

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

AUG 31 2016

Department of Water Resources
Eastern Region

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?
29-14101 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Mike Salisbury
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Thomas A. Kress Erin N. Kress
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or ☐ and/or
- 3351 Eagle Rock Rd American Falls ID 83211
Mailing address City State ZIP
- 208-221-0796 tkress208@msn.com
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: 8/25/16
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: *Thomas A. Kress* 8/29/16
Signature of new owner/claimant Title, if applicable Date

Signature: *Erin N. Kress* 8/29/16
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by *JB* Date 9/1/2016 Receipt No. E042412 Receipt Amt. \$25.-

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 *JB* Processed by *JB* Date 9/27/2016

WARRANTY DEED

Alliance Title & Escrow Corp. Order No.:325860

FOR VALUE RECEIVED

Michael H. Salisbury or Rebecca L. Salisbury, trustees of the Michael H. and Rebecca L. Salisbury Family Trust

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

Thomas A. Kress and Erin N. Kress , Husband and Wife

whose current address is

3351 Eagle Rock Road
American Falls, ID 83211



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

PARCEL 1:

A parcel of land in the Northwest ¼ of the Southeast ¼ of Section 22, Township 8 South, Range 30 East of the Boise Meridian, in Power County, Idaho, described as follows:

Commencing at the Center ¼ corner (Northwest corner of the Northwest ¼ of the Southeast ¼) of said Section which is monumented with a 5/8" rebar,
Thence South 89°27'15" East 678.64 feet along the East-West centerline of said Section to a point on the Southeasterly right of way of Eagle Rock Road (formerly Old US Hwy. 30), to the POINT OF BEGINNING and monumented with a ½" rebar a plastic cap stamped PLS 843;
Thence South 89°27'15" East 634.35 feet continuing along said section centerline to the Northeast corner of said Northeast corner of said Northwest ¼ of the Southeast ¼ and monumented with 5/8" rebar and aluminum cap;
Thence South 00°04'13" West 175.93 feet along the West line of said Northwest ¼ of the Southeast ¼ to a ½" rebar and plastic cap stamped PLS 843;
Thence South 57°31'39" West 146.00 feet leaving said West line to a point on the centerline of Little Creek;
Thence along said Creek centerline the following (7) Seven Courses;
1) Thence North 62°07'40" West 30.46 feet;
2) Thence South 74°10'08" West 33.38 feet;
3) Thence South 56°39'22" West 178.00 feet;
4) Thence South 32°48'01" West 82.44 feet;
5) Thence South 57°35'25" West 23.35 feet;
6) Thence North 83°56'52" West 41.08 feet;
7) Thence South 61°21'47" West 131.60 feet;
Thence South 32°28'21" East 33.25 feet leaving said Creek centerline to a ½" rebar and plastic cap stamped PLS 843;
Thence along the Southwesterly bank of said creek the following (7) Seven courses,
1) North 61°21'43" West 84.09 feet;
2) Thence North 24°15'48" West 64.39 feet;
3) Thence North 50°56'08" West 59.82 feet;
4) Thence North 13°41'01" West 70.72 feet;
5) Thence North 06°51'11" East 48.62 feet;
6) Thence North 17°42'35" West 57.71 feet;
7) Thence North 44°40'36" West 84.77 feet to a ½" rebar and plastic cap on the said Southeasterly right of way of Eagle Rock Road (formerly Old US Hwy. 30)
Thence North 41°21'51" East 203.49 feet to the POINT OF BEGINNING.

PARCEL 2:

A parcel of land in the Northwest ¼ of the Southeast ¼ of Section 22, Township 8 South, Range 30 East of the Boise Meridian, in Power County, Idaho, described as follows:

Commencing at the Center ¼ corner (Northwest corner of the Northwest ¼ of the Southeast ¼) of said Section which is monumented with a 5/8" rebar;
Thence South 89°27'15" East 678.64 feet along the East-West centerline of said Section to a point on the Southeasterly right of way of Eagle Rock Road (formerly Old US HWY. 30);
Thence South 41°21'51" West 203.49 feet to a ½" rebar and plastic cap stamped PLS 5360 and the POINT OF BEGINNING;
Thence along the Southwesterly bank of Little Creek the following (7) seven courses,
1) South 44°40'36" East 84.77 feet;
2) Thence South 17°42'35" East 57.71 feet;
3) Thence South 06°51'11" West 48.62 feet;
4) Thence South 13°41'01" East 70.72 feet;
5) Thence South 50°56'08" East 59.82 feet;
6) Thence South 24°15'48" West 64.39 feet;
7) Thence South 61°21'43" East 84.09 feet leaving said Creek bank to a ½" rebar and plastic cap stamped PLS 843;
Thence South 57°31'39" West 259.57 feet to a ½" rebar and plastic cap stamped PLS 843;
Thence South 12°10'01" West 403.05 feet to a ½" rebar and plastic cap stamped PLS 843;
Thence South 67°31'26" West 91.67 feet to a ½" rebar and plastic cap stamped PLS 843;
Thence North 26°13'08" West 553.16 feet to a point on the Southeasterly right of way of said Eagle Rock Road, said point being monumented with a ½" rebar and plastic cap stamped PLS 843;
Thence North 44°11'53" East 6.34 feet along said Southeasterly right of way to a right of way monument being 50.00 left of centerline Sta. PT 332+41.6 per FAP 109-C;
Thence continuing along said Southeasterly right of way, along a curve to the left, having a radius of 5780.00 feet, through a central angle of 2°50'00", for an arc length of 285.83 feet and a chord bearing and distance of North 42°46'52" East 285.80 feet to a right of way monument being 50.00 feet left of centerline Sta. PC 329+58.3 per FAP 109-C;
Thence North 41°21'51" East 302.15 feet continuing along said Southeasterly right of way to the POINT 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: August 23, 2016

The Michael H. and Rebecca L. Salisbury Family Trust

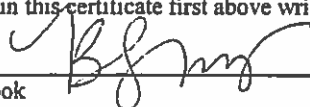


By: Michael H. Salisbury, Trustee

State of Idaho) ss.
County of Bannock)

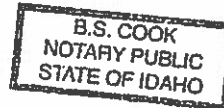
On this 25th day of September, 2016, before me, BSCook, a Notary Public in and for said state, personally appeared Michael H Salisbury known or identified to me to be the person whose name is subscribed to the foregoing instrument as trustee of the Michael H and Rebecca L Salisbury Family Trust, and 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.



BSCook
Notary Public for the State of Idaho
Residing at:
Commission Expires:

RESIDES IN POCATELLO
EXPIRES 04-21-2021



IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

12/26/2013

Water Right 29-14101

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MIKE SALISBURY 3351 EAGLE ROCK RD AMERICAN FALLS, ID 83211

Priority Date: 5/24/1967

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	0.210 CFS	39.8 AF
	<u>Total Diversion</u>		0.210 CFS	39.8 AF

Source and Point(s) of Diversion

GROUND WATER	SWSE	Sec. 22, Twp 08S, Rge 30E, POWER County
GROUND WATER	NWSE	Sec. 22, Twp 08S, Rge 30E, POWER County

Place Of Use

IRRIGATION within POWER County

T08S R30E S22	NWSE	10.0
POU Total Acres:		10.0

Conditions of Approval:

1. 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.
2. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
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. 120.
4. 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
5. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
6. 131 Prior to the diversion and use of water under Transfer 72019 the right holder shall install and maintain acceptable measuring device, including data a logger, at the authorized point of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
7. R60 This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

12/26/2013

8. 067 The right holder shall record the quantity of water diverted and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.

Comments:

- | | | | |
|----|---|------------|---------------------|
| 1. | jbarg | 12/26/2013 | Change of Ownership |
| | water right 29-2554 was split into 29-2554, 29-14100 & 29-14101 | | |
| 2. | jbarg | 12/26/2013 | POD |
| | Updated Shape | | |
| 3. | jbarg | 12/26/2013 | POU |
| | Updated Shape | | |



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N Skyline Dr., Ste A, Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 FAX: (208) 525-7177 www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

September 28, 2016

Thomas Kress
Erin Kress
3351 Eagle Rock Rd
American Falls ID 83211

RE: Change of Ownership for Water Right No(s). 29-14101

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right(s) to you. The department has modified its records to reflect the change in ownership and has enclosed computer-generated reports for your records.

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 deliberately abandoned or 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, please note that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.idaho.gov.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,

Jonic Barg
Technical Records Specialist

Enclosure(s)

cc: Water District 120
Aberdeen American Falls Ground Water