

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
JUL 18 2019
Department of Water Resources
Eastern 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?
25-11500	Yes ☐	Yes ☐		Yes ☐	Yes ☐
25-11501	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name:

Marilyn & Robert Kuhns
Name of current water right holder/claimant

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

Douglas & Christine Hymas
New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or ☐ and/or

4571 E 300 N

Mailing address

RIBBY

City

ID

State

83442

ZIP

208 339 2423

Telephone

dhymas20@gmail.com

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:

7/25/2018

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.

SUPPORT DATA

IN FILE # 25-11500

- ☐ 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:

Douglas Hymas
Signature of new owner/claimant

Title, if applicable

7-18-2019
Date

- Signature:

Christine Hymas
Signature of new owner/claimant

Title, if applicable

7/17/2019
Date

For IDWR Office Use Only:

Received by SE

Date 7/18/19

Receipt No. E045174

Receipt Amt. 50.00

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

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
110 N. Clark Street/PO Box 405
Rigby, ID 83442

Instrument # 438468
RIGBY, JEFFERSON, IDAHO
07-25-2018 02:17:58 PM No. of Pages: 3
Recorded for: FIRST AMERICAN TITLE - RIGBY
COLLEEN C POOLE Fee: \$15.00
Ex-Officio Recorder Deputy: LK
Index To: WARRANTY DEED
Electronically Recorded by Simplifile

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **679011-RI (ss)**

Date: **July 19, 2018**

For Value Received, **Robert L. Kuhn and Marilyn P. Kuhn, Trustees or their successors in trust, under the Robert L. and Marilyn P. Kuhn Living Trust, dated May 31, 1996 AND Robert L. Kuhn and Marilyn P. Kuhn, husband and wife**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Doug Hymas and Christine Hymas, husband and wife**, hereinafter called the Grantee, whose current address is **4571 East 300 North, Rigby, ID 83442**, the following described premises, situated in **Jefferson County, Idaho**, to-wit: **Legal Description attached hereto as Exhibit A, and by this referenced incorporated herein.**

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
110 N. Clark Street/PO Box 405
Rigby, ID 83442



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Robert L. Kuhn and Marilyn P. Kuhn, Trustees or their successors in trust, under the Robert L. and Marilyn P. Kuhn Living Trust, dated May 31, 1996

Robert L. Kuhn
Robert L. Kuhn

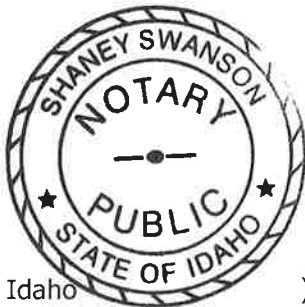
Robert L. Kuhn
Robert L. Kuhn, Trustee

Marilyn P. Kuhn
Marilyn P. Kuhn, Trustee

Marilyn P. Kuhn
Marilyn P. Kuhn

STATE OF Idaho)
ss.
COUNTY OF Jefferson)

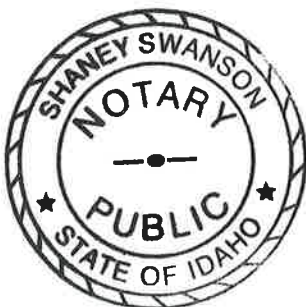
On this ~~Twenty-fifth~~ ^{19th} day of July, 2018, before me, a Notary Public in and for said State, personally appeared **Robert L. Kuhn and Marilyn P. Kuhn**, known or identified to me to be the person(s) whose name(s) are subscribed to the within instrument as Trustees of the **Robert L. and Marilyn P. Kuhn Living Trust, dated May 31, 1996** Trust, and acknowledged to me that they executed the same as such Trustees.



Shaney Swanson
Notary Public of Idaho
Residing at: Idaho Falls, ID
Commission Expires: 1-3-21

STATE OF Idaho)
ss.
COUNTY OF Jefferson)

On this Nineteenth day of July, 2018, before me, a Notary Public in and for said State, personally appeared **Robert L. Kuhn and Marilyn P. Kuhn**, known or identified to me to be the person(s) whose name(s) are subscribed to the within instrument, and acknowledged to me that they executed the same.



Shaney Swanson
Notary Public of Idaho
Residing at: Idaho Falls, ID
Commission Expires: 1-3-21

EXHIBIT A

PARCEL 1:

TOWNSHIP 4 NORTH, RANGE 40 EAST OF THE BOISE MERIDIAN, JEFFERSON COUNTY, IDAHO.

SECTION 18: SE $\frac{1}{4}$ SE $\frac{1}{4}$

EXCEPTING THEREFROM: THAT PART LYING NORTH AND EAST OF THE LOWDER SLOUGH, SAID SLOUGH LYING 680 FEET MORE OR LESS NORTH OF THE SOUTHEAST CORNER OF THE SE $\frac{1}{4}$ AND RUNNING THENCE NORTHWESTERLY 800 FEET, MORE OR LESS TO A POINT 400 FEET, MORE OR LESS FROM THE NORTHEAST CORNER OF THE SE $\frac{1}{4}$ SE $\frac{1}{4}$.

ALSO:

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 18, TOWNSHIP 4 NORTH, RANGE 40 EAST OF THE BOISE MERIDIAN, JEFFERSON COUNTY, IDAHO: RUNNING THENCE WEST 100 FEET; THENCE NORTH 30 FEET; THENCE EAST 81 FEET; THENCE NORTHEAST 43 FEET TO THE INTERSECTION OF THE LINE BETWEEN THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 18 AND THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 18; THENCE SOUTH 67 FEET TO THE POINT OF BEGINNING.

PARCEL 2:

TOWNSHIP 4 NORTH, RANGE 40 EAST OF THE BOISE MERIDIAN, JEFFERSON COUNTY, IDAHO.

SECTION 19: COMMENCING AT THE NORTHEAST CORNER OF THE NE $\frac{1}{4}$ NE $\frac{1}{4}$ OF SAID SECTION 19 AND RUNNING THENCE SOUTH 342 FEET: THENCE WEST 1320 FEET MORE OR LESS, TO THE WEST LINE OF SAID NE $\frac{1}{4}$ NE $\frac{1}{4}$; THENCE NORTH 342 FEET; THENCE EAST 1320 FEET MORE OR LESS, TO THE POINT OF BEGINNING.

ALSO:

TOWNSHIP 4 NORTH, RANGE 40 EAST OF THE BOISE MERIDIAN, JEFFERSON COUNTY, IDAHO.

SECTION 19:

BEGINNING AT THE NW CORNER OF THE NE $\frac{1}{4}$ NE $\frac{1}{4}$ AND RUNNING THENCE SOUTH 342 FEET; THENCE WEST TO THE EAST RIGHT OF WAY OF THE EXISTING COUNTY ROAD; THENCE NORTHERLY ALONG SAID RIGHT OF WAY TO ITS INTERSECTION WITH THE NORTH LINE OF SAID SECTION 19; THENCE EAST ALONG SAID NORTH LINE TO THE POINT OF BEGINNING.



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

July 19, 2019

DOUGLAS & CHRISTINE HYMAS
4571 E 300 N
RIGBY ID 83442-5974

Re: Change in Ownership for Water Right No(s): 25-11500, 25-11501

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) 497-3779.

Sincerely,

Cher Ramos
Technical Records Specialist 1

Enclosure(s)

cc: Water District 01
Water District 120