

RECEIVED

AUG 30 2006

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED
AUG 28 2006
DEPT. OF WATER RESOURCES
SOUTHERN REGION

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
47-10790	PD				

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).
OR
 If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Marie K. Brown Messersmith
3504A East 3400 North Kimberly, ID 83341
4. New Owner/Claimant(s) David A. Nelson
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 3504 E. 3400 N.
- City, State and ZIP Code Kimberly, ID 83341
- New Telephone Number (208) 731-7353
5. Date you acquired the property 6-19-02

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) David A Nelson
(include title if applicable) _____

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by [Signature] Date 8/28/06 Fee \$25
 Receipted by [Signature] Date 8/29/06 Receipt No. 5028875
 Processed by _____ AJ Date _____ WR _____ Date _____

COPY

QUITCLAIM DEED

Twin Falls County, Idaho

Recorded for:
DAVID NELSON

11:21am JUN. 19, 2002

2002 - 012431

No. of Pages: 3 Fee: \$5.00
RECEIVED
Ex-Officio Recorder
Deputy: CH

ORDER NO.:

FOR VALUE RECEIVED,

MARIE BROWN MESSERSMITH

do(es) hereby convey, release, remise and forever quit claim unto

DAVID ANDREW NELSON

whose current address is:

3504 EAST 3400 NORTH
KIMBERLY, IDAHO 83341-5232

the following described premises:

SEE EXHIBIT 'A' + 'B'

TO HAVE AND TO HOLD the said premises, unto the said grantees, heirs and assigns forever.

June 19, 2002

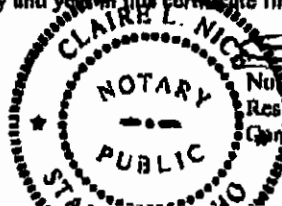
Marie Brown Messersmith

State of Idaho)

County of)

On this 19th day of June, 02, before me, a Notary Public in and for said state, personally appeared Marie Brown Messersmith

known or identified to me to be the person(s) whose name(s) are subscribed to the within instrument and acknowledged to me that they executed same. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.



Notary Public for the State of Idaho
Residing at: Twin Falls, ID
Commission Expires: 3/13/08

Twin Falls County, Id.

Recorded for:
DAVID NELSON

10:11am JUN. 10, 2002

2002-012420

No. of Pages: 1 Fee: \$9.00
REBERT S. FORT
Ex-Officio Recorder
Deputy ClerkLEGAL DESCRIPTION
FOR
QUIT CLAIM DEEDM. K. MESSERSMITH
TO
DAVID NELSON
(5.0 ACRE PARCEL)

COPY

A PARCEL OF LAND LOCATED IN THE SW1/4SW1/4 OF SECTION 4, TOWNSHIP 11 SOUTH, RANGE 18 EAST, BOISE MERIDIAN, TWIN FALLS COUNTY, IDAHO AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 4, FROM WHICH THE WEST ONE QUARTER (W1/4) CORNER OF SAID SECTION 4 BEARS N00°00'00"E-2636.58 FEET, SAID SOUTHWEST CORNER OF SECTION 4 BEING THE TRUE POINT OF BEGINNING:

THENCE N00°00'00"E ALONG THE WEST BOUNDARY OF THE SW1/4 OF SAID SECTION 4 FOR A DISTANCE OF 731.00 FEET;

THENCE S89°27'35"E PARALLEL WITH THE SOUTH BOUNDARY OF THE SW1/4 OF SAID SECTION 4 FOR A DISTANCE OF 298.00 FEET;

THENCE S00°00'00"W PARALLEL WITH THE WEST BOUNDARY OF THE SW1/4 OF SAID SECTION 4 FOR A DISTANCE OF 731.00 FEET TO A POINT ON THE SOUTH BOUNDARY OF THE SW1/4 OF SAID SECTION 4;

THENCE N89°27'35"W ALONG THE SOUTH BOUNDARY OF THE SW1/4 OF SAID SECTION 4 FOR A DISTANCE OF 298.00 FEET TO THE TRUE POINT OF BEGINNING.

SUBJECT TO:

1- A 25.0 FOOT WIDE COUNTY ROAD EASEMENT ALONG THE SOUTH AND WEST BOUNDARIES OF THE BEFORE DESCRIBED PARCEL.

TWIN FALLS CANAL CO.

FIVE SHARES OF WATER GO WITH
THE FIVE ACRE PARCEL



THIS PAGE & PAGE # 2 ARE
FOR THE 5 ACRES, GIVEN TO ME BY
MY GRANDMOTHER, MARIE MESSERSMITH.

EXHIBIT 'B'

**TWIN FALLS COUNTY
PLANNING AND ZONING**
286 Third Ave. East Twin Falls, Idaho 83301
(208) 734-9696

May 24, 2002

Marie Brown Massersmith
3504 East 3400 North
Kimberly, ID 83341

RE: CULD Permit - 3504 East 3400 North, Kimberly

Dear Ms. Marie Brown Massersmith:

This letter is to inform you that Twin Falls County Planning & Zoning Commission has approved your request for a Conditional Use Land Division with the following conditions; no further splits be allowed on either parcel and five shares of water go with the five acre parcel. This approval would allow for five (5.0) $\pm$ acres to be divided off of a forty (40.0) $\pm$ acre parcel located in Section 4, Township 11 South, Range 14 East, E.M. in the Agricultural Zone.

You will need to contact a surveyor to acquire a legal description that must be recorded at the recorder's office, which is located on the second floor of the Twin Falls County Court House. Please note permits are required for any buildings to be constructed or placed on the property and the permit may be obtained through this office. If you have any questions, please do not hesitate to call us. Thank you very much for your cooperation.

Bill Crafton
Bill Crafton
Planning and Zoning Director

BC/s

Subscribed and sworn to before me this 24th day of May, 2002Notary: Susan J. SwitzerMy Commission Expires May 1, 2006
cc: Zoning Chairman, County Commissioners, Assessor/Recorder