

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JAN 27 2022

Notice of Change in Water Right Ownership

WATER RESOURCES
WESTERN 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 #6 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
63-8252	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: JOHN M WARD
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): RICHARD THOMAS CABANA MINDY JO CABANA
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or ☐ and/or
- 1936 N ANNADALE WY EAGLE ID 83616
Mailing address City State ZIP
- 916-257-2560 rt-cabana@yahoo.com
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: 10/15/2021
6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed IRS Form W-9 for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed Lessor Designation form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).
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.
8. Signature: [Signature] Title, if applicable _____ Date 1/20/2022
 Signature: Mindy Cabana Title, if applicable _____ Date 1/20/2022
 Signature of new owner/claimant

For IDWR Office Use Only:

Received by LE Date 01/27/2022 Receipt No. W050082 Receipt Amt. \$25.00
 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 LE Processed by LE Date 04/21/2022



AFTER RECORDING MAIL TO:

Richard Thomas Cabana and Mindy Jo Cabana
1936 N Annadale Way
Eagle, ID 83616

ADA COUNTY RECORDER Phil McGrane
BOISE IDAHO Pgs=2 CHE FOWLER
FIRST AMERICAN TITLE INSURANCE COMPANY

2021-151461
10/19/2021 01:20 PM
\$15.00

WARRANTY DEED

File No.: 4103-3805718 (MB)

Date: August 31, 2021

For Value Received, **John Ward, an unmarried man**, hereinafter referred to as Grantor, does hereby grant, bargain, sell and convey unto **Richard Thomas Cabana and Mindy Jo Cabana, husband and wife**, hereinafter referred to as Grantee, whose current address is **1936 N Annadale Way, Eagle, ID 83616**, the following described premises, situated in **Ada County, Idaho**, to wit:

LEGAL DESCRIPTION: Real property in the County of Ada, State of Idaho, described as follows:

A tract of land in the West Half of the Northeast Quarter of Section 17, Township 5 North, Range 1 West, Boise Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at the East Quarter corner of Section 17, Township 5 North, Range 1 West, Boise Meridian; thence North 89°43'49" West along the mid-section line of said Section 17, 1980.48 feet to the REAL POINT OF BEGINNING; thence North 0°14'54" East 330.25 feet to a point; thence South 89°45'06" East 660.01 feet to a point; thence South 0°13'20" West 330.50 feet to a point on the mid-section line of said Section 17; thence North 89°43'49" West along said mid-section line, 660.16 feet to the REAL POINT OF BEGINNING.

EXCEPT any mobile home(s) located thereon.

APN: R3432320100

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

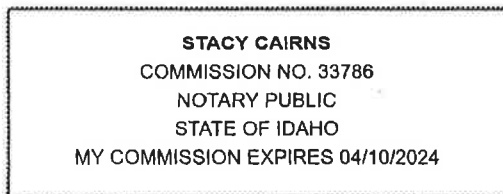
John Ward

John Ward

STATE OF Idaho)
COUNTY OF Ada)
SS.

On this 15 day October, **2021**, before me, a Notary Public in and for said State, personally appeared **John Ward**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they 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.



Stacy Cairns

Notary Public for the State of Idaho
Residing at: Meridian Idaho
My Commission Expires: 04/10/2024
33786

This notarial act involved the use of communication technology

Notarized online using audio-video communication



IDAHO DEPARTMENT OF
WATER RESOURCES

Western Region • 2735 W Airport Way • Boise, ID 83705-5082

Phone: 208-334-2190 • Fax: 208-334-2348 • Email: westerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

April 21, 2022

RICHARD T CABANA
MINDY J CABANA
1936 N ANNADALE WAY
EAGLE ID 83616-7801

Re: Change in Ownership for Water Right No(s): 63-8252

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) 334-2190.

Sincerely,

Lynne Evans
Office Specialist II

Enclosure(s)

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

4/21/2022

Water Right 63-8252

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	RICHARD T CABANA 1936 N ANNADALE WAY EAGLE, ID 83616-7801 (916) 257-2560
Current Owner	MINDY J CABANA 1936 N ANNADALE WAY EAGLE, ID 83616-7801 (916) 257-2560
Original Owner	ELMER K WARD PEARL RT CHAPARRAL RD EAGLE, ID 83616
Previous Owner	LANETA WARD 10150 CHAPARRAL RD EAGLE, ID 83616 (208) 286-7623
Previous Owner	JOHN M WARD 10150 CHAPARRAL RD EAGLE, ID 83616 (208) 286-7623

Priority Date: 1/12/1976

Basis: Decreed

Status: Active

Source

GROUND WATER

Tributary

Beneficial Use

	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	11/01	0.100 CFS	22.5 AF
DOMESTIC	01/01	12/31	0.040 CFS	1.2 AF
	<u>Total Diversion</u>		0.140 CFS	23.7 AF

Source and Point(s) of Diversion:

GROUND WATER SWNE Sec. 17, Twp 05N, Rge 01W, ADA County

Place Of Use:

IRRIGATION within ADA County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	01W	17			5.0														5.0

POU Total Acres: 5.0

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

4/21/2022

DOMESTIC Same as IRRIGATION

Conditions of Approval:

1. S39 THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER NOVEMBER 1 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.
2. 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.
3. J01 PROPERTY IS ALSO KNOWN AS LOT 2, D.L. HANLEY TRACTS.
4. PARCEL NO: R3432320100.
5. WB5 Domestic use is for 1 home and does not include lawn, garden, landscape, or other types of irrigation.

Dates and Other Information:

Decreed Date: 2/16/2007
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: AND
Water District Number: TBD
Mitigation Plan: False

Combined Use Limits:

N/A

SubCase:

N/A

Water Supply Bank:

N/A