State of Idaho
DEPARTMENT OF WATER RESOURCES
900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - FAX: (208) 525-7177

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

MAY 5, 1994

THE NATURE CONSERVANCY
A DISTRICT OF COLUMBIA
NON-PROFIT CORP
PO BOX 165
SUN VALLEY ID 83353

RE: CHANGE OF OWNERSHIP FOR A21-11200, A21-00163B, A21-11199, A21-11198, A21-11194, A21-00179, A21-00178, A21-11192

Dear Sirs:

The request for Change of Ownership concerning your Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner.

Enclosed is the typed Notice(s) with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep these Notice for your records.

Respectfully submitted,

Sharla Cox
Adjudication Secretary

CC: MARYELLEN HITTSON
C/O MB HILLER PR
PO BOX 52020
IDAHO FALLS ID 83405

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Form 42-1409(7)

NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED
APR 29 1994
Department of Water Resources
Eastern District Office

DATE OF CLOSING: April 1, 1994

LEGAL DESCRIPTION OF PROPERTY: Township 14 North Range 43 & 44 East
Section See Exhibit A 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM
Lot _____, Block, _____, Subdivision/Townsite _____.
If you have additional legal descriptions, please attach separate sheet. Legal description is attached hereto, made part hereof, and marked Exhibit A.

[ ] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

[ ] Water Right Number(s) Assigned by IDWR: see next page. Attached hereto, made a part hereof, and marked Exhibit A.

[ ] Name and Address of Former Owner/Claimant(s)(Seller): Marvellen Hittson, P.O. Box 1715, Sun Valley, ID 83353; Marvellen Hittson Estate, c/o M. B. Hiller, P.R., POB 52020, Idaho Falls, ID 83405

[ ] New Owner/Claimant (Purchaser): The Nature Conservancy, a District of Columbia non-profit corp.

[ ] New Mailing Address: P. O. Box 165, Sun Valley, ID 83353

[ ] New Telephone Number: (208) 726 - 3007

[ ] Does the change in ownership result in a splitting of the water right owned/claimed? ___ yes X no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

[ ] Attach proof of ownership, describe proof attached: Personal Representative's Deed recorded April 1, 1994, in Fremont County, Idaho

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

[ ] Signature of New Owner/Claimant(s) Guy Bennion, Vice President Date 4-28-94

Date

[ ] Signature of Former Owner/Claimant(s): _____ Date

_____ Date

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:
Initial Review and Data-Entry
Date: **By:**
Further Action Needed:

Further Action Taken
Date: **By:**
Final Review and Data-Entry
Date: **By:**
Claim Numbers of Split, if any:

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Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

M. B. Hiller, Esq.
HILLER, BENJAMIN & ASSOCIATES
P. O. Box 52020
Idaho Falls, ID 83405
Telephone: (208) 525-3200

Microfilm No. 430673
1 Day Apr 19 94
At 12:30 O'clock P M
MICKIE FUNKE
FREMONT CO. RECORDER
Fee $ 9- Deputy
Recorded At Request of
First American Title Company

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNEVILLE MAGISTRATES DIVISION

In the Matter of the Estate of: MARYELLEN HITTSON, Deceased.	Case No. E-3074
	PERSONAL REPRESENTATIVE'S DEED

THIS PERSONAL REPRESENTATIVE'S DEED is made and entered into this 28th day of March, 1994, between M. B. HILLER as Personal Representative of the Estate of Maryellen Hittson, deceased, also known as Mary Ellen R. Hittson ("Grantor" herein) and THE NATURE CONSERVANCY, a District of Columbia non-profit corporation, 1815 N. Lynn Street, Arlington, Virginia, 22209, and P. O. Box 165, Sun Valley, Idaho, 83353 ("Grantee" herein).

W I T N E S S E T H:

That Grantor, for and in consideration of the sum of Ten Dollars ($10.00), the receipt of which is hereby acknowledged, does hereby grant, bargain, sell, convey and confirm unto THE NATURE CONSERVANCY, a District of Columbia non-profit corporation, all right, title and interest of the estate of the decedent at the time of her death, and all right, title and interest that the estate may

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have subsequently acquired under the law, in and to the following described property (including mineral, water and grazing rights), located in Fremont County, Idaho, to-wit:

See Exhibit "A" Attached hereto, and incorporated herein.

TO HAVE AND TO HOLD all and singular the said premises, together with the rents, issues and profits thereof, and the improvements, tenements, hereditaments and appurtenances thereunto belonging or appertaining unto the said Grantee.

WITNESS the hand and seal of the Grantor this 28th day of March, 1994.

M. B. Hiller
Personal Representative of the
Estate of Maryellen Hittson

STATE OF IDAHO)
: ss.
County of Bonneville)

ON THIS 28th day of March, 1994, before me, Theo L. Storer, a Notary Public in and for said State, personally appeared M. B. HILLER, known to me to be the Personal Representative of the Maryellen Hittson estate, whose name is subscribed to the within and foregoing instrument, and acknowledged to me that he subscribed his name to said instrument as Personal Representative of the Maryellen Hittson estate.

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

NOTARY PUBLIC (Seal)

Notary Public for Idaho
Residing at: Idaho Falls, ID
My commission expires: 4-13-99

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EXHIBIT "A"

TOWNSHIP 14 NORTH, RANGE 43 EAST, BOISE MERIDIAN, FREMONT COUNTY, IDAHO

SECTION 1: Lots 1, 2, 3 and 4; S1/2NE1/4; S1/2NW1/4; SE1/4; E1/2SW1/4; Less highway right-of-way.

SECTION 2: That portion of the E1/2 lying East of the Center line of the State highway.

SECTION 12: NE1/4NE1/4.

SUBJECT TO an Easement for carrying irrigation water and flooding over a portion of Sections 1 and 12, Township 14 North, Range 43 East, Boise Meridian, as given to the North Fork Reservoir Company, a corporation, by Quitclaim Deed recorded October 7, 1926, in Book 28 of Deeds, page 214.

TOWNSHIP 14 NORTH, RANGE 44 EAST, BOISE MERIDIAN, FREMONT COUNTY, IDAHO

SECTION 6: Lots 4, 5, 6 and 7, E1/2SW1/4.

SECTION 7: Lots 4, 5, 6, 7, 9, 10, 11, 12 and 13; NE1/4; NE1/4NW1/4; SE1/4SW1/4.

SECTION 8: Lots 2 and 3.

SECTION 17: Lots 1, 2, 3 and 4.

SECTION 18: Lots 1, 2 and 3.

SUBJECT TO an Easement for carrying irrigation water and flooding over a portion of Sections 7, 8, 17 and 18, Township 14 North, Range 44 East, Boise Meridian, as given to the North Fork Reservoir Company, a corporation, by Quitclaim Deed recorded October 7, 1926, in Book 28 of Deeds, page 214, and by Warranty Deed recorded October 7, 1926, in Book 28 of Deeds, page 207.

Together with all mineral and mineral rights, water and water rights, ditch and ditch rights, grazing and grazing rights, including:

IDWR Ref. No.	Priority Date		Total Qty. Appropriated CFS
A21-11200	10/12/12	Jones Creek	3.32
A21-00163B	9/15/13	Henry's Fork	6.00
A21-11199	10/12/12	Stephen's Creek	2.54
A21-11198	3/01/06	Crooked Creek	4.23
A21-11194	11/25/02	Henry's Fork	17.03
A21-00179	6/01/14	Twin Creek	2.23
A21-00178	6/01/12	Twin Creek	2.23
A21-11192	4/01/39	Henry's Fork	10.23

25 acre feet of storage water in Island Park Reservoir.

Landlord	Tenant	Lease No.	Acres	AUM's
U.S. Government (BLM)	Hittson	04323	90.4	33
State of Idaho	Hittson	A portion of G-8823	80	48

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STATE OF CALIFORNIA)
: ss.
County of Riverside)

ON THIS 14th day of February, 1989, before me, Audrey Jean Fleischman, a Notary Public in and for said state, personally appeared MARYELLEN RICHARDS HITTSON, known to me to be the person whose name is subscribed to the within and foregoing Limited Power of Attorney, and acknowledged to me that she executed the same.

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

Audrey Jean Fleischman
NOTARY PUBLIC for California
Residing at: Palm Desert
My Commission expires: Sept 20, 1991

(seal)

OFFICIAL SEAL
AUDREY JEAN FLEISCHMAN
Notary Public-California
RIVERSIDE COUNTY
My Comm. Exp. Sep. 20, 1991

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NOV 18 2004

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LIMITED POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That I, MARYELLEN RICHARDS HITTSON, of Blaine County, Idaho, do hereby make, constitute and appoint WILLIS B. BENJAMIN, my attorney, of Bonneville County, Idaho, my true and lawful attorney-in-fact, for me and in my name, place and stead, to execute any and all documents, instruments or papers required or necessary with regard to all water and water rights of any nature in the State of Idaho relative to all lands which I hold in said State.

Granting and giving unto said attorney-in-fact, WILLIS B. BENJAMIN, full authority and power to do and perform any and all other acts necessary or incident to the performance and execution of the powers herein expressly granted, with power to do and perform all acts authorized hereby, as fully to all intents and purposes as I might or could do if personally present.

And I hereby ratify, confirm and allow whatever my attorney shall lawfully do in the premises.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 14th day of February, 1989.

Maryellen Richards Hittson
MARYELLEN RICHARDS HITTSON

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