

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

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MAY 05 2004

Department of Water Resources
Eastern Region

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
3.5-13136					

Department of Water Resources

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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)

Wayne M. Cothran

Zula M. Cothran

4. New Owner/Claimant(s)

(new)

Stephen and Wynne J. Cothran, living trust

Name Connector (Check one): ☒ and, ☐ or, ☐ and/or

New Mailing Address

3650 Highland Dr.

City, State and ZIP Code

Blackfoot, ID 83221

New Telephone Number

(208) 785-2317

5. Date you acquired the property

3-17-04

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)

Stephen Corthy (Trustee)
W. J. Corthy (Trustee)

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 JC Date 5/16/04 Fee \$25-
 Received by JC Date 5/16/04 Receipt No. E029801
 Processed by _____ AJ Date _____ WR _____ Date _____

BINGHAM COUNTY RECORDER
BLACKFOOT, IDAHO
FEE 12-000000
DEP 12-000000

539915

2004 APR 21 AM 11:37

RECORDED AT THE REQUEST OF
J. Stephen Cathey
2050 Highland
Blackfoot ID 83221

AMENDING INSTRUMENT NO. 539312

QUITCLAIM DEED

THIS INDENTURE, Made this 20th day of April, 2004, between the Wayne and Zula Cathey Living Trust, dated July 31, 1995 by J. Stephen Cathey, Successor Trustee, of Blackfoot, Idaho, hereinafter referred to as GRANTOR; and J. Stephen and Myrna Cathey Living Trust, Dated May 25, 1995, J. Stephen and Myrna Cathey as Trustees, hereinafter referred to as GRANTEE.

WITNESSETH That the said GRANTOR, does by these presents remise, release and forever QUITCLAIM unto GRANTEE, that certain property situated, lying and being in the County of Bingham, State of Idaho, bounded and particularly described as follows, to-wit:

See attached Exhibit A.

TOGETHER, With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

IN WITNESS WHEREOF, The GRANTOR has hereunto set his hand and seal the day and year first above written.

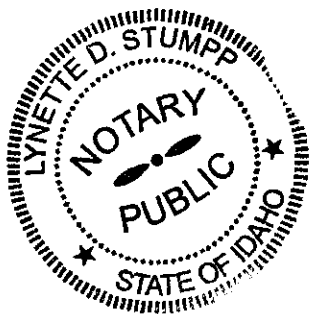
J. Stephen Cathey
J. Stephen Cathey

Myrna Cathey
Myrna Cathey

STATE OF IDAHO)
)
County of Bonneville)

On this 20th day of April, 2004, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared J. Stephen Cathey and Myrna Cathey, known to me to be the persons whose name is subscribed to the within instrument, and acknowledged to me that they executed the same on behalf of the trust.

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



Lynette D. Stumpp
Notary Public for Idaho
My Commission expires: 6/05/08

EXHIBIT A

DESCRIPTION OF REAL PROPERTY

House and property at 493 Highway 39 West, Blackfoot, ID, described to-wit:

Beginning at a point on the North line and 345 feet East of the Northwest corner of Lot Nine, in Section Five, Township Three South, Range Thirty-five, East of the Boise meridian, in Idaho, and running thence South approximately 200 feet to the North meander line of the Watson plough; thence in an Easterly direction with the said meander line of the Watson Slough to its intersection with the channel of Snake River, being a channel of the river from which the Watson Slough diverts its water and running thence northeasterly along said channel of the river to its intersection with the East line of Lot Eight, in said Section Five; thence due North in a straight line to the North line of said Township Three South; thence West on said North line to the place of beginning; EXCEPTING THEREFROM a tract in East part of said Lot Eight lying East of the following described line through a part of said lot, to wit: Commencing at a point 146 feet due West of the Southeast corner of the Southwest quarter of Section Thirty-two, Township Two South, Range Thirty-five, East of the Boise Meridian, in Idaho, on the South line of said Section and extending thence at a right angle to said line South 136 feet, more or less, to its intersection with the Northerly bank of Snake River channel, and being that part of said lot East of said line and North and West of said Snake River Channel.

Together with the ditches and water rights thereto belonging and particularly 60 inches, being 60 shares, of stock in the Trego Ditch Company.

EXCEPTING THEREFROM:

Beginning at a point 300 feet West and 67.59 feet South more or less from the North $\frac{1}{4}$ Corner of Section 5, Township 3 South, Range 35 E.B.M., Bingham County, Idaho, to a point on the State Highway right-of-way to the true point of beginning; thence South 210.70 feet more or less to the Northerly bank of the Snake River; thence Northeasterly along said bank 220.00 feet more or less; thence North 113.36 feet more or less to a point on the said highway right-of-way; thence Westerly along said right-of-way to the point of beginning.

SUBJECT TO an easement in common described as a 30-foot easement, 15 feet each side of the Centerline of an existing irrigation ditch, which Centerline is described as: Beginning at a point 161.4 feet S. of the NW property corner on the W. property line; thence N. $52^{\circ}00'13''$ E. 28.1 feet; thence N. $39^{\circ}16'49''$ E. 26.3 feet; thence N. $29^{\circ}17'09''$ E. 163.3 feet to a point on the N. property line, being the end of said easement Centerline.

AND FURTHER EXCEPTING THEREFROM:

Beginning at a point that lies N. $89^{\circ}38'15''$ W 299.91 feet along the section line and S $00^{\circ}27'53''$ W 259.50 feet along a fence line to the westerly side of a flood control levy; thence along said levy the following 3 courses S $44^{\circ}53'22''$ W 161.36 feet; thence S $45^{\circ}14'06''$ W 79.72 feet; thence S $54^{\circ}19'29''$ W 226.92 feet from the North Y4 Corner of Section 5, Township 3 South, Range 35 East of the Boise Baseline and Meridian to the true point of beginning and running thence along said levy the following 7 courses: S $23^{\circ}49'03''$ W 56.63 feet; thence S $57^{\circ}33'03''$ W 154.96 feet; thence S $55^{\circ}31'54''$ W 52.18 feet; thence S $78^{\circ}18'47''$ W 44.03 feet; thence S $83^{\circ}44'30''$ W 61.59 feet; thence S $75^{\circ}52'33''$ W 132.51 feet; thence S $72^{\circ}15'38''$ W 31.33 feet; thence leaving said levy and running N $00^{\circ}21'45''$ E 305.65 feet; thence S $79^{\circ}38'15''$ E 465.00 feet to the beginning containing 2.02 acres.

Together with an easement for the purpose of ingress and egress 20 feet in width lying easterly of the following described line:

Beginning at a point that lies N $89^{\circ}38'15''$ W 299.91 feet along the section line from the North V4 Corner of Section 5, Township 3 South, Range 35 East of the Boise Baseline and Meridian, and running thence S $00^{\circ}37'53''$ W 259.50 feet along a fence line to the westerly side of a flood control levy; thence along said levy the following 3 courses: S $44^{\circ}53'22''$ W 161.36 feet; thence S $45^{\circ}14'06''$ W 79.72 feet; thence S $54^{\circ}19'39''$ W 226.92 feet.

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