

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.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
34-84A <i>OK</i>	Yes ☐	Yes ☐	34-769 <i>OK</i>	Yes ☐	Yes ☐
34-293A <i>OK</i>	Yes ☐	Yes ☐	34-2245 <i>OK</i>	Yes ☐	Yes ☐
34-294A <i>OK</i>	Yes ☐	Yes ☐	34-10371 <i>OK</i>	Yes ☐	Yes ☐
34-767 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
34-768A <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: John Donahue
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Donahue Family Ranch, LLC
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 5208 W. 161st Street Stilwell KS 66085-8958
Mailing address City State ZIP
- 913-219-1134 tdonahue01@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: Jan. 29, 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):
☒ \$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: *John Timothy Donahue* John Timothy Donahue, Manager Jan 29, 21
Signature of new owner/claimant Title, if applicable Date

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

For IDWR Office Use Only:

Received by LE Date 02/26/2021 Receipt No. W049137 Receipt Amt. \$200.00

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 *JB* Processed by *JB* Date 3/11/2021

WHEN RECORDED

RETURN TO:

Jason Melville

Hawley Troxell Ennis & Hawley, LLP

P.O. Box 1617

Boise, Idaho 83701-1617

Instrument # 259814

CHALLIS, CUSTER, IDAHO

02-12-2021 10:20:40 No. of Pages: 2

Recorded for: ALLIANCE TITLE - BOISE PRODUCTION

Lura H. Baker Fee: \$15.00

Ex-Officio Recorder Deputy: KW

SEND TAX NOTICES TO:

Donahue Family Ranch, LLC

Attn: J.T. Donahue, Manager

5208 W. 161st Street

Stilwell, KS 66085

WARRANTY DEED

GRANTOR, **John Timothy Donahue**, an unmarried man, does hereby REMISE, RELEASE and forever TRANSFER, SELL, AND CONVEY, unto GRANTEE **Donahue Family Ranch, LLC**, whose current address is 5208 W. 161st Street, Stilwell, KS 66085, and to Grantee's successors and assigns, all of Grantor's right, title and interest in and to the real property situated in Custer County, Idaho, more particularly described as follows:

Parcel 1:

North half Southeast Quarter, South half Northeast Quarter, Northeast Quarter Southwest Quarter, Southeast Quarter Northwest Quarter, Section 20, Township 8 North, Range 21 East, Custer County, State of Idaho.

Parcel 2:

Southwest Quarter Northwest Quarter, Northwest Quarter Southwest Quarter, Section 21, Township 8 North, Range 21 East, Custer County, State of Idaho.

TOGETHER with all mineral, oil, natural gas, water and other rights running with the land, as well as all rights, tenements, hereditaments and appurtenances there unto belonging.

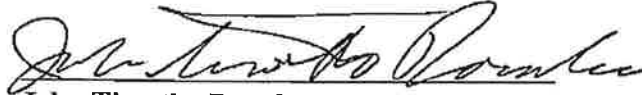
SUBJECT to all encumbrances, easements, reservations of oil, gas, and minerals, all present and subsequent years' taxes, levies and assessments, all rights reserved in federal patents and state deeds or in acts authorizing the issuance thereof, all building and zoning regulations and ordinances of any governmental unit, and all encroachments, overlaps, boundary line disputes, and any other matters which would be disclosed by an accurate survey or inspection of the premises including, but not limited to, insufficient or impaired access or matters contradictory to any survey plat shown by the public records, and other matters of record running with said land.

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

WARRANTY DEED - 1

incumbrances except: current year taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record; and that he will warrant and defend the same from all lawful claims whatsoever.

IN WITNESS WHEREOF, Grantor has hereunto subscribed his name to this instrument this 29 day of January, 2021.


John Timothy Donahue

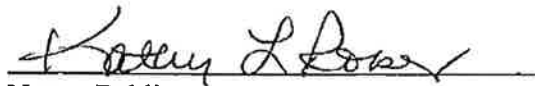
STATE OF KANSAS)

: ss.

County of Johnson)

On this 29th day of January, 2021, before me, the undersigned, a Notary Public, personally appeared **John Timothy Donahue**, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

KATHY L. ROBERTS
Notary Public-State of Kansas
My Appt. Expires 04-21-2021



Notary Public

Residing at: 7111 W. 157th OPKS 66223

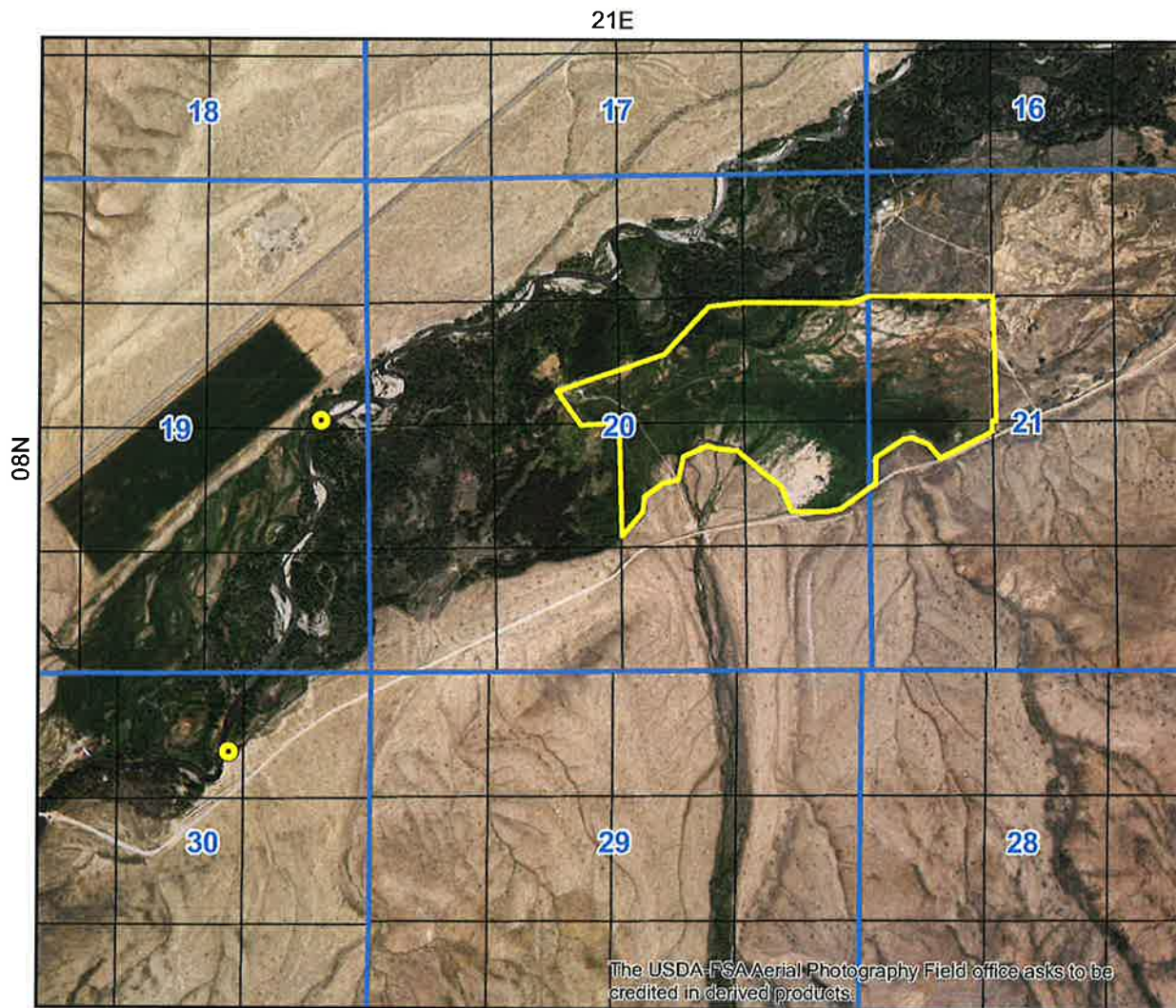
My commission expires: 04-21-2021

State of Idaho
Department of Water Resources

Water Right 34-84A

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

0 0.225 0.45 0.9 Miles



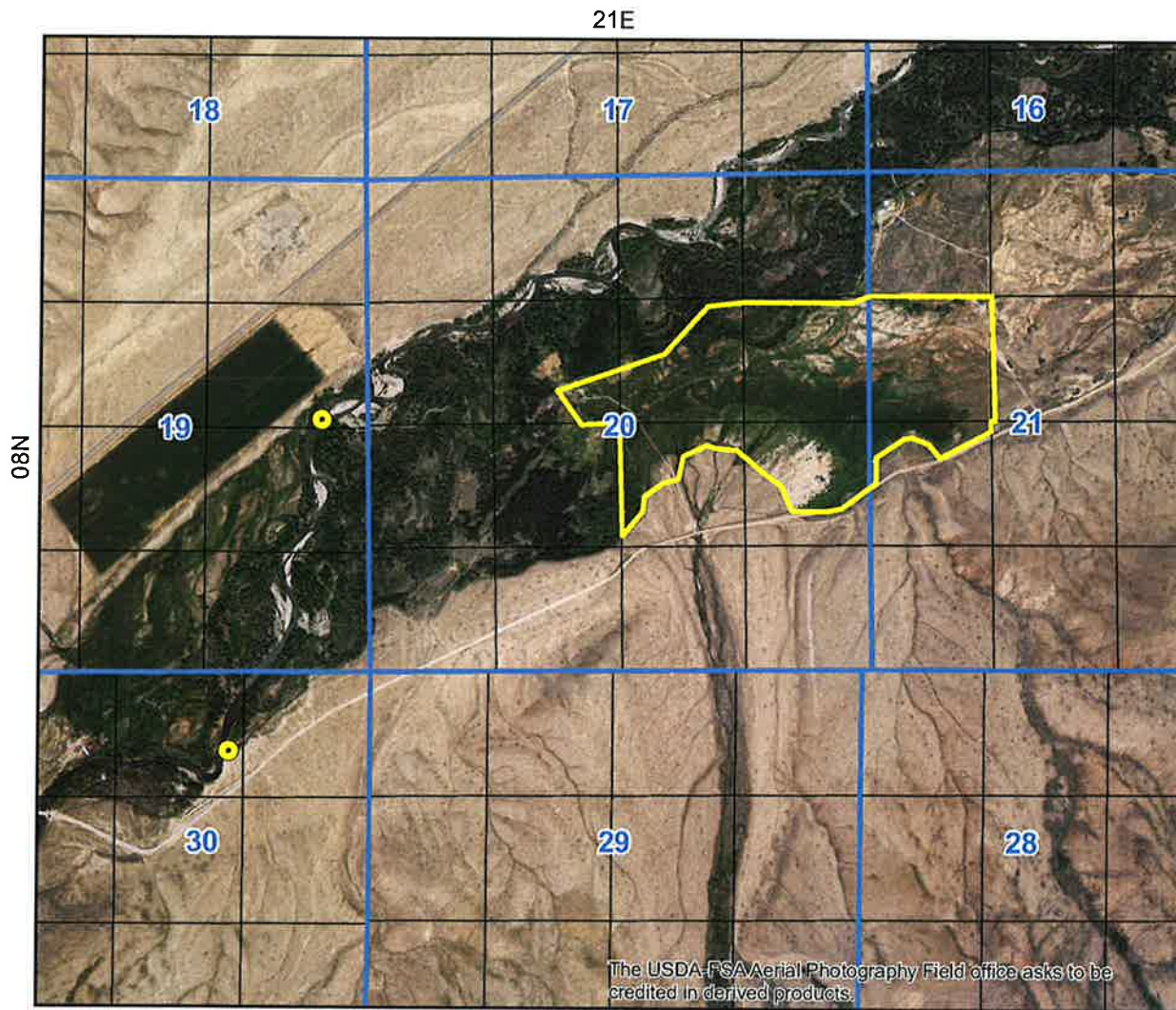
State of Idaho
Department of Water Resources

Water Right

34-293A

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

0 0.225 0.45 0.9 Miles

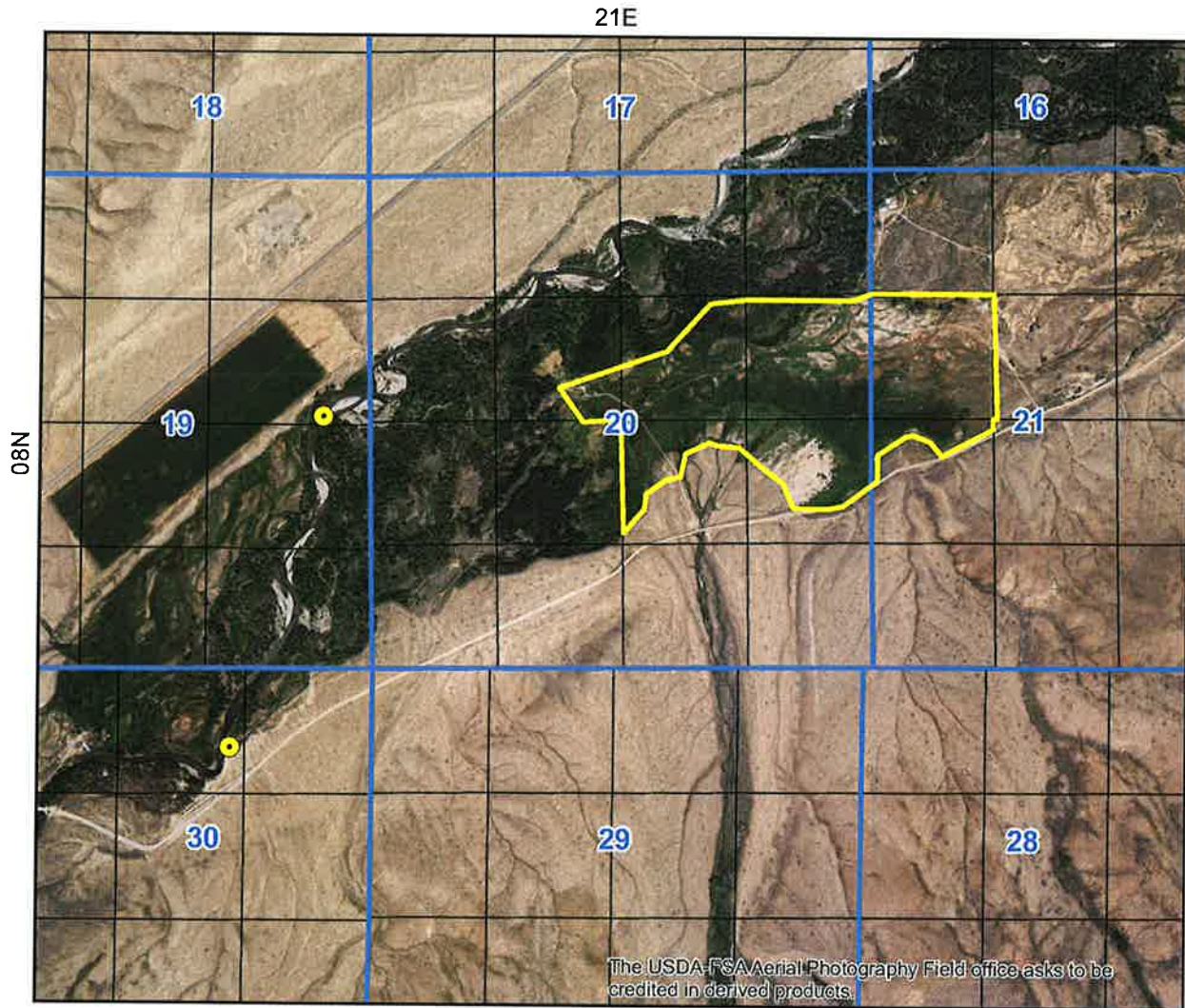


State of Idaho
Department of Water Resources

Water Right 34-294A

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

0 0.225 0.45 0.9 Miles

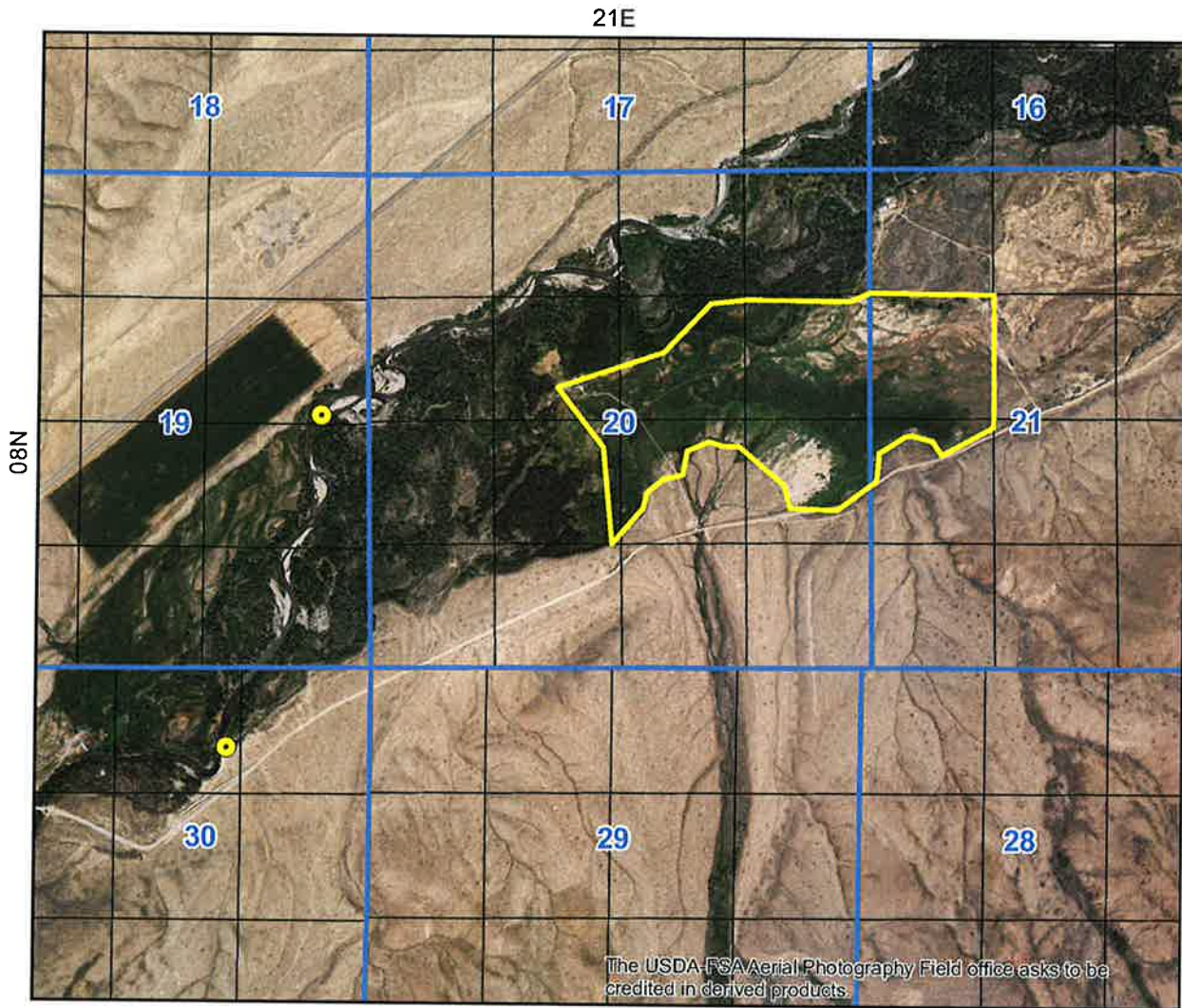


State of Idaho
Department of Water Resources

Water Right 34-767

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

0 0.225 0.45 0.9 Miles

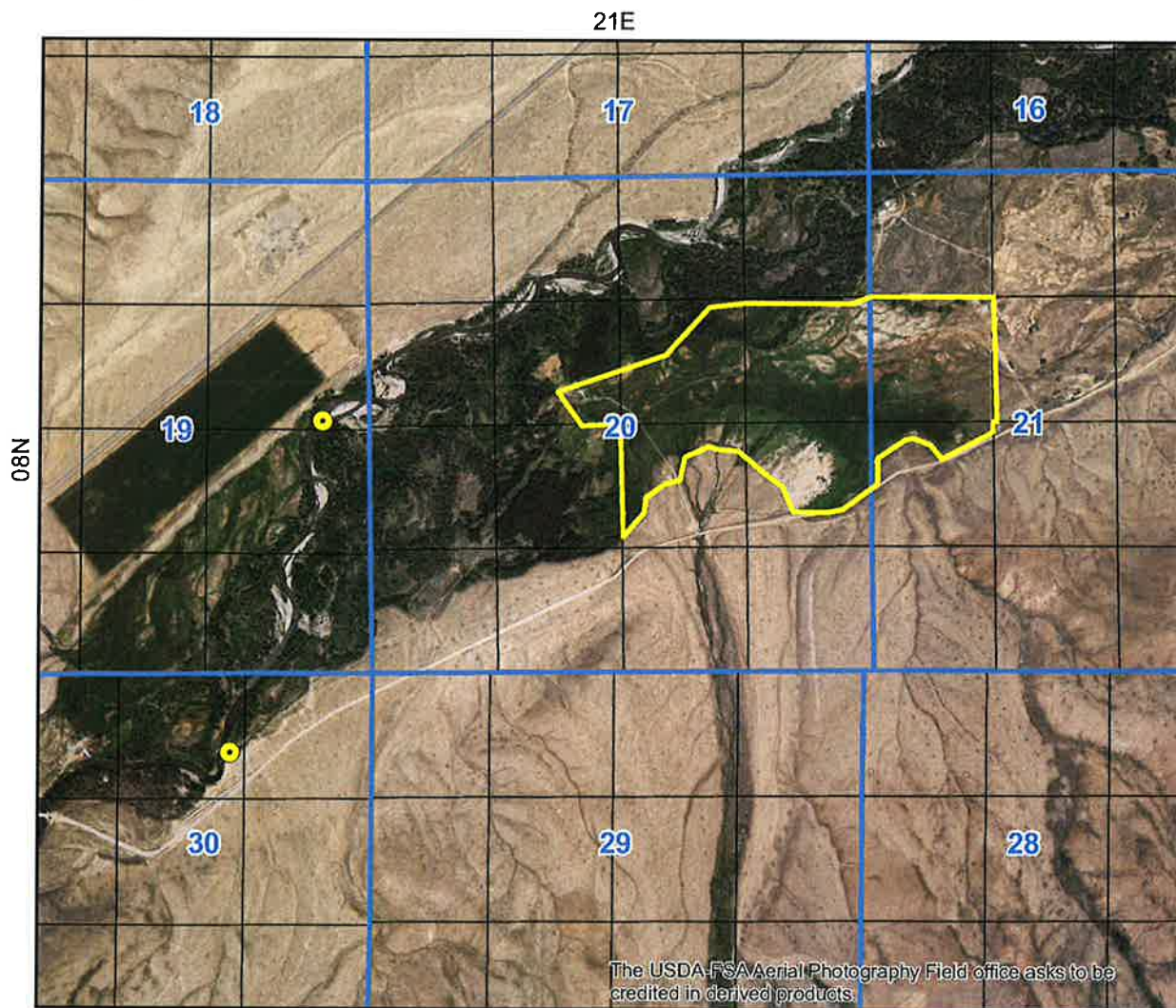


State of Idaho
Department of Water Resources

Water Right 34-768A

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

0 0.225 0.45 0.9 Miles

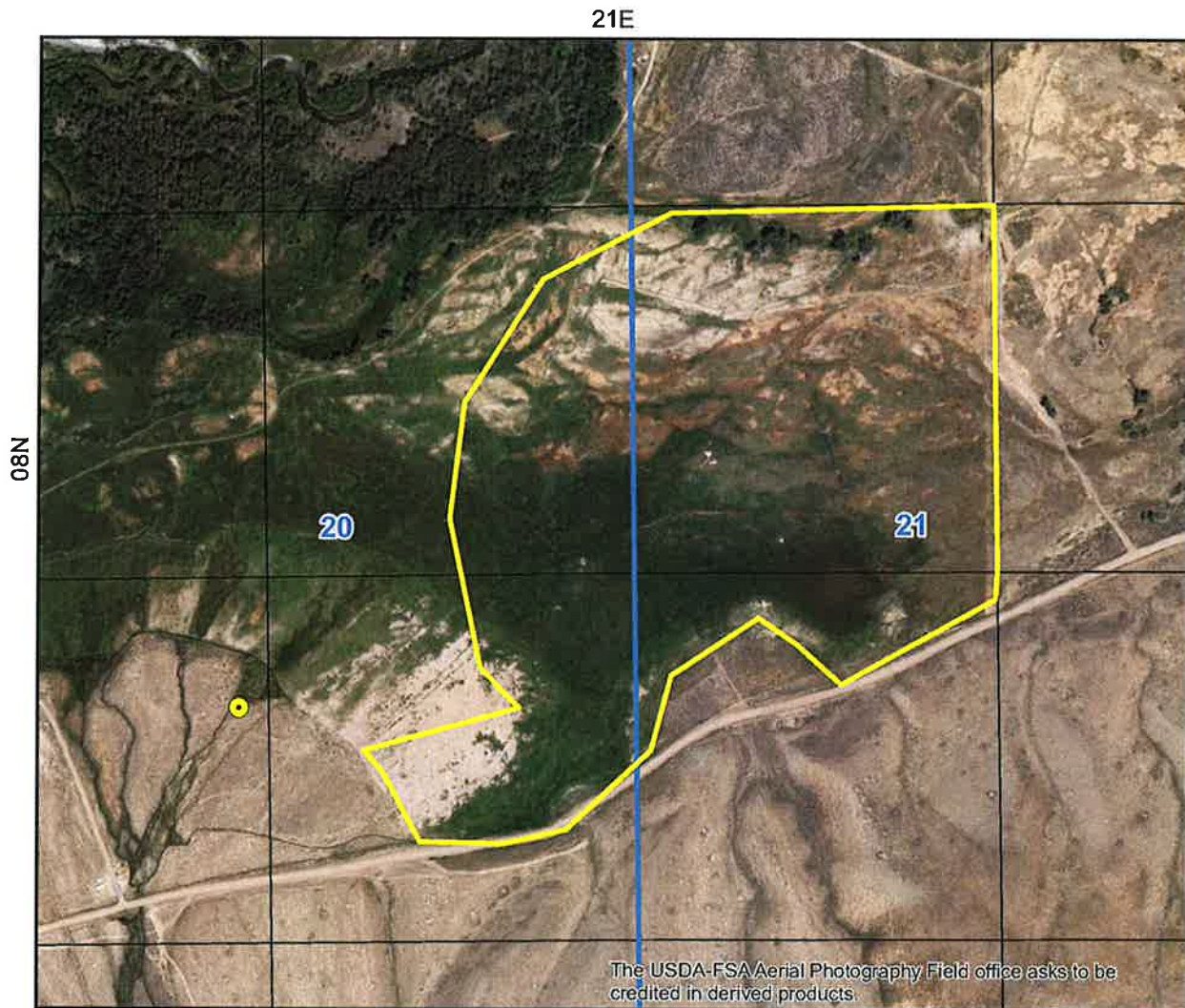


State of Idaho
Department of Water Resources

Water Right 34-769

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.075 0.15 0.3 Miles



State of Idaho
Department of Water Resources

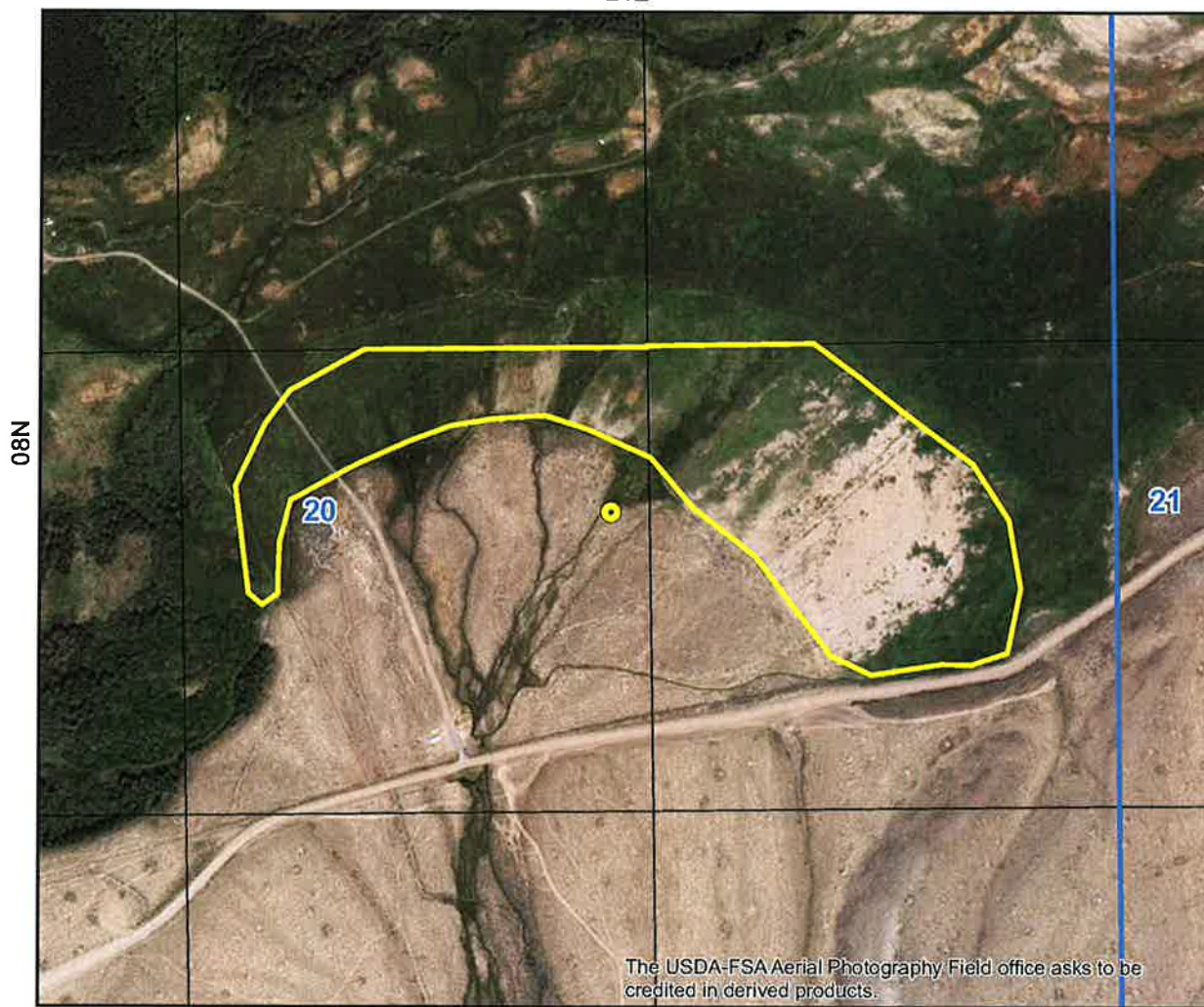
Water Right

34-2245

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.

21E



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.05 0.1 0.2 Miles

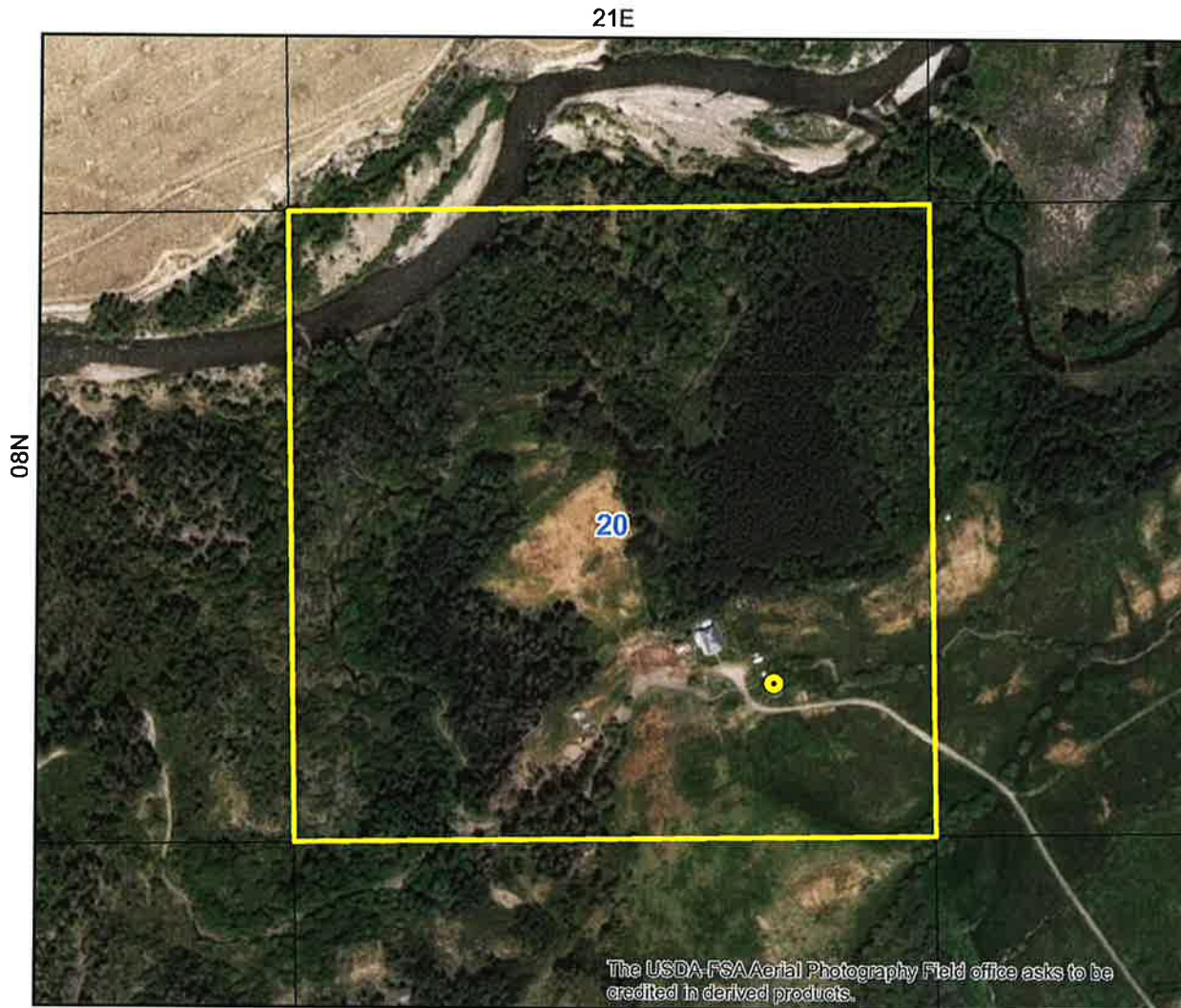


State of Idaho
Department of Water Resources

Water Right 34-10371

DOMESTIC

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

0 0.045 0.09 0.18 Miles





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

March 11, 2021

DONAHUE FAMILY RANCH LLC
5208 W 161ST ST
STILWELL KS 66085-8958

Re: Change in Ownership for Water Right No(s): 34-84A, 34-293A, 34-294A, 34-767, 34-768A, 34-769, 34-2245 and 34-10371

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) 497-3787.

Sincerely,

Jonie Barg
Technical Records Specialist 1

Enclosure(s)

cc: WATER DISTRICT 34

FEB 26 2021

ATTORNEYS AND COUNSELORS
WATER RESOURCES
WESTERN REGION

Hawley Troxell Ennis & Hawley LLP
877 Main Street, Suite 1000
P.O. Box 1617
Boise, Idaho 83701-1617
208.344.6000
www.hawleytroxell.com

MONICA L. VAIL
LEGAL ADMINISTRATIVE ASSISTANT
EMAIL: MVAIL@HAWLEYTROXELL.COM
DIRECT DIAL: 208.388.4898
DIRECT FAX: 208.954.5286

February 24, 2021

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082

Re: *Water Right Transfer*

Dear Sir or Madam:

Enclosed is an original Notice of Change in Water Right Ownership and supporting documents, together with this firm's check in the amount of \$200 for your filing fee. Please process the water right titling change.

If you have any questions, please contact me. Thank you.

Sincerely,

HAWLEY TROXELL ENNIS & HAWLEY LLP

Monica L. Vail
Legal Administrative Assistant

MLV:
Enclosures