

#43215

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STATE OF IDAHO
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.

RECEIVED
MAR 22 2007
DEPT. OF WATER RESOURCES
SOUTHERN REGION

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
43-249					
43-250					
43-11267					

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**.

Name and Address of Former Owner/Claimant(s)	<u>Marion Harper</u> <u>1300 South 2201 East</u> <u>Malta, ID 83342</u>
New Owner/Claimant(s)	<u>Gary N. Nelson & Co., an Idaho corporation</u> Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address	<u>483 Falling Leaf Lane</u>
City, State and ZIP Code	<u>Twin Falls, ID 83301</u>
New Telephone Number	<u>(208) 837-6313</u>
Date you acquired the property	<u>March 20, 2007</u>

SUPPORT DATA

IN FILE # 43-249

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) GARY N. NELSON & CO.

(include title if applicable)

By: Gary N. Nelson
Cary N. Nelson, President

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 <u>[Signature]</u>	Date <u>3/22/07</u>	Fee <u>75.00</u>
Receipted by <u>[Signature]</u>	Date <u>3/26/07</u>	Receipt No. <u>5029372</u>
Processed by _____	Date _____	WR _____ Date _____

314569

WARRANTY DEED

#43215

For Value Received

Marion F. Harper also known as Marion Harper also known as Marian Harper, a widow

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

Gary N. Nelson & Co., an Idaho corporation

Address: 483 Falling Leaf Lane, Twin Falls, Idaho 83301

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

TOWNSHIP 13 SOUTH, RANGE 24 EAST OF THE BOISE MERIDIAN, CASSIA COUNTY, IDAHO

Section 36: Lots 1 and 2, and the W $\frac{1}{2}$ NE $\frac{1}{4}$, EXCEPTING THEREFROM the following described tract:

Beginning at the Northeast corner of said Section 36; thence South along the East boundary line of said section for 1230 feet to a point which shall be known as the True Point of Beginning;
Thence West parallel with the North boundary line of said Section for 225 feet;
Thence South parallel with the East boundary line of said section for 290 feet;
Thence East parallel with the North boundary line of said section for 225 feet to a point on the East boundary line of said section;
Thence North along the East boundary line of said section for 290 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 Idaho Department of Water Resources Water Right Numbers 43-249, 43-250, and 43-11267

SUBJECT TO:

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

Taxes for 2007 and subsequent years.

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.

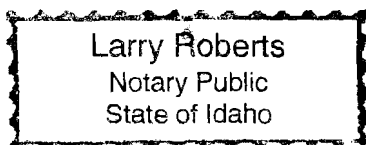
Dated: March 20, 2007

Marion F Harper

Marion F. Harper, also known as
Marion Harper, also known as
Marian Harper

STATE OF IDAHO)
) ss.
COUNTY OF Cassia)

On this 20th day of March, 2007, before me, the undersigned, a Notary Public in and for said State, personally appeared **Marion F. Harper**, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.



[Signature]
Notary Public
Residing at: Burley, ID
My Commission expires: 6.30.09

RECORDED AT THE REQUEST OF
LAND TITLE & ESCROW

2007 MAR 20 PM 4 00

300 DEPUTY [Signature]

CASSIA COUNTY, IDAHO
LARRY A. MICKELSEN
RECORDER

314569