



TRANSMITTAL

DATE: June 2, 2008
TO: Don Shaff
FROM: Roxanne Brown *RB*
CC:
RE: Martiny Change in Water Right Ownership form
JOB NO.: 581.0010

RECEIVED

JUN 03 2008

DEPARTMENT OF
WATER RESOURCES

The following items are:

- | | | | |
|--------------------------------------|--|--|--|
| ☐ Requested | ☒ Enclosed | ☐ Shipped Via _____ | |
| ☐ Report | ☐ Specification | ☐ Cost Estimate | ☐ Shop Drawings |
| ☐ Test Result | ☐ Prints | ☐ Test Sample | ☐ Other |

No.	Description
1	Notice of Change in Water Right Ownership (Jim Martiny)

This data is submitted:

- | | |
|--|---|
| ☐ At your request | ☒ For your action |
| ☐ For your approval | ☐ For your files |
| ☐ For your review | ☐ For your information |

General Remarks: Please let me know if you have questions.

JUN 03 2008

DEPARTMENT OF
WATER RESOURCES

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 (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
_____	73-36A	<u>Y</u>	_____	_____	_____
_____	73-58	<u>Y</u>	_____	_____	_____
_____	73-80	<u>Y</u>	_____	_____	_____
_____	73-10029	<u>N</u>	_____	_____	_____

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts. **None required.**
- 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) Fineas and Nancy Hughbanks
629 3rd Ave W, Gooding, ID 83330
4. New Owner/Claimant(s) Jim Martiny and Lisa Martiny (aka Lisa Cleeves)
 Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
- New Mailing Address 83 Hooper Ln.
- City, State and ZIP Code May, ID 83253
- New Telephone Number (208) 876-4227
5. Date you acquired the property May 1, 1991

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 <u>see attached spreadsheet</u>		
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)
- Jim Manning*
Lisa Cleaves

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 _____
Receipted by _____	Date _____	Receipt No. _____
Processed by _____ AJ	Date _____	WR _____ Date _____

For Value Received, FINEAS G. HUGHBANKS and NANCY B. HUGHBANKS,
husband and wife, 6602 Loc. Idaho 83230

the grantor's do hereby grant, bargain, sell and convey unto
JIM MARTINY and LISA MARTINY, husband and wife,

the grantees, whose current address is HC62, Box 2270,
May, Idaho 83253

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

The Southeast Quarter of the Northeast Quarter (SE1/4) of the South Half of Lot 1,
(S1/2 Lot 1); Lot Two (2); Southwest Quarter of the Northeast Quarter (SW1/4); North
Half of the Southeast Quarter (N1/2) of Section One (1), Township Fourteen (14) North,
Range Twenty-one (21) East, Boise Meridian;
The Southeast Quarter of the Northeast Quarter (SE1/4); Lot Three (3); Lot Five (5);
Lot Six (6); The South Half of Lot 4; and a fraction of the North Half of Lot 4; more
particularly described as follows: Commencing at the NW corner of Lot 4; run thence S
55D 141.5 feet; thence East 280.5 feet to the point of beginning; thence North 330 feet; thence
East 148.5 feet; thence South 330.0 feet; thence West 148.5 feet, more or less, to the
place of beginning being in Section 6, Township 14 North, Range 22 East, Boise Meridian.
Together with an easement for a road right-of-way along the South 32 feet of Lot 2,
Section 6, Township 14 North, Range 22 East, Boise Meridian, Lemhi County, Idaho.

SITUATE IN LEMHI COUNTY, STATE OF IDAHO

SUBJECT to a mortgage in favor of Phyllis J. Bruggenkamp.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee's,
their heirs and assigns forever. And the Grantor's do hereby covenant to and
with the said Grantees, that they are the owners in fee simple of said premises; that they are free from all
encumbrances EXCEPT as above described.

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: May 1, 1991

Fineas G. Hughbanks

Nancy B. Hughbanks

STATE OF IDAHO, COUNTY OF GOODING

On this 1st day of May, 1991,
before me, a Notary Public in and for said State, personally
appeared: FINEAS G. HUGHBANKS and
NANCY B. HUGHBANKS, husband and wife.

Known to me to be the person whose names are
subscribed to the within instrument, and acknowledged to me
that they executed the same.

Notary Public
Idaho

Residing at: May, Idaho
Comm. Expires: 10/16/92

STATE OF IDAHO, COUNTY OF Lemhi

I hereby certify that this instrument was filed for record at the request
of Lemhi Title Company.

at 1:40 minutes past 1 o'clock P.M.
this 8 day of May
1991, in my office, and duly recorded in Book
of Deeds at page

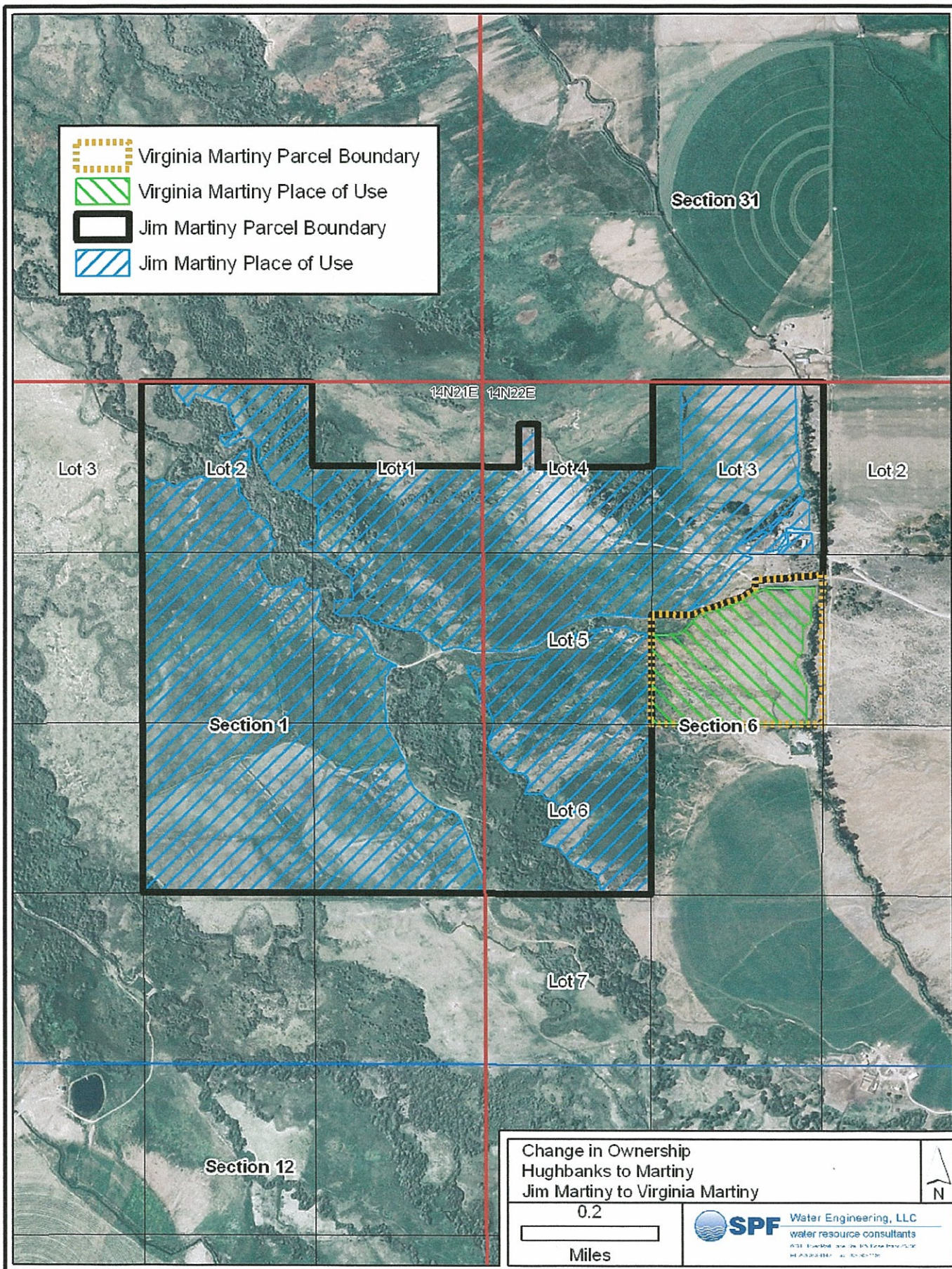
Alberta Thiedrick
Ex-Officio Recorder

By: Deanne L. Berg Deputy

Fees \$ 3.00
Mail to:

First American Title Company of Idaho

	Virginia Martiny Parcel Boundary
	Virginia Martiny Place of Use
	Jim Martiny Parcel Boundary
	Jim Martiny Place of Use



Change in Ownership Highbanks to Martiny Jim Martiny to Virginia Martiny		
0.2	 Water Engineering, LLC water resource consultants 2131 E. 10th Street, Suite 200, Bismarck, ND 58103 Tel: 701.223.4333 Fax: 701.223.4334	
Miles		

Split Analysis

Water Right Number: 73-36A

Diversion Rate: 1.9 CFS

Date: 23-May-08

Acreage Analysis

[illegible]

Water Right Number: 73-36A

Diversion Rate: 1.9 **CFS**

Split Tree

Jim Martiny

(293.0 ac & 1.76 cfs)

Virginia Martiny

(24.0 ac & 0.14 cfs)

73-36A

(317.0 ac & 1.90 cfs)

Summary

[illegible]

Split Analysis

Water Right Number: 73-58

Diversion Rate: 1.6 CFS

Date: 23-May-08

Acreage Analysis

[illegible]

Water Right Number: 73-58

Diversion Rate: 1.6 **CFS**

Split Tree

Jim Martiny

(293.0 ac & 1.48 cfs)

Virginia Martiny

(24.0 ac & 0.12 cfs)

73-58

(317.0 ac & 1.60 cfs)

Summary

[illegible]

Split Analysis

Water Right Number: 73-80

Diversion Rate: 3 CFS

Date: 23-May-08

Acreage Analysis

[illegible]

Water Right Number: 73-80

Diversion Rate: 3 CFS

Split Tree

Jim Martiny

(293.0 ac & 2.77 cfs)

Virginia Martiny

(24.0 ac & 0.23 cfs)

73-80

(317.0 ac & 3.00 cfs)

Summary

[illegible]