

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED ✓

APR 08 2019

DEPT OF WATER RESOURCES
SOUTHERN 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?
43-4086	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: STATE OF Idaho Dept. of LANDS
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Kenneth and Dolly TAFEK
New owner(s) as listed on the conveyance document
- Mailing address: 1448 S 2150 E City: MALTA State: Idaho ZIP: 83342
- Telephone: 208-645-2455 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: JAN. 21, 1999

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: Add'l docs rec'd 5/2/19.
- ☒ 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: Kenneth TafeK Title, if applicable: _____ Date: 4-3-2019
- Signature: Dolly TafeK Title, if applicable: _____ Date: 4/3/2019

For IDWR Office Use Only:

Received by: BM Date: 4-8-2019 Receipt No. 5037259 Receipt Amt. \$25-

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: BM Date: 5-15-2019

260330

QUITCLAIM DEED

For Value Received

KENNETH JAFEK

do hereby convey, release, remise and forever quitclaim unto

KENNETH JAFEK and DOLLY JAFEK, husband and wife

whose current address is

1448 S. Hwy. 81, Malta, Idaho 83342

the following described premises, to-wit:

A rectangular parcel of land being the NE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 1, Township 13 South, Range 26 East, B.M., excepting therefrom: that portion thereof previously deeded as highway right-of-way by Instrument No. 169376, dated May 13, 1950, recorded May 26, 1950, in Book 54 of Deeds at page 183.

RECORDED AT THE REQUEST OF
CASSIA COUNTY ABSTRACT
FILM 307
1999 JAN 22 A 9:54
CASSIA COUNTY, IDAHO
DAVE ELLIOTT, CLERK
FEE 30
CITY OF

1999 JAN 22 A 9:54

260330

together with their appurtenances.

Dated: January 21, 1999

Kenneth Jafek

Kenneth Jafek

STATE OF IDAHO, COUNTY OF CASSIA

On this 21st day of January, 1999, before me, a Notary Public in and for the said State, personally appeared

Kenneth Jafek

(NOTARY)

known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

he

Paul C. Bell

Notary Public,
, Idaho

Residing at Burley
Comm. Expires 8/2/00

INSTRUMENT NO.

RECEIVED

MAY 02 2019

DEPT OF WATER RESOURCES
SOUTHERN REGION

IDAHO DEPARTMENT OF LANDS

1215 W. State, 2nd Flr., PO Box 83720
Boise, Idaho 83720-0050
(208) 334-0200

STANLEY F. HAMILTON — DIRECTOR

BOARD OF LAND
COMMISSIONERS

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State Auditor

JERRY L. EVANS
Sup't. of Public
Instruction

November 7, 1994

Mr. Kenneth Jafek
HC 61, Box 1009
Malta, ID 83342

RE: Water Rights

Dear Mr. Jafek:

On October 27, 1994, you purchased 8.125 acres of state land near Malta. The property has a well with Water Claim No. ID43-04086 filed.

Since you have paid cash for the parcel, the State of Idaho no longer has an interest in the property. Therefore, we would like to transfer the water claim to you as the new owner.

Please find enclosed a New Property Owner Notice of Change of Water Right Ownership form. The form has been partially completed. If you will sign, date, and send into the Department of Water Resources in Twin Falls, along with a copy of your State Deed, they should be able to transfer the water claim to you name.

Sincerely,

Perry A. Whittaker

Perry A. Whittaker, Chief
Bureau of Real Estate

PAW:smc

Enclosure

cc: Howard Kestie

KEEP IDAHO GREEN
PREVENT WILDFIRE

EQUAL OPPORTUNITY EMPLOYER

COPY

Form 42-1409(7)



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township 13 South Range 26 East
Section 1 1/4, NE 1/4 of SW 1/4 of NW 1/4, Govt. Lot --, BM.
Lot --, Block, --, Subdivision/Townsite --. 8.125 acres more or less
If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s)
Assigned by IDWR: ID43-04086 priority date August 31, 1976
- ☐ Name and Address of Former Owner/Claimant(s)(Seller):
State of Idaho, Department of Lands
1215 West State Street, 2nd Floor
Boise, ID 83720-0500
- ☐ New Owner/Claimant (Purchaser):
Kenneth Jafek
- ☐ New Mailing Address:
HC61 Box 1009
Malta, ID 83342
- ☐ New Telephone Number: (208) 645 - 2455
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: _____
(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- ☐ Signature of New Owner/Claimant(s) _____ Date _____
- ☐ Signature of Former Owner/Claimant(s): Stanley F. Jamutton Date 10/04/94

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:
Initial Review and Data-Entry
Date: _____ By: _____
Further Action Needed:
Further Action Taken
Date: _____ By: _____
Final Review and Data-Entry
Date: _____ By: _____
Claim Numbers of Split, if any: _____

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

Agent's Report of Land Sale Work Sheet

Unit No. 1 Parcel No. 386-92 Appraised Value \$
 Date of Sale Oct 27, 1994 Acres 8.125 Fund General Fund
 Legal Description: Part NE 1/4 SW 1/4 NW 1/4 Sec. 1 Twp. 13S Rge. 26E
 _____ Sec. _____ Twp. _____ Rge. _____

Purchaser Kenneth Jafek
 Address HC 61 Box 1009 Matta, ID 83342

Amount Bid _____

Less 30% of bid, _____
 Bal to go on contract (20 equal pmts plus int) _____

0.1515
~~X Interest rate 8.5% = _____ total int/Yr,
 / 365 days = _____ int/day X 65 days left in Year equals
 Total interest to collect (Int for bal of Yr) _____~~

Total \$ _____

Charges amount
~~30% of bid prices~~ _____

Checks & cash collected
 30 % deposits _____

Interest @ _____ % \$ _____

State of Idaho \$ _____

Appraisal Fee \$ _____

Advertising \$ _____

Certificate Fee \$ _____

Lessee improv. \$ — 0 —

Total to State \$ _____

\$ — 0 —

Advertising \$ _____

Total collected \$ #

Lessee improv. \$ — 0 —

Other \$ — 0 —

* Total amount to collect \$ _____

Selling Agent: Howard K. Kestel Date: Oct 27, 1994

Witness: Max Hall



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 15, 2019

KENNETH JAFEK
DOLLY JAFEK
1448 S 2150 E
MALTA ID 83342-5002

Re: Change in Ownership for Water Right No(s): 43-4086

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,

A handwritten signature in blue ink that reads "Denise Maline".

Denise Maline
Administrative Assistant 1

Enclosure(s)



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

April 26, 2019

KENNETH JAFEK
DOLLY JAFEK
1448 S 2150 E
MALTA ID 83342-5002

RE: Change in Ownership for Water Right (s): 43-4086

Dear Mr. & Mrs. Jafek:

The Department of Water Resources (Department) acknowledges receipt of your Notice of Change in Water Right Ownership (Notice).

Our review of your Notice indicates that additional information is required before the Department can process the change. In order to complete the Change in Ownership process, the Department will need sufficient Evidence of Water Right Ownership.

- Evidence of Ownership: copy of Warranty Deed, Title Policy, Contract of Sale, or other legal document *indicating your ownership of the property and/or water rights in question.*

The Quitclaim deed received is from Kenneth Jafek to Kenneth & Dolly Jafek. The department needs sufficient evidence of ownership, in which you acquired the property &/or water rights from State of Idaho Department of Lands.

Because the Department cannot process the Notice without proper documentation, we will hold any action on your notice pending receipt of the necessary information. If we do not receive the necessary information within 30 days we will return your notice and all attachments and your notice will not be processed.

If you have any questions regarding this matter, please contact me at (208) 736-3033.

Sincerely,

Denise Maline
Administrative Assistant 1

Enclosure(s)