

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED

JUL 23 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?
43-04106A	Yes <input checked="" type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
43-4106E	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
43-10307B	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>

2. Previous Owner's Name: Steven G. Rigby & Ann L. Rigby
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Todd Powers etux and Tyler Powers etux
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or ☐ and/or
- 1352 S. 3200 E. and 1340 S. 3200 E. Malta ID 83342
Mailing address City State ZIP
208 431-2579 and 208 312-1554 warmcreekbranch@hotmail.com & tynspowers@atcnet.net
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: July 15, 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.

SUPPORT DATA

IN FILE # 43-4106A

8. Signature: [Signature] Title, if applicable: _____ Date: 7-15-2020
Signature: Todd Powers Title, if applicable: _____ Date: 7-15-2020
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by SG Date 7/23/20 Receipt No. 5038042 Receipt Amt. \$150.00
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 JB Date 8-7-2020

WARRANTY DEED

20371560

THIS INDENTURE, made this 15 day of July 2020, between **STEVEN G. RIGBY** and **ANN L. RIGBY**, husband and wife, of 3243 East 1443 South, Malta, ID 83342, ("GRANTOR") and **TYLER POWERS** and **JILL POWERS**, husband and wife, 1340 S. 3200 E., Malta, ID 83342 and **TODD POWERS** and **CHRISTINA LOUISE POWERS**, husband and wife, of 1352 S. 3200 E. Malta, ID 83342 ("GRANTEE"), as tenants in common.

WITNESSETH:

The Grantor for and in consideration of the sum of Ten Dollars (\$10.00), lawful money of the United States of America, and other good and valuable consideration, to the Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold and by these presents does grant, bargain and sell, convey and confirm unto the Grantee, and to the heirs and assigns of Grantee forever, all of the following described real estate situated in the County of Cassia, State of Idaho, described on Exhibit A attached hereto and incorporated herein by reference.

SUBJECT TO: Accruing taxes, levies and assessments and easements of record.

This Deed conveys to the Grantee an undivided one-half interest to Tyler Powers and Jill Powers, husband and wife, and one-half interest to Todd Powers and Christina Louise Powers, husband and wife, as tenants in common and not as joint tenants.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and

WARRANTY DEED - 1

1 remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to said
2 property as well in law as in equity of the Grantor.

3
4 **TO HAVE AND TO HOLD**, all and singular the above-mentioned and described
5 premises, together with appurtenances unto the Grantee and to the heirs and assigns of Grantee
6 forever.

7 The Grantor shall and will warrant and by these presents will forever defend the said
8 premises in the quiet and peaceable possession of the Grantee, and the heirs and assigns of
9 Grantee against all and every person and persons whomsoever lawfully claiming the same,
10 except as aforesaid.

11
12 **IN WITNESS WHEREOF**, the Grantor has executed this Deed the day and year first
13 above written.

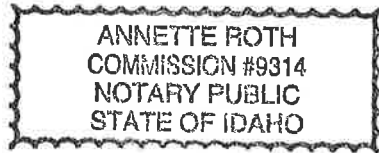
14 **GRANTOR**

15
16 
17 STEVEN G. RIGBY

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19 
20 ANN L. RIGBY

1 STATE OF IDAHO)
2) ss
3 County of Cassia)

4 On this 15 day of July, in the year 2020, before me, the undersigned, a
5 Notary Public in and for said State, personally appeared **STEVEN G. RIGBY** and **ANN L.**
6 **RIGBY**, husband and wife, known or identified to me to be the persons whose names are
7 subscribed to the within instrument, and acknowledged to me that they executed the same.



12 Annette Roth
13 Notary Public for Idaho

14 Residing at: Rupert, ID

15 Comm. Exp.: 8-4-2023

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26 (RigbySteve/WarrantyDeed.doc)

WARRANTY DEED - 3

EXHIBIT A

Parcel No. 1:

TOWNSHIP 12 SOUTH, RANGE 28 EAST OF THE BOISE MERIDIAN, CASSIA COUNTY,
STATE OF IDAHO

Section 34: Part of the W $\frac{1}{2}$, more particularly described as follows:

Beginning at the Southwest corner of the N $\frac{1}{2}$ SW $\frac{1}{4}$ of said Section 34, said corner marked by a 5/8 inch rebar which shall be the POINT OF BEGINNING;

Thence North 00°22'22" West along the West line of Section 34 for a distance of 1331.82 feet to a 5/8 inch rebar at the West $\frac{1}{4}$ section corner of Section 34;

Thence North 00°22'22" West along the West line of Section 34 for a distance of 719.55 feet;

Thence South 29°04'39" East for a distance of 74.91 feet to a $\frac{1}{2}$ inch rebar;

Thence South 29°04'39" East for a distance of 78.87 feet to a $\frac{1}{2}$ inch rebar;

Thence South 65°48'07" East for a distance of 399.79 feet to a $\frac{1}{2}$ inch rebar;

Thence South 65°08'39" East for a distance of 956.68 feet;

Thence South 02°08'44" West for a distance of 74.28 feet to a $\frac{1}{2}$ inch rebar;

Thence South 00°07'58" East for a distance of 1276.47 feet to a $\frac{1}{2}$ inch rebar on the South line of the N $\frac{1}{2}$ SW $\frac{1}{4}$;

Thence South 89°59'24" West along the South line of the N $\frac{1}{2}$ SW $\frac{1}{4}$ for a distance of 1294.29 feet to the POINT OF BEGINNING.

Parcel No. 2:

TOWNSHIP 12 SOUTH, RANGE 28 EAST OF THE BOISE MERIDIAN, CASSIA COUNTY,
STATE OF IDAHO

Section 34: S $\frac{1}{2}$ SW $\frac{1}{4}$



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

August 07, 2020

TODD POWERS
CHRISTINA LOUISE POWERS
1352 S 3200 E
MALTA ID 83342-8636

TYLER POWERS
JILL POWERS
1340 S 3200 E
MALTA ID 83342-8636

Re: Change in Water Right Ownership: 43-4106E & 43-10307B; 43-4106 A (Split into 43-4106 A and 43-13883)

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) 293-9909.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Bitzenburg". The signature is fluid and cursive, with a large, sweeping loop at the end.

Jim Bitzenburg
Senior Water Resource Agent

Enclosure(s)

CC: Steven and Ann Rigby; TitleOne, Burley- File #20371560



TitleOne
a title & escrow co.

211 West 13th Street
Burley, ID 83318
Ph. (208) 881-0087
Fx. (866) 582-7546
www.titleonecorp.com

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JUL 23 2020

DEPT OF WATER RESOURCES
SOUTHERN REGION

ID Dept. of Water Resources
650 Addison Ave. West, Suite 500
Twin Falls, ID 83301

Date: 07/21/2020

Escrow No. 20371560
Tyler and Jill Powers/Todd and Christina Powers/Steven G. and Ann L. Rigby

Dear Clerk:

Enclosed with this letter please find the following documents in connection with the above referred to transaction:

1. The original executed Notice of Change in Water Right Ownership between Steven G. Rigby and Ann L. Rigby to Todd Powers etux and Tyler Powers etux.
2. A copy of the recorded Warranty Deed.
3. A copy of the recorded Warranty Deed.
4. TitleOne check no. 28516 made payable to the Idaho Department of Water Resources in the amount of \$150.00 for the transfer fee.

Please make the necessary changes in the records to indicate the new Owners for future water assessments and notices. Please send a receipted copy to Annette Roth, TitleOne, P. O. Box 177, Burley, ID 83318.

Should you have any questions, please do not hesitate to contact Annette at 208-881-0087.

Very truly yours,
TITLEONE

Nancy Garrett
Administrative Assistant

AR/nrg
Enc.
FedEx