

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED

MAY 02 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 34-14730	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Deanna Hensley

Name of current water right holder/claimant

- X 3. New Owner(s)/Claimant(s): Paul D Raber Mary J Raber

New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or ☐ and/or

4049 W 4300 N

Mailing address

City

Mackay

State

ZIP

Id 83251

330 600 1586

Telephone

Email

paulraber@gmail.com

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. 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.

SUPPORT DATA
IN FILE # 34-14382

8. Signature: Paul D Raber

Signature of new owner/claimant

Title, if applicable

Date

4-29-19

Signature: Mary J Raber

Signature of new owner/claimant

Title, if applicable

Date

For IDWR Office Use Only:

Received by JB

Date

5/2/2019

Receipt No.

E044933

Receipt Amt.

\$100.-

Approved by JB

Processed by JB

Date

7/10/2019

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 (Id)**

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
168 West Pacific Street/PO Box 868
Blackfoot, ID 83221

E-RECORDED

simplifile®

ID: 255437
County: CUSTER
Date: 10-1-18 Time: 3:43pm

Space Above This Line for Recorder's Use Only

WARRANTY DEED

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

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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

South

88°59'40" East 193.35 feet along the North line of the Northeast Quarter of the centerline of an existing driveway, said point being the Point of Beginning; thence along said existing driveway the following 7 courses: (1) South 16°22'02" East 72.13 feet; (2) South 25°58'35" East 299.14 feet; (3) South 23°36'25" East 132.72 feet to a horizontal curve to the right; (4) Southwesterly 99.62 feet along said horizontal curve to the right through a central angle of 95°07'48" with a radius of 60.00 feet and a chord bearing and distance of South 23°57'29" West 88.57 feet; (5) South 71°31'23" West 56.85 feet to a horizontal curve to the left; (6) Southwesterly 99.28 feet along said horizontal curve to the left through a central angle of 75°50'40" with a radius of 75.00 feet and a chord bearing and distance of South 33°36'00" West 92.19 feet; (7) South 04°19'23" East 230.86 feet to the North line of the above described parcel, said point being the Point of Terminus.

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: 09/26/2018

Warranty Deed
- continued

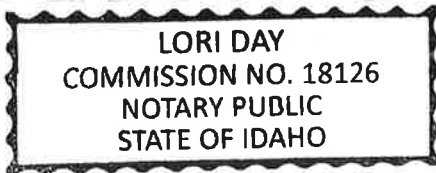
File No.: 698730-B (Id)

By: *Deanna Hensley*
Deanna Hensley

By: *Deanna Hensley*
Deanna Hensley, Personal Representative

STATE OF Idaho)
COUNTY OF Bingham)
SS.

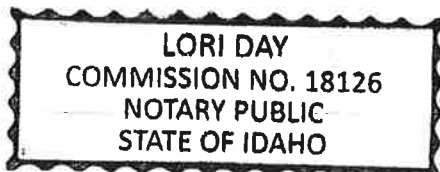
On this **1st day of October, 2018**, before me, a Notary Public in and for said State, personally appeared **Deanna Hensley**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.



Lori Day
Notary Public for the State of Idaho
Residing at: Blackfoot, Idaho
My Commission Expires: 11/27/2021

STATE OF Idaho)
COUNTY OF Bingham)
SS.

On this **1st day of October, 2018**, 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 subscribed to the within instrument as Personal Representative of the Estate of **Thomas Albert Hensley**, and acknowledged to me that she executed the same as such Personal Representative.



Lori Day
Notary Public of Idaho
Residing at: Blackfoot, Idaho
Commission Expires: 11/27/2021



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

July 10, 2019

Paul Raber
Mary Raber
4049 W 4300 N
Mackay ID 83251

RE: Change of Ownership for Water Rights 34-14382 (Split into 34-14382 & 34-14730)

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: Tom Hensley
Deanna Hensley
Water District 34