

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED
DEC 09 2020
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?
37-583	Yes ☐	Yes ☐		Yes ☐	Yes ☐
37-584	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Crystal McHan and Vard C. McHan
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Cody R. Turner and Tori J. Turner
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 1814 South 1500 East Gooding ID 83330
Mailing address City State ZIP
- 208-539-5572 _____
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: Dec. 2020 & February 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.

SUPPORT DATA

IN FILE # 37-583

8. Signature: Cody Turner Tori Turner 12-7-20
 Signature of new owner/claimant Title, if applicable Date
 Signature: Tori Turner _____ 12/7/2020
 Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by 56 Date 12/9/20 Receipt No. 5038283 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 MR Date 2/22/21

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
301 Main Street
Gooding, ID 83330

Instrument # 270890

GOODING COUNTY, GOODING, IDAHO
12-07-2020 14:02:16 No. of Pages: 4
Recorded for: FIRST AMERICAN TITLE - JEROME
DENISE GILL Fee: \$15.00
Ex-Officio Recorder Deputy: JG
Electronically Recorded by Simplifile

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **931771GO (lr)**

Date: **December 03, 2020**

For Value Received, **Crystal McHan, an unmarried woman**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Cody R. Turner and Tori J. Turner, husband and wife**, hereinafter called the Grantee, whose current address is **1814 South 1500 East, Gooding, ID 83330**, the following described premises, situated in **Gooding County, Idaho**, to-wit: **Legal Description attached hereto as Exhibit A, and by this referenced incorporated herein.**

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: 12/03/2020

Warranty Deed
- continued

File No.: 931771GO (lr)

Crystal McHan
Crystal McHan

STATE OF Idaho)
COUNTY OF Gooding)
SS.

On this 7 day of December, 2020, before me, a Notary Public in and for said State, personally appeared **Crystal McHan**, 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.



[Signature]
Notary Public for the State of Idaho
Residing at: Gooding, ID
My Commission Expires: 10/8/2022

EXHIBIT A

TOWNSHIP 5 SOUTH, RANGE 14 EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 10: Part of the East 1/2 of the Southeast 1/4 and all of the Southeast 1/4 of the Northeast 1/4, all being more particularly described as follows:

Commencing at found railroad spike marking the Southeast corner of the East 1/2 of the Southeast 1/4 of said Section 10, being also the POINT OF BEGINNING of this land description, from which point a found 1/2-inch steel rod marking the Southwest corner of the Southeast 1/4 of said Section 10 bears North 89 Degrees 17 Minutes 13 Seconds West at a distance of 2633.85 feet;
Thence along the Southerly boundary of said East 1/2 of the Southeast 1/4, North 89 Degrees 17 Minutes 13 Seconds West, a distance of 876.92 feet to a point from which a set 5/8-inch rebar with a plastic cap imprinted "PLS 9858" bears North 00 Degrees 26 Minutes 50 Seconds East at a distance of 25.0 feet;
Thence North 00 Degrees 26 Minutes 50 Seconds East, a distance of 222.00 feet to a set 5/8-inch rebar with a plastic cap imprinted "PLS 9858";
Thence North 89 Degrees 17 Minutes 13 Seconds West, a distance of 440.00 feet to a set 5/8-inch rebar with a plastic cap imprinted "PLS 9858" marking the point of intersection with the Westerly boundary of the East 1/2 of the Southeast 1/4 of said Section 10;
Thence along said Westerly boundary, North 00 Degrees 26 Minutes 50 Seconds East, a distance of 2397.88 feet to the Southwest corner of the Southeast 1/4 of the Northeast 1/4 of said Section 10;
Thence along the Westerly boundary of said Southeast 1/4 of the Northeast 1/4, North 00 Degrees 26 Minutes 47 Seconds East, a distance of 1317.47 feet to a set 5/8-inch rebar with an aluminum cap imprinted "PLS 9858" marking the Northwest corner of said Southeast 1/4 of the Northeast 1/4;
Thence along the Northerly boundary of said Southeast 1/4 of the Northeast 1/4, South 89 Degrees 51 Minutes 28 Seconds East, a distance of 1317.20 feet to a 5/8-inch rebar with an aluminum cap imprinted "PLS 9858" marking the Northeast corner of said Southeast 1/4 of the Northeast 1/4;
Thence along the Easterly boundary of said Southeast 1/4 of the Northeast 1/4, South 00 Degrees 27 Minutes 00 Seconds West, a distance of 1316.80 feet to a found 5/8-inch steel rod marking the Northeast corner of the East 1/2 of the Southeast 1/4 of said Section 10;
Thence along the Easterly boundary of said East 1/2 of the Southeast 1/4, South 00 Degrees 27 Minutes 05 Seconds West, a distance of 2633.68 feet to the POINT OF BEGINNING.

AND

TOWNSHIP 5 SOUTH, RANGE 14 EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 11: SW¹/₄, SW¹/₄SE¹/₄ and a portion of SE¹/₄SE¹/₄ described as follows:

Beginning at the southwest corner of said SE¹/₄SE¹/₄;
Thence North 525 feet;
Thence East 490 feet;
Thence South 525 feet to the South boundary of Section 11;

Date: 12/03/2020

Warranty Deed
- continued

File No.: 931771GO (lr)

Thence West 490 feet to the True Point of Beginning

TOGETHER with all water rights appurtenant thereto including but not limited to 100 shares of capital stock in the Big Wood Canal Company, 111.13 Inches of American Falls District No. 2, Decreed water rights Nos. 37-0583 and 37-0584, delivered through 505 shares of capital stock in the Robertson Ditch Company.

RECORDING REQUESTED BY:
Peterson Law Office, PLLC

AND WHEN RECORDED MAIL
TO:
Peterson Law Office, PLLC
P.O. Box 5827
Twin Falls, ID 83303

Instrument # 271788

GOODING COUNTY, GOODING, IDAHO
02-18-2021 09:32:18 No. of Pages: 5
Recorded for: FIRST AMERICAN TITLE - JEROME
DENISE GILL Fee: \$15.00
Ex-Officio Recorder Deputy: JG
Electronically Recorded by Simplifile

QUITCLAIM DEED

KNOW TO ALL MEN BY THES PRESENTS THAT:

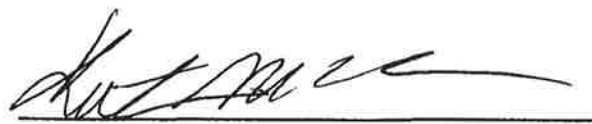
ERIC MCHAN and KATRINA MCHAN, husband and wife, hereinafter referred to as "Grantors", hereby convey, release, transfer, remise and forever Quit-claims all their right title and interest in the water rights appurtenant to certain real property legally described on Exhibit A attached hereto and located in Gooding County, Idaho, unto CODY TURNER and TORI TURNER, whose address is 1814 South 1500 East, Gooding ID 83330. Said water rights shall include all water rights set forth in IDAHO DEPARTMENT OF WATER RESOURCES Water Right No. 37-583 and Water Right No. 37-584.

DATED this 17 day of February, 2021.

GRANTORS


ERIC D. MCHAN

Date: 2-17-2021


KATRINA MCHAN

Date: 2/17/2021

STATE OF IDAHO

County of Gooding

)
) ss.
)

On this 17 day February, 2021, before me, the undersigned, a Notary Public in and for said State, personally appeared ERIC D. and KATRINA MCHAN 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 hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



NOTARY PUBLIC FOR IDAHO

Residence: Gooding, ID

My Commission Expires: 10/8/2022

TOWNSHIP 5 SOUTH, RANGE 14 EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 10: That part of the Southeast 1/4 of the Southeast 1/4 described as follows:

Commencing at found railroad spike marking the Southeast corner of the Southeast 1/4 of said Section 10, from which a found 1/2-inch steel rod marking the Southwest corner of said Southeast 1/4 bears North 89 Degrees 17 Minutes 13 Seconds West at a distance of 2633.85 feet;

Thence along the Southerly boundary of said Southeast 1/4, North 89 Degrees 17 Minutes 13 Seconds West, a distance of 1316.92 feet to the Southwest corner of the Southeast 1/4 of the Southeast 1/4 of said Section 10, from which a set 5/8-inch rebar with a plastic cap imprinted "PLS 9858" bears North 00 Degrees 26 Minutes 50 Seconds East at a distance of 25.0 feet;

Thence along the Westerly boundary of said Southeast 1/4 of the Southeast 1/4, North 00 Degrees 26 Minutes 50 Seconds East (*North, Record*), a distance of 180.00 feet to the **POINT OF BEGINNING** of this land description, said point being also the Northwest corner of a parcel of land described in a Gift Deed between Vard C. and Crystal McHan (Grantors) and Eric D. and Katrina McHan (Grantees) recorded in the Gooding County Recorder's Office on November 19, 2002 as Instrument Number 197873;

Thence continuing along the Westerly boundary of said Southeast 1/4 of the Southeast 1/4, North 00 Degrees 26 Minutes 50 Seconds East, a distance of 42.00 feet to a set 5/8-inch rebar with a plastic cap imprinted "PLS 9858";

Thence South 89 Degrees 17 Minutes 13 Seconds East, a distance of 440.00 feet to a set 5/8-inch rebar with a plastic cap imprinted "PLS 9858";

Thence South 00 Degrees 26 Minutes 50 Seconds West, a distance of 222.00 feet to the point of intersection with the Southerly boundary of the Southeast 1/4 of the Southeast 1/4 of said Section 10, from which point a set 5/8-inch rebar with a plastic cap imprinted "PLS 9858" bears North 00 Degrees 26 Minutes 50 Seconds East, a distance of 25.0 feet;

Thence along said Southerly boundary, North 89 Degrees 17 Minutes 13 Seconds West, a distance of 40.00 feet to the Southeast corner of said described McHan parcel;

Thence along the Easterly boundary of said described McHan parcel, North 00 Degrees 26 Minutes 50 Seconds East (*North, Record*), a distance of 180.00 feet to the Northeast corner of said described McHan parcel;

Thence along the Northerly boundary of said described McHan parcel, North 89 Degrees 17 Minutes 13 Seconds West (*West, Record*), a distance of 400.00 feet to the **POINT OF BEGINNING**.

According to a survey by GradeTek, PLLC, Gooding, ID and containing 0.590 ACRES, more or less.

TOWNSHIP 5 SOUTH, RANGE 14 EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 10: That part of the Southeast 1/4 of the Southeast 1/4 described as follows:

Commencing at found railroad spike marking the Southeast corner of the Southeast 1/4 of said Section 10, from which a found 1/2-inch steel rod marking the Southwest corner of said Southeast 1/4 bears North 89 Degrees 17 Minutes 13 Seconds West at a distance of 2633.85 feet;

Thence along the Southerly boundary of said Southeast 1/4, North 89 Degrees 17 Minutes 13 Seconds West, a distance of 1316.92 feet to the Southwest corner of the Southeast 1/4 of the Southeast 1/4 of said Section 10, being also the **POINT OF BEGINNING** of this land description, from which point a set 5/8-inch rebar with a plastic cap imprinted "PLS 9858" bears North 00 Degrees 26 Minutes 50 Seconds East at a distance of 25.0 feet;

Thence along the Westerly boundary of said Southeast 1/4 of the Southeast 1/4, North 00 Degrees 26 Minutes 50 Seconds East, a distance of 222.00 feet to a set 5/8-inch rebar with a plastic cap imprinted "PLS 9858";

Thence South 89 Degrees 17 Minutes 13 Seconds East, a distance of 440.00 feet to a set 5/8-inch rebar with a plastic cap imprinted "PLS 9858";

Thence South 00 Degrees 26 Minutes 50 Seconds West, a distance of 222.00 feet to the point of intersection with the Southerly boundary of the Southeast 1/4 of the Southeast 1/4, from which point a set 5/8-inch rebar with a plastic cap imprinted "PLS 9858" bears North 00 Degrees 26 Minutes 50 Seconds East at a distance of 25.0 feet;

Thence along said Southerly boundary, North 89 Degrees 17 Minutes 13 Seconds West, a distance of 440.00 feet to the **POINT OF BEGINNING**.

According to a survey by GradeTek, PLLC, Gooding, ID and containing 2.242 ACRES, more or less.

RECORDING REQUESTED BY:
Peterson Law Office, PLLC

AND WHEN RECORDED MAIL
TO:
Peterson Law Office, PLLC
P.O. Box 5827
Twin Falls, ID 83303

Instrument # 271787
GOODING COUNTY, GOODING, IDAHO
02-18-2021 09:32:18 No. of Pages: 3
Recorded for: FIRST AMERICAN TITLE - JEROME
DENISE GILL Fee: \$15.00
Ex-Officio Recorder Deputy: JG
Electronically Recorded by Simplifile

QUITCLAIM DEED

KNOW TO ALL MEN BY THES PRESENTS THAT:

CRYSTAL MCHAN, a widow, hereinafter referred to as "Grantors", hereby convey, release, transfer, remise and forever Quit-claims all their right title and interest in the water rights appurtenant to certain real property legally described on Exhibit A attached hereto and located in Gooding County, Idaho, unto CODY TURNER and TORI TURNER, whose address is 1814 South 1500 East, Gooding ID 83330. Said water rights shall include all water rights set forth in IDAHO DEPARTMENT OF WATER RESOURCES Water Right No. 37-583 and Water Right No. 37-584.

DATED this 5 day of February, 2021.

GRANTORS

Crystal Mchan
CRYSTAL MCHAN

Date: 2/5/2021

STATE OF IDAHO)
County of Gooding) ss.

On this 5 day February, 2021, before me, the undersigned, a Notary Public in and for said State, personally appeared CRYSTAL MCHAN 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 hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



[Signature]
NOTARY PUBLIC FOR IDAHO
Residence: Gooding, ID
My Commission Expires: 10/8/2022

TOWNSHIP 5 SOUTH, RANGE 14 EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 10: That part of the Southeast 1/4 of the Southeast 1/4 described as follows:

Commencing at found railroad spike marking the Southeast corner of the Southeast 1/4 of said Section 10, from which a found 1/2-inch steel rod marking the Southwest corner of said Southeast 1/4 bears North 89 Degrees 17 Minutes 13 Seconds West at a distance of 2633.85 feet;

Thence along the Southerly boundary of said Southeast 1/4, North 89 Degrees 17 Minutes 13 Seconds West, a distance of 1316.92 feet to the Southwest corner of the Southeast 1/4 of the Southeast 1/4 of said Section 10, from which a set 5/8-inch rebar with a plastic cap imprinted "PLS 9858" bears North 00 Degrees 26 Minutes 50 Seconds East at a distance of 25.0 feet;

Thence along the Westerly boundary of said Southeast 1/4 of the Southeast 1/4, North 00 Degrees 26 Minutes 50 Seconds East (*North, Record*), a distance of 180.00 feet to the **POINT OF BEGINNING** of this land description, said point being also the Northwest corner of a parcel of land described in a Gift Deed between Vard C. and Crystal McHan (Grantors) and Eric D. and Katrina McHan (Grantees) recorded in the Gooding County Recorder's Office on November 19, 2002 as Instrument Number 197873;

Thence continuing along the Westerly boundary of said Southeast 1/4 of the Southeast 1/4, North 00 Degrees 26 Minutes 50 Seconds East, a distance of 42.00 feet to a set 5/8-inch rebar with a plastic cap imprinted "PLS 9858";

Thence South 89 Degrees 17 Minutes 13 Seconds East, a distance of 440.00 feet to a set 5/8-inch rebar with a plastic cap imprinted "PLS 9858";

Thence South 00 Degrees 26 Minutes 50 Seconds West, a distance of 222.00 feet to the point of intersection with the Southerly boundary of the Southeast 1/4 of the Southeast 1/4 of said Section 10, from which point a set 5/8-inch rebar with a plastic cap imprinted "PLS 9858" bears North 00 Degrees 26 Minutes 50 Seconds East, a distance of 25.0 feet;

Thence along said Southerly boundary, North 89 Degrees 17 Minutes 13 Seconds West, a distance of 40.00 feet to the Southeast corner of said described McHan parcel;

Thence along the Easterly boundary of said described McHan parcel, North 00 Degrees 26 Minutes 50 Seconds East (*North, Record*), a distance of 180.00 feet to the Northeast corner of said described McHan parcel;

Thence along the Northerly boundary of said described McHan parcel, North 89 Degrees 17 Minutes 13 Seconds West (*West, Record*), a distance of 400.00 feet to the **POINT OF BEGINNING**.

According to a survey by GradeTek, PLLC, Gooding, ID and containing 0.590 ACRES, more or less.

TOWNSHIP 5 SOUTH, RANGE 14 EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 10: That part of the Southeast 1/4 of the Southeast 1/4 described as follows:

Commencing at found railroad spike marking the Southeast corner of the Southeast 1/4 of said Section 10, from which a found 1/2-inch steel rod marking the Southwest corner of said Southeast 1/4 bears North 89 Degrees 17 Minutes 13 Seconds West at a distance of 2633.85 feet;

Thence along the Southerly boundary of said Southeast 1/4, North 89 Degrees 17 Minutes 13 Seconds West, a distance of 1316.92 feet to the Southwest corner of the Southeast 1/4 of the Southeast 1/4 of said Section 10, being also the **POINT OF BEGINNING** of this land description, from which point a set 5/8-inch rebar with a plastic cap imprinted "PLS 9858" bears North 00 Degrees 26 Minutes 50 Seconds East at a distance of 25.0 feet;

Thence along the Westerly boundary of said Southeast 1/4 of the Southeast 1/4, North 00 Degrees 26 Minutes 50 Seconds East, a distance of 222.00 feet to a set 5/8-inch rebar with a plastic cap imprinted "PLS 9858";

Thence South 89 Degrees 17 Minutes 13 Seconds East, a distance of 440.00 feet to a set 5/8-inch rebar with a plastic cap imprinted "PLS 9858";

Thence South 00 Degrees 26 Minutes 50 Seconds West, a distance of 222.00 feet to the point of intersection with the Southerly boundary of the Southeast 1/4 of the Southeast 1/4, from which point a set 5/8-inch rebar with a plastic cap imprinted "PLS 9858" bears North 00 Degrees 26 Minutes 50 Seconds East at a distance of 25.0 feet;

Thence along said Southerly boundary, North 89 Degrees 17 Minutes 13 Seconds West, a distance of 440.00 feet to the **POINT OF BEGINNING**.

According to a survey by GradeTek, PLLC, Gooding, ID and containing 2.242 ACRES, more or less.

TOWNSHIP 5 SOUTH, RANGE 14 EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 10: Part of the East 1/2 of the Southeast 1/4 and all of the Southeast 1/4 of the Northeast 1/4, all being more particularly described as follows:

Commencing at found railroad spike marking the Southeast corner of the East 1/2 of the Southeast 1/4 of said Section 10, being also the **POINT OF BEGINNING** of this land description, from which point a found 1/2-inch steel rod marking the Southwest corner of the Southeast 1/4 of said Section 10 bears North 89 Degrees 17 Minutes 13 Seconds West at a distance of 2633.85 feet;

Thence along the Southerly boundary of said East 1/2 of the Southeast 1/4, North 89 Degrees 17 Minutes 13 Seconds West, a distance of 876.92 feet to a point from which a set 5/8-inch rebar with a plastic cap imprinted "PLS 9858" bears North 00 Degrees 26 Minutes 50 Seconds East at a distance of 25.0 feet;

Thence North 00 Degrees 26 Minutes 50 Seconds East, a distance of 222.00 feet to a set 5/8-inch rebar with a plastic cap imprinted "PLS 9858";

Thence North 89 Degrees 17 Minutes 13 Seconds West, a distance of 440.00 feet to a set 5/8-inch rebar with a plastic cap imprinted "PLS 9858" marking the point of intersection with the Westerly boundary of the East 1/2 of the Southeast 1/4 of said Section 10;

Thence along said Westerly boundary, North 00 Degrees 26 Minutes 50 Seconds East, a distance of 2397.88 feet to the Southwest corner of the Southeast 1/4 of the Northeast 1/4 of said Section 10;

Thence along the Westerly boundary of said Southeast 1/4 of the Northeast 1/4, North 00 Degrees 26 Minutes 47 Seconds East, a distance of 1317.47 feet to a set 5/8-inch rebar with an aluminum cap imprinted "PLS 9858" marking the Northwest corner of said Southeast 1/4 of the Northeast 1/4;

Thence along the Northerly boundary of said Southeast 1/4 of the Northeast 1/4, South 89 Degrees 51 Minutes 28 Seconds East, a distance of 1317.20 feet to a 5/8-inch rebar with an aluminum cap imprinted "PLS 9858" marking the Northeast corner of said Southeast 1/4 of the Northeast 1/4;

Thence along the Easterly boundary of said Southeast 1/4 of the Northeast 1/4, South 00 Degrees 27 Minutes 00 Seconds West, a distance of 1316.80 feet to a found 5/8-inch steel rod marking the Northeast corner of the East 1/2 of the Southeast 1/4 of said Section 10;

Thence along the Easterly boundary of said East 1/2 of the Southeast 1/4, South 00 Degrees 27 Minutes 05 Seconds West, a distance of 2633.68 feet to the **POINT OF BEGINNING**.

According to a survey by GradeTek, PLLC, Gooding, ID and containing 117.003 ACRES, more or less.

STATE OF IDAHO
COUNTY OF GOODING

I hereby certify that the foregoing is a true copy of
the original instrument on file in my office.

Dated: 2/24/16 2016

DENISE M. GILL
District Court Clerk

1 Alfred E. Barrus [ISB #1704]
2 Attorney at Law
3 1918 Overland Avenue
4 P.O. Box 487
5 Burley, Idaho 83318
6 Telephone (208) 678-1155
7 Fax No. (208) 678-1166

By

8 Attorney for Petitioner

9
10 IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
11 STATE OF IDAHO, IN AND FOR THE COUNTY OF GOODING
12
13 MAGISTRATE DIVISION

14 In the Matter of the Estate of:

Case No. 2016-37

15 **VARD CANARA McHAN,**

**DECREE VESTING ESTATE IN
SURVIVING SPOUSE**

16 Deceased.

17 Upon consideration of the Petition for Summary Administration of Estate in
18 Which Surviving Spouse is Sole Beneficiary filed by Crystal McHan, on the 28th day of
19 January, 2016, the court finds that:

- 20 1. The facts set forth in the Petition are true.
- 21 2. The required notice has been given or waived.
- 22 3. The decedent, Vard Canara McHan, died on the 28th day of October
23 2015, and was domiciled in Gooding County, Idaho.
- 24 4. Venue is proper.
- 25 5. The decedent and Crystal McHan were duly married on January 28, 1964
26 and remained married until the date of decedent's death.
- 27 6. The surviving spouse, Crystal McHan, is the sole heir or devisee of the
28 decedent.
7. That decedent died intestate.
8. The schedule of property attached to this Decree is a full and complete
inventory of the property owned by the decedent and is properly characterized as
community property.

THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED AS
FOLLOWS:

DECREE VESTING ESTATE IN SURVIVING SPOUSE - 1

C:\Users\User\Documents\Probate\McHan.Vard.Decree.wpd

Instrument # 253921

GOODING, GOODING, IDAHO

2-4-2016 01:33:53 PM No. of Pages: 3

Recorded for: ALFRED E. BARRUS

DENISE M. GILL

Fee: 16.00

Ex-Officio Recorder Deputy

[Signature]

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1. Crystal McHan is the surviving spouse of the decedent and is the sole heir or devisee of the decedent.

2. The property of the decedent described on the schedule attached to this Decree is hereby vested in and distributed to Crystal McHan, free and clear of any and all right, title, claim or demand of any person or persons claiming or attempting to claim under the estate of the decedent as heir, devisee or otherwise, except as a proper creditor.

3. The surviving spouse shall assume and be liable for any and all indebtedness that might be a claim against the estate of the decedent.

4. There shall be no administration of the estate of the decedent.

DATED this 28th day of January, 2016.

Magistrate Judge

1
2 **SCHEDULE A**

3 **REAL PROPERTY**

4 That real property located at 1668 East 1400 South, Gooding, Gooding County, Idaho and
5 more particularly described as:

6 Township 5 South, Range 14 East Boise Meridian, Gooding County, Idaho

7 Section 10: E $\frac{1}{2}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$

8 Section 11: SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ and a portion of SE $\frac{1}{4}$ SE $\frac{1}{4}$ described as follows:
9 Beginning at the southwest corner of said SE $\frac{1}{4}$ SE $\frac{1}{4}$; Thence north 525 feet;
10 Thence east 490 feet; thence south 525 feet to the south boundary of Section
11 11; Thence west 490 feet to the True Point of Beginning.

12 Together with all water rights appurtenant thereto, including but not limited to 100
13 shares of capital stock in the Big Wood Canal Company, 111.13 inches of American Falls
14 District No. 2 water, Decreed water rights Nos. 37-0583 and 37-0584, delivered through
15 505 shares of capital stock in the Robertson Ditch Company.

16 **LESS the following described property:**

17 Section 10 Township 5S Range 14E beginning at the southwest corner of the
18 Southeast of the Southeast $\frac{1}{4}$ of said Section 10 as the true point of beginning;
19 Thence E 400 ft along the southerly boundary; Thence N 180 feet; Thence W 400
20 ft; Thence S 180 ft to the true point of beginning, Gooding County, State of Idaho,
21 consisting of 2 acres more or less.

22
23
24
25
26
27 **PETITION FOR SUMMARY ADMINISTRATION OF ESTATE OF WHICH SURVIVING**
28 **SPOUSE IS SOLE BENEFICIARY - 3**

C:\Users\User\Documents\Probate\McHan,Vard.Petition for Summary Administration.wpd

Instrument # 186187

GOODING GOODING, IDAHO

2000-06-13 03:35:45 No. of Pages: 3

Recorded for : GOODING TITLE

HELEN EDWARDS

Ex-Officio Recorder Deputy

Index to: DEED, WARRANTY

Fee: 9.00

WARRANTY DEED

FOR VALUE RECEIVED,

RICHARD DALTON and MOLLIE DALTON, husband and wife, and **DALTON BROTHERS**, a Partnership, **MATTHEW R. DALTON, REX DALTON AND BARRY R. DALTON**, Partners, hereinafter collectively referred to as the "Grantors", do hereby grant, bargain, sell and convey unto **VARD C. McHAN and CRYSTAL McHAN**, husband and wife, whose address is 3127 A S 1500 E, Wendell, Idaho, the "Grantees", the following described premises located in Gooding County, Idaho, to wit:

TOWNSHIP 5 SOUTH, RANGE 14 EAST BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 10: E $\frac{1}{2}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$

Section 11: SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ and a portion of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ described as follows:

Beginning at the Southwest corner of said SE $\frac{1}{4}$ SE $\frac{1}{4}$;

THENCE North 525 feet;

THENCE East 490 feet;

THENCE South 525 feet to the south boundary of Section 11;

THENCE West 490 feet to THE TRUE POINT OF BEGINNING

Together with all water rights appurtenant thereto, including but not limited to, 100 shares of capital stock in the Big Wood Canal Company, 111.13 inches of American Falls District No. 2 water, Decreed Water Rights Nos. 37-0583 and 37-0584, delivered through 505 shares of capital stock in the Robertson Ditch Company.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. The said Grantors do hereby covenant to and with the said Grantees, that they are the owners of said premises; that they will warrant and defend the same from all lawful claims whatsoever, except as hereinabove specifically provided, and the specific exceptions listed below:

1. Taxes for 2000 and subsequent years, which are a lien, but not yet due and payable.
2. Assessments of the American Falls Reservoir District No. 2 and the rights and powers of said District as by law provided.
3. Assessments of the Big Wood Canal Company and the rights and powers of said Company as by law provided.

4. Assessments levied or to be levied by any local irrigation district.
5. Right of way for canals, laterals and waste ditches of Big Wood Canal Company.

DATED THIS 13th day of June, 2000.

Richard R. Dalton
RICHARD DALTON

Mollie Dalton
MOLLIE DALTON

DALTON BROTHERS, a Partnership

Matthew R. Dalton
MATTHEW R. DALTON, Partner

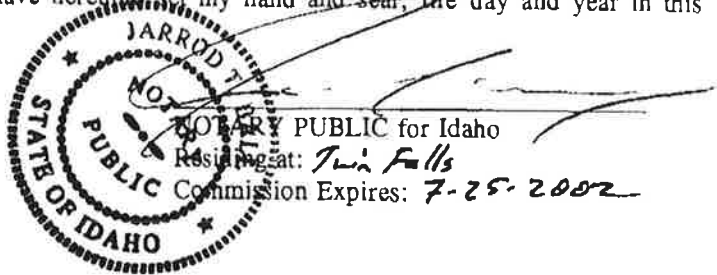
Rex W. Dalton
REX DALTON, Partner

Barry R. Dalton
BARRY R. DALTON, Partner

STATE OF IDAHO)
County of Gooding SS.
County of ~~Jerome~~)

On this 13th day of June, 2000, before me, the undersigned, a Notary Public in and for said County and State, personally appeared RICHARD DALTON and MOLLIE DALTON, husband and wife, known to me to be the persons whose names are subscribed to the within and foregoing instrument, and who acknowledged to me that they executed the same.

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



STATE OF IDAHO)

County of JEROME ss.

On this 2nd day of JUNE, 2000, before me, the undersigned, a Notary Public in and for said County and State, personally appeared MATTHEW R. DALTON, Partner in DALTON BROTHERS, known to me to be the person whose name is subscribed to the within and foregoing instrument, and who acknowledged to me that he executed the same on behalf of said Partnership.

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



Brenda S. Butlee

NOTARY PUBLIC for Idaho

Residing at: Gooding

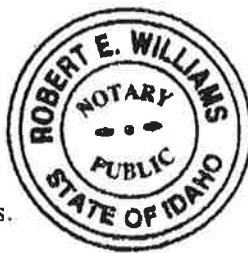
Commission Expires: 3/5/2004

STATE OF IDAHO)

County of JEROME ss.

On this 5th day of JUNE, 2000, before me, the undersigned, a Notary Public in and for said County and State, personally appeared REX DALTON, Partner in DALTON BROTHERS, known to me to be the person whose name is subscribed to the within and foregoing instrument, and who acknowledged to me that he executed the same on behalf of said Partnership.

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



[Signature]

NOTARY PUBLIC for Idaho

Residing at: Jerome

Commission Expires: 1/27/05

STATE OF IDAHO)

County of JEROME ss.

On this 2nd day of JUNE, 2000, before me, the undersigned, a Notary Public in and for said County and State, personally appeared BARRY R. DALTON, Partner in DALTON BROTHERS, known to me to be the person whose name is subscribed to the within and foregoing instrument, and who acknowledged to me that he executed the same on behalf of said Partnership.

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



Brenda S. Butlee

NOTARY PUBLIC for Idaho

Residing at: Gooding

Commission Expires: 3/5/2004



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

Brad Little
Governor

Gary Spackman
Director

February 22, 2021

CODY R & TORI J TURNER
1814 S 1500 E
GOODING ID 83330-5013

Re: Change in Ownership for Water Right No(s): 37-583, 37-584

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) 293-9912.

Sincerely,

Michelle Richman
Engineer

Enclosure(s)

Water District 37
First American Title Company, Gooding (File #931771GO)

Richman, Michelle

From: Lisa Ritter <lritter@gofirstam.com>
Sent: Thursday, February 18, 2021 9:40 AM
To: Cody Turner; Richman, Michelle
Subject: Cody Turner
Attachments: C Mchan.pdf; E Mchan.pdf

Good morning Michelle and Cody-
Here are copies of the recorded QCD from the McHan's to release their interest in the water rights.
Thanks
Lisa



Lisa Ritter | Escrow Officer

Office State License #: Camas 344472 | Gooding 344477 | Lincoln 344476 | Jerome 5605
301 Main Street | Gooding Idaho 83330
Phone 208.934.4427
lritter@gofirstam.com | www.gofirstam.com

PROTECT YOUR MONEY FROM WIRE FRAUD SCHEMES

Cyber-crimes involving email breaches and wire fraud are present in the real estate industry. Our wire instructions DO NOT CHANGE. Always confirm wire instructions in person or via a telephone call to your settlement agent using a trusted and verified number prior to sending funds.

COVID-19 Response:

As we open our offices in a phased plan, our teams will continue to follow our Company's current COVID-19 Response and Business Continuity Plan. Your local team will discuss the options available to you and your clients when closing appointments are scheduled.



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

Brad Little
Governor

Gary Spackman
Director

January 28, 2021

CODY R & TORI J TURNER
1814 S 1500 E
GOODING ID 83330-5013

RE: Water Right No(s): 37-583, 37-584
Change in Ownership

Dear Interested Parties:

The Department of Water Resources (Department) acknowledges receipt of your Notice of Change in Water Right Ownership (Notice).

Our review of your Notice indicates that additional information is required before the Department can process the change. The information required is indicated below:

 X Evidence of Water Right Ownership: copy of Deed, Title Policy, Contract of Sale, or other legal document indicating your ownership of the property and/or water rights in question

On January 21, 2021, we discussed by phone that water rights 37-583 and 37-584 encompass property currently owned by Eric McHan. To address this, you have agreed to obtain quit claim deeds from two parties releasing their interest in their portion of water rights 37-583 and 37-584. The two quit claim deeds you agreed to obtain include:

- 1) one from Eric McHan to you, and
- 2) one from Crystal and Vard McHan to you.

Because the Department cannot process the Notice without proper documentation, we will hold any action on your notice pending receipt of the necessary information. If we do not receive the necessary information within 30 days, we will return your notice, payments, and all attachments, and your notice will not be processed.

If you have any questions regarding this matter, please contact me at (208) 736-3033.

Sincerely,

Michelle Richman
Engineer

Cc: First American Title Company (931771GO)

Richman, Michelle

From: Richman, Michelle
Sent: Tuesday, January 12, 2021 3:03 PM
To: 'lritter@gofirstam.com'
Subject: RE: File Number-931771-Address-1668 East 1400 South (Email Ref=1891101318)

Lisa –

Thank you for sending the document below. The cleanest way to proceed would be to split water rights 37-583 and 37-584, leaving a very small portion of the water right appurtenant to the Eric McHan property. The Turners would own a water right matching the land conveyed in the warranty deed from Crystal to the Turners (with the little cutout for Eric's property). To make this happen, we'd need \$75 x 2 for a total of \$150 and a note from you to go ahead with the split. With this solution, the Turners' water rights would be confined to their property only, and the McHan water right would remain on Eric's small parcel.

If the preference is to avoid splitting the water rights as described above, we would instead need two quit claim deeds: one from Crystal deeding the small parcel's water to the Turners. We'd also need a quit claim deed from Eric deeding his interest in the small parcel's water to the Turners. The downside to this solution is that the Turners' water right would overlap onto Eric McHan's parcel.

In the first scenario above, the small water right on Eric's property would remain in Crystal's name, and we could change the ownership of the water right to Eric McHan with a warranty deed showing the conveyance of the land from Crystal to Eric, a new ownership change form, and \$50 (\$25 per water right).

Please advise us with your preferred approach.

Best,
Michelle Richman

From: lritter@gofirstam.com [mailto:lritter@gofirstam.com]
Sent: Tuesday, January 12, 2021 8:30 AM
To: Richman, Michelle <Michelle.Richman@idwr.idaho.gov>
Subject: File Number-931771-Address-1668 East 1400 South (Email Ref=1891101318)

Hi Michelle-
Please let me know if this will work for you on Vard's interest.
Thanks
Lisa

File No.: 931771 GO

Buyer: Cody R. Turner and Tori J. Turner

Seller: Crystal McHan



First American Title Company
301 Main Street, Gooding, ID 83330
Phone (208)934-4427 Fax (208)934-4741

RECEIVED
DEC 09 2020
DEPT OF WATER RESOURCES
SOUTHERN REGION

IDWR
650 Addison Ave West Ste 500
Twin Falls, ID 83301

December 07, 2020
File No.: 931771GO (lr)

Attn: Accounts Receivable

Re: **37-0583 & 37-0584**

Property: **1668 East 1400 South Gooding, ID 83338**

Buyer: **Cody R. Turner and Tori J. Turner**

Seller: **Crystal McHan**

Our Check No. **12009** in the amount of **\$50.00**, representing **Water Right Transfer** .

Sincerely,

Jessica Carmichael, Assistant for
Lisa Ritter, Escrow Officer

jc/jc