

\$200. -
Recorded Deed

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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 #6 of the instructions. DEV

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
✓ 34-14232 <i>ok</i>	Yes ☒	Yes ☐	34-14232 → 34-14837	Yes ☐	Yes ☐
✓ 34-14234 <i>ok</i>	Yes ☒	Yes ☐	34-14234 → 34-14840	Yes ☐	Yes ☐
✓ 34-14236 <i>ok</i>	Yes ☒	Yes ☐	34-14236 → 34-14843	Yes ☐	Yes ☐
✓ 34-14238 <i>ok</i>	Yes ☒	Yes ☐	34-14238 → 34-14846	Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Darrell Wilburn

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Mark Russell & Martha Russell

New owner(s) as listed on the conveyance document

Name connector ☒ and ☐ or ☐ and/or

4915 W Canyon Creek Rd
Mailing address

Idaho Falls
City

ID
State

83402
ZIP

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: 12/17/2020

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.

8. Signature: Mark Russell

Signature of new owner/claimant

Title, if applicable

Date 4/5/21

Signature: _____

Signature of new owner/claimant

Title, if applicable

Date

For IDWR Office Use Only:

Received by [Signature]

Date 4/7/2021

Receipt No. E046811

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 [Signature]

Processed by [Signature]

Date 7/23/2021

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
168 West Pacific Street/PO Box 868
Blackfoot, ID 83221

E-RECORDED

simplifile®

ID: 259516

County: CUSTER

Date: 12-17-2020

Time: 3:31 PM

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **946467-B (tr)**

Date: **December 15, 2020**

For Value Received, **Parcel 1: Darrell G. Wilburn and Karen L. Wilburn, husband and wife**
Parcel 2: Darrell G. Wilburn and Karen L. Wilburn, husband and wife, hereinafter called the
Grantor, hereby grants, bargains, sells and conveys unto **Mark Russell and Martha Russell, husband**
and wife, hereinafter called the Grantee, whose current address is **4915 W Canyon Creek Rd, Idaho**
Falls, ID 83402-5425, the following described premises, situated in **Custer County, Idaho**, to-wit:

PARCEL 1:

LOT 6, LONESOME DOVE SUBDIVISION, CUSTER COUNTY, IDAHO, AS SHOWN ON THE PLAT
RECORDED NOVEMBER 13, 2006, AS INSTRUMENT NO. 235303.

PARCEL 2:

TOGETHER WITH AN EASEMENT FOR INGRESS AND EGRESS OVER THE FOLLOWING
DESCRIBED PROPERTY:

A PORTION OF A QUIT CLAIM DEED, CUSTER COUNTY, IDAHO, INSTRUMENT #259291,
FILED NOVEMBER 13, 2020 AND INSTRUMENT #255442, RECORDED OCTOBER 4, 2018

PART OF W½ OF THE SW¼ OF SECTION 12 TOWNSHIP 6 NORTH, RANGE 25 EAST OF THE
BOISE MERIDIAN, CUSTER COUNTY, IDAHO. MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 12 FROM WHICH THE WEST 1/4
CORNER OF SAID SECTION BEARING N.00°04'09" E. 2673.18 FEET, THE BASIS OF BEARING
FOR DESCRIPTION;

THENCE N00°04'09"E 807.15 FEET ALONG SAID SECTION LINE TO A POINT
MARKED BY A 2" ALUMINUM CAP STAMPED PLS 4735, THE SOUTHEAST CORNER OF LOT 6,
LONESOME DOVE SUBDIVISION, CUSTER COUNTY INSTRUMENT 235303 FILED NOVEMBER
3, 2006, SAID POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID SECTION N00°04'09"E 264.21 FEET TO THE SOUTHEAST
CORNER OF LOT 5 ALSO BEING THE NORTHEAST CORNER OF LOT 6 OF SAID SUBDIVISION;

THENCE S89°55'51"E 40.78 FEET TO THE CENTERLINE OF A COUNTY ROAD COMMONLY
KNOWN AS 3700 W;

THENCE S.01°16'44"E 264.28 FEET ALONG SAID CENTERLINE;

Date: 12/15/2020

Warranty Deed
- continued

File No.: 946467-B (tr)

THENCE N.89°55'51"W 46.99 FEET TO SAID SOUTHEAST CORNER OF LOT 6 AND THE POINT OF BEGINNING.

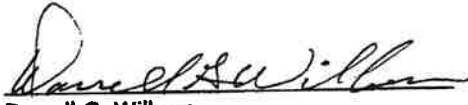
SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

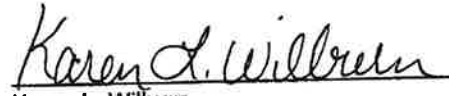
TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from 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: 12/15/2020

Warranty Deed
- continued

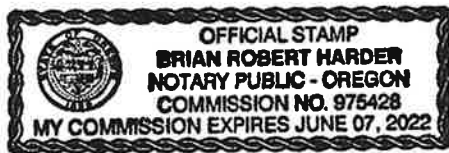
File No.: 946467-B (tr)


Darrell G. Wilburn


Karen L. Wilburn

STATE OF Oregon)
COUNTY OF Multnomah) ss.

On this 15th day of December, 2020, before me, a Notary Public in and for said State, personally appeared **Darrell G. Wilburn and Karen L. Wilburn**, 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.




Notary Public for the State of Oregon
Residing at: Gresham, Oregon
My Commission Expires: 6/7/2022



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 23, 2021

MARK RUSSELL
4915 W CANYON CREEK RD
IDAHO FALLS ID 83402-5425

Re: Change in Water Right Ownership: 34-14232 (Split into 34-14232 and 34-14837), 34-14234 (Split into 34-14234 and 34-14840), 34-14236 (Split into 34-14236 and 34-14843), 34-14238 (Split into 34-14238 and 34-14846),

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: KAREN WILBURN
DARRELL WILBURN
WATER DISTRICT 34
BIG LOST RIVER IRRIGATION DISTRICT