

STATE OF IDAHO
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?
~~4-70072~~	Yes ☐	Yes ☐		Yes ☐	Yes ☐
35-2908 OK	Yes ☒	Yes ☐		Yes ☐	Yes ☐
35-2908 35-14462	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Claude E. Lilya
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Todd C. Mickelsen, Hillary Mickelsen
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☒ and/or
- Mailing address: 411 N 400 W City: Blackfoot State: ID ZIP: 83221
- Telephone: 681-3484 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: 1961
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):
 - 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.

SUPPORT DATA

IN FILE # 35-2908

8. Signature: [Signature] Title, if applicable: Owner Date: 12-8-15
Signature of new owner/claimant
- Signature: _____ Title, if applicable: _____ Date: _____
Signature of new owner/claimant

For IDWR Office Use Only:

Received by JIB Date _____ Receipt No. E041682 Receipt Amt. \$150. -

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 JIB Processed by KM Date 4/12/2016

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
168 West Pacific Street/PO Box 868
Blackfoot, ID 83221

Instrument # 670241
BINGHAM COUNTY, IDAHO
2015-09-09 02:01:22 PM No. of Pages: 2
Recorded for: FIRST AMERICAN TITLE - BLACKFO
PAMELA W. ECKHARDT Fee: \$13.00
Ex-Officio Recorder Deputy JPulley
Index To: WARRANTY DEED
Electronically Recorded by Simplifile

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: 551058-B (Id)

Date: September 8, 2015

For Value Received, **Parcel 1: LaRie Peck and Claudon Lilya, CoPersonal Representatives of the Estates of Claude Everett Lilya and Grace Smith Lilya, husband and wife, Claude E. Lilya and Grace S. Lilya, also shown of record as Claude Lilya and Grace Lilya, husband and wife and Claude E. Lilya,** hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Todd C. Mickelsen and Hillary Mickelsen, husband and wife,** hereinafter called the Grantee, whose current address is **411 North 400 West, Blackfoot, ID 83221,** the following described premises, situated in Bingham County, Idaho, to-wit:

PARCEL 1:

Part of the South ½ of Section 8 and the North ½ of Section 17 Township 2 South Range 35 East B.M. Bingham County, Idaho described as:

Commencing at the Southeast corner of Section 8; Thence N 00°28'24" E 99.00 feet along the Section line to the point of beginning; Thence N 00°28'24" E 215.00 feet along said Section line; Thence N 89°55'36" W 454.17 feet; Thence N 00°28'24" E 601.50 feet to the South line of deed Instrument No. 462278; Thence along said deed 462278 the following (2) two courses, 1) N 89°55'36" W 34.89 feet; 2) Thence N 00°28'24" E 406.13 feet to the North line of the S1/2SE1/4 of said Section 8; Thence N 89°35'41" W 2217.76 feet along said North line to the easterly bank of The Aberdeen Springfield Canal; thence following the toe of said canal the following seven (7) Courses: 1) S 56°48'35" W 162.06 feet; 2) Thence S 61°12'06" W 154.46 feet; 3) Thence S 58°23'40" W 588.66 feet; 4) Thence S 44°14'16" W 212.01 feet; 5) Thence S 26°02'10" W 141.19 feet; 6) Thence S 27°12'50" W 197.24 feet; 7) Thence S 25°21'09" W 312.16 feet to the North line of Deed Instrument No. 553720; Thence along said deed instrument No. 553720 and the Center line Of the Peoples Canal the following (3) three courses 1) S 62°15'49" E 15.26 feet; 2) Thence S 18°19'28" E 63.68 feet; 3) Thence S 35°41'34" E 52.13 feet to the section line common to Sections 8 and 17; Thence S 89°41'59" E 991.81 feet along said section line to the centerline of the Peoples Canal; thence following the meanderings of said canal the following four (4) courses: 1) S 47°30'57" E 66.68 feet; 2) Thence S 43°08'27" E 89.57 feet; 3) Thence S 35°52'48" E 145.97 feet; 4) Thence S 39°34'43" E 313.67 feet to the South line of deed instrument No. 415460; Thence S 89°41'59" E 1949.20 feet to the S.W. corner of deed instrument No. 665501; Thence along said deed 415460 the following (2) courses, 1) N 00°30'41" E 363.35 feet; 2) Thence S 89°41'59" E 66.07 Feet to the West line of deed instrument No. 549687; thence along said deed 549687 the following (2) Courses, 1) N 00°28'24" E 204.00 feet; 2) Thence S 89°41'59" E 431.00 feet to the point of Beginning.

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.

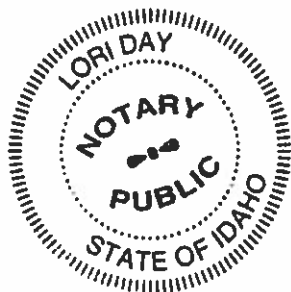
Estate of Claude Everett Lilya & Grace Smith
Lilya

LaRie Peck
LaRie Peck, Personal Representative

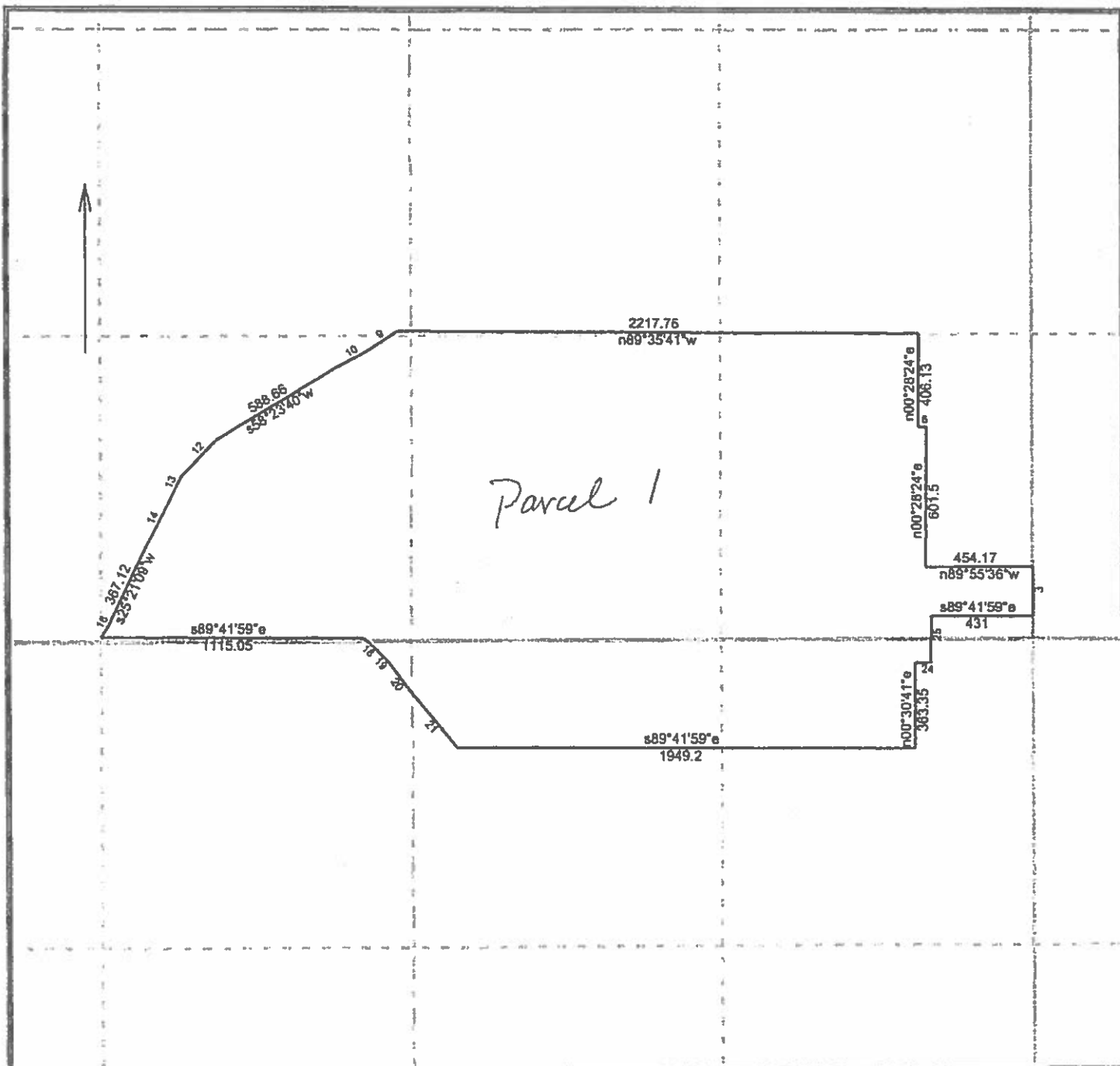
Claude Lilya
Claudon Lilya, Personal Representative

STATE OF Idaho)
ss.
COUNTY OF Bingham)

On this **8th day of September, 2015**, before me, a Notary Public in and for said State, personally appeared **LaRie Peck and Claudon Lilya**, known or identified to me to be the person(s) whose name(s) are subscribed to the within instrument as Personal Representative of the Estate of **Claude Everett Lilya and Grace Smith Lilya**, and acknowledged to me that they executed the same as such Personal Representative.



[Signature]
Notary Public of Idaho
Residing at: Blackfoot, Idaho
Commission Expires: 11/27/2015



8/7/2015

Scale: 1 inch= 600 feet

File: 551058rev.ndp

01 /se,8,2s,35e
02 /n00.2824e 99
03 n00.2824e 215
04 n89.5536w 454.17
05 n00.2824e 601.5
06 n89.5536w 34.89
07 n00.2824e 406.13
08 n89.3541w 2217.76
09 s56.4835w 162.06
10 s61.1206w 154.46
11 s58.2340w 588.66
12 s44.1416w 212.01
13 s26.0210w 141.19
14 s27.1250w 197.24
15 s25.2109w 367.12
16 s30.5815w 69.48

17 s89.4159e 1115.05
18 s47.3057e 66.68
19 s43.0827e 89.57
20 s35.5248e 145.97
21 s39.3443e 313.67
22 s89.4159e 1949.2
23 n00.3041e 363.35
24 s89.4159e 66.07
25 n00.2824e 204
26 s89.4159e 431



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

April 15, 2016

Todd Mickelsen
Hillary Mickelsen
411 N 400 W
Blackfoot ID 83221

RE: Change of Ownership for Water Rights 35-2908 (split into 35-2908 & 35-14463)

Dear Water Right Holder:

The department acknowledges receipt of correspondence changing ownership and splitting the above referenced water right. The department has modified its records to reflect the changes and has enclosed computer-generated reports for your records.

Your portion of the water right has a specified point of diversion, nature of use and place of use. If you plan on changing any of these, including adding a new point of diversion, then an Application for Transfer on your portion of this right is required. 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 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.

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,

Jonie Barg
Technical Records Specialist

Enclosures

cc: Water District 120
Bingham Ground Water District
The Bank of Commerce