

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
AUG 19 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?
34-28F	Yes ☒	34-28 F (Split into 34-28 F and 34-14757),			Yes ☐
34-2388C	Yes ☒	34-2388C (Split into 34-2388C and 34-14759)			Yes ☐
34-7067C	Yes ☒	34-7067C (Split into 34-7467C and 34-14760)			Yes ☐
34-10248A	Yes ☒	34-10248A (Split into 34-10248A and 34-14761)			Yes ☐
34-431A	Yes ☒	34-431A (Split into 34-431A and 34-14758)			Yes ☐

2. Previous Owner's Name: Stephen K. King and Lori B. King
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Jared Brinton and Catherine Brinton
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or ☐ and/or
- 3144 N. 3300 W. Moore ID 83255
Mailing address City State ZIP
661-330-4050 sarahschindler@gmail.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 9, 2014
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: [Signature] Jared Brinton 8/16/19
Signature of new owner/claimant Title, if applicable Date

Signature: [Signature] Catherine Brinton 8/16/19
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by [Signature] Date 8/19/2019 Receipt No. E045250 Receipt Amt. \$500.-
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 _____

SUPPORT DATA

IN FILE # 34-28F

Need RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Thomas J. Budge
Racine Olson, PLLP
201 E. Center Street; P.O. Box 1391
Pocatello, Idaho 83204

BUTTE COUNTY
Recorded for:
CATHERINE BRINTON
11:00:30 AM 08-15-2019
0000-057399
No. Pages: 4 Fee: \$ 15.00
SHELLY BLACKNER
County Clerk
Deputy: KIM

(Space above for Recorder's use)

CORRECTION WARRANTY DEED

THIS DEED CORRECTS AND SUPERCEDES THE CORRECTED WARRANTY DEED TO ADD WATER RIGHTS RECORDED MARCH 7, 2018, AS INSTRUMENT NUMBER 0000-055349 IN THE OFFICIAL REAL PROPERTY RECORDS OF BUTTE COUNTY, IDAHO.

Grantors: Stephen K. King and Lori B. King, husband and wife,
3477 N. King Mountain Rd.
Moore, Idaho 83255

Grantees: Jared Dean Brinton and Catherine Sarah Brinton, husband and wife,
3144 N. 3300 W.
Moore, Idaho 83255

WHEREAS, Grantors conveyed to Grantees certain real property via warranty deed dated July 9, 2014, and recorded July 10, 2014, as instrument number 0051814 in the official real property records of Butte County, Idaho (the "Original Deed"); and

WHEREAS, Grantors later amended the Original Deed, retitled it as "Corrected Warranty Deed to add Water Rights," and re-recorded it on July March 7, 2018, as instrument number 0000-055349 in the official real property records of Butte County, Idaho (the "Correction Deed"); and

WHEREAS, Grantors and Grantees desire to amend the description of the water rights conveyed by the Correction Deed to further define certain elements of the water rights conveyed thereby;

THEREFORE, the Correction Deed is hereby amended and restated as follows:

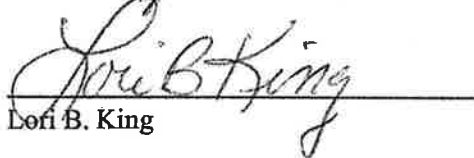
For value received, Grantors hereby convey, grant, and warrant unto Grantees their entire right, title, and interest in and to the real property in Butte County, Idaho, described in *Exhibit A* attached hereto, and the water rights described in *Exhibit B* attached hereto (collectively the "Property"), together with all fixtures, improvements, appurtenances, rents, issues, and profits that relate or pertain to the Property, to have and to hold the same unto Grantee and their successors and assigns forever.

Grantors covenant that they are the owners in fee simple of the Property; that the Property is free from all encumbrances except those to which this conveyance is expressly made subject and those made, suffered or done by Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, and general taxes and assessments, including irrigation and any 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 includes the plural.

GRANTORS:


Stephen K. King

Date: 12 AUGUST 2019


Lori B. King

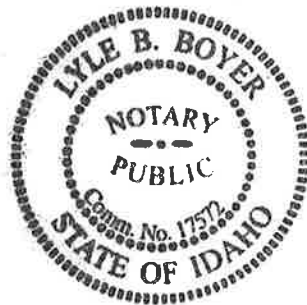
Date: 12 Aug. 2019

STATE OF IDAHO)

: ss.

County of Butte)

This record was acknowledged before me on this 12th day of August, 2019, by Stephen K. King and Lori B. King.



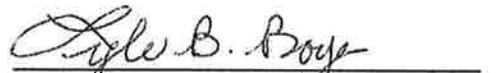

NOTARY PUBLIC FOR IDAHO
My Commission Expires: 6-5-2021

EXHIBIT A
REAL PROPERTY

Township 5 North. Range 26 East of the Boise Meridian, Butte County, Idaho

Section 15: SW1/4SE1/4 and

A portion of the E1/2SW1/4 beginning at a metal survey marker being the S1/4 corner of said Section 15, thence West 728 feet to an existing power line owned by Lost River Electric Co-op, (serving pump installation, REA No. 754);

thence North, along the existing power line, to the South boundary line of the NE1/4SW1/4;

thence West 34 feet to the East bank of the Island Ditch Canal;

thence North, following the course of said canal, to the North boundary line of the E1/2SW1/4;

thence East to the Northeast corner of the E1/2SW1/4;

thence South, along the East line of said E1/2SW1/4, a distance of 2640 feet, more or less, to the Point of Beginning.

EXCEPTING a one-half (50%) interest in the existing irrigation well, pump and motor located near the North boundary on the East bank of Island Ditch in the NE1/4SW1/4 of said Section 15; the remaining one-half (50%) interest in said irrigation well, pump and motor being conveyed to Grantees by this deed.

SUBJECT TO the following two easements:

Easement #1: A 15 foot wide access easement along the East side of the Island canal for the Big Lost River Irrigation District and for ingress to and egress from irrigation pump used to divert water under the Big Lost River water rights identified in the table titled "Retained by King" in Exhibit B hereto.

Easement #2: Access to the irrigation well and pump used to divert water under the ground water rights identified in the table titled "Retained by King" in Exhibit B hereto.

EXHIBIT B WATER RIGHTS

Water Rights Conveyed Entirely to Grantees

Grantors convey to Grantees all of Idaho water right nos. 34-2388D, 34-7067D, 34-10248B, 34-129B.

Water Rights Conveyed Partially to Grantees

Grantors convey to Grantees the portions of Idaho water right nos. 34-28F, 34-2388C, 34-7067C, 34-10248A and 34-431 described in the following table titled "Conveyed to Brinton." Grantees reserve unto themselves the remaining portions of said water rights as described in the following table titled "Retained by King." The following tables describe the combined ("comb.") CFS and combined acre limits associated with said water rights.

CONVEYED TO BRINTON

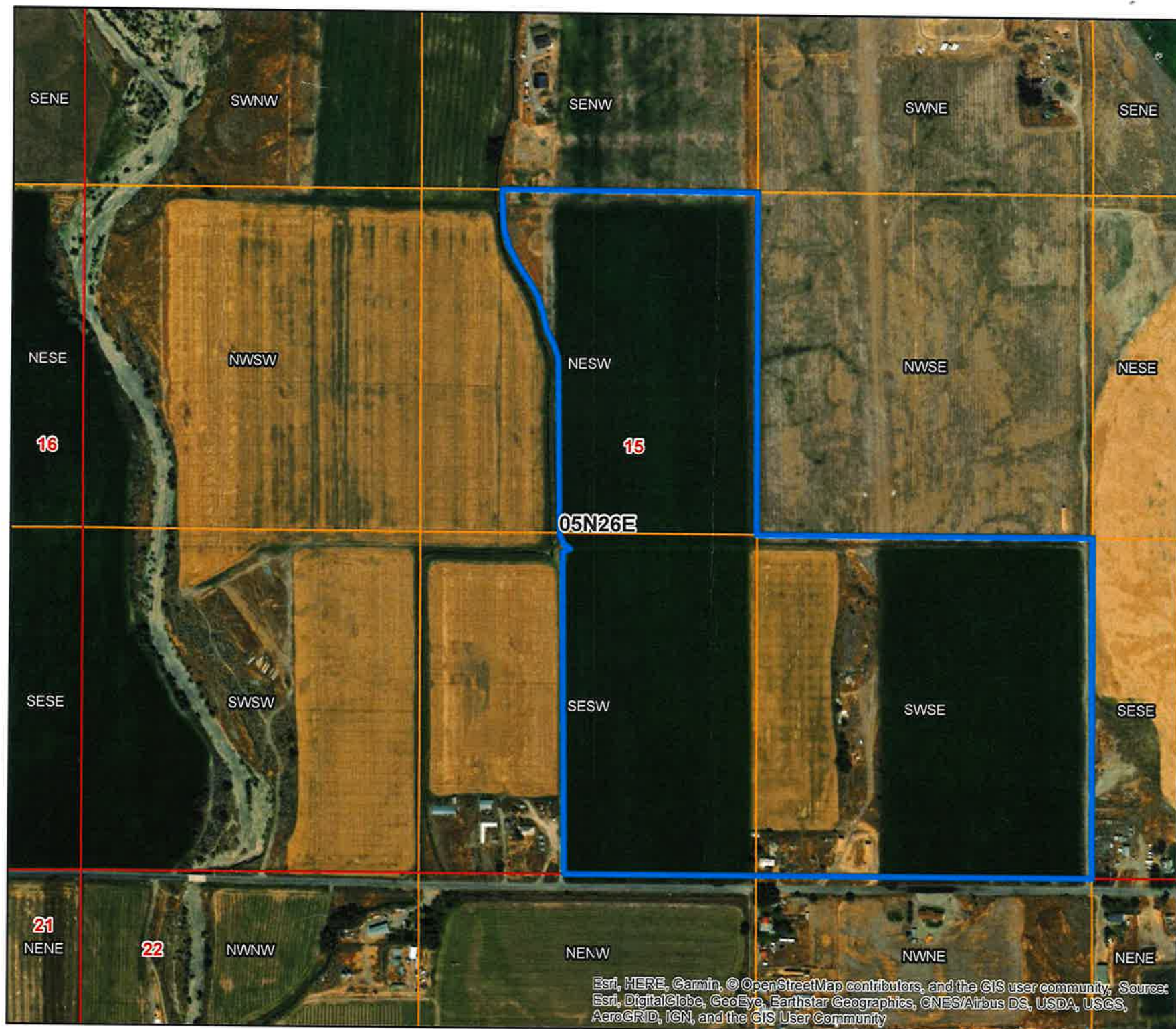
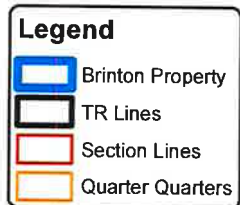
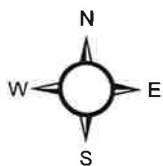
WR#	Source	CFS	Comb.	Acres	Comb.
34-28F	Big Lost River	0.32	1.34	15.9	44.0
34-2388C	Ground Water	0.80		44.0	
34-7067C	Ground Water	0.18		44.0	
34-10248A	Big Lost River	0.47		44.0	
34-431A	Big Lost River	0.55		27.4	

RETAINED BY KING

WR#	Source	CFS	Comb.	Acres	Comb.
34-28F	Big Lost River	0.18	5.80	9.1	25.0
34-2388C	Ground Water	0.45		25.0	
34-7067C	Ground Water	0.11		25.0	
34-10248A	Big Lost River	0.27		25.0	
34-431A	Big Lost River	0.31		15.6	

Storage Water Conveyed to Grantees

Grantors convey to Grantees 2,228 miners inches of storage water in Mackay Reservoir.



51022

Esri, HERE, Garmin, © OpenStreetMap contributors, and the GIS user community, Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



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 01, 2019

JARED DEAN BRINTON
3144 N 3300 W
MOORE ID 83255-8728

Re: Change in Water Right Ownership: 34-28 F (Split into 34-28 F and 34-14757), 34-2388C (Split into 34-2388C and 34-14759), 34-7067C (Split into 34-7467C and 34-14760), 34-10248A (Split into 34-10248A and 34-14761) and 34-431A (Split into 34-431A and 34-14758)

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: Stephen King
Lori King
Big Lost River Ground Water District
Water District 34



RACINE OLSON
ATTORNEYS

RECEIVED
AUG 19 2019
Department of Water Resources
Cameron H. Johnson

August 16, 2019

Cooper Fritz
Idaho Department of Water Resources
900 North Skyline Drive, Suite A
Idaho Falls, Idaho 83402-1718

**Re: Jared and Catherine Brinton
Notice of Change in Water Right Ownership**

Dear Cooper:

Enclosed is a Notice of Change in Water Right Ownership submitted on behalf of Jared and Catherine Brinton, together with a check in the amount of \$500.00 for the filing fee and a return envelope. I understand that you have spoken with Stephen King about this ownership change on several occasions. It has taken quite a bit of time and effort to finalize the water right split as set forth in the deed. This has held up a pending sale of the Brinton property. Anything you can do to expedite processing of this ownership change would be greatly appreciated so that sale can be completed.

Should you have any questions, please give me a call.

Sincerely,


FOR: T.J. BUDGE