

RECEIVED

JUN 17 2019

Department of Water Resources
Eastern RegionSTATE 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?
34-2485 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Otto J. Higbee and Betty R. Higbee

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): U62, LLC

New owner(s) as listed on the conveyance document

Name connector ☒ and ☐ or ☐ and/or

PO Box 322

Medina

WA

98309-0000

Mailing address

City

State

ZIP

425-351-4000

mholmes@ix.netcom.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: May 23, 2014

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

Signature: *[Signature]*

Signature of new owner/claimant

Title, if applicable

Date

For IDWR Office Use Only:

Received by *OC*

Date

6/18/19

Receipt No.

ED45086

Receipt Amt.

25.00

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 *CR*

Processed by *CR*

Date

6/18/2019

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 # 248879
CHALLIS, CUSTER, IDAHO
05-28-2014 03:52:31 No. of Pages: 2
Recorded for: FIRST AMERICAN TITLE - BLACKFOOT
BARBARA C. TIERNEY Fee: \$13.00
Ex-Officio Recorder Deputy: BC

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **500545-B (Id)**

Date: **May 23, 2014**

For Value Received, **Mark E Holmes and Jennifer Holmes, husband and wife**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **U62, LLC**, hereinafter called the Grantee, whose current address is **PO Box 322, Medina, WA 98039-0322**, the following described premises, situated in **Custer County, Idaho**, to-wit:

PARCEL 1:

A parcel of land located in the City of Mackay, the N1/2 of Section 28, T. 7 N., R. 24 E., Boise Meridian, Custer County, Idaho, more particularly described as follows:

Commencing at the N1/4 of said section, from which the NE Corner of said section bears N 89°56'26" E a distance of 2649.93 ft., the Basis of Bearing for this description, run thence S 45°09'58" E along the northerly boundary of the parcel shown on R.O.S. Inst. No. 237662 a distance of 492.13 ft. to the POINT OF BEGINNING;

Thence continuing along said boundary S 45°09'58" E a distance of 1377.86 ft. to the SE corner of the NW1/4NE1/4 of said section;

Thence S 44°50'02" W a distance of 119.54 ft. to a point on the northerly right-of-way of the Oregon Short Line Railroad;

Thence the following courses along said right-of-way:

N 56°30'46" W 265.23 ft.; N 46°15'23" W 1095.11 ft.;

Thence N 38°03'04" E a distance of 193.92 ft. to the POINT OF BEGINNING.

PARCEL 2:

A 40 ft. wide road easement located in the City of Mackay, the N1/2 of Section 28, Township 7 North, Range 24 East, Boise Meridian, Custer County, Idaho, more particularly described as follows:

Commencing at the N1/4 of said section, from which the NE Corner of said section bears N 89°56'26" E a distance of 2649.93 ft., the Basis of Bearing for this description, run thence S 50°57'43" W along the boundary of the parcel shown on R.O.S. Inst. No. 237662 a distance of 203.94 ft. to a point on the easterly right-of-way of Main St.; Thence S 45°43'00" W along said right-of-way a distance of 115.09 ft. to a point on the centerline of Airport Service Road and the POINT OF BEGINNING of a 40 ft. wide easement 20 ft. on either side of the following described centerline;

Thence S 53°57'54" E a distance of 280.06 ft.;

Thence S 59°45'42" E a distance of 246.32 ft.;

Thence S 46°15'23" E a distance of 1116.78 ft.;

Thence S 56°30'46" E a distance of 267.02 ft. to 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.

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

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Date: 05/23/2014

Warranty Deed
- continued

File No.: 500545-B (ld)

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.

Otto J. Higbee

Mark E Holmes

Betty R. Higbee

Jennifer A Holmes

STATE OF

Idaho

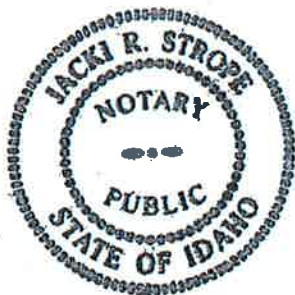
)
ss.

COUNTY OF

Blaine

)

On this 27th day of May, 2014, before me, a Notary Public in and for said State, personally appeared **Mark E Holmes and Jennifer Holmes**, 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.



Jacki R. Strobe

Notary Public for the State

of Idaho

Residing at: Hailey, ID

My Commission Expires: 9/26/18

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 # 248877
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BARBARA C. TIERNEY Fee: \$13.00
Ex-Officio Recorder Deputy: BC

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WARRANTY DEED

File No.: **500545-B (Id)**

Date: **May 23, 2014**

For Value Received, **Otto J. Higbee and Betty R. Higbee, husband and wife**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Mark E Holmes and Jennifer Holmes, husband and wife**, hereinafter called the Grantee, whose current address is **PO Box 322, Medina, WA 98039-0322**, the following described premises, situated in **Custer County, Idaho**, to-wit:

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Thence S 46°15'23" E a distance of 1116.78 ft.;

Thence S 56°30'46" E a distance of 267.02 ft. to 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.

Date: 05/22/2014

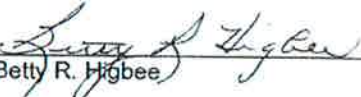
Warranty Deed
- continued

File No.: 500545-B (Id)

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.



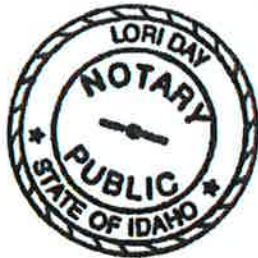
Otto J. Higbee

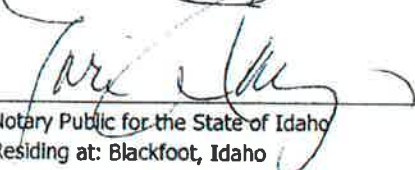


Betty R. Higbee

STATE OF Idaho)
SS.
COUNTY OF Bingham)

On this **23rd day of May, 2014**, before me, a Notary Public in and for said State, personally appeared **Otto J. Higbee and Betty R. Higbee**, 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.





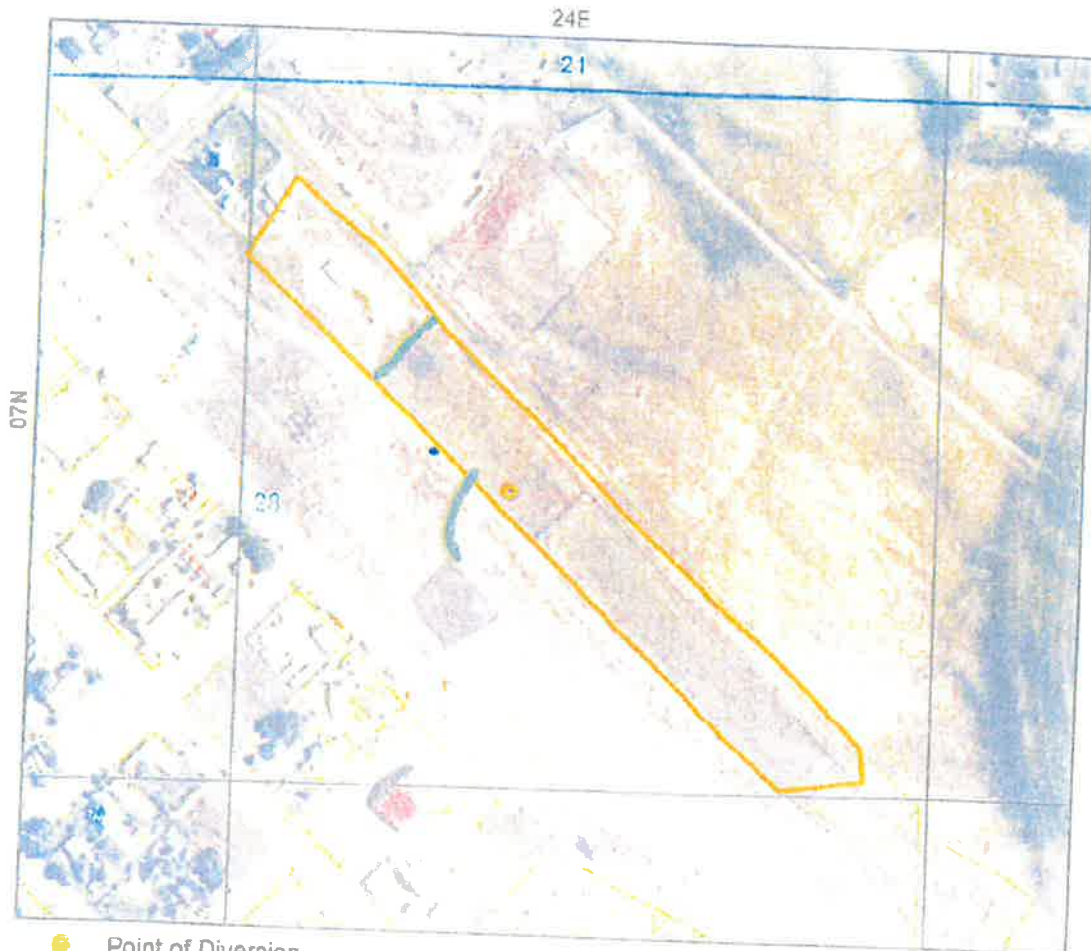
Notary Public for the State of Idaho
Residing at: Blackfoot, Idaho
My Commission Expires: 11/27/2015

State of Idaho
Department of Water Resources

Water Right
34-2485

STOCKWATER

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters
-  Taxlots

0 0.0375 0.075 0.15 Miles



Map produced on March 31, 2014

State of Idaho
Department of Water Resources

Water Right
34-2485

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters
- Taxlots

0 0.0375 0.075 0.15 Miles



IDAHO Department of Water Resources



WATER RIGHT REPORT

5/30/2019

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 34-2485

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BETTY R HIGBEE PO BOX 133 MACKAY, ID 83251 2085883180
Current Owner	OTTO J HIGBEE 3943 W 4200 N MOORE, ID 83255 2085883107
Directors Report Owner	ROBIN L BILLAU 174 QUINN CREEK RD BOZEMAN, MT 59715-9635
Directors Report Owner	EDWARD E ADAMS 174 QUINN CRK RD BOZEMAN, MT 59715-9635
Original Owner	DERRALD J WATERS 4 N 740 W BLACKFOOT, ID 83221 2086844092

Priority Date: 08/10/1966

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	11/01	0.12 CFS	21 AFA
STOCKWATER	1/01	12/31	0.02 CFS	0.2 AFA
Total Diversion			0.14 CFS	

Location of Point(s) of Diversion:

GROUND WATER|NWNE|Sec. 28|Township 07N|Range 24E|CUSTER County

Place(s) of use:

Place of Use Legal Description: IRRIGATION CUSTER County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
07N	24E	28		NWNE	6									

Place of Use Legal Description: STOCKWATER CUSTER County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
07N	24E	28		NWNE										

Total Acres: 6

Conditions of Approval:

1. N05 THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
3. N08 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
4. STOCKWATER, 10 HORSES

Dates:

Licensed Date:

Decreed Date: 07/10/2002

Permit Proof Due Date:

Permit Proof Made Date:

Permit Approved Date:

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 34

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False



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

June 18, 2019

U62 LLC
PO BOX 322
MEDINA WA 98039-0322

Re: Change in Ownership for Water Right No(s): 34-2485

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 34
Big Lost River Ground Water District