

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

FEB 16 2022

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

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. **DB**

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
✓ 13-7935 OK	Yes ☒	Yes ☒	13-7935	Yes ☐	Yes ☐
	Yes ☐	Yes ☐	13-8098	Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Ken Hobbs
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Idaho Transportation Department
New owner(s) as listed on the conveyance document

5151 S 5th Avenue
Mailing address
208-239-3300
Telephone

Pocatello
City
todd.hubbard@itd.idaho.gov
Email

ID 83204
State Zip

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: 12-22-2003 warranty deed; 2-11-2008 quit claim deed
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 # 13-7935

8. Signature: Todd Hubbard ITD D5 District Engineer 2/4/2022
 Signature of new owner/claimant Title, if applicable Date
 Todd Hubbard
 Print name

Signature: _____ Title, if applicable _____ Date _____
 Signature of new owner/claimant
 Print name

For IDWR Office Use Only:

Received by SM Date 3/25/2022 Receipt No. BILL065902 Receipt Amt. \$100.-
 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 JB Processed by JC Date 5/27/2022

IDAHO TRANSPORTATION DEPARTMENT

Department Memorandum

DATE: JANUARY 9, 2004**Project No. (s):** STP-1490(106)**TO:** RYAN WALZ
DIST.5 R/W**Key No. (s):** 7750**CC:****FROM:** DENNIS C. WAGNER
HQ R/W**Project Identification, County, Etc.:**
US-91, UT STATE LINE TO PRESTON**RE:** TRANSMITTAL OF RECORDED WARRANTY DEED

Parcel 07, Parcel ID No. 0042169.

Enclosed is a copy of the RECORDED WARRANTY DEED for your files. Recorded as Instrument # 224615 on 12/22/03.

DCW

CC: PF

Copy	District 5	Act	Info
	DIST. ENGR.		
	Rec. Inspect.		
	Tms. Plan		
	E/S/T		
	Train Spec.		
	ADE		
	R/W <i>w/att</i>		
	Env. Plan		
	Res. "A"		
	Res. "B"		
	DESIGN		
	Proj. Mgrs.		
	Local Roads		
	Materials		
	Traffic		
	DBM		
	MTCE, ENGR.		
	Mica TSEA		

After recording, return to:
Right of Way
Idaho Transportation Department
PO Box 7129
Boise ID 83707-1129

224615 1-3

Recorded at the request of
Northern Title

Project No. STP-1490(106)
Key No. 7750
Parcel No. 07, Parcel ID No. 0042169
7

3:00
a.m. DEC 22 2003 p.m.

V. ELLIOTT LARSEN, RECORDER
By Shauna Reddes Deputy
FRANKLIN COUNTY, IDAHO

WARRANTY DEED

THIS INDENTURE, Made this 9 day of December, 2003,
between KEN D. HOBBS and SHARON HOBBS, Husband and Wife, Grantor, and the
STATE OF IDAHO, IDAHO TRANSPORTATION DEPARTMENT, by and through the IDAHO
TRANSPORTATION BOARD, 3311 West State Street, Boise, Idaho 83703, Grantee.

WITNESSETH: That the Grantor, for value received, does, by these
presents, grant, bargain, sell and convey unto the Grantee, the following
described real property situated in the County of FRANKLIN, State of
Idaho, To-wit:

Parcel No. 07, Parcel ID No. 0042169, according to the Right
of Way Plat of Project No. STP-1490(106) filed for record in
the office of the County Recorder of FRANKLIN County, Idaho,
on the 4th day of August 19th, 2003 under Instrument No.
222806: Being a portion of the NW $\frac{1}{4}$ and the SW $\frac{1}{4}$ of
Section 20, Township 16 South, Range 40 East, Boise Meridian,
Idaho.

TOGETHER WITH all right of access belonging to the Grantor between the
herein above described parcel and the Right of Way of US 91, Project No.
STP-1490(106) Highway Survey.

The above described parcel contains approximately 39.14 acres.

Highway Station Reference from Station 33+40 to Station 39+94.

RECORD AT THE REQUEST OF THE STATE OF IDAHO
FEE EXEMPT - I.C.-67-2301

11/10/2003 9:02 AM

224615 13

Project No. STP-1490(100)

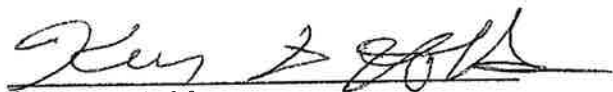
Key No. 7750

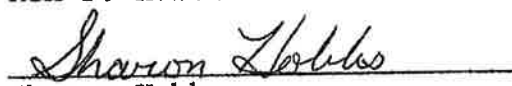
Parcel No. 08, Parcel ID No. 0042169

WARRANTY DEED

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, and Grantee's assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made suffered or done by the Grantee; and subject to reservations, restrictions, dedications, easements, right of way and agreements, (if any) of record, and general taxes and assessments, (includes irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that the grantor will warrant and defend the same from all lawful claims whatsoever.

IN WITNESS WHEREOF, Grantor has executed this Deed the day and year first above written.


Ken D. Hobbs


Sharon Hobbs

RECORD AT THE REQUEST OF THE STATE OF IDAHO
FEE EXEMPT - I.C.-67-2301

11/10/2003 9:02 AM

Project No. STP-1490(15)

Key No. 7750

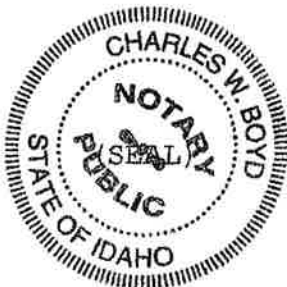
Parcel No. 007, Parcel ID No. 0042169

224 15 3-3

WARRANTY DEED

STATE OF Idaho)
County of Franklin) ss

On this 9 day of November, 2003, before me, the undersigned, a Notary Public in and for said State, personally appeared KEN D. HOBBS and SHARON HOBBS, Husband and Wife, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.



Charles W. Boyd
Notary Public for State of Idaho
Residing at Idaho Falls
My commission expires 10-20-2006

RECORD AT THE REQUEST OF THE STATE OF IDAHO
FEE EXEMPT - I.C.-67-2301

11/10/2003 9:02 AM

IDAHO TRANSPORTATION DEPARTMENT

Department Memorandum

DATE: FEBRUARY 15, 2008

Project No. (s): STP-1490(106)

TO: RYAN WALZ
DIST.5 R/W

Key No. (s): 7750

FROM: DENNIS C. WAGNER
HQ R/WProject Identification, County, Etc.:
US-91, UT STATE LINE TO PRESTON

RE: TRANSMITTAL OF RECORDED QUITCLAIM DEED

Parcel 07, Parcel ID No. 0042169.

Enclosed is a copy of the RECORDED QUITCLAIMDEED for your files.

This document was executed by the owner, Ken D. Hobbs and Sharon Hobbs, husband and wife to supplement the original recorded Warranty Deed, recorded as Instrument # 224615 on 12/22/03.

This Quitclaim Deed was executed at the request of the Franklin County Assessor to use a metes and bounds legal description to replace the Plat Filing legal description shown below:

"Parcel No. 7, Parcel ID No. 0042169, according to the Right of Way Plat of Project No. STP-1490(106) filed for record in the office of the County Recorder of FRANKLIN County, Idaho, on the 4th day of August, 2003 under Instrument No. 222806, being a portion of the SW $\frac{1}{4}$, the SE $\frac{1}{4}$, the NE $\frac{1}{4}$ and the NW $\frac{1}{4}$ of Section 20, Township 16 South, Range 40 East, Boise Meridian, Idaho.

TOGETHER WITH all right of access belonging to the Grantor between the herein above described parcel and the Right of Way of US 91, Project No. STP-1490(106) Highway Survey. The above described parcel contains approximately 39.14 acres."

The acreage and parcel configuration on the 12/22/03 WD did not match the acreage and parcel configuration held by the Assessors Office. And so, between the Title Co. and the offices of the Franklin County Government, and the affirmation of the Hobbs, they executed the QCD recorded as Instrument No. 240571 on February 11, 2008.

DCW

CC: PF

ITD 0000 District 5 Routing		
Copy	District 5	Ad
	Dist. Engr.	
	Rec. Inspect	
	Trans. Plan	
	E/S/T	
	Train Spec.	
	APE	
	R/W	
	Env. Plan I	
	Res. "A"	
	Res. "B"	
	Design	
	Proj. Mgrs.	
	Local Roads	
	Materials	
	Traffic	

RECEIVED
I.T.D.

FEB 21 2008

DIVISION OF HIGHWAYS
DISTRICT 5

240571 1-2

Recorded at the request of
Ken D Hobbs

____ a.m. FEB 11 2008 p.m. 3:33

V. ELLIOTT LARSEN, RECORDER
By Shauna Geddes Deputy
FRANKLIN COUNTY IDAHO

QUITCLAIM DEED

FOR VALUE RECEIVED

KEN D. HOBBS and SHARON HOBBS, husband and wife,

do hereby convey, release, remise and forever quit claim unto

**The STATE OF IDAHO, IDAHO TRANSPORTATION DEPARTMENT, by and through the IDAHO
TRANSPORTATION BOARD,**

whose current address is: **3311 West State Street, Boise, Idaho 83703**

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

SEE EXHIBIT "A" ATTACHED HERETO

DATED: 2/11/08

Ken D Hobbs
KEN D. HOBBS

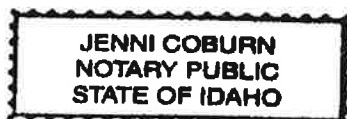
Sharon Hobbs
SHARON HOBBS

STATE OF IDAHO)

County of Franklin)

) ss.

On this 11th day of February, 2008, before, me the undersigned, a Notary Public in and for said State, personally appeared **KEN D. HOBBS and SHARON HOBBS**, known or identified to me to be the persons whose names are subscribed to the within Instrument and acknowledged to me that they executed the same.



Jenni Coburn
NOTARY PUBLIC for State of Idaho
Residing at: Preston, ID
Comm. Expires: 2/27/2012

240571

2.2

EXHIBIT "A"

Township 16 South, Range 40 East of the Boise Meridian, Franklin County, Idaho

Section 20: Commencing at a point which is 1540 feet North and 276 feet East and North 19°21' West 210 feet and North 46° West 88 feet from the South Quarter corner of Section 20, the TRUE POINT OF BEGINNING; thence North 16°31' West 1250 feet, more or less, to North side of Old Mill Race, running thence Northeasterly along Cub River to U.S. Highway 91; thence Southeasterly along said Highway 130 rods to old U.S. Highway right-of-way; thence West 54 rods, more or less, to the true point of beginning.

IDAHO TRANSPORTATION DEPARTMENT

Department Memorandum

DATE: JANUARY 9, 2004

Project No. (s): STP-1490(106)

TO: RYAN WALZ
DIST.5 R/W

Key No. (s): 7750

CC:

COPY

FROM: DENNIS C. WAGNER
HQ R/W

Project Identification, County, Etc.:
US-91, UT STATE LINE TO PRESTON

RE: TRANSMITTAL OF RECORDED WARRANTY DEED

Parcel 07, Parcel ID No. 0042169.

Enclosed is a copy of the RECORDED WARRANTY DEED for your files. Recorded as Instrument # 224615 on 12/22/03.

DCW

CC: PF

IDAHO TRANSPORTATION DEPARTMENT

Department Memorandum

DATE: DECEMBER 18, 2003

Project No. (s): STP-1490(106)

TO: RYAN WALZ
DIST.5 R/W

Key No. (s): 7750

CC:

FROM: DENNIS C. WAGNER
HQ R/W



Project Identification, County, Etc.:
US-91, UT STATE LINE TO PRESTON

RE: TRANSMITTAL OF RIGHT OF WAY CONTRACT

Parcel 07, Parcel ID # 0042169.

Attached are two copies of the EXECUTED RIGHT OF WAY CONTRACT for your files.

DCW

CC: PF

RIGHT OF WAY CONTRACT

Project No.: STP-1490(106)
Parcel No: 7
Parcel ID No: 0042169
Key No: 7750
County: FRANKLIN

THIS AGREEMENT, made this 9th day of December, 2003, between the STATE OF IDAHO, IDAHO TRANSPORTATION DEPARTMENT, by and through the IDAHO TRANSPORTATION BOARD, by its State Highway Administrator, or the authorized representative, herein called "State," and KEN D. HOBBS AND SHARON HOBBS, Husband and Wife, herein called "GRANTOR."

NOW THEREFORE, the parties hereto agree as follows:

1. State shall pay Grantor and the Lienholder(s), if any, such sums of monies as are set out below. Grantor agrees to pay all taxes and assessments due and owing, including those for year 2003; and Grantor shall execute and deliver to State a notarized instrument of conveyance corresponding to the interest being acquired.
2. This contract shall not be binding unless and until executed by the Chief Engineer or the authorized representative.
3. The parties have herein set out the whole of their agreement, the performance of which constitutes the entire consideration for the grant of said right of way and shall relieve the State of all future claims or obligations on that account or on account of the location, grade and construction of the proposed highway.
4. Grantor represents that to the best of their knowledge no hazardous materials have been stored or spilled on the subject property during their ownership or during previous ownerships at least insofar as they observed or have been informed. In the alternative, if the grantor has knowledge of storage or spill of hazardous materials on the subject property, that information is set out below. This sale is conditional upon full disclosure of any such information.
5. Grantor hereby grants the State or its contractor a Temporary Easement of ingress and egress for construction of any item requiring a Temporary Easement. Said Easement to terminate upon completion of construction.

6. Grantor agrees to give the State legal and physical possession of the property herein being purchased by the State on 1-31-2009, or upon grantors receipt of payment, whichever is later.

7. State will pay Grantor for right of way, improvements and control of access as follows:

39.14	acre(s) of land and control of access	\$117,425.00
0	acre(s) permanent easement	\$0.00
0	acre(s) temporary easement	\$0.00
	uneconomic remnant	\$0.00
	damages	\$0.00
	improvements:	<u>\$211,350.00</u>
	JUST COMPENSATION	\$328,775.00
	Aministrative Settlement	\$78,280.00
	Administrative Settlement for Well	\$72,500.00
	TOTAL CONSIDERATION	\$ 479,555.00

8. It is further agreed, that in consideration of the \$72,500 payment from the State to Grantor set forth above, Grantor agrees to release the State from any and all claims both present and future, which may arise as a result of the taking of Grantor's well on the property described in the Deed. Grantor understands and agrees that should the drilling of additional wells necessary to provide a sufficient source of water from the remaining property fail to produce an acceptable flow of water, that the Grantor shall have no claim against the State as a result thereof. The Grantor hereby accepts all responsibility for procuring an adequate source of water for the remaining property. Additionally, should the Grantor, his heirs, successors or assigns choose to pursue a claim against the State as a result of the taking of said well, the Grantor, his heirs, successors, or assigns to indemnify, defend and hold harmless the State and to pay all costs and fees expended by the State in defending such claim. *State agrees to allow Grantors use & access to said well for pumping use until 12-31-2015 or until new well is installed. Since*

IN WITNESS WHEREOF, the parties have executed this Agreement the day and year first above written.

Agree to use Grants if necessary to access permit and operate to pump up
Completions of said well
 IDAHO TRANSPORTATION DEPARTMENT
 Recommended for Approval

GRANTOR: KEN D. HOBBS AND SHARON
 HOBBS, Husband and Wife

By [Signature]
 District Engineer

By [Signature]
 Right of Way Agent

By [Signature]
 District Right-of-Way Supervisor

[Signature]

[Signature]

ITD-363

Approved for Chief Engineer

On Dec. 17 2003

By 
Right-of-Way Manager



IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

May 27, 2022

IDAHO TRANSPORTATION DEPARTMENT
5151 S 5TH AVE
POCATELLO ID 83204-2202

Re: Change in Water Right Ownership: 13-7935 (Split into 13-7935 and 13-8098),

Dear Water Right Holder(s):

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

Your portion of each water right(s) has a specified point of diversion, nature of use and place of use. If you plan to change the authorized point of diversion, nature of use, or place of use, including adding a new point of diversion, you must file an Application for Transfer of Water Right. If you do not plan to change any elements of your water right, then no further action is required at this time.

The portion of the water right retained by the original right holder retains the original water right number. The Department is sending the original right holder a copy of this letter and a computer-generated report showing the changes to the original water right.

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) 497-3787.

Sincerely,

Jonie Barg
Technical Records Specialist 1

Enclosure(s)

cc: KEN HOBBS

Barg, Jonie

From: Barg, Jonie
Sent: Friday, February 11, 2022 10:54 AM
To: IdwrPayable
Cc: alissa.almore@itd.idaho.gov
Subject: request for interagency billing
Attachments: ITD 13-7935 change in water right form.pdf; 7750 - US-91 UT STATE LINE TO PRESTON - Parcel 7 - Hobbs - RoW Contract.pdf; 7750 P07.Hobbs.Warranty Deed.12-22-2003.pdf; 7750 P07.Hobbs.QUITCLAIM #240571.02-11-2008.pdf

Good morning!!

I have an Interagency Billing request as follows:

Who: Idaho Transportation Department
PCA Code:63124 (Ownership Change)
Amount: \$100.00
Reason: Split Ownership Change filed by ITD for water right number 13-7935 (Application attached)

Let me know if you need additional information.

Thank you so much for your time. Let me know if you have any questions.

Have a great day!!!

From: Alissa Salmore <Alissa.Salmore@itd.idaho.gov>
Sent: Friday, February 11, 2022 9:45 AM
To: Barg, Jonie <Jonie.Barg@idwr.idaho.gov>
Cc: Wendy Seckel <Wendy.Seckel@itd.idaho.gov>
Subject: ITD change in water right ownership form - filing and request for interagency billing

Hi Jonie:

Thank you for your help today on this.

Attached to this email is a Notice of Change in Water Right Ownership form that ITD District 5 is filing with IDWR for water right #13-7935 (Franklin Co). Also attached are the documents (purchase contract and deeds) verifying the acquisition of the property from Mr. Hobbs by ITD.

Please commence the interagency billing process so that we can get the fee paid which will enable IDWR to file the change in ownership. The billing can be sent to Wendy Seckel (2080 239-3324) at D5AP@itd.idaho.gov.

Please let me know if I can provide any additional information.

Thank you,

Alissa Salmore, PLA
Environmental Planner

Idaho Transportation Department, District 5
5151 S. 5th Avenue
Pocatello, Idaho 83204
Ph 208-239-3312
(pronouns: *she/her*)

Barg, Jonie

From: Alissa Salmore <Alissa.Salmore@itd.idaho.gov>
Sent: Friday, February 11, 2022 9:45 AM
To: Barg, Jonie
Cc: Wendy Seckel
Subject: ITD change in water right ownership form - filing and request for interagency billing
Attachments: ITD 13-7935 change in water right form.pdf; 7750 - US-91 UT STATE LINE TO PRESTON
- Parcel 7 - Hobbs - RoW Contract.pdf; 7750 P07.Hobbs.Warranty Deed.12-22-2003.pdf;
7750 P07.Hobbs.QUITCLAIM #240571.02-11-2008.pdf

Hi Jonie:

Thank you for your help today on this.

Attached to this email is a Notice of Change in Water Right Ownership form that ITD District 5 is filing with IDWR for water right #13-7935 (Franklin Co). Also attached are the documents (purchase contract and deeds) verifying the acquisition of the property from Mr. Hobbs by ITD.

Please commence the interagency billing process so that we can get the fee paid which will enable IDWR to file the change in ownership. The billing can be sent to Wendy Seckel (2080 239-3324) at **D5AP@itd.idaho.gov**.

Please let me know if I can provide any additional information.

Thank you,

Alissa Salmore, PLA
Environmental Planner
Idaho Transportation Department, District 5
5151 S. 5th Avenue
Pocatello, Idaho 83204
Ph 208-239-3312
(pronouns: *she/her*)