

OK Bar 9/6/01

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
<u>A29-10893</u>					
<u>A29 02144</u>					
<u>A29 07335</u>					

2. The following **REQUIRED** information must be submitted with this form:

~~A. The appropriate FILING FEE. See instructions for fee amounts.~~

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or SURVEY MAP clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are 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(s) Ben Hayden and/or Mid Crystal Farms
4. New Owner/Claimant(s) HANS HAYDEN or TWAIN HAYDEN
~~MID CRYSTAL FARMS~~
Name Connector (Check one): [] and, [] or, [] and/or
- New Mailing Address SAME as to Hans Hayden 3747 MID CRYSTAL RD
- City, State and ZIP Code ARBON, IDAHO 83212
- New Telephone Number (208) 335 2152
5. Date you acquired the property _____

Hans Hayden
Contact ID# 123771

Twain Hayden
323558

WARRANTY DEED

FOR VALUE RECEIVED

Ben and June Hayden, 2595 N Mink Creek Rd. Pocatello, Idaho

The Grantor, do hereby grant, bargain, sell and convey unto
Hans Hayden and Twain Hayden

The Grantee, whose address is 3747 Mid Crystal Rd, Arbon, Idaho, 83212

the following described premises, to-wit:

N1/2 Section 8, T9S, R34 E.B.M., Power County, Idaho 29-2144 partial - see 29-2488 A
Lot 4 and SW1/4NW1/4 and W1/2SW1/4 Section 5, T9S, R34 E.B.M., Power County, Idaho
Lot 1 and SE1/4NE1/4 Section 6, T9s, R34 E.B.M. Power County, Idaho
SE1/4SE1/4 Section 31, T8s, R34 E.B.M., Power County, Idaho
SW1/4SW1/4 Section 32, T8s, R34 E.B.M., Power County, Idaho 29-7335 partial

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee,
heirs and assigns forever. And the said Grantor do hereby covenant to
and with the said Grantee, that he the owner in fee simple of said premises; that said
premises are free from all encumbrances

and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: March 1, 1996

Ben L. Hayden
June L. Hayden

STATE OF IDAHO, COUNTY OF

On this 12th day of December, 1996,
before me, a notary public in and for said State, personally appeared

Ben and June Hayden

known to me to be the persons whose names
subscribed to the within instrument, and acknowledged to me
that they executed the same.

Shauna Wilding
Notary Public

Pocatello, Idaho
My Comm. Expires: 3/15/02

PUBLIC

STATE OF IDAHO, COUNTY OF Power

I hereby certify that this instrument was filed for record at the
request of Hans Hayden

at 31 minutes past 4 o'clock P.M.,
this 14 day of January,
1997 in my office, and duly recorded in Book Drawer 8
of Deeds at page

Carol Schreiber
Ex-Officio Recorder

By Maureen Schelske
Deputy.

Fees \$ 3.00
Mail to:

106863



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

August 6, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

HANS OR TWAIN HAYDEN
3747 MID CRYSTAL RD
ARBON ID 83212

RE: NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP FOR A29-02144,
A29-07335 AND A29-10893

Dear Gentlemen:

I am returning the above mention Notice of Change in Water Right Ownership for the following reasons:

1. Land claimed in 29-07335, legal descriptions below, are not shown on the deed you provided:

Township	Range	Section	¼	¼
8S	34E	32	SW	NE,
8S	34E	32	SE	NW
8S	34E	32	NE	SW
8S	34E	32	NW	SW
8S	34E	32	NW	SE

2. Part of land claimed in 29-02144 and 29-10893 is shown on the deed, but does not include lands claimed in:

Township	Range	Section
9S	34E	9
9S	34E	10
9S	34E	3

what needed here

~~9S~~
✓ 9S

- TRANSFER on Adj. Filing -
Russell

If indeed you do own the above mention property please resubmit the Change of Ownership form with the appropriate deeds.

If you have any questions please feel free to contact Bryce Contor at this office at 208-525-7161.

Respectfully submitted,

Cheri Vandermeulen

Cheri Vandermeulen
Records Clerk

WARRANTY DEED

FOR VALUE RECEIVED

June Hayden

The Grantor, do hereby grant, bargain, sell and convey unto

Hans Hayden and Twain Hayden,
3747 Mid Crystal Rd, Arbon, Idaho 83212

The Grantee, whose address is

the following described premises, to-wit:

S9 T9S R34E
E2SW Lying E of Mink Creek Rd
NWSE Lying E of Mink Creek Rd
T-22 Lying E of Mink Creek Rd
SWSE

178006~

INSTRUMENT #	
TIME	1:10 pm
REQ. OF	Hans Hayden
SEP - 6 2001	
POWER COUNTY FALLS CHRISTINE SCHMIDT DEPUTY	

At 3⁰⁰

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor do hereby covenant to and with the said Grantee, that he the owner in fee simple of said premises; that said premises are free from all encumbrances

and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: Sept 3, 2001

June S. Hayden

STATE OF IDAHO, COUNTY OF

On this 3rd day of Sept, 2001, before me, a Notary Public in and for said State, personally appeared June S. Hayden

NOTARY

known to me to be the person who name Hans Hayden, and acknowledged to me executed the same.

Notary Public

Residing at Arbon, Id
Comm. Expires 8/12/04

STATE OF IDAHO, COUNTY OF Power, Idaho

I hereby certify that this instrument was filed for record at the request of Hans Hayden

at minutes past o'clock m.,
this day of
19, in my office, and duly recorded in Book
of Deeds at page

Ex-Officio Recorder

By Deputy.

Fees \$
Mail to:

INSTAL
 TIME 3:55 pm
 REQ. OF Hans Hayden
 JUN 20 2001
 POWER COUNTY AM. FALLS
 CHRISTINE STEINLICH
 BY [Signature] DEPUTY 12.15.00

177573

1

REAL ESTATE SALES AGREEMENT

THIS AGREEMENT is made and entered into by and between **RUSSELL HAYDEN and DORIS B. HAYDEN**, (Sellers) and **HANS and TWAIN HAYDEN**, partners in joint tenancy, (Buyers).

RECITALS

A. Sellers own the following real and personal property:

The real property is more particularly described as follows and includes all water rights and other appurtenances.

Lot 1 and 2 SWNE, W1/2SE SEC 2 and NWNE SEC 11 (Basin).

N1/2NE sec 10, NWNW sec 11, SESE and T-13 sec 3, and

W1/2SWSW sec 2 (near pond)

area involved in Irrigation

T25 and SESE SEC 9, S1/2SW SEC 10 (Pasture on Myler Rd)

All above from Twn 9S, R34E, Power County, Idaho

The Buyers desire to purchase all of the real property and the personal property listed in this Agreement.

B. Subject to the terms of this Agreement, Sellers will sell as requested by Buyers.

NOW, THEREFORE, in consideration of the mutual covenants entered into herein, the parties hereby agree as follows:

1) **Sale of Real and Personal Property.** The Sellers shall sell and the Buyers shall purchase, upon the terms and conditions herein provided, the real property and the personal property.

2) **Improvements.** All structures, including houses, grain storage facilities, and all outbuildings, if any, located on the property, all irrigation fixtures, water and water rights and ditches and ditch rights appurtenant thereto that are now on or used in connection with the premises shall be included in this sale. All rights accruing to Sellers under any oil and gas

WARRANTY DEED

166606

3 10:15 AM
 Merrill
 Merrill
 NOV 26 1996
 Maureen Schaefer
 Pd. 122

For Value Received

BEN L. HAYDEN and JUNE S. HAYDEN

the grantors, do hereby grant, bargain, sell and convey unto

HANS B. HAYDEN and TWAIN S. HAYDEN

whose addresses are respectively:

3746 Mid-Crystal Road
Arbon, Idaho 832123747 Mid-Crystal Road
Arbon, Idaho 83212

the following described premises in Power County, Idaho, to-wit:

Legal description is provided in the attached Exhibit "A"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees and their heirs and assigns forever. The Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises, that the premises are free from all encumbrances and that they will forever warrant the title to said premises.

DATED: November 22, 1996.

Ben L. Hayden
 Ben L. Hayden

June S. Hayden
 June S. Hayden

TAY 22
 IS 2nd of Hwy at
 Section 9 NENE and
 Port of NWSE

Include Map

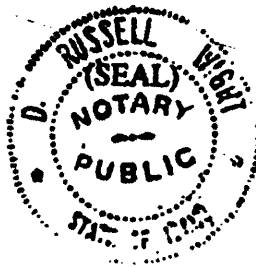
STATE OF IDAHO)

County of Bannock)

:ss

On this 22 day of November, 1996, before me, the undersigned, a Notary Public in and for said County and State, personally appeared BEN L. HAYDEN and JUNE S. HAYDEN, husband and wife, known to me to be the persons who executed 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.



D. Russell Wright
NOTARY PUBLIC FOR IDAHO

Residing at: Laurel

My commission expires: April 29, 1997

EXHIBIT A

T. 8 S., R. 34 E.B.M., Sec. 28, SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$.

The Southeast Quarter of the Southeast Quarter of Sec. 29, the Northeast Quarter of the Northeast Quarter of Sec. 32, and the West Half of the Northwest Quarter of Sec. 33, in Township 8 South of Range 34, E.B.M. in Idaho, containing 160 acres, according to the Official Plat of the Survey of the said Land, returned to the General Land Office by the Surveyor General.

The South Half of the Northeast Quarter and the South Half of the Northwest Quarter of Sec. 32, in T. 8 S. of Range 34 E.B.M. in Idaho containing 160 acres.

The East Half of the Southeast Quarter of Sec. 32; the West Half of the Southwest Quarter of Sec. 33, T. 8 S. Range 34, E.B.M., Idaho containing 160 acres, according to the Official Plat of the Survey of the said Land, returned to the General Land Office by the Surveyor General.

The Northeast Quarter of the Southeast Quarter of Sec. 31; the North Half of the Southwest Quarter, and the Southeast Quarter of the Southwest Quarter, of Sec. 32, in T. 8 S. of Range 34 E.B.M., Idaho, containing 160 acres, according to the Official Plat of the Survey of the said Land, returned to the General Land Office by the Surveyor General.

COMMENCING at the Southeast corner of the Southwest quarter of Section 4, Township 9 South, Range 34 E., B.M., Power County, Idaho; running thence North 16 rods; thence West 20 rods; thence South 16 rods; thence East 20 rods to the place of beginning.

The Northeast one-quarter (NE $\frac{1}{4}$) of the Southeast one-quarter (SE $\frac{1}{4}$) Section Four (4), Township Nine (9) South, Range 34, East, Boise Meridian, and that portion of the Northwest one-quarter (NW $\frac{1}{4}$) of the Southwest one-quarter (SW $\frac{1}{4}$) of Section Three (3), Township Nine (9) South, Range 34, East, Boise Meridian, lying West of the highway right-of-way as described in the State of Idaho Right-of-Way Deed, Instrument 67635, recorded in Book of Deeds 99, at page 45, Power County Records, all the foregoing being within Power County, State of Idaho.

Southeast Quarter (SE $\frac{1}{4}$) of Section 8, Township 9 South, Range 34, East of Boise Meridian; the West Half of the Southeast Quarter (W $\frac{1}{2}$ SE $\frac{1}{4}$) in Section 32, Township 8 South of Range 34, East of Boise Meridian.

The Southwest Quarter of Northeast Quarter, West Half of Southeast Quarter, Southeast Quarter of Southeast Quarter; the Southwest Quarter, and all that portion of the Southwest Quarter of Northwest Quarter lying South of the road running Northwesterly and Southeasterly across said tract of land, containing approximately 6 $\frac{2}{3}$ acres. EXCEPT TAX THREE all in Section 4 Township 9 South of Range 34, East of Boise

Meridian.

Lots 1, 2, and 3, the South Half of Northeast Quarter, Southeast Quarter of Northwest Quarter; the East Half of Southwest Quarter; the Southeast Quarter in Section 5, Township 9 South of Range 34, East of Boise Meridian, all in Power County, State of Idaho.

That portion of the Northeast Quarter (NE 1/4) of Section 9, Township Nine (9) South of Range Thirty-Four (34) E.B.M. which lies West of Mink Creek Road, in Power County, Idaho.

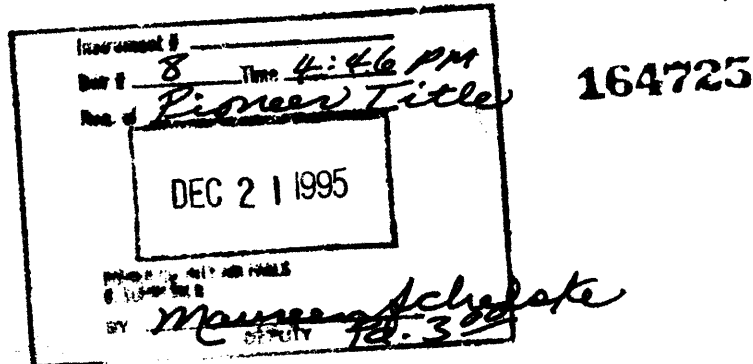
The Northwest Quarter (NW 1/4) and the West half of the Southwest Quarter (W 1/2 SW 1/4) of Section 9, Township Nine (9) South of Range 34 E.B.M. in Power County, Idaho.

That portion of the E 1/2 of the SW 1/4 and that portion of the W 1/2 of the SE 1/4 in Section 9, Township 9 South, Range 34 E.B.M. which lies West of Mink Creek Road in Power County, Idaho.

WARRANTY DEED

FOR VALUE RECEIVED, RUSSELL J. HAYDEN AND DORIS B. HAYDEN, HUSBAND AND WIFE
 the Grantor(s), do(es) hereby grant, bargain, sell, and convey unto HANS HAYDEN, ^{A MARRIED PERSON AND} ~~HUSBAND AND WIFE~~ TWAIN HAYDEN, A MARRIED PERSON
 the Grantee(s), whose address is 3747 MID CRYSTAL ROAD, AMERICAN FALLS, ID 83212
 (Mailing Address), MYLER ROAD, ID (Property Address),
 the following described premises, situated in POWER County, Idaho:

That *1/4* of the *1/4* being
 a portion of the N1/2 SW1/4 SE1/4 SOUTH AND EAST OF THE COUNTY ROAD KNOWN AS MYLER
 ROAD IN SECTION 3, TOWNSHIP 9 SOUTH, RANGE 34 EAST, BOISE MERIDIAN, POWER COUNTY,
 IDAHO.



TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s) and Grantee(s) heirs, successors, and assigns forever. The Grantor(s) do(es) hereby covenant and warrant to and with the Grantee(s) that the Grantor(s) is/are the owner(s) in fee simple of such premises; that such premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject; those set forth in Pioneer Title Company Title of Bannock County, Commitment No. P2914TA, dated November 22, 1995; those made, suffered, assumed, or created by the Grantee(s); reservations, restrictions, dedications, covenants, easements of record or use; rights of parties in possession, encroachments, overlaps, boundary-line disputes, or other matters that would be disclosed by an accurate survey or inspection of the property; rights-of-way and agreements, if any, of record; general taxes and assessments (including irrigation and utility assessments, if any, for the current year) that are not yet due and payable; and that the Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

DATED this 19 day of December, 1995.

Russell J. Hayden
 RUSSEL J. HAYDEN

Doris B. Hayden
 DORIS B. HAYDEN

STATE OF IDAHO

County of BANNOCK

} ss

On this 19 day of December, 1995, before me, the undersigned, personally appeared

DEC 21 1995

NOTARY PUBLIC

BY *Mary Schulte*
12-3-95

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s) and Grantee(s) heirs, successors, and assigns forever. The Grantor(s) do(es) hereby covenant and warrant to and with the Grantee(s) that the Grantor(s) is/are the owner(s) in fee simple of such premises; that such premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject; those set forth in Pioneer Title Company Title of Bannock County, Commitment No. P2914TA, dated November 22, 1995; those made, suffered, assumed, or created by the Grantee(s); reservations, restrictions, dedications, covenants, easements of record or use; rights of parties in possession, encroachments, overlaps, boundary-line disputes, or other matters that would be disclosed by an accurate survey or inspection of the property; rights-of-way and agreements, if any, of record; general taxes and assessments (including irrigation and utility assessments, if any, for the current year) that are not yet due and payable; and that the Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

DATED this 19 day of December, 1995.

Russell J. Hayden
RUSSEL J. HAYDEN

Doris B. Hayden
DORIS B. HAYDEN

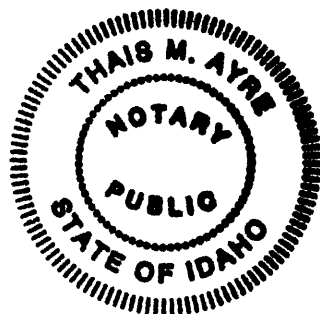
STATE OF IDAHO

County of BANNOCK

} ss

On this 19 day of December, 19 95, before me, the undersigned, personally appeared *Russell J. Hayden and Doris B. Hayden*, known or identified to me to be the person(s) 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 in said County the day and year first above written.



Thais M. Ayre
Notary Public

Residing at: CHUBBUCK, IDAHO

Commission Expires: 2-27-2001