

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

OCT 22 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.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
36-4233	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: Heyburn Estates, LLC
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): City of Heyburn
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 941 18th St. Heyburn ID 83336
Mailing address City State ZIP
- 208-679-8158 tmorley@heyburncity.org
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: 10/5/2021
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: Dick Galbraith Mayor 10-18-2021
Signature of new owner/claimant Title, if applicable Date

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

For IDWR Office Use Only:

Received by SG Date 10/22/21 Receipt No. 5038887 Receipt Amt. \$50.00
 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 12/9/21

WATER RIGHT SPECIAL WARRANTY DEED

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, HEYBURN ESTATES, LLC (hereinafter "GRANTOR"), whose address is 2640 E. Barnett Road, Medford, Oregon 97504, does hereby bargain, sell, remise, release, convey, and grant to the CITY OF HEYBURN, a municipal corporation (hereinafter "GRANTEE"), whose address is 941 18th Street, Heyburn, Idaho 83336, the entirety of water right no. 36-4233 with a diversion rate of 0.20 cfs/31.0 acre-feet for irrigation and domestic use with a priority date of March 1, 1963, and the entirety of water right no. 36-17185 with a diversion rate of 0.05 cfs for domestic use with a priority date of December 22, 1995.

Water right no. 36-4233 is appurtenant to the following legal description:

Township 10S, Range 23E, Section 11, NENE, Minidoka County

Water right no. 36-17185 is appurtenant to the following legal description:

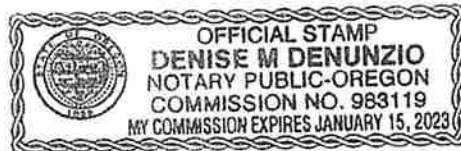
Township 10S, Range 23E, Section 11, NENE, NWNE, Minidoka County

IN WITNESS WHEREOF, GRANTOR has caused this instrument to be executed this 5 day of OCTOBER, 2021.

HEYBURN ESTATES, LLC

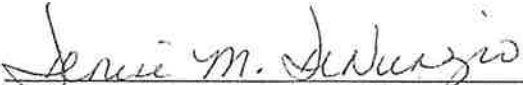
By: 
CHARLES BROWN, GRANTOR

STATE OF Oregon)
COUNTY OF Jackson) s.s.



On this 5th day of October, 2021, before me, the undersigned Notary of the State of Oregon in and for said county and state, personally appeared Charles Brown known 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 WHEREOF, I have hereto set my hand and affixed my official seal the date and year in this certificate first above written.


Notary Public of the State of Oregon
Residing at: Adland, OR
Commission Expires: 1/15/23

State of Idaho
Department of Water Resources

Water Right

36-4233

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.

23E



- ⊙ Point of Diversion
- Place Of Use Boundary
- ▭ Townships
- ▭ PLS Sections
- ▭ Quarter Quarters

0 0.035 0.07 0.14 Miles





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

December 09, 2021

CITY OF HEYBURN
941 18TH ST
HEYBURN ID 83336-4902

Re: Change in Ownership for Water Right No(s): 36-4233, and 36-17185

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) 736-3033.

Sincerely,

Benny Walker
Senior
Water Resource Agent,

Enclosure(s)

Cc: McHugh Bromley, Chris Bromley
WD 130

McHUGH BROMLEY

ATTORNEYS AT LAW, PLLC

RECEIVED

OCT 22 2021

Candice M. McHugh
cmchugh@mchughbromley.com

380 S. 4th Street, Ste. 103
Boise, Idaho 83702
(208) 287-0991

DEPT OF WATER RESOURCES
SOUTHERN REGION
Chris M. Bromley
cbromley@mchughbromley.com

October 20, 2021

Idaho Dept. of Water Resources
650 Addison Ave. W., Ste. 500
Twin Falls, Idaho 83301-5858

Re: Change of Ownership, 36-4233 & 36-17185

Dear Clerk:

Please find enclosed a *Notice of Change in Water Right Ownership* as to water right no. 36-4233 and a *Notice of Change in Water Right Ownership* as to water right no. 36-17185 filed on behalf of the City of Heyburn, along with a check in the amount of \$50.00. The City of Heyburn acquired these water rights on October 5, 2021.

Please send all correspondence to me.

If you have any questions, please do not hesitate to contact me.

Sincerely,



CHRIS M. BROMLEY

Encls.