

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

RECEIVED  
FEB 12 2018  
Department of Water Resources  
Eastern 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?
29-4328	Yes <input checked="" 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"/>
	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: Lucky Two Ranch, LLC  
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Marsha L. Lish  
New owner(s) as listed on the conveyance document
- |                           |                      |                |  |       |
|---------------------------|----------------------|----------------|--|-------|
| 15262 S. Marsh Valley Rd. | Arimo                | Name connector | <input type="checkbox"/> and <input type="checkbox"/> or <input type="checkbox"/> and/or |       |
| Mailing address           | City                 | ID             |  | 83214 |
| (208) 241-0730            | ndale.lish@gmail.com | State          |  | ZIP   |
| Telephone                 | Email                |                |  |       |

4. If the water rights and/or adjudication claims were split, how did the division occur?  
☒ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.  
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
5. Date you acquired the water rights and/or claims listed above: 10/18/2017
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: Marsha L. Lish 1/16/2018  
 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 JLB Date 2/12/2018 Receipt No. E043720 Receipt Amt. \$100. -

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 \_\_\_\_\_ Date \_\_\_\_\_

Refund Requested - Returned 3/19/20

First American Title - Pocatello

21715429 2017 Oct 18 PM 04:31:00

Electronically Recorded by Simplifile

**RECORDING REQUESTED BY**  
First American Title Company

**AND WHEN RECORDED MAIL TO:**  
First American Title Company  
223 North 15th Avenue  
Pocatello, ID 83201

Space Above This Line for Recorder's Use Only

**WARRANTY DEED**

File No.: **650432-P (sw)**

Date: **September 29, 2017**

For Value Received, **Lucky Two Ranch LLC**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Marsha L. Lish, a married woman as her sole and separate property**, hereinafter called the Grantee, whose current address is **15292 S. Marsh Valley Rd., Arimo, ID 83234**, the following described premises, situated in **Bannock County, Idaho**, to-wit:

**TOGETHER WITH 1.2 CFS OF IDWR PERMIT 29-04328 EXCEPT .18 CFS  
RETAINED BY SELLER**

**AND**

**EXCEPTING 35% OWNERSHIP INTEREST IN THE GRAVEL CONTAINED  
IN THE ATTACHED LEGAL DESCRIPTION. Gravel interest not  
assignable to another party.**

**See attached Exhibit "A"**

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.



**RECORDING REQUESTED BY**  
First American Title Company

**AND WHEN RECORDED MAIL TO:**  
First American Title Company  
223 North 15th Avenue  
Pocatello, ID 83201

Space Above This Line for Recorder's Use Only

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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.

Lucky Two Ranch LLC

X By: Ross Davidson Allen  
Name: Ross Davidson Allen  
Title: Member

X By: Alanson Jake Allen  
Name: Alanson Jake Allen  
Title: Member

X STATE OF Utah )  
COUNTY OF Salt Lake ) SS.

On this 17 day of **October, 2017**, before me, a Notary Public in and for said State, personally appeared **Ross Davidson Allen**, known or identified to me to be the person whose name is subscribed to the within Instrument as one of the Managers/Members of the **Lucky Two Ranch LLC**, which is known or identified to me to be the entity whose name is subscribed to the within instrument and acknowledged to me that he executed the same in said Limited Liability Company's name.

Madi Bybee  
Notary Public of Utah  
Residing at: Salt Lake  
Commission Expires: 8/31/2020



X STATE OF Utah )  
COUNTY OF Salt Lake ) SS.

On this 17 day of **October, 2017**, before me, a Notary Public in and for said State, personally appeared **Alanson Jake Allen**, known or identified to me to be the person whose name is subscribed to the within Instrument as one of the Managers/Members of the **Lucky Two Ranch, LLC**, which is known or identified to me to be the entity whose name is subscribed to the within instrument and acknowledged to me that he executed the same in said Limited Liability Company's name.

Madi Bybee  
Notary Public of Utah  
Residing at: Salt Lake  
Commission Expires: 8/31/2017



Date: October 12, 2017

File No.: 650432-P (sw)

## EXHIBIT 'A'

### LEGAL DESCRIPTION:

#### PARCEL 1:

A PARCEL OF LAND LOCATED IN SECTION 30, TOWNSHIP 10 SOUTH, RANGE 37 EAST, B.M., BANNOCK COUNTY, IDAHO. IT IS GENERALLY DESCRIBED AS ALL THAT PORTION OF THE SE $\frac{1}{4}$ NE $\frac{1}{4}$  AND THE SE $\frac{1}{4}$  OF SECTION 30 AND EXCEPTING FINK ROAD THAT LIES WEST OF I-15. IT IS A PORTION OF INSTRUMENT NO. 21506983 AND IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

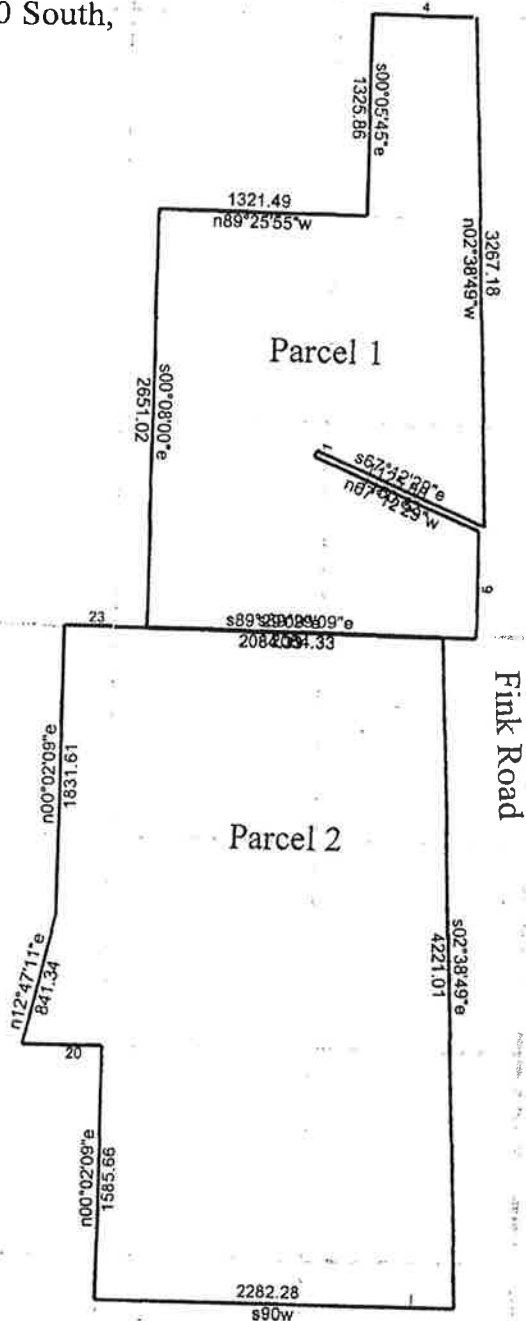
COMMENCING AT THE NE CORNER OF SECTION 30, THENCE S. 0°03'29" E. ALONG THE EAST LINE OF SECTION 30 A DISTANCE OF 1324.45 TO THE NORTH 1/16 LINE OF SECTION 30; THENCE ALONG SAID NORTH 1/16 LINE N. 89°21'30" W. A DISTANCE OF 494.41 FEET TO THE WESTERLY RIGHT OF WAY LINE OF I-15 AND THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG 1/16 LINE N. 89°21'30" W. A DISTANCE OF 627.97 FEET TO THE EAST 1/16 LINE OF SECTION 30; THENCE S. 0°05'45" E. ALONG EAST 1/16 LINE A DISTANCE OF 1325.86 FEET TO THE LATITUDINAL CENTERLINE OF SECTION 30; THENCE N. 89°25'55" W. ALONG THE LATITUDINAL CENTERLINE A DISTANCE OF 1321.49 FEET TO THE CENTER  $\frac{1}{4}$  OF SECTION 30; THENCE S. 0°08'00" E. ALONG THE MERIDIONAL CENTERLINE OF SECTION 30 A DISTANCE OF 2651.02 FEET TO THE SOUTH  $\frac{1}{4}$  CORNER OF SECTION 30; THENCE S. 89°29'09" E. ALONG THE SOUTH LINE OF SECTION 30 A DISTANCE OF 2084.33 FEET TO THE WESTERLY RIGHT OF WAY LINE OF THE FRONTAGE ROAD (FINK ROAD); THENCE FOLLOWING THE FRONTAGE ROAD AND FINK ROAD RIGHT OF WAY ON THE NEXT FOUR COURSES - N. 0°38'49" W. A DISTANCE OF 685.26 FEET, THENCE N. 67°12'29" W. A DISTANCE OF 1125.80 FEET, N. 22°47'31" E. A DISTANCE OF 40.00 FEET AND S. 67°12'29" E. A DISTANCE OF 1150.82 FEET TO THE WESTERLY RIGHT OF WAY LINE OF I-15; THENCE N. 02°38'49" W. ALONG RIGHT OF WAY LINE A DISTANCE OF 3267.18 FEET TO THE TRUE POINT OF BEGINNING.

#### PARCEL 2:

A PARCEL OF LAND LOCATED IN SECTION 31, TOWNSHIP 10 SOUTH, RANGE 37 EAST, B.M., BANNOCK COUNTY, IDAHO, IT IS GENERALLY DESCRIBED AS ALL THAT PORTION OF THE NE $\frac{1}{4}$ , NW $\frac{1}{4}$  AND THE SE $\frac{1}{4}$  OF SECTION 31 THAT LIES WEST OF I-15 AND EXCEPTING FINK ROAD INCLUDED IN INSTRUMENT NO. 21506983. IT IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING AT THE N¼ CORNER OF SECTION 31, THE TRUE POINT OF BEGINNING;  
THENCE S. 89°29'09" E. ALONG THE NORTH LINE OF SECTION 31 A DISTANCE OF 2084.33  
FEET TO THE WESTERLY RIGHT OF WAY LINE OF THE FRONTAGE ROAD (FINK ROAD);  
THENCE S. 02°38'49" E. ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 4221.01 FEET;  
THENCE WEST A DISTANCE OF 2282.28 FEET TO THE MERIDIONAL CENTERLINE OF SECTION  
31; THENCE N. 0°02'09" E. ALONG THE MERIDIONAL CENTERLINE A DISTANCE OF 1585.66  
FEET TO THE CENTER ¼ CORNER OF SECTION 31; THENCE N. 89°35'49" W. ALONG THE  
LATITUDINAL CENTERLINE OF SECTION 31 A DISTANCE OF 500.00 FEET; THENCE N.  
13°47'11" E. A DISTANCE OF 841.34 FEET; THENCE N. 0°02'09" E. PARALLEL TO THE  
MERIDIONAL CENTERLINE OF SECTION 31 A DISTANCE OF 1831.61 FEET TO THE NORTH  
LINE OF SECTION 31; THENCE S. 89°29'09" E. A DISTANCE OF 300.00 FEET TO THE POINT  
OF BEGINNING.**

Section 30 & 31, Township 10 South,  
Range 37 E.B.M.  
Bannock County, Idaho



Scale: 1 inch= 1150 feet

File:

THIS SKETCH IS MADE FOR THE PURPOSE OF ASSISTING IN LOCATING THE PREMISES.

THE COMPANY ASSUMES NO LIABILITY FOR ALLEGED LOSS OR DAMAGE WHICH MAY RESULT FROM RELIANCE ON THIS MAP.

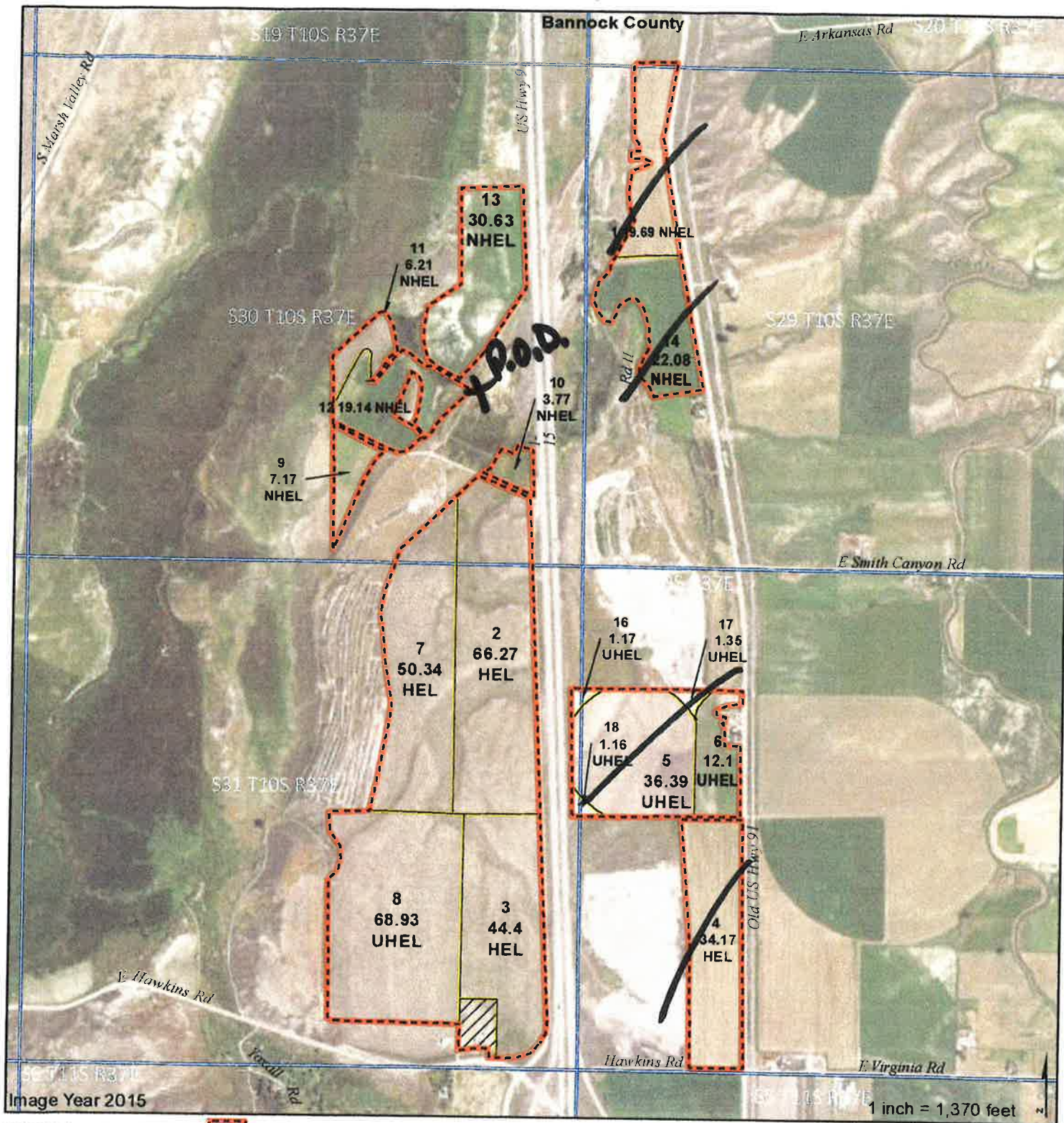
Tract 1: 144.7652 Acres, Closure: s88.2314w 23.23 ft. (1/615), Perimeter=14280 ft.  
 Tract 2: 232.0518 Acres, Closure: s77.1035e 15.14 ft. (1/901), Perimeter=13646 ft.

01 ne,ne,ne,30,10s,37e  
 02 s00.0329e 1324.45  
 03 n89.2130w 494.41  
 04 n89.2130w 627.97  
 05 s00.0545e 1325.86  
 06 n89.2555w 1321.49  
 07 s00.0800e 2651.02  
 08 s89.2909e 2084.33  
 09 s02.3849w 685.26  
 10 n67.1229w 1125.80  
 11 n22.4731e 40.00  
 12 s67.1229e 1150.82  
 13 n02.3849w 3267.18  
 14 @  
 15 ne,ne,nw,31,10s,37e

16 s89.2909e 2084.33  
 17 s02.3849e 1221.01  
 18 s90w 2282.28  
 19 n00.0209e 1585.58  
 20 n89.3549w 500.00  
 21 n12.4711e 841.34  
 22 n00.0209e 1831.61  
 23 s89.2909e 300



# Bannock County, Idaho



**Common Land Unit**

- Tract Boundary
- PLSS
- County Boundary
- Non-Cropland
- Cropland

**Wetland Determination Identifiers**

- Restricted Use
- Limited Restrictions
- Exempt from Conservation Compliance Provisions

Tract Cropland Total: 424.97 acres

2018 Program Year  
Map Created October 17, 2017

Farm 1984  
Tract 8807

United States Department of Agriculture (USDA) Farm Service Agency (FSA) maps are for FSA Program administration only. This map does not represent a legal survey or reflect actual ownership; rather it depicts the information provided directly from the producer and/or National Agricultural Imagery Program (NAIP) imagery. The producer accepts the data 'as is' and assumes all risks associated with its use. USDA-FSA assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data outside FSA Programs. Wetland identifiers do not represent the size, shape, or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact boundaries and determinations or contact USDA Natural Resources Conservation Service (NRCS).





State of Idaho

**DEPARTMENT OF WATER RESOURCES**

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls ID 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177

Website: [idwr.idaho.gov](http://idwr.idaho.gov) • Email: [easterninfo@idwr.idaho.gov](mailto:easterninfo@idwr.idaho.gov)

BRAD LITTLE

Governor  
March 19, 2020

GARY SPACKMAN  
Director

Marsha Lish  
15262 S Marsh Valley Rd  
Arimo ID 83214

RE: Notice of Change in Water Right Ownership  
Water Rights: 29-4328

Dear Sir/Madam:

On February 12, 2018 you filed a Notice of Change in Water Right Ownership (ownership change) with the Idaho Department of Water Resources (IDWR), seeking to update the ownership records for the water rights listed above. After an initial review, we determined that you needed to provide additional evidence of ownership, specifically the previous owner needed to file a transfer to move the portion they were retaining off your property. The department has worked with you since May 2018 to get this resolved. The transfer has been filed an approved, however it has come to my attention that you have filed a transfer to update the place of use and change the ownership, therefore I am returning you ownership change application submitted in 2018 and will request a refund of \$100.00 for the filing fee.

Please note the Transfer application is still in process you will receive additional information as that process is complete.

We are therefore returning your original ownership change and have initiated a refund of your filing fee (\$100.00). The refund from the state of Idaho will arrive at the address listed above within a couple of weeks.

Please feel free to re-file your ownership change any time in the future when you have collected the requested documentation of ownership. Because your filing fee is being refunded, you will need to determine and provide the proper filing fee at the time you re-file the ownership change.

If you have any questions, feel free to contact me at (208) 525-7161.

Respectfully submitted,

Jonie Barg  
Technical Records Specialist

Enclosure(s)

## Barg, Jonie

---

**From:** Barg, Jonie  
**Sent:** Thursday, March 19, 2020 12:24 PM  
**To:** Marston, Sascha; Pline, Treva  
**Subject:** Refund Request  
**Attachments:** Receipt

Treva & Sascha,

Good afternoon!!

I have a refund request as follows:

Receipt number: E043720  
Amount: \$100.00  
Payable to: NJ Lish and Sons  
15262 S Marsh Valley Rd  
Arimo ID 83214

Reason: Total filing fee received \$100.00 for an ownership change in a Water Right. Another application was filed. Therefore the applicant is entitled to a full refund (\$100.00).

Let me know if you need additional information.

Thank you so much for your time. Let me know if you have any questions.

Have a great day!!!

*Jonie Barg*

Jonie Barg  
Technical Records Specialist  
Idaho Department of Water Resources  
900 N Skyline Ste A  
Idaho Falls ID 83402  
phone: (208) 525-7161  
fax: (208) 525-7177  
email: [jonie.barg@idwr.idaho.gov](mailto:jonie.barg@idwr.idaho.gov)

## Barg, Jonie

---

**From:** ndale.lish@gmail.com  
**Sent:** Monday, October 07, 2019 5:46 AM  
**To:** allenranch@outlook.com  
**Cc:** johnlish2074@gmail.com; Jason Lish; njlish5113@aol.com; Barg, Jonie  
**Subject:** Water Right Transfer  
**Attachments:** application-for-transfer-of-a-water-right.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Good morning David.

We need you to complete your portion of the water right transfer. We have discussed this a number of times. I have asked IDWR and we are unable to do your part. We are unable to transfer the portion of water right we purchased until you have filed the application for the portion you retained. Please complete the attached application, pay the respective fee, and submit to IDWR by October 30th.

We have been very patient and ask you do your part and honor the terms of purchase and sale agreement.

Thanks,  
Dale

Sent from my iPad

## Barg, Jonie

---

**From:** Barg, Jonie  
**Sent:** Friday, October 04, 2019 8:33 AM  
**To:** 'ndale.lish@gmail.com'  
**Subject:** RE: Water Right Transfer Lucky Two Ranch to Marsha Lish

Good morning. To answer your questions please see below.

1. Lucky Two Ranch has been non responsive. This has been the source of the delay since the sale of the property . Is it possible for me to complete the transfer to change a portion of the place of use and change the sellers portion from Irrigation to Stock water use?

\*\*So there really is no way for you to file a transfer application for Lucky Two Ranch. A couple of options would be to have them clarify the deed specifying the number of acres, cfs etc. Request they get the transfer filed or ask them to deed you the water right in full. I apologize that there is not anything else the department can do to help speed up this process. If you have any additional questions please let me know. Please note the deed we do have does show that you own 1.2 cfs of the water right and there is no question there.

2. What is the Fee for the transfer?

\*\*Transfer fees are based on cfs being moved, so if you are transferring the 0.18 cfs the fee would be \$200.00. If you would like a full copy of the transfer fee breakdown let me know and I will send you a copy. Also you can access that breakdown on our website at [www.idwr.idaho.gov](http://www.idwr.idaho.gov).

Again I apologize we don't have other options for you. If you have any additional questions please let me know. Thank you.

Jonie Barg  
Jonie Barg  
Idaho Department of Water Resources  
900 N Skyline Ste A  
Idaho Falls ID 83402  
phone: (208) 525-7161  
fax: (208) 525-7177  
email: [jonie.barg@idwr.idaho.gov](mailto:jonie.barg@idwr.idaho.gov)

Protect your Enthusiasm from the Negativity of others. ~ H Jackson Brown Jr. ~

-----Original Message-----

From: [ndale.lish@gmail.com](mailto:ndale.lish@gmail.com) [<mailto:ndale.lish@gmail.com>]  
Sent: Friday, October 04, 2019 6:48 AM  
To: Barg, Jonie <[Jonie.Barg@idwr.idaho.gov](mailto:Jonie.Barg@idwr.idaho.gov)>  
Subject: Water Right Transfer Lucky Two Ranch to Marsha Lish

Good morning Joni.

I am working on the application for transfer form and I have a few questions:



1. Lucky Two Ranch has been non responsive. This has been the source of the delay since the sale of the property . Is it possible for me to complete the transfer to change a portion of the place of use and change the sellers portion from Irrigation to Stock water use?

2. What is the Fee for the transfer?

Thank you for your help!

Dale Lish  
208-241-0730