



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

September 6, 1998

C LADD HOLMQUIST
1534 W 81 N
IDAHO FALLS ID 83402

RE: Notice of Change of Water Right Ownership (NCO) for
35-07261, 35-07261A, 35-07261B and Notice of
Completed Administrative Proceeding (NCAP)

Dear Mr. Holmquist:

On August 17, 1998, 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 Hoagland
Technical Records Specialist

Enclosure

DELOG GT 8/18/98

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.

DO NOT Incomplete forms will be returned.
Part I

RECEIVED

1. Water Right Number(s) 35-072601 ^A/_B

Adjudication Claim Number(s) A35-072601

AUG 17 1998

Department of Water Resources
Eastern Region

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 for parcel of ten acres or less. (These are usually on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

X 3. Name and Address of Former Owner/Claimant(s) Wayne S. Landon

X 4. New Owner/Claimant(s) C. Ladd Holmanist

Name connector (Check one): [] AND, [] OR, [] AND/OR

New Mailing Address 1534 W 81 N Idaho Falls 83402

City, State and ZIP Code Idaho Falls, Idaho 83402

New Telephone Number (208) 523 5034

X 5. Date you acquired the property 7/1 96

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages. Sec 23 NW1/4 - 30 acres, SW1/4 - 28 acres, NW1/4 SE - 28 acres
SW1/4 SE - 20 acres, SE1/4 SE - 32 acres
26 NW1/4 - 28 acres

Number of acres actually irrigated 168 Number and type of stock _____

Diversion rate in CFS 3.40 Number of homes _____ Other uses _____
cubic feet per second

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.

X 7. Signature of New Owner/Claimant(s) C. Ladd Holmanist Date 8/17 98

Date _____

8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

ALLIANCE

TITLE & ESCROW CORP.

August 20, 1996

C LADD HOLMQUIST

ORDER No. 14-16336-DW
 LOAN No.
 REFERENCE Landon/Holmquist

In connection with the above transactions, we enclose:

- Standard ☒ Owners Policy No. 13 0042 106 00000341
 ALTA ☐
- ☒ Policy of Title Insurance
- ☐ Escrow closing statement
- ☐ Our Check # _____ in the amount of \$ _____
- ☒ Deed from Landon to Holmquist #923788
- ☐ Deed of Trust executed by _____
- ☐ Original Note for \$ _____ made by _____
 in favor of _____
- ☐ Fire Policy # _____ Issued by _____
 Amount \$ _____ Expiration date _____
- ☐ Copy of recorded documents which you requested
- ☐ Receipted tax bill
- ☐ Covenants, Conditions, Restrictions and Plat
- ☒ Quitclaim Deed #923789
- ☐

Any recorded document to which you are entitled will be forwarded.

Thank you for giving us the opportunity of serving you.

ALLIANCE TITLE AND ESCROW CORP.

By _____

Diane Dexter



WARRANTY DEED

WAYNE S. LANDON and JEANINE B. LANDON aka JEANINE LANDON, husband and wife, as **GRANTOR**, for good and valuable considerations, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto **LADD HOLMQUIST, a single man**, as **GRANTEE**, and Grantee's successors and assigns, whose address is: 1534 W. 81st N., Idaho Falls, ID, all of the following described real estate situated in the State of Idaho, to-wit:

Part of Sections 23 and 26, Township 3 North, Range 37 East of the Boise Meridian, Bonneville County, Idaho, more particularly described as follows:

Beginning at a point on the East right-of-way line of Interstate 15 that is S89°32'10"E 43.34 feet along the Section line from the North quarter corner of said Section 23 and running thence S89°32'10"E 1276.21 feet along the Section line to the Northeast corner of the Northwest quarter of the Northeast quarter of said Section 23; thence S00°02'21"E 3979.86 feet along the 1/16th line to the Northwest corner of the Southeast quarter of the Southeast quarter of said Section 23; thence S89°37'58"E 1321.03 feet to the Northeast corner of said Southeast quarter of the Southeast quarter; thence S00°03'38"E 1325.88 feet along the Section line to the Southeast corner of said Section 23; thence N89°39'54"W 1321.52 feet along the Section line to the Northeast corner of the Northwest quarter of the Northeast quarter of said Section 26; thence S00°09'56"W 1321.02 feet to the Southeast corner of said Northwest quarter of the Northeast quarter; thence N89°38'16"W 1027.08 feet along the South line of said Northwest quarter of the Northeast quarter to the East right-of-way line of Interstate 15; thence N00°07'07"E 4162.56 feet along said right-of-way line to the P.C. of a curve (Station 402+72.57); thence to the left along said curve on said right-of-way line 2239.72 feet (Curve Data Delta=11°03'14", R=11,609.16 feet) chord bears N05°24'15"W 2236.20 feet to the PT of a curve (Station 424+83.40); thence N10°56'52"W 247.03 feet to the point of beginning.

EXCEPTING THEREFROM all of the following property and/or tracts:

TRACT 1: Part of the Southeast quarter of the Southeast quarter of Section 23, Township 3 North, Range 37 East of the Boise Meridian, Bonneville County, Idaho, more particularly described as follows:

Beginning at a point that is N89°39'54"W 540.78 feet along the Section line and N00°55'13"E 412.92 feet from the Southeast corner of said Section 23, and running thence N88°16'06"W 310.52 feet; thence N01°43'54"E 846.81 feet to the South line of an existing County Road right-of-way; thence S89°52'24"E 299.09 feet along said South line; thence S00°26'01"W 509.61 feet; thence S01°43'54"W 345.71 feet to the point of beginning. (Containing approximately 6 acres)

TRACT 2: Part of the Southeast quarter of Section 23, Township 3 North, Range 37 East of the Boise Meridian, Bonneville County, Idaho, more particularly described as follows:

Beginning at a point that is N89°39'54"W 1521.72 feet along the Section line and N00°20'06"E 1139.61 feet from the Southeast corner of said Section 23, said point being on the North right-of-way line of an existing County Road F.A.S. Project No. S-6713, and running thence N59°41'03"E 173.35 feet along said North right-of-way line; thence N14°25'52"W 174.06 feet; thence S68°34'53"W 203.10 feet; thence S24°28'41"E 199.86 feet to the point of beginning. (Containing approximately .798 Acres)

TRACT 3: Part of the Southeast quarter of Section 23, Township 3 North, Range 37 East of the Boise Meridian, Bonneville County, Idaho, more particularly described as follows:

Beginning at a point that is N89°39'54"W 1521.72 feet along the Section line and N00°20'06"E 1139.61 feet from the Southeast corner of said Section 23, said point being on the North right-of-way line of an existing County Road F.A.S. Project No. S-6713, and running thence S59°56'13"W 251.36 feet along said North right-of-way line; thence N24°47'32"W 203.23 feet; thence N60°43'22"E 252.16 feet; thence S24°28'41"E 199.86 feet to the point of beginning. (Containing approximately 1.16 Acres)

TRACT 4: The county road right-of-way over and across the South half of the Southeast quarter of Section 23, Township 3 North, Range 27 East of the Boise Meridian, Bonneville County, Idaho.

SUBJECT TO AND RESERVING the following:

RESERVATION OF AESTHETIC VIEW EASEMENT: Grantor expressly reserves an aesthetic view easement for the benefit of Exception Tract 1, hereinbefore described, over, across and on the following described property:

Beginning at the Southeast corner of Exception Tract 1, hereinbefore described, and running thence S88°16'06"E to the Section line between Sections 23 and 24; thence North along said Section line to a point where the Section line intersects the South line of the Payne County Road (81st North) right-of-way; thence Westerly along the South line of the said county road right-of-way to the Northeast corner of Tract 1, thence South along the East line of Tract 1 to the point of beginning.

Also beginning at the Southwest corner of Tract 1 and running thence N88°16'06"W approximately 670.42 feet to the 1/16th Section line; thence North along the 1/16 Section line to a point where the 1/16th Section line intersects the South line of the Payne County Road (81st North) right-of-way; thence Easterly along the South line of the said county road right-of-

way to the Northwest corner of Tract 1, thence South along the West line of Tract 1 to the point of beginning.

This aesthetic view easement shall remain in effect for the longest of: (a) 10 years from the date of this Warranty Deed or (b) for so long as Wayne S. Landon or Jeanine Landon shall during their lifetime(s) use Tract 1 as their/his/her primary residence. Upon expiration of the later of the two time periods, the reserved aesthetic view easement shall automatically and immediately terminate. The aesthetic view easement shall restrict Grantee from placing obstructions or eyesores such as haystacks, out buildings, trash, or storage of materials or equipment or implements on the easement, but shall not preclude Grantee from placing irrigation pivots or handlines on the easement for the purpose of irrigating crops or pastures.

RESERVATION OF SNOW BLOWING EASEMENTS: Grantor expressly reserves an easement for the right to blow snow onto Grantee's property along the length of the driveways that lie along the Easterly boundaries of Exception Tracts 1 and 2, hereinbefore described.

1996 and subsequent years general taxes and assessments, all existing patent reservations, easements, rights of way, zoning ordinances and applicable building codes, laws and regulations.

TOGETHER WITH:

TREE PLANTING RESTRICTION: Grantor grants to Grantee a tree and vegetation set-back easement lying along the Northerly boundaries of Exception Tracts 2 and 3, hereinbefore described, which shall restrict the respective Tract 2 and 3 Owners from planting any trees or vegetation along said boundaries that overhang or protrude beyond said boundary lines, the purpose of which easement is to prevent any obstructions to the irrigation and farming of the real property abutting said boundary lines. This tree and vegetation set-back easement shall be binding upon the current and any subsequent owners of the excepted Tracts 2 and 3 for so long as the abutting real property is used for farming or pasture.

PUMP ACCESS & MAINTENANCE EASEMENT: Grantor grants to Grantee a 10-foot wide easement for access to and from the Pump and for maintenance and repair of said Pump, running inside of and parallel to the Easterly line of Exception Tract 2, hereinbefore described. This maintenance and repair easement shall remain in effect for so long as the existing well lying Easterly from and in close proximity to the granted easement is used for irrigation purposes by Grantee or Grantee's heirs, successors, and/or assigns.

Any and all improvements, water and ditch rights, easements, tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversion, remainder, rents, issues, and profits thereof.

Grantor, for himself and his successors and assigns, does hereby warrant and agree to forever defend the Grantee, and Grantee's successors and assigns, in the quiet and peaceful possession of said premises against the lawful claims of any and all persons.

In construing this Deed and where the context so requires, the singular includes the plural, and the masculine, the feminine and neuter.

IN WITNESS WHEREOF, the Grantor hereunto has set his hand and seal hereto on 7/2/96.

Wayne S. Landon By Brad Landon Jeanine Landon By Brad Landon
WAYNE S. LONDON by BRAD LONDON JEANINE LONDON by BRAD
as Attorney-in-Fact LONDON as Attorney-in-Fact

GREGG W. LANDON and WANDA LANDON, husband and wife, and BRAD J. LANDON and JANA LYNNE LANDON, husband and wife, hereby consent to and join in the granting of the TREE PLANTING RESTRICTION and the PUMP ACCESS & MAINTENANCE EASEMENT granted hereinbefore as it may now or hereafter affect our property.

Gregg W. Landon
GREGG W. LANDON

Wanda Landon
WANDA LANDON

Brad J. Landon
BRAD J. LANDON

Jana Lynne Landon
JANA LYNNE LANDON

BONNEVILLE COUNTY
RECORDER
206 JUL 3 PM 1 52

029700

INSTRUMENT NO.	923788
DATE	7-3-96
INST. CODE	205
FICHE NO.	11551-49
FEE	15.00
STATE OF IDAHO) COUNTY OF BONNEVILLE) ss	
I hereby certify that the within instrument was recorded.	
Ronald Longmore, County Recorder	
By <u>[Signature]</u> Deputy	
Request of	

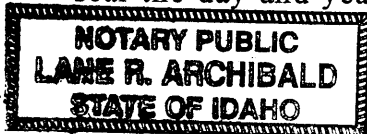
STATE OF IDAHO

)
) SS.

COUNTY OF BONNEVILLE

On this date, ~~June~~ July 2, 1996, before me, the undersigned, a Notary Public in and for the State, personally appeared BRAD LONDON, known or identified to me to be the Attorney-in-Fact of WAYNE S. LONDON, and the Attorney-in-Fact of JEANINE LONDON, and acknowledged to me that he subscribed the names of WAYNE S. LONDON and JEANINE LONDON thereto as Principals, and his own name as Attorney-in-Fact.

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



Residing at Idaho Falls, Idaho
My Commission Expires Apr. 15, 1999

STATE OF IDAHO

NOTARY FOR THE STATE OF IDAHO
Commission Expires: _____

)
) SS.
)

COUNTY OF BONNEVILLE

On this date, ~~June~~ July 2, 1996, before me, the undersigned, a Notary Public in and for the State, personally appeared GREGG W. LONDON and WANDA LONDON, known or identified to me to be the person whose names 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 my official seal the day and year in this certificate first above written.



Residing at Idaho Falls, Idaho
My Commission Expires Apr. 15, 1999

STATE OF IDAHO

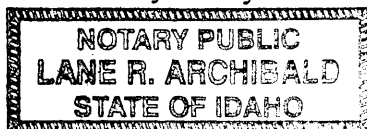
NOTARY FOR THE STATE OF IDAHO
Commission Expires: _____

)
) SS.
)

COUNTY OF BONNEVILLE

On this date, ~~June~~ July 2, 1996, before me, the undersigned, a Notary Public in and for the State, personally appeared BRAD J. LONDON and JANA LYNNE LONDON, known or identified to me to be the person whose names 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 my official seal the day and year in this certificate first above written.



Residing at Idaho Falls, Idaho
My Commission Expires Apr. 15, 1999

NOTARY FOR THE STATE OF IDAHO
Commission Expires: _____

QUITCLAIM DEED

For Value Received

LADD HOLMQUIST, A SINGLE MAN

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

C. LADD HOLMQUIST, A SINGLE MAN

whose current address is

1534 W. 81ST N., IDAHO FALLS, ID 83402

the following described premises, to-wit:

SEE ATTACHED EXHIBIT "A"

JUL 3 PM 1 52

COUNTY OF BONNEVILLE
RECORDED

000000

INSTRUMENT NO.	923789
DATE	7-3-96
INST. CODE	220
FICHE NO.	11551-54
FEE	900
STATE OF IDAHO)	
COUNTY OF BONNEVILLE) ss	
I hereby certify that the within	

Part of Section 23 and 26, Township 3 North, Range 37, East, B.M.
Bonnevill County, Idaho described as:

Beginning at a point on the East right of way line of Interstate 15 that is South $89^{\circ}32'10''$ East 43.34 feet along the section line from the North quarter corner of said Section 23 and running thence South $89^{\circ}32'10''$ East 1276.21 feet along the section line to the Northeast corner of the Northwest quarter, Northeast quarter of said Section 23; thence South $0^{\circ}02'21''$ East 3979.86 feet along the 1/16th line to the Northwest corner of the Southeast quarter, Southeast quarter of said section 23; thence South $89^{\circ}37'58''$ East 1321.03 feet to the Northeast corner of said Southeast quarter, Southeast quarter; thence South $0^{\circ}03'38''$ East 1325.88 feet along the section line to the Southeast corner of said Section 23; thence North $89^{\circ}39'54''$ West 1321.52 feet along the section line of the Northeast corner of the Northwest quarter of the Northeast quarter of said Section 26; thence South $0^{\circ}09'56''$ West 1321.02 feet to the Southeast corner of said Northwest quarter Northeast quarter; thence North $89^{\circ}38'16''$ West 1027.08 feet along the South line of said Northwest quarter, Northeast quarter to the East right-of-way line of Interstate 15; thence North $0^{\circ}07'07''$ East 4162.56 feet along said right-of-way line to the P.C. of a curve (Station 4002+72.57); thence to the left along said curve on said right-of-way line 2239.72 feet (Curve Data Delta = $11^{\circ}03'14''$ R=11,609.16') chord bears North $5^{\circ}24'15''$ West 2236.20 feet to the P.T. of a curve (Station 424+83.40); thence North $10^{\circ}56'52''$ West 247.03 feet to the point of beginning.

Excepting therefrom the county road right of way over and across the South half of the Southeast quarter, of said Section 23 and also the following described parcel, of record:

Excepting therefrom:

Part of the Southeast Quarter of the Southeast Quarter of Section 23, Township 3 North, Range 37 East of the Boise Meridian described as follows:

Beginning at a point that is North $89^{\circ}39'54''$ West 540.78 feet along the Section line and North $0^{\circ}55'13''$ East 412.92 feet from the Southeast corner of said Section 23, and running thence North $88^{\circ}16'06''$ West 310.52 feet; thence North $1^{\circ}43'54''$ East 846.81 feet to

EXHIBIT A (Continued)

the South line of an existing County Road right-of-way; thence South 89°52'24" East 299.09 feet along said South line; thence South 0°26'01" West 509.61 feet; thence South 1°43'54" West 345.71 feet to the point of beginning.
Excepting therefrom:

Part of the Southeast Quarter of Section 23, Township 3 North, Range 37 East of the Boise Meridian described as follows:

Beginning at a point that is North 89°39'54" West 1521.72 feet along the section line and North 0°20'06" East 1139.61 feet from the Southeast corner of said Section 23, said point being on the North right-of-way line of an existing County Road F.A.S. Project No. S-6713, and running thence North 59°41'03" East 173.35 feet along said North right-of-way line; thence North 14°25'52" West 174.06 feet; thence South 68°34'53" West 203.10 feet; thence South 24°28'41" East 199.86 feet to the point of beginning.

Excepting therefrom:

Part of the Southeast Quarter of Section 23, Township 3 North, Range 37 East of the Boise Meridian described as follows:

Beginning at a point that is North 89°39'54" West 1521.72 feet along the section line and North 0°20'06" East 1139.61 feet from the Southeast corner of said Section 23, said point being on the North right-of-way line of existing County Road F.A.S. Project No S-6713, and running thence South 59°56'13" West 251.36 feet along said North right-of-way line; thence North 24°47'32" West 203.23 feet; thence North 60°43'22" East 252.16 feet; thence South 24°28'41" East 199.86 feet to the point of beginning.

Together with all water rights pertaining to the described property.

Subject to exceptions acceptable to buyer as may be shown on a commitment for a standard owners title insurance policy yet to be reviewed by buyer.

14	1
23	24

ZSR

2451
T699

2817
T883

2080
T828

①
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①
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①
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②
50.3

③
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Holmgrenist

NHEL

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Landon

Landon

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Holmgrenist

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Reference Map

30

29

Staphylococcus

28

2905

6 acres

London Refers 8 ans
and. 0-16 ds

22

38

23
26

23

35-07261