

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

**NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

RECEIVED  
AUG 20 2021  
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? |
|-----------------------|------------------------------|------------------------------|-----------------------|------------------------------|------------------------------|
|                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
| 72-7044               | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |

2. Previous Owner's Name: LENORE H BARRETT or R M BARRETT  
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): MICHAEL BARRETT or TRACY BARRETT  
New owner(s) as listed on the conveyance document      Name connector ☐ and ☒ or
- PO BOX 1104      CHALLIS      ID      83226  
Mailing address      City      State      Zip
- 208-993-0271      tbarrett.twins@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: August 13, 2021
6. Do you own the land identified as the water right place of use? Yes ☒ No ☐  
☐ 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):  
☐ \$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: Michael Barrett      Title, if applicable \_\_\_\_\_      Date 08/09/2021  
Signature of new owner/claimant  
Michael Barrett  
Print name

Signature: Tracy Barrett      Title, if applicable \_\_\_\_\_      Date 8/9/2021  
Signature of new owner/claimant  
Tracy Barrett  
Print name

For IDWR Office Use Only:  
Received by P. SKINNER Date 8/20/2021      Receipt No. 5038786      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 8-26-21

**QUITCLAIM DEED**

FOR VALUE RECEIVED, LENORE H BARRETT or R M BARRETT, Grantor, does hereby convey, release, remise and forever quitclaim unto

MICHAEL BARRETT or TRACY BARRETT, whose address is  
101 E PLEASENT, CHALLIS, IDAHO 83226, the following

described premises, to-wit:

WATER RIGHT NO 72-7044  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_, CUSTER county.

Together with the appurtenances.

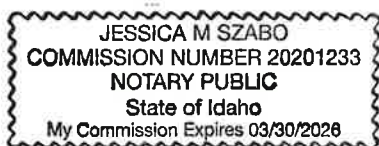
This deed is intended to convey to the Grantee all right, title, and interest of the Grantor in and to said property, now owned or hereafter acquired.

Date August 13, 2021.

Lenore H. Barrett BY  
Michael H. Barrett POA  
RM Barrett BY  
Signature, Grantor  
Michael Hardy Barrett BY PR

STATE OF IDAHO )  
County of Custer ) ss.

On this 13<sup>th</sup> day of August, 2021 before me, the undersigned, a Notary Public in and for said state, personally appeared Michael Barrett, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that s/he executed the same.



Jessica M. Szabo  
NOTARY PUBLIC for Idaho  
Residing at: Custer County  
My Commission Expires: 3/30/24

## DURABLE POWER OF ATTORNEY

I, **Lenore Hardy Barrett**, a resident of Custer County, Idaho, have made, constituted and appointed and by these presents do make, constitute and appoint **Michael H. Barrett** my true and lawful attorney-in-fact for me and in my name, place and stead, and on my behalf, subject to the provisions of Paragraph 15 hereof, to do and execute all or any of the following acts, deeds and things:

1. I incorporate herein by reference the provisions of the Idaho Uniform Power of Attorney Act and specifically the authority granted to an agent therein in accordance with the incorporation of authority allowed in Idaho Code §15-12-202. My agent shall have the authorities granted in the following sections of Title 15, Chapter 12, Part 2 of the Idaho Code:

|      |                                                                  |                                                                                                                                                                                                         |
|------|------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| §203 | Construction of Authority Generally                              | <b>Instrument # 260367</b><br>CHALLIS, CUSTER, IDAHO<br>04-30-2021 12:27:44 No. of Pages: 4<br>Recorded for: BEARD ST. CLAIR GAFFNEY PA<br>Lura H. Baker Fee: \$25.00<br>Ex-Officio Recorder Deputy: KW |
| §204 | Real Property                                                    |                                                                                                                                                                                                         |
| §205 | Tangible Personal Property                                       |                                                                                                                                                                                                         |
| §206 | Stocks and Bonds                                                 |                                                                                                                                                                                                         |
| §208 | Banks and other Financial Institutions                           |                                                                                                                                                                                                         |
| §209 | Operation of an Entity or Business                               |                                                                                                                                                                                                         |
| §210 | Insurance and Annuities                                          |                                                                                                                                                                                                         |
| §211 | Estates, Trusts and other Beneficial Interests                   |                                                                                                                                                                                                         |
| §212 | Claims and Litigation                                            |                                                                                                                                                                                                         |
| §213 | Personal and Family Maintenance                                  |                                                                                                                                                                                                         |
| §214 | Benefits from Governmental Programs or Civil or Military Service |                                                                                                                                                                                                         |
| §215 | Retirement Plans                                                 |                                                                                                                                                                                                         |
| §216 | Taxes                                                            |                                                                                                                                                                                                         |
| §217 | Gifts                                                            |                                                                                                                                                                                                         |

2. To receive debts, payments and property. To ask, demand, sue for, recover and receive all sums of money debts, dues, goods, wares, merchandise, chattels, effects and things of whatever nature or description which now are or hereafter shall be or become due, owing payable, or belonging to me in or by any right, title, ways or means howsoever, and upon receipt thereof, or of any part thereof, to make, sign, execute and deliver such receipts, releases or other discharges for the same respectively as my said attorney-in-fact shall deem advisable, and to have access to any safety deposit box in any financial institution, whether or not my attorney-in-fact is listed as a signor on the safety deposit box access card.

3. To settle accounts. To settle any account or reckoning whatsoever wherein I now am or at any time hereafter shall be in any way interested or concerned with any person whomsoever, and to pay or receive the balance thereof as the case may require.

4. To satisfy security interests and mortgages. To receive every sum of money which now is or hereafter shall be due or belonging to me upon the security or by virtue of any security interest or agreement, or mortgage, and on receipt of the full amount secured thereby to

execute a good and sufficient release or other discharge of such security interest, or mortgage by deed or otherwise.

5. To settle, submit to arbitration, or otherwise adjust differences and to prosecute and defend. To settle with or make allowances to any person for or in respect to any debt or demand whatsoever which now is or shall at any time hereafter become due and payable to me, or by me, or upon my account, and to take and receive, or to pay and discharge (as the case may be), any composition or dividend thereof or thereupon, and to give or receive releases or other discharges for the whole of such debts or demands, or to settle, compromise, or submit to arbitration every such debt or demand and every other right, matter, and thing due to or concerning me as my attorney-in-fact shall think best, and for that purpose to enter into and execute and deliver such bonds of arbitration or other instruments as my attorney-in-fact may deem advisable. To start, prosecute, discontinue, or defend all actions or other legal proceedings touching my estate or any part thereof, or touching any matter in which I or my estate may be in any way concerned.

6. To manage real estate. To enter into and upon all my real estate, and to let, manage, and improve the same or any part thereof, and to repair or otherwise improve, alter, or reconstruct, and to insure, any buildings or structures thereon, and further to contract with others for the management of such real estate and to grant to such other all the powers with respect to such real estate common to real estate management contracts, and granted to my attorney-in-fact herein.

7. To grant leases, receive rents, and otherwise deal with tenants and leased property. To contract with any person for leasing for such periods, including periods longer than my life, and without regard to the termination of this power of attorney, at such rents and subject to such conditions as my attorney-in-fact shall see fit, all or any of my said real estate, and to let any such person into possession thereof, and to execute all such leases and contracts as shall be necessary or proper in that behalf, and to give notice to quit to any tenant or occupier thereof, and to receive and recover from all tenants and occupiers thereof or of any part thereof all rents, arrears of rent, and sums of money which are now or shall hereafter become due and payable in respect thereof, and also on non-payment thereof or of any part thereof to take all necessary or proper means and proceedings for terminating the tenancy or occupation of such tenants or occupiers, and for ejecting the tenants or occupiers and recovering the possession thereof.

8. To sell, mortgage, or exchange real or personal estate. To sell, either at public or private sale, mortgage, encumber or exchange any part or parts of my real estate or personal property for such consideration, payable immediately or upon such terms as my attorney-in-fact shall think fit, and to execute and deliver good and sufficient deeds, mortgages, deeds of trust, bills of sale, endorsements, assignments, or other instruments for the conveyance or transfer of the same, with such covenants or warranty or otherwise as my attorney-in-fact shall see fit, and to give good and effectual receipts for all or any part of the purchase price or other consideration.

Additionally, if my estate may exceed the limits at which it becomes subject to estate death or inheritance tax, my attorney-in-fact is authorized to make gifts on my behalf of my

property, real or personal, to qualify for the present interest annual exclusion under the Internal Revenue Code and to otherwise reduce the value of my estate.

9. To deposit moneys, withdraw, invest, and otherwise deal with tangible property. To deposit any moneys in my name, and to withdraw any of such money or any other money to which I am entitled which now is or shall be so deposited, to use such money in the payment of any debts or interest, payable by me, or taxes, assessments, insurance, and expenses due and payable or to become due and payable on account of my real and personal estate, or in or about any of the purposes herein mentioned, or otherwise for my use and benefit, or to invest such money in my name in any stocks, shares, bonds, securities or other property, real or personal, as deemed proper, and to receive and give receipts for any income or dividend arising from such investments, and to vary or dispose of all and any such investments, or other investments for my use and benefit as my attorney-in-fact may deem proper.

10. To vote at stockholders' meetings, execute proxies, and otherwise substitute for owner. To vote at the meetings of stockholders or other meetings of any corporation or company, or otherwise to act as my attorney-in-fact or proxy, with power of substitution, in respect of any stocks, shares, bonds, debentures, or other evidences of ownership, or securities, now or hereafter held by me and issued by or on account of said corporation, or company and for that purpose to execute any proxies, limited or general, or other instruments.

11. To execute deeds, bills, notes, and similar instruments. For all or any of the purposes herein stated to enter into and sign, seal, execute, acknowledge, and deliver any contracts, deeds, or other instruments whatsoever, and to draw, accept, make, endorse, discount, or otherwise deal with any bills of exchange, checks, promissory notes, or other commercial or mercantile instruments. Further my attorney in fact shall have the power to sign tax returns on my behalf and appoint qualified individuals to represent me in proceedings with taxing authorities, to execute disclaimers and renunciations of devises and bequests to me, to have access to any safe deposit box I may have, to create on my behalf a revocable living trust and to fund any revocable living trust previously created by me and to renounce and disclaim any gifts or bequests made to me.

12. To do all other things necessary in connection herewith. To do all other acts, deeds, matters, and things whatsoever in or about my estate, property, and affairs, or to concur with persons jointly interested with myself therein in doing all acts, deeds, matters, and things herein, either particularly or generally described, as fully and effectually to all intents and purposes as I could do in my own proper person if personally present, it being my intent to grant to my said attorney-in-fact, a general power and not a limited or special power, to act for me and in my behalf limited to the specific acts herein described. I nominate my agents herein, to serve in the order named, as conservator of my estate as provided in 15-12-108, Idaho Code.

13. State law. This durable power of attorney shall be governed by and interpreted according to Idaho law.

14. To Execute Documents For Medicaid and Other Governmental Assistance Program Qualification. To discuss with government or other officials and execute all documents

necessary to qualify for or to continue to receive Medicaid, Medicare, supplemental security income, social security or any other governmental assistance program; to execute marriage settlement agreements or otherwise divide property if applicable for purposes of qualifying for such programs; to make gifts or otherwise spend down assets to attain or maintain resource or income allowance levels for purposes of qualification; to do any and all other acts deemed necessary by my attorney-in-fact to obtain or allow me to continue to receive such financial assistance programs if my attorney-in-fact deems it appropriate for me to do so.

15. Power of Attorney effective notwithstanding disability of principal; continues in effect after principal's death until notice. Pursuant to the provisions of Idaho Uniform Probate Code Section 15-12-104, I declare that this power of attorney shall not be affected by my disability or incapacity, and that the authority granted herein shall continue during any period while I am disabled or incapacitated. Further, pursuant to said sections, all such authority shall continue after my death, until notice of such death shall have been received by my attorney-in-fact so that he has actual knowledge of the fact that I have died. Any action taken in good faith by said attorney-in-fact during any period while it is uncertain whether I am alive, before said attorney-in-fact receives actual knowledge of my death, or, in any event, taken during any period while I am disabled or incapacitated, shall be as valid as if I were alive, competent, and not disabled.

16. Substitute Power of Attorney-In-Fact. If my primary attorney-in-fact is unable or unwilling to serve as my attorney in fact, I appoint **Tracy Barrett** to act as successor appointee.

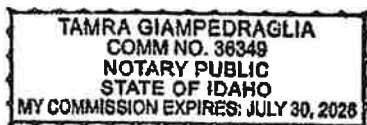
DATED this 22nd day of April, 2021.

*Lenore Hardy Barrett*

Lenore Hardy Barrett

STATE OF IDAHO )  
:SS  
County of Custer )

This record was acknowledged before me on 22nd day of April, 2021 by Lenore Hardy Barrett.



*Tamra Giampedraglia*  
NOTARY PUBLIC-STATE OF IDAHO  
Commission Expires: 07/30/2028

LAILA PLUMMER  
2011 FEB 11 AM 11:59

Thomas J. Holmes (ISB#2448)  
JONES, CHARTERED  
Attorneys at Law  
P.O. Box 967 / 203 South Garfield  
Pocatello, Idaho 83204  
(208) 232-5911

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF CUSTER

|                                |   |                           |
|--------------------------------|---|---------------------------|
| In the Matter of the Estate of | ) | Case No. <u>CV-204-25</u> |
|                                | ) |                           |
| ROBERT MICHAEL BARRETT,        | ) | LETTERS OF PERSONAL       |
|                                | ) | REPRESENTATIVE            |
| Deceased.                      | ) |                           |
| _____                          | ) |                           |

THE STATE OF IDAHO:

Know all people by these presents:

WHEREAS Michael Hardy Barrett was appointed and qualified as general Personal Representative of the above-named Decedent by this Court, with all the authority granted to a personal representative by law;

NOW, THEREFORE, these Letters are issued as evidence of such appointment and qualification and authority for Michael Hardy Barrett to do and perform all acts which may be required by law.

SO ORDERED.

DATED this 11<sup>th</sup> day of Feb, 2011.

STATE OF IDAHO } ss  
COUNTY OF CUSTER }

I hereby certify that the foregoing is a full,  
true and correct copy of the original on file  
in this office

DATED 7/30/2021 10:08 AM

LURA H. BAKER, Clerk of the District Court

By [Signature]  
Deputy



[Signature]

MAGISTRATE



State of Idaho

## DEPARTMENT OF WATER RESOURCES

Southern Region • 650 ADDISON AVE W STE 500 • TWIN FALLS, ID 83301-5858  
Phone: (208)736-3033 • Fax: (208)736-3037 • Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

Brad Little  
Governor

Gary Spackman  
Director

August 26, 2021

MICHAEL OR TRACY BARRETT  
PO BOX 1104  
CHALLIS ID 83226-1104

Re: Change in Ownership for Water Right No(s): 72-7423, 72-4017, & 72-7044

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) 293-9909.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Bitzenburg'.

Jim Bitzenburg  
Senior Water Resource Agent

Enclosure(s)

CC: WD-170