Lot 51

Form 42-248/42-1409(6) Rev. 1/15

RECEIVED
SEP 17 2019
Department of Water Resources
Eastern Region

STATE 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? |
|---|---|---|---|---|---|
| 15-2039B | Yes ☐ | 15-2039B (split into 15-2039B-Jones, 15-7450-Ward, 15-7451Herron, 15-7452-Maxfild, 15-7453-Cobabe, 15-7454-Kowallis, 15-7455-Paul Webster Properties LLC, 15-7456-Clark, 15-7457-Brangal and 15-7466-Pickett) | | | es ☐ |
| 15-7146 | Yes ☐ | 15-7146 (split into 15-7146-Jones, 15-7458-Ward, 15-7459-Herron, 15-7460-Maxfield, 15-7461-Cobabe, 15-7462-Kowallis, 15-7463-Paul Webster Properties LLC, 15-7464-Clark, 15-7465-Brangal and 15-7467-Pickett) | | | es ☐ |
| | Yes ☐ | | | | es ☐ |
| | Yes ☐ | | | | es ☐ |
| | Yes ☐ | | | | es ☐ |

2. Previous Owner's Name: Tarrell O Jones
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Andrew Cobabe
New owner(s) as listed on the conveyance document — Name connector ☐ and ☐ or ☐ and/or

| Mailing address | City | State | ZIP |
|---|---|---|---|
| 424 S. Ranch lane | Mahal | Id | 83252 |

| Telephone | Email |
|---|---|
| 801-471-1136 | cobaandr@isu.edu |

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: 6-2004.

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.
   - ● $100 per *split* water right.
   - o No fee is required for pending adjudication claims.

   SUPPORT DATA IN FILE # 15-2039Bs
   ☐ 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 of new owner/claimant — Title, if applicable — Date 6-23-19

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

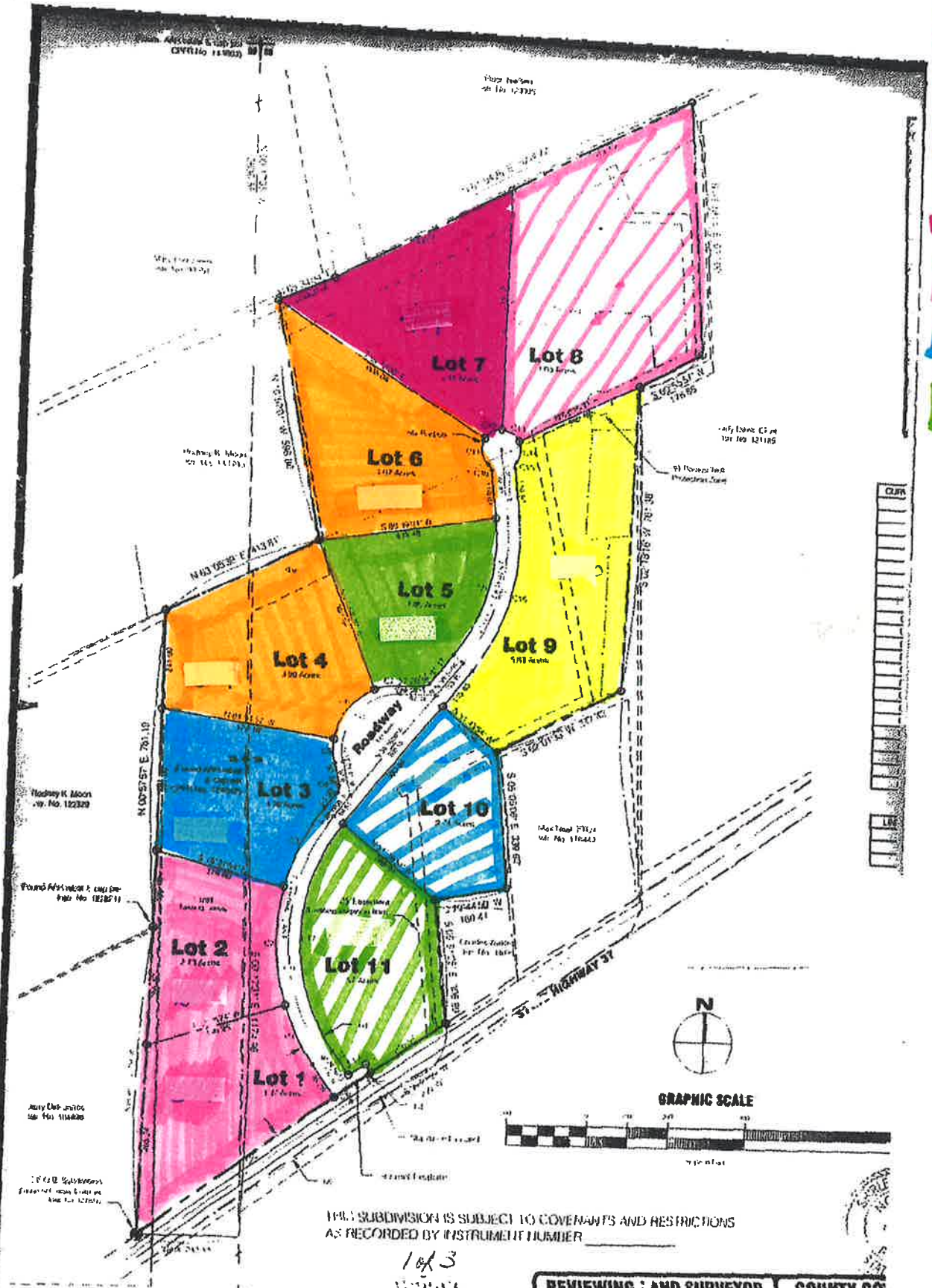
***For IDWR Office Use Only:***

Receipted by JB Date 9/13/2019 Receipt No. E045326 E045073 Receipt Amt. $100.- $100.-

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 9/26/2019

Pickett
Ward
Herron
Maxfield
Cobabe
Kowalski
Webster
Clark
Brugel




THIS SUBDIVISION IS SUBJECT TO COVENANTS AND RESTRICTIONS AS RECORDED BY INSTRUMENT NUMBER _____

1 of 3

**TREASURER CERTIFICATE**

**REVIEWING LAND SURVEYOR**

REVIEWED FOR COMPLIANCE WITH THE IDAHO CODE

6-27-00
DATE

PROFESSIONAL LAND SURVEYOR
LS NO. 9124

**COUNTY CO APPROVAL**

APPROVED AND ACCEPT BY BOARD OF COMMISSION _____ 2000

COUNTY

Lot 5 Andy & Spring Cobabe

129843 Tarrell O Jones to Max & Rhonda Neal

129839 Max & Rhonda Neal to Blackburn Properties, LLC

134583 Blackburn Propherties, LLC to Jeremy & Mayako Blackburn

137268 Jeremy & Mayako Blackburn to Lookout Point, LLC

137464 Lookout Point, LLC to Spring & Andy Cobabe

[141711 Spring & Andy Cobabe to Spring & Andy Cobabe]

# QUIT CLAIM DEED

FOR VALUE RECEIVED, BLACKBURN PROPERTIES, LLC, a Utah Limited Liability Company, does hereby CONVEY, RELEASE, REMISE and FOREVER QUITCLAIM unto JEREMY BLACKBURN and MAYAKO BLACKBURN, husband and wife, the following described property situated in the County of Oneida, State of Idaho:

Lots 1, 2, 5, 9, 10, and 11 of the Elkhorn Peak Ranchettes Subdivision, located in Sections 28 and 29, Township 14 South, Range 36 East, Boise Meridian, Oneida County, Idaho

together with their appurtenances.

DATED: June 20th, 2003.

BLACKBURN PROPERTIES, LLC

By: _____
Jeremy Blackburn, individually

By: _____
Mayako Blackburn, individually

By: _____
Jeremy Blackburn, Member/Manager

By: _____
Mayako Blackburn, Member

STATE OF SOUTH CAROLINA
: ss.
COUNTY OF HORRY

On this 20th day of June, 2003, personally appeared before me, a notary public in and for said State, Jeremy Blackburn and Mayako Blackburn, individually, and Jeremy Blackburn, known to me to be the Member/Manager of Blackburn Properties, LLC, and Mayako Blackburn, known to be a member of Blackburn Properties, LLC, and the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same individually and as such member/manager.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.

Notary Public for South Carolina
Residing at: 865 Gator Ln
My Commission Expires: My Commission Expires August 30, 2006

KIMBERLY A. DINGLE
NOTARY PUBLIC
MY COMMISSION EXPIRES Aug. 30, 2006
STATE OF SOUTH CAROLINA

Microfilm No 134583
11 Day July 2003
At 11:55 O'clock A M
Oneida Co. Recorder
Fee $ 300 Deputy
Recorded at Request of

# TRUSTEE'S DEED

First American Title Company of Idaho, Inc., an Idaho Corporation (herein called Trustee) as successor trustee under the Deed of Trust hereinafter particularly described, does hereby Bargain, Sell and Convey, without warranty, to **LOOKOUT POINT, LLC, a Utah Limited Liability Company**, %Doug Durbano, 476 W Heritage Park Blvd, Ste 200, Layton, UT 84041, (herein called Grantee) all of the real property situated in the County of Oneida, State of Idaho, described as follows:

Lots 5 and 9 of THE ELKHORN PEAK RANCHETTES SUBDIVISION, located in Sections 28 and 29, Township 14 South, Range 36 East, Boise Meridian, Oneida County, Idaho.

This conveyance is made pursuant to the powers conferred upon Trustee by the deed of trust between **JEREMY BLACKBURN AND MAYAKO BLACKBURN, husband and wife**, as grantors for the benefit and security of **BANK OF UTAH**, as beneficiary, recorded **June 26, 2003**, as Instrument No. **134493**, Mortgage Records of Oneida County, Idaho and after the fulfillment of the conditions specified in said deed of trust authorizing this conveyance as follows:

(a) Default occurred in the obligations for which said deed of trust was given as security and the beneficiary made demand upon the said trustee to sell said property pursuant to the terms of said deed of trust.

Notice of Default was recorded as Instrument No. **136762**, Mortgage Records of Oneida County, Idaho and in the office of the Recorder of each other county in which the property described in said deed of trust, or any part thereof, is situated, the nature of such default being as set forth in said notice of default. Such default still existed at the time of sale.

(b) After recordation of said Notice of Default, trustee gave notice of the time and place of the sale of said property by registered/certified mail, return receipt requested, by personal service upon the occupants of said real property and/or by posting in a conspicuous place on said premises and by publishing in a newspaper of general circulation in each of the counties in which the property is situated as more fully appears in affidavits recorded at least 20 days prior to date of sale as Instrument No. **137025**, Instrument No. **137026**, Instrument No. **137027**, Mortgage Records of Oneida County, Idaho.

(c) The provisions, recitals and contents of the Notice of Default referred to in paragraph (a) supra and of the Affidavits referred to in paragraph (b) supra shall be and there are hereby incorporated herein and made an integral part hereof for all purposes as though set forth herein at length.

(d) All requirements of law regarding the mailing, personal service, posting, publication and recording of notice of default, and notice of sale and all other notices have been complied with.

(e) Not less than 120 days elapsed between the giving of notice of sale by registered or certified mail and the sale of said property.

(f) Trustee, at the time and place of sale fixed by said notice, at public auction, in one parcel, struck off to Grantee, being the highest bidder therefor, the property herein described, for the sum of **$36,000.00**, subject however to all prior liens and encumbrances. No person or corporation offered to take any part of said property less than the whole thereof for the amount of principal, interest, advances and costs.

IN WITNESS WHEREOF, The Trustee, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its Vice President, this 17th day of March, 2005.

FIRST AMERICAN TITLE COMPANY OF IDAHO, INC., Trustee

By Monine Cole

Monine Cole Vice President

STATE OF IDAHO )
ss.
COUNTY OF ADA )

On this 17th day of March, 2005, before me, a Notary Public in and for said State, personally appeared Monine Cole, known to me to be the Vice President of the corporation that executed this instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

Julie Rhodes

Notary Public

JULIE RHODES
Notary Public, State of Idaho
Residing in Boise
My Commission Expires October 19, 2006

Instrument No. 137268
18 March 2005
1:45 p.m.
Doris S. Nicholes
Ex-Officio Recorder
3.00
Scott's Land Title Co.

JULIE RHODES NOTARY PUBLIC STATE OF IDAHO

**First American Title Company of Idaho**

Microfilm No. 137464
17 Day May 2005
At 4:20 O'clock p.m.
Diane Hudmore
Oneida Co. Recorder
Fee $ 3.00 Deputy
Recorded at Request of
Northern Title Company

NTO-1085
ANDY COBABE
1564 NORTH 325 WEST
OREM, UT

# WARRANTY DEED

LOOKOUT POINT, LLC , A UTAH LIMITED LIABILITY COMPANY, Grantor(s) of LAYTON, County of DAVIS, State of UT, hereby ***CONVEY AND WARRANT*** to ANDY COBABE AND SPRING COBABE, HUSBAND AND WIFE, Grantee(s) of OREM, County of UTAH, State of UT for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION, the following described tract of land in Oneida County, State of Idaho:

LOT 5 OF THE ELKHORN PEAK RANCHETTES SUBDIVISION, LOCATED IN SECTIONS 28 AND 29, TOWNSHIP 14 SOUTH, RANGE 36 EAST, BOISE MERIDIAN, ONEIDA COUNTY, IDAHO

Subject to easements, restrictions and rights of way of record, and taxes for the year 2005 and thereafter.

Witness, the hand(s) of said Grantor(s), on this 16 day of MAY, 2005.

LOOKOUT POINT, LLC
By: TYLER JENSEN, ATTORNEY

State of )
County of )

On MAY 16th 2005, personally appeared before me TYLER JENSEN, ATTORNEY, who, being by me duly sworn, did say that he is the Manager/Member of LOOKOUT POINT, LLC, and that the said instrument was signed in behalf of said Limited Liability Company by the authority of its Articles of Organization and Operating Agreement, and the aforesaid individual acknowledged to me that said Company executed the same.

Anna S. Padlo
Notary Public

Residing:
Expires:

ANNA S PADLO
NOTARY PUBLIC - STATE OF UTAH
707 W 3675 S
OGDEN, UT 84405
COMM. EXP. 12-29-2008

NTO-1954
SPRING COBABE
56 NORTH 150 EAST
MALAD CITY, ID 83252

Microfilm No. 141711
15 Day October 19 2007
At 9:20 O'clock a M
Diane Hudmore
Oneida Co. Recorder
Fee $ 3.00 Deputy
Recorded at Request of
Northern Title Company

# WARRANTY DEED

**ANDY COBABE and SPRING COBABE,HUSBAND and WIFE** Grantor(s) of MALAD CITY, County of ONEIDA, State of IDAHO, hereby ***CONVEY AND WARRANT*** to **SPRING COBABE and ANDREW COBABE, WIFE and HUSBAND,** Grantee(s) of MALAD CITY, County of ONEIDA, State of ID for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION, the following described tract of land in Oneida County, State of Idaho:

LOT 5 OF THE ELKHORN PEAK RANCHETTES SUBDIVISION,
LOCATED IN SECTIONS 28 AND 29, TOWNSHIP 14 SOUTH, RANGE 36
EAST, BOISE MERIDIAN, ONEIDA COUNTY, IDAHO

Subject to easements, restrictions and rights of way of record, and taxes for the year 2007 and thereafter.

Witness, the hand(s) of said Grantor(s), this October ~~11~~ 12 Sept, 2007.

SPRING COBABE

ANDREW COBABE

State of IDAHO)
County of ONEIDA)

On October ~~11~~ 12th Sept, 2007, personally appeared before me **SPRING COBABE and ANDREW COBABE** the signer(s) of the within instrument, who duly acknowledged to me that they executed the same.

SHAUNA TIMMERMAN
NOTARY PUBLIC
STATE OF IDAHO

Shauna Timmerman
Notary Public SHAUNA TIMMERMAN
Residing:MALAD CITY, IDAHO
Expires: APRIL 24, 2013

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

September 26, 2019

ANDREW COBABE
SPRING COBABE
424 S RANCH LN
MALAD CITY ID 83252-5404

Re: Change in Water Right Ownership: 15-2039B (split into 15-2039B-Jones, 15-7450-Ward, 15-7451Herron, 15-7452-Maxfild, 15-7453-Cobabe, 15-7454-Kowallis, 15-7455-Paul Webster Properties LLC, 15-7456-Clark, 15-7457-Brangal and 15-7466-Pickett) and 15-7146 (split into 15-7146-Jones, 15-7458-Ward, 15-7459-Herron, 15-7460-Maxfield, 15-7461-Cobabe, 15-7462-Kowallis, 15-7463-Paul Webster Properties LLC, 15-7464-Clark, 15-7465-Brangal and 15-7467-Pickett)

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: TARRELL O JONES
CALLEEN & JAMES PICKETT
ROGER HERRON
LYNN & LAURA MAXFIELD
STACI SUE WARD
CAMRON & WENDY KOWALLIS
PAUL WEBSTER PROPERTIES
LANE CLARK
EDWARD & LANA BRANGAL