

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

AUG 03 2019

Notice of Change in Water Right Ownership

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. 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?
34-10713	Yes ☒	Yes ☐	34-2390A	Yes ☒	Yes ☐
34-848	Yes ☒	Yes ☐	34-2390B	Yes ☒	Yes ☐
34-449	Yes ☒	Yes ☐	34-4031	Yes ☒	Yes ☐
34-10714	Yes ☒	Yes ☐	34-7175	Yes ☒	Yes ☐
34-10715	Yes ☒	Yes ☐	34-12364	Yes ☒	Yes ☐

2. Previous Owner's Name: Val and Heather Carter

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Kurt Alan Nightingale and Janie Renae Nightingale

New owner(s) as listed on the conveyance document

Name connector ☒ and ☐ or ☐ and/or

1127 S 2800 E

Hazelton

ID

83335

Mailing address

City

State

ZIP

208-670-5620

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: 6/28/2019

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 of new owner/claimant

Title, if applicable

6/28/2019

Date

Signature:

Signature of new owner/claimant

Title, if applicable

6/28/2019

Date

For IDWR Office Use Only:

Received by JB

Date

8/5/2019

Receipt No.

\$1200. for this app
E045217

Receipt Amt.

\$1500.

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

8/15/2019

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 No.	Leased to Water Supply Bank?
34-2466A	Yes ☒	Yes ☐	34-449 (Split into 34-449 & 34-14739)	
34-2466B	Yes ☒	Yes ☐	34-848 (Split into 34-848 & 34-14740)	
	Yes ☐	Yes ☐	34-2390A (Split into 34-2390A & 34-14741)	Yes ☐
	Yes ☐	Yes ☐	34-2390B (Split into 34-2390B & 34-14742)	Yes ☐
	Yes ☐	Yes ☐	34-2466A (Split into 34-2466A & 34-14743)	Yes ☐
	Yes ☐	Yes ☐	34-2466B (Split into 34-2466B & 34-14744)	Yes ☐
	Yes ☐	Yes ☐	34-4031 (Split into 34-4031 & 34-14745)	Yes ☐
	Yes ☐	Yes ☐	34-7175 (Split into 34-7175 & 34-14746)	Yes ☐
	Yes ☐	Yes ☐	34-10713 (Split into 34-10713 & 34-14747)	Yes ☐
	Yes ☐	Yes ☐	34-10714 (Split into 34-10714 & 34-14748)	
	Yes ☐	Yes ☐	34-10715 (Split into 34-10715 & 34-14749)	
	Yes ☐	Yes ☐	34-12364 (Split into 34-12364 & 34-14750)	

2. Previous Owner's Name: Val and Heather Carter
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Kurt Alan Nightingale and Janie Renae Nightingale
New owner(s) as listed on the conveyance document

Name connector ☒ and ☐ or ☐ and/or
 Mailing address 1127 S 2800 E City Hazelton ID 83335
208-670-5620 State ZIP
 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: 6/28/2019
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.

8. Signature: [Signature] 6/28/2019
 Signature of new owner/claimant Title, if applicable Date
- Signature: Janie Nightingale 6/28/2019
 Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by _____ Date _____ Receipt No. _____ Receipt Amt. _____
 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 _____

RECEIVED

AUG 02 2019

BUTTE COUNTY

Recorded for:

First American Title - Blackfoot

03:41:32 PM 06-28-2019

0000-057262

No. Pages: 3 Fee: \$15.00

SHELLY SHAFFER

County Clerk

Deputy: KG

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

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: 726822-B (vb)

Date: June 26, 2019

For Value Received, **Val C. Carter and Heather Ilene Carter, husband and wife**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Kurt Alan Nightingale aka Kurt A. Nightingale and Janie Renae Nightingale aka Janie R. Nightingale, husband and wife**, hereinafter called the Grantee, whose current address is **1127 S 2800 E, Hzaelton, ID 833335**, the following described premises, situated in **Butte County, Idaho**, to-wit:

PARCEL 1:

PART OF THE W $\frac{1}{2}$ OF SECTION 1 AND PART OF THE E $\frac{1}{2}$ OF SECTION 2, TOWNSHIP 6 NORTH, RANGE 25 E.B.M., BUTTE COUNTY, IDAHO DESCRIBED AS;
BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 1; THENCE S. 89°34'45" E. 2690.21 FEET ALONG THE SECTION LINE TO THE NORTH $\frac{1}{4}$ CORNER OF SAID SECTION 1; THENCE S. 00°31'30" E. 2970.79 FEET ALONG THE NORTH-SOUTH CENTER SECTION LINE; THENCE S. 89°33'56" W. 346.89 FEET; THENCE S. 39°46'47" W. 483.78 FEET; THENCE S. 36°19'09" W. 477.44 FEET; THENCE S. 59°20'21" W. 540.52 FEET; THENCE S. 72°43'21" W. 275.86 FEET; THENCE S. 82°31'37" W. 510.74 FEET; THENCE N. 80°26'10" W. 475.20 FEET; THENCE N. 53°08'37" W. 87.85 FEET; THENCE S. 87°25'41" W. 108.80 FEET; THENCE N. 54°32'47" W. 529.75 FEET; THENCE N. 53°05'37" W. 496.98 FEET; THENCE N. 87°20'03" W. 368.72 FEET TO THE EAST 1/16TH SECTION LINE OF SAID SECTION 2; THENCE N. 01°02'46" W. 3456.01 FEET ALONG SAID 1/16TH SECTION LINE TO THE NORTH LINE OF SAID SECTION 2; THENCE S. 88°40'35" E. 1364.90 FEET ALONG THE SECTION LINE TO THE POINT OF BEGINNING.

PARCEL 2:

TOWNSHIP 7 NORTH, RANGE 25 EAST OF THE BOISE MERIDIAN, BUTTE COUNTY, IDAHO. SECTION 36: A PORTION OF THE SW $\frac{1}{4}$ DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 36, AND RUNNING THENCE EAST 144 FEET; THENCE NORTH 204 FEET; THENCE WEST 144 FEET; THENCE SOUTH 204 FEET TO THE POINT OF BEGINNING.

INCLUDING Water rights or claims divided proportionately based on the portion of their places of use:

Water Right Number:

34-10713

34-848

34-449

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

E-RECORDED

simplifile®

ID: 057262

County: Butte

Date: 6-28-19

Time: 3:41pm

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **726822-B (vb)**

Date: **June 26, 2019**

For Value Received, **Val C. Carter and Heather Ilene Carter, husband and wife**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Kurt Alan Nightingale aka Kurt A. Nightingale and Janie Renae Nightingale aka Janie R. Nightingale, husband and wife**, hereinafter called the Grantee, whose current address is **1127 S 2800 E, Hzaelton, ID 833335**, the following described premises, situated in **Butte County, Idaho**, to-wit:

PARCEL 1:

PART OF THE W $\frac{1}{2}$ OF SECTION 1 AND PART OF THE E $\frac{1}{2}$ OF SECTION 2, TOWNSHIP 6 NORTH, RANGE 25 E.B.M., BUTTE COUNTY, IDAHO DESCRIBED AS; BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 1; THENCE S. 89°34'45" E. 2690.21 FEET ALONG THE SECTION LINE TO THE NORTH $\frac{1}{4}$ CORNER OF SAID SECTION 1; THENCE S. 00°31'30" E. 2970.79 FEET ALONG THE NORTH-SOUTH CENTER SECTION LINE; THENCE S. 89°33'56" W. 346.89 FEET; THENCE S. 39°46'47" W. 483.78 FEET; THENCE S. 36°19'09" W. 477.44 FEET; THENCE S. 59°20'21" W. 540.52 FEET; THENCE S. 72°43'21" W. 275.86 FEET; THENCE S. 82°31'37" W. 510.74 FEET; THENCE N. 80°26'10" W. 475.20 FEET; THENCE N. 53°08'37" W. 87.85 FEET; THENCE S. 87°25'41" W. 108.80 FEET; THENCE N. 54°32'47" W. 529.75 FEET; THENCE N. 53°05'37" W. 496.98 FEET; THENCE N. 87°20'03" W. 368.72 FEET TO THE EAST $\frac{1}{16}$ TH SECTION LINE OF SAID SECTION 2; THENCE N. 01°02'46" W. 3456.01 FEET ALONG SAID $\frac{1}{16}$ TH SECTION LINE TO THE NORTH LINE OF SAID SECTION 2; THENCE S. 88°40'35" E. 1364.90 FEET ALONG THE SECTION LINE TO THE POINT OF BEGINNING.

PARCEL 2:

TOWNSHIP 7 NORTH, RANGE 25 EAST OF THE BOISE MERIDIAN, BUTTE COUNTY, IDAHO. SECTION 36: A PORTION OF THE SW $\frac{1}{4}$ DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 36, AND RUNNING THENCE EAST 144 FEET; THENCE NORTH 204 FEET; THENCE WEST 144 FEET; THENCE SOUTH 204 FEET TO THE POINT OF BEGINNING.

INCLUDING Water rights or claims divided proportionately based on the portion of their places of use:

Water Right Number:

**34-10713
34-848
34-449**

Date: 06/26/2019

Warranty Deed
- continued

File No.: 726822-B (vb)


Val C. Carter


Heather Ilene Carter

STATE OF Idaho)
COUNTY OF Bingham)
SS.

On this June 28, 2019, before me, a Notary Public in and for said State, personally appeared **Val C. Carter and Heather Ilene Carter**, 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.




Notary Public for the State of Idaho
Residing at: Pocatello, ID
My Commission Expires: 4/28/2023

Date: **06/26/2019**

Warranty Deed
- continued

File No.: **726822-B (vb)**

34-10714
34-10715
34-2390A
34-2390B
34-4031
34-7175
34-12364
34-2466A
34-2466B

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.

RECEIVED
AUG 02 2019

Department of Water Resources
Eastern Region

July 30, 2019

IDWR Eastern Region
900 N Skyline Dr., Suite A
Idaho Falls, ID 83402-1718
208-785-1510

To Whom It May Concern:

This letter is to inform you that Idaho AgCredit, FLCA, a wholly owned subsidiary of Idaho AgCredit, has security interest in the water rights listed below. They have a split ownership between **Bradley Keith Nighengale / Rosalyn Ann Nightengale and Kurt Alan Nightingale / Janie Renae Nightingale**. We have enclosed the Notice of change in water right ownership for both parties, Warranty Deeds, a Notice of Security Interest in Water Rights, and a check for \$1,500 (\$1,200 for the 12 split ownership, and \$300 for 12 change in ownership).

Applicable license numbers

<u>34-10713</u>	<u>34-848</u>	<u>34-449</u>	<u>34-10714</u>	<u>34-10715</u>	<u>34-2390A</u>
<u>34-2390B</u>	<u>34-4031</u>	<u>34-7175</u>	<u>34-12364</u>	<u>34-2466A</u>	<u>34-2466B</u>

If you have any questions on this matter please contact us at the above telephone number or address.

Sincerely,

Idaho Ag Credit, FLCA



Jenny Callison
Credit Support Specialist



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls ID 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177

Website: idwr.idaho.gov • Email: easterninfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

August 16, 2019

KURT A NIGHTINGALE
JANIE R NIGHTINGALE
1127 S 2800 E
HAZELTON ID 83335

RE: Change of Ownership for Water Rights: 34-449 (Split into 34-449 & 34-14739), 34-848 (Split into 34-848 & 34-14740), 34-2390A (Split into 34-2390A & 34-14741), 34-2390B (Split into 34-2390B & 34-14742), 34-2466A (Split into 34-2466A & 34-14743), 34-2466B (Split into 34-2466B & 34-14744), 34-4031 (Split into 34-4031 & 34-14745), 34-7175 (Split into 34-7175 & 34-14746), 34-10713 (Split into 34-10713 & 34-14747), 34-10714 (Split into 34-10714 & 34-14748), 34-10715 (Split into 34-10715 & 34-14749), 34-12364 (Split into 34-12364 & 34-14750)

Dear Water Right Holder:

The department acknowledges receipt of correspondence changing ownership and splitting the above referenced water right. The department has modified its records to reflect the changes and has enclosed computer-generated reports for your records.

Your portion of the water right has a specified point of diversion, nature of use and place of use. If you plan on changing any of these, including adding a new point of diversion, then an Application for Transfer on your portion of this right is required. If you do not plan on changing any items on your water right, then no further action is required at this time.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing an ownership change notice, the department does not review the history of water use to determine if the right has been deliberately abandoned or forfeited 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 Sections 42-222 and 42-223, Idaho Code.

Please note that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.idaho.gov.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,

Jonie Barg
Technical Records Specialist

Enclosures

cc: Bradley Keith Nightingale
Rosalyn Ann Nightingale
Water District 34
Big Lost River Ground Water District