

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAR 11 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?
31-10034 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
31-10035 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Kirk M Jacobs
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): David Ward
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 2700 N 628 E Montevieu Idaho 83435
Mailing address City State ZIP
- 208-657-2560 _____
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: _____
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.

SUPPORT DATA

IN FILE # 31-10034

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 CS Date 3/11/19 Receipt No. 5037194 Receipt Amt. \$100

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 JB Processed by OK Date 3/27/2019

FIRST AMERICAN TITLE
710127-RI

Microfile No. 57452
23 Day Jan 19
At 02 O'Clock 38 M
Clark Co. Recorder Pamela Barrett
Fee \$15.00
AC Deputy
Recorded at Request of
First American Title - Rigby

WARRANTY DEED

THIS INDENTURE is made this 23rd day of January, 2019, by Kirk Merrill Jacobs and Linda Jacobs, husband and wife, the "Grantor", and David Z. Ward and Melissa L. Ward, husband and wife, the "Grantee", whose mailing address is P.O. Box 32, Montevue, Idaho, 83435. *mw*

WITNESSETH, that the Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) lawful money of the United States of America, and other good and valuable consideration, to the Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, sold, and by these presents does grant, bargain, sell, convey, and confirm unto the Grantee, and to the Grantee's successors and assigns forever, all of the following described property in Clark County, Idaho, to-wit (the "Property"):

Township 13 North, Range 39 East, Boise Meridian, Clark County, Idaho.
Section 30: NE $\frac{1}{4}$, Lots 1 & 2, E $\frac{1}{2}$ NW $\frac{1}{4}$

SUBJECT TO:

1. All real property taxes and assessments, all existing patent reservations, easements, rights of way, restrictive covenants and matters of record, all applicable zoning ordinances, building codes, laws and regulations, all encroachments, overlaps, boundary line disputes, claims of easements and other matters that would be disclosed by an accurate survey or inspection of the Property.
2. Rights-of-way for ditches, tunnels and telephone and transmission lines constructed by authority of the United States. (Affects NE $\frac{1}{4}$)
3. Rights-of-way for ditches, tunnels and telephone and transmission lines constructed by authority of the United States, as granted to the United States under provisions of Section 58-604, Idaho Code. (Affects Lots 1 & 2, E $\frac{1}{2}$ NW $\frac{1}{4}$)
4. Exceptions and reservations contained in Deed from the State of Idaho, wherein mineral rights are reserved to the State under provisions of §§ 47-701 and 47-701A, Idaho Code. (Affects Lots 1 & 2, E $\frac{1}{2}$ NW $\frac{1}{4}$)
5. Right-of-way or easement of county roads.

TOGETHER with the tenements, hereditaments, water and water rights, and appurtenances thereunto belonging or in anywise appertaining, and any reversions, any remainders, rents, issues, and profits therefrom; and all estate, right, title, and interest in and to the Property, as well in law as in equity, of the Grantor.

FIRST AMERICAN TITLE
710127-RI

Recorded Electronically	
ID	57452
County	Clark
Date	1-23-19
Time	2:38
Simplifile.com 800.460.5657	

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Section 30: NE $\frac{1}{4}$, Lots 1 & 2, E $\frac{1}{2}$ NW $\frac{1}{4}$

SUBJECT TO:

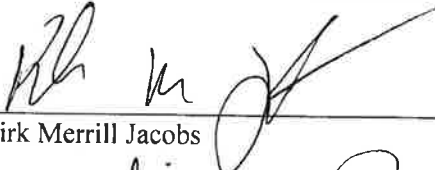
1. All real property taxes and assessments, all existing patent reservations, easements, rights of way, restrictive covenants and matters of record, all applicable zoning ordinances, building codes, laws and regulations, all encroachments, overlaps, boundary line disputes, claims of easements and other matters that would be disclosed by an accurate survey or inspection of the Property.
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TOGETHER with the tenements, hereditaments, water and water rights, and appurtenances thereunto belonging or in anywise appertaining, and any reversions, any remainders, rents, issues, and profits therefrom; and all estate, right, title, and interest in and to the Property, as well in law as in equity, of the Grantor.

TO HAVE AND TO HOLD the Property and the appurtenances unto the Grantee, and to the Grantee's successors and assigns forever. The Grantor and the Grantor's successors and assigns shall warrant and defend the Property in the quiet and peaceable possession of the Grantee and the Grantee's successors and assigns, against the Grantor and the Grantor's successors and assigns, and against every person whomsoever who lawfully holds (or who later lawfully claims to have held) rights in the Property as of the date hereof.

In construing this Warranty Deed and where the context so requires, the singular includes the plural.

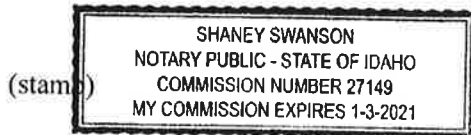
IN WITNESS WHEREOF, the Grantor has executed the within instrument the day and year first above written.


Kirk Merrill Jacobs


Linda Jacobs

STATE OF IDAHO)
)ss.
County of Jefferson)

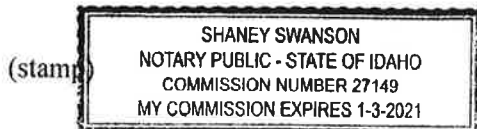
This record was acknowledged before me on the 23 day of January, 2019, by Kirk Merrill Jacobs.

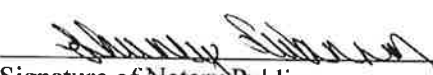



Signature of Notary Public
My Commission Expires: 1.3.21

STATE OF IDAHO)
)ss.
County of Jefferson)

This record was acknowledged before me on the 23 day of January, 2019, by Linda Jacobs.




Signature of Notary Public
My Commission Expires: 1.3.21



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

March 27, 2019

DAVID WARD
628 E 2700 N
MONTEVIEW ID 83435

Re: Change in Ownership for Water Right No(s): 31-10034, 31-10035

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) 525-7161.

Sincerely,

Cher Ramos
Technical Records Specialist 1

Enclosure(s)

cc: Water District 31
Rabo Agrifinance Inc

Barg, Jonie

From: Barg, Jonie
Sent: Thursday, March 14, 2019 11:33 AM
To: 'cheryl.robles@raboag.com'
Subject: Security Interest/Ownership Change

RE: Change in Water Right Ownership Water Right No. [31-10034 & 31-10035](#)

Dear [Sir/Madam](#):

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

Our review of your notice indicates that additional information is required before we can process the change. The information required is indicated below:

**** **Evidence of Water Right Ownership:** The department received a notice of security interest and ownership change for Rabo Agrifinance and David Ward for water rights 31-10034 and 31-10035 today. We received a copy of the mortgage to add Rabo as a security interest holder, however we did not receive a copy of the warranty deed to update ownership. Please supply a copy of the recorded Warranty Deed for David Ward.

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

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 the Department if you have any questions.

Sincerely,



Jonie Barg
Idaho Department of Water Resources
900 N Skyline Ste A
Idaho Falls ID 83402
phone: (208) 525-7161
fax: (208) 525-7177
email: jonie.barg@idwr.idaho.gov

Protect your Enthusiasm from the Negativity of others. ~ H Jackson Brown Jr. ~