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Documents
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MAY 21 2001
Department of Water Resources
Eastern Region

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
75-10676	39576				

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JUN 08 2001
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) See attached
4. New Owner/Claimant(s) The Grace M. Lyon Limited Partnership
Name Connector (Check one): [] and, [] or, [] and/or
- New Mailing Address 4932 Mohawk Place
- City, State and ZIP Code Pocatello, Idaho 83204
- New Telephone Number (208) 233-6627
5. Date you acquired the property May 6, 2000

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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)

The Grace M. Lyon Limited Partnership
Fredrick Lyon, general partner

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>JC</u>	Date <u>5/21/01</u>	Fee <u>\$25</u>
Received by <u>JC</u>	Date <u>5/21/01</u>	Receipt No. <u>E026728</u>
Processed by <u>AJ</u>	Date _____	WR _____ Date _____

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ATTACHMENT TO NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

- 3.A. C. Walker and Grace M. Lyon
P.O. Box 250
200 Front Street
Salmon, ID 83467
- 3.B. The C. Walker Lyon Limited Partnership
4932 Mohawk Place
Pocatello, ID 83704
Acquired property January 8, 1994

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QUITCLAIM DEED

THIS INDENTURE is made this 6 day of May, 2000, by and between **THE C. WALKER LYON FAMILY LIMITED PARTNERSHIP**, an Idaho limited partnership, the "Grantor," and **THE GRACE M. LYON LIMITED PARTNERSHIP**, whose mailing address is 4932 Mohawk Place, Pocatello, Idaho 83204, the "Grantee,"

WITNESSETH:

That the Grantor, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) lawful money of the United States of America and other good and valuable consideration to the Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, does by these presents remise, release and forever quitclaim unto the Grantee, and to the Grantee's heirs and assigns forever, all right, title and interest now owned or hereafter acquired by the Grantor in all the following described real property situated in the County of Lemhi, State of Idaho, set forth in **Exhibit "A"** and by this reference made part hereof.

TOGETHER, with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversions, any remainders, and rents, issues and profits therefrom.

TO HAVE AND TO HOLD said premises and the appurtenances unto the Grantee, and to Grantee's heirs and assigns forever.

In construing this Quitclaim Deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the Grantor has executed the within instrument on the date set forth below.

State of Idaho)
County of Lemhi)

244398

This instrument was filed for record

by Stephen E. Martin
at 6-1 p.m. 2000

File No. 1500
County

By Frederick C. Lyon
Notary Public

By Stephen E. Martin
Notary Public

**THE C. WALKER LYON FAMILY
LIMITED PARTNERSHIP**

By: Frederick C. Lyon

Frederick C. Lyon, General Partner

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MAY 20 2001

1. Lot 6 of Block 3, of Lake Creek Subdivision.
2. Lot Three (3), Block Two (2), William's Lake Subdivision #1; Together with a right-of-way for motor vehicle travel over the private road presently owned by Melvin N. Melton and Lena M. Melton and together with the use of the private bridge presently owned by the said Meltons over the Salmon River at the terminus of said private road, as per right of way deed from Melton to LeMoyné Development, Inc. recorded in Book 48 of Deeds, Page 305, Records of Lemhi County.
3. Segregated tracts designated as Tax #897, as follows:
Commencing at the intersection of the North line of Shoup Street and the East line of Daisy Street, in the City of Salmon, Idaho, run thence North 28 deg. 45' 20" E. 150 feet to the North line of an alley; thence South 61 deg. 14' 40" East along the North line of said alley 54.5 feet; thence North 28 deg. 45' 20" East 82 feet, to the point of beginning, continuing thence North 28 deg. 45' 20" East 96 feet, to the South right of way line of the Gilmore and Pittsburgh Railroad; thence Southeasterly along said right of way line on a curve with a radius of 3075 feet and convex toward the Southwest 114.1 feet; thence South 28 deg. 45' 20" West 68 feet; thence North 61 deg. 14' 40" West 109 feet to the point of beginning.
4. Lot One (1) of Block Three (3), Salmon City Townsite.
5. A PORTION OF TAX NO. 62 MORE PARTICULARLY DESCRIBED AS FOLLOWS:
Beginning at a point South 89°20' West, and 320 feet distant from the Southeast Corner of the Southwest Quarter of the Northeast Quarter of Section Six, in Township Twenty-one North of Range Twenty-two East of the Boise Meridian in said County, and running thence South 45° West 150 feet; thence North 45° West 290 feet; thence North 45° East 150 feet, and thence South 45° East 290 feet to the place of beginning.

(Always excepting from the aforesaid premises the lot of land heretofore conveyed by Thomas B. Holbert and Carrie Holbert to Horace E. Ostrander by deed dated April 7th, 1896 and recorded in the office of the County Recorder of Lemhi County, Idaho, in Book "H" of Deeds on page 534; and also excepting the lot of land heretofore conveyed by said Thomas B. Holbert and Carrie Holbert to Rudolph Wright by deed dated December 20th, 1900, and recorded in the aforesaid Recorder's Office in Book "L" of Deeds on page 90.)

Together with all water and water rights appertaining thereto or used in connection therewith.

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EXHIBIT "A" MAR 20 2003

244298

ALSO

A parcel of land on the Southerly side of Front Street in the City of Salmon, Idaho, described as follows:

Commencing at the point of beginning from whence the Southeast corner of the Southwest Quarter of the Northeast Quarter of Section 6, Township 21 North, Range 22 E.B.M., Lemhi County, Idaho, bears N. $89^{\circ}35'40''$ E. 348.27 feet; go thence S. $45^{\circ}19'30''$ W. 150 feet; thence N. $44^{\circ}40'30''$ W. 18.33 feet; thence N. $26^{\circ}05'$ E. 158.88 feet; thence S. $44^{\circ}40'30''$ E. 70.71 feet to the point of beginning; being a tip of land lying on the Northerly side of Main Street, in the City of Salmon and between Front Street and Carmen Road.

ALSO

That part of Lot 1, of the River Addition to the Village of North Salmon, Lemhi County, Idaho, run S. 45° E. 50 feet, the place of beginning of the description of the exterior boundary of the lot hereby conveyed; from which place run N. $38^{\circ}30'$ East 51.69 feet; thence S. $51^{\circ}30'$ E. 113 feet, more or less, to the East boundary line of said River Addition; thence S. $43^{\circ}15'$ West 51.69 feet, more or less, to the Southeast corner of said River Addition; thence N. 45° West 104 feet, more or less, to the place of beginning.

ALSO

That part of Lot 1, Block 1, of the River Addition to the Village of North Salmon, now a part of the Village of Salmon City, and bounded and described as follows, to-wit:

From the SE Corner of Lot 1, in Block 1, in said Village of North Salmon, run S. 45° E. 50 feet, from which place run N. $38^{\circ}30'$ E. 57.35 feet the place of beginning of the exterior boundary of the lot hereby described; thence continuing on the same course N. $38^{\circ}30'$ E. 50; thence S. $51^{\circ}30'$ E. 113.5 feet to the East boundary of River Addition; thence S. $43^{\circ}15'$ W. 50.7 feet, more or less, to the NE Corner of the lot of land owned by R. M. Murdoch; thence N. $51^{\circ}30'$ W. 113 feet, more or less, to the place of beginning.

MICHAEL J. JONES

MAR 20 2003

244398

6. The Northwesterly one-half ($1/2$) of Lot Six (6), of and in Block Four (4), North Salmon Village, particularly described as follows, to-wit:

Beginning at the Northwesterly Corner of said Lot Six (6), Block Four (4), the common corner with Lot Five (5), and run South $51^{\circ}30'$ East along the Southerly side of Third Street fifty-two (52) feet to a point, the center of said Lot Six (6); thence Southwesterly parallel with the Northwesterly side of said Lot Six (6) two hundred and five-tenths (200.5) feet to the Southwesterly center of said Lot Six (6); thence $51^{\circ}30'$ West along an alley fifty-two (52) feet to the Southwesterly corner of said Lot Six (6), a common corner with Lot Five (5); thence Northeasterly along the Northwesterly side of said Lot Six (6) two hundred and five-tenths (200.5) feet to the Northwesterly corner of said Lot Six (6), the place of beginning.

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MAR 20 2003

WARRANTY DEED

THIS INDENTURE, made this 8th day of January, 1994, by C. WALKER LYON and GRACE M. LYON, husband and wife, of Salmon, County of Lemhi, State of Idaho, the Grantors, and THE C. WALKER LYON LIMITED PARTNERSHIP, a limited partnership composed of Frederick C. Lyon, as general partner, and C. Walker Lyon and Grace M. Lyon, as limited partners, whose mailing address is 4932 Mohawk Place, Pocatello, Idaho 83204, the Grantee.

WITNESSETH, that the Grantors, for and in consideration of the sum of TEN DOLLARS (\$10.00) lawful money of the United States of America, and OTHER GOOD AND VALUABLE CONSIDERATION, to the Grantors in hand paid by the Grantee, the receipt whereof is hereby acknowledged, have granted, bargained, sold, and by these presents, do grant, bargain, sell, convey and confirm unto the Grantee, and to the Grantee's heirs and assigns, forever, all of the following described real estate situated in the County of Lemhi, State of Idaho, to-wit:

1. Lot 6 of Block 3, of Lake Creek Subdivision.
2. Lot Three (3), Block Two (2), William's Lake Subdivision #1; Together with a right-of-way for motor vehicle travel over the private road presently owned by Melvin N. Melton and Lena M. Melton and together with the use of the private bridge presently owned by the said Meltons over the Salmon River at the terminus of said private road, as per right of way deed from Melton to LeMoyné Development, Inc. recorded in Book 48 of Deeds, Page 305, Records of Lemhi County.
3. Commencing at the intersection of the North line of Shoup Street and the East line of Daisy Street, in the City of Salmon, Idaho, run thence North 28 deg. 45' 20" E. 150 feet to the North line of an alley; thence South 61 deg. 14' 40" East along the North line of said alley 54.5 feet; thence North 28 deg. 45' 20" East 82 feet, to the point of beginning, continuing thence North 28 deg. 45' 20" East 96 feet, to the South right of way line of the Gilmore and Pittsburgh Railroad; thence Southeasterly along said right of way line on a curve with a radius of 3075 feet and convex toward the Southwest 114.1 feet; thence South 28 deg. 45' 20" West 68 feet; thence North 61 deg. 14' 40" West 109 feet to the point of beginning.

MICHAEL L. LLOYD

MAR 20 2003

4. Lot One (1) of Block Three (3), Salmon City Townsite.

- ⑤ Beginning at a point South 89°20' West, and 320 feet distant from the Southeast Corner of the Southwest Quarter of the Northeast Quarter of Section Six, in Township Twenty-one North of Range Twenty-two East of the Boise Meridian in said County, and running thence South 45° West 150 feet; thence North 45° West 290 feet; thence North 45° East 150 feet, and thence South 45° East 290 feet to the place of beginning.

(Always excepting from the aforesaid premises the lot of land heretofore conveyed by Thomas B. Holbert and Carrie Holbert to Horace E. Ostrander by deed dated April 7th, 1896 and recorded in the office of the County Recorder of Lemhi County, Idaho, in Book "H" of Deeds on page 534; and also excepting the lot of land heretofore conveyed by said Thomas B. Holbert and Carrie Holbert to Rudolph Wright by deed dated December 20th, 1900, and recorded in the aforesaid Recorder's Office in Book "L" of Deeds on page 90.)

Together with all water and water rights appertaining thereto or used in connection therewith.

ALSO

A parcel of land on the Southerly side of Front Street in the City of Salmon, Idaho, described as follows:

Commencing at the point of beginning from whence the Southeast corner of the Southwest Quarter of the Northeast Quarter of Section 6, Township 21 North, Range 22 E.B.M., Lemhi County, Idaho, bears N. 89°35'40" E. 348.27 feet; go thence S. 45°19'30" W. 150 feet; thence N. 44°40'30" W. 18.33 feet; thence N. 26°05' E. 158.88 feet; thence S. 44°40'30" E. 70.71 feet to the point of beginning; being a tip of land lying on the Northerly side of Main Street, in the City of Salmon and between Front Street and Carmen Road.

ALSO

That part of Lot 1, of the River Addition to the Village of North Salmon, Lemhi County, Idaho, run S. 45° E. 50 feet, the place of beginning of the description of the exterior boundary of the lot hereby conveyed; from which

place run N. 38°30 East 51.69 feet; thence S. 51°30 E. 113 feet, more or less, to the East boundary line of said River Addition; thence S. 43°15' West 51.69 feet, more or less, to the Southeast corner of said River Addition; thence N. 45° West 104 feet, more or less, to the place of beginning.

ALSO

That part of Lot 1, Block 1, of the River Addition to the Village of North Salmon, now a part of the Village of Salmon City, and bounded and described as follows, to-wit:

From the SE Corner of Lot 1, in Block 1, in said Village of North Salmon, run S. 45° E. 50 feet, from which place run N. 38°30' E. 57.35 feet the place of beginning of the exterior boundary of the lot hereby described; thence continuing on the same course N. 38°30' E. 50; thence S. 51°30' E. 113.5 feet to the East boundary of River Addition; thence S. 43°15' W. 50.7 feet, more or less, to the NE Corner of the lot of land owned by R. M. Murdoch; thence N. 51°30' W. 113 feet, more or less, to the place of beginning.

SUBJECT to all existing easements or claims of easements, patent reservations, rights of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, encroachments, overlaps, boundary line disputes and other matters which would be disclosed by an accurate survey or inspection of the premises.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversions, remainder and remainders, rents, issues and profits thereof; and all estate, right, title and interest in and to the property, as well in law as in equity, of the Grantors.

TO HAVE AND TO HOLD, all and singular the above mentioned and described premises together with the appurtenances unto the Grantee, and to the Grantee's heirs and assigns forever. The Grantors and the Grantors' heirs shall and will warrant and by these presents forever defend the premises in the quiet and peaceable possession of the Grantee, and the Grantee's heirs and assigns, against the Grantors, and the Grantors' heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same.

In construing this deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the Grantors hereunto have set their hands the day and year first above written.

C. Walker Lyon
C. Walker Lyon By:

Frederick C. Lyon
Frederick C. Lyon, as Attorney-in-fact for C. Walker Lyon

Grace M. Lyon
Grace M. Lyon

STATE OF IDAHO)
County of Bannock) ss.

On this 8th day of January, in the year 1994, before me, the undersigned, a notary public in and for said state, personally appeared FREDERICK C. LYON, known or identified to me to be the person whose name is subscribed to the within instrument as the attorney in fact of C. WALKER LYON, and acknowledged to me that he subscribed the name of C. WALKER LYON 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 in this certificate first above written.

(seal)

Karon M. Coleman
Notary Public for Idaho
Residing at 326 W. Clark, Pocatello
My Commission Expires: 7-2-96

4 - WARRANTY DEED

MICHAEL J. LYON
MAR 20 2003

STATE OF IDAHO)

County of Blaine)

ss.

On this 8th day of January, in the year 1994, before me, the undersigned Notary Public for Idaho, personally appeared GRACE M. LYON, known or identified to me to be the person whose name is subscribed to the foregoing WARRANTY DEED, and acknowledged to me that she executed the same.

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

(seal)

Karen M. Coleman
Notary Public for Idaho
Residing at 326 W. Clark, Co. Id.
My commission expires: 7-2-96

5160m/sem/jpr

5 - WARRANTY DEED

MAR 7 1995

MAR 20 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 75-10676

NAME AND ADDRESS: C WALKER LYON
BOX 250
SALMON, ID 83467

SOURCE: JESSE CREEK TRIBUTARY: SALMON RIVER
QUANTITY: 0.04 CFS

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

PRIORITY DATE: 06/01/1867

POINT OF DIVERSION: T21N R22E S06 SWNE Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic 1 HOME	04-01 TO 11-01	0.04 CFS

PLACE OF USE: Domestic Within Lemhi County
T21N R22E S06 SWNE

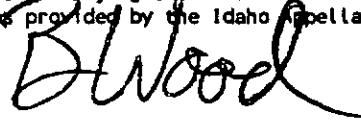
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

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 AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

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.


Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

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MAR 20 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

March 3, 2003

THE GRACE M LYON LIMITED PARTNERSHIP
4932 MOHAWK PL
POCATELLO ID 83204

RE: Change of Ownership for Water Right 75-10676

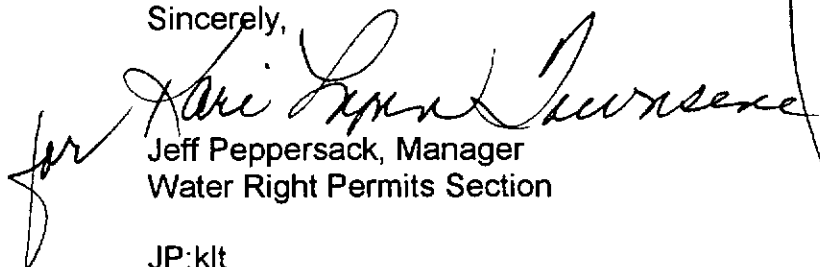
Dear Water Right Holder(s):

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.

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

Enclosure

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MAY 21 2001
Department of Water Resources
Eastern Region

Frederick C. Lyon
4932 Mohawk Place
Pocatello, ID 83204

May 17, 2001

IDWR Eastern Region
900 N. Skyline Drive, Ste. A
Idaho Falls, ID 83402-1718

Re: Change of Ownership of Water Right No. 75-10676

Dear Sir or Madam:

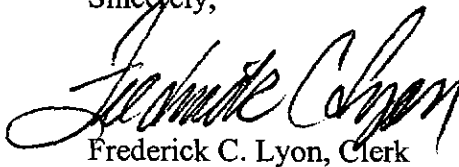
I am requesting a change of ownership of the above water right and enclose the following:

1. Check payable to IDWR in the amount of \$25.00 for the filing fee.
2. Notice of Change in Water Right Ownership with attachment.
3. Copy of Warranty Deed dated January 8, 1994 whereby C. Walker and Grace M. Lyon transferred the real property, including the water right, to the C. Walker Lyon Limited Partnership.
4. Copy of Quitclaim Deed dated May 6, 2000 whereby the C. Walker Lyon Limited Partnership conveyed the real property, including the water right, to the Grace M. Lyon Limited Partnership.
5. Copy of Partial Decree pursuant to I.R.C.P. 54(b) for Water Rights 75-10676 dated November 10, 2000.

The description of the real property concerning the water right is number 5 in each deed. The property described is 200 Front Street, Salmon, Idaho.

If you need additional information or have any questions, please let me know. My day phone is (208) 334-2210.

Sincerely,


Frederick C. Lyon, Clerk

FCL:jh
Encl.

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MAR 21 2003