



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 E FRONT ST STE 648 PO BOX 83720 • BOISE, ID 83720-0098

Phone: (208)287-4800 • Fax: (208)287-6700 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

October 8, 2021

RUSS BABKA
22640 N CHERRY HILL RD
N BARRINGTON IL 60010-1915

RE: Change in Ownership Water Right Nos: 65-22335 and 65-22339

Dear Interested Party:

The Idaho Department of Water Resources (Department) received a Notice of Change in Water Right Ownership (Notice) from you on September 20, 2021 for the above referenced water rights. The Notice could not be processed because the place of use for these water rights is not appurtenant to the property described in the deed that was submitted.

The Department is returning your Notice of Change in Water Right Ownership and the attachments. A refund of \$200.00 has been requested and will be mailed to First American Title Company under separate cover from the Idaho State Controller's Office. You may re-submit your request with the appropriate documents and fees.

If you have any questions regarding this matter, please contact me at (208) 287-4920 or debby.judd@idwr.idaho.gov.

Sincerely,

Debby Judd
Technical Records Specialist

Enclosures

c: First American Title Company

From: Judd, Debbi
Sent: Wednesday, October 6, 2021 4:29 PM
To: IdwrPayable
Subject: Refund request

TO: Fiscal

FROM: Debbi Judd

DATE: October 5 2021

RE: Refund: Change in Ownership

Please refund \$200. Two ownership change splits were not processed.

NAME: FIRST AMERICAN TITLE COMPANY

ADDRESS: 616 NORTH 3RD ST, STE 101
MC CALL ID 83638

RECEIPT #: C110962

Thank you.

Debbi

Debbi Judd
Technical Records Specialist
debbi.judd@idwr.idaho.gov

Idaho Department of Water Resources
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PO Box 83720
Boise, ID 83720-0098
208-287-4920
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RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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SEP 20 2021

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WATER RESOURCES

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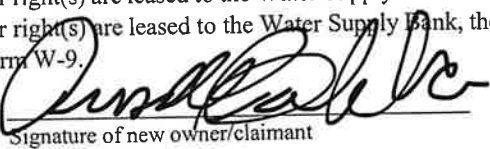
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

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.

DE ✓

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
65-22335 ✓	Yes ☒	Yes ☐		Yes ☐	Yes ☐
65-22339 ✓	Yes ☒	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: K. Mark Mason
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Russ Babka
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or
22640 Cherry Hill Road Barrington IL 60010
Mailing address City State Zip
847-814-3851 Rjbabka@yahoo.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. 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:  8/21/2021
Signature of new owner/claimant Title, if applicable Date
Russell Babka
Print name

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

For IDWR Office Use Only:
Received by KM Date 9-20-21 Receipt No. C110962 Receipt Amt. \$ 200 -
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 _____ Date _____

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
616 North 3rd Street Suite 101
McCall, ID 83638

Instrument # 444264
VALLEY COUNTY, CASCADE, IDAHO
09-17-2021 14:19:25 No. of Pages: 2
Recorded for: FIRST AMERICAN TITLE - MCCALL
DOUGLAS A. MILLER Fee: \$15.00
Ex-Officio Recorder Deputy: RRC
Electronically Recorded by Simplifile

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **996229-MC (sk)**

Date: **September 14, 2021**

For Value Received, **Kenneth Mark Mason, also known as K. Mark Mason, an unmarried man and Kenneth Mark Mason, as Personal Representative of the Estate of Karen Louisa Mason, also known as Karen L. Mason, deceased**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Russell Joseph Babka, an unmarried man**, hereinafter called the Grantee, whose current address is **22640 Cherry Hill Road, Barrington, IL 60010**, the following described premises, situated in **Valley County, Idaho**, to-wit:

**A PARCEL OF LAND SITUATE IN THE E $\frac{1}{2}$ OF THE SE $\frac{1}{4}$ OF SECTION 12, T. 17 N., R. 3 E., B.M., VALLEY COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE CORNER COMMON TO SECTIONS 12 AND 13, T. 17 N., R. 3 E., AND SECTIONS 7 AND 18, T. 17 N., R. 4 E., B.M., VALLEY COUNTY, IDAHO; THENCE, N.89°49'22"W., 1,328.51 FEET TO THE E 1/16 CORNER COMMON TO SAID SECTIONS 12 AND 13, THE REAL POINT OF BEGINNING;
THENCE, N.00°26'53"E., 2,646.76 FEET TO THE CE 1/16 CORNER OF SAID SECTION 12,
THENCE, S.89°48'54"E., 1,332.32 FEET TO A BRASS CAP MARKING THE 1/4 CORNER COMMON TO SAID SECTIONS 12 AND 7,
THENCE, S.00°31'50"W., 817.60 FEET ALONG THE LINE COMMON TO SAID SECTIONS 12 AND 7,
THENCE, N.89°48'54"W., 1,296.14 FEET,
THENCE, S. 00°26'53"W., 1,829.16 FEET TO THE SOUTHERLY BOUNDARY OF SAID SECTION 12,
THENCE, N. 89°49'22"W., 35.00 FEET TO THE POINT OF BEGINNING.
AKA TAX 139**

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.

Date: 09/14/2021

Warranty Deed
- continued

File No.: 996229-MC (sk)

Kenneth Mark Mason

Kenneth Mark Mason aka K. Mark Mason

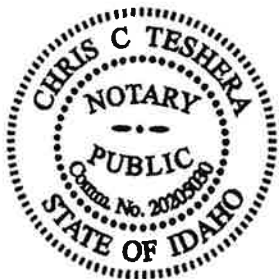
Kenneth Mark Mason, as General Personal
Representative of the Estate of Karen Louisa
Mason, deceased

Kenneth Mark Mason

Kenneth Mark Mason, Personal Representative

STATE OF Idaho)
COUNTY OF Valley)
SS.

On this 9/14/21, before me, a Notary Public in and for said State, personally appeared **Kenneth Mark Mason, also known as K. Mark Mason**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

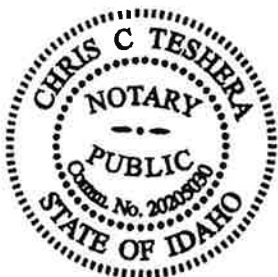


Chris C. Teshera

Notary Public for the State of Idaho
Residing at: McCall, ID
My Commission Expires: 12/23/26

STATE OF Idaho)
COUNTY OF Valley)
SS.

On this 9/14/21, before me, a Notary Public in and for said State, personally appeared **Kenneth Mark Mason**, known or identified to me to be the person(s) whose name(s) is subscribed to the within instrument as Personal Representative of the Estate of **Karen Louisa Mason also known as Karen L. Mason**, and acknowledged to me that he executed the same as such Personal Representative.



Chris C. Teshera

Notary Public of Idaho
Residing at: McCall, ID
Commission Expires: 12/23/26