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

RECEIVED
APR 15 2019
DEPT OF WATER RESOURCES
SOUTHERN 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?
36 ~~37~~-77E	Yes ☒	Yes ☐		Yes ☐	Yes ☐
split #: 36-17159	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Matthew A. Johnson and Patricia E. Thomas
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Dusty G. Brooks and Nikole M. Brooks
New owner(s) as listed on the conveyance document — Name connector ☐ and ☐ or ☐ and/or

2753 S. 850 E — Hagerman — ID — 83332
Mailing address — City — State — ZIP

208-315-4180 — nikole.brooks4@yahoo.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: April 11, 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] — Signature of new owner/claimant — Title, if applicable — Date 4/11/19
   Signature: [signature] — Signature of new owner/claimant — Title, if applicable — Date 4/11/19

For IDWR Office Use Only:

Receipted by DM — Date 4/15/19 — Receipt No. 5037270 — Receipt Amt. $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 _____ — Processed by AI — Date 5/30/19

SUPPORT DATA

IN FILE #36-77E

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
301 Main Street
Gooding, ID 83330

Instrument # 264528
GOODING COUNTY, GOODING, IDAHO
04-11-2019 13:51:22 No. of Pages: 3
Recorded for: FIRST AMERICAN TITLE - JEROME
DENISE GILL Fee: $15.00
Ex-Officio Recorder Deputy: EK
Electronically Recorded by Simplifile

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **718607GO (lr)** Date: **April 09, 2019**

For Value Received, **Matthew A. Johnson and Patricia E. Johnson, husband and wife as community property with right of survivorship,** hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Dusty G. Brooks and Nikole M. Brooks, husband and wife,** hereinafter called the Grantee, whose current address is **2753 South 850 East, Hagerman, ID 83332**, the following described premises, situated in **Gooding** County, **Idaho,** to-wit:

Part of the NE¼SW¼ of Section 22 in Township 7 South, Range 13 East of the Boise Meridian, Gooding County, State of Idaho.

Beginning at the Center ¼ Corner of Section 22 in T.7 S., R.13 E., B.M. said corner marked by a 5/8" rebar; Thence South 00 degrees 03 minutes 39 seconds East along the east line of the NE¼SW¼ for a distance of 30.00 feet to a ½" rebar which shall be the Point of Beginning;

THENCE South 00 degrees 09 minutes 39 seconds East along the east line of the NE¼SW¼ for a distance of 304.31 feet;
THENCE North 89 degrees 56 minutes 42 seconds West for a distance of 25.00 feet to a ½" rebar;
THENCE North 89 degrees 56 minutes 42 seconds West for a distance of 118.05 feet to a ½" rebar;
THENCE South 18 degrees 46 minutes 04 seconds West for a distance of 36.43 feet to a ½" rebar;
THENCE South 80 degrees 12 minutes 10 seconds West for a distance of 230.20 feet to a ½" rebar;
THENCE South 80 degrees 12 minutes 10 seconds West for a distance of 16.37 feet to the centerline of an irrigation lateral;
THENCE North 32 degrees 45 minutes 04 seconds West along said centerline for a distance of 6.75 feet;
THENCE North 38 degrees 18 minutes 36 seconds West along said centerline for a distance of 52.74 feet;
THENCE North 20 degrees 25 minutes 35 seconds West along said centerline for a distance of 35.81 feet;
THENCE North 17 degrees 17 minutes 31 seconds West along said centerline for a distance of 44.28 feet;
THENCE North 48 degrees 21 minutes 04 seconds West along said centerline for a distance of 62.09 feet;
THENCE North 46 degrees 35 minutes 29 seconds West along said centerline for a distance of 63.78 feet;

THENCE North 56 degrees 20 minutes 02 seconds West along said centerline for a distance of 20.57 feet;
THENCE North 79 degrees 02 minutes 55 seconds West along said centerline for a distance of 26.04 feet;
THENCE North 88 degrees 36 minutes 52 seconds West along said centerline for a distance of 36.02 feet;
THENCE North 61 degrees 18 minutes 39 seconds West along said centerline for a distance of 69.81 feet;
THENCE North 49 degrees 52 minutes 33 seconds West along said centerline for a distance of 52.61 feet;
THENCE North 51 degrees 55 minutes 52 seconds West along said centerline for a distance of 45.03 feet;
THENCE North 36 degrees 14 minutes 27 seconds West along said centerline for a distance 59.31 feet;
THENCE North 56 degrees 11 minutes 43 seconds West along said centerline for a distance 8.31 feet to a ½" rebar;
THENCE North 89 degrees 27 minutes 00 seconds East for a distance of 809.26 feet to the Point of Beginning.

Subject to a county road right of way for an irrigation lateral, and is subject to a county road right of way along the east side and is subject to any other easements or right of ways, existing or of record.

TOGETHER WITH .06 CFS of Water Right Number 36-77E.

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.

Matthew A. Johnson

Patricia E. Johnson

STATE OF Idaho)
ss.
COUNTY OF Gooding)

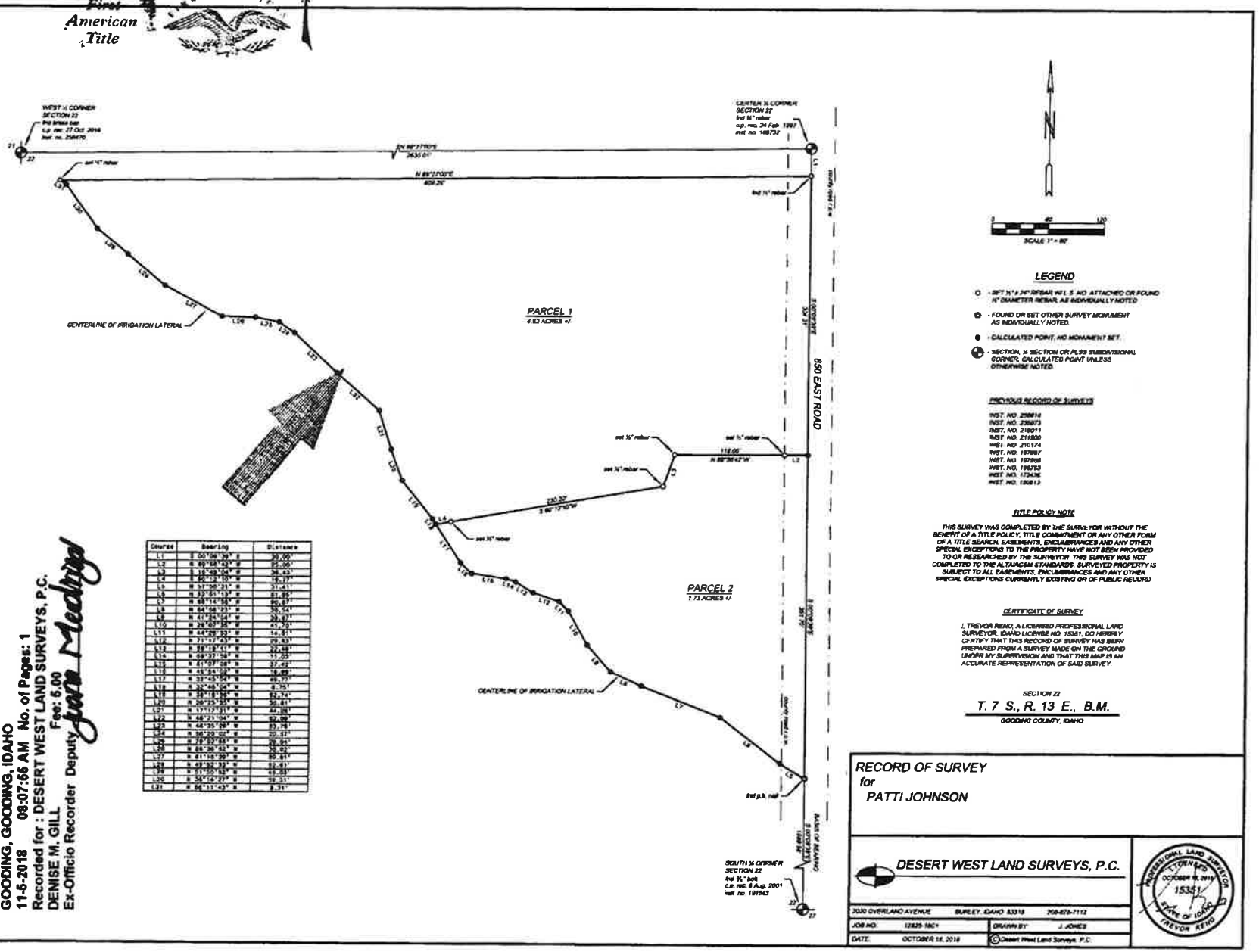
On this 11 **day of April, 2019**, before me, a Notary Public in and for said State, personally appeared **Matthew A. Johnson and Patricia E. Johnson**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

LISA RITTER
COMMISSION NO. 30739
NOTARY PUBLIC
STATE OF IDAHO
MY COMMISSION EXPIRES 10/8/2022

Notary Public for the State of Idaho
Residing at: Gooding, ID
My Commission Expires: 10/8/2022

This map is given for informational purposes only - no assurances are made as to the actual footages and

First American Title



Course	Bearing	Distance
L1	S 00°06'39" E	30.00'
L2	S 89°58'42" E	25.00'
L3	S 15°49'04" E	36.43'
L4	S 60°13'10" E	16.27'
L5	S 57°56'31" E	31.41'
L6	S 33°51'13" E	81.85'
L7	S 68°14'58" E	60.81'
L8	S 84°08'31" E	35.54'
L9	N 41°54'04" E	38.97'
L10	S 26°07'55" E	41.70'
L11	S 44°26'53" E	14.61'
L12	S 31°17'23" E	29.83'
L13	S 58°18'41" E	22.48'
L14	S 69°37'08" E	11.05'
L15	S 41°07'08" E	37.43'
L16	S 45°54'03" E	16.69'
L17	S 33°45'04" E	46.77'
L18	S 32°48'04" E	8.75'
L19	S 33°18'55" E	52.74'
L20	S 26°23'55" E	56.81'
L21	S 17°17'51" E	44.38'
L22	S 48°21'04" E	82.09'
L23	S 45°35'08" E	87.78'
L24	S 56°20'02" E	20.57'
L25	S 78°33'55" E	29.04'
L26	S 69°36'53" E	38.03'
L27	S 61°18'39" E	80.81'
L28	S 49°32'32" E	52.61'
L29	S 51°55'52" E	49.55'
L30	S 58°12'27" E	56.31'
L31	S 56°11'42" E	8.31'

Instrument # 263348
GOODING, GOODING, IDAHO
11-5-2018 08:07:55 AM No. of Pages: 1
Recorded for : DESERT WEST LAND SURVEYS, P.C.
DENISE M. GILL Fee: 5.00
Ex-Officio Recorder Deputy Jean Medrigal

State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region • 650 ADDISON AVE W STE 500 • TWIN FALLS, ID 83301-5858
Phone: (208)736-3033 • Fax: (208)736-3037 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

May 31, 2019

DUSTY G BROOKS
NIKOLE M BROOKS
2753 S 850 E
HAGERMAN ID 83332-5613

Re: Change in Water Right Ownership: 36-77 E (Split into 36-77 E and 36-17159)

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) 736-3033.

Sincerely,

Allison Inouye

Allison Inouye
Water Resource Agent

Enclosure(s)

c: PATRICIA E THOMAS & MATTHEW A JOHNSON
FIRST AMERICAN TITLE CO – GOODING (File No. 718607GO)

RECEIVED
APR 15 2019
DEPT OF WATER RESOURCES
SOUTHERN REGION

First American Title Company
301 Main Street, Gooding, ID 83330
Phone (208)934-4427 Fax (208)934-4741

Idaho Department of Water Resources
650 Addison Ave W. Ste 500
Twin Falls, ID 83301

April 11, 2019
File No.: 718607GO (lr)

Attn: Accounts Receivable

Re: **Brooks/Johnson**
Property: **2753 South 850 East Hagerman, ID 83332**
Buyer: **Dusty G. Brooks and Nikole M. Brooks**
Seller: **Matthew A. Johnson and Patricia E. Johnson**

Our Check No. **10121** in the amount of **$100.00**, representing **Change in water right ownership** .

Sincerely,

Jessica Carmichael, Assistant for
Lisa Ritter, Escrow Officer

jc/jc