

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

RECEIVED**OCT 26 2004****DEPARTMENT OF
WATER RESOURCES**

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>37-10882</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) Charles M Luther
1817 S 1750 E, Gooding, ID 83330
4. New Owner/Claimant(s) Martin H. or Margaret A Luther
 Name Connector (Check one): ☐ and ☐ or ☐ and/or
- New Mailing Address 10124 Tahoma Dr
- City, State and ZIP Code Anderson Island WA 98303
- New Telephone Number (253) 884-4026
5. Date you acquired the property 12-31-02

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)

Martin A. Luther
Margaret A. Luther

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>M</u>	Date <u>10-26-04</u>	Fee <u>\$25.00</u>
Received by <u>M</u>	Date <u>10-26-04</u>	Receipt No. <u>C075589</u>
Processed by _____	AJ Date _____	WR _____ Date _____

Craig D. Hobdey
HOBDEY & HOBDEY
125 Fifth Avenue West
P.O. Box 176
Gooding, Idaho 83303-0176
Telephone (208) 934-4429
Facsimile (208) 934-4420
I.S.B. #3199

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OCT 26 2004

DEPARTMENT OF
WATER RESOURCES

Instrument # 199056

GOODING, GOODING, IDAHO

2003-02-06

03:34:05

No. of Pages: 2

Recorded for: CRAIG HOBDEY

HELEN EDWARDS

Ex-Officio Recorder Deputy

Fee: 6.00

Attorney for Personal Representative

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE

STATE OF IDAHO, IN AND FOR THE COUNTY OF GOODING

IN THE MATTER OF THE ESTATE OF:)

CHARLES M. LUTHER,)

Case No. SP-01-00041

Decedent.)

CORRECTED

DEED OF DISTRIBUTION

THIS INDENTURE made this 5th day of FEBRUARY, 2003, by NANCY BALLARD, Personal Representative of the Estate of CHARLES M. LUTHER, deceased, hereinafter referred to as Grantor and MARTIN LUTHER hereinafter referred to as Grantee:

WITNESSETH:

NOW, THEREFORE, pursuant to the law in such case made and provided, and particularly pursuant to the provisions of §15-3-907 Idaho Code, Grantor does hereby convey, transfer, distribute and set-over unto Grantee and to her successors in interest, heirs and assigns, all of the following described real property situate in Gooding County, Idaho:

Township 6 South, Range 14 EBM, Gooding County, Idaho
Section 1: SENW and three acres in the NESW described
as follows:

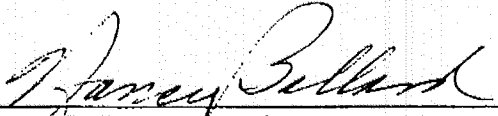
Commencing at the Northwest corner of said NESW which is
The True Point of Beginning;
Thence, due South along the West boundary line 165 feet;
Thence, in a southeasterly direction 348 feet to a point 288

CORRECTED DEED OF DISTRIBUTION

1-

feet due south of the North boundary line of said NESW;
Thence, due East 120 feet;
Thence, in a Northeasterly direction 487 feet to a point on
The North boundary line of said NESW, 843 feet East of the
Northwest corner of said NESW;
Thence, West along said North boundary line 843 feet to the
True Point of Beginning.

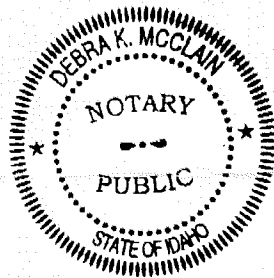
Together with 40 shares of capital stock in the Big Wood Canal Company.
**This Deed corrects that certain Deed of Distribution dated December 31,
2002, and recorded as Instrument # 198753 records of Gooding County,
Idaho on January 17, 2003.**


Nancy Ballard, Personal Representative
of the Estate of Charles M. Luther

STATE OF IDAHO)
County of Gooding) SS.
)

On this 5 day of February, 2003, before me, the undersigned, a Notary Public in and for
said State, personally appeared NANCY BALLARD, known to me to be the person whose name is
subscribed to the with instrument as the Personal Representative of the Estate of CHARLES M.
LUTHER, deceased and acknowledged to me that she executed the same as such Personal
Representative.

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




NOTARY PUBLIC FOR IDAHO
Residing at: Gooding
Commission Expires: 10-02-08

Tax Notice to:
Martin Luther
10124 Tahoma Drive
Anderson Island, WA 98303

CORRECTED DEED OF DISTRIBUTION