

RECEIVED

DEC 20 2019

DEPARTMENT OF  
WATER RESOURCESSTATE 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? |
|-----------------------|------------------------------|------------------------------|-----------------------|------------------------------|------------------------------|
| 2-10412               | 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"/> | Yes <input type="checkbox"/> |

2. Previous Owner's Name:

JAMES H VOGT

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s):

KELLY E LARK

New owner(s) as listed on the conveyance document

Name connector

☐ and ☐ or ☐ and/or

7856 HIDDEN VALLEY RD.

MARSING

ID

83639

Mailing address 577

City

State

ZIP

208-577-1475

LARK777@ICLOUD.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: July 20 2018

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.

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8. Signature:

Signature of new owner/claimant

Title, if applicable

Date

12-16-19

Signature:

Signature of new owner/claimant

Title, if applicable

Date

## For IDWR Office Use Only:

Received by KM Date 12-20-19 Receipt No. C108131 Receipt Amt. 25.00

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 RD

Date 12/24/19



ELECTRONICALLY RECORDED - DO NOT  
REMOVE THE COUNTY STAMPED FIRST  
PAGE AS IT IS NOW INCORPORATED AS  
PART OF THE ORIGINAL DOCUMENT.

Instrument # 296707  
MURPHY, OWYHEE, IDAHO  
2018-07-23 10:37:48 No. of Pages: 2  
Recorded for: ALLIANCE TITLE - BOISE PRODUCTIC  
ANGELA BARKELL Fee: \$15.00  
Ex-Officio Recorder Deputy: map  
Index To: DEED WARRANTY  
Electronically Recorded by Simplifile

Order Number: 18316794

AT-403427

## Warranty Deed

For value received,

James H. Vogt and Gloria Vogt, husband and wife

the grantor, does hereby grant, bargain, sell, and convey unto

Kelly E. Lark, an unmarried man

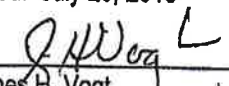
whose current address is 7856 Hidden Valley Rd Marsing, ID 83639

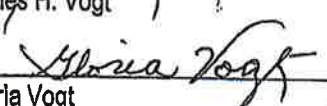
the grantee, the following described premises, in Owyhee County, Idaho, to wit:

See attached legal description

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 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.

Dated: July 20, 2018

  
James H. Vogt

  
Gloria Vogt

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DEC 24 2019

State of Idaho, County of Craig ss.

On this 20 day of July in the year of 2018, before me, the undersigned, a Notary Public in and for said State, personally appeared James H. Vogt and Gloria Vogt, 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.

Notary Public  
Residing In:  
My Commission Expires:  
(seal)

Residing at: Caldwell, Idaho  
Commission Expires: 7/25/23



**COPY**

**EXHIBIT "A"**

**Tract I:**

A portion of the Northwest Quarter of the Northwest Quarter and of Government Lot 1 of Section 26, Township 2 North, Range 4 West of the Boise Meridian, Owyhee County, Idaho, described as follows:

Commencing at the Northwest corner of said Northwest Quarter of the Northwest Quarter; thence North 90°00'00" East along the North boundary of said Northwest Quarter of the Northwest Quarter a distance of 580.00 feet; thence South 31°38'52" East a distance of 983.10 feet to the True Point of Beginning; thence North 58°21'08" East a distance of 644.30 feet; thence South 32°39'39" East a distance of 356.61 feet; thence South 61°52'13" West a distance of 651.83 feet; thence North 31°38'52" West a distance of 316.55 feet to the True Point of Beginning.

**Tract II:**

A road and utility easement described as follows:

This easement lies in portions of the Northwest Quarter of the Northwest Quarter and Government Lot 1 of Section 26 and of the Southwest Quarter of the Southwest Quarter of Section 23, Township 2 North, Range 4 West of the Boise Meridian, Owyhee County Idaho, described as follows:

Commencing at the Northwest corner of said Northwest Quarter of the Northwest Quarter; thence North 90°00'00" East along the North boundary of said Northwest Quarter of the Northwest Quarter a distance of 834.60 feet to the True Point of Beginning; thence North 6°45'02" West a distance of 1239.20 feet to the Southwest corner boundary of Launch Drive, shown as Lot 1, Block 2 of Hidden Valley Estates Subdivision on the Official Plat thereof; thence North 83°21'36" East along said boundary a distance of 60.00 feet; thence South 6°45'02" East a distance of 1541.85 feet; thence South 26°28'32" East a distance of 216.73 feet; thence South 27°41'02" East a distance of 579.92 feet; thence Southeasterly 26.36 feet along the arc of a curve to the left having a central angle of 75°31'21", a radius of 20.00 feet and a long chord which bears South 65°32'42" East a distance of 24.50 feet; thence Southwesterly 267.58 feet along the arc of a curve to the right having a central angle, of 255°31'21", a radius of 60.00 feet and a long chord which bears South 24°27'17" West a distance of 94.87 feet; thence North 27°47'02" West a distance of 658.03 feet; thence North 26°25'32" west a distance of 227.88 feet; thence North 6°45'02" West a distance of 313.19 feet to the True Point of Beginning.

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Order Number: 18316794

AT-403427

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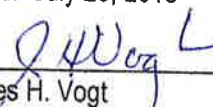
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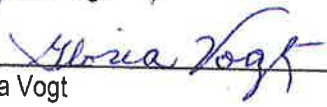
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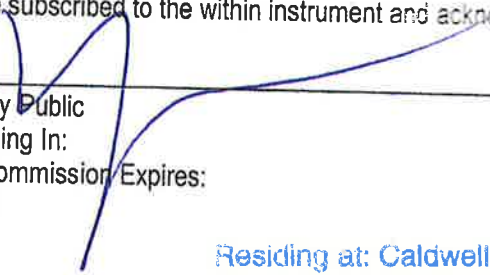
Dated: July 20, 2018

  
James H. Vogt

  
Gloria Vogt

State of Idaho, County of Congress ss.

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Notary Public  
Residing In:  
My Commission Expires:  
(seal)

Residing at: Caldwell, Idaho  
Commission Expires: 7/25/23



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From: **Angie Hart** office@larisonteam.com  
Subject: Water Rights  
Date: December 13, 2019 at 2:17 PM  
To: Lark777@icloud.com, Jan Larison, Keller Williams Realty Boise janlarison7@aol.com

AH

Hello,

I am Jan Larison's assistant. Attached is the information we were able to find on the water rights. We also have information on the water rights for the common areas. I will attach that, as well, in a separate email.

Your water rights number is 2-10412  
Common area is 2-7463

The documents are attached :)

Have a great weekend.

**Angie Hart**  
Unlicensed Transaction Coordinator  
Larison Team - Keller Williams Realty Boise  
6116 Birch Lane  
Nampa, ID. 83687  
C: 208-573-5339  
F: 208-249-3395  
email: [office@larisonteam.com](mailto:office@larisonteam.com)

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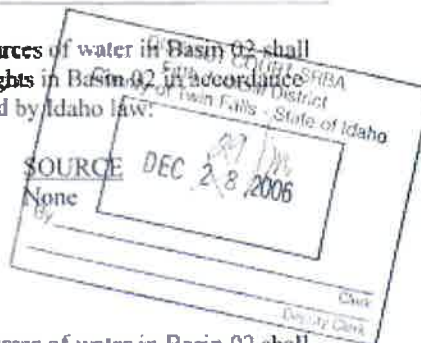
## BASIN 02 GENERAL PROVISIONS

COPY

The Director of the Idaho Department of Water Resources recommends to the Snake River Basin Adjudication District Court that the following general provisions be included in the decree determining rights to water from Basin 02.

1. The following water rights from the following sources of water in Basin 02 shall be administered separately from all other water rights in Basin 02 in accordance with the prior appropriation doctrine as established by Idaho law:

WATER RIGHT NO.  
None



2. The following water rights from the following sources of water in Basin 02 shall be administered separately from all other water rights in the Snake River Basin in accordance with the prior appropriate doctrine as established by Idaho law:

WATER RIGHT NO.  
None

SOURCE  
None

3. Except as otherwise specified above, all other water rights within Basin 02 will be administered as connected sources of water in the Snake River Basin in accordance with the prior appropriation doctrine as established by Idaho law.
4. The minimum daily flows at the Milner gauging station shall remain as zero cubic feet per second. The Milner gauging station is located at Latitude 42° 31'41",

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Longitude 114° 01 00 (revised), (NAD83), in the SW 1/4 NE 1/4 of section 29 in Township 10 South, Range 21 East, Boise Meridian, Twin Falls County Hydrologic Unit 17040212, on the left bank 200 ft downstream from the highway bridge at Milner, 0.4 mile downstream from Milner Dam, at mile 638.7.



crff01\_.pdf



j4v201\_.pdf

10/10/2008

IDAHO DEPARTMENT OF WATER RESOURCES  
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 2-10412

NAME AND ADDRESS: JAMES H VOOT  
7856 HIDDEN VALLEY RD  
MARBING ID 83639

GLORIA VOOT  
7856 HIDDEN VALLEY RD  
MARBING ID 83639

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.027 CFS  
7.650 APY

PRIORITY DATE: 03/08/1950

POINT OF DIVERSION:

702N R04W S23 SE5W Lot 4 Within ONYHEE County

PURPOSE AND  
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

0.027 CFS  
7.65 APY

The use of water for irrigation under this right may begin as early as March 1 provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION in ONYHEE County

702N R04W S23 NW1/4 1.70

1.7 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no

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later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Right No. 2-10257 is also diverted through point of diversion described above.

This right is a split from former right 2-20198.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

State of Idaho  
Department of Water Resources

**Water Right**  
**2-10412**

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.

04W



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

0 0.075 0.15 0.3 Miles



Map produced on December 13, 2019



x0hj01\_.pdf

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State of Idaho

DEPARTMENT OF WATER RESOURCES

322 E FRONT ST STE 648 PO BOX 83720 • BOISE, ID 83720-0098

Phone: (208)287-4800 • Fax: (208)287-6700 • Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

Brad Little  
Governor

Gary Spackman  
Director

December 24, 2019

KELLY E LARK  
7856 HIDDEN VALLEY RD  
MARSING ID 83639-8233

Re: Change in Ownership for Water Right No(s): 2-10412

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) 287-4803.

Sincerely,

Rosemary DeMond  
Administrative Assistant 2

Enclosure(s)

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