

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

FEB 03 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?
37-08379	Yes ☒	Yes ☐		Yes ☐	Yes ☐
<i>split</i> 37-23373	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Charmianne LeaVell (also known as Charmainne LeaVell) and The Estate of Alonzo LeaVell (also known as Lonnie LeaVell)

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Shaun Gough

New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or

1834 East 1740 South

Gooding

ID

83330

Mailing address

City

State

Zip

208-934-4421

sheriff8100@gmail.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: 1/31/2022
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.

8. Signature: Shaun Gough

Signature of new owner/claimant

Shaun Gough

Print name

Title, if applicable

Date

SUPPORT DATA

IN FILE # 37-8379

Signature: _____

Signature of new owner/claimant

Print name

Title, if applicable

Date

Received by: SG Date: 2/3/22

For IDWR Office Use Only: Receipt No. 5039068

Receipt Amt. \$100.00

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 2-15-2022

Recording Requested By and
When Recorded Return to:

Shaun Gough
1834 East 1740 South
Gooding, Idaho 83330

Instrument # 276375

GOODING COUNTY, GOODING, IDAHO
01-31-2022 15:26:34 No. of Pages: 5
Recorded for: FIRST AMERICAN TITLE - JEROME
DENISE GILL Fee: \$15.00
Ex-Officio Recorder Deputy: JG
Electronically Recorded by Simplifile

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

SPECIAL WARRANTY DEED

This Special Warranty Deed is executed this 31 day of January, 2022, by THE ESTATE OF ALONZO LEAVELL (also known as Alonzo B. LeaVell), Deceased, acting by and through Charmianne LeaVell, Personal Representative of the Estate of Alonzo LeaVell (also known as Alonzo B. LeaVell), Deceased, and Charmianne LeaVell, a widow, hereinafter collectively referred to as "**Grantor**."

Grantor is the qualified Personal Representative of The Estate of Alonzo LeaVell (also known as Alonzo B. LeaVell, Deceased, filed as Case No. CV24-21-00731 in the District Court for the Fifth Judicial District of the State of Idaho, in and for the County of Gooding, and the widow of Alonzo LeaVell (also known as Alonzo B. LeaVell) and the owner of an undivided fifty percent (50%) of the below described Premises.

Pursuant to the powers vested in the Grantor under the Uniform Probate Code, particularly Idaho Code Section 15-3-715, Grantor, as the Personal Representative, does by these presents sell, transfer and convey unto Shaun Gough, an unmarried man, hereinafter referred to as "**Grantee**," whose mailing address is 1834 East 1740 South, Gooding, Idaho 83330, all right, title and interest in and to the following described parcel of land situate, lying and being in the County of Gooding, State of Idaho, to wit:

**Described on Exhibit A attached hereto and incorporated herein
by reference ("Premises").**

To have and to hold the same, together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, including, specifically, 1.5 acres water for irrigation under State of Idaho Water Right Number 37-8379.

Grantor hereby covenants with Grantee that said Premises are free from all encumbrances made by it and that it will warrant and defend said Premises against the lawful claims of all persons claiming by, through or under it; **subject, however**, to all easements or other matters of record or that would appear from a survey or careful examination of the Premises.

THE PREMISES ARE SOLD AND CONVEYED TO GRANTEE AS IS, WHERE IS, AND WITH ALL FAULTS AND CONDITIONS THEREON, INCLUDING BOTH LATENT AND PATENT DEFECTS. OTHER THAN AS EXPRESSLY SET FORTH HEREIN, NO WARRANTIES, EXPRESS OR IMPLIED, ARE MADE BY GRANTOR CONCERNING THE PREMISES. GRANTEE, BY ACCEPTING THIS DEED, RELEASES GRANTOR FROM ANY AND ALL LIABILITY RELATING TO ANY ASPECT OR CONDITION OF THE PREMISES, KNOWN OR UNKNOWN, FORESEEABLE OR UNFORESEEABLE, ACTUAL OR CONTINGENT, ARISING BY STATUTE, COMMON LAW OR OTHERWISE, SAVE AND EXCEPT ONLY THE COVENANTS MADE HEREINABOVE.

TO HAVE AND TO HOLD all and singular the said Premises, together with the appurtenances, unto Grantee, and to his heirs, successors and assigns forever.

IN WITNESS WHEREOF, this Special Warranty Deed has been duly executed by and on behalf of Grantor this 31 day of January, 2022.

GRANTOR:

THE ESTATE OF ALONZO LEAVELL
(also known as Alonzo B. LeaVell,
Deceased)

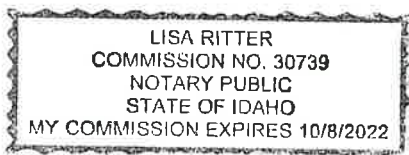
By: Charmianne LeaVell
Charmianne LeaVell
Personal Representative of the Estate of
Alonzo LeaVell (also known as
Alonzo B. LeaVell, Deceased)

Charmianne LeaVell
Charmianne LeaVell

STATE OF IDAHO)
) ss.
County of Gooding)

On this 31 day of January, 2022, before me, the undersigned notary, personally appeared Charmianne LeaVell and acknowledged to me that she executed the within instrument as Personal Representative of the Estate of Alonzo LeaVell (also known as Alonzo B. LeaVell), Deceased.

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





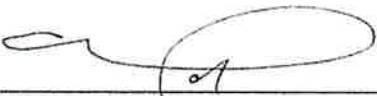
Notary Public for Idaho
Residing at Gooding, ID
My commission expires 10/8/2022

STATE OF IDAHO)
) ss.
County of Gooding)

On this 31 day of January, 2022, before me, the undersigned notary, personally appeared Charmianne LeaVell and acknowledged to me that she executed the within instrument.

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





Notary Public for Idaho
Residing at Gooding, ID
My commission expires 10/8/2022

Date: January 28, 2022

File No.: 1015399GO (lr)

EXHIBIT 'A'

LEGAL DESCRIPTION:

PARCEL NO. 1:

**TOWNSHIP 5 SOUTH, RANGE 15 EAST OF THE BOISE
MERIDIAN, GOODING COUNTY, IDAHO**

**Section 31: A parcel of land located in the Southeast Quarter of
the Northwest Quarter, more particularly described as follows:**

Commencing at the Center Quarter corner of said Section 31
which point is the Southeast corner of said SE $\frac{1}{4}$ NW $\frac{1}{4}$ and
which is monumented by 5/8" rebar CPF# 127668, from which
the West Quarter corner of said Section 31 bears North
89°35'10" West, 2631.65 feet;
Thence North 00°14'51" East along the East boundary of said
SE $\frac{1}{4}$ NW $\frac{1}{4}$, for a distance of 70.00 feet (70.55 feet, record);
Thence South 87°13'25" West for a distance of 15.93 feet,
(North 89°38'11" West for a distance of 15.99 feet, record);
Thence North 02°58'08" West for a distance of 360.72 feet,
(339.25 feet, record);
Thence along the arc of a curve to the left having a radius of
20.00 feet through a central angle of 86°43'12" for a distance of
30.27 feet, whose long chord bears North 46°19'44" West 27.46
feet;
Thence North 89°41'20" West for a distance of 657.57 feet,
(663.04 feet, record);
Thence North 00°05'23" East for a distance of 50.20 feet to the
POINT OF BEGINNING;
Thence North 89°54'37" West for a distance of 149.33 feet;
Thence North 20°51'06" West for a distance of 362.39 feet
(361.97 feet, record) to the South bank of the Big Wood River;
Thence North 67°01'29" East along said South bank for a
distance of 363.38 feet, (North 67°02'10" East along said South
bank for a distance of 363.15 feet, record);
Thence South 03°43'02" West for a distance of 481.78 feet,
(481.23 feet, record);
Thence North 89°54'37" West for a distance of 25.00 feet to the
POINT OF BEGINNING.

(The above parcel is one and the same parcel identified as Lot-2
on Amended Record of Survey for Lonnie Leavell, recorded
August 13, 2009 as Instrument No. 231624 in the records of
Gooding County, Idaho)

PARCEL NO. 2:

An easement to be amended for the purpose of ingress, egress and utilities being on, under and across the following described parcel:

Commencing at the Center Quarter corner of said Section 31 which point is the Southeast corner of said SE $\frac{1}{4}$ NW $\frac{1}{4}$ and which is monumented by 5/8" rebar CPF# 127668, from which the West Quarter corner of said Section 31 bears North 89°35'10" West, 2631.65 feet;
Thence North 00°14'51" East along the East boundary of said SE $\frac{1}{4}$ NW $\frac{1}{4}$ for a distance of 70.55 feet to the POINT OF BEGINNING;
Thence North 89°35'33" West for a distance of 15.99 feet;
Thence North 02°58'08" West for a distance of 339.25 feet;
Thence along the arc of a curve to the left having a radius of 20.00 feet through a central angle of 86°43'12" for a distance of 30.27 feet, and whose long chord bears North 46°19'44" West 27.46 feet;
Thence North 89°41'20" West for a distance of 663.04 feet;
Thence North 00°05'23" East for a distance of 50.20 feet;
Thence South 89°54'37" East for a distance of 25.00 feet;
Thence North 03°43'02" East for a distance of 9.73 feet;
Thence South 89°41'20" East for a distance of 695.43 feet;
Thence South 00°15'29" West for a distance of 27.58 feet;
Thence South 89°35'33" East for a distance of 19.33 feet;
Thence South 02°58'08" East for a distance of 390.68 feet;
Thence North 89°35'33" West for a distance of 44.11 feet to the POINT OF BEGINNING.

Exhibit "A"

Real property in the County of Gooding, State of Idaho, described as follows:

PARCEL NO. 1:

TOWNSHIP 5 SOUTH. RANGE 15 EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO
Section 31: A parcel of land located in the Southeast Quarter of the Northwest Quarter, more particularly described as follows:

Commencing at the Center Quarter corner of said Section 31 which point is the Southeast corner of said SE $\frac{1}{4}$ NW $\frac{1}{4}$ and which is monumented by 5/8" rebar CPF# 127668, from which the West Quarter corner of said Section 31 bears North 89°35'10" West, 2631.65 feet;
Thence North 00°14'51" East along the East boundary of said SE $\frac{1}{4}$ NW $\frac{1}{4}$, for a distance of 70.00 feet (70.55 feet, record);
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Thence North 02°58'08" West for a distance of 360.72 feet, (339.25 feet, record);
Thence along the arc of a curve to the left having a radius of 20.00 feet through a central angle of 86°43'12" for a distance of 30.27 feet, whose long chord bears North 46°19'44" West 27.46 feet;
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Thence North 00°05'23" East for a distance of 50.20 feet to the POINT OF BEGINNING;
Thence North 89°54'37" West for a distance of 149.33 feet;
Thence North 20°51'06" West for a distance of 362.39 feet (361.97 feet, record) to the South bank of the Big Wood River;
Thence North 67°01'29" East along said South bank for a distance of 363.38 feet, (North 67°02'10" East along said South bank for a distance of 363.15 feet, record);
Thence South 03°43'02" West for a distance of 481.78 feet, (481.23 feet, record);
Thence North 89°54'37" West for a distance of 25.00 feet to the POINT OF BEGINNING.

(The above parcel is one and the same parcel identified as Lot-2 on Amended Record of Survey for Lonnie Leavell, recorded August 13, 2009 as Instrument No. 231624 in the records of Gooding County, Idaho)

PARCEL NO. 2:

An easement to be amended for the purpose of ingress, egress and utilities being on, under and across the following described parcel:

Commencing at the Center Quarter corner of said Section 31 which point is the Southeast corner of said SE $\frac{1}{4}$ NW $\frac{1}{4}$ and which is monumented by 5/8" rebar CPF# 127668, from which the West Quarter corner of said Section 31 bears North 89°35'10" West, 2631.65 feet;
Thence North 00°14'51" East along the East boundary of said SE $\frac{1}{4}$ NW $\frac{1}{4}$ for a distance of 70.55 feet to the POINT OF BEGINNING;
Thence North 89°35'33" West for a distance of 15.99 feet;
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Thence South 89°54'37" East for a distance of 25.00 feet;
Thence North 03°43'02" East for a distance of 9.73 feet;
Thence South 89°41'20" East for a distance of 695.43 feet;
Thence South 00°15'29" West for a distance of 27.58 feet;

Thence South 89°35'33" East for a distance of 19.33 feet;
Thence South 02°58'08" East for a distance of 390.68 feet;

Thence North 89°35'33" West for a distance of 44.11 feet to the POINT OF BEGINNING.

A black and white photograph of a tree trunk showing concentric growth rings. The text "NWNW 1" is printed in the center of the image.

NENW

31

SWNW 2

0 100 200 300 400 500 600 700 800 900 1000

31

SWNW 2

0 100 200 300 400 500 600 700 800 900 1000

36-8379 Domestic and Irrigation
Place of use

SENW

36-8379 Domestic and Irrigation
Place of use

SENW

SWNE

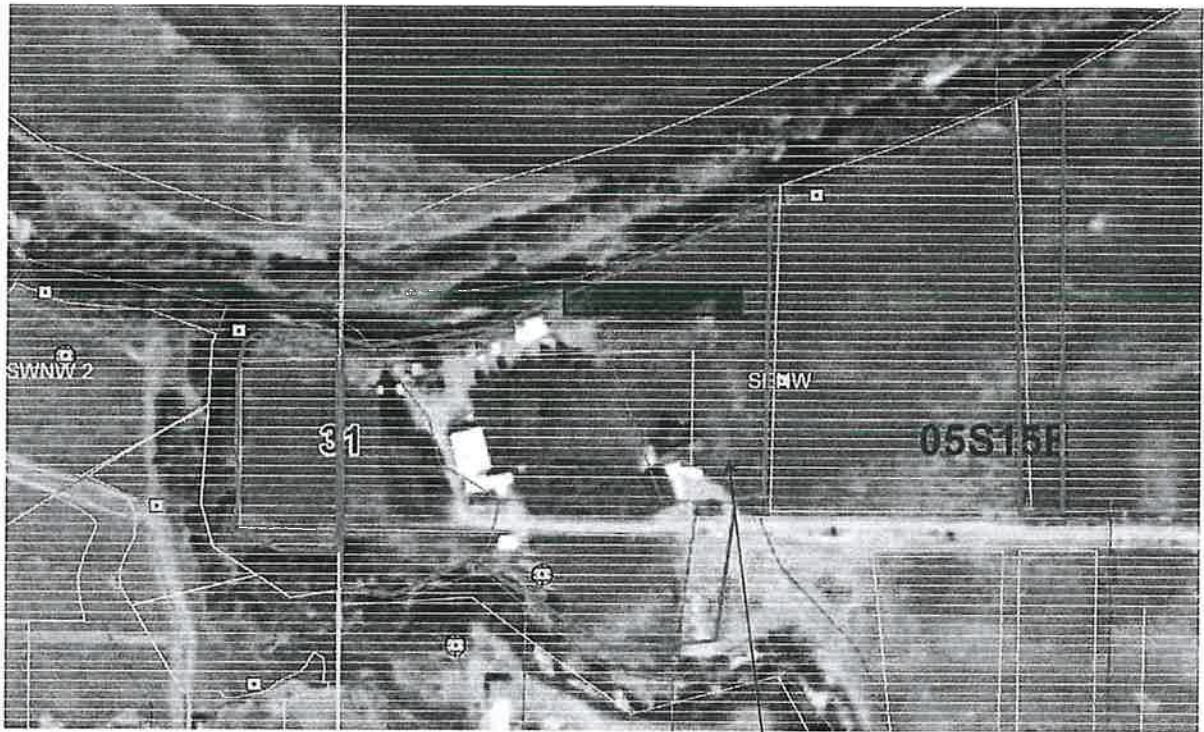
An aerial photograph showing a large, rectangular, dark-colored industrial or commercial building complex. The building is surrounded by a network of roads and parking areas. The label 'NWSW 3' is overlaid on the image.

An aerial photograph showing a large, rectangular field divided into a grid of smaller sections. The field is surrounded by a dark, wooded area. The text "NESW" is printed in the center of the image. At the bottom, there is a caption: "The USDA-FSA Aerial Photography Field office a products."

NWSE

...sks to be credited in derived

Attachment to Notice of Change in Water Right Ownership



Assessor's Parcel No.
RP05S15E314501A



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

February 15, 2022

SHAUN GOUGH
1834 E 1740 S
GOODING ID 83330-4904

Re: Change in Water Right Ownership: 37-8379 (Split into 37-8379 and 37-23373)

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) 293-9909.

Sincerely,

Jim Bitzenburg
Senior Water Resource Agent

Enclosure(s)

CC: WD-130; First American Title, Gooding- 1015399GO; Lonnie and Charmaine Leavell



First American Title Company
301 Main Street, Gooding, ID 83330
Phone (208)934-4427 Fax (208)934-4741

RECEIVED

FEB 03 2022

DEPT OF WATER RESOURCES
SOUTHERN REGION

IDWR
650 Addison Avenue West, Ste 500
Twin Falls, ID 83301

January 31, 2022
File No.: 1015399GO (Ir)

Attn: Transfers
Phone: Fax:

Property: **1834 East 1740 South, Gooding, ID 83330**

Parcel No.: **RP05S15E314501**

Legal Description of Property in question:

The land referred to herein is described in the Legal Description attached hereto as Exhibit A.

Prior vested owner of property: **Charmianne LeaVell as General Personal Representative of the Estate of Alonzo Leavell, also shown of record as Alonzo B. Leavell, deceased and Charmianne Leavell, an unmarried woman**

TO WHOM IT MAY CONCERN:

Please be advised that the above referenced property has been sold and title is now vested as follows:

Shaun Gough, an unmarried man

as per copy of Inst #276375 recorded Warranty Deed attached hereto. Please change your records accordingly and bill the new owners at:

Mailing Address: **1834 East 1740 South, Gooding, ID 83330**

Sincerely,

Lisa Ritter, Escrow Officer

tj/tj