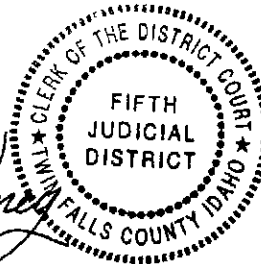
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PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 35-10435

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 _____
Deputy Clerk



PAGE 1
OCT-21-1997



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

October 10, 2001

MERLIN D MORGAN
SUE ZAN MORGAN
237 S 900 W
BLACKFOOT ID 83221

RE: Change of Ownership for Water Right 35-10435

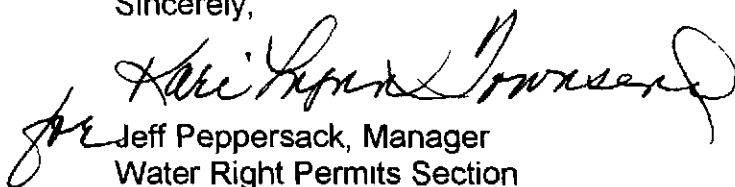
Dear Water Right Holder(s):

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. Also enclosed is a receipt for the \$25.00 filing fee.

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,


Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosures

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OCT 11 2001



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

September 27, 2001

MERLIN MORGAN
SUE ZAN MORGAN
237 S 900 W
BLACKFOOT ID 83221

RE: Change in Ownership for Decreed Water Right 35-10435

Dear Mr. & Mrs. Morgan:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership. Our review of your notice indicates that additional information is required before we can process the change. The information required is indicated below:

☒ Filing Fee of \$25 per water right

Effective July 1, 2000, the legislature enacted House Bill No. 545 requiring a filing fee for a change in water right ownership. The fee is \$25 per water right, except for ownership changes resulting in the division of a water right, which is \$100 per water right. We have determined that the filing fee for your notice will be \$25.00.

Because the Department cannot process the ownership change without proper fees, we will hold any action on your notice pending receipt of the necessary fees. If we do not receive the necessary fees within 30 days we will return your notice and all attachments and your notice will not be processed.

Please note that water right owners are required to report any change in water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

Please feel free to contact this office if you have any questions.

Sincerely,

Kari Lynn Townsend
Secretary

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KLT k

SEP 28 2001

From: Mer-Sue Dairy
Merlin and Sue Zan Morgan
237 South 900 West
Blackfoot, Idaho 83221
(208) 684-3780

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Department of Water Resources

To: Idaho Department of Water Resources
Attn: Kari Lynn Townsend

Re: Water right # 35-10435 (Change in water right ownership)

After we purchased this property in 1996, we thought we filled out the necessary papers for the water right ownership to be transferred. We checked again in 1998 and thought it was done then, and then this spring when we were checking on water again, found that this apparently has not yet been done. Hopefully, we have enclosed the necessary paperwork to transfer the water right. If anything additional is needed, please let us know. Information was not included for an amount on a filing fee, so if there is one please let us know and we will send it to you.

Thank you.

MICROFILMED

JUN 11 2001