

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED
FEB 24 2020
Department of Water Resources
Eastern Region

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 #6 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
1-37A <i>OK</i>	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
1-319B <i>OK</i>	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>

2. Previous Owner's Name: Gaylen and Lois L Pond Irrevocable Trust (Deborah Edgerton & Royal Pond- Trustees)
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Christensen Revocable Living Trust (Brian W. Christensen & Karie J. Christensen- Trustees)
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or

3424 W. 8800 S. (20 Professional Park)

Rexburg

ID

83440

Mailing address

City

State

ZIP

208-390-1431

Email

BRIANCHRISTENSENMD@GMAIL.COM

Telephone

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: January 27, 2020

6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed IRS Form W-9 for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed Lessor Designation form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).

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):
- ☐ \$25 per *undivided* water right.
 - ☐ \$100 per *split* water right.
 - ☐ 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: [Signature] Title, if applicable: TRUSTEE Date: 2/20/20

Signature: [Signature] Title, if applicable: TRUSTEE Date: 2/20/20

For IDWR Office Use Only:

Received by [Signature] Date 2/21/2020 Receipt No. E045655 Receipt Amt. \$50.00

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 [Signature] Approved by [Signature] Processed by [Signature] Date [Signature]



Microfile No. 428598
27 DAY Jan 2020
At 10 O'Clock 54 AM
KIM H. MUIR
MADISON CO RECORDER
Fee \$15.00
Deputy
Recorded at Request of
AMERITITLE - IDAHO FALLS

WARRANTY DEED

Order No.: 340383AM

FOR VALUE RECEIVED

Deborah Edgerton and Royal Pond, Trustees or their successors in interest under the Gaylen and Lois Pond Irrevocable Trust, dated September 14, 2018

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Brian W. Christensen and Karle J. Christensen, Trustees of the Christensen Revocable Living Trust dated April 5, 2006, and any amendments thereto.

whose current address is:

~~3121 W 9800 S, Rexburg, ID 83440~~
20 Professional Park, Rexburg, ID. 83440

the grantee(s), the following described premises, in Madison County, Idaho,
TO WIT:

Commencing at the Northeast corner of the Southeast Quarter of the Northeast Quarter of Section 27, Township 5 North, Range 39 East of the Boise Meridian, Madison County, Idaho and running thence West 160 rods; thence South 80 rods; thence East 96 rods; thence North 12-1/2 rods; thence East 64 rods; thence North 67-1/2 rods to the place of beginning.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record. And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: January 21, 2020

The Gaylen and Lois Pond Irrevocable Trust, dated September 14, 2018


By: Deborah Edgerton, Co-Successor Trustee


By: Royal Pond, Co-Successor Trustee

State of Wyoming)
County of Crook) ss.

On this 21 day of January, 2020, before me, the undersigned a Notary Public in and for said state, personally appeared Royal Pond known or identified to me to be the person whose name is subscribed to the foregoing instrument as trustee of the Gaylen and Lois Pond Irrevocable Trust, dated September 14, 2018, and acknowledged to me that he/she/they executed the same as Trustee.

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 for the State of Wyoming
Residing at: Cillette, WY
Commission Expires: April 21, 2021





WARRANTY DEED

Order No.: 340383AM

FOR VALUE RECEIVED

Deborah Edgerton and Royal Pond, Trustees or their successors in interest under the Gaylen and Lois Pond Irrevocable Trust, dated September 14, 2018

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Brian W. Christensen and Karie J. Christensen, Trustees of the Christensen Revocable Living Trust dated April 5, 2006, and any amendments thereto.

whose current address is:


~~3424 W 3800 S, Rexburg, ID 83440~~
20 Professional Park, Rexburg, ID. 83440
the grantee(s), the following described premises, in Madison County, Idaho,
TO WIT:

Commencing at the Northeast corner of the Southeast Quarter of the Northeast Quarter of Section 27, Township 5 North, Range 39 East of the Boise Meridian, Madison County, Idaho and running thence West 160 rods; thence South 80 rods; thence East 96 rods; thence North 12-1/2 rods; thence East 64 rods; thence North 67-1/2 rods to the place of beginning.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record. And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: January 21, 2020

The Gaylen and Lois Pond Irrevocable Trust, dated September 14, 2018


By: Deborah Edgerton, Co-Successor Trustee

By: Royal Pond, Co-Successor Trustee

State of _____ }
ss.
County of _____ }

On this ___ day of January, 2020, before me, the undersigned a Notary Public in and for said state, personally appeared **Royal Pond** known or identified to me to be the person whose name is subscribed to the foregoing instrument as trustee of the Gaylen and Lois Pond Irrevocable Trust, dated September 14, 2018, and acknowledged to me that he/she/they executed the same as Trustee.

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 for the State of _____
Residing at _____
Commission Expires: _____

State of Arizona)
County of Pima) ss.

On this 22 day of January, 2020, before me, the undersigned a Notary Public in and for said state, personally appeared **Deborah Edgerton** known or identified to me to be the person whose name is subscribed to the foregoing instrument as trustee of the Gaylen and Lois Pond Irrevocable Trust, dated September 14, 2018, and acknowledged to me that he/she/they executed the same as Trustee.

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

Savannah Tatro
Notary Public for the State of Arizona
Residing at: 870 S Kolb Rd Tucson AZ 85754
Commission Expires: March 11, 2023



Microfile No. 419024
26 DAY Sep 2018
At 08 O'Clock 28 AM
KIM H. MUIR
MADISON CO RECORDER
Fee \$15.00
Deputy
Recorded at Request of
BEARD ST. CLAIR GAFFNEY PA

Special Warranty Deed

1 Date

September 19, 2018

2 Parties

Grantor:

Lois L. Pond and Gaylen S. Pond, husband and wife.

Current address:

57 Prairie Drive, Buffalo, Wyoming 82834.

Grantee:

Deborah Edgerton and Royal Pond, Trustees, or their successors in interest under the Gaylen and Lois Pond Irrevocable Trust, dated September 14, 2018.

Current address:

c/o Deborah Edgerton, 6175 N. 5th West, Idaho Falls, ID 83401.

3 Property

Idaho County: Madison

Transferred interest: Grantors' entire interest in fee simple.

Description:

Commencing at the Northeast corner of the Southeast Quarter of the Northeast Quarter of Section 27, Township 5 North, Range 39 East, Boise Meridian, Madison County, Idaho, and running thence West 160 rods; thence South 80 rods; thence East 96 rods; thence North 12-1/2 rods; thence East 64 rods; thence North 67-1/2 rods to the place of beginning. Containing 75 acres.

Together with:

All improvements and appurtenances.

Subject to:

Rights of way for roads and ditches now existing on the property plus all easements and rights-of-way of record, if any, covenants, restrictions, reservations, applicable building and zoning ordinances, use regulations and restrictions, and accruing taxes.

Taxes and assessments for the current year and all subsequent years.

All facts, rights, claims and interest ascertainable by inspection of the property or by inquiry of persons in possession.

Unpatented mining claims, reservations and exceptions and patents or in acts authorizing their issuance.

4 Consideration

Ten Dollars and other good and valuable consideration, receipt of which is acknowledged.

5 Grant

Grantors, for the consideration listed above hereby grant, bargain, sell, convey and confirm to Grantee, its heirs, successors and assigns, the transferred interest in the property described in this deed.

6 Warranties

Grantors, for themselves, their heirs, successors and assigns, covenant with Grantee, its heirs, successors and assigns as follows:

Grantors are currently the owner of the property as described in this deed.

Grantors have good right to convey the property described in this deed to Grantee.

The property described in this deed is free from all encumbrances, except as otherwise shown in this deed or of record.

Grantors and their heirs and successors will forever warrant and defend the quiet and peaceful possession of the property granted by this deed to Grantee, its heirs, successors and assigns against the lawful claims of all persons.

The warranty in this deed is limited to the coverage the Grantors have under any policy of title insurance or damages of \$10.00 (whichever is greater).

7 Construction

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

Lois L. Pond
Lois L. Pond

By: Deborah Edgerton
Deborah Edgerton, as Co-Agent for Lois L. Pond

Lois L. Pond
Lois L. Pond

By: [Signature]
Royal Pond, as Co-Agent for Lois L. Pond

Gaylen S. Pond
Gaylen S. Pond

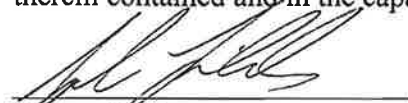
By: Deborah Edgerton
Deborah Edgerton, as Co-Agent for Gaylen S. Pond

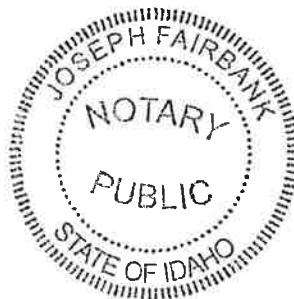
Gaylen S. Pond
Gaylen S. Pond

By: [Signature]
Royal Pond, as Co-Agent for Gaylen S. Pond

STATE OF IDAHO)
) ss.:
COUNTY OF BONNEVILLE)

On this day, September 14, 2018, before me personally appeared Deborah Edgerton, as Co-Agent for Gaylen Pond and Lois Pond, personally known to me (or proved to me on the basis of satisfactory evidence) to be the individual whose name is subscribed to the foregoing instrument, and acknowledged that she executed the same as her voluntary act and deed for the purposes therein contained and in the capacity indicated.

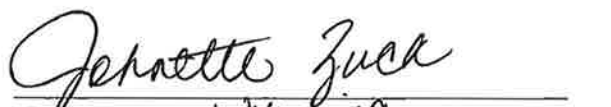

Notary Public for Idaho
Residing at: *Idaho Falls*
Commission Expires: *6/26/2020*



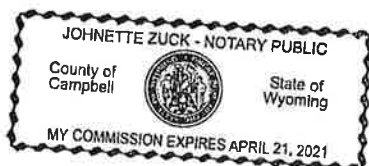
STATE OF *Wyoming*)
) ss.:
COUNTY OF *Crook*)

On this day, September *19th*, 2018, before me personally appeared Royal Pond, as Co-Agent for Gaylen Pond and Lois Pond, personally known to me (or proved to me on the basis of satisfactory evidence) to be the individual whose name is subscribed to the foregoing instrument, and acknowledged that he executed the same as his voluntary act and deed for the purposes therein contained and in the capacity indicated.

Witness my hand and official seal.


Notary Public *Wyoming*
Residing at: *Sullette, Wyoming*
My commission expires: *April 21, 2021*

(SEAL)



IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

12/4/2019

Water Right 1-37A

Owner Type **Name and Address**
Current Owner GAYLEN POND
3546 W 6800 S
REXBURG, ID 83440
(208) 356-6678

Current Owner LOIS L POND
3546 W 6800 S
REXBURG, ID 83440
(208) 356-6678

Priority Date: 6/1/1891

Basis: Decreed

Status: Active

Source
SNAKE RIVER

Tributary
COLUMBIA RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	2.230 CFS	
	<u>Total Diversion</u>		2.230 CFS	

Source and Point(s) of Diversion

SNAKE RIVER SESENW Sec. 35, Twp 05N, Rge 39E, MADISON County

Place Of Use

IRRIGATION within MADISON County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	39E	27			30.5	26.0													56.5

POU Total Acres: 56.5

Conditions of Approval:

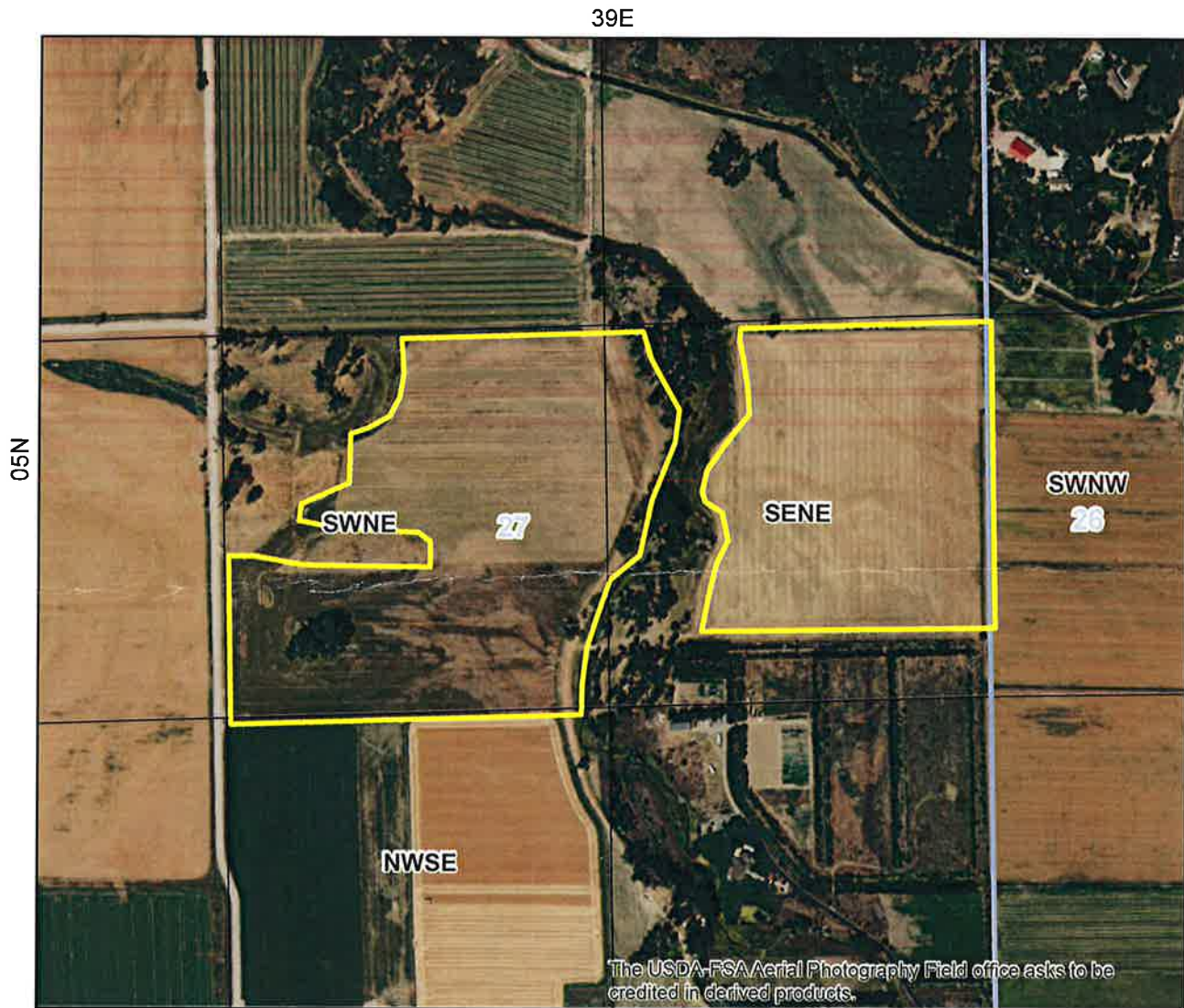
1. 186 The diversion of water through the Bannock Jim Canal shall not exceed a total combined maximum diversion rate of 1.03 cfs.
2. X35 Rights 1-37A and 1-319B when combined shall not exceed the irrigation of 56.5 acres.
3. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 01.
4. R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
5. Prior to April 1st of each year, the right holder shall notify the watermaster of the amount of water under this right that will be delivered to the Nelson Corey Canal and to the Bannock Jim Canal. Failure to notify the watermaster by April 1st of each year will result in this right being delivered to the Nelson Corey Canal.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

12/4/2019

6. R59 This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
7. 004 This right does not grant any right-of-way or easement across the land of another.
8. F01 Water is delivered through Bannock Jim Canal and Nelson Corey Canal.
9. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

State of Idaho
Department of Water Resources
Water Right License
1-37a



-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.075 0.15 0.3 Miles



12/4/2019

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	GAYLEN POND 3546 W 6800 S REXBURG, ID 83440 (208) 356-6678

Current Owner LOIS L POND
3546 W 6800 S
REXBURG, ID 83440
(208) 356-6678

Basis: Decreed

Source
SNAKE RIVER

Tributary
COLUMBIA RIVER

<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
04/01	10/31	1.000 CFS
Total Diversion		1.000 CFS

Volume

SNAKE RIVER SESENW Sec. 35, Twp 05N, Rge 39E, MADISON County

IRRIGATION within MADISON County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
05N	39E	27			30.5	26.0													56.5

POU Total Acres: 56.5

1.	186	The diversion of water to the Bannock Jim Canal shall not exceed a total combined maximum diversion rate of 1.03 cfs.
2.	X35	Rights 1-37A and 1-319B when combined shall not exceed the irrigation of 56.5 acres.
3.	R05	Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 01.
4.	R43	The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
5.		Prior to April 1st of each year, the right holder shall notify the watermaster of the amount of water under this right that will be delivered to the Nelson Corey Canal and to the Bannock Jim Canal. Failure to notify the watermaster by April 1st of each year will result in this right being delivered to the Nelson Corey Canal.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

12/4/2019

6. R59 This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
7. 004 This right does not grant any right-of-way or easement across the land of another.
8. F01 Water is delivered through Bannock Jim Canal and Nelson Corey Canal.
9. 179 The delivery of water to this right may be subject to procedures described in the United States Bureau of Reclamation "space holder" contracts and the Burley Irrigation Dist. v. Eagle, Supplemental Decree (Idaho 5th Jud. Dist., July 10, 1968) and Aberdeen-Springfield Canal Co. v. Eagle, Supplemental Decree (Idaho 7th Jud. Dist., March 12, 1969) together with the natural-flow and storage deliveries as calculated by the Idaho Department of Water Resources.
10. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.
13. X35 Right 1-319B shall not exceed a total diversion rate of 0.996 cfs

State of Idaho
Department of Water Resources
Water Right License
1-319B



- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

0 0.075 0.15 0.3 Miles





State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region • 900 N SKYLINE DR STE A • IDAHO FALLS, ID 83402-1718

Phone: (208)525-7161 • Fax: (208)525-7177 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

February 25, 2020

CHRISTENSEN REVOCABLE LIVING TRUST
3424 W 6800 S
REXBURG ID 83440-4463

Re: Change in Ownership for Water Right No(s): 1-37A, 1-319B

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records and has enclosed a computer-generated report for you.

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) 497-3797.

Sincerely,

Misty Pettis
Office Specialist 2

Enclosure(s)

Water District 1