

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
JAN 10 2020
DEPT OF WATER RESOURCES
SOUTHERN REGION

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?
36-15308	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Barbara Dessel
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Forrest Arthur and Crystal Arthur
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☒ and/or
- 1290 West 5 Lane North Paul ID 83347
Mailing address City State ZIP
- 208-431-6298 _____
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: X 12-10-2019
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.

8. Signature: Forrest Arthur _____ 12-9-19
Signature of new owner/claimant Title, if applicable Date

Signature: Crystal Arthur _____ 12-9-19
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by SG Date 1/10/20 Receipt No. 5037692 Receipt Amt. Total \$100.00

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 bm Date 6-5-2020



Order Number: 19344959

Instrument # 552986

MINIDOKA COUNTY, RUPERT, IDAHO
12-10-2019 03:57:26 PM No. of Pages: 4
Recorded for: TITLEONE - BURLEY
TONYA PAGE Fee: \$15.00
Ex-Officio Recorder Deputy Susan Aston
Electronically Recorded by Simplifile

Warranty Deed

For Value Received,

Lawrence Dessel as Personal Representative of The Estate of Barbara A. Dessel also known as Barbara Dessel, the Grantor, does hereby grant, bargain sell and convey unto, Forrest Arthur and Crystal Dawn Arthur, husband and wife, whose current address is 1290 West 5 Lane North, Paul, ID 83347, the Grantee, the following described premises, in Minidoka County, Idaho, To Wit:

**TOWNSHIP 9 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO**

Section 28: NW¼SE¼ Lying South of the right-of-way of the Union Pacific Railroad AND Farm Unit B, Tract B of the North Side Pumping Division of the Minidoka Project, Idaho (as shown by plat, dated September 29, 1957, on file in the office of the County Recorder, Minidoka County, Idaho)

SAVE AND EXCEPT the following described tracts:

Tract No. 1:

**Beginning at the South quarter corner of said Section 28; Thence North for 60.00 feet to a point on the North right of way line of Idaho State Highway No. 25; Thence North 89°14'30" West along said highway right of way line for 560.54 feet to a point, which point shall be known as the TRUE POINT OF BEGINNING;
Thence North 89°14'30" West along said highway right of way line for 440.00 feet;
Thence North 0°31'30" East for 425.00 feet to a point on a lateral right of way;
Thence Northeasterly along said lateral right of way for 456.20 feet;
Thence South 0°31'30" West for 545.64 feet to the TRUE POINT OF BEGINNING,**

Tract No. 2:

Beginning at the South quarter section corner of Section 28, said corner marked by a 5/8 inch rebar on top of a U.S.B.R. iron pipe with brass cap; Thence North 00°05'17" West for 60.07 feet to a point on the South line of Tract B; thence North 89°15'20" West along the South line of Tract B for 1017.97 feet (recorded as 1000.54 feet) to a ½ inch rebar at the Southwest corner of the Circle A Construction, Inc. property, which shall be the POINT OF BEGINNING;

Thence North 89°15'20" West along the South line of Tract B for 36.15 feet to a U.S.B.R. iron pipe with brass cap at Corner No. 7 of Tract B;

Thence North 00°31'58" East along the West line of Tract B for 2128.27 feet to a U.S.B.R. iron pipe with brass cap at Corner No. 6 of Tract B;

Thence South 82°41'54" East along the North line of Tract B for 455.10 feet to a ½ inch rebar;

Thence South 00°08'00" East for 1537.27 feet to a ½ inch rebar at the Northeast corner of the Circle A Construction, Inc. property;

Thence South 74°58'28" West (recorded as Southwesterly) for 456.28 feet (recorded as 456.2 feet) to a ½ inch rebar;

Thence South 00°17'01" East (recorded as South 0°31'30" West) for 415.26 feet (recorded as 425 feet) to the POINT OF BEGINNING.

Tract No. 3:

Beginning at the Southeast corner of the NE¼SE¼ of Section 28, said corner marked by a ½ inch rebar; Thence North 00°00'22" East along the East line of Section 28 for a distance of 92.85 feet to the POINT OF BEGINNING;

Thence North 89°59'38" West for a distance of 30.00 feet to a ½ inch rebar;

Thence North 89°59'38" West for a distance of 436.05 feet to a ½ inch rebar;

Thence North 00°00'22" East for a distance of 403.69 feet to a ½ inch rebar on the North line of Tract B;

Thence South 82°42'03" East along the North line of Tract B for a distance of 432.81 feet to a ½ inch rebar;

Thence South 82°42'03" East along the North line of Tract B for a distance of 37.04 feet to Corner No. 1 of Tract B;

Thence South 00°00'22" West along the East line of Section 28 for a distance of 344.05 feet to the POINT OF BEGINNING.

Tract No. 4:

Beginning at the SE Corner of the NE¼SE¼ of Section 28, said corner marked by a ½ inch rebar which shall be THE POINT OF BEGINNING;

Thence South 00°00'22" West along the East line of Section 28 for a distance of 107.15 feet;

Thence North 89°59'38" West for a distance of 30.00 feet to a ½ inch rebar;

Thence North 89°59'38" West for a distance of 290.00 feet to a ½ inch rebar;

Thence North 89°59'38" West for a distance of 146.05 feet;

Thence North 00°00'22" East for a distance of 200.00 feet to a ½ inch rebar;

Thence South 89°59'38" East for a distance of 146.05 feet to a ½ inch rebar;

Thence South 89°59'38" East for a distance of 290.00 feet to a ½ inch rebar;

Thence South 89°59'38" East for a distance of 30.00 feet to the East line of Section 28;

Thence South 00°00'22" West along the East line of Section 28 for a distance of 92.85 feet to THE POINT OF BEGINNING.

TOGETHER WITH all water and water rights ditches and ditch rights used thereon or appurtenant there to including but limited to A & B Irrigation District used on the real property described above.

SUBJECT TO:

Taxes, including any assessments collected therewith, for the year 2020 and subsequent years.

The land described herein is located within the boundaries of A & B Irrigation District and is subject to any assessments levied thereby.

Terms, conditions, easements and, obligations, if any, contained in Easement by and between Barbara A. Dessel and A & B Irrigation District.

Recorded: March 10, 1975

Instrument No: 284484

An easement for the purpose shown below and rights incidental thereto as set forth in Grant of Easement.

Granted to: A & B Irrigation District

Purpose: Maintenance of Irrigation Pipeline

Recorded: October 5, 2016

Instrument No.: 537940

The effect, if any of an easement for the purpose shown below and rights incidental thereto as set forth in Pipeline Easement Agreement.

Granted to: A & B Irrigation District

Purpose: Buried Pipeline

Recorded: February 14, 2017

Instrument No.: 539527

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

THIS WARRANTY DEED IS EXECUTED PURSUANT TO LETTERS TESTAMENTARY DATED MARCH 22, 2019 AND RECORDED AS INSTRUMENT NO. 549631 RECORDS OF MINIDOKA COUNTY, STATE OF IDAHO

Remainder of this page intentionally left blank.

Dated: 12/07/2019

The Estate of Barbara A. Dessel also known as Barbara Dessel

BY: Lawrence Dessel
Lawrence Dessel, Personal Representative

State of Idaho, County of Cassia, ss.

On this 10th day of December in the year of 2019, before me, the undersigned, a notary public in and for said state, personally appeared Lawrence Dessel known or identified to me to be the person whose name is subscribed to the within instrument, as the personal representative of The Estate of Barbara A. Dessel also known as Barbara Dessel and acknowledged to me that he executed the same as such personal representative of the estate of Barbara A. Dessel also known as Barbara Dessel to the within instrument, as the personal representative of The Estate of Barbara A. Dessel also known as Barbara Dessel.

Julia G. Coffman
Notary Public
Residing In: Rupert, Ida.
My Commission Expires: 6-20-2020
(seal)





AND TITLE AND ESCROW, INC.

Minidoka

COUNTY

SEC.

23

TWP.

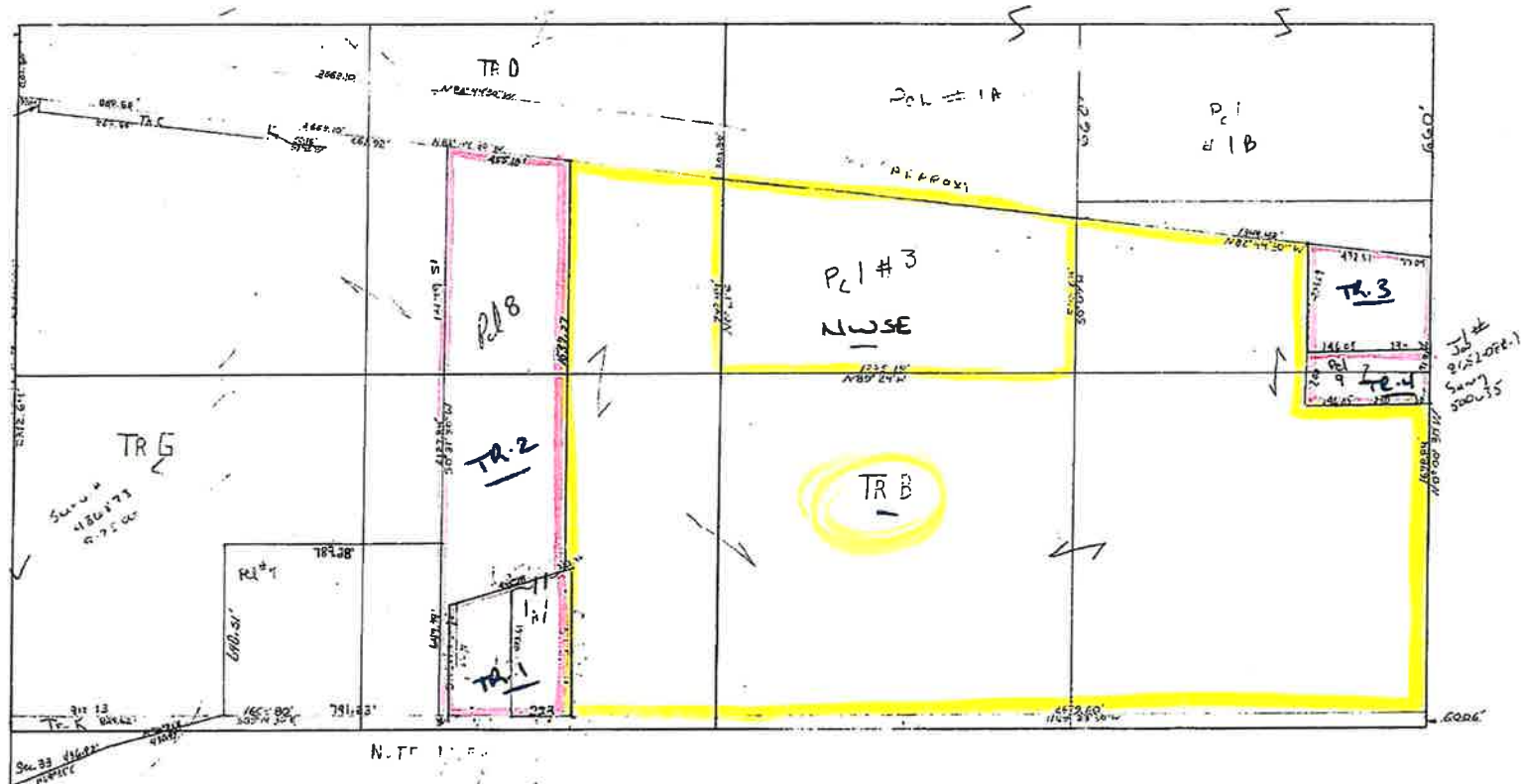
4 S

RGE.

22

EBM.

South Half



Highlighted area "Tract B" is property conveyed / sold to Arthur's



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

June 5, 2020

FORREST ARTHUR
CRYSTAL ARTHUR
1290 W 5 LN N
PAUL ID 83347-8750

Re: Change in Ownership for Water Right No(s): 36-15308

Dear Water Right Holder(s):

Per a recent conversation with Kaylie at Idaho AgCredit FLCA, we were able to clarify and resolve the issues involving the property associated with the water right referenced above. After further review, the Department was able to process your Notice of Change in Water Right Ownership and a computer generated copy is enclosed for you.

Thank you for your patience. We apologize for any confusion this may have caused, and the delay in processing. If you have any questions concerning the enclosed information, please contact me at (208) 736-3033.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant 1

Enclosure(s)

c: IDAHO AGCREDIT FLCA

MEMORANDUM

To: 36-15308

From: Denise Maline

Date: June 5, 2020

Subj: Ownership Change questions



While reviewing the Change in Ownership for 36-15308, there were questions with the Warranty Deed, as to whether or not the property & water rights were conveyed to the new owners, Forrest & Crystal Arthur. A letter was sent to the Arthur's on March 26, 2020, indicating that the ownership could not be updated without further clarification.

Annette at TitleOne e-mailed a map to me on April 7, 2020; however that map did not clear up the issues. She was also going to look for additional documents related to this transaction and send them to me. As of June 1, 2020, nothing further had been received and another letter was sent out, returning the ownership change to the Arthur's.

On June 4, 2020, Kaylie at Idaho AgCredit called to discuss this matter. After that conversation, it was determined that the Change in Ownership could in fact be processed. There was some confusion on the language on the Warranty Deed, and an oversight on my part. Kaylie e-mailed me a better map, which also clarified the property being conveyed.

The refund request for \$25.00 that is referenced in the June 1, 2020 letter had not yet been submitted for processing. Therefore, the fees still apply to the ownership change and nothing further is necessary to process this Notice.



State of Idaho

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Brad Little
Governor

Gary Spackman
Director

June 1, 2020

FORREST ARTHUR
CRYSTAL ARTHUR
1290 W 5 LN N
PAUL ID 83347-8750

Re: Change in Ownership for Water Right No(s): 36-15308

Dear Water Right Holder(s):

The Department of Water Resources (Department) processed a Notice of Security Interest for the above referenced water right on March 26, 2020. It was indicated at that time that we were not able to process the Notice of Change in Water Right Ownership that was also submitted; as the Warranty Deed provided did not cover the water right or Place of Use.

To date, the department has not received any further information regarding this Change in Ownership, therefore it is being returned to you. A refund request in the amount of \$25.00 has been submitted for processing. Upon approval, the refund will be sent to Idaho AgCredit FLCA.

If you have any questions concerning the enclosed information, please contact me at (208) 736-3033.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant 1

Enclosure(s)

c: IDAHO AGCREDIT FLCA

Maline, Denise

From: Annette Roth <aroth@TitleOneCorp.com>
Sent: Tuesday, April 07, 2020 1:25 PM
To: Maline, Denise
Subject: RE: [External] FW: Forrest & Crystal Arthur
Attachments: Farm Unit Map.pdf; Capture.JPG

Hello Denise,

I have had Larry Roberts review the Deed and the Water rights. He tells me that Forrest received most of Tract B. I have attached the Farm Unit Map and below is the County parcel aerial. We believe that the deed conveys all but a small portion of the SESE and from the aerial it does not appear that the portion not conveyed has any improvements. I am not sure if this helps or not.

Thanks

[Click here to learn about TitleOne's Coronavirus action plan.](#)

Annette Roth

Senior Ag Escrow Officer
TitleOne
PO Box 177
211 W. 13th St.
Burley, Idaho 83318
TitleOneCorp.com

P: 208-881-0087
F: 866-582-7546



From: Maline, Denise <Denise.Maline@idwr.idaho.gov>
Sent: Tuesday, March 17, 2020 4:18 PM
To: Annette Roth <aroth@TitleOneCorp.com>
Subject: [External] FW: Forrest & Crystal Arthur

Hi Annette,

I am just following up on this e-mail, to see if you were able to find any additional information?

Thank you!

Denise @ IDWR Twin Falls

From: Maline, Denise
Sent: Friday, March 06, 2020 3:55 PM
To: 'Annette Roth' <aroth@TitleOneCorp.com>
Subject: Forrest & Crystal Arthur

Hi Annette,

Here is the deed for the Arthur's, and a copy of the water right that they are wanting to change. The deed provided doesn't match the water right; so I am wondering if there might be another deed out there somewhere?

Thank you for checking!

Denise

Denise Maline

Administrative Assistant I

Idaho Dept of Water Resources, Southern Region

650 Addison Ave W, Ste 500

Twin Falls, ID 83301

(208) 293-9908

denise.maline@idwr.idaho.gov

This email originated from outside the organization. Do not click links or open any attachments unless you recognize the source of the email.

BEWARE OF CYBER-FRAUD! Before wiring any funds, call the intended recipient at a number you know is valid to confirm the instructions and be wary of any request to change wire instructions you already received.

This email may be confidential. If you are not the intended recipient, please notify us immediately and delete this copy from your system.

In our ongoing focus on your security, we have changed our encryption provider to Proofpoint encryption. This may require you to create a new account.

PLACED IN THE OPEN FILES NOVEMBER 1, 1957

ORIGINAL

TOWNSHIP 9 SOUTH, RANGE 22 EAST, BOISE MERIDIAN, IDAHO

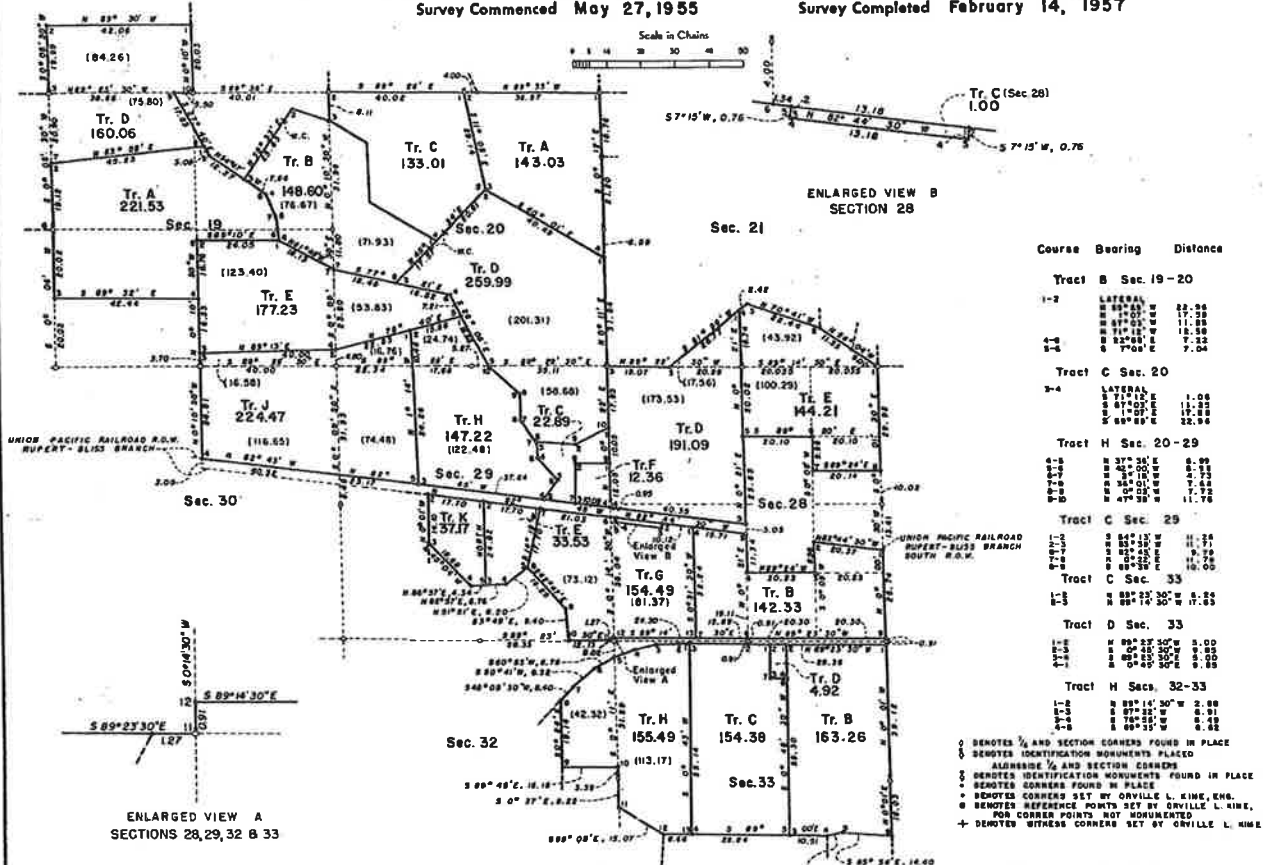
SUPPLEMENTAL SURVEY OF SECTIONS 18, 19, 20, 21, 28, 29, 30, 32 AND 33

Sec. 18

Surveyed by Orville L. Kime, Engineer, under authority of Departmental Instructions of October 24, 1906

Survey Commenced May 27, 1955

Survey Completed February 14, 1957



Course Bearing Distance

Tract B Sec. 19-20

1-2 LATERAL
S 89° 30' W 22.96
S 89° 30' W 11.28
S 89° 30' W 11.28
S 89° 30' W 7.23
S 89° 30' W 7.04

Tract C Sec. 20

3-4 LATERAL
S 89° 30' W 1.08
S 89° 30' W 1.08
S 89° 30' W 1.08
S 89° 30' W 1.08

Tract H Sec. 20-29

4-5 LATERAL
S 89° 30' W 4.99
S 89° 30' W 4.99
S 89° 30' W 4.99
S 89° 30' W 4.99

Tract C Sec. 29

1-2 LATERAL
S 89° 30' W 11.34
S 89° 30' W 11.34
S 89° 30' W 11.34
S 89° 30' W 11.34

Tract C Sec. 33

1-2 LATERAL
S 89° 30' W 5.24
S 89° 30' W 5.24
S 89° 30' W 5.24
S 89° 30' W 5.24

Tract D Sec. 33

1-2 LATERAL
S 89° 30' W 5.00
S 89° 30' W 5.00
S 89° 30' W 5.00
S 89° 30' W 5.00

Tract H Secs. 32-33

1-2 LATERAL
S 89° 30' W 2.88
S 89° 30' W 2.88
S 89° 30' W 2.88
S 89° 30' W 2.88

0 DENOTES 1/4 AND SECTION CORNERS FOUND IN PLACE
1 DENOTES IDENTIFICATION MONUMENTS PLACED ALONGSIDE 1/4 AND SECTION CORNERS
2 DENOTES IDENTIFICATION MONUMENTS FOUND IN PLACE
3 DENOTES CORNERS FOUND IN PLACE
4 DENOTES CORNERS SET BY ORVILLE L. KIME, ENG.
5 DENOTES REFERENCE POINTS SET BY ORVILLE L. KIME, FOR CORNER POINTS NOT MONUMENTED
+ DENOTES WITNESS CORNERS SET BY ORVILLE L. KIME

U.S. Department of the Interior
Bureau of Reclamation
Washington, D.C. Sept 27, 1957

This plat is strictly conformable to the field notes of the survey which have been examined and approved.

E. Wilson
Assistant Commissioner

U.S. Department of the Interior
Bureau of Land Management
Washington, D.C. Sept 27, 1957

The survey represented by this plat, having been correctly executed in accordance with the requirements of law and the regulations of this bureau, is hereby accepted.

For the Director
James O. Clement
Acting Cadastral Engineering Staff Officer





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

March 26, 2020

FORREST ARTHUR
CRYSTAL ARTHUR
1290 W 5 LN N
PAUL ID 83347-8750

Re: Change in Ownership & Notice of Security Interest for Water Right No(s): 36-12823, 36-15308

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 also acknowledges receipt of correspondence adding security interest of the above referenced water right(s) to Idaho AgCredit FLCA. The Department has modified its records and has enclosed a computer-generated report for you.

Please note, we were not able to update the ownership on water right 36-15308. The Warranty Deed provided does not cover the Place of Use for this water right. This water right is located in the SE ¼, SE ¼, Section 28, Twp. 9S, Rge. 22E; which is not conveyed on the Warranty Deed provided. If you have additional information or another deed conveying this property, you may submit that information to the Department. If we do not receive the information within 30 days, we will refund the \$25.00 filing fee to Idaho AgCredit FLCA.

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) 293-9908.

Sincerely,

Denise Maline
Administrative Assistant 1

Enclosure(s)

c: IDAHO AGCREDIT FLCA