

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

MAY 26 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?
27-10790	Yes ☒	Yes ☐		Yes ☐	Yes ☐
<u>27-10790</u>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
<u>27-12328</u>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: John Hamilton

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s):

JEANNE KATHRYN HAMILTON ~~GARY LEE HAMILTON~~

New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or ☐ and/or2000 RIVERTON ROAD
1850 RIVERTON ROAD

BLACK FOOT IDAHO 83221

Mailing address

253-872-8024

City

State ZIP

Telephone

208-681-7951

JEANNE K HAMILTON @GMAIL.COM
GARY HAMILTON @SIMPLYOT.COM

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: JEANNE = 9/2/2014 GARY = 10/4/1999

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.

SUPPORT DATA

27-10790

8. Signature: Jeanne Kathryn Hamilton daughter of John Hamilton 5/24/2021
 Signature of new owner/claimant Title, if applicable Date
 Signature: Gary Hamilton son of John Hamilton 5/24/2021
 Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by JB

Date

5/26/2021

Receipt No.

E040996

Receipt Amt.

\$100.-

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 JB

Processed by JC

Date 7/27/2021

2508

1-20

109457

WARRANTY DEED

THIS INDENTURE, Made this 30th day of April, 1964, in the year of our Lord one thousand nine hundred and sixty-four, between
KARL M. HUNZIKER, a widower,
of the County of Bingham, State of Idaho,
the party of the first part, and
JOHN HAMILTON and ELCUISE HAMILTON, husband and wife,
of the County of Bingham, State of Idaho,
the parties of the second part.

WITNESSETH, that the said party of the first part, for and in consideration of the sum of TWENTY SIX THOUSAND TWO HUNDRED FIFTY and No/100 - - - DOLLARS, lawful money of the United States of America,

to him in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, has granted, bargained and sold, by these presents does grant, bargain, sell, convey and confirm unto the said parties of the second part, and to their heirs and assigns forever, all of the following described real estate, situated in the County of

Bingham, State of Idaho, to-wit:

A portion of Lot Four of Section Nine, Township Three South, Range Thirty-five, East of the Boise Meridian, Bingham County, Idaho, described as:

Beginning at a point 477 feet West of the Northeast corner of said Lot Four; thence South 1741 feet, more or less, to the Blackfoot River; thence meandering said river in a Westerly direction to the West line of said Lot Four; thence North to the North line of said Section Nine; thence East along the North line of said Section Nine to the place of beginning. EXCEPTING THEREFROM Beginning at the North-west corner of said Lot Four, thence Easterly along the North line of said Lot Four, 76 feet, more or less, to a point coincident with Station 1+53.54 of Grade Separation No. 1 Survey as shown on the plans of Interstate 15, Project No. I-15-2(9)88 Highway Survey; thence South 0°15'53" West 25 feet; thence South 75°16'59" West 77.36 feet to a point in the West line of said Section Nine; thence Northerly along said West line 45 feet, more or less, to the place of beginning.

Together with the water rights and ditch rights of way used for the irrigation thereof and particularly 35 inches of the water of Blackfoot River, being a part of that certain water right of 1000 inches of date of June 1, 1885, decreed to A. Whitten and Susan E. Whitten on August 1, 1891, in that certain decree as recorded in Judgment Book "I" at pages 107 to 116 of the records of Bingham County, State of Idaho, and thirty-four shares of the capital stock of Miner's Ditch Company, a corporation.

Subject to all taxes and water assessments for the year 1964 which the second parties assume and agree to pay.



TOGETHER, With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said part Y of the first part,

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises, together with the appurtenances, unto the parties of the second part, and to their heirs and assigns forever and the said part Y of the first part and his heirs, the said premises in the quiet and peaceable possession of the said part Y of the second part, their heirs and assigns, against the said part Y of the first part, and his heirs and against all and every person and persons whomsoever, lawfully claiming or to claim the same shall and will WARRANT and by these presents forever DEFEND.

IN WITNESS WHEREOF, The said part Y of the first part has hereunto set his hand and seal the day and year first above written.

Signed, sealed and delivered in the presence of

Karl M. Hunzeker (SEAL)

(SEAL)

(SEAL)

(SEAL)

STATE OF IDAHO

County of Bingham

ss.

On this 4th day of May, in the year 1954, before me,

the undersigned, a Notary Public in and for said State, personally appeared

KARL M. HUNZEKER, a widower,

known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

My commission expires:



William P. Williams
Notary Public for the State of Idaho
Residing at Blackfoot, Idaho

No. 1094577

WARRANTY DEED

TO

Dated _____, 19____

STATE OF IDAHO

County of _____ ss.

I hereby certify that this instrument was filed for record at request of _____ at _____ o'clock _____ M. this _____ day of _____ A. D. 19____ in my office, and duly recorded in Book _____ of _____ at _____ page _____

GRACE WILLIAMS

Ex-Officio Recorder,

By _____ Deputy.

Fees, s. / s. a _____

Mail to _____

Warranty Deed

For Value Received *The Estate of Elouise Hamilton*
also known as Elouise Eugenia Hamilton
the grantor, do hereby grant, bargain, sell and convey unto *JKH*
Jeanne KATHRYN Hamilton
whose current address is
2000 Riverton Rd
Blackfoot ID 83221
the grantee, the following described premises, in *Bingham* County Idaho, to wit:

Instrument # 661276

BINGHAM COUNTY

9-4-2014 03:59:34 No. of Pages: 3

Recorded for: 5355 JEANNE HAMILTON

SARA J. STAUB

Ex-Officio Recorder Deputy *KSecrist*

See Exhibit A

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee,
heirs and assigns forever. And the said Grantor do hereby covenant to and with the said
Grantee, that he the owner in fee simple of said premises; that they are free from all incumbrances

and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: *9/2/14*

Kathleen Katseanes (personal representative) *of*
George Hamilton (personal representative)

KASSANDRA STECKLEIN
Notary Public
State of Idaho

STATE OF IDAHO, COUNTY OF _____
On this _____ day of _____, 19____,
before me, a notary public in and for said State, personally appeared

known to me to be the person whose name
subscribed to the within instrument, and acknowledged to me that
executed the same.

Notary Public
Idaho

Residing at _____
Comm. Expires _____

STATE OF IDAHO, COUNTY OF BINGHAM

On this *2ND* day of *September*, 20 *14*,
before me, the undersigned, personally appeared

Kathleen Hamilton Katseanes
known to me to be the person whose name is
subscribed to the within instrument as the
Personal Representative of the Estate of
Elouise Eugenia Hamilton
deceased, and acknowledged to me that she
executed the same as such Personal
Representative.

NOTARY PUBLIC

Residing at *Blackfoot* Comm. Exp. *02/21/2019*

Exhibit A

A portion of Lot Four of Section Nine, Township Three South, Range Thirty-five, East of the Boise Meridian, Bingham County, Idaho, described as:

Beginning at a point 477 feet West of the Northeast corner of said Lot Four, thence South 1741 feet, more or less, to the Blackfoot River; thence meandering said river in a westerly direction to the West line of said Lot Four; thence North to the North line of said Section Nine; thence East along the North line of said Section Nine to the place of beginning. EXCEPTING THEREFROM Beginning at the Northwest corner of said Lot Four, thence Easterly along the North line of said Lot Four, 76 feet, more or less, to a point coincident with Station 1+53.54 of Grade Separation No. 1 Survey as shown on the plans of Interstate 15, Project No. I-15-2(9)88 Highway Survey; thence South $0^{\circ}15'58''$ West 25 feet; thence South $75^{\circ}16'59''$ West 77.36 feet to a point in the West line of said Section Nine; thence Northeasterly along said West line 45 feet, more or less, to the place of beginning.

Together with the water rights and ditch rights of way used for the irrigation thereof and particularly 35 inches of the water of Blackfoot River, being a part of that certain water right of 1000 inches of date of June 1, 1885, decreed to A. Whitten and Susan E. Whitten on August 1, 1891, in that certain decree as recorded in Judgment Book "I" at pages 107 to 116 of the records of Bingham County, State of Idaho, and thirty-four shares of the capital stock of Miner's Ditch Company, a corporation.

Subject to all taxes and water assessments for the year 1964 which the second parties assume and agree to pay.

Except:

Part of Government Lot 4 Section 9, Township 3 South, Range 35 East, B.M. Bingham County, Idaho described as:

Commencing at the Northwest corner of Section 9; thence $N 90^{\circ} 00' 00'' E$ 847.00 feet along the section line to the northeast corner of Deed Instrument 483704; thence $S 00^{\circ} 00' 00'' E$ 250.00 feet to the southeast corner of said deed and the point of beginning. Thence $S 00^{\circ} 00' 00'' W$ 217.81 feet along the east line of Deed Instrument 483703; thence $N 90^{\circ} 00' 00'' W$ 200.00 feet; thence $N 0^{\circ} 00' 00'' W$ 217.81 feet to the southwest corner of Deed Instrument 483704; thence $S 90^{\circ} 00' 00'' E$ 200.00 feet along the south line of said deed to the point of beginning.

Parcel contains 1.00 acres more or less

Part of Lot 4 of Section 9, Township 3 South, Range 35 E.B.M., Bingham County, Idaho, described as follows: Beginning at a point that is $N 90^{\circ} 00' 00'' E$ 647.00 feet along the section line from the Northwest corner of said section 9 and running thence $N 90^{\circ} 00' 00'' E$ 200.00 feet along said section line to a point that is $S 90^{\circ} 00' 00'' W$ 477.00 feet from the Northeast corner of said Lot 4 and the West line of the property as described in Instrument No. 133300 extended; thence $S 00^{\circ} 00' 00'' W$ 250.00 feet along said West line; thence $N 90^{\circ} 00' 00'' W$ 200.00 feet; thence $N 00^{\circ} 00' 00'' E$ 250.00 feet to the point of beginning. EXCEPT the N. 25 feet for County Road.

TOGETHER WITH all singular the tenements, hereditament, and appurtenances thereunto belonging or in anywise appertaining, including all water, water rights, ditch and ditch rights.

STATE OF IDAHO, COUNTY OF Bingham
On this 4th day of September, 2014,
before me, the undersigned, personally appeared

George Hamilton
, known to me to be the person whose name is
subscribed to the within instrument as the
Personal Representative of the Estate of
Elouise Hamilton
deceased, and acknowledged to me that he
executed the same as such Personal
Representative.

Kassandra Stecklein
NOTARY PUBLIC

Residing at Blackfoot Comm. Exp. 02/21/2019



661276



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region • 900 N SKYLINE DR STE A • IDAHO FALLS, ID 83402-1718
Phone: (208)525-7161 • Fax: (208)525-7177 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

July 27, 2021

JEANNE K HAMILTON
2000 RIVERTON RD
BLACKFOOT ID 83221-2465

Re: Change in Water Right Ownership: 27-10790 (Split into 27-10790 and 27-12328)

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) 497-3787.

Sincerely,

Jonie Barg
Technical Records Specialist 1

Enclosure(s)

cc: GARY LEE HAMILTON
WATER DISTRICT 27