

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
APR 22 2019
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?
34-14232 <i>OK</i>	Yes ☒				Yes ☐
34-14234 <i>OK</i>	Yes ☒		34-14232 (Split into 34-14232, 34-14762 and 34-14763)		Yes ☐
34-14236 <i>OK</i>	Yes ☒		34-14234 (Split into 34-14234, 34-14764 and 34-14765)		Yes ☐
34-14238 <i>OK</i>	Yes ☒		34-14236 (Split into 34-14236, 34-14766 and 34-14767)		Yes ☐
	Yes ☐		34-14238 (Split into 34-14239, 34-14768 and 34-14769)		Yes ☐
					Yes ☐

2. Previous Owner's Name: Darrell G. Wilburn and Karen L Wilburn
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): John D. Allee
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- P.O. Box 463 Mackay Id 83251
Mailing address City State ZIP
- 912-222-8507 john@jmtassociates.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: May 26 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):
 ☐ \$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.

SUPPORT DATA

IN FILE # 34-14232

8. Signature: *John Allee* Title, if applicable: _____ Date: 04/18/19
 Signature of new owner/claimant Date

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

For IDWR Office Use Only:

Received by: *JB* Date: 4/22/2019 Receipt No. 5074892 Receipt Amt. \$400.-

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: *JB* Date: 10/16/2019

EXHIBIT B

Seller

[illegible]

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

Instrument # 253326
CHALLIS, CUSTER, IDAHO
05-26-2017 09:47:35 No. of Pages: 2
Recorded for: FIRST AMERICAN TITLE - BLACKFOOT
Lura H. Baker Fee: \$13.00
Ex-Officio Recorder Deputy: rr

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **635850-B (Id)**

Date: **May 19, 2017**

For Value Received, **Darrell G. Wilburn and Karen L. Wilburn, husband and wife**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **John D. Allee, an unmarried man**, hereinafter called the Grantee, whose current address is **PO Box 463, Mackay, ID 83251**, the following described premises, situated in **Custer County, Idaho**, to-wit:

Lot 1, 2, and 3, Country Club Estates Subdivision, Custer County, Idaho, as shown on the plat recorded August 10, 2005, as Instrument No. 232045.

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
168 West Pacific Street/PO Box 868
Blackfoot, ID 83221

Recorded Electronically	
ID	253326
County	CUSTER
Date	5-26-2017 Time 9:47
Simplifile.com 800.460.5657	

Space Above This Line for Recorder's Use Only

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Date: 05/19/2017

Warranty Deed
- continued

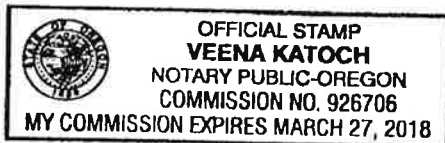
File No.: 635850-B (Id)

ⓧ *Darrell G. Wilburn*
Darrell G. Wilburn

ⓧ *Karen L. Wilburn*
Karen L. Wilburn

STATE OF Oregon)
COUNTY OF Multnomah)
SS.

On this 22 day of May, 2017, before me, a Notary Public in and for said State, personally appeared **Darrell G. Wilburn and Karen L. Wilburn**, 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.



Veena Katoch
Notary Public for the State of Oregon
Residing at: GRESHAM OR
My Commission Expires: 03-27-2018



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 16, 2019

JOHN ALLEE
PO BOX 403
MACKAY ID 83251

Re: Change in Water Right Ownership: 34-14232 (Split into 34-14232, 34-14762 and 34-14763), 34-14234 (Split into 34-14234, 34-14764 and 34-14765), 34-14236 (Split into 34-14236, 34-14766 and 34-14767) and 34-14238 (Split into 34-14238, 34-14768 and 34-14769)

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of a portion of the above referenced water right(s) to you. The Department has modified its records based on the information received and has enclosed a computer-generated report for you.

Your portion of each water right(s) has a specified point of diversion, nature of use and place of use. If you plan to change the authorized point of diversion, nature of use, or place of use, including adding a new point of diversion, you must file an Application for Transfer of Water Right. If you do not plan to change any elements of your water right, then no further action is required at this time.

The portion of the water right retained by the original right holder retains the original water right number. The Department is sending the original right holder a copy of this letter and a computer-generated report showing the changes to the original water right.

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) 497-3787.

Sincerely,

Jonie Barg
Technical Records Specialist 1

Enclosure(s)

cc: DARRELL WILBURN
KAREN WILBURN
STEVE PRITCHETT
TERRI PRITCHETT
WATER DISTRICT 34
BIG LOST RIVER IRRIGATION DISTRICT