

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

OCT 14 2022

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

DEPT OF WATER RESOURCES
SOUTHERN REGION

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, see #7 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
45-7334	Yes ☐	Yes ☐		Yes ☐	Yes ☐
45-11223	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Dale N. Turner and Nilene M. Turner
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Colleen Turner, Michael Turner, Daren Turner, Mitchell Turner, Jared Turner, Lisa Simonic and Scott Turner
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or

978 East 450 North Jackson ID 83350
Mailing address City State Zip
(208) 431-5983
Telephone Email

4. If the water rights and/or adjudication claims were split, how did the division occur?
☒ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

5. Date you acquired the water rights and/or claims listed above: 10-12-2022

6. Do you own the land identified as the water right place of use? Yes ☐ No ☐
 o If no, attach evidence that written notice of the change of water right ownership has been delivered to the landowner of record.

7. This form must be signed and submitted with the following **REQUIRED** items:

- ☒ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
☐ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
☒ Filing fee (see instructions for further explanation):
 o \$25 per *undivided* water right.
 o \$100 per *split* water right.
 o No fee is required for pending adjudication claims.
☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

SUPPORT DATA

IN FILE # 45-7334

8. Signature: Colleen Turner
Signature of new owner/claimant
Colleen Turner, Personal Representative
Print name

Personal Representative of Dale N. Turner Estate
Title, if applicable

10/12/22
Date

Signature: _____
Signature of new owner/claimant
Print name

Title, if applicable Date

Received by SC Date 10/14/2022 For IDWR Office Use Only: Receipt No. 5039485 Receipt Amt. \$50.00

Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☐
 Name on W-9 _____ Approved by _____ Processed by SB Date 10-21-2022

SCANNED
DEC 01 2022

EV

AMENDED DEED OF PERSONAL REPRESENTATIVE

THIS DEED made this 12 day of October, 2022, by and between Colleen Turner, the duly appointed, qualified and acting Personal Representative of the Estate of Dale N. Turner a/k/a Dale Norman Turner, deceased, as Grantor, and Colleen Turner, as Grantee of the life estate described herein, whose present address is 978 East 450 North, Jackson, Idaho 83350 and Michael Turner, Daren Turner, Mitchell Turner, Jared Turner, Lisa Simonic and Scott Turner, in equal shares, the remainder interest in the property described herein.

W I T N E S S E T H:

That the said Colleen Turner, Personal Representative of the Estate of Dale N. Turner a/k/a Dale Norman Turner, deceased, having heretofore duly recorded a certified copy of the Letters Testamentary, does hereby grant, release and convey to said Colleen Turner, Grantee, a life estate in the interest of Dale N. Turner a/k/a Dale Norman Turner on the terms set forth herein, and does hereby grant, release and convey the remainder interest to Michael Turner, Daren Turner, Mitchell Turner, Jared Turner, Lisa Simonic and Scott Turner, in equal shares in the real property situated in Cassia County, Idaho, to wit:

PARCEL NO. 1:

TOWNSHIP 9 SOUTH, RANGE 24 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 36: Part of Lot 2, more particularly described
as follows:

Beginning at the Center quarter section corner of said
Section 36, said corner marked by a U.S. Reclamation

Service pipe with brass cap; Thence North 89°11'05" West along the quarter section line for 381.75 feet to a point; Thence North 44°25'51" East for 73.21 feet to a ½ inch rebar which shall be the Point of Beginning;

Thence North 87°44'31" West for 427.98 feet to a ½ inch rebar;

Thence North 87°44'31" West for 7.00 feet to the high water line of the Snake River;

Thence North 17°54'56" East along said high water line for 247.78 feet to a point;

Thence South 75°22'21" East for 7.00 feet to a ½ inch rebar;

Thence South 75°22'21" East for 491.99 feet to a ½ inch rebar;

Thence South 44°25'51" West for 177.69 feet to the Point of Beginning.

LESS a 50 foot wide access easement along the East side.

PARCEL NO. 2:

TOWNSHIP 9 SOUTH, RANGE 24 EAST, BOISE MERIDIAN CASSIA COUNTY, IDAHO

Section 36: Part of the NE1/4SE1/4, more particularly described as follows:

Beginning at the Northeast corner of the SE1/4 of said Section 36; Thence North 89°37' West for 657.82 feet to a point which shall be the True Point of Beginning; Thence North 89°37' West for 462.06 feet to a point; Thence South 1°05'15" East for 578.01 feet to a point; Thence North 86°49'05" East for 452.15 feet to a point; Thence North 0°02'25" West for 549.72 feet to the True Point of Beginning.

PARCEL NO. 3:

TOWNSHIP 9 SOUTH, RANGE 24 EAST OF THE BOISE MERIDIAN, CASSIA COUNTY, IDAHO

Section 36: The West 50.00 feet of the SE1/4SW1/4

PARCEL NO. 4:

TOWNSHIP 9 SOUTH, RANGE 24 EAST, BOISE MERIDIAN CASSIA
COUNTY, IDAHO

Section 36: NE1/4SW1/4; S1/2SW1/4NE1/4 and N1/2SE1/4,
SAVE AND EXCEP, the following described tract:

Part of the NE1/4SE1/4, more particularly described as
follows:

Beginning at the Northeast corner of the SE1/4 of said
Section 36; Thence North 89°37' West for 657.82 feet to a
point which shall be the True Point of Beginning;
Thence North 89°37' West for 462.06 feet to a point;
Thence South 1°05'15" East for 578.01 feet to a point;
Thence North 86°49'05" East for 452.15 feet to a point;
Thence North 0°02'25" West for 549.72 feet to the True
Point of Beginning.

PARCEL NO. 5:

TOWNSHIP 9 SOUTH, RANGE 24 EAST, BOISE MERIDIAN CASSIA
COUNTY, IDAHO

Section 36: Lot 2, SAVE AND EXCEPT, the following
described tracts:

Tract No. 1:

The North 5.2 acres of Lot 2

Tract No. 2:

Part of Lot 2, more particularly described as follows:

Beginning at the Center quarter section corner of said
Section 36, said corner marked by a U.S. Reclamation
Service pipe with brass cap; Thence North 89°11'05" West
along the quarter section line for 381.75 feet to a
point; Thence North 44°25'51" East for 73.21 feet to a
12inch rebar which shall be the Point of Beginning;

Thence North 87°44'31" West for 427.98 feet to a ½ inch
rebar;

Thence North 87°44'31" West for 7.00 feet to the high water line of the Snake River;
Thence North 17°54'56" East along said high water line for 247.78 feet to a point;
Thence South 75°22'21" East for 7.00 feet to a ½ inch rebar;
Thence South 75°22'21" East for 491.99 feet to a ½ inch rebar;
Thence South 44°25'51" West for 177.69 feet to the Point of Beginning.

Together with appurtenances, including water rights licenses of 45-7334 and 45-11223 of the Idaho Department of Water Resources.

This deed also transfers the irrigation equipment used thereon to the life tenant and owners of the remainder interest on the terms set forth herein.

The terms and conditions of the life estate of Colleen Turner are as follows:

Colleen Turner shall pay the property taxes and assessments, insure the residence and improvements, including irrigation equipment, against loss by fire with extended coverage, pay annual installments or any debt of decedent secured by the real property and/or irrigation equipment and maintain the premises, residence and improvements in good condition.

TO HAVE AND TO HOLD all and singular the above-granted premises, together with the appurtenances, and every part thereof, unto the Grantee, her heirs and assigns forever. And the Grantor does covenant and agree that she is making this conveyance, in pursuance of the authority granted in and by the court wherein she was appointed and the statutes of the State of Idaho. The interest of Dale N. Turner a/k/a Dale Norman Turner in the irrigation equipment used on the above-described property is transferred to the Grantees by this deed.

IN WITNESS WHEREOF, the said Grantor has set her hand the day and year first above written.

This Amended Deed of Personal Representative is executed and recorded to correct the water right license number from 5-7334 to 45-7334 on page 4 of the original Deed of Personal Representative that was recorded September 29, 2022 as Instrument No. 2022004333.

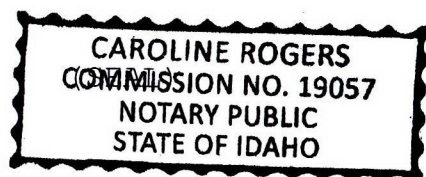
Estate of Dale N. Turner a/k/a
Dale Norman Turner

By: Colleen Turner
Colleen Turner, Personal
Representative

STATE OF IDAHO)
) ss.
County of Cassia)

On this 12th day of October, 2022, before me the undersigned notary public in and for said state, personally appeared Colleen Turner, known to me to be the person whose name is subscribed to the within instrument as personal representative of the estate of Dale N. Turner a/k/a Dale Norman Turner, and acknowledged to me that she executed the same as such personal representative.

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



Caroline Rogers
Notary Public
Residing at Paul IP
My Commission expires 2-18-2023

Water Right Report : 45-7334(Decreed/Active)

Water Right Owners

Owner Type	Name	Address	City	State	Postal Code
------------	------	---------	------	-------	-------------

Current Owner	TURNER, DALE N	978 E 450 N	JACKSON	ID	83350-4900
---------------	----------------	-------------	---------	----	------------

Current Owner	TURNER, NILENE M	978 E 450 N	JACKSON	ID	83350-4900 (deceased to be removed)
---------------	------------------	-------------	---------	----	-------------------------------------

Water Right Status

Priority Date : 6/7/1978

Basis : Decreed

Status : Active

Water Source

Source	Source Qualifier	Tributary	Tributary Qualifier
--------	------------------	-----------	---------------------

GROUND WATER			
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Points Of Diversion (Location)

Source	Township	Range	Section	Govt. Lot	QQQ	QQ	Q	County	Diversion Type
--------	----------	-------	---------	-----------	-----	----	---	--------	----------------

GROUND WATER	09S	24E	36	0	NE	NW	SE	CASSIA	
--------------	-----	-----	----	---	----	----	----	--------	--

Water Uses

Beneficial Use	From	To	Diversion Rate	Volume
----------------	------	----	----------------	--------

IRRIGATION	3/15	11/15	1.78 CFS	640.00 AFA
------------	------	-------	----------	------------

TOTAL			1.78 CFS	640.00 CFS
--------------	--	--	----------	------------

Places of Use

Printable View

Paged View

Place of Use Legal Description : IRRIGATION (CASSIA county)

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
09S	24E	36			SW	NE	19
09S	24E	36			SE	NE	40
09S	24E	36	2		NE	NW	4
09S	24E	36			NE	SW	22
09S	24E	36			NE	SE	35
09S	24E	36			NW	SE	40

*(to be transferred
to Mitchell and
Lacy Turner)

Irrigation Totals

Total Acres Acre Limit

160.00

Conditions

Code Conditions

C18 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. SECTION 42-1412(6), IDAHO CODE.

S16 USE OF THIS RIGHT IS COMBINED WITH WATER FROM MINIDOKA IRRIGATION DIST.

Water Right Report : 45-11223(Decreed/Active)

Water Right Owners

Owner Type	Name	Address	City	State	Postal Code
------------	------	---------	------	-------	-------------

Current Owner	TURNER, DALE N	978 E 450 N	JACKSON	ID	83350-4900
---------------	----------------	-------------	---------	----	------------

Current Owner	TURNER, NILENE M	978 E 450 N	JACKSON	ID	83350-4900 (deceased to be removed)
---------------	------------------	-------------	---------	----	-------------------------------------

Water Right Status

Priority Date : 11/20/1907

Basis : Decreed

Status : Active

Water Source

Source	Source Qualifier	Tributary	Tributary Qualifier
--------	------------------	-----------	---------------------

GROUND WATER

Points Of Diversion (Location)

Source	Township	Range	Section	Govt. Lot	QQQ	QQ	Q	County	Diversion Type
--------	----------	-------	---------	-----------	-----	----	---	--------	----------------

GROUND WATER	09S	25E	36	0	NW	NE	SE	CASSIA	
--------------	-----	-----	----	---	----	----	----	--------	--

Water Uses

Beneficial Use	From	To	Diversion Rate	Volume
----------------	------	----	----------------	--------

STOCKWATER	1/01	12/31	0.23 CFS	
------------	------	-------	----------	--

DOMESTIC	1/01	12/31	0.04 CFS	
----------	------	-------	----------	--

TOTAL			0.27 CFS	
--------------	--	--	----------	--

Places of Use

Printable View

Paged View

Place of Use Legal Description : STOCKWATER (CASSIA county)

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
----------	-------	---------	-----	-----	----	---	-------

09S	25E	36		NE	SE		
-----	-----	----	--	----	----	--	--

Place of Use Legal Description : DOMESTIC (CASSIA county)

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
----------	-------	---------	-----	-----	----	---	-------

09S	25E	36		NE	SE		
-----	-----	----	--	----	----	--	--

Conditions

Code Conditions

N13	THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
-----	---

N11	THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
-----	---

S/301-400 COW DAIRY

Dates

Licensed Date :

Decreed Date : 7/24/1998

Permit Proof Due Date :

Other Information

State or Federal : S

Water District Number : EXC

Generic Max Rate Per Acre : 0

SCANNED

DEC 01 2022

CASSIA COUNTY
Recorded for:
PARSONS, SMITH AND STONE
2:43:36 pm 05-20-2013
2013-002223
No. Pages: 6 Fee: \$25.00
JOSEPH W. LARSEN
County Clerk
Deputy: HEVANS

5TH DISTRICT COURT
CASSIA COUNTY
2013 MAY 20 PM 1 19

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF CASSIA
MAGISTRATE DIVISION

IN THE MATTER OF THE	)	Case No. <u>CV-2013-358</u>
ESTATE OF:	)	
	)	
NILENE MITCHELL TURNER,	)	<u>DECREE DETERMINING</u>
	)	<u>SURVIVING SPOUSE AS</u>
	)	<u>SOLE BENEFICIARY.</u>
Deceased.	)	
	)	

The verified Petition of Dale Norman Turner came on regularly to be heard by the Court, the Court makes the following findings:

1. Notice of the time and place of hearing has been given as required by law.
2. No objections to the Petition have been filed and no persons appeared in opposition to the Petition.
3. Nilene Mitchell Turner died on June 24, 2009, intestate, while domiciled in Cassia County, Idaho.
4. Petitioner and Decedent were married on December 17, 1965 in Salt Lake City, Utah.
5. Petitioner is the sole heir of the Decedent.
6. The Decedent at the time of death owned or had an interest in that certain

DECREE DETERMINING SURVIVING SPOUSE
AS SOLE BENEFICIARY - Page 1

CERTIFIED

separate and community property including the real property described on Exhibit "A" attached hereto and made a part hereof by reference.

7. The Petitioner is the surviving spouse of the Decedent.

IT IS THEREFORE DECREED:

1. Dale Norman Turner and Nilene Mitchell Turner were married on December 17, 1965, in Salt Lake City, Utah, and were husband and wife, until June 24, 2009, the date of Decedent's death.

2. Dale Norman Turner was the sole surviving spouse of the Decedent and is entitled to the distribution of that property listed on Exhibit "A" attached hereto and made a part hereof by reference, and any other property not now known or discovered.

3. Dale Norman Turner shall assume and be liable for any indebtedness that might be a claim against the estate of Decedent.

DATED this 20 day of May, 2013.

H. Mick Hodge
Magistrate



State of Idaho }
County of Cassia } ss

I hereby certify that the foregoing instrument is a true and correct copy of the original as filed in this office.

Dated 5/29/13

Joseph W. Fournier
Clerk of the District Court, ex-officio Auditor
and Recorder, Cassia County, Idaho

By: JK

Deputy

CLERK'S CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 20 day of May, 2013, I caused a true and correct copy of the foregoing DECREE DETERMINING SURVIVING SPOUSE AS SOLE BENEFICIARY to be served upon the following person(s) in the following manner:

Lance A. Loveland
PO Box 910
Burley Idaho 83318

☐ U.S. Mail
☐ Hand Delivery
☐ Fax
☒ Other

Dale Norman Turner
978 East 450 North
Jackson Idaho 83350

☒ U.S. Mail
☐ Hand Delivery
☐ Fax
☐ Other

Mike Turner
978 East 450 North
Jackson Idaho 83350

☒ U.S. Mail
☐ Hand Delivery
☐ Fax
☐ Other

Daren Turner
1579 North Candalera
Tooele Utah 84074

☒ U.S. Mail
☐ Hand Delivery
☐ Fax
☐ Other

Mitch Turner
PO Box 39
Heyburn ID 83336

☒ U.S. Mail
☐ Hand Delivery
☐ Fax
☐ Other

Lisa Turner
1146 Russell Drive
Huntley, Illinois 60142

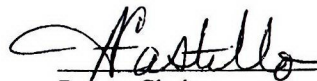
☒ U.S. Mail
☐ Hand Delivery
☐ Fax
☐ Other

Jared Turner
978 East 450 North
Jackson, ID 83350

☒ U.S. Mail
☐ Hand Delivery
☐ Fax
☐ Other

Scott Turner
978 East 450 North
Jackson Idaho 83350

☒ U.S. Mail
☐ Hand Delivery
☐ Fax
☐ Other


Deputy Clerk

SCHEDULE

1. Home and Real property located in Cassia County described on the attached legal descriptions
2. All personal property including, but not limited to, household items, bank checking and savings accounts, retirement accounts, and other miscellaneous personal property, as well as the following vehicles.
 - a. 2002 HD, VIN #1HD1GDV162Y328891
 - b. 1974 GMC Truck, VIN #TJE734V609163
 - c. Cessna Airplane, #172F17252135
 - d. 1982 Jeep, VIN #CJ71JCCM87E4CTX29758
 - e. 1977 Chevrolet Truck, VIN #CCL3372145737
 - f. 2001 Mustang, VIN #1FAFP45X31F203651
 - g. 1963 Chevrolet Truck, VIN #3C154J121573
 - h. 1993 Chevrolet Truck, VIN #26CEK1924P1191721
 - i. 1962 GMC, VIN #PJ6989A
 - j. 1991 Jeep, VIN #1J4FJ5853ML632838
 - k. 1986 Elcamino, VIN#36CCW80H2GS904094

EXHIBIT "A"- Page 1

PARCEL NO. 1:

TOWNSHIP 9 SOUTH, RANGE 24 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 36: SE $\frac{1}{4}$ NE $\frac{1}{4}$

PARCEL NO. 2:

TOWNSHIP 9 SOUTH, RANGE 24 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 36: Part of Lot 2, more particularly described as follows:

Beginning at the Center quarter section corner of said Section 36, said corner marked by a U.S. Reclamation Service pipe with brass cap; Thence North 89° 11' 05" West along the quarter section line for 381.75 feet to a point; Thence North 44° 25' 51" East for 73.21 feet to a ½ inch rebar which shall be the Point of Beginning;

Thence North 87° 44' 31" West for 427.98 feet to a ½ inch rebar;
Thence North 87° 44' 31" West for 7.00 feet to the high water line of the Snake River;
Thence North 17° 54' 56" East along said high water line for 247.78 feet to a point;
Thence South 75° 22' 21" East for 7.00 feet to a ½ inch rebar;
Thence South 75° 22' 21" East for 491.99 feet to a ½ inch rebar;
Thence South 44° 25' 51" West for 177.69 feet to the Point of Beginning.

LESS a 50 foot wide access easement along the East side.

PARCEL NO. 3:

TOWNSHIP 9 SOUTH, RANGE 24 EAST, BOISE MERIDIAN
CASSIA COUNTY, IDAHO

Section 36: Part of the NE $\frac{1}{4}$ SE $\frac{1}{4}$, more particularly described as follows:

Beginning at the Northeast corner of the SE $\frac{1}{4}$ of said Section 36; Thence North 89° 37' West for 657.82 feet to a point which shall be the True Point of Beginning;
Thence North 89° 37' West for 462.06 feet to a point;
Thence South 1° 05' 15" East for 578.01 feet to a point;
Thence North 86° 49' 05" East for 452.15 feet to a point;
Thence North 0° 02' 25" West for 549.72 feet to the True Point of Beginning.

PARCEL NO. 4:

TOWNSHIP 9 SOUTH, RANGE 24 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 36: The West 50.00 feet of the SE $\frac{1}{4}$ SW $\frac{1}{4}$

PARCEL NO. 5:

TOWNSHIP 9 SOUTH, RANGE 24 EAST, BOISE MERIDIAN
CASSIA COUNTY, IDAHO

Section 36: NE $\frac{1}{4}$ SW $\frac{1}{4}$; S $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ and N $\frac{1}{4}$ SE $\frac{1}{4}$, **SAVE AND EXCEPT**, the following described tract;

Part of the NE $\frac{1}{4}$ SE $\frac{1}{4}$, more particularly described as follows:

Beginning at the Northeast corner of the SE $\frac{1}{4}$ of said Section 36; Thence North 89°37' West for 657.82 feet to a point which shall be the True Point of Beginning;
Thence North 89°37' West for 462.06 feet to a point;
Thence South 1°05'15" East for 578.01 feet to a point;
Thence North 86°49'05" East for 452.15 feet to a point;
Thence North 0°02'25" West for 549.72 feet to the True Point of Beginning.

PARCEL NO. 6:

TOWNSHIP 9 SOUTH, RANGE 24 EAST, BOISE MERIDIAN
CASSIA COUNTY, IDAHO

Section 36: Lot 2, **SAVE AND EXCEPT**, the following described tracts;

Tract No. 1:

The North 5.2 Acres of Lot 2

Tract No. 2:

Part of Lot 2, more particularly described as follows:

Beginning at the Center quarter section corner of said Section 36, said corner marked by a U.S. Reclamation Service pipe with brass cap; Thence North 89°11'05" West along the quarter section line for 381.75 feet to a point; Thence North 44°25'51" East for 73.21 feet to a $\frac{1}{2}$ inch rebar which shall be the Point of Beginning;
Thence North 87°44'31" West for 427.98 feet to a $\frac{1}{2}$ inch rebar;
Thence North 87°44'31" West for 7.00 feet to the high water line of the Snake River;
Thence North 17°54'56" East along said high water line for 247.78 feet to a point;
Thence South 75°22'21" East for 7.00 feet to a $\frac{1}{2}$ inch rebar;
Thence South 75°22'21" East for 491.99 feet to a $\frac{1}{2}$ inch rebar;
Thence South 44°25'51" West for 177.69 feet to the Point of Beginning.

CERTIFIED

Filed: 08/09/2022 08:05:22
Fifth Judicial District, Cassia County
Joseph W Larsen, Clerk of the Court
By: Deputy Clerk -Alanis, Noemi

Donald J. Chisholm, Esquire
Chisholm Law Office
Attorney at Law
223 East Main Street
P.O. Box 1118
Burley, Idaho 83318
Telephone: (208) 678-9181
Facsimile: (208) 878-4998
Email: chisholm@pmt.org
ISB No. 1134

Instrument # 2022004332
BURLEY, CASSIA, IDAHO
9-29-2022 01:34:54 PM No. of Pages: 2
Recorded for : DONALD J CHISHOLM
JOSEPH LARSEN Fee: 13.00
Ex-Officio Recorder Deputy
Index to: LETTERS TESTAMENTARY

EV

Attorney for Estate

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF CASSIA
MAGISTRATE DIVISION

IN THE MATTER OF THE
ESTATE OF:

CASE NO. CV16-22-00622

DALE N. TURNER A/K/A
DALE NORMAN TURNER,

Deceased.

LETTERS TESTAMENTARY

The Will of Dale N. Turner a/k/a Dale Norman Turner,
deceased, having been proved and admitted to probate in the
above-named Court in informal proceedings, Colleen Turner is
hereby appointed Personal Representative.

WITNESS: The Honorable Magistrate of the District
Court, County of Cassia, State of Idaho, with the seal of the
Court affixed: 8/9/2022 06:56 AM

(SEAL)

Blair Cannon
Magistrate Judge

LETTERS TESTAMENTARY - PAGE 1

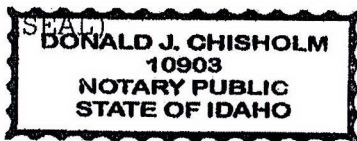
SCANNED
DEC 01 2022

STATE OF IDAHO)
) ss.
County of Cassia)

I hereby accept the duties of Personal Representative of the Estate of Dale N. Turner a/k/a Dale Norman Turner and do solemnly swear that I will perform according to law, the duties of Personal Representative.

Colleen Turner
Colleen Turner

SUBSCRIBED AND SWORN TO before me this 2nd day of August, 2022.



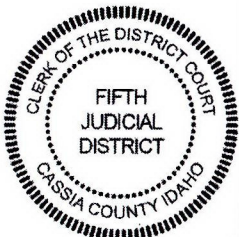
Donald J. Chisholm
Notary Public
Residing at Rupert
My Commission expires 2-14-2024

CLERK'S CERTIFICATE OF SERVICE

I certify that on 8/9/2022 I served a true and correct copy of the foregoing LETTERS TESTAMENTARY upon the persons named below, as indicated:

Donald J. Chisholm
P.O. Box 1118
Burley, Idaho 83318

____ U.S. Mail, postage prepaid, first class, Rupert, Idaho addressed as above indicated.
____ Attorney's Mail basket at the Minidoka County Courthouse, Rupert, Idaho.
____ By Fax to fax number: (208) 878-4998
☒ By Email: chisholm@pmt.org; carolinerogers495@gmail.com



State of Idaho)
County of Cassia) ss.

I hereby certify the foregoing to be full, true and correct copy of the original on file in the above entitled action.
Dated 8/9/2022

JOSEPH W. LARSEN
Clerk of District Court
By Noemi Alands
Deputy

Clerk of the Court

By: Noemi Alands
Deputy Clerk

LETTERS TESTAMENTARY - PAGE 2

RECEIVED

OCT 14 2022

DEPT OF WATER RESOURCES
SOUTHERN REGION

Donald J. Chisholm
Attorney at Law
P.O. Box 1118
Burley, Idaho 83318
(208) 678-9181
(208) 878-4998
Email: chisholm@pmt.org

October 12, 2022

Idaho Department of Water Resources
Attn: Jim Bitzenberg
650 Addison Ave W Ste 500
Twin Falls, ID 83301

Re: Dale N. Turner and Nilene M. Turner Water Rights Nos. 45-
7334 and 45-11223 - Transfer of Nilene's Interest on
Nilene's Death

Dear Jim:

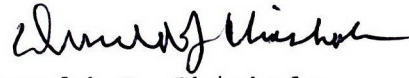
Enclosed with this letter is the completed water rights transfer of ownership form for the Estate of Dale N. Turner. Attached to the transfer form is a copy of the recorded Amended Deed of Personal Representative correcting page 4 with the correct water right number 45-7334.

We previously sent a copy of the decree vesting Nilene Turner's estate in Dale Turner, so you can remove her name from the water rights.

Also enclosed is a check in the amount of \$50.00 for the transfer fee of the two water rights. If you have any questions, please call me.

SCANNED
DEC 01 2022

Very Truly Yours,

A handwritten signature in black ink, appearing to read "Donald J. Chisholm". The signature is fluid and cursive, with the first name "Donald" being more prominent.

Donald J. Chisholm

DJC/cmr

Enc.

Cc: Colleen Turner

Donald J. Chisholm

Attorney at Law
223 East Main Street
P.O. Box 1118
Burley, Idaho 83318
Telephone (208) 678-9181
Fax: (208) 878-4998
Email: chisholm@pmt.org

RECEIVED

SEP 30 2022

**DEPT OF WATER RESOURCES
SOUTHERN REGION**

September 29, 2022

Jim Bitzenburg
Idaho Department of Water Resources
650 Addison Ave W Ste 500
Twin Falls, ID 83301

Re: Dale Turner Water Rights No. 45-7334 and 45-11223 - Personal
Representative - Removal of Nilene M. Turner as co-owner

Dear Jim:

With this letter I am enclosing a copy of a decree vesting the estate of Nilene M. Turner in Dale N. Turner as her surviving spouse which was entered by the Magistrate Court in Cassia County on the 20th day of May, 2013. The order includes the description of the property Dale and Nilene owned.

Dale died on the 23rd day of July, 2022. His wife, Colleen Turner was appointed personal representative of his estate. I am having Colleen sign this letter as personal representative of Dale's estate requesting removal of Nilene's name from the water rights.

I am also enclosing a deed of personal representative which Colleen has signed conveying a life estate in Dale's property to Colleen and the remainder interest to Dale's six children. The deed has been recorded.

In our phone conversation, you indicated that you plan to list Colleen and the six children. When Colleen dies, an affidavit will be executed and recorded showing the termination of her life estate. A copy of the affidavit will be provided, so IDWR can delete Colleen's

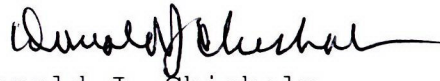
SCANNED

DEC 01 2022

name as an alternate owner of the water right when her life estate has expired.

Dale Turner deeded a 39.49 acre parcel of property to his son, Mitchell, and Mitchell's wife, Lacy by gift deed dated June 23, 2017. A copy of that deed is enclosed. The deed of personal representative Colleen signed does not include the description for the 39.49 acres parcel, although it had been included in the decree vesting Nilene's estate in Dale. I have advised Mitchell that he needs to have the water right for the 39.49 acres transferred into his name.

Very Truly Yours,



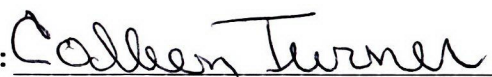
Donald J. Chisholm

DJC/cmr
Enc.

I, Colleen Turner, Personal Representative of Dale N. Turner's Estate, hereby authorize to remove Nilene M. Turner from the above water rights.

DATED this 29 day of September, 2022.

Estate of Dale N. Turner

By: 
Colleen Turner, Personal
Representative



IDAHO DEPARTMENT OF
WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858

Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

October 21, 2022

COLLEEN TURNER
MICHAEL TURNER
MITCHELL TURNER
DAREN TURNER
JARED TURNER
SCOTT TURNER
LISA SIMONIC
978 E 450 N
JACKSON ID 83350-4900

Re: Change in Ownership for Water Right No(s): 45-7334 & 45-11223

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records and has enclosed a computer-generated report for you.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Idaho Code §§ 42-222 and 42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department, or from the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208) 293-9909.

Sincerely,

Jim Bitzenburg
Water Rights Supervisor

Enclosure(s)

CC: WD-140; Donald J. Chisholm