

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUL 26 2021

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 #6 of the instructions.

47-17750

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
47-16794	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: JOSEPH H LYMAN AND SYLVIA LYMAN

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): ROBERT OWEN BARTON

New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or ☐ and/or

3557 EAST 3000 NORTH

Mailing address

Kimberly

City

ID

State

83341

ZIP

208 731-7182

Telephone

Robert5 @Gmail.com

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: 7-22-2021

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.

SUPPORT DATA

IN FILE # 47-16794

8. Signature: Robert O Barton

Signature of new owner/claimant

Title, if applicable

Date

7-22-2021

Signature: _____

Signature of new owner/claimant

Title, if applicable

Date

For IDWR Office Use Only:

Received by: SG

Date

7/26/21

Receipt No.

5038728

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

BW

Date

10/22/21

Case No. 75767 LT

TitleFact, Inc.
163 Fourth Avenue North
P.O. Box 486
Twin Falls, Idaho 83303

TWIN FALLS COUNTY
RECORDED FOR:
TITLEFACT, INC.
12:16:52 PM 07-22-2021
2021017480
NO. PAGES 2 FEE: \$15.00
KRISTINA GLASCOCK
COUNTY CLERK
DEPUTY: AR
Electronically Recorded by Simplifile

**** SPACE ABOVE FOR RECORDER ****

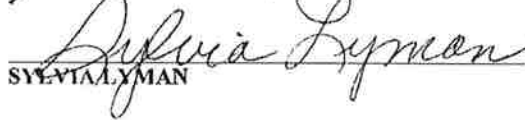
WARRANTY DEED

FOR VALUE RECEIVED **JOSEPH H. LYMAN and SYLVIA LYMAN, husband and wife**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **ROBERT OWEN BARTON, single man**, hereinafter called Grantee, whose address is: 3557 East 3000 North, Kimberly, ID 83341, the following described premises in Twin Falls County, Idaho; to-wit:

See Attached Exhibit 'A'

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and 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 they are free from all encumbrances except as described above; and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: July 21, 2021


JOSEPH H. LYMAN

SYLVIA LYMAN

* * * * *

STATE OF IDAHO
County of Twin Falls

On this 22nd day of July 2021, before me, a Notary Public in and for said State, personally appeared **JOSEPH H. LYMAN and SYLVIA LYMAN**, known or identified to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same.

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


Notary Public for Idaho
Residing at Twin Falls
Commission expires 1/30/2025

LEA TAYLOR
COMMISSION NO. 20190327
NOTARY PUBLIC
STATE OF IDAHO

Exhibit 'A'
Legal Description

PARCEL 1:

Township 11 South, Range 18 East, Boise Meridian, Twin Falls County, Idaho

Section 33: A parcel of land located in a portion of W½NE¼, more particularly described as follows:

COMMENCING at the North quarter corner of Section 33;

THENCE South 89°31'47" East 50.31 feet (shown of record to be 50.01 feet) along the North boundary of Section 33;

THENCE South 00°47'21" East 881.00 feet to the REAL POINT OF BEGINNING;

THENCE South 89°31'47" East 959.83 feet;

THENCE South 02°30'18" West 121.50 feet;

THENCE South 15°32'42" East 123.64 feet;

THENCE South 04°46'00" West 240.29 feet;

THENCE North 89°31'48" West 961.08 feet;

THENCE North 00°47'21" West 480.00 feet to the REAL POINT OF BEGINNING.

SUBJECT TO: A 30.00 foot wide non-exclusive vehicular access and utility easement being described as follows:

COMMENCING at the North quarter corner of Section 33;

THENCE South 89°31'47" East 1066.87 feet (shown of record to be 1066.57 feet) along the North boundary of Section 33;

THENCE South 00°37'11" West 245.57 feet;

THENCE South 06°17'25" West 214.29 feet;

THENCE South 02°30'18" West 422.30 feet to the REAL POINT OF BEGINNING.

THENCE South 02°30'18" West 121.50 feet;

THENCE South 15°32'42" East 123.64 feet;

THENCE North 89°31'47" West 31.21 feet;

THENCE North 15°32'42" West 119.79 feet;

THENCE North 02°30'18" East 125.20 feet;

THENCE South 89°31'47" East 30.02 feet to the REAL POINT OF BEGINNING.

TOGETHER WITH: An Easement for access over and across an access road as created in Easement Agreement by and between Corey R. Johnson and Amy A. Johnson, husband and wife, and Joseph H. Lyman and Sylvia Lyman, husband and wife, recorded February 23, 1998, as Instrument No. 1998-003123, records of Twin Falls County, Idaho.

PARCEL 2:

Township 11 South, Range 18 East, Boise Meridian, Twin Falls County, Idaho

Section 33: A parcel of land located in a portion of W2NE4, more particularly described as follows:

COMMENCING at the North quarter corner of Section 33.

THENCE, South 89°31'47" East 50.31 feet (shown of record to be 50.01 feet) along the North boundary of Section 33.

THENCE South 00°47'21" East 1361.00 feet to the REAL POINT OF BEGINNING.

THENCE South 89°31'47" East 961.08 feet.

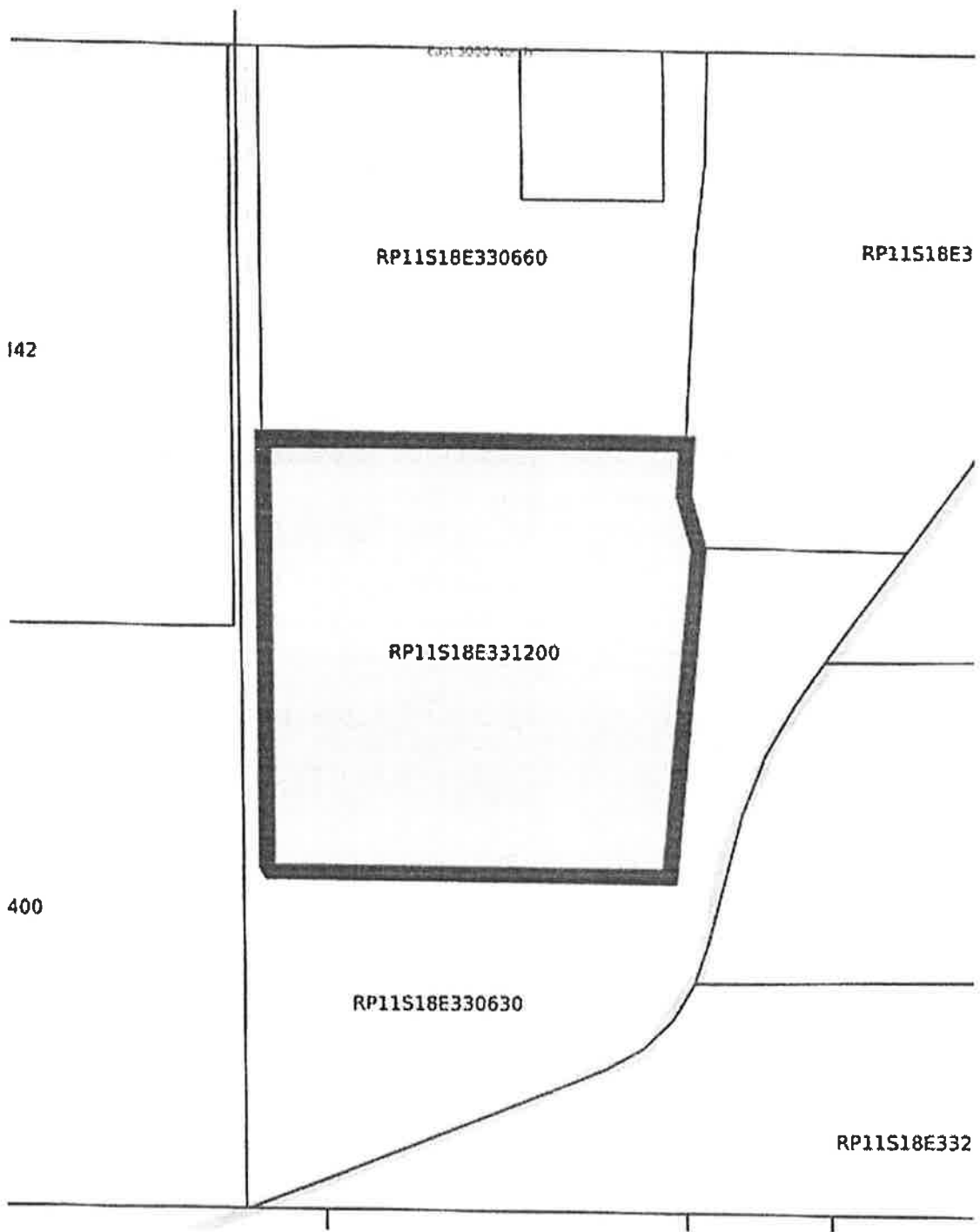
THENCE South 04°46'00" West 504.48 feet.

THENCE North 89°31'48" West 903.54 feet.

THENCE North 30°30'00" West 17.52 feet.

THENCE North 00°47'21" West 488.16 feet to the REAL POINT OF BEGINNING.

TOGETHER WITH: An Easement for access over and across access road as described in Easement Agreement by and between Corey R. Johnson and Amy A. Johnson, husband and wife, and Joseph H. Lyman and Sylvia Lyman, husband and wife, recorded February 23, 1998, as Instrument No. 1998-003123, records of Twin Falls County, Idaho.



East 3000 North

142

400



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 22, 2021

ROBERT OWEN BARTON
3557 E 3000 N
KIMBERLY ID 83341-5261

Re: Change in Water Right Ownership: 47-16794 (Split into 47-16794 and 47-17750)

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) 736-3033.

Sincerely,

Benny Walker
Water Resource Agent, Senior

Enclosure(s)

c: Joseph H and Sylvia Lyman
TitleFact, Twin Falls; File No. 75767
WD 470



TitleFact

a land title company

IDWR- SOUTHERN REGION
650 ADDISON AVE W
SUITE 500
TWIN FALLS, ID 83301-5858

RECEIVED
JUL 26 2021
DEPT OF WATER RESOURCES
SOUTHERN REGION

July 22, 2021

File No. 75767
RE: LYMAN / BARTON
Bare Ground, Twin Falls ID 83301

Enclosed, please find the following:

- Our check No.92524 in the amount of **\$100.00**
- Copy of Warranty Deed
- Transfer Doc
- Copy of Map / Plat

If you have any questions, please contact **LEA TAYLOR** at TitleFact, Inc., at (208) 733-3821.

Sincerely,
TITLEFACT, INC.
Mandy Claborn for
Lea Taylor
Escrow Officer

T.W. Stivers
Richard B. Stivers
R. Todd Blass

163 Fourth Avenue North
P.O. Box 486
Twin Falls, Idaho 83303

Phone (208) 733-3821
Fax (208) 734-2940
Toll Free (800) 733-3850

Ange Trammell

From: Mills, Bill <Bill.Mills@idwr.idaho.gov>
Sent: Wednesday, July 21, 2021 2:36 PM
To: Ange Trammell
Subject: RE: 75767 Water Rights Verification

Angie,

Just to verify, we plotted the legal descriptions you provided and water right 47-16794 will need to be split (or divided) as it appears the majority of this right is on the neighbor's property as well. So, the processing fee for this right is \$100.00.

Sincerely

Bill

From: Ange Trammell [mailto:atrammell@titlefact.com]
Sent: Wednesday, July 21, 2021 11:02 AM
To: Mills, Bill <Bill.Mills@idwr.idaho.gov>
Subject: RE: 75767 Water Rights Verification

Hello Bill,

I have attached the previous Warranty Deed and the Legal Description that will be attached to new one. Can you tell me if this is overlapping and if a split will need to be done or if we are just good with the transfer. Thank you so much!!

Ange Trammell
Escrow Assistant



163 4th Ave N
Twin Falls, ID 83301
(208) 733-3821

TitleFact, Inc., does not accept or request changes to wiring instructions via email or fax. Always call to verify.

From: Mills, Bill <Bill.Mills@idwr.idaho.gov>
Sent: Monday, July 12, 2021 12:33 PM
To: Ange Trammell <atrammell@titlefact.com>
Subject: RE: 75767 Water Rights Verification

Ange,

The Lyman's appear to own water right 47-16794. However, it overlaps another parcel that current tax lot information indicates is owned by Michael Nye, (RP11S18E330660), so depending on what the previous deeds actually say, the water right may be owned by both parties and may need to be split.

They may also have Twin Falls Canal Co. shares on the property. Sincerely,

Bill Mills