

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Amended
Notice of Change in Water Right Ownership

RECEIVED
OCT 21 2019
Department of Water Resources
Eastern 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?
29-2034B <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
29-10367 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Corwin P. Whitworth
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Charlotte A. Vaughan and Anita K. Dabbling
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or ☐ and/or

See Attached addresses

Mailing address _____ City _____ 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: _____
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.

8. Signature: *Randall C. Budy* *Attorney For Corwin P. Whitworth* *10/10/19*
Signature of new owner/claimant Title, if applicable Date

Signature: *Charlotte A. Vaughan* *Charlotte A. Vaughan* *10/10/19*
Signature of new owner/claimant Title, if applicable Date

SUPPORT DATA

For IDWR Office Use Only:

Received by _____ Date _____ Receipt No. _____ **IN FILE #** 29-2034B

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 *CR* Date *10/22/2019*

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

New Owner Information:

Name and Address

Charlotte A. Vaughan
2524 N. Bonneville Road
Inkom, ID 83245
208-221-4497

Anita K. Dabbling
P.O. Box 190
Inkom, ID 83245
208-775-3013

SUPPLEMENTAL INFORMATION – ITEM #7

No change in the point of diversion or place of use. See water right shape files.

21915738

5-1
OFFICIAL RECORD BKN
BANNOCK COUNTY IDAHO

RECORDED AT REQUEST OF
FEE \$15 DEPUTY WA

Racine Law

2019 OCT 10 A 11:04

21915738
CORRECTION PERSONAL REPRESENTATIVE'S DEED

This Correction Personal Representative's Deed corrects and supersedes the Personal Representative's Deed recorded September 11, 2019 as Bannock County Recorder's Instrument No. 2193729, to correct the Water Right Numbers listed on Exhibit A, page 4.

THIS DEED, made by **Charlotte A. Vaughan**, as Personal Representative of the Estate of Corwin Pat Whitworth, Deceased, ("Grantor"), to **Charlotte A. Vaughan**, a married woman as her sole and separate property, whose address is 2524 N. Bonneville Road, Inkom, ID 83245, and **Anita K. Dabling**, a married woman as her sole and separate property, whose address is P.O. Box 190, Inkom, ID 83245 ("Grantees").

RECITALS

WHEREAS, Grantor is the qualified Personal Representative of the Estate of Corwin Pat Whitworth, filed as Probate Case No. CV03-19-02590 in Bannock County, Idaho; and

WHEREAS, Letters of Personal Representative were issued on the 5th day of August, 2019, evidencing the appointment and qualification of Charlotte A. Vaughan as Personal Representative, copy of which is attached hereto; and

WHEREAS, Grantees are entitled to distribution and conveyance of real property owned by the Decedent.

THEREFORE, pursuant to the foregoing, Grantor hereby transfers and conveys to Grantees each an undivided one-half interest as tenants-in-common in the following-described real property located in Bannock County, Idaho, together with all appurtenances, to-wit:

See Exhibit A attached hereto and incorporated by reference.

TOGETHER WITH AND INCLUDING any and all fixtures and improvements, any and all appurtenances, tenements, and hereditaments, and any and all rents, issues, and profits that relate or otherwise pertain to the foregoing parcels of real property.

TO HAVE AND TO HOLD the foregoing parcels of real property unto the Grantees and its successors and assigns forever.

Grantor does hereby covenant with and warrant the Grantees that Grantor is lawfully seized in fee simple of the Property, has good right and lawful authority to sell and convey the Property, and that Grantor fully warrants the title to the Property and will defend the same

PERSONAL REPRESENTATIVE'S DEED - 1

against the lawful claims of all persons claiming by, through or under the Grantor, but against none other.

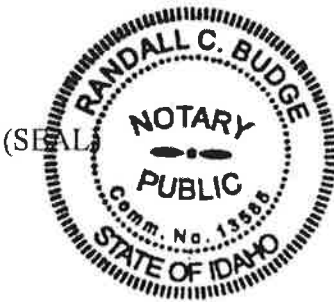
SUBJECT TO taxes, levies, and assessments for the current year not yet due and payable and the following items: discrepancies, conflicts in boundary lines, shortage in area, encroachments, easements, right of ways, boundary line agreements, development agreements, water supply agreements, plats, covenants, conditions, restrictions, reservations, all zoning, building and use laws or restrictions; along with any state of facts that an accurate survey or inspection of the Property would show.

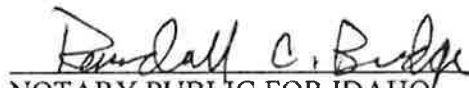
IN WITNESS WHEREOF, the Grantor hereunto sets their hand this 10th day of October, 2019.


 CHARLOTTE A. VAUGHAN
 Personal Representative

STATE OF IDAHO)
 : ss.
 County of Bannock)

This record was acknowledged before me on this 10th day of October, 2019, by CHARLOTTE A. VAUGHAN.




 NOTARY PUBLIC FOR IDAHO
 My Commission Expires: 10/11/2024

5-3
Randall C. Budge (ISB# 1949)
RACINE OLSON, PLLP
P.O. Box 1391; 201 E. Center
Pocatello, Idaho 83204-1391
Telephone: 208-232-6101
Fax: 208-232-6109
randy@racineolson.com

Filed: 08/12/2019 10:13:21
Sixth Judicial District, Bannock County
Jason Dixon, Clerk of the Court
By: Deputy Clerk - Larsen, Paula

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF BANNOCK

In the Matter of CORWIN PAT WHITWORTH, Deceased.	Case No. CV03-19-02590 LETTERS OF PERSONAL REPRESENTATIVE
--	---

THE STATE OF IDAHO: Know all people by these presents:

WHEREAS, on this 5th day of August, 2019, Charlotte A. Vaughan was appointed and qualified as Personal Representative of the above named Decedent by this Court, with all authority granted to a Personal Representative by law;

NOW, THEREFORE, these Letters are issued as evidence of such appointment and qualification and authority of Charlotte A. Vaughan to do and perform all acts which may be required by law.

WITNESS my signature and seal of this Court this Signed: 8/5/2019 01:56 PM

STATE OF IDAHO } ss
COUNTY OF BANNOCK }

I hereby certify the foregoing is a full, true and correct copy of an instrument as the same now remains on file and of record in my office.
WITNESS my hand and official seal hereto affixed

DATED Signed: 8/20/2019 04:14 PM

Jason Dixon, Clerk of the District Court

By: Paula Larsen
Deputy

Scott Saline
Sixth District Magistrate



LETTERS OF PERSONAL REPRESENTATIVE - 1

5-4
21915738

EXHIBIT A

Parcels 1-15

Parcel No. R4017001400

S19 - T7S - R37E
W2NE4NE4 20. AC
E2W2E2NE4NE4 5.0 AC

Parcel No. R4017001500

W2SWE2NE4NE4 5.0 AC
S19 - T7S - R37E

Parcel No. R4017000500

S18 - T7S - R37E
W2E2SE4SE4 10 AC

Parcel No. R4017000400

S18 - T7S - R37E
W2NE4SE4 20 AC
E2W2SE4SE4 10 AC
N2N2NW4SE4 10.0 AC

Parcel No. R4017001700

TR LOT 1 TAX 1 26.60 AC
S19 - T7S - R37E

Parcel No. R4017000702

TR LOT 4 TAX 3 12.26 AC
S18 - T7S - R37E

Parcel No. R4015019002

TR NE4 TAX 10 105.52 AC
N2S2 160 AC;
S24 - T7S - R36E

Parcel No. R4015005202

TR SE4SE4 TAX 3 1.50 AC
S13 - T7S - R36E

Parcel No. R4017001800

TR LOT 1 TAX 2 9.76 AC
NE4NW4 40 AC
S19 - T7S - R37E

Parcel No. R4017001100

SW4SE4 40 AC
S18 - T7S - R37E

Parcel No. R4017000800

TR LOT 4 TAX 2 9.58 AC
SE4SW4 40 AC
S18 - T7S - R37E

Parcel No. R4017002000

NW4SE4; NE4SW4
SE4NW4 120 AC
S19 - T7S - R37E

Parcel No. R4015007904

NW4NW4 40 AC
TR SW4NW4 TAX 3 13.33 AC
S16 - T7S - R36E

Parcel No. RIINT003400

173 W LINCOLN
S21 - T7S - R36E
LOTS 1 & 2
BLOCK 6
INKOM TOWNSITE

Parcel No. R4015018002

493 E JACKSON CREEK
TR SE4NW4 TAX 33 0.22 AC
TR S2NE4 TAX 6 76.24 AC
TR NE4SW4 TAX 31 0.18 AC
S23 - T7S - R36E

5-5
21915738

Parcel 16 and 17:

Parcel No. R4017002200

NE4SE4 40 AC
S19 - T7S - R37E

Parcel No. R4017002100

W2NE4; SE4NE4 120 AC
S19 - T7S - R37E

Parcel 18:

A PARCEL OF LAND LOCATED IN SECTION 24, TOWNSHIP 7 SOUTH, RANGE 38 EAST, BOISE MERIDIAN, BANNOCK COUNTY, IDAHO, AND FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT THE WEST QUARTER CORNER OF SAID SECTION 24; THENCE NORTH 00° 19' 03" EAST 84.90 FEET ALONG THE WEST LINE OF SAID SECTION 24 TO A 5/8" REBAR WITH CAP LABELED "A.A. HUDSON PLS 4735";

THENCE SOUTH 44° 38' 55" EAST 119.96 FEET TO A 5/8" REBAR WITH CAP;

THENCE NORTH 89° 42' 12" WEST 84.77 FEET TO THE POINT OF BEGINNING.

Together with Idaho Water Right Nos. 29-2034B and 29-10367.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
SEP 30 2019
Department of Water Resources
Eastern Region

Notice of Change in Water Right Ownership * See Amended

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?
29-2034B	Yes ☐	Yes ☐		Yes ☐	Yes ☐
29-10364	Yes ☐	Yes ☐		Yes ☐	Yes ☐
29-10366	Yes ☐	Yes ☐		Yes ☐	Yes ☐
29-10367	Yes ☐	Yes ☐		Yes ☐	Yes ☐
29-10370	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Corwin P. Whitworth
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Charlotte A. Vaughan and Anita K. Dabling
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or ☐ and/or

See Attached addresses

Mailing address _____ City _____ 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: _____
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: Donna C. Butler, Attorney At Law Attorney For Estate 9/26/19
Signature of new owner/claimant Title, if applicable Date

Signature: _____ Title, if applicable _____ Date _____
Signature of new owner/claimant

For IDWR Office Use Only:

Received by JB Date 10/1/2019 Receipt No. E045358 Receipt Amt. \$125 -
 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 _____

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

New Owner Information:

Name and Address

Charlotte A. Vaughan
2524 N. Bonneville Road
Inkom, ID 83245
208-221-4497

Anita K. Dabling
P.O. Box 190
Inkom, ID 83245
208-775-3013

SUPPLEMENTAL INFORMATION – ITEM #7

No change in the point of diversion or place of use. See water right shape files.

21913729

5-1
RECORDED BY
BANNOCK COUNTY IDAHO

RECORDED AT REQUEST OF
FEE \$15 DEPUTY
Racine Olson
2019 SEP 11 P 1:09

21913729

PERSONAL REPRESENTATIVE'S DEED

THIS DEED, made by **Charlotte A. Vaughan**, as Personal Representative of the Estate of Corwin Pat Whitworth, Deceased, ("Grantor"), to **Charlotte A. Vaughan**, a married woman as her sole and separate property, whose address is 2524 N. Bonneville Road, Inkom, ID 83245, and **Anita K. Dabbling**, a married woman as her sole and separate property, whose address is P.O. Box 190, Inkom, ID 83245 ("Grantees").

RECITALS

WHEREAS, Grantor is the qualified Personal Representative of the Estate of Corwin Pat Whitworth, filed as Probate Case No. CV03-19-02590 in Bannock County, Idaho; and

WHEREAS, Letters of Personal Representative were issued on the 5th day of August, 2019, evidencing the appointment and qualification of Charlotte A. Vaughan as Personal Representative, copy of which is attached hereto; and

WHEREAS, Grantees are entitled to distribution and conveyance of real property owned by the Decedent.

THEREFORE, pursuant to the foregoing, Grantor hereby transfers and conveys to Grantees each an undivided one-half interest as tenants-in-common in the following-described real property located in Bannock County, Idaho, together with all appurtenances, to-wit:

See Exhibit A attached hereto and incorporated by reference.

TOGETHER WITH AND INCLUDING any and all fixtures and improvements, any and all appurtenances, tenements, and hereditaments, and any and all rents, issues, and profits that relate or otherwise pertain to the foregoing parcels of real property.

TO HAVE AND TO HOLD the foregoing parcels of real property unto the Grantees and its successors and assigns forever.

Grantor does hereby covenant with and warrant the Grantees that Grantor is lawfully seized in fee simple of the Property, has good right and lawful authority to sell and convey the Property, and that Grantor fully warrants the title to the Property and will defend the same against the lawful claims of all persons claiming by, through or under the Grantor, but against none other.

PERSONAL REPRESENTATIVE'S DEED - 1

21913729

5-2
SUBJECT TO taxes, levies, and assessments for the current year not yet due and payable and the following items: discrepancies, conflicts in boundary lines, shortage in area, encroachments, easements, right of ways, boundary line agreements, development agreements, water supply agreements, plats, covenants, conditions, restrictions, reservations, all zoning, building and use laws or restrictions; along with any state of facts that an accurate survey or inspection of the Property would show.

IN WITNESS WHEREOF, the Grantor hereunto sets their hand this 5th day of September, 2019.

Charlotte A. Vaughan
CHARLOTTE A. VAUGHAN
Personal Representative

STATE OF IDAHO)
 : ss.
County of Bannock)

This record was acknowledged before me on this 5th day of September, 2019, by
CHARLOTTE A. VAUGHAN.



Randall C. Budge
NOTARY PUBLIC FOR IDAHO
My Commission Expires: 10/11/2024

21913729

5-3
Randall C. Budge (ISB# 1949)
RACINE OLSON, PLLP
P.O. Box 1391; 201 E. Center
Pocatello, Idaho 83204-1391
Telephone: 208-232-6101
Fax: 208-232-6109
randy@racineolson.com

Filed: 08/12/2019 10:13:21
Sixth Judicial District, Bannock County
Jason Dixon, Clerk of the Court
By: Deputy Clerk - Larsen, Paula

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF BANNOCK

In the Matter of CORWIN PAT WHITWORTH, Deceased.	Case No. CV03-19-02590 LETTERS OF PERSONAL REPRESENTATIVE
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THE STATE OF IDAHO: Know all people by these presents:

WHEREAS, on this 5th day of August, 2019, Charlotte A. Vaughan was appointed and qualified as Personal Representative of the above named Decedent by this Court, with all authority granted to a Personal Representative by law;

NOW, THEREFORE, these Letters are issued as evidence of such appointment and qualification and authority of Charlotte A. Vaughan to do and perform all acts which may be required by law.

WITNESS my signature and seal of this Court this Signed: 8/5/2019 01:58 PM

STATE OF IDAHO } ss
COUNTY OF BANNOCK }

I hereby certify the foregoing is a full, true and correct copy of an instrument as the same now remains on file and of record in my office.
WITNESS my hand and official seal hereto affixed

DATED Signed: 8/20/2019 04:14 PM

Jason Dixon, Clerk of the District Court

By Paula Larsen
Deputy

Scott Spilane
Sixth District Magistrate



LETTERS OF PERSONAL REPRESENTATIVE - 1

EXHIBIT A

Parcels 1-15

Parcel No. R4017001400

S19 - T7S - R37E
W2NE4NE4 20. AC
E2W2E2NE4NE4 5.0 AC

Parcel No. R4017001500

W2SWE2NE4NE4 5.0 AC
S19 - T7S - R37E

Parcel No. R4017000500

S18 - T7S - R37E
W2E2SE4SE4 10 AC

Parcel No. R4017000400

S18 - T7S - R37E
W2NE4SE4 20 AC
E2W2SE4SE4 10 AC
N2N2NW4SE4 10.0 AC

Parcel No. R4017001700

TR LOT 1 TAX 1 26.60 AC
S19 - T7S - R37E

Parcel No. R4017000702

TR LOT 4 TAX 3 12.26 AC
S18 - T7S - R37E

Parcel No. R4015019002

TR NE4 TAX 10 105.52 AC
N2S2 160 AC;
S24 - T7S - R36E

Parcel No. R4015005202

TR SE4SE4 TAX 3 1.50 AC
S13 - T7S - R36E

Parcel No. R4017001800

TR LOT 1 TAX 2 9.76 AC
NE4NW4 40 AC
S19 - T7S - R37E

Parcel No. R4017001100

SW4SE4 40 AC
S18 - T7S - R37E

Parcel No. R4017000800

TR LOT 4 TAX 2 9.58 AC
SE4SW4 40 AC
S18 - T7S - R37E

Parcel No. R4017002000

NW4SE4; NE4SW4
SE4NW4 120 AC
S19 - T7S - R37E

Parcel No. R4015007904

NW4NW4 40 AC
TR SW4NW4 TAX 3 13.33 AC
S16 - T7S - R36E

Parcel No. RIINT003400

173 W LINCOLN
S21 - T7S - R36E
LOTS 1 & 2
BLOCK 6
INKOM TOWNSITE

Parcel No. R4015018002

493 E JACKSON CREEK
TR SE4NW4 TAX 33 0.22 AC
TR S2NE4 TAX 6 76.24 AC
TR NE4SW4 TAX 31 0.18 AC
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21913729

55
Parcel 16 and 17:

Parcel No. R4017002200

NE4SE4 40 AC
S19 - T7S - R37E

Parcel No. R4017002100

W2NE4; SE4NE4 120 AC
S19 - T7S - R37E

Parcel 18:

A PARCEL OF LAND LOCATED IN SECTION 24, TOWNSHIP 7 SOUTH, RANGE 38 EAST, BOISE MERIDIAN, BANNOCK COUNTY, IDAHO, AND FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT THE WEST QUARTER CORNER OF SAID SECTION 24; THENCE NORTH 00° 19' 03" EAST 84.90 FEET ALONG THE WEST LINE OF SAID SECTION 24 TO A 5/8" REBAR WITH CAP LABELED "A.A. HUDSON PLS 4735";

THENCE SOUTH 44° 38' 55" EAST 119.96 FEET TO A 5/8" REBAR WITH CAP;

THENCE NORTH 89° 42' 12" WEST 84.77 FEET TO THE POINT OF BEGINNING.

Together with Idaho Water Right Nos. 29-2034B, 29-10364, 29-10366, 29-10367, and 29-10370



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

October 22, 2019

CHARLOTTE VAUGHAN
2524 N BONNEVILLE RD
INKOM ID 83245-1738

ANITA K DABLING
PO BOX 190
INKOM ID 83245-0190

Re: Change in Ownership for Water Right No(s): 29-2034B

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) 497-3779.

Sincerely,

Cher Ramos
Technical Records Specialist 1

Enclosure(s)

cc: Randall C. Budge
Water District 29D

OCT 21 2019

Department of Water Resources
Eastern RegionRANDALL C. BUDGE
randy@racineolson.com

October 17, 2019

Joni Barg
Idaho Department of Water Resources
Eastern Regional Office
900 North Skyline Drive, Suite A
Idaho Falls, Idaho 83402-1718

**Re: Ownership Change – Charlotte A. Vaughan and Anita K. Dabbling
Transfer Application and Ownership Change: Robert and Charlotte A. Vaughan**

Dear Joni:

Per our correspondence on the above matters enclosed please find the original and three extra copies of the Corrected Notice of Change in Water Right Ownership to substitute and replace the Notice provided previously with my letter of September 26, 2019. This Notice of Ownership Change now pertains only to water right nos. 29-2034B and 29-10367.

We have confirmed that the original owner Corwin P. Whitworth does not own 29-10366 which is owned by Johnson or 29-10730 which is owned by Moore. Accordingly, those water rights are removed from the ownership change.

We have also confirmed that water right 29-2034B is a domestic and stock water right on property which Corwin P. Whitworth sold to Robert and Charlotte Vaughan (his daughter). With respect to that right in addition to changing ownership, it is necessary to correct the point of diversion and place of use as per your request. Accordingly, to accomplish this enclosed please find the original and two extra copies of an Application for Transfer of Water Right together with a check in the amount of \$125.00 for the filing fees (based on the prior check provided of \$125 for the fees to change ownership of 5 water rights, which will now only be two water rights, please apply that balance to the transfer filing fee). The purpose of this Application is to change the point of diversion and place of use to the Vaughan's property and reflect them as the owner.

Please proceed to process the originals and conform stamp and return the extra copies enclosed in the stamped and addressed envelopes to me and to each of the Applicants.

Thank you for your cooperation and assistance. If you have any questions, please don't hesitate to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read "Randall C. Budge".

RANDALL C. BUDGE

RCB:ts
Enclosures
c: Charlotte Vaughan

Barg, Jonie

From: Barg, Jonie
Sent: Tuesday, October 08, 2019 8:31 AM
To: 'Randy Budge'
Subject: RE: Ownership Change Charlotte A Vaughan and Anita K Dabbling
Attachments: 20191008082947.pdf

Yes, the maps are computer generated, however they are the place of use according to the records filed with the department and do match the place of use specified on the water rights. I have attached maps also identifying the property owners according to Bannock County tax lot data, names listed on maps are 29-10364 Janice Cook, Corwin Whitworth, Robert Vaughan 29-10366 Brent Johnson and Seth Johnson and 29-10370 William Moore. I have also attached a copy of the proof reports showing all the elements of the water rights. Also please note as far as water right numbers 29-10366 (Section 14 T 7 S R36E) and 29-10370 (Section 33 T 6 S R 36E) the legal description attached to the deed provided does not cover any portion of the place of use of those water rights. It does cover a portion of the water right location for 29-10364 (section 24 T 7S R36 E) but like stated in the previous email it does not appear that there is a location for domestic use on the property sold to Vaughan and Dabbling so the department is trying to determine where the historical use was located. The original parcel R4015019001 as listed on the water right 29-10364 was split, likely between R4015019003 (Vaughan) and R4015019002 (Whitworth) but it appears the domestic and possibly the stock water for 9 houses is being used on the property owned by Robert Vaughan. I have also attached the legal description for your review, possibly I am missing something. Thank you for your work on this. I appreciate your time.



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

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

From: Randy Budge [<mailto:randy@racineolson.com>]
Sent: Monday, October 07, 2019 9:49 AM
To: Barg, Jonie <Jonie.Barg@idwr.idaho.gov>
Cc: Randy Budge <randy@racineolson.com>
Subject: RE: Ownership Change Charlotte A Vaughan and Anita K Dabbling

Jonie,

In reviewing this with our client the estate PR that provided the deed in question, it would be helpful if you could provide the tax notices or other ownership information identifying the other owners of land at the P/U. Based on the information we have the new owners listed on the deed do in fact own all of the property shown on the deed. If that is the case the right can be split accordingly and we will focus on identifying the accurate P/D and P/U. I am wondering of the P/U shown on the maps you provide were simply computer generated?

Thanks!

Randy

Randall C. Budge

Attorney



201 E. Center Street / P.O. Box 1391

Pocatello, Idaho 83204

(208)232-6101 - Phone

(208)232-6109 - Fax

www.racinelaw.net

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From: Barg, Jonie <Jonie.Barg@idwr.idaho.gov>

Sent: Monday, October 7, 2019 8:25 AM

To: Randy Budge <randy@racineolson.com>

Subject: RE: Ownership Change Charlotte A Vaughan and Anita K Dabling

There was a deed attached however no evidence of ownership for the property associated with water right numbers 29-10366 and 29-10370. The property associated with those water rights appear to be owned by a Johnson and Moore according to the Bannock County tax lot information. There is evidence of ownership for a portion of the ground associated with water right 29-10364, however I do not see where the domestic and stock water would be used on the property within that quarter quarter owned by Vaughan and Dabling. There is a parcel within that quarter quarter owned by someone else that appears to have domestic use.

The department recognizes that the water right numbers were listed on the deed and the deed is from the current owner of the water right, however the property appears to be owned by someone else so we are trying to determine if in the previous sale the water rights were withheld. Also if the water rights were withheld and the water right should be changed to Vaughan and Dabling because they do not own the property the water right is appurtenant to a transfer application may be required.

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

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From: Randy Budge [<mailto:randy@racineolson.com>]

Sent: Sunday, October 06, 2019 8:49 PM

To: Barg, Jonie <Jonie.Barg@idwr.idaho.gov>

Cc: Randy Budge <randy@racineolson.com>; Tessa Sparrow <tessa@racineolson.com>

Subject: RE: Ownership Change Charlotte A Vaughan and Anita K Dabbling

Hi Joni,

There should have been included with the Ownership Change a copy of the recently recorded deed evidencing ownership? Was that missing?

As to the location of the domestic and stock watering there is no intent to change that from what is reflected on these rights that were decreed not that long ago. I will have to check with the clients and get back to you to see the locations identified on the rights require change.

Randall C. Budge

Attorney



201 E. Center Street / P.O. Box 1391

Pocatello, Idaho 83204

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From: Barg, Jonie <Jonie.Barg@idwr.idaho.gov>

Sent: Friday, October 4, 2019 4:55 PM

To: Randy Budge <randy@racineolson.com>

Subject: Ownership Change Charlotte A Vaughan and Anita K Dabbling

RE: **Water Right Change in Ownership No(s):** 29-2034B, 29-10364, 29-10366, 29-10367 and 29-10370

Dear Interested Parties:

The Department of Water Resources (Department) acknowledges receipt of your **Notice of Change in Water Right Ownership (Notice)**.

Our review of your **Notice** indicates that additional information is required before the Department can process the change. The information required is indicated below:

**** **Evidence of Water Right Ownership/Clarification:** copy of 'recorded' Deed or other legal document indicating your ownership of the property and/or water rights in question. Please review the maps attached showing the place of use water rights 29-10364, 29-10366 and 29-10370. Water right 29-10364 is for domestic and stockwater use however the department looking back through ariel photography cannot pinpoint the area on the Vaughan and Dabling property being used for domestic and stockwater. Please identify where this historically or presently is being used.. Also the property appurtenant to water right numbers 29-10366 and 29-10370 appear to be owned by individuals other than Vaughan and Dabling as well. Please review the maps attached if you still believe the ownership change should go forth please provide documentation showing that the water rights were withheld from the sale to new property owners. Please note the department does acknowledge that the water rights were listed on the Personal Representatives Deed and it is from the current owner of the water rights according to the records filed with the department, however in order for the ownership change to be complete the department requires evidence that water right was not previously sold. Also a transfer application may be required to change the place of use of the water rights to property that Vaughan and Dabling own.

Because the Department cannot process the Notice without proper documentation, we will hold any action on your notice pending receipt of the necessary information. If we do not receive the necessary information within 30 days we will return your notice and all attachments and your notice will not be processed.

Also, please note that permit holders are required to report any change of ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Forms to assign ownership or update your address are available from any office of the Department or on the Department's website.

If you have any questions regarding this matter, please contact me at (208) 497-3787.

Sincerely,



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

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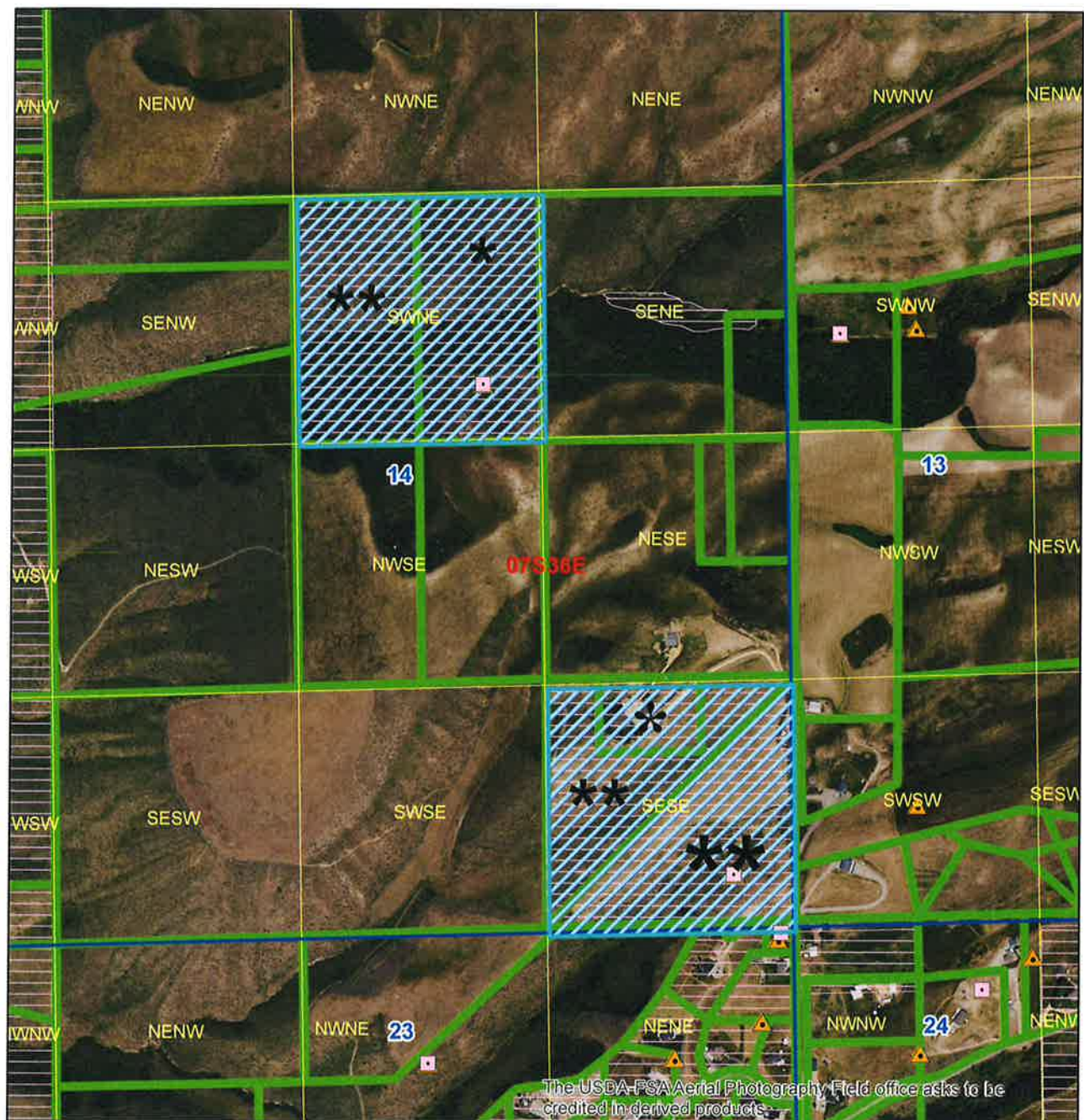
Idaho Department of Water resources



Legend

-  Water Right 29-10364
-  Township/Range
-  Sections
-  QQ
-  Parcels

Idaho Department of Water resources



Legend

-  Water Right 29-10366
-  Township/Range
-  Sections
-  QQ
-  Parcels

****Brent Johnson**
***Seth Johnson**

Idaho Department of Water resources



Legend

-  Water Right 29-10370
-  Township/Range
-  Sections
-  QQ
-  Parcels

10/7/2019

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CORWIN PAT WHITWORTH 493 E JACKSON CREEK RD INKOM, ID 83245-1757 (208) 775-3563

Status: Active

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	1/01	12/31	0.020 CFS	
DOMESTIC	1/01	12/31	0.040 CFS	
	Total Diversion		0.060 CFS	

GROUND WATER SWNE Sec. 24, Twp 07S, Rge 36E, BANNOCK County

[illegible]

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
07S	36E	24			X														

1.	N13	THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2.	N11	THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3.		PARCEL NO. R4015019001 STOCKWATER, 9 HORSES

Page 1 of 3

10/7/2019

10/7/2019

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CORWIN PAT WHITWORTH 493 E JACKSON CREEK RD INKOM, ID 83245-1757 (208) 775-3563

Status: Active

Tributary
SINKS

0.030 CFS

Sec. 33, Twp 06S, Rge 36E, BANNOCK County

STOCKWATER within BANNOCK County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
06S	36E	33										X							

1.	N13	THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2.	N11	THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3.		PARCEL N. R3849009101 STOCKWATER, 100 CATTLE



RANDALL C. BUDGE
randy@racineolson.com

September 26, 2019

RECEIVED
SEP 30 2019
Department of Water Resources
Eastern Region

Idaho Department of Water Resources
Eastern Regional Office
900 North Skyline Drive, Suite A
Idaho Falls, Idaho 83402-1718

Re: Notice of Change in Water Right Ownership

To whom it may concern:

Enclosed please find the original and three extra copies of a Notice of Change in Water Right Ownership, together with a check in the amount of \$125.00 for the filing fee. Please file the original and conform stamp and return the extra copies, one to us, one to Charlotte Vaughan and one to Anita Dabling in the enclosed stamped and addressed return envelopes.

Thank you for your assistance. If you have any questions, please feel free to contact us.

Sincerely,

A handwritten signature in blue ink that reads "Tessa Sparrow".

TESSA SPARROW
Legal Assistant
RANDALL C. BUDGE

RCB:ts
Enclosures