

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

FEB 25 2020

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. WD 34

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
34-13705 OK	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
34-13709 OK	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: Dorian Bench

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): JOHN NELSON JANICE NELSON

New owner(s) as listed on the conveyance document

Name connector

☐ and ☐ or ☐ and/or

PO Box 51312
Mailing address

IDAHO FALLS
City

ID
State

83405-1312
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: 11/21/19
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 # 34-13765

8. Signature: John Nelson

Signature of new owner/claimant

Title, if applicable

Date 2/25/20

Signature: Janice L Nelson

Signature of new owner/claimant

Title, if applicable

Date 2/25/20

For IDWR Office Use Only:

Received by JB

Date 2/25/2020

Receipt No. E045689

E045672

Receipt Amt. \$25 -

\$25 -

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 mp

Date 3-5-20

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
168 West Pacific Street/PO Box 868
Blackfoot, ID 83221

BUTTE COUNTY
Recorded for:
First American Title - Blackfo
03:16:00 PM 11-25-2019
0000-057648
No. Pages: 3 Fee: \$15.00
SHELLY SHAFFER
County Clerk
Deputy: bw

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **869983-B (vb)**

Date: **November 21, 2019**

For Value Received, **Dorian R Bench and Melissa A Bench, husband and wife**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **John R Nelson and Janice L Nelson, husband and wife**, hereinafter called the Grantee, whose current address is **472 Park Avenue, P.O. Box 51312, Idaho Falls, ID 83402**, the following described premises, situated in **Butte County, Idaho**, to-wit: *83405*

A PARCEL OF LAND GENERALLY DESCRIBED AS BEING A PORTION OF THE NW $\frac{1}{4}$ OF SECTION 15, TOWNSHIP 5 NORTH, RANGE 26 E.B.M., BUTTE COUNTY, IDAHO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE N $\frac{1}{4}$ CORNER OF SAID SECTION 15, (RECORDED-INSTR. NO. 32355, BUTTE COUNTY RECORDS), FROM WHICH THE NE CORNER OF SAID SECTION 15, (RECORDED-INSTR. NO. 32354, BUTTE COUNTY RECORDS), BEARS N. 89°43'07" E. 2643.50 FEET; THENCE FROM THE N $\frac{1}{4}$ CORNER OF SAID SECTION 15, N. 88°22'58" W. ALONG THE NORTH BOUNDARY OF THE NW $\frac{1}{4}$ OF SAID SECTION 15, A DISTANCE OF 382.57 FEET TO A HALF INCH DIAMETER STEEL ROD AND THE POINT OF BEGINNING; THENCE CONTINUING ALONG THE NORTH BOUNDARY OF THE NW $\frac{1}{4}$ OF SAID SECTION 15, N. 88°22'58" W., A DISTANCE OF 382.57 FOOT TO A HALF INCH DIAMETER STEEL ROD; THENCE S. 00°30'31" E., PARALLEL WITH THE EAST BOUNDARY OF THE NW $\frac{1}{4}$ OF SAID SECTION 15, A DISTANCE OF 569.71 FEET TO A HALF INCH DIAMETER STEEL ROD; THENCE S. 88°22'58" E., PARALLEL WITH THE NORTH BOUNDARY OF THE NW $\frac{1}{4}$ OF SAID SECTION 15, A DISTANCE OF 382.57 FEET TO A HALF INCH DIAMETER STEEL ROD; THENCE N. 00°30'31" W., PARALLEL WITH THE EAST BOUNDARY OF THE NW $\frac{1}{4}$ OF SAID SECTION 15, A DISTANCE OF 569.71 FEET TO THE NORTH BOUNDARY OF THE NW $\frac{1}{4}$ OF SAID SECTION 15, AND THE POINT OF BEGINNING. EXCEPTING AN EXISTING COUNTY ROAD RIGHT-OF-WAY EASEMENT ACROSS THE NORTHERLY PORTION.

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: 11/21/2019

Warranty Deed
- continued

File No.: 869983-B (vb)

Dorian R. Bench
Dorian R Bench

Melissa A. Bench
Melissa A Bench

STATE OF Idaho)
COUNTY OF Jerome)
ss.

On this 22 day of November, 2019, before me, a Notary Public in and for said State, personally appeared **Dorian R Bench and Melissa A Bench**, 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.



Tracy Cox
Notary Public for the State of Idaho
Residing at: Buhl, ID
My Commission Expires: 09.06.2024



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 04, 2020

JOHN NELSON
PO BOX 51312
IDAHO FALLS ID 83405-1312

JANICE NELSON
PO BOX 51312
IDAHO FALLS ID 83405-1312

Re: Change in Ownership for Water Right No(s): 34-13765, 34-13769

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) 497-3797.

Sincerely,

Misty Pettis
Office Specialist 2

Enclosure(s)

Water District 34