

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

DEC 16 2021

Notice of Change in Water Right Ownership

Department of Water Resources
Eastern 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?
27-12156	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: BYARD COX
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Carol Malony
New owner(s) as listed on the conveyance document
- Name connector ☐ and ☐ or ☐ and/or
- 886 E 1000 N Shelley ID 83274
Mailing address City State ZIP
- 208-520-5923 clarollee@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: _____
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):
- ☐ \$25 per undivided water right.
 - ☐ \$100 per split water right.
 - ☐ 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: Carol Malony Title, if applicable _____ Date 12/16/21
Signature of new owner/claimant

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

For IDWR Office Use Only:

Received by JB Date 12/16/2021 Receipt No. E0471645 Refund Requested 3/10/2022

Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing

Name on W-9 _____ Approved by _____ Processed by _____ Date _____

Receipt Amt. \$100.- W-9 received? Yes ☐ No ☐

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
168 West Pacific/P.O. Box 868
Blackfoot, ID 83221

Instrument # 598228
BINGHAM COUNTY
8-27-2008 04:23:26 No. of Pages: 2
Recorded for : FIRST AMERICAN TITLE COMPANY
SARA J. STAUB Fee: 6.00
Ex-Officio Recorder Deputy *VP*

Space Above This Line for Recorder's Use Only

WARRANTY DEED

Date: **August 04, 2008**

File No.: **266596-B (vb)**

For Value Received, **Michael J Malony, spouse of Carol L Malony**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Carol L. Malony, a married woman as her sole and separate property**, hereinafter called the Grantee, whose current address is **886 East 1000 North, Shelley, ID 83274**, the following described premises, situated in **Bingham County, Idaho**, to-wit:

Lot 5, Block 1, Cox Mountainview Estates Division No. 1, Bingham County, Idaho, as shown on the plat recorded April 13, 2004, as Instrument No. 539614, rerecorded June 4, 2004, as Instrument No. 541662 and rerecorded April 28, 2005, as Instrument No. 552977, Ratification of Subdivision Plat recorded June 21, 2006, as Instrument No. 568635.

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 parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the 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.

STATE OF IDAHO } ss
County of Bingham }
I, **PAMELA W. ECKHARDT**,
Clerk and Ex-Officio Recorder,
do hereby certify that the foregoing is a true and correct copy of the
original on file and of record in this office at the Clerk and
Ex-Officio Recorder of Bingham County, Idaho.
Dated 8/5/2008
By *Julie Pulley* Deputy



Date: 08/04/2008

Warranty Deed
- continued

File No.: 266596-B (vb)

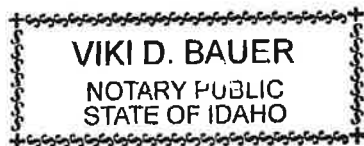


Michael J Malony

STATE OF Idaho)
COUNTY OF Bingham)
SS.

On this 22 day of August, 2008, before me, a Notary Public in and for said State, personally appeared **Michael J Malony**, known or Identified to me to be the person(s) whose name(s) is subscribed to the within instrument, and acknowledged to me that he executed the same.

Viki D Bauer
Notary Public of Idaho
Residing at: Blackfoot, Id
Commission 3/29/14 Expires:





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

March 10, 2022

CAROL MALONY
886 E 1000 N
SHELLEY ID 83274

RE: Change of Ownership
Water Rights: 27-12156

Dear Sir/Madam:

On February 10, 2021, you filed a Notice of Change in Water Right Ownership (ownership change) with the Idaho Department of Water Resources (IDWR), seeking to update the ownership records for the water rights listed above. After an initial review, we determined that you needed to provide additional evidence of ownership. On January 20, 2022, we sent a letter requesting the additional information. The additional information was to be provided within 30 days.

IDWR has never received a response to the requested documents. Without the requested documents, we cannot verify ownership of the water right and cannot complete the ownership change. We are therefore returning your original ownership change and have initiated a refund of your filing fee (\$100.00). The refund from the state of Idaho will arrive at the address listed above within a couple of weeks.

Please feel free to re-file your ownership change at any time in the future. Because your filing fee is being refunded, you will need to determine and provide the proper filing fee at the time you re-file the ownership change.

If you have any questions, feel free to contact me at (208) 525-7161.

Respectfully submitted,

Jonie Barg
Technical Records Specialist

Enclosure(s)

Barg, Jonie

From: Barg, Jonie
Sent: Thursday, March 10, 2022 3:36 PM
To: IdwrPayable
Subject: Refund Request
Attachments: Receipt(3).PDF

Good afternoon!

I have a refund request as follows:

Receipt number: E047645
Amount: \$100.00
Payable to: Michael Malony
886 E 1000 N
Shelley ID 83274

Reason: Ownership Change submitted for 1 water right \$100.00. Additional information was requested, but was not received, the application is being returned unprocessed. Therefore, the applicant is entitled to a full refund.

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

Have a great day!!!



IDAHO DEPARTMENT OF
WATER RESOURCES

Jonie Barg | Technical Records Specialist

900 N Skyline Drive Ste. A, Idaho Falls, ID 83402

Phone number: (208) 525-7161

Fax number: (208) 525-7177

Email: jonie.barg@idwr.idaho.gov

Website: www.idwr.idaho.gov

From: [Barg, Jonie](#)
To: carollee@gmail.com
Subject: Ownership Change-Request for Information
Date: Thursday, January 20, 2022 10:10:00 AM

RE: Change in Ownership Water Right No. 27-12156

Dear Sir/Madam:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership.

Our review of your notice indicates that additional information is required before we can process the change. The information required is indicated below:

**** **Evidence of Ownership:** In order for the department to update the ownership for the above listed water right a full chain of title is required. According to the notes on the file, the department has already requested the information and you indicated it would be submitted. However as of today the department has not received a copy of the deed from Byard Cox to Carol Malony, please supply a copy of the recorded Warranty Deed.

Because the Department cannot process the ownership change without proper documentation/fees, we will hold any action on your notice pending receipt of the necessary information/fees. **If we do not receive the necessary information/fees within 30 days we will return your notice and all attachments and your notice will not be processed.**

Please note that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.idaho.gov.

Please feel free to contact the Department if you have any questions.

Sincerely,

Jonie Barg

Jonie Barg
Technical Records Specialist
Idaho Department of Water Resources
900 N Skyline Dr Ste A
Idaho Falls ID 83402
Phone number: (208)525-7161
Email address: jonie.barg@idwr.idaho.gov