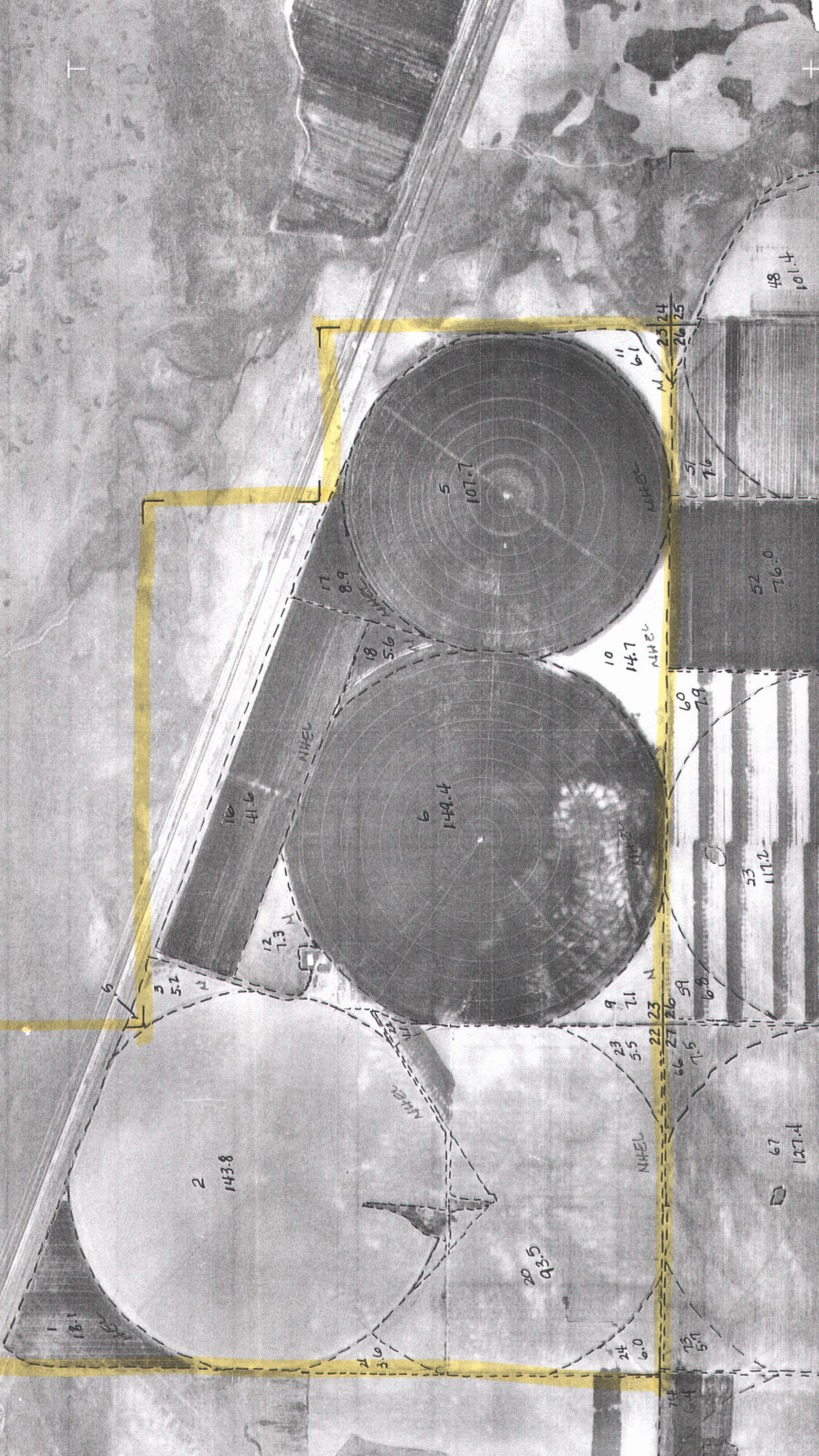


14 13
23 24

15 14
22 23

T 606 M. Nielson
412



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

RECEIVED

JAN - 6 2003

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

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
36-15360					
A36-07882B					

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**.

Name and Address of Former
Owner/Claimant(s)

~~Mark Lee Neilson and Leta Renae Neilson~~
1450 West Hwy. 24
Paul, ID 83347

New Owner/Claimant(s)

Western Mortgage & Realty Company

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

New Mailing Address

3825 W. Court Street, Suite 2

P. O. Box 3110

City, State and ZIP Code

Pasco, WA 99302-3110

New Telephone Number

(800) 897-2726

Date you acquired the property

December 4, 2002

MICROFILMED

MAR 11 2003

Form 12-1-02 (7-1-00) July, 2000

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) By: Western Mortgage & Realty Company Vice President
(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 J. ManDate 1-6-03Fee \$50.00Receipted by J. ManDate 1-6-03Receipt No. 2066673Processed by J. Man

Date _____

WR NOTICES

Date _____

MAR 11 2003

Copy

WARRANTY DEED

For Value Received, MARK L. NEILSON and L. RENAE NEILSON, as Trustees of the
Mark and Renae Neilson Family Trust, created under agreement dated June 7, 1996

the grantors, do hereby grant, bargain, sell and convey unto Western Mortgage and Realty Company, a
Washington Corporation, the grantees,

whose current address is P. O. Box 3110, Pasco, Washington 99302

the following described premises, in Lincoln County, Idaho, to-wit:

SEE ATTACHED EXHIBIT "A"

Together with all water rights including but not limited to State of Idaho Department of Water
Resources Adjudication Nos. 36-15360 which is a combination of old right #'s 36-02367A and 36-
02368A, A36-07882B, 36-07882B.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and
assigns forever. And the Grantor does hereby covenant to and with the said Grantees, that he is 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 this 5th day of December, 2002.

Mark L. Neilson
MARK L. NEILSON, Trustee of the Mark and
Renae Neilson Family Trust, created under
agreement dated June 7, 1996

L. Renae Neilson
L. RENAE NEILSON, Trustee of the Mark
and Renae Neilson Family Trust, created
under agreement dated June 7, 1996

STATE OF IDAHO, COUNTY OF CASSIA
On this 5th day of December, 2002
before me, a notary public in and for said State,
personally appeared MARK L. NEILSON and
L. RENAE NEILSON, as Trustees of the Mark
and Renae Neilson Family Trust created
under agreement dated June 7, 1996
known to me to be the persons whose names are
subscribed to the within instrument as trustees,
and acknowledged to me that they executed the
same as such trustees.

Residing at
Comm. Expires

Larry Roberts
Notary Public
Idaho

Larry Roberts
Notary Public
State of Idaho

173692
STATE OF IDAHO, COUNTY OF LINCOLN
I hereby certify that this instrument was filed for
at the request of Land Title
at 31 minutes past 3:00 o'clock P. m.
this 5th day Dec. of
2002 in my office, and duly recorded in Book of
Deeds at page

Ex-Officio Recorder

By Helen Jackson Deputy.
Fees \$ 6.00 - Alms. By hand.
Mail to:

MICROFILMED
MAR 11 2003

EXHIBIT "A"

TOWNSHIP 6 SOUTH, RANGE 21, EAST OF THE BOISE MERIDIAN,
LINCOLN COUNTY, IDAHO

Section 22: E½

Section 23: S½; S½NW¼; SW¼NE¼;

EXCEPTING THEREFROM a right of way for Union Pacific Railroad Company.

AND EXCEPTING THEREFROM that portion deeded to the State of Idaho for highway purposes by a Quitclaim Deed dated October 7, 1959, recorded October 26, 1959 in Book 47 Page 157 as Instrument Number 109317, and by a Quitclaim Deed dated October 1, 1959, recorded October 26, 1959 in Book 47 Page 159 as Instrument Number 109318, Lincoln County records.

AND EXCEPTING THEREFROM that part of the W½ of Section 23 of Township 6 South, Range 21 East of the Boise Meridian, Lincoln County, State of Idaho, described as follows:

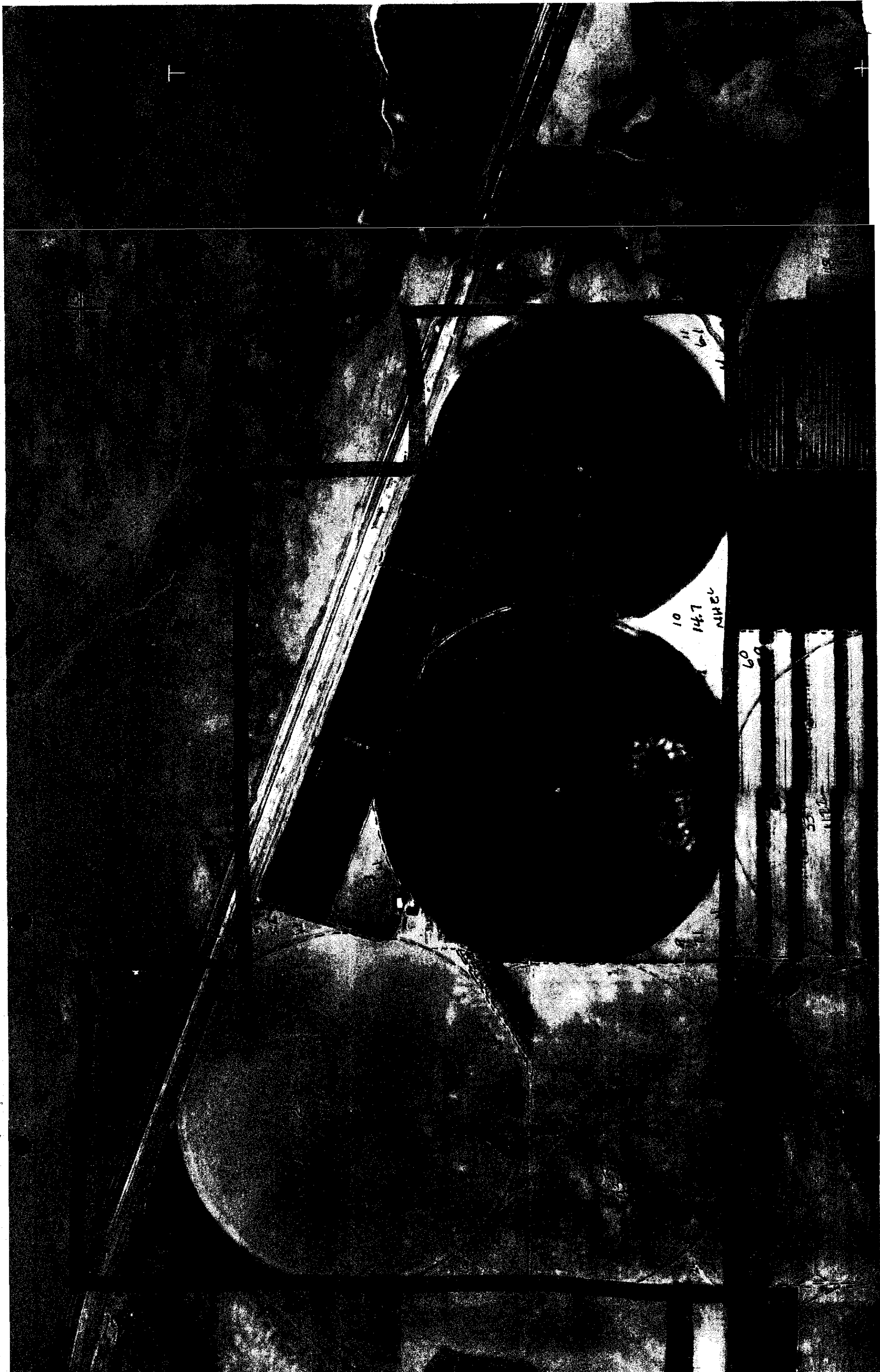
Beginning at the W¼ section corner of Section 23 of Township 6 South, Range 21 East of the Boise Meridian, said corner marked by a 5/8" rebar;
Thence South 61°08'37" East for a distance of 365.76 feet to a ½" rebar which shall be the POINT OF BEGINNING;
Thence North 29°41'55" West for a distance of 359.29 feet to a ½" rebar;
Thence North 01°02'42" West for a distance of 50.28 feet to a ½" rebar;
Thence North 16°58'52" East for a distance of 450.42 feet to a ½" rebar;
Thence South 69°41'21" East for a distance of 975.73 feet to a ½" rebar;
Thence South 17°35'53" West for a distance of 18.21 feet to a ½" rebar;
Thence South 77°10'02" West for a distance of 240.27 feet to a ½" rebar;
Thence South 70°42'15" West for a distance of 227.11 feet to a ½" rebar;
Thence South 62°41'52" West for a distance of 185.97 feet to a ½" rebar;
Thence South 31°06'59" West for a distance of 189.44 feet to a ½" rebar;
Thence South 67°51'18" West for a distance of 162.40 feet to the POINT OF BEGINNING.

SUBJECT TO the right of ingress and egress over and across the following described property:

Part of the W½ of Section 23 of Township 6 South, Range 21 East of the Boise Meridian, Lincoln County, State of Idaho, described as follows:

Beginning at the W¼ section corner of Section 23 of Township 6 South, Range 21 East of the Boise Meridian, said corner marked by a 5/8" rebar;
Thence South 61°08'37" East for a distance of 365.76 feet to a ½" rebar which shall be the POINT OF BEGINNING;
Thence South 60°18'05" West for a distance of 20.00 feet;
Thence North 29°41'55" West for a distance of 343.05 feet;
Thence along a tangent curve to the right for a distance of 113.23 feet, said curve having a radius of 138.42 feet and a central angle of 46°52'07" with a long chord bearing of North 06°15'51" West for a distance of 110.10 feet;
Thence North 17°10'12" East for a distance of 424.31 feet;
Thence North 16°22'24" East for a distance of 643.85 feet to the South right of way of State Highway 24;
Thence South 69°37'34" East along the South right of way of State Highway 24 for a distance of 20.05 feet;
Thence South 16°22'24" West for a distance of 643.71 feet;
Thence South 69°41'21" East for a distance of 8.40 feet to a ½" rebar;
Thence South 16°58'52" West for a distance of 450.42 feet to a ½" rebar;
Thence South 01°02'42" East for a distance of 50.28 feet to a ½" rebar;
Thence South 29°41'55" East for a distance of 359.29 feet to the POINT OF BEGINNING.

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MAR 11 2003



District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls, ID 83303-2707

Important Information About Your Water Right

January 2, 2002

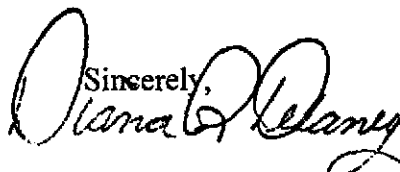
mark Lee Neilson
Leta Renae Neilson
Rt 2 Box 2567
Paul, ID 83347

Dear Water Right Claimant(s):

The reverse side of this letter contains a copy of an *Order Amending Irrigation Period of Use Element in Partial Decree, Nunc Pro Tunc* (hereinafter "*Order*") for water right number 36-07882B. According to Idaho Department of Water Resources (IDWR) records, you are the current owner of this water right. If you are not the current owner, please contact IDWR immediately at:

Idaho Department of Water Resources
1301 North Orchard
Boise, ID 83706
800-451-4129

The purpose of the *Order* is to set forth beginning and ending dates for the irrigation period of use for this water right. As stated in the face of the *Order*, this action was necessary following the decision of the Idaho Supreme Court in *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998). This *Order* also incorporates into the *Partial Decree* an express statement that the *Partial Decree* is subject to such general provisions necessary for the definition or for the efficient administration of the water right. This express statement is necessary to comply with the requirements of Idaho Code section 42-1412(6). This *Order*, in combination with the *Partial Decree* that was issued for this water right on December 29, 1997, sets forth all of the elements of your water right. The Snake River Basin Adjudication (SRBA) Court suggests that you keep this document in a safe location together with a copy of the *Partial Decree* to show evidence of this water right. The original of this *Order* and the original of the *Partial Decree* for this water right are on file with SRBA Court. If you do not have a copy of the original *Partial Decree*, one can be obtained by contacting the SRBA Court at (208) 736-3011. Please note that the *Order* is entered *Nunc Pro Tunc*, meaning that the *Order* will be treated as if it were issued on the same date that the *Partial Decree* was originally issued.

Sincerely,


Diana Delaney
Case Administrator

MICROFILMED

MAR 11 2003

2007 JAN -2 PM 2:38

FILED
T-372A
TWIN FALLS CO., IDAHO

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	)	Water Right 36-07882B
	)	
	)	ORDER AMENDING IRRIGATION PERIOD OF USE
	)	ELEMENT IN PARTIAL DECREE and
Case No. 39576	)	INCORPORATING INTO PARTIAL DECREES AN
	)	EXPRESS STATEMENT REGARDING GENERAL
	)	PROVISIONS, <i>NUNC PRO TUNC</i>

A *Partial Decree* was entered for the above-captioned irrigation water right on December 29, 1997. The period of use element was decreed as "irrigation season." In *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998), the Idaho Supreme Court remanded with the directive to include specific dates for the period of use element. Following remand, on June 24, 1999, IDWR filed a *Supplemental Director's Report, Reporting Area 3, IDWR Basin 36, Regarding Revision of Period of Use (For Irrigation Water Uses) and Conjunctive Management General Provisions*, which included an irrigation period of use recommendation for this water right. No objections were filed to this *Supplemental Director's Report*.

THEREFORE, IT IS ORDERED that the period of use element for the irrigation portion of the above-captioned water right is hereby amended and decreed as:

PERIOD OF USE: 03-15 to 11-15

IT IS FURTHER ORDERED that the *Partial Decree* for the above-captioned water right is hereby amended and decreed to contain the following:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the court a point in time no later than the entry of a final unified decree. I.C. section 42-1412(6).

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MAR 11 2003

This order is being entered *nunc pro tunc* as of the date the *Partial Decree* was issued and is not intended to modify subsequent administrative changes for the water right, if any, which occurred following entry of the *Partial Decree*.

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 **JAN 02 2002**


ROGER BURDICK
Presiding Judge
Snake River Basin Adjudication

MICROFILMED

MAR 11 2003

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
Water Right 36-07882B

1997 DEC 29 AM 9:52

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED - _____

NAME & ADDRESS: MARK LEE NEILSON
LETA RENAE NEILSON
RT 2 BOX 2567
PAUL ID 83347

SOURCE: GROUNDWATER

QUANTITY: 7.85 CFS

RIGHT NOS. 36-07882B AND 36-15360 ARE LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 9.11 CFS AND A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 2558 AF.

PRIORITY DATE: 12/07/1979

POINT OF DIVERSION: T06S R21E S22 SENWSE Within LINCOLN County
S23 SWSWSW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	7.85 CFS

PLACE OF USE:	IRRIGATION	Within LINCOLN County			
	T06S R21E S22	NENE 10.5	NWNE 24	SWNE 40	SENE 40
		NESE 40	NWSE 40	SWSE 40	SESE 40
	S23	SWNE 6	SWNW 33	SENE 21	NESW 40
		NWSW 37	SWSW 40	SESW 40	NESE 30
		NWSE 40	SWSE 40	SESE 38	
	639.5 ACRES TOTAL				

RIGHT NOS. 36-07882B & 36-15360 ARE LIMITED TO A COMBINED
TOTAL OF 639.5 ACRES IN A SINGLE IRRIGATION SEASON.

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

MICROFILMED

MAR 11 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

January 21, 2003

WESTERN MORTGAGE & REALTY CO
PO BOX 3110
PASCO WA 99302-3110

RE: Change of Ownership for Water Rights 36-7882B and 36-15360

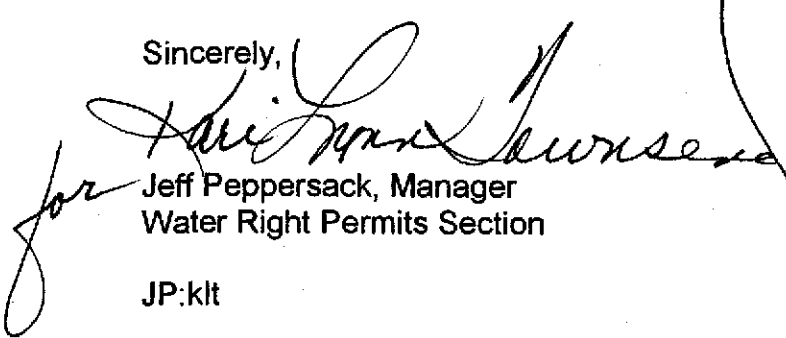
Dear Water Right Holder(s):

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, Manager
Water Right Permits Section

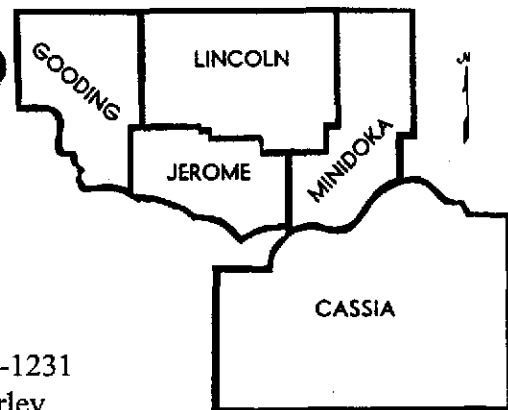
JP:klt

Enclosures

MICROFILMED
MAR 11 2003

Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



REFER TO: EC-1231
OFFICE: Burley

January 2, 2003

RECEIVED

JAN - 6 2003

Department of Water Resources

Kari Lynn Townsend
Idaho Dept. of Water Resources
1301 N. Orchard Street
Boise, ID 83706

Dear Kari Lynn:

Enclosed with this letter please find an original executed Notice of Change In Water Right Ownership, a copy of the recorded Warranty Deed, the aerial photo and Land Title and Escrow's check no. 6276 in the amount of \$50.00 for the transfer fee.

Please make the necessary changes in the records to indicate the new owner and return a receipted copy to this office.

Should you have any questions concerning this matter, please do not hesitate to contact me.
Thank you.

Very truly yours,
Land Title and Escrow, Inc.

Nancy Garrett
Reconveyance Department

/nrg
enc.

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MAR 11 2003