

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 14 2022

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

DEPARTMENT OF
WATER RESOURCES

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, see #7 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
11-7919-11-931	Yes ☒	Yes ☐		Yes ☐	Yes ☐
11-7920-11-933	Yes ☒	Yes ☐		Yes ☐	Yes ☐
11-7921-11-934	Yes ☒	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Micah H Rigby and Tamara Kay Rigby
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Keith L Lyman and Glenda B Lyman
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or
- 223 North Main Street Salem UT 84653
Mailing address City State Zip
- 801-310-1572 _____
Telephone Email
4. If the water rights and/or adjudication claims were split, how did the division occur?
☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☒ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
5. Date you acquired the water rights and/or claims listed above: March 16, 2022
6. Do you own the land identified as the water right place of use? Yes ☒ No ☐
o If no, attach evidence that written notice of the change of water right ownership has been delivered to the landowner of record.
7. This form must be signed and submitted with the following **REQUIRED** items:
☒ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
☒ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
☒ Filing fee (see instructions for further explanation):
o \$25 per *undivided* water right.
o \$100 per *split* water right.
o No fee is required for pending adjudication claims.
☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

8. Signature: Keith L Lyman _____ 4-8-22
Signature of new owner/claimant Title, if applicable Date
- Keith L Lyman
Print name
- Signature: Glenda B Lyman _____ 4-8-22
Signature of new owner/claimant Title, if applicable Date
- Glenda B Lyman
Print name

For IDWR Office Use Only:

Received by 101 Date 4.14.22 Receipt No. C11248 Receipt Amt. \$300-

Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☐

Name on W-9 _____ Approved by _____ Processed by dj Date 5/9/22

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
469 Washington St
Montpelier, ID 83254

Instrument # 238026

BEAR LAKE COUNTY

03-16-2022 10:42:06 No. of Pages: 5

Recorded for: FIRST AMERICAN TITLE - MONTPELIER

Amy Bishop Fee: \$16.00

Ex-Officio Recorder Deputy: AB

Index to: WARRANTY DEED

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **1030168-MON (ab)**

Date: **March 09, 2022**

For Value Received, **Micah H. Rigby and Tamara Kay Rigby**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Keith L. Lyman and Glenda B. Lyman, husband and wife as community property with right of survivorship**, hereinafter called the Grantee, whose current address is **223 North Main Street, Salem, UT 84653**, the following described premises, situated in **Bear Lake County, Idaho**, to-wit: **Legal Description attached hereto as Exhibit A, and by this referenced incorporated herein.**

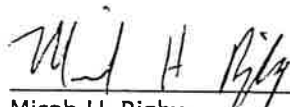
SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its 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.

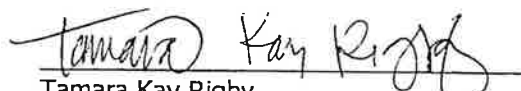
Date: 03/09/2022

Warranty Deed
- continued

File No.: 1030168-MON (ab)



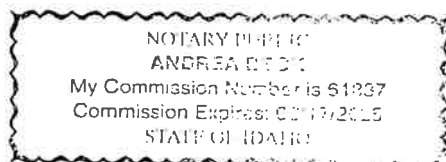
Micah H. Rigby



Tamara Kay Rigby

STATE OF Idaho)
COUNTY OF Bear Lake)
SS.

On this 15th day of March, 2022, before me, a Notary Public in and for said State, personally appeared ~~C43~~ ~~Micah H. Rigby and Tamara Kay Rigby~~, known or identified to me 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.



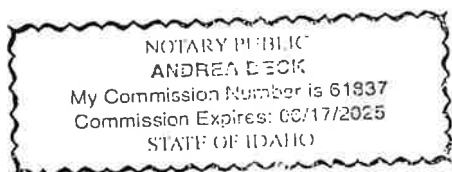


Notary Public for the State of Idaho
Residing at: Ovid, ID
My Commission Expires: 6-17-2025

ACKNOWLEDGEMENT/GENERAL

STATE OF Idaho)
) ss.
COUNTY OF Bear Lake)

On this 16th day of March, 2022, before me, a Notary Public in and for said State, personally appeared **Micah H. Rigby**, known or identified to me to be the person(s) whose name(s) is subscribed to the within instrument, and acknowledged to me that he executed the same.





Notary Public of Idaho
Residing at: Ovid, ID
Commission Expires: 6/17/2025

Date: 03/09/2022

Warranty Deed
- continued

File No.: 1030168-MON (ab)

EXHIBIT A**PARCEL 1:**

TOWNSHIP 14 SOUTH, RANGE 46 EAST OF THE BOISE MERIDIAN, Bear Lake County, Idaho:
Section 31: SE $\frac{1}{4}$ SW $\frac{1}{4}$; SW $\frac{1}{4}$ SE $\frac{1}{4}$.

EXCEPT THEREFROM: The property lying Southeast of the Union Pacific Railroad right of way as the same now exists.

ALSO EXCEPT THEREFROM: A parcel of land located in the Southwest Quarter of the Southeast Quarter and in the Southeast Quarter of the Southwest Quarter of Section 31, Township 14 South, Range 46 East, Boise Meridian, the same being a portion of the lands described in that Special Warranty Deed Instrument No. 154684 as recorded upon the official records of Bear Lake County, Idaho, more particularly described as follows:

Beginning at the Northwest corner of the Southeast Quarter of the Southwest Quarter of Section 31, Township 14 South, Range 46 East, Boise Meridian, the same being marked and witnessed by a 5/8" rebar with 2 inch Aluminum cap tagged, "GVS PLS 9169"; Thence North 88°22'24" East for a distance of 1319.62 feet along the north boundary line of said Southeast Quarter of the Southwest Quarter to a 5/8" rebar with cap tagged, "GVS PLS 9169" set at the Northeast corner thereof; Thence North 88°22'24" East for a distance of 1323.63 feet along the north boundary line of the Southwest Quarter of the Southeast Quarter to a 5/8" rebar with cap tagged, "GVS PLS 9169" set on the Northwesternly right of way boundary line of the Union Pacific Railroad as depicted upon the official map titled, "Oregon Shortline Railroad alignment map, Cokeville - Pegram, December 1915, Drawing Number 19831, file 6a, on file Union Pacific Railroad, Omaha, Nebraska;

Thence along said right of way boundary line for the following Four (4) courses:

1. Thence South 45°16'46" West for a distance of 332.59 feet to a 5/8" rebar with cap tagged, "GVS PLS 9169" set on the beginning of a 490.00 foot long Spiral Curve;
2. Thence along said Spiral curve to the left through a delta angle of 05°33'12" for a spiral curve distance of 490.00 feet, (Chord Bears South 43°26'56" West 489.30') to a 5/8" rebar with cap tagged, "GVS PLS 9169" set on the beginning of a 2627.75 foot radius tangent curve whose center bears South 50°09'38" East;
3. Thence Southwesterly along said curve to the left through a central angle of 04°03'26" for an arc distance of 186.07 feet (Chord Bears South 37°48'40" West 186.03') to a 5/8" rebar with cap tagged, "GVS PLS 9169" set on the point of curve to a 490.00 foot long Spiral Curve;

4. Thence along said Spiral curve to the left through a delta angle of 05°26'24" for a spiral curve distance of 60.30 feet, (Chord Bears South 35°09'04" West 60.24') to a 5/8" rebar with cap tagged, "GVS PLS 9169" set on a fence line coursing East and West;
 Thence North 83°15'41" West for a distance of 272.73 feet to a point on the Ordinary High Water Mark of the Right bank of the Bear River, said point being marked and witnessed by a 5/8" rebar with cap tagged, "GVS PLS 9169" bearing South 83°15'41" East 9.51 feet from the Ordinary High Water Mark; Thence along said Ordinary High Water Mark for the

following Seven (7) courses:

1. Thence North 66°50'25" West for a distance of 829.26 feet;
2. Thence South 72°39'13" West for a distance of 282.19 feet;
3. Thence South 47°29'58" West for a distance of 104.44 feet;
4. Thence South 18°02'18" West for a distance of 292.25 feet;
5. Thence South 02°26'25" East for a distance of 310.69 feet;
6. Thence South 41°33'40" West for a distance of 78.43 feet;

Date: 03/09/2022

Warranty Deed
- continued

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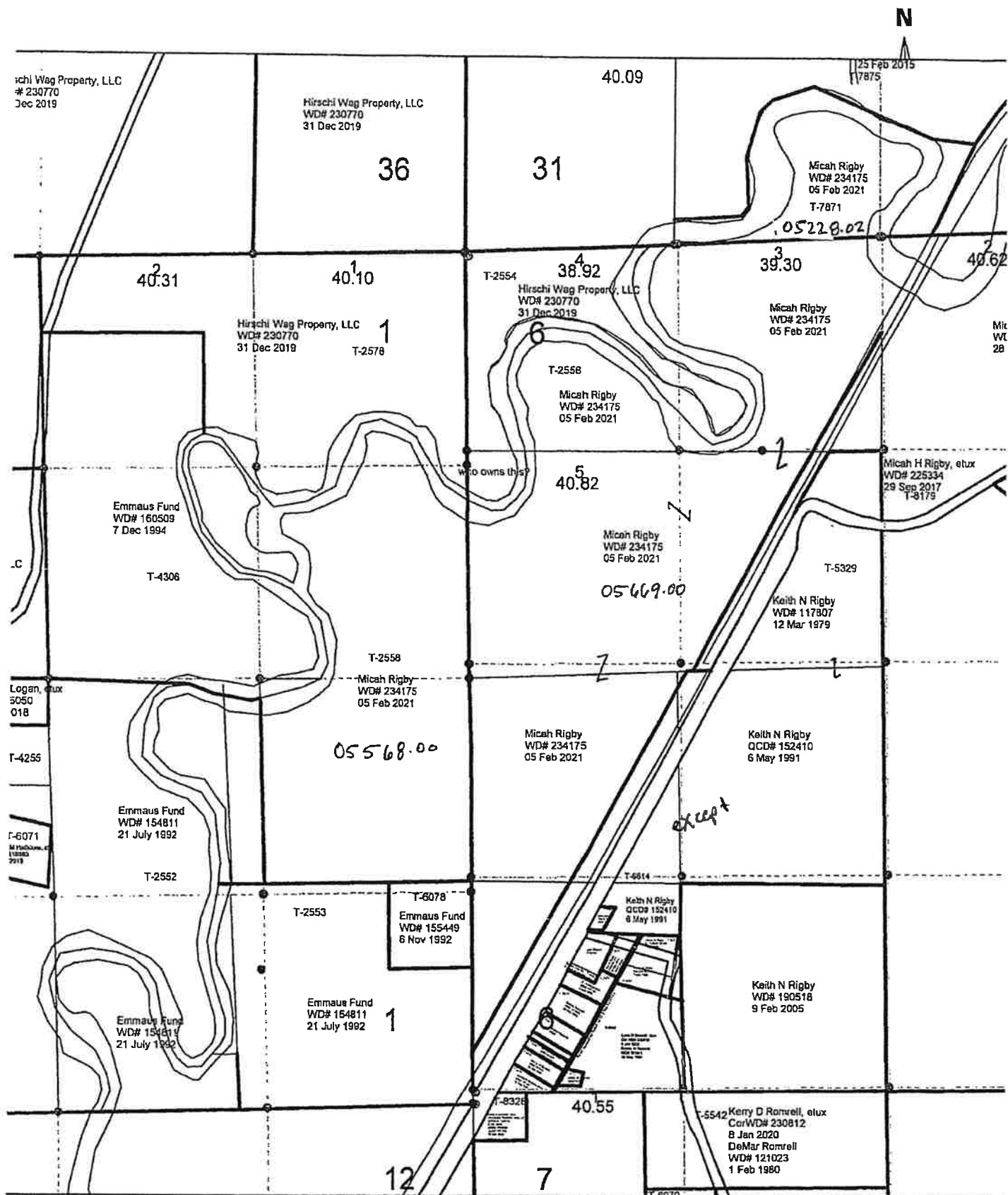
7. Thence South $87^{\circ}41'56''$ West for a distance of 427.76 feet to a point of intersection on the West boundary line of the Southeast Quarter of the Southwest Quarter of said Section 31, said point being marked and witnessed by a 5/8" rebar with cap tagged, "GVS PLS 9169" bearing North $00^{\circ}47'07''$ East 2.24 feet from the Ordinary High Water Mark; Thence North $00^{\circ}46'07''$ East for a distance of 1171.25 feet along said boundary line to the True Point of Beginning.

PARCEL 2:

That part of the NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 1, Township 15 South, Range 45 East of the Boise Meridian, and that part of the W $\frac{1}{2}$ of Section 6, Township 15 South, Range 46 East of the Boise Meridian, more particularly described as follows:

Beginning at a point on the North line of said Section 6, where the Bear River intersects said line, being 3674 feet East from the Northwest Corner of the NE $\frac{1}{4}$ of said Section 1, and running thence along the right bank of said river to a point 145 feet, more or less, East of the Northwest Corner of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 1; thence West 145 feet to said Northwest Corner of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 1; thence South 1225 feet; thence East 1320 feet, more or less, to the West line of said Section 6; thence South 1415 feet, more or less, to the Southwest Corner of said Section 6; thence East 109.56 feet; thence North $30^{\circ}40'$ East 1329.24 feet; thence South 87° East 100 feet; thence South $30^{\circ}40'$ West 165 feet; thence South 87° East to the East line of Lot 7, of said Section 6; thence North to the Northeast Corner of Lot 7 of said Section 6; thence East 1320 feet to the Northeast Corner of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 6; thence North along the North and South center line of said Section 6, 3960 feet, more or less, to the North boundary of said Section 6; thence West 1633 feet, more or less, to the Point of Beginning.

EXCEPTING THEREFROM: All that portion of the NE $\frac{1}{4}$ NW $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ and that portion of Lots 6 and 7 of said Section 6, Township 15 South, Range 46 East of the Boise Meridian lying Southeast of the Union Pacific Railroad right of way as the same now exists.
EXCEPTING THEREFROM: Any right of way for roads, highways and railroads.



This sketch is provided without charge for your information, it is not intended to show all matters related to the property including, but not limited to area dimensions, encroachments, or location of boundaries. It is not a part of, nor does it modify the commitment or policy to which it is attached. The Company assumes NO LIABILITY for any matter related to this sketch. References should be made to an accurate survey for further information.*



IDAHO DEPARTMENT OF
WATER RESOURCES

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098

Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

May 10, 2022

KEITH L LYMAN
GLENDA B LYMAN
223 N MAIN ST
SALEM UT 84653-9446

Re: Change in Water Right Ownership: 11-931 (Split into 11-931 and **11-7919**), 11-933 (Split into 11-931 and **11-7920**), and 11-934 (Split into 11-931 and **11-7921**)

Dear Water Right Holders:

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of a portion of the above referenced water rights to you. The Department has modified its records based on the information received and has enclosed a computer-generated report for you.

Your portion of each water right has a specified point of diversion, nature of use and place of use. If you plan to change the authorized point of diversion, nature of use, or place of use, including adding a new point of diversion, you must file an Application for Transfer of Water Right. If you do not plan to change any elements of your water right, then no further action is required at this time.

The portion of the water right retained by the original right holder retains the original water right number. The Department is sending the original right holder a copy of this letter and a computer-generated report showing the changes to the original water right.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Idaho Code §§ 42-222 and 42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department or from the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208) 287-4920 or debbi.judd@idwr.idaho.gov.

Sincerely,

Debbi Judd

Technical Records Specialist

Enclosures

c: MICAH RIGBY & TAMARA RIGBY
WATER DISTRICT 11 – *Via email*