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Φ NAPP-4922

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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 18 2003
Department of Water Resources

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
<u>35-11574</u>	_____	___	_____	_____	___
<u>35-11575</u>	_____	___	_____	_____	___
_____	_____	___	_____	_____	___
_____	_____	___	_____	_____	___
_____	_____	___	_____	_____	___

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) Claudine A. and James S. Johnston
4. New Owner/Claimant(s) Cornelison - Olson, LLC
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 1588 W 1500 S
- City, State and ZIP Code Rexburg, ID 83440
- New Telephone Number 208 356-0396
5. Date you acquired the property 2/26/03

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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)

Keith Conelisen

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 _____	Date _____	Fee \$25.00 X 2 (\$50.00)
Received by <i>PMCA</i>	Date 3-18-03	Receipt No. C068047
Processed by _____ AJ	Date _____	WR _____ Date _____

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523237

WARRANTY DEED

For Value Received, James D. Johnston, a single person dealing with his sole and separate property, the Grantor, does hereby grant, bargain, sell, and convey unto Cornelison-Olsen LLC, of 1588 W 1500 S, Rexburg, ID 83440, the Grantee, the following-described premises, to-wit:

Parcel 1

Section 11, Township 1 South, Range 35 E.B.M., Bingham County, Idaho, beginning at the SE corner of the of the NE $\frac{1}{4}$ of said Section 11, thence W 150 feet; thence N 500 feet; thence E 150 feet to Section line; and thence S 500 feet along the Section line to the point of beginning.

Also Including

Section 12, Township 1 South, Range 35 E.B.M., Bingham County, Idaho, beginning at the SW corner of the NW $\frac{1}{4}$ of Section 12, thence E 600 feet; thence N 500 feet; thence W 600 feet; thence S 500 feet to the point of beginning.

Parcel II

Section 11, Township 1 South, Range 35 E.B.M., Bingham County, Idaho, beginning at a point that is W 705 feet from the SE corner of the NE $\frac{1}{4}$ and thence running W along the South line of said NE $\frac{1}{4}$ 1095 feet, more or less; thence N 1470 feet, more or less; thence E 335 feet; thence S 85 feet; thence E 470 feet; thence S 1185 feet; thence E 290 feet; thence S 200 feet to the point of beginning.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

Subject to all existing rights-of-ways for public highways, protective covenants, utility lines, existing roadways, irrigation ditches and all building, zoning and other restrictions of use and all encumbrances of record.

TO HAVE AND TO HOLD the said premises, with its appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that he is the owner in fee simple of said premises; that said premises are free from all encumbrances except as hereinabove set forth and that he will warrant and defend the same from all lawful claims whatsoever.

DATED this 26th day of February, 2003.

James D. Johnston
James D. Johnston

By: Jared Harris
Jared M. Harris, attorney in fact
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APR 14 2003

2003 FEB 27 AM 9:36
RECORDED AT THE REQUEST OF

BINGHAM COUNTY RECORDER
BLACKFOOT, IDAHO
FEE 4.00 - DEP 20.00
200301424

Baker & Harris
PO Box 577
Blackfoot ID 833221

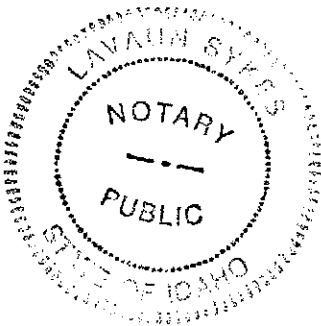
STATE OF IDAHO)

ss:

County of Bingham)

On this 26th day of February, 2003, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared Jared M. Harris, known to me to be the person whose name is subscribed to the within instrument as the attorney in fact of James D. Johnston, a single person dealing with his separate property, and acknowledged to me that he subscribed the name of James D. Johnston thereto as principal, and his own name as attorney in fact.

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



Lavaun Sykes

Notary Public for Idaho

Residing at: Blackfoot

My Commission Expires 5-17-08

523237

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APR 14 2003

451021

CORRECTION DEED BY PERSONAL REPRESENTATIVE

This Correction Personal Representative Deed, amends, corrects and supersedes that certain Personal Representative's Deed executed by the undersigned on September 1, 1996, and recorded as Instrument No. 448549, records of County Recorder, Bingham County, Idaho.

THIS DEED, made by Claudine Johnston, individually and as personal representative of the estate of James S. Johnston, Grantor, to James D. Johnston, Grantee, whose current address is PO Box 986, Blackfoot, Idaho 83221.

WHEREAS, Grantor is the qualified personal representative of said estate, filed as Case No. SP-95-489, in Bingham County, Idaho;

THEREFORE, for valuable consideration received, Grantor quitclaims, transfers, and conveys to Grantee the following described real property in Bingham County, Idaho:

Parcel 1

Section 11, Township 1 South, Range 35 E.B.M., Bingham County, Idaho, beginning at the SE corner of the of the NE $\frac{1}{4}$ of said Section 11, thence W 150 feet; thence N 500 feet; thence E 150 feet to Section line; and thence S 500 feet along the Section line to the point of beginning.

ALSO INCLUDING:

Section 12, Township 1 South, Range 35 E.B.M., Bingham County, Idaho, beginning at the SW corner of the NW $\frac{1}{4}$ of Section 12, thence E 600 feet; thence N 500 feet; thence W 600 feet; thence S 500 feet to the point of beginning.

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Section 11, Township 1 South, Range 35 E.B.M., Bingham County, Idaho, beginning at a point that is W 705 feet from the SE corner of the NE $\frac{1}{4}$ and thence running W along the South line of said NE $\frac{1}{4}$ 1095 feet, more or less; thence N 1470 feet, more or less; thence E 335 feet; thence S 85 feet; thence E 470 feet; thence S 1185 feet; thence E 290 feet; thence S 200 feet to the point of beginning.

with all appurtenances.

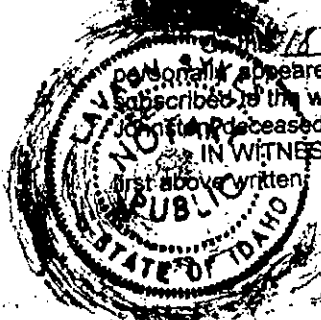
EXECUTED this 18th day of January, 1997.

Claudine Johnston
Claudine Johnston

Claudine Johnston
Claudine Johnston, Personal Representative of the
Estate of James S. Johnston, deceased.

STATE OF IDAHO)
County of Bingham) ss

day of January, 1997, before me, the undersigned, a notary public in and for said state, personally appeared, Claudine Johnston, known or identified to me to be the person whose name is subscribed to the within instrument, individually and as Personal Representative of the Estate of James S. Johnston (deceased) and acknowledged to me that she executed the same, individually and in such capacity. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.



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Lillian Sykes
Notary Public for Idaho
Residing at Blackfoot
My commission expires 5-17-96

RECORDED AT THE REQUEST OF

97 JAN 22 PM 4:51

FEE \$ 3.00

BINGHAM COUNTY RECORDER
BLACKFOOT, IDAHO

Babcock Norris

451021

⊕ NAPP-4922

(V8)

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Johnston Road

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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)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b) FOR
NOV 28 PM 2:45

Water Right 35-11574 DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

NAME & ADDRESS: CLAUDINE A JOHNSTON
JAMES S JOHNSTON
387 S ADAMS
BLACKFOOT ID 83221

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 04/01/1955

POINT OF DIVERSION: T01S R35E S11 SENE Within BINGHAM County

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

PLACE OF USE: DOMESTIC Within BINGHAM County
T01S R35E S11 SENE

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.

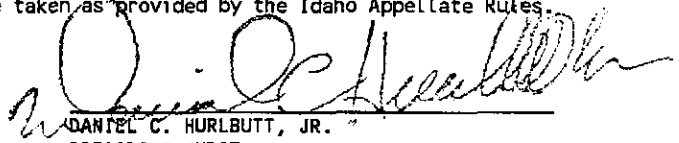
DATED:


DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

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.

DATED:


DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

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DEC 8 1 1998

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 35-11574

PAGE 1
OCT-21-1997

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APR 14 2003



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 2, 2003

CORNELISON-OLSON LLC
1588 W 1500 S
REXBURG ID 83440

RE: Change of Ownership for Water Rights 35-11574 and 35-11575

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water rights to you. The department has modified its records to reflect the changes in ownership and has enclosed computer-generated reports for your records. Also enclosed is a receipt for the \$50.00 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,

for Jeff Peppersack
Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosures

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APR 14 2003

Law Offices of

BAKER & HARRIS

Dwight E. Baker
Jared M. Harris *
Stephen K. Madsen *
* Also Admitted in Utah

199 W. BRIDGE STREET
PO BOX 577
BLACKFOOT, ID 83221
Telephone (208) 785-2310
Facsimile (208) 785-6749
E-Mail — bakerharrislaw@cableone.net

March 13, 2003

Kari Lynn Townsend
Idaho Department of Water Resources
1301 N Orchard St.
Boise, ID 83706

RECEIVED
MAR 18 2003
Department of Water Resources

Re: James D. Johnston/Cornelison-Olsen, LLC
Water Right Nos. 35-11574 35-11575

Dear Ms. Townsend:

Enclosed you will find the following:

1. Notice of Change in Water Right Ownership
2. Aerial Photo
3. Warranty Deed - James D. Johnston to Cornelison-Olsen, LLC

The previous owner has not had the water rights transferred to the current owner. We were informed that we would have to provide copies of the deed from the owner as indicated on the water right record to Mr. Johnston. For that purpose we also enclose a copy of the Correction Deed by Personal Representative - Claudine Johnston, individually, and as Personal Representative of the Estate of James S. Johnston to James D. Johnston, which constitutes the chain of title.

We also enclose our check in the sum of \$50, \$25 for each water right being transferred.

Should anything further be required, please advise.

Very truly yours,

BAKER & HARRIS



Jared M. Harris
JMH/l
Enclosures

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APR 14 2003