

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) **Water Rights:** 35-8037B, 35-13297,
35-13298

Case No. 39576)
) **NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

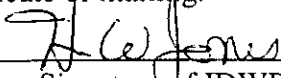
IDWR has completed the following Administrative proceeding:

- ☐ Address change
- ☒ Substitution of Party (SPLIT) **MICKELSEN – MICKELSEN & LOTT**
- ☐ I.C. § 42-222 transfer
 - ☐ point of diversion ☐ place of use
 - ☐ period of use ☐ nature of use
 - ☐ split of water right ☐ change in ownership

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: 2-28-01



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on March 2, 2001, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707

2. One copy to:

Claimant/Seller for Substitution of Party or attorney of record:
MICKELSEN FARMS PARTNERSHIP
1050 W RIVERVIEW DR
IDAHO FALLS ID 83401

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
MICKELSEN FARMS PARTNERSHIP BRENT & MICHELLE LOTT
1050 W RIVERVIEW DR 8437 N 45TH E
IDAHO FALLS ID 83401 IDAHO FALLS ID 83401

4. One copy to:

Each party in the subcase, or attorney of record
JEFFREY C FEREDAY
GIVENS PURSLEY LAW OFFICE
PO BOX 2720
BOISE ID 83701-2720

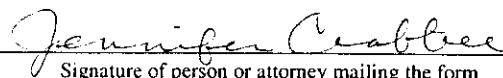
JOHN ROSHOLT	JERRY RIGBY
ROSHOLT ROBERTSON & TUCKER	PO BOX 250
PO BOX 1906	REXBURG ID 83440
TWIN FALLS ID 83303-1906	

5. One copy each to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

6. One Copy to:

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

SPECIAL GRANT DEED

THIS INDENTURE, made this 12 day of April, 1996, between DANIEL WARD and GWYNETH RAE WARD, his wife, MICHAEL WARD and LOIS L. WARD, his wife, KEVIN WARD and SONORA WARD, his wife, and NATHAN WARD and JENNIFER B. WARD, his wife, of 6760 West 129 North, Idaho Falls, Bonneville County, Idaho 83402,, the Grantor, and BRENT LOTT and MICHELLE LOTT, his wife, of 8437 North 45th East, Idaho Falls, Bonneville County, Idaho, the Grantee, 83401 (208) 524-0607

WITNESSETH, that the said Grantor, for and in consideration of the sum of Ten and no/100 Dollars (\$10.00), lawful money of the United States of America, and other good and valuable considerations, to Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, sold and by these presents, does grant, bargain, sell and convey and confirm unto the said Grantee, and to Grantee's heirs and assigns, forever, all the following described real estate situated in the County of Bonneville, State of Idaho, to-wit:

A. Township 3 North, Range 36, East of the Boise Meridian, Bonneville County, Idaho

Section 28: The N 1/2 and the SE 1/4 less the South 33 feet deeded to Bonneville County for road.

Subject to all existing easements or claims of easements, patent reservations, rights-of-way, protective covenants, zoning ordinances and applicable building codes, laws and regulations, encroachments, overlaps, boundary line disputes and other matters which would be disclosed by an accurate survey or inspection of the premises.

Including all mineral rights owned or hereafter acquired by SELLERS, but excluding any and all mineral rights not owned by SELLERS or not hereafter acquired by SELLERS.

Together with all water rights appurtenant thereto and specifically a well located thereon, covered by license number _____

B. A five hundred horsepower pump, and a 250 horsepower booster pump. The parties hereto agree said pumps are attached to and have become a part of the real property described herein.

C. A dirt cellar and air system and all of appurtenances to said cellar located on the property which the parties agree is a part of the real property.

D. Thirty-two (32) hook and latch hand irrigation lines.

GRANTOR further represents that GRANTOR has not voluntarily or involuntarily created or allowed to be created, any liens, encumbrances or defects against the property or the title thereto, and agrees to hold harmless GRANTEE from the same or allegations of the same.

IN CONSTRUING this deed and where the context so requires, the singular includes the plural.

INSTRUMENT NO.	776667
DATE	4-12-96
INST. CODE	13392-17
FICHE NO.	17
FEE	
STATE OF IDAHO	
County of Bonneville	
Recorded	
By	Deputy

03 JUN 15 PM 4 54

CLERK OF COUNTY
RECORDER

070567

IN WITNESS WHEREOF, the said Grantor hereunto has set his hand.

Daniel W. Ward
DANIEL WARD

Michael Ward
MICHAEL WARD

Kevin Ward
KEVIN WARD

Nathan Ward
NATHAN WARD

Gwyneth Rae Ward
GWYNETH WARD

Lois Ward
LOIS WARD

Sondra Ward
SONDRA WARD

Jennifer B. Ward
JENNIFER WARD

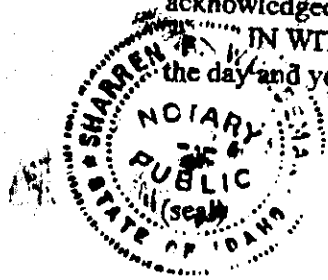
STATE OF IDAHO)

)ss

County of BONNEVILLE

On this 10 day of April, 1996, before me, the undersigned, a Notary Public in and for said state, personally appeared DANIEL WARD and GWYNETH RAE WARD, husband and wife, known to me to be the persons whose names are subscribed to the foregoing, and acknowledged to me that they executed the same.

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



Sharen F. Hurdeman
Notary Public for Idaho

Residing at: IDAHO FALLS, IDAHO

Commission Expires: 11-23-98

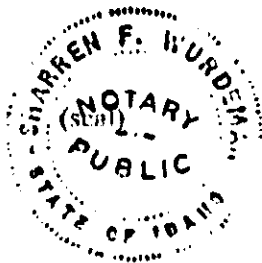
STATE OF IDAHO)

)ss

County of BONNEVILLE

On this 10 day of April, 1996, before me, the undersigned, a Notary Public in and for said state, personally appeared MICHAEL WARD and LOIS J. WARD, husband and wife, known to me to be the persons whose names are subscribed to the foregoing, and acknowledged to me that they executed the same.

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



Sharen F. Hurdeman
Notary Public for Idaho

Residing at: IDAHO FALLS, IDAHO

Commission Expires: 11-23-98

NOTICE OF PURCHASERS INTEREST

NOTICE IS HEREBY GIVEN that the undersigned are parties who have entered into a Contract for the sale of certain real property described hereafter.

1. Names and addresses of the parties:

SELLERS:

Brent and Michelle Lott
8437 North 45th East
Idaho Falls, ID 83401

PURCHASERS:

Daniel and Gwyneth Ward
Michael and Lois Ward
Kevin and Sondra Ward
Nathan and Jennifer Ward
6760 West 129 North
Idaho Falls, ID 83402

2. The parties have entered into a Contract of Sale dated _____.

3. SELLERS has a vendor's interest in the property and PURCHASERS a vendee's interest.

4. Legal Description: The following described property located in Bonneville County Idaho.

A. Township 3 North, Range 36 East of the Boise Meridian, Bonneville County, Idaho

Section 28: The N $\frac{1}{4}$ and the SE $\frac{1}{4}$ less the South 33 feet decded to Bonneville County for road.

Subject to all existing easements or claims of easements, patent reservations, rights-of-way, protective covenants, zoning ordinances and applicable building codes, laws and regulations, encroachments, overlaps, boundary line disputes and other matters which would be disclosed by an accurate survey or inspection of the premises.

Including all mineral rights owned or hereafter acquired by SELLERS, but excluding any and all mineral rights not owned by SELLERS or not hereafter acquired by SELLERS.

Together with all water rights appurtenant thereto and specifically a well located thereon, covered by license number _____.

B. A five hundred horsepower pump, and a 250 horsepower booster pump. The parties hereto agree said pumps are attached to and have become a part of the real property described herein

C. A dirt cellar and air system and all of appurtenances to said cellar located on the property which the parties agree is a part of the real property.

D. Thirty-two (32) hook and latch hand irrigation lines.

INSTRUMENT NO.	918240
DATE	4-12-96
INST. CODE	400
FICHE NO.	71337-47
FEE	1.00
STATE OF IDAHO) COUNTY OF BONNEVILLE)	
I hereby certify that the within instrument was recorded.	
Ronald Longmore, County Recorder	
By <i>[Signature]</i> Deputy	

IDAHO TITLE & TRUST CO.
P. O. BOX 50367

IN WITNESS WHEREOF, we have set our hands and seals the day and year in the acknowledgements hereinafter set forth.

SELLERS:

Brent Lott
Michelle Lott

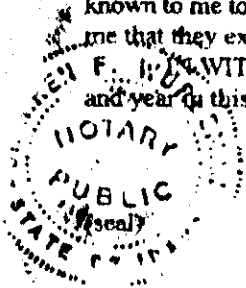
PURCHASERS:

Michael Ward
Lane L. Ward
Daniel W. Ward
Rae Ward
Brian E. Ward
Sandra Ward
Jeanne B. Ward
Walter K. Paul

STATE OF IDAHO)
)ss
County of BONNEVILLE

On this 12 day of APRIL, 1996, before me, the undersigned, a Notary Public in and for said state, personally appeared BRENT LOTT and MICHELLE LOTT, husband and wife, known to me to be the persons whose names are subscribed to the foregoing, and acknowledged to me that they executed the same.

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



Harold J. Hurdeman
Notary Public for Idaho
Residing at Idaho Falls
Commission Expires: 11-23-98

STATE OF IDAHO)
)ss
County of BONNEVILLE

On this 10 day of APRIL, 1996, before me, the undersigned, a Notary Public in and for said state, personally appeared DANIEL WARD and GWYNETH RAE WARD, husband and wife, known to me to be the persons whose names are subscribed to the foregoing, and acknowledged to me that they executed the same.

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



Harold J. Hurdeman
Notary Public for Idaho
Residing at: IDAHO FALLS, IDAHO
Commission Expires: 11-23-98

012157

NOTICE OF SALE

NOTICE IS HEREBY GIVEN THAT James D. Johnston and Terilee Johnston, husband and wife, have sold under an Agreement of Sale the following-described real property to Brent Lett and Michelle Lett, husband and wife, of 8437 N. 45 E., Idaho Falls, Idaho 83401.

This document is notice of and also deemed to be a fixture filing as between the above-named Vendors and Purchasers, and is to be recorded in the Real Estate Records of Bonneville County.

Township 3 North, Range 36, E.B.M., Bonneville County, Idaho
Section 28: the NE and the SE, less the South 33 feet
deeded to Bonneville County for road

That said Agreement of Sale is dated the 15 day of March, 1994.

872959

BONNEVILLE COUNTY
RECORDER

THIS NOTICE is dated the 15 day of March, 1994.

INSTRUMENT NO. 3475

DATE 3-15-94

INST CODE 410

FILE NO. 107-12

FEE 3.00

STATE OF IDAHO

COUNTY OF BONNEVILLE

I hereby certify that the within instrument is recorded

on this 15 day of March, 1994.

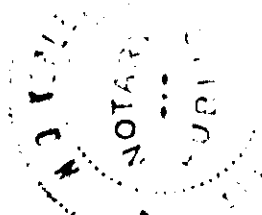
Notary Public for Idaho

STATE OF IDAHO

County of Bingham

On this 15 day of March, 1994, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared James D. Johnston and Terilee Johnston, husband and wife, known to me to be the persons whose name are subscribed to the within instrument, and acknowledged to me that they executed the same.

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



Notary Public for Idaho

Residing at: Idaho Falls, ID

My Commission Expires: 12-31-98

NOTICE OF SALE -- 1

IF 83401

WARRANTY DEED

For Value Received MARK A. MICKELSEN and STEPHANIE JO MICKELSEN, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto JAMES D. JOHNSTON and TERILEE JOHNSTON, husband and wife whose address is: 132 W. 210 N., BLACKFOOT ID 83221,

Hereinafter called the Grantee, the following described premises situated in Bonneville County, Idaho, to-wit:

Township 3 North, Range 36, East of the Boise Meridian,
Bonneville County, Idaho
Section 28: The NW $\frac{1}{4}$ and the SE $\frac{1}{4}$ less the South 33 feet deeded to Bonneville County for road.

TOGETHER WITH all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, including all water, water rights, ditch and ditch rights.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to 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 said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: JANUARY 21, 1994

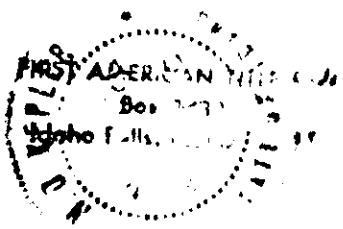
Mark A. Mickelsen
MARK A. MICKELSEN

Stephanie Jo Mickelsen
STEPHANIE JO MICKELSEN
BONNEVILLE COUNTY
RECORDER
JAN 21 PM 4 28
869251

STATE OF IDAHO
COUNTY OF BINGHAM

By *[Signature]*
Request of: SS.

On this 21ST day of JANUARY, 1994, before me the undersigned, a Notary Public in and for the said county and state, personally appeared MARK A. MICKELSEN and STEPHANIE JO MICKELSEN, known or proved to me to be the persons who executed the foregoing instrument, and acknowledged to me that they executed the same.



[Signature]
Notary Public for Idaho, *Idaho Falls, Idaho*
Residing at: BLACKFOOT ID
My Commission Expires: 07-17-96
7-1-99

34031



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

February 27, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

MICKELSEN FARMS PARTNERSHIP
1050 W RIVERVIEW DR
IDAHO FALLS ID 83401

RE: Notice of Change of Water Right Ownership (NCO) for
35-8037B and Notice of Completed Administrative Proceeding
(NCAP)

Dear Sir:

The Idaho Department of Water Resources (IDWR) received an NCO changing the right holder for a portion of the above referenced water right(s). Based on this NCO, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated with new water right numbers reflecting the division of the water right(s).

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of the water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,

Jennifer Crabtree

Technical Records Specialist

Enclosure

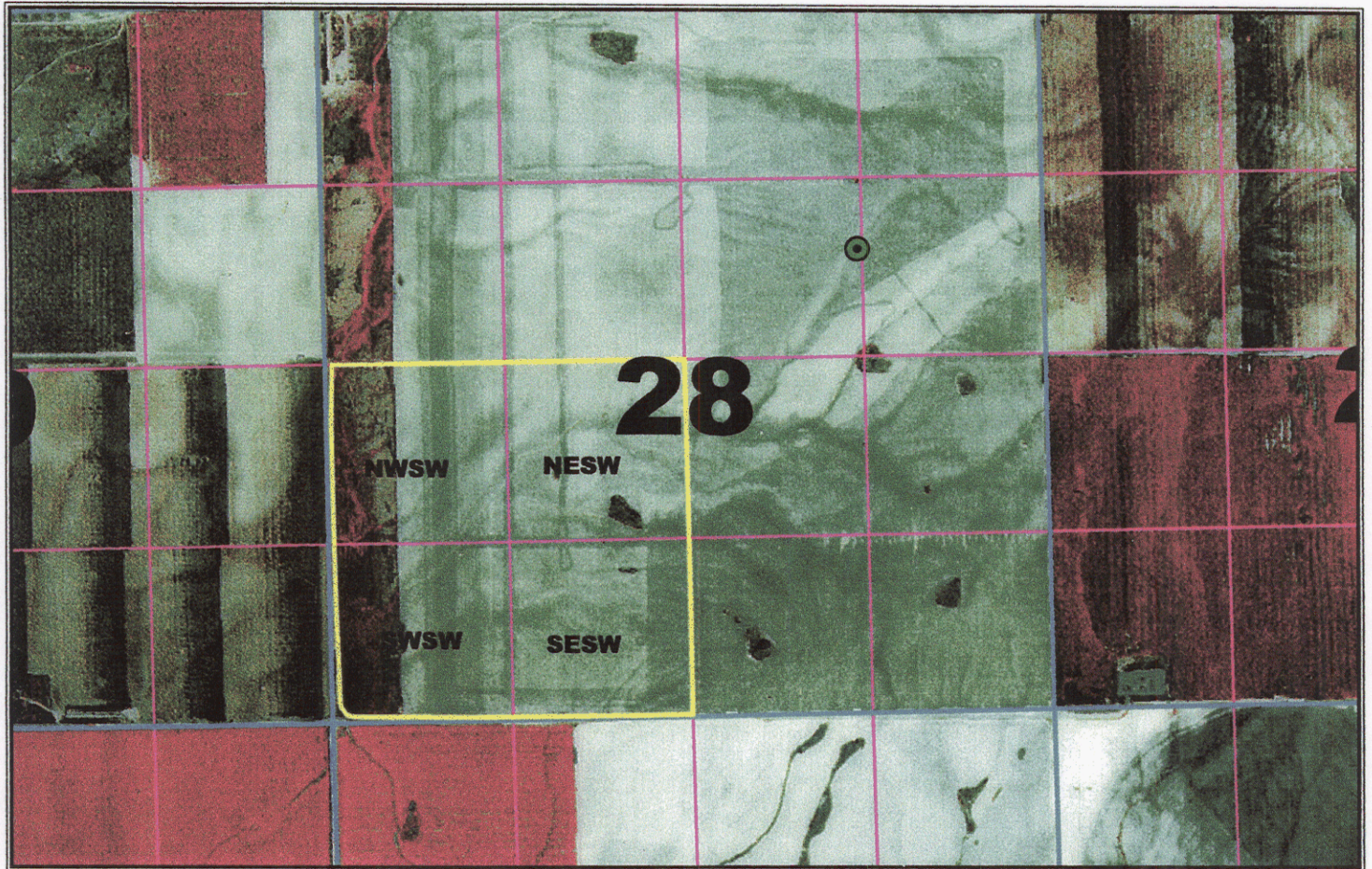
Chlorine Gas Contamination of Snake River Falls 1905-1905



STATE OF IDAHO

Department of Water Resources
Eastern Region

Water Right (s): 35-13297



1320 0 1320 2640 3960 Feet

Total Irrigated Acres: 156

-  **Point of Diversion**
-  **Place of Use**
-  **Section Lines**
-  **Quarter Quarter Lines**



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: C. Saxton
Date: February 2001