

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED
MAY 20 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.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
34-14382	Yes ☒		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
34-14382 34-14755	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name:

Deanna Hensley
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s):

Jayson Giesbrecht and Jana Giesbrecht
New owner(s) as listed on the conveyance documentName connector ☒ and ☐ or ☐ and/or4266 N. 4100 W.
Mailing addressMackay
CityID
State83251
ZIP208-358-4102
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: Jan 10 - 2019

6. If the water right described herein has been rented from the Water Supply Bank, rental proceeds will be disbursed in the following manner regardless of any arrangements between the buyer(s) and seller(s) to the contrary:

- Rental payments will go to the lessor(s) of record at the beginning of the rental season.
- If a change in ownership is processed by the Department during a rental season, rental payment will be made to the person or entity who is the lessor of record at the beginning of that rental season.
- New lessor(s) of record will receive payment after the following rental season.

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.

8. Signature:

Jayson Giesbrecht
Signature of new owner/claimantOwner
Title, if applicable5-15-19
Date

Signature:

Signature of new owner/claimant

Title, if applicable

Date

For IDWR Office Use Only:

Received by: JB

Date: 5/20/19

Receipt No. 4044997

Receipt Amt. 100-

Approved by: JB

Processed by: JB

Date: 9/9/2019

SCANNED

DEC 19 2019

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 # 255437
CHALLIS, CUSTER, IDAHO
10-01-2018 03:43:04 No. of Pages: 3
Recorded for: FIRST AMERICAN TITLE - BLACKFOOT
Lura H. Baker Fee: \$15.00
Ex-Officio Recorder Deputy: LK

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **698730-B (ld)**

Date: **September 26, 2018**

For Value Received, **Deanna Hensley, a widow and Deanna Hensley, Personal Representative of the Estate of Thomas Albert Hensley**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Paul D. Raber and Mary J. Raber, husband and wife**, hereinafter called the Grantee, whose current address is **13626 Emerson Road, Dalton, OH 44618**, the following described premises, situated in **Custer County, Idaho**, to-wit:

PARCEL 1:

Part of the South Half of the Northwest Quarter of the Northeast Quarter of Section 32, Township 7 North, Range 25 East of the Boise Meridian, Custer County, Idaho, more particularly described as:

Commencing at the North Quarter corner of Section 32, said point being marked by a 5/8" iron rod with 2.5" aluminum cap stamped Harper-Leavitt Engineering PLS 12222, from which the Northeast corner of said Section bears South 88°59'40" East 2643.34 feet; thence South 00°07'09" East 1307.71 feet to the Southwest corner of the Northwest Quarter of the Northeast Quarter of said Section; thence South 89°16'00" East 242.15 feet along the South line of the Northwest Quarter of the Northeast Quarter to a 1/2" iron rod with plastic cap stamped HLE PLS 12222; said point being the Point of Beginning; thence North 00°07'09" West 442.13 feet parallel with the West line of said Northwest Quarter of the Northeast Quarter to a point being marked by an 1/2" iron rod with plastic cap stamped HLE PLS 12222; thence South 89°16'00" East 517.51 feet parallel with the South line of said Northwest Quarter of the Northeast Quarter to a point on the West line of Quit Claim Deed Instrument Number 241512, said point being marked by an 1/2" iron rod with plastic cap stamped HLE PLS 12222; thence South 03°14'37" East 443.15 feet along said West line to a point being marked by an 5/8" iron rod; thence North 89°16'00" West 541.67 feet along the South line of said Northwest Quarter of the Northeast Quarter to the Point of Beginning.

PARCEL 2:

The following described access and utility easement:

Part of the West Half of the Northwest Quarter of the Northeast Quarter of Section 32, Township 7 North, Range 25 East of the Boise Meridian, Custer County, Idaho, more particularly described as being 12.50 feet both sides of the following described centerline:

Commencing at the North Quarter corner of Section 32, said point being marked by a 5/8" iron rod with 2.5" aluminum cap stamped Harper-Leavitt Engineering PLS 12222, from which the Northeast corner of said Section bears South 88°59'40" East 2643.34 feet; thence

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
1502 Locust Street North, Bldg. 300
Twin Falls, ID 83301

Instrument # 255864
CHALLIS, CUSTER, IDAHO
01-15-2019 09:41:38 No. of Pages: 2
Recorded for: FIRST AMERICAN TITLE - BLACKFOOT
Lura H. Baker Fee: \$15.00
Ex-Officio Recorder Deputy: LK

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **708936-TF (sg)**

Date: **January 03, 2019**

For Value Received, **Deanna Hensley as her sole and separate property**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Jayson K. Giesbrecht and Jana G. Giesbrecht, husband and wife**, hereinafter called the Grantee, whose current address is **4266 North 4100 West, Mackay, ID 83251**, the following described premises, situated in **Custer County, Idaho**, to-wit:

A parcel of land located in the N1/2 of Section 32, Township 7 North, Range 25 East, Boise Meridian, Custer County, Idaho, more particularly described as follows:

Commencing at the NW Corner of said section 32, from which the NE Corner of said section bears S. 88°59'40" E. a distance of 5286.68 feet, the Basis of Bearing for this description, run thence S. 88°59'40" E. a distance of 560.26 feet to the NE corner of R.O.S. #234620 and the POINT OF BEGINNING; Thence continuing S. 88°59'40" E. a distance of 2153.92 feet; Thence S. 00°08'26" E. a distance of 1307.38 feet to a point on the southerly boundary of the N1/2N1/2 of said Section; Thence N. 89°16'00" W. along said boundary a distance of 2714.34 feet to a point on the westerly boundary of said section; Thence N. 00°07'25" W. along said boundary a distance of 494.13 feet to a point in the centerline of Burnett Canal and to the SW Corner of R.O.S. #234620; Thence the following courses and distances along said centerline and southerly boundary of said R.O.S.; N. 82°51'28" E. 69.52 feet; N. 78°36'58" E. 231.95 feet; N. 84°19'20" E. 191.09 feet; S. 77°30'16" E. 75.29 feet to the SE corner of said R.O.S.; Thence N. 00°07'25" W. a distance of 759.28 feet to the POINT OF BEGINNING.

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
1502 Locust Street North, Bldg. 300
Twin Falls, ID 83301**E-RECORDED**

simplifile®

ID: 255864
County: CUSTER
Date: 1-15-19 Time: 9:41am

Space Above This Line for Recorder's Use Only

WARRANTY DEEDFile No.: **708936-TF (sg)**Date: **January 03, 2019**

For Value Received, **Deanna Hensley as her sole and separate property**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Jayson K. Giesbrecht and Jana G. Giesbrecht, husband and wife**, hereinafter called the Grantee, whose current address is **4266 North 4100 West, Mackay, ID 83251**, the following described premises, situated in **Custer County, Idaho**, to-wit:

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Commencing at the NW Corner of said section 32, from which the NE Corner of said section bears S. 88°59'40" E. a distance of 5286.68 feet, the Basis of Bearing for this description, run thence S. 88°59'40" E. a distance of 560.26 feet to the NE corner of R.O.S. #234620 and the POINT OF BEGINNING; Thence continuing S. 88°59'40" E. a distance of 2153.92 feet; Thence S. 00°08'26" E. a distance of 1307.38 feet to a point on the southerly boundary of the N1/2N1/2 of said Section; Thence N. 89°16'00" W. along said boundary a distance of 2714.34 feet to a point on the westerly boundary of said section; Thence N. 00°07'25" W. along said boundary a distance of 494.13 feet to a point in the centerline of Burnett Canal and to the SW Corner of R.O.S. #234620; Thence the following courses and distances along said centerline and southerly boundary of said R.O.S.; N. 82°51'28" E. 69.52 feet; N. 78°36'58" E. 231.95 feet; N. 84°19'20" E. 191.09 feet; S. 77°30'16" E. 75.29 feet to the SE corner of said R.O.S.; Thence N. 00°07'25" W. a distance of 759.28 feet to the POINT OF BEGINNING.

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.

Date: 01/03/2019

Warranty Deed
- continued

File No.: 708936-TF (sg)

Deanna Hensley
Deanna Hensley

STATE OF Washington)
COUNTY OF Benton)
SS.

On this 4th day of January, 2019, before me, a Notary Public in and for said State, personally appeared **Deanna Hensley**, 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.

Laura Marie Dewitt
Notary Public for the State of Washington
Residing at: Benton County
My Commission Expires: March 20, 2021





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 09, 2019

JAYSON GIESBRECHT
4266 N 4100 W
MACKAY ID 83251-4520

Re: Change in Water Right Ownership: 34-14382 (Split into 34-14382 and 34-14755),

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: Deanna Hensley
Tom Hensley
Water District 34



First American Title Company
1502 Locust Street North, Bldg. 300
Twin Falls, ID 83301

Fax -

January 18, 2019

Jayson K. Giesbrecht and Jana G. Giesbrecht
4266 North 4100 West
Mackay, ID 83251

RE: File No. 708936-TF
Property Address: 4049 W. 4300 N., Mackay, ID 83251

Dear Valued Customer,

In connection to the above referenced transaction, enclosed please find:

In connection to the above referenced transaction, enclosed please find:

The Original Warranty Deed as Instrument no. 255864.

Please contact me should you have any questions.

Sincerely,

Sandra Gonzalez
sgonzalez@gofirstam.com