

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

**Notice of Change in Water Right Ownership**

RECEIVED

NOV 14 2013

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.

| Water Right/Claim No. | Split?                       | Water Right/Claim No. | Split?                       | Water Right/Claim No. | Split?                       |
|-----------------------|------------------------------|-----------------------|------------------------------|-----------------------|------------------------------|
| 25-7139 <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"/> |

2. Previous Owner's Name: Eldon L. Ward  
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Lott Real Properties, LLC  
New owner(s) as listed on the conveyance document      Name connector      ☐ and      ☐ or      ☐ and/or
- 8437 N. 45th East      Idaho Falls      ID      83401  
Mailing address      City      State      ZIP
- \_\_\_\_\_  
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: October 2, 2013

6. If the water right described herein has been rented from the Water Supply Bank, rental proceeds will be disbursed in the following manner regardless of any arrangements between the buyer(s) and seller(s) to the contrary:
- Rental payments will go to the lessor(s) of record at the beginning of the rental season.
  - If a change in ownership is processed by the Department during a rental season, rental payment will be made to the person or entity who is the lessor of record at the beginning of that rental season.
  - New lessor(s) of record will receive payment after the following rental season.

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.

8. Signature: *[Signature]*      Manager      10/3/2013  
Signature of new owner/claimant      Title, if applicable      Date
- Signature: *Michelle Lott*      Manager      10/3/2013  
Signature of new owner/claimant      Title, if applicable      Date

For IDWR Office Use Only:

Received by *[Signature]*      Date 11/15/2013      Receipt No. E039295      Receipt Amt. \$ 25.-  
Approved by *[Signature]*      Processed by *[Signature]*      Date 12/2/2013

Alliance Title & Escrow Corp.  
1070 Riverwalk Dr., Ste. 100  
P.O. Box 50642  
Idaho Falls, ID 83405-0642

### WARRANTY DEED

Alliance Title & Escrow Corp. Order No.: 197817

#### FOR VALUE RECEIVED

**LeAnn Gardner, Noreen Johnson and Michael J Ward as Co- Successor Trustees of The Eldon L Ward Family Trust, created by the Last Will and Testament of Eldon L Ward, dated September 25, 2011 and LeAnn Gardner, Michael Ward and Noreen Johnson as Co-Trustees of the Evelyn Ward Revocable Trust, dated April 28, 2011**

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

**Lott Real Properties, LLC , an Idaho Limited Liability Company**

whose current address is

8437 N 45th E  
Idaho Falls, ID 83401



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

#### Tract I:

**Northwest Quarter (NW1/4) of Section 16, Township 3 North, Range 38 East of the Boise Meridian, Bonneville County, Idaho.**

**Excepting therefrom all of the following described properties:**

**Parcel a: Beginning at a point that is North along the section line 422.31 feet and North 89°02'46" East 22.00 feet from the West Quarter corner of said Section 16; said point of beginning being on the East right of way line of 15th East (St. Leon Road); thence North 89°02'46" East 259.32 feet; thence North 168.00 feet; thence South 89°02'46" West 259.32 feet to said East right of way line of 15th East; thence South along said East right of way line 168.00 feet to the point of beginning.**

**Parcel b: Beginning at a point that is North 80.00 feet and North 89°02'26" East 22.00 feet from the West Quarter corner of said Section 16; said point of beginning being the point of intersection of the East right of way line of 15th East (St. Leon Road) and the North right of way line of Guymann Road; thence North 89°02'46" East along the North line of said Guyman Road 794.57 feet; thence North 0°22'26" East 131.14 feet; thence West 68.55 feet; thence North 0°51'50" West 210.01 feet; thence South 89°02'46" West 723.71 feet; thence South along said East right of way line of 15th East (St. Leon Road) 342.35 feet to the point of beginning.**

**Parcel c: Beginning at a point that is North 80.00 feet and North 89°02'26" East 22.00 feet from the West Quarter corner of said Section 16; said point of beginning being the point of intersection of the East right of way line of 15th East (St. Leon Road) and the North right of way line of Guyman Road; thence North 89°02'46"**

East along said North right of way line of Guyman Road 794.57 feet to the point of beginning of said property; thence North 0°22'26" East 131.14 feet; thence West 68.55 feet; thence North 0°51'50" West 210.01 feet; thence East 1335.00 feet; thence South 342.00 feet to the North right of way line of Guyman Road; thence West along said North right of way line 1266.00 feet to the point of beginning.

Parcel d: Beginning at a point that is North along the Section line 388.36 feet and North 89°09'58" East 1446.04 feet from the West Quarter corner of said Section 16; thence North 89°09'58" East 319.39 feet; thence South 340.66 feet, more or less, to the North right of way line of Ucon Cemetery Road; thence South 89°02'46" West along said North line 319.40 feet, more or less, to a point that bears South from the point of beginning; thence North 341.33 feet, more or less, to the point of beginning.

Parcel e: Beginning at a point that is North along the Section line 388.36 feet and North 89°09'58" East 1127.27 feet from the West Quarter corner of said Section 16; thence North 89°09'58" East 318.77 feet; thence South 341.33 feet, more or less, to the North right of way line of Ucon Cemetery Road; thence South 89°02'46" West along said North right of way line 318.78 feet, more or less, to a point that bears South from the point of beginning; thence North 342.00 feet, more or less, to the point of beginning.

Parcel f: Beginning at a point that is North along the Section line 388.36 feet and North 89°09'58" East 1765.43 feet from the West Quarter corner of said Section 16; thence North 89°09'58" East 320.02 feet; thence South 339.99 feet, more or less, to the North right of way line of Ucon Cemetery Road; thence South 89°02'46" West along said North right of way line 320.03 feet, more or less to a point that bears South from the point of beginning; thence North 340.66 feet, more or less, to the point of beginning.

Parcel g: That certain property deeded to Bonneville County for roadway purposes by that certain Quitclaim Deed recorded at Book 7 of Deeds at Page 33, records of Bonneville County, Idaho.

**Tract II:**

The North 1633.50 feet of the Northeast Quarter formerly described as the North 99 acres of the Northeast Quarter of Section 9, Township 3 North, Range 38 East of the Boise Meridian, Bonneville County, Idaho.

Excepting therefrom all of the following described properties:

Parcel a: Beginning at the Northeast corner of said Section 9; thence West 1013.00 feet; thence South 253.00 feet; thence East 1013.00 feet; thence North 253.00 feet to the point of beginning.

Parcel b: Beginning at the Northwest corner of the Northeast Quarter of said Section 9; thence East 100.00 feet along the North Section line; thence South 656.00 feet, parallel to the Half Section line; thence West 100.00 feet parallel to the North Section line; thence North 656.00 feet following the Half Section line to the point of beginning.

Parcel c: Beginning at a point that is East along the North Section line 547.00 feet from the Northwest corner of the Northeast Quarter of said Section 9; thence South 193.60 feet; thence East and parallel to the North Section line 225.00 feet; thence North 193.60 feet; thence West along the North Section line 225.00 feet to the point of beginning.

Parcel d: Beginning at a point that is North 89°34'12" East 482.65 feet along the North Section line from the Northwest corner of Northeast quarter of Section 9, Township 3 North, Range 38 East, of the Boise Meridian, Bonneville County, Idaho; running thence South 00°42'06" West 201.42 feet: thence North 89°24'08" East 291.82 feet; thence North 00°44'28" East 200.57 feet: thence South 89°36'11" West 2.59 feet: thence South 00°00'00" West 193.60 feet: thence South 89°34'12" West

225.00 feet; thence North 00°00'00" East 193.60 feet; thence South 89°34'09" West 64.35 feet to the point of beginning.

**Tract III:**

The Northwest Quarter (NW1/4) and the North 30 rods of the Southwest Quarter in Section 8, Township 3 North, Range 38 East of the Boise Meridian, Bonneville County, Idaho.

Excepting therefrom all of the following described properties:

**Parcel a:** Beginning at a point that is 825.00 feet North of the Southwest corner of the Northwest Quarter of said Section 8; thence East 466 2/3 feet; thence North 992.36 2/3 feet; thence West 466 2/3 feet; thence South 992.36 2/3 feet to the point of beginning.

**Parcel b:** The West 55.23 feet thereof.

**Parcel c:** Beginning at a point that is North 663.69 feet along the Section line from the West Quarter corner of said Section 8; thence North 157.00 feet along the Section line to an existing fence line which is the South line of Coltman L.D.S. Ward Church property; thence South 89°49'57" East 466.63 feet along said fence line; thence South 157.00 feet; thence North 89°49'57" West 466.63 feet to the point of beginning.

**Parcel d:** Beginning at a point that is North 01°05'17" East along the Section line 18.00 feet and South 89°54'15" East 56.10 feet from the West Quarter corner of said Section 8; said point being on the East right of way line of 5th East; thence South 89°54'15" East 492.24 feet; thence South 76.59 feet; thence South 88°35'30" West 48.69 feet; thence North 59.87 feet to the East – West center Section line of said Section 8; thence North 89°54'15" West along said East – West center Section line 443.58 feet to said East right of way line of 5th East; thence North 00°01'54" East along said East right of way line 18.00 feet to the point of beginning.

**Parcel e:** Beginning at a point that is East 308.00 feet from the Northwest corner of said Section 8; thence East 110.00 feet; thence South 441.00 feet; thence West 110.00 feet; thence North 441.00 feet to the point of beginning.

**Parcel f:** Beginning at the Northwest corner of said Section 8; thence South 234.00 feet; thence East 160.00 feet; thence North 234.00 feet; thence West 160.00 feet to the point of beginning.

**Parcel g:** Beginning at a point that is South 234.00 feet and East 53.00 feet to the Northwest corner of property described in Instrument No. 475275, said point also being on the South line of Instrument No. 839028, from the Northwest corner of said Section 8; thence East 107.00 feet along the North line of said Instrument No. 475275 and the South line of said Instrument No. 839028 to the Southeast corner of said Instrument No. 839028; thence North 234.00 feet along Instrument No. 839028 to the Northeast corner of Instrument No. 839028; thence East 148.00 feet; thence South 441.00 feet; thence West 255.00 feet; thence North 207.00 feet to the point of beginning.

**Parcel h:** Beginning at a point that is North 90°00'00" West 2646.00 feet along the Section line (said point being in a canal therefore it is a calculated only position for the North Quarter corner of Section 8); from the Northeast corner of said Section 8; thence South 0°32'04" West 1023.72 feet along the North – South center line of said Section 8; thence South 89°42'32" West 53.34 feet; thence North 0°32'04" East 1023.99 feet; thence North 90°00'00" East 53.34 feet along the North line of said Section 8 to the point of beginning.

**Parcel i:** Beginning at a point that is South along the Section line 73.00 feet and North 88°35'30" East 55.25 feet to the East right of way fence of the Lewisville Highway from the West Quarter corner of said Section 8; thence North 88°35'30"

East 493.59 feet; thence South 335.09 feet; thence West 153.36 feet; thence North 24°35'30" East 130.45 feet; thence West 394.37 feet to said right of way fence; thence North 204.34 feet along said right of way fence to the point of beginning.

Parcel j: Beginning at a point that is South along the Section line 275.23 feet and East 55.23 feet from the West Quarter corner of said Section 8; thence East 394.37 feet; thence South 24°35'30" West 130.45 feet; thence West 340.08 feet; thence North 118.62 feet to the point of beginning.

Parcel k: Beginning at a point that is South along the Section line 394.60 feet and East 55.23 feet to the East right of way fence of the Lewisville Highway from the West Quarter corner of said Section 8; thence East 493.44 feet; thence South 87.64 feet; thence South 88°20' West 493.65 feet to said right of way fence; thence North 102.00 feet along said right of way fence to the point of beginning.

Parcel l: Beginning at the Northwest corner of the Southwest Quarter of said Section 8; thence South 73.00 feet; thence East 500.00 feet; thence North 73.00 feet; thence West 500 feet to the point of beginning.

Parcel m: That certain property conveyed to the State of Idaho for roadway purposes by that certain Quitclaim Deed recorded in Book 126 of Deeds at Page 147, records of Bonneville County, Idaho.

Parcel n: That certain property conveyed to the State of Idaho for roadway purposes by that certain Quitclaim Deed recorded in Book 122 of Deeds at Page 173, records of Bonneville County, Idaho.

Parcel o: That certain property conveyed to the State of Idaho for roadway purposes by that certain Quitclaim Deed recorded in Book 122 of Deeds at Page 459, records of Bonneville County, Idaho.

Parcel p: That certain property conveyed to the State of Idaho for roadway purposes by that certain Quitclaim Deed recorded in Book 123 of Deeds at Page 109, records of Bonneville County, Idaho.

Parcel q: That certain property conveyed to the State of Idaho for roadway purposes by that certain Quitclaim Deed recorded in Book 126 of Deeds at Page 145, records of Bonneville County, Idaho.

Parcel r: Beginning at a point that is East 418.00 feet from the Northwest corner of Section 8, Township 3 North, Range 38 East of the Boise Meridian, Bonneville County, Idaho; running thence South 338.24 feet along Instrument No. 1052138; thence North 89°17'41" East 53.12 feet; thence North 01°38'08" West 337.72 feet; thence West 43.43 feet to the point of beginning.

Subject to and together with two 12 foot Easement for ingress and egress described as follows:

Parcel 1: A Parcel of Land Situated in Bonneville County, State of Idaho, Township 3 North, Range 38 East of the Boise Meridian, Section 9, More Particularly Described as Follows: Beginning at the Northeast corner of Section 9, Township 3 North, Range 38 East, B.M.; Thence S00°00'35"W along the East line of said Section 9 for a Distance of 1620.00 Feet to the True Point of Beginning, said point being the Centerline of a 12' Easement for Ingress and Egress; Thence S87°45'00"W along said Centerline for a Distance of 210.00 Feet; Thence S89°31'00"W along said Centerline for a Distance of 212.00 Feet; Thence S79°42'00"W along said Centerline for a Distance of 26.00 Feet; Thence S64°51'00"W along said Centerline for a Distance of 20.50 Feet to the end of said Easement.

Parcel 2: A Parcel of Land Situated in Bonneville County, State of Idaho, Township 3 North, Range 38 East of the Boise Meridian, Section 9, More Particularly Described as Follows: Beginning at the Northeast corner of Section 9, Township 3 North, Range 38 East, B.M.; Thence S00°00'35"W along the East line of said

Section 9 for a Distance of 1620.00 Feet; Thence S87°45'00"W for a Distance of 210.00 Feet; Thence S89°31'00"W for a Distance of 212.00 Feet; Thence S79°42'00"W for a Distance of 26.00 Feet; Thence S64°51'00"W for a Distance of 20.50 Feet to the True Point of Beginning, said point being the Centerline of a 12' Easement for Ingress and Egress; Thence S72°53'00"W along said Centerline for a Distance of 40.00 Feet; Thence S89°18'00"W along said Centerline for a Distance of 390.00 Feet; Thence S88°46'00"W along said Centerline for a Distance of 705.00 Feet; Thence N45°00'00"W along said Centerline for a Distance of 30.96 Feet to the end of said Easement.

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: October 1, 2013

LeAnn Gardner  
LeAnn Gardner, Successor Trustee

Noreen Johnson  
Noreen Johnson, Successor Trustee

Michael J Ward  
Michael J Ward, Successor Trustee

LeAnn Gardner  
LeAnn Gardner, Trustee

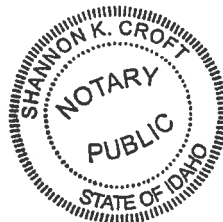
Michael Ward  
Michael Ward, Trustee

Noreen Johnson  
Noreen Johnson, Trustee

State of ID} ss.  
County of Bonneville}

On this 1 day of October 2013, before me, the undersigned, a Notary Public in and for said state, personally appeared LeAnn Gardner, Noreen Johnson, and Michael J Ward known or identified to me to be the person whose name is subscribed to the foregoing instrument as trustees of the Eldon L Ward Family Trust, and acknowledged to me that 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.



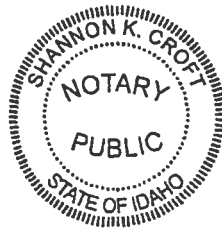
[Signature]  
Notary Public for the State of ID  
Residing at: \_\_\_\_\_  
Commission Expires: \_\_\_\_\_

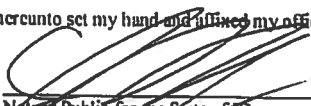
Residing in Idaho Falls, Idaho  
Commission Expires 7-15-2015

State of ID) ss.  
County of Bonneville)

On this 1 day of October 2013, before me, the undersigned, a Notary Public in and for said state, personally appeared LeAnn Gardner, Noreen Johnson, and Michael J Ward known or identified to me to be the person whose name is subscribed to the foregoing instrument as trustee of the Evelyn Ward Revocable Trust, dated April 28, 2011, and acknowledged to me that 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 ID

Residing at: \_\_\_\_\_

Commission Expires: \_\_\_\_\_

Residing in Idaho Falls, Idaho  
Commission Expires 7-15-2015