

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.

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, 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>21-10386</u>					

RECEIVED
JUL 29 2005
DEPARTMENT OF
WATER RESOURCES

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) are 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)

Glade Lyon + Katie Lyon

4. New Owner/Claimant(s)

Chad L. Neilson + Karen M. Neilson

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

P.O. Box 850

City, State and ZIP Code

Ashton, ID 83420

New Telephone Number

208-652-3390

5. Date you acquired the property

7-6-2005

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)

Lorenson Neilson
Mad L. Neilson

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 jc Date 7-20-05 Fee \$25 -
 Received by jc Date 7-20-05 Receipt No. E031072
 Processed by _____ AJ Date _____ WR _____ Date _____

WARRANTY DEED

Order No.:3040524053-G

FOR VALUE RECEIVED

Lyon Family Living Trust,

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Chad L. Neilson and Karen Neilson, Husband and Wife

whose current address is

PO Box 850 Ashton, ID 83420

the grantee(s), the following described premises, in Madison County, Idaho, TO WIT:

Read, Approved,
And Accepted
[Signature]

A parcel of land being previously described as Trace II at Instrument No. 338239 in the office of the Fremont County Clerk and Recorder, lying entirely within the Southeast One-Quarter of Section 23, Township 9 North, Range 42 East of the Boise Meridian, Fremont County, Idaho, and being more particularly described as follows:

Commencing at the SE corner of said Section 23, as filed for record at Instrument No. 402692 in said Fremont County Records; thence N 24°06'10"W a distance of 1456.44 feet to a Rebar and Cap Bering the PLS No. 2239 apparently set for The Point of Beginning of that parcel of land described at Instrument No. 329579 in said Fremont County Records; thence S 89°53'44"E a distance of 226.18 feet, thence N 00°06'16"E a distance of 25.00 feet to The Point of Beginning, said point lying North 35 feet (25 feet by record) and West 369 feet (365 feet by record) from the SE corner of the NE ¼ SE ¼ of said section 23, thence along the fence lines marking the Westerly boundary of that parcel of land described at Instrument No. 468440 in said Fremont County Records for the following three courses:

- 1) N 00°33'50"E a distance of 343.31 feet; (334 feet by record)
- 2) S 89°19'50"E a distance of 60 feet;
- 3) N 00°13'40"E a distance of 316.36 feet; (290 feet by record)

To a point on The North bank of Warm Springs Creek;

Thence following said North bank of Warm Springs Creek in a Westerly direction along the following six meander lines:

- 1) S 70°48'W a distance of 74.5 feet;
- 2) N 53°07'W a distance of 59.0 feet;
- 3) S 80°51'W a distance of 149.0 feet;
- 4) S 73°00'W a distance of 204.0 feet'
- 5) N 33°54'W a distance of 45.0 feet;
- 6) N 63°36'W a distance of 63.0 feet;

Thence along the Easterly boundary of that parcel of land described as parcel 1 at Instrument No. 464651 in said Fremont County Records for the following three courses:

- 1) S 07°29'45"W following the direction of an existing fence line a distance of 223.38 feet to the intersection of three large cracks in a mound of lava rock on the east side of a Tributary of said Warm Springs Creek;
- 2) Thence S 40°47'30"W following the direction of an existing fence line a distance of 469.89 feet; (469.9 feet by record)
- 3) Thence S 75°00'00"W a distance of 149.03 feet; (149 feet by record)

Thence S 00°06'16"W a distance of 33.00 feet; thence N 71°56'00"E a distance of 79.10 feet; thence S 00°22'30"W a distance of 26.01 feet; (34.4 feet by record) thence S 89°53'44"E a distance of 881.74 feet; (884.5 feet by record) to The Point of Beginning

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: 7/06/2005

Lyon Family Living Trust