

**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.

1. Water Right No(s).: 47-08252B and 47-16414  
 Adjudication Claim No(s).: \_\_\_\_\_
  
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 claims(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 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 Henry and Antoinette Hafliger
  
4. New Owner/Claimant(s) Transmutation Properties, Inc.  
 New Mailing Address c/o Name Connector (Check one): ☐ and, ☐ or, ☐ and/or  
William A. Van Dyk, Esq.  
 City, State and ZIP Code 3535 Inland Empire Blvd., Ontario, CA 91764  
 New Telephone Number (909) 941-2550
  
5. Date you acquired the property 04/23/99
  
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 <u>265 +/-</u> | Number and type of stock <u>390 shares of capital stock in Twin Falls Canal Company</u> |
| Diversion rate in CFS _____                                       | Number of homes you acquired <u>two</u> Other uses _____                                |
  
7. Signature of New Owner(s) by: Frank J. Lizarraga, Jr., President  
 or Claimant(s) \_\_\_\_\_
  
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**

**MAR 05 2001**

42740FC  
 TitleFact, Inc.  
 163 Fourth Avenue North  
 P.O. Box 486  
 Twin Falls, Idaho 83303

Twin Falls County, Idaho  
 Recorded for:  
 TITLEFACT  
 02:00pm Apr. 23, 1999  
 1999-007758  
 No. of Pages: 1 Fee: \$3.00  
 ROBERT S. FORT  
 Ex-Officio Recorder  
 Deputy: SM

### WARRANTY DEED

FOR VALUE RECEIVED HENRY C. HAFLIGER, JR. and ANTOINETTE HAFLIGER, husband and wife, hereinafter called the grantor, hereby grants, bargains, sells and conveys unto TRANSMUTATION PROPERTIES, INC., a California corporation, hereinafter called grantee, whose address is: 3535 Inland Empire Boulevard, Ontario, CA 91764, the following described premises, in Twin Falls County, Idaho, to-wit:

#### PARCEL NO. 1

Township 10 South, Range 15 East, Boise Meridian, Twin Falls County, Idaho  
 Section 20: NE $\frac{1}{4}$ NE $\frac{1}{4}$ , EXCEPT the West 10 acres thereof.  
 Section 21: N $\frac{1}{4}$ NW $\frac{1}{4}$   
 SUBJECT TO: Twin Falls Highway District right of way

#### PARCEL NO. 2

Township 10 South, Range 15 East, Boise Meridian, Twin Falls County, Idaho  
 Section 21: S $\frac{1}{2}$ NW $\frac{1}{4}$   
 SUBJECT TO: Twin Falls Highway District right of way

#### PARCEL NO. 3

Township 10 South, Range 15 East, Boise Meridian, Twin Falls County, Idaho  
 Section 21: E $\frac{1}{2}$ NE $\frac{1}{4}$   
 SUBJECT TO: Twin Falls Highway District right of way

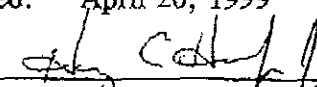
#### PARCEL NO. 4

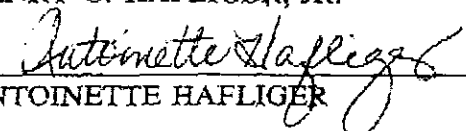
Township 10 South, Range 15 East, Boise Meridian, Twin Falls County, Idaho  
 Section 21: W $\frac{1}{2}$ NE $\frac{1}{4}$ ; NW $\frac{1}{4}$ SE $\frac{1}{4}$   
 SUBJECT TO: Twin Falls Highway District right of way

ALL SUBJECT TO: Rights reserved in federal patents, building or use restrictions, building and zoning regulations and ordinances of any government unit, all rights of way and easements established or of record and Lease dated July 2, 1980 between Grantor and King Video Cable, predecessor in interest to WestMarc Development Joint Venture.

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

Dated: April 20, 1999

  
 HENRY C. HAFLIGER, JR.

  
 ANTOINETTE HAFLIGER

STATE OF IDAHO  
 County of Twin Falls

MICROFILMED

MAR 05 2001

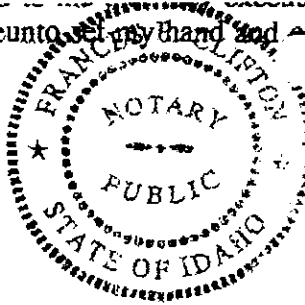
On this 22 day of APRIL, 1999, before me, a Notary Public in and for said State, personally appeared HENRY C. HAFLIGER, JR. AND ANTOINETTE HAFLIGER, husband and wife, known or identified to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged in me that they executed the same

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

*Francis E. Cuyler*  
Notary Public for Idaho

Residing at: TWIN FALLS

Commission Expires: 01-20-2004



MICROFILMED

MAR 05 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 )  
Case No. 39576 )  
PARTIAL DECREE PURSUANT TO  
I.R.C.P. 54(b) FOR  
Water Right 47-16414

NAME AND ADDRESS: ANTIONETTE HAFLIGER  
HENRY HAFLIGER  
3772 N 1700 E  
BUHL, ID 83316

SOURCE: GROUNDWATER

QUANTITY: 0.23 CFS

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

PRIORITY DATE: 11/01/1988

POINT OF DIVERSION: T10S R15E S21 SWNNW Within Twin Falls County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|-------------------------------|----------------|----------------|----------|
|                               | Stockwater     | 01-01 TO 12-31 | 0.23 CFS |

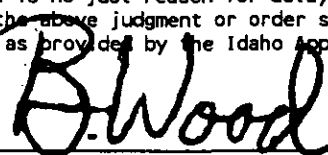
PLACE OF USE: Stockwater Within Twin Falls County  
T10S R15E S21 NWNW

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.

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



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](http://www.idwr.state.id.us)

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

June 21, 2002

WILLIAM A VAN DYK  
3535 INLAND EMPIRE BLVD  
ONTARIO CA 91764

RE: Change in Ownership of Water Rights 47-8252B & 47-16414

Dear Mr. Van Dyk:

The Department of Water Resources acknowledges receipt of your correspondence regarding a 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**

☒ **Signature** on enclosed Change of Ownership form to be completed and returned

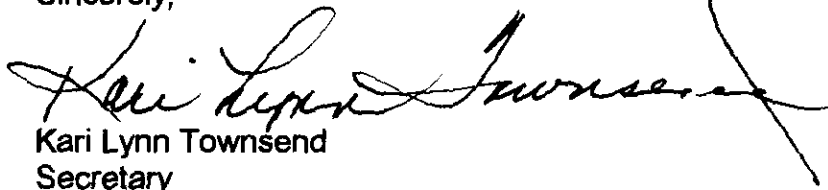
Effective July 1, 2000, the legislature enacted House Bill No. 545 requiring a filing fee for a change in water right ownership. The fee is \$25 per water right, except for ownership changes resulting in the division of a water right, which is \$100 per water right. All ownership change notices received 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 **\$50.00**.

Because the Department cannot process the ownership change without proper documentation or fees, we will take no action on your correspondence pending receipt of the necessary information and fees. I am returning the deed you sent so that it may be resubmitted with the completed ownership change form and fees. If we do not receive the necessary information and fees within 30 days we will take no further action.

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.

If you have any questions regarding this matter, please call me at 208-327-7941.

Sincerely,

A handwritten signature in cursive script, reading "Kari Lynn Townsend". The signature is written in black ink and is positioned above the printed name and title.

Kari Lynn Townsend  
Secretary

KLT:k

Enclosure(s)

52746 20  
Transmutation Properties, Inc.  
c/o William A. Van Dyk, Esq.  
3535 Inland Empire Boulevard  
Ontario, CA 91764

Twin Falls County, Idaho

Recorded for:

TITLEFACT

02:15pm May 17, 2002  
**2002 - 009992**

No. of Pages: 2 Fee: \$6.00  
ROBERT S. FORT  
Ex-Officio Recorder  
Deputy: CD

\*\*\*\*\* SPACE ABOVE FOR RECORDER \*\*\*\*\*

**COPY**

**DEED**

The undersigned Grantor, **TRANSMUTATION PROPERTIES, INC.**, a California Corporation, in its capacity as qualified intermediary of and/or accommodator for the below named Grantee, hereby grants, bargains, transfers and conveys unto **GERBEN SWAGER and MARIAN SWAGER**, as Trustees of the Gerben and Marian Swager Family Trust, dated **June 24, 1991**, hereinafter called the Grantee, whose address is: 1707 East 3800 North, Buhl, Idaho 83316, the following described premises, in Twin Falls County, Idaho, to wit:

PARCEL NO. 1

Township 10 South, Range 15 East, Boise Meridian, Twin Falls County, Idaho  
Section 20: NE 1/4 NE 1/4, EXCEPT the West 10 acres thereof  
Section 21: N 1/2 NW 1/4  
SUBJECT TO: Twin Falls Highway District right of way

PARCEL NO. 2

Township 10 South, Range 15 East, Boise Meridian, Twin Falls County, Idaho  
Section 21: S 1/2 NW 1/4  
SUBJECT TO: Twin Falls Highway District right of way

PARCEL NO. 3

Township 10 South, Range 15 East, Boise Meridian, Twin Falls County, Idaho  
Section 21: E 1/2 NE 1/4  
SUBJECT TO: Twin Falls Highway District right of way

PARCEL NO. 4

Township 10 South, Range 15 East, Boise Meridian, Twin Falls County, Idaho  
Section 21: W 1/2 NE 1/4; NW 1/4 SE 1/4  
SUBJECT TO: Twin Falls Highway District right of way

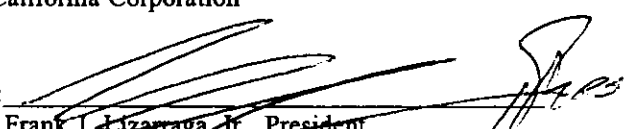
SUBJECT TO any valid trust deeds, mortgages, liens, claims, easements, covenants, conditions and restrictions of record affecting title to said premises as well as all taxes and assessments which are a lien against the premises.

TOGETHER WITH all water, and water rights and interests appurtenant to or inuring to the benefit of said real property or any part thereof.

TRANSMUTATION PROPERTIES, INC.,  
a California Corporation

Dated: May 14, 2002

by:

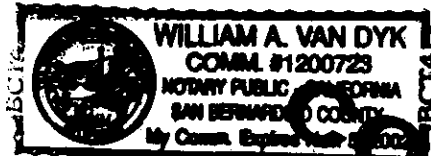
  
Frank J. Lizaraga, Jr., President

**NOTARY ACKNOWLEDGEMENT**  
(Attached to TPI to Swager Idaho Property Deed)

STATE OF CALIFORNIA                     )  
COUNTY OF SAN BERNARDINO         )

On May 14, 2002, before me, a Notary Public in and for said State, personally appeared FRANK J. LIZARRAGA, JR., personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

  
\_\_\_\_\_  
William A. Van Dyk, Notary Public  
Residing at:     3535 Inland Empire Boulevard  
                  Ontario, CA 91764  
My Commission Expires: November 5, 2002



**COPY**

**WILLIAM A. VAN DYK**

Attorney-At-Law

A Professional Corporation  
(909) 941-2550

3535 Inland Empire Boulevard  
Ontario, CA 91764

**RECEIVED**

**JUN 20 2002**

Department of Water Resources

June 17, 2002

State of Idaho  
DEPARTMENT OF WATER RESOURCES  
P.O. Box 83720  
Boise, ID 83720-0098

**COPY**

RE: My Clients: Transmutation Properties, Inc. & Swager Family Trust  
Idaho Water Right Numbers: 47-8252B and 47-16414  
Notice of Change of Property Ownership  
Transfer of Related Water Rights

Dear IDWR:

This office represents Transmutation Properties, Inc. ("Transmutation") and Gerben and Marian Swager, as trustees of the Gerben and Marian Swager Family Trust, dated June 24, 1991 ("Swager Trust").

On or about May 14, 2002, Transmutation transferred and conveyed to the Swager Trust an approximate 390 +/- gross acre Twin Falls County, Idaho, property site; a copy of the recorded deed is enclosed herewith for your files. Transfer and conveyance of property ownership effected concurrent transfer and conveyance of all water rights and interests appurtenant to or associated with the real property.

It is our understanding that Transmutation was the beneficial holder of water rights under Idaho water right numbers 47-8252B and 47-16414. Upon your receipt of this letter, please cause all water rights and interests under these water right numbers and/or associated with the Twin Falls property site to be fully and unconditionally transferred and conveyed to Gerben and Marian Swager, as trustees of the Gerben and Marian Swager Family Trust, dated June 24, 1991. Gerben and Marian Swager are located at 1707 E. 3800 North - Bull, Idaho 83316 and can be reached by telephone at 208-543-2928.

*WAV*

My clients and I appreciate your prompt attention to and assistance in this matter. If any further action is required in order to complete the requested transfer of water rights, please notify this office accordingly.

Very truly yours,



WILLIAM A. VAN DYK

WAV/lb

cc: Transmutation Properties, Inc.  
Gerben and Marian Swager, trustees  
Petter and Company (attn: Tena Petter)



**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

DIRK KEMPTHORNE  
GOVERNOR

KARL J. DREHER  
DIRECTOR

February 8, 2001

TRANSMUTATION PROPERTIES INC  
C/O WILLIAM A VAN DYK ESQ  
3535 INLAND EMPIRE BLVD  
ONTARIO CA 91764

RE: Change of Ownership for Water Right 47-16414

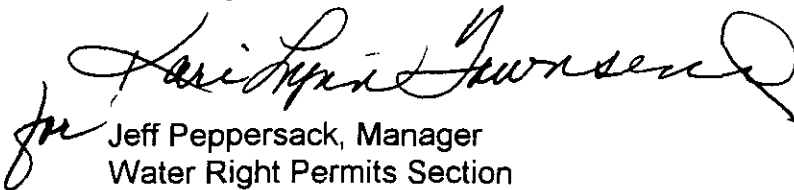
Dear Water Right Holder(s):

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 the department if you have questions.

Sincerely,

  
Jeff Peppersack, Manager  
Water Right Permits Section

JP:klt

Enclosures

**MICROFILMED**

MAR 05 2001