

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

DEC 06 2021

DEPT OF WATER RESOURCES
SOUTHERN REGION

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.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
37-7562	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: W Cloyd Mecham, Milow W Mecham, Richard A Mecham

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Richard A Mecham

New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or

120 Littlwood River Road

Carey

ID

83320

Mailing address

City

State

Zip

208-721-1837

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: 12-11-2018
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.

8. Signature: Richard A. Mecham owner 12-6-21
- Signature of new owner/claimant Title, if applicable Date
- Richard A Mecham
- Print name

Signature: _____

Signature of new owner/claimant Title, if applicable Date

Print name

Received by SG Date 12/6/21 For IDWR Office Use Only: Receipt No. 5038975 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 _____ Processed by JB Date 12-30-2021

— RETURNED —

TRANSFER OF WATER RIGHT

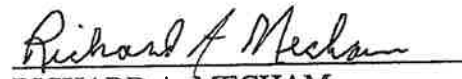
WHEREAS, Rick Mecham and Milo Mecham entered into a previous agreement, which settled a number of disputes, including the dispute of ownership of the well and the water rights from a well which is identified as water right 37-7562 in Blaine County;

WHEREAS, the parties desire to clarify for the Idaho Department of Water Resources for the ownership of that water right; and,

NOW, THEREFORE, the parties agree as follows:

Milo W. Mecham, P.O. Box 201 Carey, Idaho, hereby transfers all right and interest he has in water right 37-7562 for Township 1 South, Range 21 East, Section 7, NW 3.8, SW 24.2, SE 34.4, for the total of approximately 62.4 acres, all of which is described in water right 37-7562 to Richard A. Mecham. Richard A. Mecham shall have all water rights under 37-7562.


MILO W. MECHAM


RICHARD A. MECHAM

Instrument # 684900

HAILEY, BLAINE, IDAHO
7-28-2021 12:03:00 PM No. of Pages: 2
Recorded for : RICHARD A MECHAM
JOLYNN DRAGE Fee: 13.00
Ex-Officio Recorder Deputy
Index to: MISCELLANEOUS DOCUMENTS

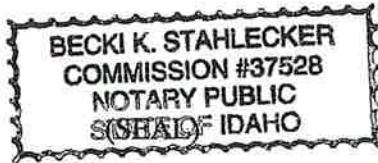
JB

STATE OF IDAHO)

County of Twin Falls : SS

On this 13th day of July, 2021, before me the undersigned Notary Public, in and for the said county, personally appeared MILO W. MECHAM, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

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



Becki K Stahlecker
NOTARY PUBLIC FOR IDAHO
Residing at ~~Pocatello~~ Twin Falls, ID
My commission expires: 1-16-2024

STATE OF IDAHO)

County of Blaine : SS

On this 27th day of July, 2021, before me the undersigned Notary Public, in and for the said county, personally appeared RICK A. MECHAM, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

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



Gwenna Prescott
NOTARY PUBLIC FOR IDAHO
Residing at ~~Pocatello~~ Carey, ID
My commission expires: 7-6-2027

Instrument # 657440

HAILEY, BLAINE, IDAHO
12-31-2018 12:30:52 PM No. of Pages: 5
Recorded for: COLEMAN, RITCHIE & JACOBSON
JOLYNN DRAGE Fee: \$15.00
Ex-Officio Recorder Deputy: BH
Electronically Recorded by Simplifile

GRANT DEED

THIS INDENTURE, made this 11th day of December, 2018, by and between MILO WALLACE MECHAM, Grantor, and RICHARD ALLEN MECHAM, Grantee, whose address is 20458 North Main Street, Carey, Idaho 83320.

WITNESSETH:

The Grantor for good and valuable consideration does by these presents, grant, bargain, sell and convey unto the Grantee the following described real property, to-wit:

See attached Exhibit "A."

TOGETHER WITH an easement for a well described on Exhibit "B."

AND TOGETHER WITH an easement for a pressure irrigation pipeline described on Exhibit "C."

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by the parties above.

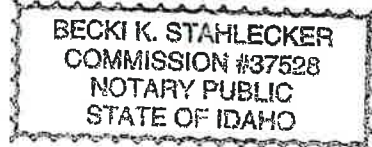
IN WITNESS WHEREOF, the Grantor has caused these presents to be executed by him the day and year first above written.


MILO WALLACE MECHAM

)

On this 11th day of December, 2018, before me, a Notary Public in and for said County and State, personally appeared MILO WALLACE MECHAM, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he 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.



Becki K. Stahlacker
NOTARY PUBLIC
Residing at Filer, ID
My Commission Expires 1-28-2020

December 5, 2018

PROPERTY DESCRIPTION
FOR
PARCEL 1

This description is for Parcel 1 shown on record of survey # 654952 which is a parcel of land located in the S1/2 of the NE1/4 of Section 7 and the SW1/4 of the NW1/4 of Section 8 Township 1 South Range 21 East Boise Meridian Blaine County, Idaho and more particularly described as follows:

Beginning at the east one quarter corner of the Section 7, thence along the mid-section line, S88°58'14"W a distance of 1325.83 feet to the center of section corner of said Section 7;

Thence S88°56'47"W a distance of 1326.54 feet to the center of section 7;

Thence N0°27'12"W a distance of 1326.70 feet to the northwest corner of the S1/2NE1/4;

Thence along the north line of the S1/2NE1/4, N88°57'25"E a distance of 2653.02 feet to the northeast corner of the S1/2NE1/4;

Thence along the north line of the SW1/4NW1/4 Section 8, N89°23'18"E a distance of 1330.03 feet to the north east corner of the SW1/4NW1/4;

Thence continuing along said north line, N89°23'18"E a distance of 47.23 feet;

Thence along a fence line, S2°09'57"W a distance of 828.27 feet;

Thence continuing along the fence line, S23°37'07"E for a distance of 61.41 feet;

Thence along the fence line, S1°26'14"W a distance of 87.71 feet;

Thence along the fence line, N89°07'34"W a distance of 128.23 feet;

Thence along the fence line, S3°21'57"W a distance of 211.66 feet;

Thence along the fence line to the northeast corner of parcel described in Instruments 540009 and 581417 records of Blaine County, S89°23'34"W a distance of 13.50 feet;

Thence along the north line of Instruments 540009 and 581417, S89°23'34"W a distance of 147.58 feet to the northwest line of said parcel;

Thence along the west line of said parcel, S0°36'26"W a distance of 147.58 feet to the mid-section line of Section 7;

Thence along said mid-section line, S89°23'34"W a distance of 1055.22 feet and back to the point of beginning.

Said parcel contains some 120.50 acres, more or less.



EXHIBIT "A"

DAVID A. COLEMAN
Coleman, Ritchie & Robertson
Attorneys at Law
156 2nd Avenue West
P. O. Box 525
Twin Falls, ID 83303-0525
Fax No: (208) 734-3983
Telephone: (208) 734-1224
Idaho State Bar No: 850

Instrument # 481417
HAILEY, BLAINE, IDAHO
2003-04-03 01:26:00 No. of Pages: 2
Recorded for : COLEMAN, RITCHIE & ROBERTSON
MARSHA RIEMANN Fee: 6.00
Ex-Officio Recorder Deputy
Index to: PERM REPPERS REP AMENDED DEED

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

* * * * *

In the Matter of the Estate of,

WALLACE CLOYD MECHAM
Deceased.

Case No. SP-02-2928

PERSONAL REPRESENTATIVE'S
DEED

FOR GOOD AND VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, KENNETH C. MECHAM, PERSONAL REPRESENTATIVE OF THE ESTATE OF WALLACE CLOYD MECHAM, deceased, as Grantor, does hereby GRANT, SELL and CONVEY to MILO WALLACE MECHAM and RICHARD ALLEN MECHAM, whose addresses are P.O. Box 201, Carey, Idaho 83320 and 20458 North Main, Carey, Idaho 83320, respectively, all right, title, interest and estate of the decedent at the time of his death, and all right, title and interest that the estate may have subsequently acquired by operation of law or otherwise, in and to the real property situated in the County of Blaine, State of Idaho, described as follows:

PERSONAL REPRESENTATIVE'S DEED - 1

DATED this 29th day of March, 2003.

Bitzenburg, James

From: Bitzenburg, James
Sent: Thursday, December 30, 2021 9:33 AM
To: IdwrPayable
Subject: Request for Refund

IDWR Payable-

On December 6, 2021, the Department received a *Notice of Change in Water Right Ownership* from Richard A Mecham. The Notice was accompanied with a \$25.00 fee. After review, it was determined that the documentation submitted was insufficient to convey the water right, so we are returning the Notice. Could you issue a refund for the \$25.00 fee? The fee was paid by Mecham Ranches, LLC; Richard A. Mecham. The address is:

**RICHARD A MECHAM
120 LITTLE WOOD RESERVOIR RD
CAREY ID 83320**

He paid for the notice with check #4365, and the IDWR receipt number is S038975. Thank you and let me know if you need any more information.

Jim

**Jim Bitzenburg
Senior Water Resource Agent
Idaho Department of Water Resources
Southern Regional Office
Phone (208)-293-9909
james.bitzenburg@idwr.idaho.gov**



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 29, 2021

RICHARD A MECHAM
120 LITTLE WOOD RESERVOIR RD
CAREY ID 83320

Re: Change of Ownership for Right 37-7562

Dear Water Right Holder(s):

The change in ownership for water right 37-7562, which was listed on the Notice of Change in Water Right Ownership (Notice) received in our office on December 6, 2021, cannot be processed because none of the conveyance documents submitted convey all of the place of use (POU) of right 37-7562, and none of the documents sufficiently convey the right from the owners of record (W. Cloyd Mecham, Milo Mecham, and Richard A. Mecham) to Richard A. Mecham.

I have enclosed a water right report for right 37-7562, which contains a land list of the quarter-quarters to which the right is appurtenant, and a map showing the place of use for right 37-7562 for your reference.

The document titled "Transfer of Water Right" appears to only describe lands in Section 7, and you will notice from the water right report, the right covers land in both Section 7 and 8.

The Grant Deed only describes property in the SWNE and SENE of Section 7 and the SWNW of Section 8 and the Personal Representative's Deed describes land in the SWNE and SWNE of Section 7 and the SWNW, SENW, NESW, and SESW of Section 8. None of the documents seem to describe the entire POU of the right.

It is also apparent that the portion (3.8 acres) of the POU shown in the NWNE of Section 7 is appurtenant to land owned by 4D Livestock, LLC. If all of the other lands described in the water right POU could be conveyed and this portion could not be conveyed, it would require a split of the right, and a fee of \$100.00 for the split and change in ownership.

Another issue preventing conveyance of the right is that with deeds such as grant deeds, quitclaim deeds, and the "Transfer of Water Right" document, the conveyance needs to be from the last know recorded owner of the water right (in IDWR records), and, in this case, that would be W. Cloyd Mecham, Milo W. Mecham, and Richard A. Mecham. A possible solution would be to have a Quitclaim Deed from those three people (in W. Cloyd Mecham's situation, his personal representative), quitclaim the entirety of water right 37-7562 to Richard A. Mecham, with no mention of property. This would avoid problems with the POU of the right being appurtenant to the 4D Livestock property.

Because the Notice cannot be processed, we are returning the Notice and accompanying documents and I will initiate a refund of the fee to you from our State office.

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,

A handwritten signature in black ink, appearing to read "Jim Bitzenburg", with a stylized flourish at the end.

Jim Bitzenburg
Senior Water Resource Agent

Enclosure(s)