

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

AUG 30 2019

WATER RESOURCES
WESTERN 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?
65-12544	Yes ☐	Yes ☐		Yes ☐	Yes ☐
65-9057	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: WIN J MC CRACKEN
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): XAVIER C RIES
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 9715 N HIGHWAY 52 HORSESHOE BEND ID 83629
Mailing address City State ZIP
- 949-412-8941 XRIES012@AOL.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: JUNE 2016
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.

SUPPORT DATA

IN FILE # 65-9057

8. Signature: Xavier C Ries 8-30-19
Signature of new owner/claimant Title, if applicable Date
- Signature: _____
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by VT Date 8/30/19 Receipt No. W047711 Receipt Amt. 50

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 VT Processed by VT Date 9/10/19

WARRANTY DEED

Alliance Title & Escrow Corp. Order No.:310583

FOR VALUE RECEIVED

Winford J. McCracken Jr. a married man as his sole and separate property

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Xavier Cristian Ries , an unmarried man

whose current address is

9715 North Highway 52, Horseshoe Bend, ID 83629

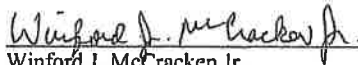
the grantee(s), the following described premises, in Gem County, Idaho, TO WIT:

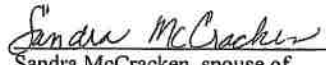
See attached Exhibit 'A'

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: May 25, 2016

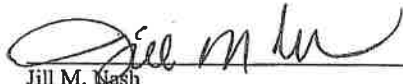

Winford J. McCracken Jr.


Sandra McCracken, spouse of
Winford J. McCracken, Jr.

State of Idaho } ss
County of Gem }

On this 25 day of May, 2016, before me, Jill M. Nash, a Notary Public in and for said state, personally appeared **Winford J. McCracken, Jr. and Sandra McCracken**, 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 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.



Jill M. Nash
Notary Public for the State of Idaho
Residing at: Emmett, Idaho
Commission Expires: 11/05/2020

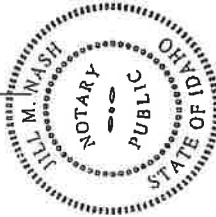


EXHIBIT "A"

310583

Tract I:

A tract of land in the Southwest Quarter of the Southeast Quarter (Government Lot 2), Section 15, Township 7 North, Range 1 East, B.M., Gem County, Idaho, described as follows:

COMMENCING at the Southwest corner of Section 15, Township 7 North, Range 1 East, Boise Meridian; thence

North 68°16'14" East, a distance of 3533.30 feet to the Northwest corner of the Fred Charters property as described in that certain boundary agreement dated May 29, 1975 and recorded July 7, 1975 as Instrument No. 114019; being a point on the South line of State Highway 52, the REAL POINT OF BEGINNING of the parcel of land to be herein described; thence South, along the West line of said lands of Charters, 990 feet, more or less, to the mean high water line of the Payette River; thence

Westerly, along said mean high water line, a distance of 208 feet to a point which bears South 990 feet and

West 208 feet from the REAL POINT OF BEGINNING; thence

North, along the East line of the John Spencer, et al, property as described in that certain Warranty Deed dated May 28, 1976 and recorded June 8, 1976 as Instrument No. 116803, a distance of 990 feet, more or less, to the South line of said State Highway 52; thence East along said South line, a distance of 208 feet to the REAL POINT OF BEGINNING.

EXCEPT the following description:

BEGINNING at a point South 42°03' West, 3,213 feet, more or less, from the East quarter corner of said Section 15, said point being on the property line between D.H. Cofield and James G. Little; thence

North 80°06' East, 202 feet, more or less, to a point on the property line between James G. Little and Fred Charters; thence

South 0°07' East, 71 feet, more or less, to the high water mark of the Payette River; thence Westerly along said high water mark, 208 feet, more or less, to a point on the Western boundary of the Little property; thence

North 0°7' East (of record, North 0°97' East), 96 feet, more or less, to the REAL POINT OF BEGINNING.

Tract II:

All that portion of the land conveyed to Canyon Canal Co. by Warranty Deed dated July 7, 1905 and recorded July 10, 1905 in Book B of Deeds at Page 317, Instrument No. 4557, records of Gem County, Idaho, lying within the boundaries of the above described real property.

EXCEPT and portion lying within the Montour Valley Acquisition Boundary.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 W AIRPORT WAY • BOISE, ID 83705-5082

Phone: (208)334-2190 • Fax: (208)334-2348 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

September 20, 2019

XAVIER RIES
9715 N HIGHWAY 52
HORSESHOE BND ID 83629-5001

Re: Change in Ownership for Water Right No(s): 65-9057, 65-12544

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) 334-2190.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kensie Thorneycroft'.

Kensie Thorneycroft
Office Specialist 2

Enclosure(s)



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 W AIRPORT WAY • BOISE, ID 83705-5082

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Brad Little
Governor

Gary Spackman
Director

September 09, 2019

XAVIER RIES
9715 N HIGHWAY 52
HORSESHOE BND, ID 83629-5001

RE: Water Right Change in Ownership No(s): 65-12544 and 65-9057

Dear Interested Parties:

The Department of Water Resources (Western) acknowledges receipt of your Notice of Change in Water Right Ownership. 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: copy of Deed, Title Policy, Contract of Sale, or other legal document indicating your ownership of the property and/or water rights in question including a legal description of the property.

During our review of the documentation you submitted we found that there no conveyance document included showing ownership of the property.

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 (10/09/19) we will refund your notice and send back all attachments. 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) 334-2190.

Sincerely,

Kensie Thorneycroft
Office Specialist 2