

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 25 2013

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.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
13-2265 (Split)	Yes ☒	13-2265, 13-7889	Yes ☐	13-7890 + 13-7891	Yes ☐
13-7069 (Split)	Yes ☒	13-7069, 13-7885	Yes ☐	13-7886, 13-7887	Yes ☐
	Yes ☐		Yes ☐	+ 13-7888	Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Rolen V. Bastian
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Chet M Atkinson
Name of each new owner as listed on the conveyance document

New owner continued Name connector ☐ and ☐ or ☐ and/or

3167 S. 2400 W

Mailing address

Weston

City

ID

State

83286

ZIP

(435) 764-6464

Telephone

Ashleyatkinson9397@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: SEP 03 2009

6. 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.

7. Signature: [Signature] Title, if applicable: _____ Date: 4/25/13

Signature of new owner/claimant

Signature: _____ Title, if applicable: _____ Date: _____

Signature of new owner/claimant

For IDWR Office Use Only:

Received by: B/LK Date: 4/25/2013 Receipt No.: E038630 Receipt Amt: \$25.00

Approved by: [Signature] Processed by: BJS Date: 5/20/2013 \$ 200.00

NTF-52378
Chet M. Atkinson
3167 South 2400 West
Weston, ID 83286

246472

Recorded at the request of
Northern Title

9:43
a.m. SEP 03 2009 p.m.

V. ELLIOTT LARSEN, RECORDER
By Shauna Geddes Deputy
FRANKLIN COUNTY IDAHO

WARRANTY DEED

Robert W. Fitzgerald, Trustee of The and Robert W. Fitzgerald Family Trust

Grantor(s) of Weston, County of Franklin, State of ID hereby **CONVEY AND WARRANT** to

Chet M. Atkinson and Ashley Atkinson, Husband and Wife,

Grantee(s) of Weston, County of Franklin, State of ID for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION, the following described tract of land in Franklin County, State of ID:

A parcel of land located in the South one-half of Section 8, Township 16 South, Range 39 East, Boise Meridian, Franklin County, Idaho, and more particularly described as follows:

Commencing at the Southwest corner of said Section 8, from which the West quarter corner of Section 8 bears North 00°13'25" West;

thence North 00°13'25" West 587.00 feet along the West boundary of Section 8 to a 5/8" rebar and cap labeled "Allen Land Surveying, PLS 9163", the true point of beginning.

Thence North 00°13'25" West 587.00 feet along the West boundary of Section 8 to a 5/8" rebar and cap; thence South 89°55'39" East 3018.04 feet to a point being 330.00 feet Easterly of the East boundary of the Southwest quarter of Section 8;

thence South 00°11'04" West 587.00 feet along a line parallel with said East boundary;

thence North 89°55'39" West 3013.86 feet to the true point of beginning.

Subject to a 30.00 foot wide County Roadway and utility easement being East of and coincident with the West boundary of the above described parcel.

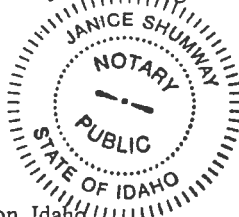
Subject to easements, declarations of covenants and restrictions, rights of way of record, and taxes for the current year and thereafter.

Witness, the hand(s) of said Grantor(s), this September 2, 2009.

Robert W. Fitzgerald - Trustee
Robert W. Fitzgerald, Trustee

State of Idaho)
County of Franklin)

On September 2, 2009, personally appeared before me, Robert W. Fitzgerald, the signer(s) of the within instrument, who duly acknowledged to me that he executed the same.



Janice Shumway
Notary Public

Resides: Preston, Idaho
Expires: 03/12/2011

CORRECTED WARRANTY DEED

For Value Received,

TERREL J. PORTER AND KAY ARLENE PORTER, HUSBAND AND WIFE,
Of 2400 WEST 2800 SOUTH, WESTON, County of FRANKLIN, State of ID., 83286,

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

ROBERT W. FITZGERALD AND JOYCE FITZGERALD, HUSBAND AND WIFE,
Of 564 EAST 500 NORTH, BRIGHAM CITY, County of BOX ELDER, State of UT., 84302,
THE GRANTEE(S).

For the sum of ten dollars and other good and valuable consideration, the following described tract of land in the County of FRANKLIN, State of Idaho:

SEE ATTACHED EXHIBIT "A"

This deed is given to correct the legal description on that certain Warranty Deed dated April 28 and recorded May 5-99 as Microfilm Instrument No. 1206150 records of Franklin County, Idaho.

To have and to hold the said premises, with their appurtenances unto the said Grantee(s), his heirs and assigns forever. And the said Grantor(s) hereby covenant to and with the said Grantee(s) that they are the owner(s) in fee simple of said premises; that they are free from all incumbrances, and that they will warrant and defend the same from all lawful claims whatsoever.

DATED THIS 14TH DAY OF MAY, 1999.

Terrel J. Porter
TERREL J. PORTER

Kay Arlene Porter
KAY ARLENE PORTER

STATE OF IDAHO, COUNTY OF FRANKLIN

On this 14 day of April, 1999, before me a Notary Public in and for the State, personally appeared

TERREL J. PORTER and KAY ARLENE PORTER
HUSBAND AND WIFE,

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 hereunto set my hand and seal the day and year in the certificate first above written.

[Signature]
Notary Public
Residing at: *Franklin Co*
My Commission Expires: *9/2002*

Recorded at the request of
TERREL J. PORTER

11:25
a.m. MAY 17 1999 p.m.

V. ELLIOTT LARSEN, RECORDER
By *Shauna Geddes* Deputy
FRANKLIN COUNTY, IDAHO

MAIL TAX NOTICE TO: **ROBERT W. FITZGERALD, TRUSTEE**
564 EAST 500 NORTH, BRIGHAM CITY, UT 84302

EXHIBIT A

Part of the North Half of Section 8, Township 16 South, Range 39 East of the Boise Meridian and described as follows:

Commencing at the Northwest Corner of Section 8, Township 16 South, Range 39 East, Boise Meridian and running South 00°52'10" West 708.00 feet along the West line of the Northwest Quarter of said Section 8; thence South 89°38'58" East 1576.03 feet to the TRUE POINT OF BEGINNING; running thence South 89°38'58" East 1157.09 feet to the West line of the West Cache Canal; thence South 35°48'29" West 117.49 feet along said canal; thence South 42°26'56" West 229.96 feet along said canal; thence South 46°31'08" West 414.46 feet along said canal; thence South 36°27'35" West 92.42 feet along said canal; thence South 18°43'27" West 182.83 feet along said canal; thence South 5°26'29" West 343.34 feet along said canal; thence South 1°09'10" East 236.51 feet along said canal; thence North 89°38'51" West 107.95 feet; thence North 00°52'10" East 330.00 feet; thence North 89°38'51" West 119.53 feet; thence North 20°32'50" East 353.39 feet; thence North 60°43'57" West 204.02 feet; thence North 89°38'58" West 209.56 feet; thence North 00°27'48" West 619.71 feet to the True Point of Beginning.

TOGETHER WITH a 60 foot right-of-way described as follows: Commencing at the Northwest Corner of Section 8, Township 16 South, Range 39 East, Boise Meridian and running South 00°52'10" West 708.00 feet along the West line of the Northwest Quarter of said Section 8; thence South 89°38'58" East 30.00 feet to the East line of 2400 West Street and the TRUE POINT OF BEGINNING; running thence South 89°38'58" East 1546.03 feet; thence South 00°27'48" East 60.00 feet; thence North 89°38'58" West 1547.42 feet to the East line of 2400 West Street; thence North 00°52'10" East 60.00 feet to the True Point of Beginning.

195101 1-2

3
recorded at the request of
TERREL J. PORTER

— a.m. JAN 12 1986 1:35 p.m.

V. ELLIOTT LARSEN, RECORDER
By Shauna Geddes Deput.
FRANKLIN COUNTY, IDAHO

TRUSTEE DEED

FOR VALUE RECEIVED BERTIS L. EMBRY FAMILY TRUST
Bertis L. Embry and Anna E. C. Embry,
Trustees under Trust dated June 13, 1981

Grantor, does hereby grant, bargain, sell and convey unto

TERREL J. PORTER and KAY ARLENE PORTER
husband and wife

whose current address is 1933 East 3700 North
Preston, Idaho 83263

Grantees, the following described premises in FRANKLIN
COUNTY, IDAHO, to wit:

Township 16 South, Range 39 East of the Boise Meridian

Section 5: SW $\frac{1}{4}$ SW $\frac{1}{4}$.

Section 8: SW $\frac{1}{4}$, EXCEPTING THEREFROM: Beginning at a point 145 feet South of the Northwest corner of the Southwest Quarter of said Section 8, and running thence South 200 feet; thence East 300 feet; thence North 200 feet; thence West 300 feet to the point of beginning. ALSO EXCEPT: Beginning at the West Quarter corner of said Section 8; thence East 30.00 feet to the East right-of-way line of 2400 West; thence North 00°06'57" West 1.00 foot to a 5/8" rebar with cap labeled "A.A. HUDSON, PLS 4735", the TRUE POINT OF BEGINNING; thence South 88°24'20" East 430.91 feet along a fence line to a 5/8" rebar with cap; thence South 00°06'57" East 777.15 feet to a 5/8" rebar with cap set on the North bank of a drainage ditch; thence South 61°31'07" West 489.49 feet along said North bank to a 5/8" rebar with cap set on said East right-of-way line of 2400 West, a county road; thence North 00°06'57" West 676.57 feet along said right-of-way to the South line of that tract owned by Carl W. and Saundra B. Clark, recorded under Microfilm Instrument No. 177735, in the official records of Franklin County; thence East 269.30 feet; thence North 200.00 feet; thence West 269.71 feet to said right-of-way line; thence North 00°06'57" West 146.00 feet along said right-of-way line to the TRUE POINT OF BEGINNING. SUBJECT to a right-of-way over the North 50 feet for ingress and egress. ALSO EXCEPT, portions deeded to WEST CACHE IRRIGATION CO., a Corp., in Book 4 of Deeds, page 200, recorded June 25, 1960, records of Franklin County, Idaho.

ALSO INCLUDING: The West 20 rods of the SE $\frac{1}{4}$, and W $\frac{1}{2}$ NW $\frac{1}{4}$.

SUBJECT TO reservations in United States and State Patents, zoning, subdivision and building ordinances, easements, rights, restrictions, liabilities and obligations as may appear of record.

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said Grantees, their heirs and assigns forever. And the Grantor does hereby covenant to and with said Grantees that it is the owner in fee simple of said premises; that they are free from all encumbrances except as may appear of record; and that it will warrant and defend the same from all lawful claims by, under or through it.

DATED:

BERTIS L. EMBRY FAMILY TRUST

December 23, 1995

By Bertis L. Embury
Trustee

By Anna E. C. Embury
Trustee

STATE OF UTAH)
 : ss.
COUNTY OF CACHE)

On December 23, 1995, before me, a Notary Public in and for the State of Utah, personally appeared BERTIS L. EMBRY and ANNA E. C. EMBRY, Trustees of the BERTIS L. EMBRY FAMILY TRUST established June 13, 1981, known to me to be the persons whose names are subscribed to the within instrument, and each acknowledged to me that s/he executed the same for and in behalf of said Trust and the Trust executed the same.



NOTARY PUBLIC
LISA SIMPSON
720 East Center
Providence, UT 84332
My Commission Expires
July 6, 1999
STATE OF UTAH

Lisa Simpson
Notary Public
Residing at: Providence
My commission expires: 7-6-99

WARRANTY DEED

For Value Received ELSIE E. BASTIAN, TRUSTEE of the ROLEN V. BASTIAN
and ELSIE E. BASTIAN TRUST,

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

BERTIS L. EMBRY FAMILY TRUST, BERTIS L. EMBRY and
ANNA E. C. EMBRY, TRUSTEES

whose current address is 1340 East 1700 North
North Logan, Utah 84321

the grantee, the following described premises, in Franklin County Idaho, to wit:
Township 16 South, Range 38 East of the Boise Meridian

Section 9: Commencing at the Southwest corner of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of
Section 9, thence North 41 rods; thence Southeast 62
rods; thence West 48 rods to the point of beginning.

E $\frac{1}{4}$ SE $\frac{1}{4}$, EXCEPT: Beginning at the Northeast corner of the
SE $\frac{1}{4}$ of Section 9, thence West 24 rods, 10 feet; thence
Southeast 30 rods to a point 17 rods, 7 feet South of the
said Northeast corner of the SE $\frac{1}{4}$ of Section 9; thence North
17 rods, 7 feet to the point of beginning.

ALSO, NW $\frac{1}{4}$ NE $\frac{1}{4}$; NE $\frac{1}{4}$ NW $\frac{1}{4}$.
125 Shares of Weston Creek Irrigation Company.

Township 16 South, Range 39 East of the Boise Meridian

Section 5: SW $\frac{1}{4}$ SW $\frac{1}{4}$.

Section 8: SW $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, ALSO, the West 20 rods of the SE $\frac{1}{4}$.

Section 18: NE $\frac{1}{4}$ SE $\frac{1}{4}$, EXCEPT the following described property: Commencing
at the East Quarter corner of Section 18, running thence
West along the middle of the County road, 1160 feet to the
TRUE POINT OF BEGINNING; thence South 250 feet; thence West
160 feet; thence North 250 feet; thence East 160 feet to
the TRUE POINT OF BEGINNING.
40 Shares of Twin Lakes Canal Company.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee,
its heirs and assigns forever. And the said Grantor does hereby covenant to and
with the said Grantee, that she is the owner in fee simple of said premises; that they are free
from all incumbrances

and that she will warrant and defend the same from all lawful claims whatsoever.

Dated: April 14, 1987

Elsie E. Bastian

STATE OF IDAHO, COUNTY OF FRANKLIN
On this 14th day of April, 1987,
before me, a notary public in and for said State, personally
appeared
ELSIE E. BASTIAN, TRUSTEE
of the ROLEN V. BASTIAN and
ELSIE E. BASTIAN TRUST,

known to me to be the person whose name is
subscribed to the within instrument, and acknowledged to
me that she executed the same.
for, and in behalf of said trust and
the trust executed the same.
Elsie E. Bastian Notary Public
Residing at Swan Lake, Idaho
Comm. Expires May 25, 1988

*Witnessed at the request of
Elsie E. Bastian*

9:15 a.m. APR 15 1987 — p.m.

CORRIE J. KELLER, RECORDER
Corrie J. Keller Dep.
FRANKLIN COUNTY, IDAHO