

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED
APR 11 2019
DEPT OF WATER RESOURCES
SOUTHERN 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?
36-7875	Yes ☐	Yes ☐		Yes ☐	Yes ☐
36-10283A	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Kathy & Lynn Babington Clifton E. Jones & Suzanne K. Jones
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Lynn J. Babington & Kathy L. Babington
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or ☐ and/or
- 1107 E. 2900 S. Hagerman Id. 83332
Mailing address City State ZIP
- 208-837-4860 ArkFisheries@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: 4-11-19

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 # 36-7875

8. Signature: Lynn J. Babington owner 4-11-19
Signature of new owner/claimant Title, if applicable Date
- Signature: Kathy L. Babington owner 4-11-19
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by DM Date 4-11-2019 Receipt No. 5037264 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 _____ Processed by AI Date 5/30/19

*Janet Madigan*Quitclaim Deed

For value received, **Clifton E. Jensen and Suzanne K. Jensen, Husband and Wife**,

Does hereby convey, release, remise, and forever quit claim unto

Lynn J. Babington and Kathy L. Babington, husband and wife

whose current address is 1107 E. 2900 S. Hagerman, Id 83332

the following described premises:

See Attached Exhibit "A"

To have and to hold the said premises, unto the said grantees, heirs and assigns forever.

Date: 04/10/2019

Clifton E. Jensen
Clifton E. Jensen

Suzanne K. Jensen
Suzanne K. Jensen

State of Idaho, County of Gooding, ss.

On this 11th day of April in the year of 2019, before me, the undersigned, a Notary Public in and for said State, personally appeared Clifton E. Jensen and Suzanne K. Jensen known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

Stacey Clark, Notary Public
Residing at: Hagerman, ID 83332
My Commission Expires: 1-14-2023
(seal)

STACEE CLARK
Notary Public - State of Idaho
Commission Number 31284
My Commission Expires Jan 14, 2023

Exhibit A

TOWNSHIP 7 SOUTH, RANGE 13 EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 2: Part of Lots 2, 3, 6 and 7 and the W½SE¼, described as follows:

Beginning at the South Quarter corner of Section 2, Township 7 South, Range 13 East Boise Meridian;
Thence West 4 chains, recorded angle and distance (North 89°02'12" West, 263.81 feet measured angle and distance) to an Idaho Power monument marked "M-27";
Thence North 20 chains recorded angle and distance (North 0°08'30" East, 1,320.33 feet measured angle and distance) to an Idaho Power monument marked "M-28", point being on the South boundary of Lot 6, Section 2;
Thence West 482.4 feet recorded angle and distance (North 89°01'49" West, 495.45 feet measured angle and distance) along said South boundary of Lot 6 to a point marked by a ½ inch steel pin;
Thence North 14°40' East, 1,120 feet recorded angle and distance (North 14°28'33" East, 1,104.00 feet measured angle and distance) to a point marked by a ½ inch steel pin;
Thence North 5°13' East, 370.00 feet recorded angle and distance (North 4°39'33" East, 370.00 feet measured angle and distance) to a point marked by a ½ inch steel pin;
Thence North 89°47'20" East, 1,188.54 feet to a point on the Westerly right of way of a certain Highway known as U.S. 30 Idaho Department of Highway Project F-2361 (18) as constructed in 1964, which point is 943.99 feet South of the North boundary of said Section 2;
Thence South 14°30'52" East, 223.80 feet along the cord of a 12°36'18" curve having a radius of 454.53 feet and arc length of 226.12 feet;
Thence South 28°46'06" East, 405.08 feet to a point on said Westerly right of way marked by a brass cap monument which is 50' right of Idaho Department of Highway Station 235+41;
Thence South 18°47'45" East, 194.56 feet along said Westerly right of way to a brass cap monument mark "50' right Station 237+35.56";
Thence South 18°10'22" East, 248.35 feet along said right of way to a brass cap monument marked "50' right Station 239 + 85.56";
Thence South 9°27'50" East, 974.13 feet along the chord of a 1°31'08" curve right, having a radius of 3,769.72 feet and an arc length of 976.86 feet to a brass cap monument marked "50' right Station 249 + 75.56";
Thence South 0°47'07" East, 248.17 feet along said Westerly right of way to a brass cap monument marked "50' right Station 252 + 25.56";
Thence South 0°11'54" East, 405.93 feet along said Westerly right of way to a brass cap monument marked "50' right Station 256 + 31.33";
Thence South 0°00'25" West, 167.97 feet along said right of way to a point on the South boundary of Section 2;
Thence West 1,294.62 feet along the South boundary of Section 2, to the South Quarter corner of said Section 2, THE TRUE POINT OF BEGINNING.

TOWNSHIP 7 SOUTH, RANGE 13 EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 11: NW¼NE¼

EXCEPTING THEREFROM a tract described as follows:

Beginning at a point which is 994.9 feet South 0°15' West of the North Quarter corner of said Section 11;
Thence South 0°15' West, 319.3 feet to a point;
Thence South 89°29' East, 1,317.3 feet to a point in the West boundary of highway;
Thence North 0°15' East, 20.0 feet to a point;
Thence North 89°29' West, 1,097.2 feet to a point;
Thence North 35°58' West, 372.4 feet to THE POINT OF BEGINNING.

EXCEPTING from the above lands in Section 11, highway right of way as described in Second Judgment and Decree of Condemnation out of the District Court of the Fourth Judicial District of the State of Idaho, in and for the County of Gooding, Case No. 10473, recorded April 17, 1964 as Instrument No. 11164.

ALSO EXCEPTING THEREFROM the following described parcels:

Parcel No. 1:

TOWNSHIP 7 SOUTH, RANGE 13 EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 11:

Parcel No. 1: (Parcel 27 and portion of Parcel 22 - Instrument No. 82083-9.608 Acres)

Commencing at the Northwest corner of the NE¼ of Section 11, from which the Northeast corner of Section 11 bears North 89°59'43" East, 2629.96 feet (record North 90°00'00" East);

Thence from the Northwest corner of the NE¼ of Section 11 on a bearing of South 00°04'31" West along the West boundary of the NE¼ of Section 11 for a distance of 994.90 feet;

Thence South 36°08'20" East for a distance of 372.40 feet;

Thence South 89°49'00" East for a distance of 257.17 feet to the Southwest corner of said parcel 27 and being THE TRUE POINT OF BEGINNING;

Thence continuing South 89°49'00" East along the South boundary of parcel 27 for a distance of 581.54 feet to the Southeast corner of parcel 27;

Thence North 00°11'00" East along the East boundary of parcel 27 for a distance of 419.75 feet;

Thence North 90°00'00" East for a distance of 215.41 feet to a point on the West right of way boundary of U.S. Highway 30;

Thence North 02°24'05" East along the West right of way boundary of U.S. Highway 30 for a distance of 8.79 feet to a point 50.0 feet right of U.S. Highway Station 266 + 71.33, said point being the point of curvature of a curve left;

Thence Northeasterly along the West right of way boundary of U.S. Highway 30 and the arc of the curve left for a distance of 150.08 feet, said arc having a radius of 22,868.32 feet and a chord bearing and distance of North 02°14'54" East, 150.08 feet;

Thence departing the West right of way boundary of U.S. Highway 30 on a bearing of North 90°00'00" West for a distance of 150.00 feet;

Thence North 64°24'54" West for a distance of 138.47 feet;

Thence North 69°24'49" West for a distance of 48.99 feet;

Thence North 78°43'51" West for a distance of 39.49 feet to a point on the West boundary of parcel 22;

Thence North 90°00'00" West along the North boundary of parcel 27 for a distance of 444.20 feet to the Northwest corner of parcel 27;

Thence South 00°04'31" West along the West boundary of parcel 27 for a distance of 661.38 feet to THE TRUE POINT OF BEGINNING.

SUBJECT TO:

1. A 30.0 foot wide access and utility easement, said easement being on, over, under and across a 30.0 foot wide strip of land that is encompassed by the following described boundary:

Commencing at a point on the West right of way boundary of U.S. Highway 30, said point being on the arc of a curve right and also being the Northeast corner of the before described parcel and being THE TRUE POINT OF BEGINNING;

Thence Southwesterly along the West right of way boundary of U.S. Highway 30 and along the arc of the curve right for a distance of 30.02 feet, said arc having a radius of 22,868.32 feet and a chord bearing and distance of South 02°05'53" West, 30.02 feet;

Thence departing the West right of way boundary of U.S. Highway 30 on a bearing of South 90°00'00" West for a distance of 148.90 feet;

Thence North 00°00'00" East for a distance of 30.00 feet to a point on the South boundary of said parcel 22;

Thence North 90°00'00" East along the South boundary of Parcel 22 for a distance of 150.00 feet to THE TRUE POINT OF BEGINNING.

Parcel No. 2 (Parcel 28 of Instrument No. 82083-2.0 Acres)

Commencing at the Northwest corner of the NE¼ of Section 11;

Thence South 00°04'31" West along the West boundary of the NE¼ of Section 11 for a distance of 994.90 feet;

Thence South 36°08'20" East for a distance of 372.40 feet;

Thence South 89°49'00" East for a distance of 838.71 feet to the Southwest corner of said parcel 28 of instrument #82083, Gooding County records, and being THE TRUE POINT OF BEGINNING;

Thence continuing South 89°49'00" East for a distance of 200.00 feet to the Southeast corner of parcel 28, said point being on the West right of way boundary of U.S. Highway 30 and being on the arc of a non-tangent curve right;

Thence Northeasterly along the West right of way boundary of U.S. Highway 30 and along the arc of the non-tangent curve right for a distance of 183.63 feet to the point of curvature 50.0 feet right of U.S. Highway station 269+17.62, said arc having a radius of 17,238.74 feet and a chord bearing and distance of North 02°07'42" East, 183.63 feet;
Thence North 02°24'05" East along the West right of way boundary of U.S. Highway 30 and East boundary of parcel 28 for a distance of 237.09 feet to the Northeast corner of parcel 28;
Thence departing the West right of way boundary of U.S. Highway 30 on a bearing of North 90°00'00" West along the North boundary of parcel 28 for a distance of 215.41 feet to the Northwest corner of parcel 28;
Thence South 00°11'00" West along the West boundary of parcel 28 for a distance of 419.75 feet to THE TRUE POINT OF BEGINNING.

ALSO EXCEPTING :

Parcel No. 3:

TOWNSHIP 7 SOUTH, RANGE 13 EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 11: Part of the NW¼NE¼, more particularly described as follows:

Beginning at the Northwest corner of said NW¼NE¼;
Thence East 282.82 feet along the Northerly boundary of said NW¼NW¼;
Thence South 0°04'31" West, 770.11 feet;
Thence West 282.82 feet to the Westerly boundary of said NW¼NE¼;
Thence North 0°04'31" East, 770.11 feet to THE POINT OF BEGINNING.

Parcel No 4:

TOWNSHIP 7 SOUTH, RANGE 13 EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 11: A parcel of land located in the NW¼NE¼, more particularly described as follows:

Commencing at the North one-quarter corner of said Section 11 as described in Corner Perpetuation Document Number 178458, records of said County;
Thence South 0°52'22" West (basis of bearing) a distance of 770.11 feet to a point on the mid section line of said Section 11, from which the center of section 11 bears South 0°52'22" West a distance of 1850.61 feet, said point being THE REAL POINT OF BEGINNING of this description;
Thence continuing along said mid section line and the West boundary of Parcel 26, as shown on the Record of Survey #82083, records of said county, South 0°52'22" West a distance of 224.79 feet;
Thence South 35°21'00" East a distance of 372.43 feet;
Thence South 89°01'19" East a distance of 257.17 feet to the East line of said Parcel 26;
Thence North 0°52'03" East along said East line of said parcel a distance of 526.36 feet to the Northeast corner of Parcel 26;
Thence along the North line of Parcel 26, North 89°12'19" West a distance of 477.20 feet to the Northwest corner of said Parcel 26 and back to THE POINT OF BEGINNING.

THE ABOVE LEGAL DESCRIPTION is also described as Parcels 1 through 21, Parcel 23 and 24 as shown on Instrument No. 82083, Gooding County records and a portion of Lot 22, described as follows:

TOWNSHIP 7 SOUTH, RANGE 13 EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 11: A parcel of land located in the NW¼NE¼, said parcel being a portion of parcel 22 as it is shown on Instrument No. 82083, Gooding County records, said parcel being more particularly described as follows:

Commencing at the Northwest corner of the NE¼ of Section 11, from which the Northeast corner of Section 11 bears North 89°59'43" East, 2629.96 feet (record North 90°00'00" East);
Thence from the Northwest corner of the NE¼ of Section 11 on a bearing of North 89°59'43" East (record North 90°00'00" East) along the North boundary of the NE¼ of Section 11 for a distance of 933.39 feet;
Thence South 01°09'28" West for a distance of 479.80 feet (record 479.71 feet) to the Northwest corner of said parcel 22 and being THE TRUE POINT OF BEGINNING;



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 30, 2019

LYNN J BABINGTON
KATHY L BABINGTON
1107 E 2900 S
HAGERMAN ID 83332

Re: Change in Ownership for Water Right No(s): 36-7875 & 36-10283A

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) 736-3033.

Sincerely,

Allison Inouye
Water Resource Agent

Enclosure(s)