

\$100

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
APR 10 2019
DEPARTMENT OF
WATER RESOURCES

Notice of Change in Water Right Ownership

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?
74-15939	Yes ☒	Yes ☐		Yes ☐	Yes ☐
74-16217	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Mark and Kimberly Olson

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s):

Alton R. SR. and Corina Arnold

New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or ☐ and/or

74 DERMICK LN

Mailing address

Salmon

City

ID

State

83464

ZIP

208 2571325

Telephone

AltonArnold@yahoo.com

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: 3/28/19
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.

SUPPORT DATA

IN FILE # 74-15939

8. Signature:

Signature of new owner/claimant

Title, if applicable

Date

- Signature:

Signature of new owner/claimant

Title, if applicable

Date

For IDWR Office Use Only:

Received by

Date

4/10/19

Receipt No.

C106551

Receipt Amt.

100

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

Date

4-11-19



1872 South Eagle Road
Meridian, ID 83642

ELECTRONICALLY RECORDED-DO NOT
REMOVE THE COUNTY STAMPED FIRST
PAGE AS IT IS NOW INCORPORATED AS
PART OF THE ORIGINAL DOCUMENT

File No. 655746 CP/JAS

WARRANTY DEED

For Value Received Mark Olson and Kimberly Olson, husband and wife
hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

Alton R. Arnold Jr. and Corrina L. Arnold, husband and wife
hereinafter referred to as Grantee, whose current address is 74 Demick Lane, Salmon,
ID 83467

The following described premises, to-wit:

See Exhibit A attached hereto and made a part hereof.

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantees(s) heirs and assigns forever. And the said Grantor(s) does (do) hereby covenant to and with the said Grantee(s), the Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to U.S. Patent reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and current years taxes, levies, and assessments, includes irrigation and utility assessments, (if any) which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: July 18, 2018

Mark Olson
Mark Olson

Kimberly Olson
Kimberly Olson

State of ID, County of Lemhi



This record was acknowledged before me on 9-6-18 by Mark Olson and Kimberly Olson

Rebecca Ann Coffey
Signature of notary public
Commission Expires:

EXHIBIT A

A parcel of land located in Section 17, T. 21 N., R. 22 E., Boise Meridian, Lemhi County, Idaho, shown as Parcel A of Lot Line Adjustment Plat recorded August 22, 2018 as Instrument No. 313003, more particularly described as follows:

Commencing at the Center 1/4 of said Section 17, from which the East 1/4 Corner of said Section bears N 89°53'14"E a distance of 2636.48 ft., the Basis of Bearing for this description, run thence S 56°08'17"W a distance of 676.48 ft. to the POINT OF BEGINNING;

Thence N 63°19'33"W a distance of 811.76 ft. to a point on the easterly right-of-way of Demick Lane;

Thence N 00°05'23"W along said right-of-way a distance of 496.00 ft.;

Thence N 86°14'35"E a distance of 200.69 ft.;

Thence S 85°38'55"E a distance of 526.09 ft.;

Thence S 00°05'23"E a distance of 833.63 ft. to the POINT OF BEGINNING.

CONSERVATION EASEMENT

THIS INDENTURE, made this 9th day of July, 2010, by and between Mark Olson (Grantor), and STATE OF IDAHO, IDAHO WATER RESOURCE BOARD, 322 East Front Street, PO Box 83720, Boise, Idaho 83720-0098 and its successors and assigns, (Grantee);

WITNESSETH: That for and in consideration of the sum of ten dollars and 00/100 (\$10.00), lawful money of the United States of America, receipt whereof is hereby acknowledged, the Grantor does hereby grant to the Grantee, its successors, and assigns, forever an easement for conservation purposes to limit the Grantor's withdrawal of water from the Lemhi River to facilitate the migration and habitat for salmon and steelhead. The water rights subject to this easement authorizing the diversion of water for irrigation from the Lemhi River are identified as follows: 74-15939 and any subsequent splits. The conservation easement is appurtenant to the following described lands situated in LEMHI COUNTY, State of Idaho, to wit:

Township 21N, Range 22E, Section 17 B.M.:

8.3 acres in the SW1/4NE1/4

18.4 acres in the SE1/4NW1/4

8 acres in the NE1/4SW1/4

Subject to the following terms:

1. This easement shall be administered pursuant to an agreement ("Agreement") between the Grantor and Grantee dated 7/9/2010. The Agreement shall be subject to amendment or revision by mutual agreement of the parties according to its terms.
2. This easement shall burden and run with the property in perpetuity.
3. This easement shall be recorded in the real property records of Lemhi County and designated appropriately in the official files of the Idaho Department of Water Resources to ensure that the water is regulated accordingly in future years. Water authorized for diversion under water right no. 74-15939 and any subsequent splits shall remain appurtenant to the legal place of use described herein and shall not be subject to administrative actions to transfer or otherwise alienate the water from the land.
4. The diversion of water from the Lemhi River under water right no. 74-15939 and any subsequent splits is permanently restricted under the conservation easement as follows:
 - a) Water shall be regulated by the State of Idaho to provide that 35 cfs of water remain in the Lemhi River below the L-6 diversion 80 percent of the time, and 25 cfs 100 percent of the time between March 15 and June 30 and 25 cfs between July 1 and November 15 each year in perpetuity as measured at USGS gage 13305310, independent of permanent flows secured beyond 25 cfs.

- b) The water right(s) under this easement are subject to non-diversion as directed by Grantee up to 100 days per irrigation season in order to achieve the target flows in the Lemhi River.

5. In the event that operations pursuant to this Conservation Easement or the Agreement shall be declared illegal or otherwise unenforceable for any reason and the Grantee is prevented from achieving the target flows by a court of competent jurisdiction, the parties shall either amend the Agreement or execute such other instruments and make such other consideration, including but not limited to the purchase of the remainder of water right from the Grantor at fair market value so as to achieve the target flows in the Lemhi River as provided herein.

IN WITNESS WHEREOF the Grantor identified herein executed this Conservation Easement on the date following their signatures.

Mark D Olson
(Grantor)

7-9-2010
DATE

Kimberly D Olson
(Grantor)

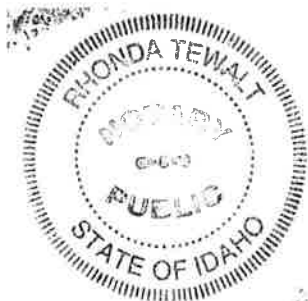
7-9-10
DATE

ACKNOWLEDGMENT

STATE OF Idaho)
COUNTY OF Lemhi) ss.

The foregoing instrument was acknowledged before me this 9 day of July, 2010, by
Mark D + Kimberly D Olson

Rhonda Tewaalt
Notary Public
Address: Salmon, Idaho
My commission expires: 8-25-2014

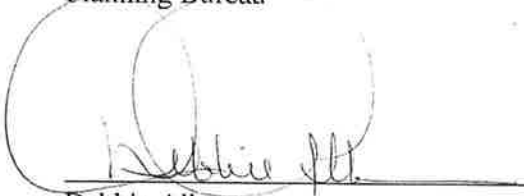


APPROVED AS TO FORM



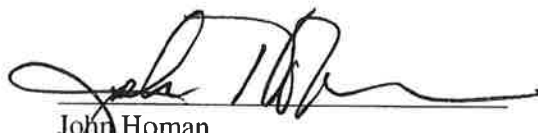
Brian Patton, P.E. Chief
Planning Bureau

7-7-10
Date



Debbie Allen
Accounting Manager

7-7-10
Date



John Homan
Deputy Attorney General

July 7, 2010
Date

AGREEMENT TO PURCHASE CONSERVATION EASEMENT

This Agreement entered into by and between Mark and Kimberly Olson hereinafter ("Owner") and the State of Idaho through the Idaho Water Resource Board hereinafter ("IWRB"), 322 East Front Street, Boise, Idaho 83720-0098, is made in reference to the following facts:

RECITALS

1. Owner owns a water right designated as no. 74-15939 and any subsequent splits which allows for the diversion of 0.96 cubic feet per second ("cfs") of water from the Lemhi River. The legal place of use for water right no. 74-15939 and any subsequent splits is located in Lemhi County and more particularly described on Exhibit A attached hereto and incorporated herein ("the Water Right(s)");
2. IWRB desires to permanently maintain target flows of 35 cubic feet per second "cfs" 80 percent of the time, and 25 cfs 100 percent of the time between March 15 and June 30, and 25 cfs between July 1 and November 15 to facilitate migration of Chinook salmon and steelhead in the Lemhi River below the Lemhi L6 diversion.
3. IWRB desires to purchase a conservation easement from the Owner to permanently achieve and protect the target flows identified in Recital No. 2.

NOW THEREFORE, in consideration of the following promises and commitments, the Owner and IWRB agree as follows:

AGREEMENT

1. Statement of Purpose

The purpose of this Agreement is to establish the terms for the purchase of a conservation easement restricting the diversion of the appurtenant water rights to provide additional water when needed to enhance stream flows to facilitate migration of Chinook salmon and steelhead in the stretch of the Lemhi River below the Lemhi L6 diversion.

2. Obligations of the Parties

Owner shall:

- a) Sell and convey to IWRB a conservation easement that permanently restricts the Owner's right to divert water from the Lemhi River as follows:
 1. Limit the diversion of water under water right no. 74-15939 and any subsequent splits to provide flows of 35 cfs 80 percent of the time, and 25 cfs 100 percent of the time between March 15 and

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 (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case IDWR will produce new water right number(s) for the split(s).

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
74-319C	74-15938 74-15939	X			

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

SUPPORT DATA

- A. The appropriate **FILING FEE**. See instructions for fee amounts.

IN FILE # 74-319C

- 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 on file with the county Planning and Zoning or Recorder's Office).

OR

- D. If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency or equivalent **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)

Ann B Olson / Deles P Olson
48 Demick Lane
Salmon, Idaho 83467

4. New Owner/Claimant(s)

Mark D Olson / Kimberly D Olson
 Name Connector (Check one): ☒ and ☐ or ☐ and/or

New Mailing Address

74 Demick Lane

City, State and ZIP Code

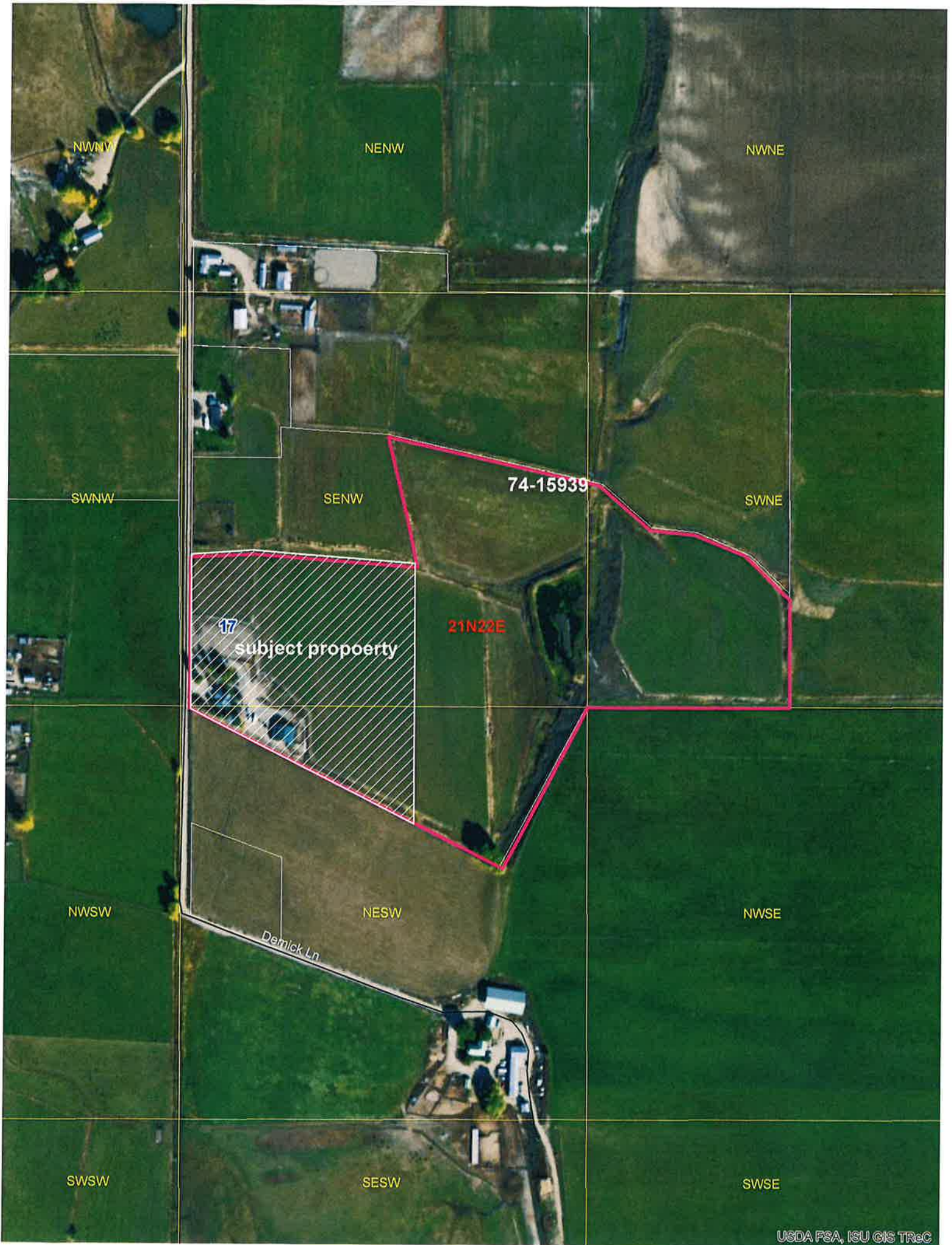
Salmon, Idaho 83467

New Telephone Number

(208) 756-4009 Email: olsonmka@centurytel.net

SCANNED

JUL 08 2010





State of Idaho

DEPARTMENT OF WATER RESOURCES

322 E FRONT ST STE 648 PO BOX 83720 • BOISE, ID 83720-0098

Phone: (208)287-4800 • Fax: (208)287-6700 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

April 11, 2019

ALTON R ARNOLD JR
CORRINA L ARNOLD
74 DEMICK LN
SALMON ID 83467-5079

Re: Change in Water Right Ownership: 74-15939 (Split into 74-15939 and **74-16217**)

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of a portion of the above referenced water right(s) 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(s) 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) 287-4942.

Sincerely,

Jean Hersley
Technical Records Specialist 2

Enclosure(s)

c: Mark & Kimberly Olson
Water District No. 74 & 170