

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

DEC 28 2010

DEPT. OF WATER RESOURCES
SOUTHERN 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?
37-7504	Yes ☐		Yes ☐		Yes ☐
37-10435	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Jerry R. Nance and Patty Nance

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Taber Family, LLC

Name of each new owner as listed on the conveyance document

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

495 East 20 North

Mailing address

Shoshone

City

ID

83352

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: December 2010
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: Donald Edward Taber

Signature of new owner/claimant

Member

Title, if applicable

Date

12/22/10

Signature: Donald C. Taber

Signature of new owner/claimant

Member

Title, if applicable

Date

12-22-10

For IDWR Office Use Only:

Received by B. Walker

Date 12/30/10

Receipt No. 5031735

Receipt Amt. \$50.00

Approved by

Processed by

Date

SUPPORT DATA

WARRANTY DEED

#GL-10968

For Value Received

Jerry R. Nance, also shown of record as Jerry Nance, and Patricia J. Nance, also shown of record as Patty Nance and Patty J. Nance, as husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

Taber Family, LLC, an Idaho Limited Liability Company
Address: 495 East 20 North, Shoshone, ID 83352

189270	STATE OF IDAHO
	COUNTY OF LINCOLN
	Recorded at the request of <i>Jerry R. Nance</i>
	DEC 23 2010
	at <i>46</i> minutes past <i>2</i> P.M.
	recorded by <i>M. R. Red</i>
	Fee: <i>19</i> - Return to: <i>Lincoln</i>

Hereinafter called the Grantee, the following described premises situated in Lincoln County, Idaho, to-wit:

Parcel No. 1:

TOWNSHIP 6 SOUTH, RANGE 19 EAST OF THE BOISE MERIDIAN, LINCOLN COUNTY, IDAHO

Section 18: Lots 5, 6, and 7 and that portion of the W $\frac{1}{2}$ NE $\frac{1}{4}$ lying South of the right-of-way of the Oregon Short Line Railroad Company, EXCEPT that part deeded to the State of Idaho for highway purposes in Warranty Deed dated July 23, 1970, recorded August 21, 1970 as Instrument Number 123741, Lincoln County records.

EXCEPTING THEREFROMA parcel of land located in the NW $\frac{1}{4}$, being more particularly described as follows:

Commencing at the West One Quarter (W $\frac{1}{4}$) corner of said Section 28, from which the East One Quarter (E $\frac{1}{4}$) corner of said Section 28 bears South 89°40'43" East - 6169.95feet;
Thence South 89°40'43" East along the East-West center of Section line of said Section 28 for a distance of 2443.99 feet;
Thence North 00°19'17" East for a distance of 17.55 feet to a point on the North right-of-way boundary of State Highway #24, said point being 60.00feet left of State Highway station 454+59.60 and being the TRUE POINT OF BEGINNING;
Thence North 02°16'43" East for a distance of 205.37 feet;
Thence North 89°54'27" East for a distance of 480.71 feet;
Thence South 00°43'12" West for a distance of 207.92 feet to a point on the North right-of-way boundary of State Highway #24;
Thence North 89°46'26" West along the North right-of-way boundary of State Highway #24 for a distance of 486.27 feet to the TRUE POINT OF BEGINNING.

Parcel No. 2:

TOWNSHIP 6 SOUTH, RANGE 19 EAST OF THE BOISE MERIDIAN, LINCOLN COUNTY, IDAHO

Section 18: That portion of Lots 1 and 2 lying South of the Railroad tracks which traverse the Lots in an East-West direction.

Parcel No. 3:

TOWNSHIP 6 SOUTH, RANGE 19 EAST OF THE BOISE MERIDIAN, LINCOLN COUNTY, IDAHO

Section 18: That part of Government Lots 3 and 4, more particularly described as follows:

Beginning at the Northwest corner of Section 18, said corner marked by a 5/8" rebar;
Thence South 00°09'35" West along the West line of Section 18 for a distance of 673.43 feet to a 1/2" rebar which shall be the TRUE POINT OF BEGINNING;
Thence South 89°53'39" East for a distance of 892.73 feet to a 1/2" rebar on the East line of Government Lot 3;

-continued-

Thence South 00°00'07" West along the East line of Government Lots 3 and 4 for a distance of 974.42 feet to a ½" rebar;
Thence North 89°53'39" West for a distance of 895.41 feet to a ½" rebar on the West line of Section 18;
Thence North 00°09'35" East along the West line of Section 18 for a distance of 974.42 feet to the TRUE POINT OF BEGINNING.

SUBJECT TO a Country road right of way along the West side

Parcel No. 4:

TOWNSHIP 6 SOUTH, RANGE 19 EAST OF THE BOISE MERIDIAN, LINCOLN COUNTY, IDAHO

Section 18: That part of Government Lot 4, more particularly described as follows:

Beginning at the Northwest corner of Section 18, said corner marked by a 5/8" rebar;
Thence South 00°09'35" West along the West line of Section 18 for a distance of 1647.85 feet to a ½" rebar which shall be the TRUE POINT OF BEGINNING;
Thence South 89°53'39" East for a distance of 895.41 feet to a ½" rebar on the East line of Government Lot 4;
Thence South 00°00'07" West along the East line of Government Lot 4 for a distance of 972.99 feet to a ½" rebar on the North right of way of State Highway 24;
Thence North 89°42'27" West along the North right of way of State Highway 24 for a distance of 898.09 feet to a ½" rebar on the West line of Section 18;
Thence North 00°09'35" East along the West line of Section 18 for a distance of 970.06 feet to the TRUE POINT OF BEGINNING.

SUBJECT TO a County road right of way along the West side.

Parcel No. 5:

TOWNSHIP 6 SOUTH, RANGE 19 EAST OF THE BOISE MERIDIAN, LINCOLN COUNTY, IDAHO.

Section 18: That part of Government Lot 3, more particularly described as follows:

Beginning at the Northwest corner of Section 18, said corner marked by a 5/8" rebar;
Thence South 00°09'35" West along the West line of Section 18 for a distance of 307.72 feet to a ½" rebar on the South right of way of the Union Pacific Railroad which shall be the TRUE POINT OF BEGINNING;
Thence South 86°38'06" East along the South right of way of the Union Pacific Railroad for a distance of 893.26 feet to a ½" rebar on the East line of Government Lot 3;
Thence South 00°00'07" West along the East line of Government Lot 3 for a distance of 314.93 feet to a ½" rebar;
Thence North 89°53'39" West for a distance of 892.73 feet to a ½" rebar on the West line of Section 18;
Thence North 00°09'35" East along the West line of Section 18 for a distance of 365.71 feet to the TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM

A parcel of land located in Government Lot 3, being more particularly described as follows:

Commencing at the Northwest corner of said Section 18 from which the West One Quarter (W¼) corner of said Section 18 bears South 00°09'28" West 2638.51 feet; Thence South 00°09'28" West along the West boundary of Government Lot 3 of said Section 18 for a distance of 461.80 feet to the TRUE POINT OF BEGINNING;
Thence South 73°49'45" East for a distance of 120.25 feet;
Thence South 86°16'46" East for a distance of 56.57 feet;
Thence North 85°22'49" East for a distance of 148.94 feet;
Thence South 07°33'11" West for a distance of 161.53 feet;
Thence North 86°54'36" West for a distance of 112.72 feet;
Thence South 60°15'44" West for a distance of 215.83 feet to a point on the West boundary of Government Lot 3 of said Section 18;
Thence North 00°09'28" East along the West boundary of Government Lot 3 of said Section 18 for a distance of 286.28 feet to the TRUE POINT OF BEGINNING.

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to 105 shares of Capital Stock from the Big Wood Canal Company and Water Right No. 37-7504 and 37-10435 from the Idaho Department of Water Resources.

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Taxes subsequent to the year 2010, a lien, but not yet due or payable.

Assessments of the American Falls Reservoir District No. 2 and the rights and powers of said District as by law provided.

Assessments of the Big Wood Canal Company and the rights and powers of said Company as by law provided.

Right of way for canals, laterals and waste ditches of Big Wood Canal Company.

Assessments of the North Snake Groundwater District and the rights and powers of said Company as by law provided.

Easement to The American Telephone and Telegraph Company of Wyoming, dated September 1, 1941, recorded January 5, 1942 as Instrument Number 81612 in the office of the recorder of Lincoln County, Idaho

Easement from Preston Page and Margaret Page, husband and wife, to Oregon Short Line Railroad Company, a corporation, and its Lessee, Union Pacific Railroad Company, a corporation, dated September 24, 1952 and recorded September 30, 1952 as Instrument Number 98715 in the office of the recorder of Lincoln County, Idaho, for an easement over and across a strip of land of sufficient width to allow the construction and maintenance thereof of one row of metal snow fence located 200 feet perpendicularly distant southerly of and parallel with the center line of the main track of said railroad as now constructed and operated, the center line of said easement as hereby granted and on which said snow fence shall be located being described as beginning at a point in the East line of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 18 which is 200 feet perpendicularly distant southerly of the main track of said railroad; thence westerly along a straight line which is 200 feet perpendicularly distant southerly of and parallel with the center line of said main track a distance of 620 feet, more or less. (Affects Parcel No. 1)

Reservations in Warranty Deed from Tom Ridinger and Lou G. Ridinger, husband and wife, and Jerry Nance and Julie Ann Nance, husband and wife, to the State of Idaho, dated July 23, 1970, recorded August 21, 1970 as Instrument Number 123741, Lincoln County records, wherein grantors agree that no building or structures, except irrigation or drainage structures, will be permitted to be constructed within 20 feet of the right of way of the highway. Grantors convey unto the Grantee the right to prohibit junkyards on any of their remaining land within 1000 feet of the highway right of way, and the right to prohibit advertising signs, displays and devices within 660 feet thereof; provided that advertising relating to business constructed on any of the Grantors remaining land be permitted no closer than 20 feet therefrom, but only on land utilized exclusively for said business. (Affects Parcel No. 1)

Easement given by Jerry Nance and Julie Ann Nance, husband and wife, and Tom Ridinger and Lou G. Ridinger, husband and wife, to the State of Idaho, dated July 23, 1970, recorded August 21, 1970 as Instrument Number 123472, Lincoln County records, for the purpose of constructing or installing thereon irrigation facilities. (Affects Parcel No. 1)

Conditions and restrictions as set forth in Warranty Deed given by Nephi A. Clark and Elsie E. Clark, husband and wife, and Evan D. Izatt and Bernita M. Izatt, husband and wife, and D. H. Kelley and Shirley M. Kelley, husband and wife, Grantors, to the State of Idaho, Grantee, dated March 24, 1970, recorded April 22, 1970 as Instrument Number 123354, Lincoln County records. (Affects Parcels No. 3 & 5)

Statement of Intent to Declare Manufactured Home Real Property recorded June 28, 2001, as Instrument Number 170742, Lincoln County records. (Affects Parcel No. 5)

Subject to a County road right of way along the West side as disclosed in Warranty Deed by and between Gabriel Galvan and Micaela Galvan, husband and wife and Jerry R. Nance and Patty J. Nance, husband and wife dated May 13, 2005 as Instrument Number 178850, records of Lincoln County, Idaho. (Affects Parcel No. 5)

License Agreement by and between Big Wood Canal Company, an Idaho corporation, or American Falls Reservoir District N. 2, Licensor, and Jerry Nance, Licensee, dated May 9, 2006 and recorded December 21, 2006, as Instrument Number 182276, records of Lincoln County, Idaho. (Affects Parcel No. 1)

Shared Well Agreement by and between Jerry R. Nance and Patty J. Nance, husband and wife and Stacy Southwick, a single woman, dated March 29, 2010 and recorded March 31, 2010, as Instrument Number 188665, records of Lincoln County, Idaho. (Affects Parcels No. 3 & 4)

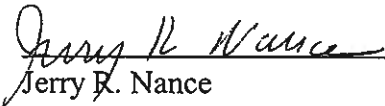
Notice of Decision Conditional Use Permit dated November 22, 2010 and recorded November 24, 2010, as Instrument Number 189652, records of Lincoln County, Idaho.

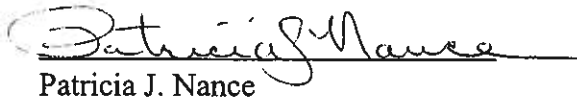
REVISED Notice of Decision Conditional Use Permit dated November 22, 2010 and recorded November 24, 2010, as Instrument Number 189660, records of Lincoln County, Idaho.

The true consideration for this conveyance is pursuant to an IRC 1031 Tax Deferred Exchange on behalf of the Grantor.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

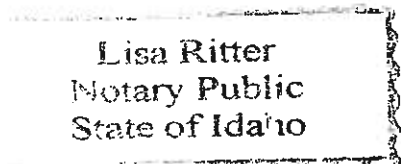
Dated: December 22, 2010

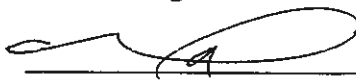

Jerry R. Nance


Patricia J. Nance

STATE OF IDAHO)
) ss.
COUNTY OF Gooding)

On this 22 day of **December, 2010**, before me, the undersigned, a Notary Public in and for said State, personally appeared **Jerry R. Nance and Patricia J. Nance**, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.


Lisa Ritter
Notary Public
State of Idaho


Notary Public
Residing at: Gooding, ID
My Commission expires: 10/8/16