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STATE OF IDAHO Department of Water Resources Department of Water Resources
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

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
29-12522					

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts. *Received - Thank You.*
- 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) Neal Johnson
2176 S. Marsh Creek, McCammon, ID 83250
4. New Owner/Claimant(s) Michael David Foltz
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
2176 S. Marsh Creek
New Mailing Address McCammon, ID 83250
City, State and ZIP Code
New Telephone Number () _____
5. Date you acquired the property _____

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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) _____
(include title if applicable)

Michael D. Zoff

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 J. Mann Date 4-17-03 Fee \$25.00
 Receipted by J. Mann Date 4-17-03 Receipt No. 0068624
 Processed by _____ AJ Date _____ WR _____ Date _____

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APR 24 2003

20309438

Department of Water Resources

WARRANTY DEED

For Value Received

Thomas Elroy Johnson, a single person,

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

Michael David Foltz, a single person,

whose address is: 2249 S. Marsh Creek Road, McCammon, Idaho 83250

the following described premises in Bannock County, Idaho:

The North half of the following described parcel

A tract of land in the N1/2 NW1/4 NE1/4 Section 15, Township 8 South, Range 36 E.B.M., Bannock County, Idaho, more particularly described as follows: Commencing at the Northwest corner of Section 15, Township 8 South, Range 36 E.B.M.; thence North 88°58' East on the North line of said Section 15, 1,845.94 feet, more or less, to the Easterly line of Marsh Creek Road; thence South 8°3' East on the Easterly line of Marsh Creek Road 563.00 feet, the true point of beginning; thence continuing South 8°53' East on the Easterly line of said Marsh Creek Road 201.00 feet; thence North 89°03'15" East, 2,004.62 feet, more or less, to the East 1/16 line of said Section 15; thence North 0°10'30" West on said East 1/16 line, 200 feet; thence South 89°02' West, 2048 feet, more or less, to the point of beginning

Together with:

All improvements, tenements, hereditaments, appurtenances, reversions, remainders, rents, issues and profits, and oil, gas and mineral rights.

Subject to:

1. Taxes and Assessments. The grantor shall pay all real property taxes and assessments that are taxed or assessed against the property in 2002 and prior years. Grantee will pay all real property taxes and assessments taxed or assessed against the property in 2004 and subsequent years. Grantor shall pay one fourth of all real property taxes and assessments that are taxed or assessed against the property in 2003 and grantor will pay the real property taxes and assessments taxed or assessed against the property for the year 2003.
2. All facts, rights, claims and interest ascertainable by

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inspection of the property or by inquiry of persons in possession.

3. Unpatented mining claims, reservations, and exceptions in patents or in acts authorizing their issuance.
4. Easement to Idaho Power Company, Recorded March 15, 1951, Book 110, No. 332, Records of Bannock County, Idaho. Said easement being for power lines.
5. Easement to Pacific Northwest Pipeline, Recorded August 30, 1955, Book 123, No. 295, Records of Bannock, Idaho. Said easement being for pipe lines.
6. The effects of conditions contained in Warranty Deed, recorded October 27, 1970, Book 236, No. 474276, as follows: No dwelling shall be permitted on the above described property having less than 1,000 square feet exclusive of garage. Said dwelling shall be of new construction materials. No used material or used dwellings shall be moved on to the above described property. Any trailer house in good condition may be moved on described property as long as they are a minimum size of 12 feet by 50 feet.

Grantees under any conveyance shall not at anytime conduct or permit to be conducted on said property any trade or business other than farming. Said land can be used for private dwelling or residence and not for a commercial business.

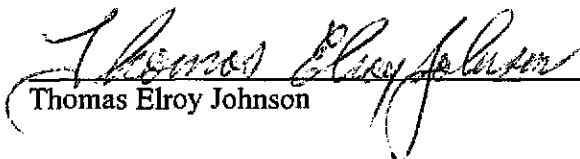
All livestock shall be limited to two per acre, except goats and pigs which shall be limited to two each on the above described tract.

The above described property shall not be used as a dumping ground or for storage of large quantities of equipment or materials.

7. Right of way of Marsh Creek.

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

DATED: April 9, 2003.


Thomas Elroy Johnson

20309438

MERRILL & MERRILL CHARTER
RECORDED AT REQUEST OF

3-3

FEE 9.00 DEPUTY By

STATE OF OREGON)

2003 APR 15 AM 9 47

County of Multnomah)

:SS

OFFICIAL RECORD BK# 828

LARRY W. GHAN RECORDER

BANKS COUNTY IDAHO

On this 9th day of April, 2003, before me, the undersigned, a Notary Public in and for said County and State, personally appeared THOMAS ELROY JOHNSON, known to me to be the Personal Representative of the Estate of Neil K. Johnson who executed the within instrument as Personal Representative and acknowledged to me that he executed the same as such Personal Representative.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Nicole Barlow
NOTARY PUBLIC FOR OREGON
Residing at: Portland Oregon
My commission expires: May 5th 2006

PERSONAL REPRESENTATIVE'S DEED

For value received **THOMAS ELROY JOHNSON**, as Personal Representative of the Estate of Neil K. Johnson, filed as Case No. SPIE-02-0023 in the Sixth Judicial District, County of Bannock, State of Idaho, transferor, quitclaims, transfers, and conveys to **THOMAS ELROY JOHNSON**, transferee, whose address is 12702 N.E. Clackamas, Portland, Oregon 97230, as his sole and separate property, that certain parcel of real property, located in Bannock County, Idaho and more particularly described below, together with all appurtenances:

The North half of the following described parcel

A tract of land in the N1/2 NW1/4 NE1/4 Section 15, Township 8 South, Range 36 E.B.M., Bannock County, Idaho, more particularly described as follows: Commencing at the Northwest corner of Section 15, Township 8 South, Range 36 E.B.M.; thence North 88°58' East on the North line of said Section 15, 1,845.94 feet, more or less, to the Easterly line of Marsh Creek Road; thence South 8°3' East on the Easterly line of Marsh Creek Road 563.00 feet, the true point of beginning; thence continuing South 8°53' East on the Easterly line of said Marsh Creek Road 201.00 feet; thence North 89°03'15" East, 2,004.62 feet, more or less, to the East 1/16 line of said Section 15; thence North 0°10'30" West on said East 1/16 line, 200 feet; thence South 89°02' West, 2048 feet, more or less, to the point of beginning.

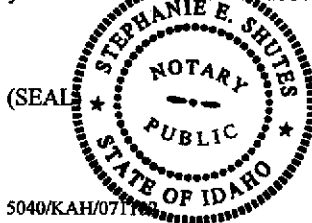
EXECUTED as of the 14th day of July, 2002.

Thomas Elroy Johnson
Thomas Elroy Johnson
Personal Representative of the
Estate of Neil Kay Johnson, deceased.

STATE OF IDAHO)
County of Bannock) :SS

On this ___ day of July, 2002, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Thomas Elroy Johnson, known or identified to me to be the person whose name is subscribed to the within instrument as Personal Representative of the Estate of Neil Kay Johnson, deceased, and acknowledged to me that he executed the same as such Personal Representative.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Stephanie E. Shutes
NOTARY PUBLIC FOR: IDAHO
Residing at: Blackfoot, Bannock, Idaho
My commission expires: 2-3-05

5040/KAH/071100

PERSONAL REPRESENTATIVE'S DEED

Page 1

NO 20215340
RECORDED AT REQUEST OF
Merrill & Merrill
2002 JUL 26 AM 10 00

OFFICIAL RECORD BOOK NO 814
BANNOCK COUNTY IDAHO
LARRY W GHAN RECORDER
FEE 3.00 DEPUTY MW

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IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 29-12522

NAME AND ADDRESS: NEIL JOHNSON
2176 S MARSH CREEK
MCCAMMON, ID 83250

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 12/31/1974

POINT OF DIVERSION: T08S R36E S15 NWNWNE Within Bannock County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic 1 HOME	01-01 TO 12-31	0.04 CFS

PLACE OF USE: Domestic Within Bannock County
T08S R36E S15 NWNNE

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


Daniel C. Hurlbutt, JR.
Presiding Judge
Snake River Basin Adjudication

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JUN 02 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 24, 2003

MICHAEL DAVID FOLTZ
2176 S MARSH CREEK
MC CAMMON ID 83250

RE: Change of Ownership for Water Right 29-12522

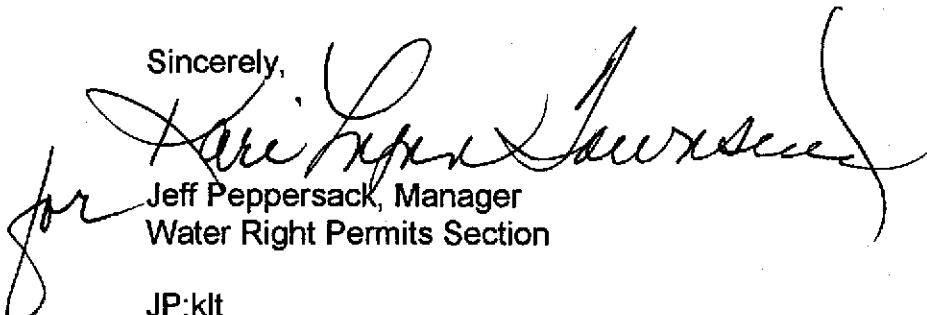
Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records. Also enclosed is a receipt for the \$25.00 filing fee.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,


Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosures

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A.L. MERRILL (1886-1961)
R.D. MERRILL (1893-1972)
WESLEY F. MERRILL (RETIRED)
DAVE R. GALLAFENT
STEPHEN S. DUNN
DAVID C. NYE*
KENT L. HAWKINS*
THOMAS W. CLARK
THOMAS J. LYONS
BRENDON C. TAYLOR
KENT A. HIGGINS*
*ALSO ADMITTED IN UTAH

MERRILL & MERRILL

CHARTERED
COUNSELORS AND ATTORNEYS AT LAW
109 NORTH ARTHUR-5TH FLOOR
P.O. BOX 991
POCATELLO, ID 83204-0991

TELEPHONE
208-232-2286
TELEFAX
208-232-2499
E-MAIL
MMLAW@MERRILLANDMERRILL.COM

April 22, 2003

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Department of Water Resources

Idaho Department of Water Resources
1301 No. Orchard Street
P.O. Box 83720
Boise, ID 83706

Re: Johnson/Foltz

To whom it may concern:

Enclosed are the following documents:

1. State of Idaho, Department of Water Resources, Notice of Change in Water Right Ownership form;
2. Personal Representative's Deed; and
3. Warranty Deed.

If you need anything further, please advise.

With best regards,

MERRILL & MERRILL, CHARTERED



Kent A. Higgins

KAH/mb/5341

Enclosures

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