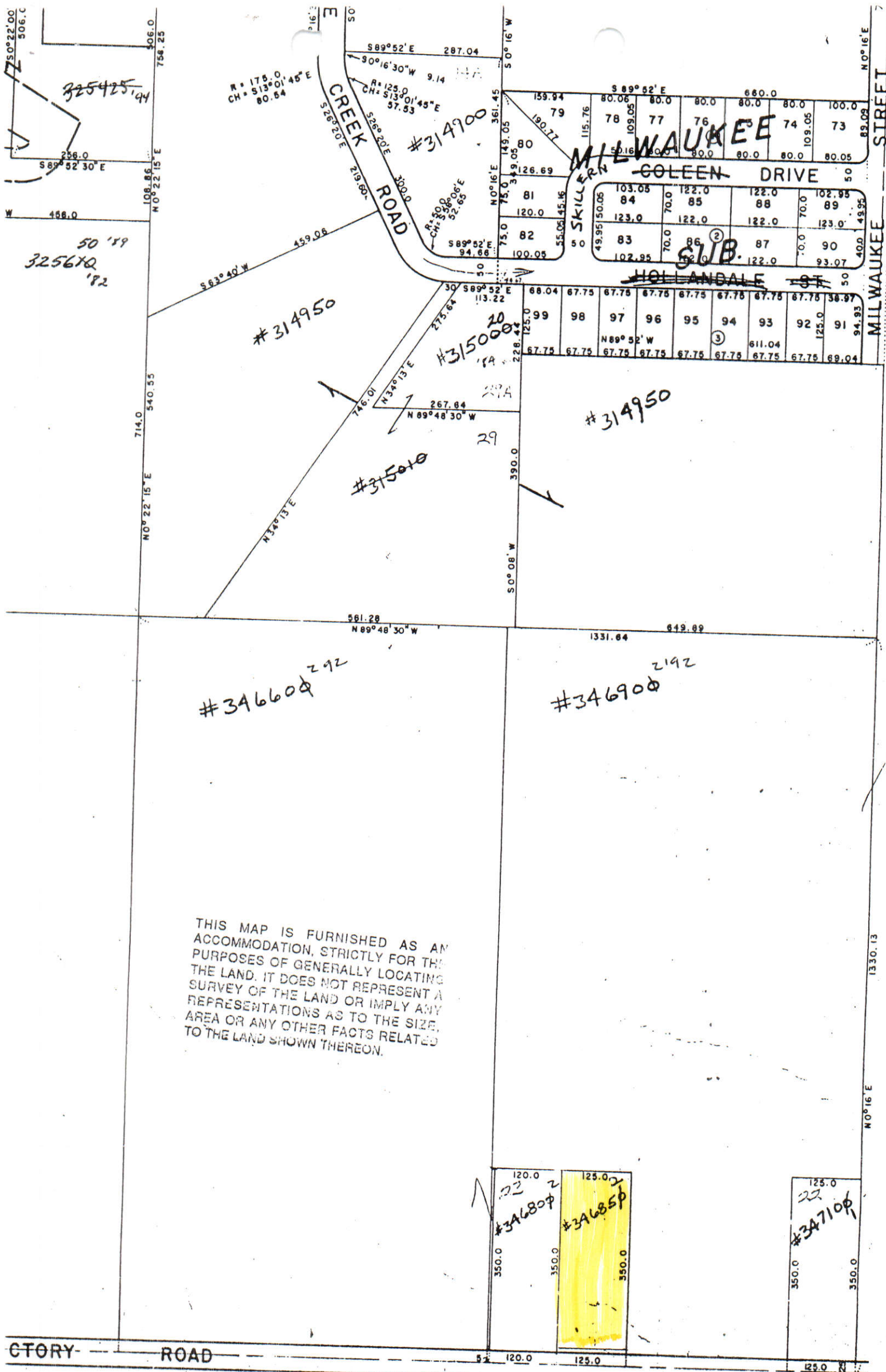




THIS MAP IS FURNISHED AS AN ACCOMMODATION, STRICTLY FOR THE PURPOSES OF GENERALLY LOCATING THE LAND. IT DOES NOT REPRESENT A SURVEY OF THE LAND OR IMPLY ANY REPRESENTATIONS AS TO THE SIZE, AREA OR ANY OTHER FACTS RELATED TO THE LAND SHOWN THEREON.

S. 1/4 CORN
SEC. 24

RECEIVED

OCT 16 2000

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO

IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

RECEIVED

1. Water Right No(s): 63-30143 OCT 17 2000
 Adjudication Claim No(s): _____ Department of Water Resources

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** showing the location of the place of use of the water right(s) or claim(s). (These are usually attached to your deed or on file with the county.)

OR

C. If your water right or adjudication claim 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 Augustine Hess + Rita Hess conveyed to her interest back

Augustine T. Hess, Jr. on 1/21/98

4. New Owner/Claimant(s) Augustine T. Hess, Jr. + Susan L. Hess

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

New Mailing Address (same) 8350 W. Victory Road

City, State and ZIP Code Boise, ID 83709

New Telephone Number (same) () _____

5. Date you acquired the property 8/18/00

6. Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below only if the water right(s) or claim(s) need to be split between owners. If necessary, attach additional pages. 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.

Number of acres you irrigate with this water right _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes you acquired _____ Other uses _____

7. Signature of New Owner(s) or Claimant(s) Augustine T. Hess
Susan L. Hess

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
SEP 19 2001

Receipt # C 052003 ... \$25.00
 1.23.01 Q. Massey

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights. Required claims may be filed by a new owner.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office, or call 1-800-451-4129, if you would like more information or need help completing this form. Please attach additional sheets to the form if you require additional space to describe or explain any of the items on the form.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at Item 1. If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
2. The information described at Item 2 is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner of the water right and/or adjudication claim at Item 3.
4. The name, mailing address, and telephone number of the new owner(s) is entered at Item 4. Please indicate the relationship between multiple owners by using the connector 'and', 'or', or 'and/or'. If an 'and' is used, all parties must sign this form. If an 'and/or' or 'or' is used, all parties may sign. However, only one of the named parties is required to sign.
5. At Item 5, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. You may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at Item 6.

Please provide as much detail as possible concerning your portion of the water right: include the number of homes you acquired, number of acres irrigated with your portion of the right, if it is more than 1/2 acre, type and number of stock if your portion of the right includes stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

7. The new owner(s) must sign the form in the space(s) provided at Item 7. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380
(208) 736-3033

IDWR Northern Region
1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814-2615
(208) 769-1450

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718
(208) 525-7161

File No.: T98-47505 SW 19

QUITCLAIM DEED

FOR VALUE RECEIVED

Rita M. Hess, an unmarried woman

do hereby convey, release, remise and forever quit claim unto

Augustine T. Hess, Jr., an unmarried man

whose current address is: 8350 W. Victory Road, Boise ID 83709
the following described premises, to-wit:

SEE EXHIBIT "A" ATTACHED
(Continued)

By the execution of this Deed, it is the intent of the Grantor herein to eliminate any interest which may be presently held or may be hereafter acquired in the parcel herein described, pursuant to the Divorce Decree filed in Ada County Fourth District Court as Case No. CVDR9702449D, and convey unto the grantee all of the Grantor's right, title and interest in and to the parcel herein described.

I further acknowledge the conveyance of my Homestead Rights as sited in Chapter 10, Title 55, I.C. of the Idaho State Code.

98005007

ADA CO. RECORDER
J. DAVID NAVARRO
BOISE ID 7

TRANSACTION TITLE & ESCROW

'98 JAN 21 PM 4:14

FEE 600 REP [Signature]
RECORDED AT THE REQUEST OF

Dated: January 9, 1998

[Signature: Rita M. Hess]

Rita M. Hess

STATE OF Idaho, County of Ada, ss.

On this 14 day of January in the year of
1998 before me, the undersigned, a Notary Public in and
for said State, personally appeared
Rita M. Hess

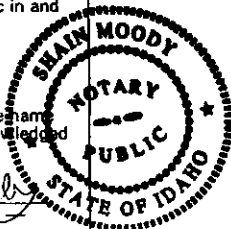
known or identified to me to be the person whose name
is subscribed to the within instrument, and acknowledged
to me that she executed the same.

Signature: [Signature: Shain Moody]

Name: Shain Moody

Residing at: Meridian

My commission expires: 09/04/03



Transnation Title & Escrow, Inc.

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SEP 19 2001

EXHIBIT "A"

A parcel of land which is a part of a tract of land described as the East half of the Southeast quarter of the Southwest quarter of Section 24, Township 3 North, Range 1 East of the Boise Meridian, Ada County, State of Idaho, being more particularly described as follows:

Beginning at the Southwest corner of said tract; thence Easterly along the South boundary of said tract, a distance of 125 feet to the REAL POINT OF BEGINNING; thence Northerly parallel to the West boundary of said tract, a distance of 350 feet to a point; thence Easterly parallel to the South boundary of said tract, a distance of 125 feet to a point; thence Southerly parallel to the West boundary of said tract, a distance of 350 feet on the South boundary of said tract; thence Westerly along the South boundary of said tract, a distance of 125 feet to the REAL POINT OF BEGINNING.

EXCEPTING THEREFROM that portion deeded to the Ada County Highway District by Warranty Deed recorded November 12, 1991 as Instrument No. 9163756, being more particularly described as follows:

A parcel of land for public right-of-way located in the East half of the Southeast quarter of the Southwest quarter of Section 24, Township 3 North, Range 1 East, Boise Meridian, Ada County, Idaho, and being more specifically described as follows:

Beginning at the quarter section corner common to Sections 24 and 25 of said Township 3 North, Range 1 East, Boise Meridian; thence North 89°35'54" West a distance of 419.61 feet to a point, said point being the POINT OF BEGINNING; thence North 00°37'24" East a distance of 27.80 feet to a point; thence North 89°46'13" West a distance of 125.00 feet to a point; thence South 0°37'24" West a distance of 27.43 feet to a point; thence South 89°35'54" East along the section line common to Sections 24 and 25, a distance of 125.00 feet to the POINT OF BEGINNING.

MICROFILMED

SEP 19 2004

usantless
ADA COUNTY RECORDER
J. DAVID NAVARRO
BOISE, IDAHO

2000 SP 25 PM 1:20

RECORDED-REQUEST OF
FEE *10* - *100* DEPUTY *[Signature]*

100076360

QUITCLAIM DEED

For valuable consideration received, Augustine T. Hess, Jr., of Boise, Idaho, a married man, the Grantor, does hereby convey, release, remise and forever quitclaim as community property, unto Augustine T. Hess, Jr. and Susan L. Hess, Husband and Wife, whose mailing addresses are 8350 W. Victory Road, Boise, Idaho, the Grantees, all of his right, title and interest, if any, in the following described real property commonly known as 8350 W. Victory Road, Boise, Idaho, and more particularly described as set forth in Exhibit "A" attached hereto and made a part hereof this Quitclaim Deed, together with their appurtenances.

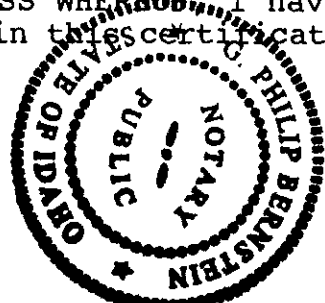
Dated this 18th day of August, 2000.

Augustine T. Hess
Augustine T. Hess

STATE OF IDAHO)
) ss.
County of Ada)

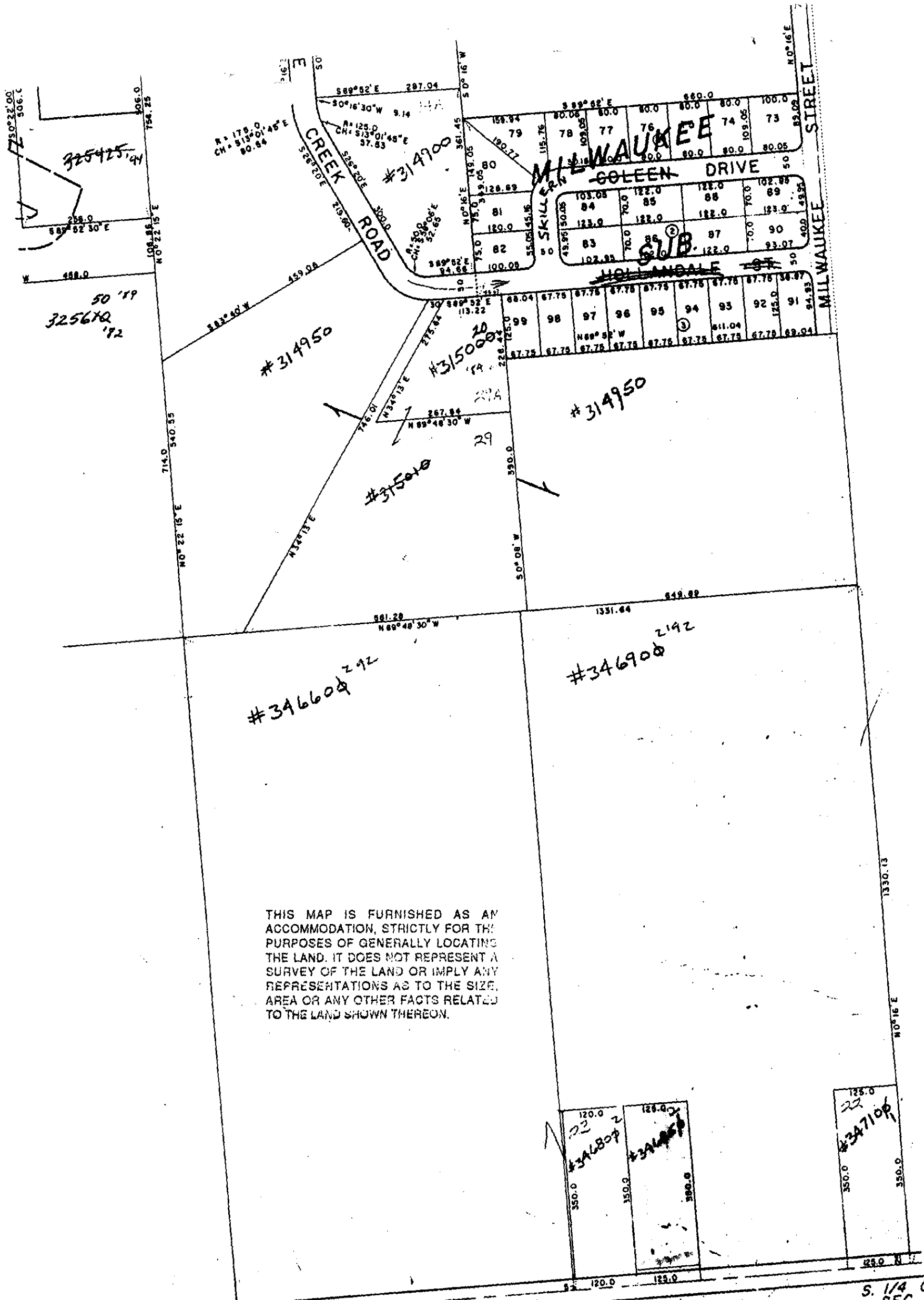
On this 18th day of August, 2000, before me, a Notary Public in and for the State of Idaho, personally appeared Augustine T. Hess, known or identified to me to be the person whose name is subscribed to the above and foregoing instrument and who acknowledged to me that he executed the same.

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



Philip Bernstein
Notary Public for Idaho
Residing at Boise, ID
Commission expires 12-6-01

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SEP 19 2001



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CTORY- ROAD

98

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SEP 19 2001

S. 1/4 CORN
SEC. 24
ADA COUNTY ASSESSOR'S
BOISE, IDAHO

SRBA

PARTIAL DECREE 63-30143

Issued on 05-26-2000.

This is not an official copy.

Contact IDWR or the Court for a Certified Copy.

Choose Landscape Orientation when printing.

NAME AND ADDRESS:	AUGUSTINE HESS		
	RITA M HESS		
	8350 W VICTORY RD		
	BOISE, ID 83709		
SOURCE:	GROUNDWATER		
QUANTITY:	0.04 CFS		
	THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED		
	GALLONS PER DAY.		
PRIORITY DATE:	08/12/1974		
POINT OF DIVERSION:	T03N R01E S24	SESW	Within Ada County
PURPOSE AND			
PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTI
	Domestic 1 HOME	01-01 TO 12-31	0.04
PLACE OF USE:	Domestic		Within Ada Cc
	T03N R01E S24	SESW	

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS N
DETERMINATION OF HISTORICAL BENEFICIAL USE.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIC
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFI
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN T
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

Return to SRBA Home Page

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SEP 19 2001

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
_____) Water Right 63-30143

NAME AND ADDRESS: AUGUSTINE HESS
RITA M HESS
8350 W VICTORY RD
BOISE, ID 83709

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 08/12/1974

POINT OF DIVERSION: T03N R01E S24 SESW Within Ada County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic 1 HOME	01-01 TO 12-31	0.04 CFS

PLACE OF USE: Domestic Within Ada County
T03N R01E S24 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.

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).

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.



Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

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NOV 13 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

July 27, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

AUGUSTINE T HESS JR
SUSAN L HESS
8350 W VICTORY RD
BOISE ID 83709

RE: Change of Ownership for Water Right 63-30143

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,

for 
Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

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SEP 19 2001



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

December 11, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

AUGUSTINE T HESS JR
SUSAN L HESS
8350 W VICTORY RD
BOISE ID 83709

RE: Change in Ownership of Water Right 63-30143

Dear Mr. & Mrs. Hess:

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

☐ **Filing Fee** of \$100 per water right for changes resulting from division of a water right

☐ **Signature**

☐ **Notarized Signature** for Assignment of Permit

☐ **Evidence of Water Right Ownership:** copy of Deed, Title Policy, Contract of Sale, or other legal document indicating your ownership of the property and/or water rights in question

☐ **Evidence of Security Interest:** copy of Deed of Trust, Mortgage, Contract of Sale or other legal document indicating your interest in the property and water rights in question

☐ **Security Interest Expiration Date**

☐ **Legal Description of Property**

☐ **Plat of Property or Survey Map** usually on file with the county **MICROFILMED**

DEC 13 2001

- _____ **USDA Farm Service Agency (formerly ASCS) Aerial Photo** with irrigated acres outlined and point(s) of diversion clearly marked
- _____ **Description of Portion of Water Right** resulting from division of 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. All ownership change notices received after June 30, 2000 must include the appropriate filing fees in order to be processed. 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 (<http://www.idwr.state.id.us>) on the Internet to obtain the proper forms and instructions.

Please feel free to contact the Department if you have any questions.

Sincerely,



Kari Lynn Townsend
Secretary

KLT:k

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SEP 19 2001