

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED

AUG 28 2017

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 #6 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
74-321Y	Yes ☒	Yes ☐		Yes ☐	Yes ☐
~~74-321Y~~ + 74-161W	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: LINGER DISTRIBUTING

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): FLOYD BRENT NYBORG, MARTHA L NYBORG

New owner(s) as listed on the conveyance document

Name connector

☐ and ☐ or ☒ and/or

20 SUMMER CREEK DR

SALMON

ID

83467

Mailing address

City

State

ZIP

208-756-3315

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: June 2017

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: Floyd Brent Nyborg Title, if applicable: Owner Date: Aug 25, 2017
- Signature: Martha Nyborg Title, if applicable: Aug 25, 2017 → Aug 25, 2017
- Signature of new owner/claimant
- Signature of new owner/claimant

For IDWR Office Use Only:

Received by SB Date 8/28/17 Receipt No. C104044 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 [Signature] Date 10-24-17

Warranty Deed

For Value Received JARED P. PILKERTON, a married man

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

FLOYD BRENT NYBORG AND MARTHA L. NYBORG,
Husband and wife,

Whose address is: 20 Summer Creek Drive, Salmon, ID 83467

the grantee, the following described premises, in Lemhi County Idaho, to wit:

SEE EXHIBIT 'A' ATTACHED HERETO:

The above conveyance is made free and clear of all other encumbrances except: Rights-of-way and easements, reservation in Federal patents and State deeds, or other restrictions imposed by law, building and zoning regulations and ordinances of any governmental unit, whether of sight or of record.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that he is the owner in fee simple of said premises; that they are free from all encumbrances and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: June 14, 2017


JARED P. PILKERTON


GABRIELLE PILKERTON

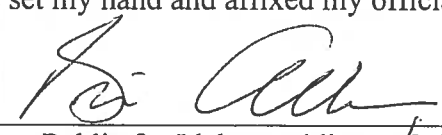


STATE OF IDAHO
County of Lemhi—ss

Instrument # 305919 # Pages: 2
LEMHI COUNTY, Idaho
Jun 14, 2017 4:28:58 pm Fee: \$ 13.00
For: BILL ALLEN ESCROW
TERRI J. MORTON, Recorder
TMORTON, Deputy

On this 14th day of June, 2017 before me, the undersigned a Notary Public in and for said state, personally appeared JARED P. PILKERTON AND GABRIELLE PILKERTON, known to me to be the person(s) whose name(s) are subscribed to the within instrument and acknowledged to me that they executed the same.

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


Notary Public for Idaho, residing at Salmon
My commission expires: 2/19/2021

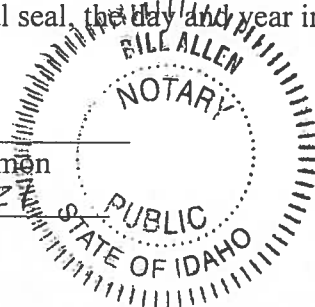


EXHIBIT "A"

357628

A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 15, T. 21 N., R. 22 E., BOISE MERIDIAN, LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 15, FROM WHICH THE WEST QUARTER CORNER OF SAID SECTION 15 BEARS SOUTH 2650.09 FT. THE BASIS OF BEARING OF THIS DESCRIPTION, RUN THENCE S. 62° 56' 55" E. A DISTANCE OF 1164.42 FT. TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF STATE HIGHWAY 28;

THENCE S. 54° 33' 26" E. ALONG SAID RIGHT-OF-WAY 436.17 FT. TO A POINT ON THE WESTERLY RIGHT-OF-WAY OF STRAWBERRY LANE;

THENCE S. 35° 46' 46" W. ALONG SAID LANE A DISTANCE OF 506.41 FT. TO A POINT IN THE CENTER OF THE TOWN DITCH AND THE POINT OF BEGINNING;

CONTINUE THENCE S. 35° 46' 46" W. ALONG SAID LANE A DISTANCE OF 392.51 FT. TO A POINT ON THE BOUNDARY OF MOUNTAIN VIEW HEIGHTS SUBDIVISION;

THENCE ALONG SAID SUBDIVISION BOUNDARY THE FOLLOWING COURSES AND DISTANCES:

S. 79° 03' 00" W., 46.83 FT.; N. 63° 07' 00" W., 238.05 FT.;

N. 44° 07' 00" E., 32.32 FT.; N. 23° 10' 00" W., 88.76 FT.;

N. 40° 02' 00" W., 98.41 FT.; N. 59° 01' 58" W., 151.42 FT. TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF RASPBERRY ROAD;

THENCE N. 06° 18' 00" E. ALONG SAID EASTERLY RIGHT-OF-WAY A DISTANCE OF 410.48 FT.;

THENCE S. 87° 12' 44" E. A DISTANCE OF 47.42 FT.;

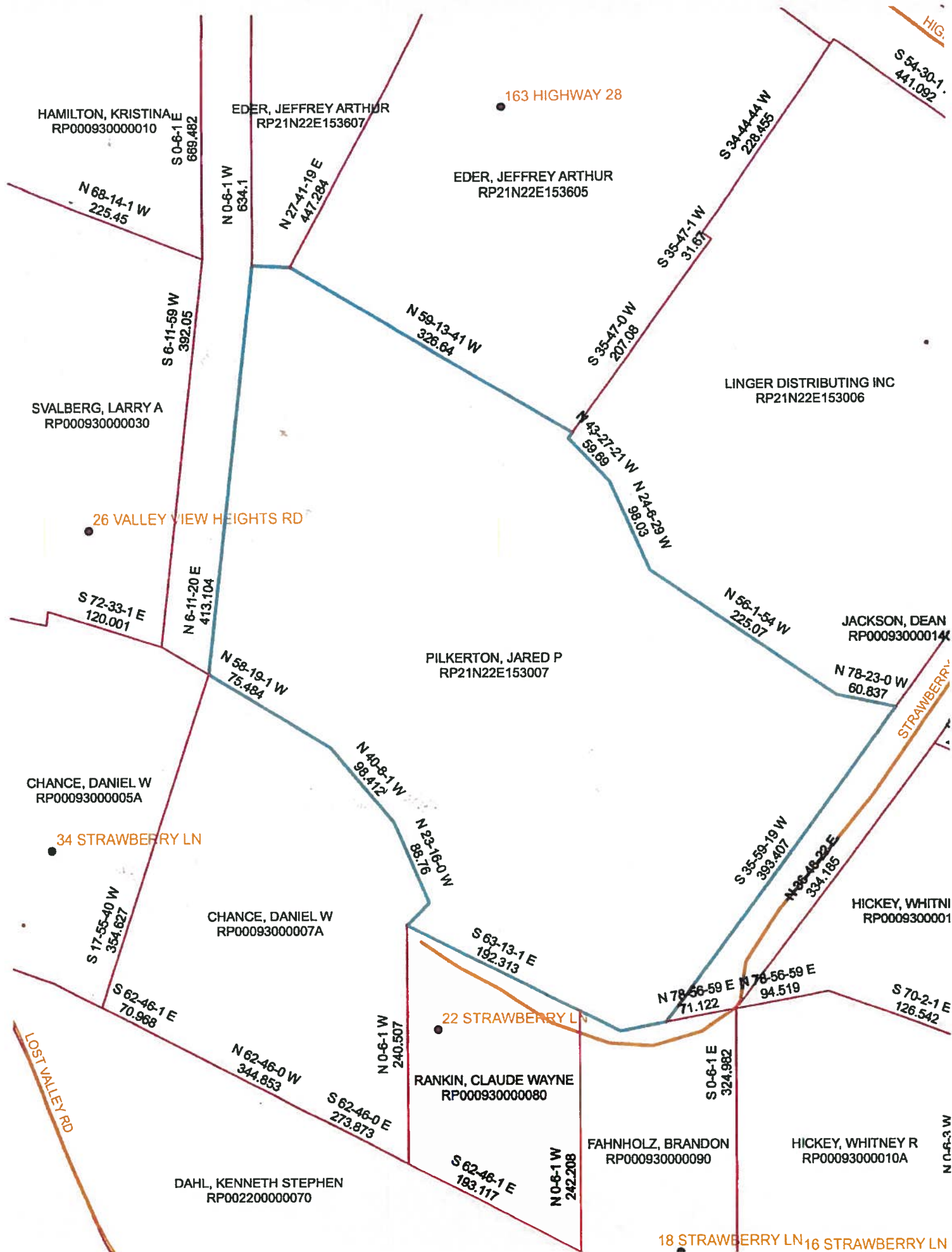
THENCE S. 59° 07' 40" E. A DISTANCE OF 326.64 FT.;

THENCE S. 35° 53' 00" W. A DISTANCE OF 6.85 FT, TO A POINT IN THE CENTER OF THE TOWN DITCH;

THENCE THE FOLLOWING COURSES AND DISTANCES ALONG SAID DITCH;

S. 43° 21' 20" E., 59.69 FT.; S. 24° 00' 28" E., 98.03 FT.;

S. 55° 55' 53" E., 225.07 FT.; S. 78° 17' 00" E., 58.51 FT. TO THE POINT OF BEGINNING.





State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

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

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

September 12, 2017

FLOYD BRENT NYBORG
MARTHA L NYBORG
20 SUMMER CREEK DR
SALMON ID 83467

RE: Notice of Change in Water Right Ownership No(s). 74-321Y

Dear Property Owner(s):

The Department of Water Resources acknowledges receipt of the request for a Notice of Change in Water Right Ownership water rights 74-321Y. After reviewing your request, the Department will need additional information before processing your request.

The information needed is the description of the premises, Exhibit A, referenced in the warranty deed. This exhibit was not included with the documents you provided.

Please provide the requested information by emailing it to jean.hersley@idwr.idaho.gov , fax to (208) 287-6700 or sending the information to the address listed on this letterhead.

The Department cannot process the ownership change without proper information. We will hold any action on your notice pending receipt of the necessary information. If we do not receive the necessary information within 30 days the Department return the Notice of Change in Water Right Ownership and documents unprocessed.

Please feel free to contact me at (208) 287-4942 if you have any questions regarding this matter.

Sincerely,

A handwritten signature in black ink that reads "Jean Hersley".

Jean Hersley
Technical Records Specialist II

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

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

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

October 24, 2017

FLOYD BRENT NYBORG
MARTHA L NYBORG
20 SUMMER CREEK DR
SALMON ID 83467

Re: Change in Water Right Ownership: 74-321Y (Split into 74-321Y and **74-16161**)

Dear Water Right Holder(s):

The Department acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records based on the information received to reflect the change in ownership and has enclosed a computer-generated report for your records.

Your portion of these water rights has a specified point of diversion, nature of use and place of use. If you plan on changing the nature of use, place of use, or point of diversion under this right, including adding a new point of diversion, then an Application for Transfer on your portion of this right is required. Please contact this office for further information on the Application for Transfer form or you can find the forms at www.idwr.idaho.gov. If you do not plan on changing any items on your water right, then no further action is required at this time.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing an ownership change notice, the department does not review the history of water use to determine if the right has been forfeited 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 Sections 42-222 and 42-223, Idaho Code.

Also note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right, to the Department. Notice of the change must be provided to the Department within **120 days** of the change.

Please feel free to contact me at 208-287-4942 if you have any questions concerning the enclosed information or this letter.

Sincerely,

Jean Hersley
Technical Records Specialist II

Enclosure

c: Water District No. 74



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

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

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

October 24, 2017

LINGER DISTRIBUTING INC
175 HWY 28
SALMON ID 83467-5336

Re: Change in Water Right Ownership: 74-321Y (Split into **74-321Y** and 74-16161)

Dear Water Right Holder(s):

We have received and processed a Change of Ownership for a portion of your original Water Right as referenced above. This change of ownership resulted in a split of your original water right.

When a portion of the original water right has been conveyed to another and the original right has been split, a new water right number is issued to the new owner representing their portion of the original water right. Each water right contains only the portion of the original right for each separate owner. The original water right number reflects your remaining portion of the water right, after the change of ownership. Enclosed is a copy of this water right for your records. Please refer to your water right number when corresponding with our office.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing an ownership change notice, the department does not review the history of water use to determine if the right has been forfeited 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 Sections 42-222 and 42-223, Idaho Code.

If you have any questions concerning this ownership change, or the enclosed information, please contact me at 208-287-4942.

Sincerely,

A handwritten signature in cursive script that reads "Jean Hersley".

Jean Hersley
Technical Records Specialist II

Enclosure

c: Water District No. 74