

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

FEB 15 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?
22-4166	Yes ☐	Yes ☐		Yes ☐	Yes ☐
Domestic Well	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: JR and Joyce Byrne
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): James L. Byrne
New owner(s) as listed on the conveyance document
- Name connector ☐ and ☐ or ☐ and/or
- 102 Dome pk place Italy TX 76651
Mailing address City State ZIP
- 1-(469)853-1416
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: 12-26-2018
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.
- ☐ 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:** James L. Byrne Individual 11 Feb 219
Signature of new owner/claimant Title, if applicable Date

Signature: _____
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only: Domestic/Stockwater \$25.- for this app
Received by JB Date 1/25/19 Receipt No. E044669 Receipt Amt. \$75.-

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 Domestic/Stockwater Approved by JB Processed by JB Date 2/15/19

* Per meeting 1/25/19 add both owners as current owners
Louise Twitchell/James Byrne.

Received 4 JAN 2019 JLB

Microfile No. 420731
26 DAY Dec 2018
At 02 O'Clock 32 PM
KIM H. MUIR
MADISON CO RECORDER
Fee \$15.00
Deputy
Recorded at Request of
FIRST AMERICAN TITLE - REXBURG

First American Title Company

709123-PA

WARRANTY DEED

JoAnn Cramer and Louise B. Twitchell, acting in their capacities as Co-Personal Representatives of the Estate of Lila Joyce Byrne, deceased, with administration of the estate pending as CV-18-306 in the Seventh Judicial District Court in and for the County of Madison, State of Idaho, c/o JoAnn Cramer, 654 North 4100 East, Rigby, Idaho 83442 (hereinafter "Joyce's Estate"), and JoAnn Cramer and Louise B. Twitchell, acting in their capacities as Co-Trustees of the J.R. Byrne Family Trust u/w/d January 17, 2007, c/o JoAnn Cramer, 654 North 4100 East, Rigby, Idaho 83442 (hereinafter "the Family Trust," and collectively with Joyce's Estate, "Grantors"), for and in consideration of \$10.00 and other good and valuable consideration, hereby transfer, grant, convey, and warrant unto **James Laurence Byrne and — Marilee Byrne, husband and wife**, of 102 Dome Park Place, Italy, Texas 76651 (hereinafter "Grantee"), all of Grantors' right, title, and interest whatsoever, as Joyce's Estate's and the Family Trust's respective interests appear, in the follow described real property located in Madison County, Idaho, to wit:

See attached Exhibit A.

Together with: All and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues, and profits thereof; and all estate, right, title, and interest in and to the said property, as well in law as in equity.

Subject to: All easements, encumbrances, rights of way, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, all facts and circumstances that would be revealed by inspection of the property of inquiry of persons in possession thereof, and payment of present year's property taxes, which are an accruing lien not yet due.

Grantors, for themselves, their heirs, successors, and assigns, warrant and represent as follows:

JoAnn Cramer and Louise B. Twitchell were appointed co-personal representatives of the estate of Lila Joyce Byrne, deceased, according to law on April 27, 2018, and have the legal right to transfer Joyce's Estate's interest in the real property described above.

JoAnn Cramer and Louise B. Twitchell are the Co-Trustees of the J.R. Byrne Family Trust u/w/d January 17, 2007, and have the legal right to transfer the Family Trust's interest in the real property described above.

The property described in this deed is free from all liens and encumbrances, except for those of sight or record.

Grantors will forever warrant and defend the quiet and peaceful possession of the property granted by this deed to Grantee against all lawful claims arising 1) during the time period in which Grantors served as co-personal representatives of the estate of Lila Joyce Byrne, as to any lawful claims regarding Joyce's Estate's interest in the real property described above; and 2) during the time period in which Grantors served as Co-Trustees of the J.R. Byrne Family Trust u/w/d January 17, 2007, as to any lawful claims regarding the Family Trust's interest in the real property described above.

The warranty in this deed is limited the amount of coverage available under the owner's policy of title insurance furnished by Grantors to Grantees in connection with this conveyance.

Effective Date: 12-19, 2018.

JOYCE'S ESTATE

JoAnn Cramer, Co-Personal Representative of the
Estate of Lila Joyce Byrne



Louise B. Twitchell, Co-Personal Representative of
the Estate of Lila Joyce Byrne

FAMILY TRUST

JoAnn Cramer, Co-Trustee of the J.R. Byrne
Family Trust u/w/d January 17, 2007



Louise B. Twitchell, Co-Trustee of the J.R. Byrne
Family Trust u/w/d January 17, 2007

Acknowledgment

State of Idaho

ss.

County of Madison

On this _____ day of _____, 2018, before me, the undersigned, a notary public, personally appeared JoAnn Cramer in her capacities as Co-Personal Representative of the Estate of Lila Joyce Byrne and Co-Trustee of the J.R. Byrne Family Trust u/w/d January 17, 2007, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same in her authorized capacities.

Notary Public for Idaho

Residing at:

(Seal)

Acknowledgment

State of Idaho

ss.

County of Madison

On this 19th day of Dec, 2018, before me, the undersigned, a notary public, personally appeared Louise B. Twitchell in her capacities as Co-Personal Representative of the Estate of Lila Joyce Byrne and Co-Trustee of the J.R. Byrne Family Trust u/w/d January 17, 2007, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same in her authorized capacities.

Jana Bishoff
Notary Public for Idaho

Residing at: St Anthony Id

(Seal)

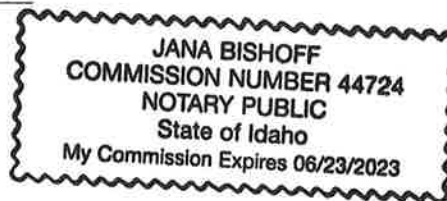


EXHIBIT A

SITUATED IN THE STATE OF IDAHO, COUNTY OF MADISON, BEING PART OF SECTIONS 3& 4, TOWNSHIP 4 NORTH, RANGE 40 EAST, OF B.M., BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A REBAR WITH A PLASTIC CAP FOUND MARKING THE SOUTHEAST CORNER OF SAID SECTION 4;

THENCE NORTH 00°00'40" WEST, A DISTANCE OF 1,210.12 FEET WITH THE EAST LINE OF SAID SECTION 4 TO A POINT;

THENCE SOUTH 89°59'20" WEST, A DISTANCE OF 12.73 FEET TO A REBAR WITH A PLASTIC CAP SET STAMPED, "PLS 13856" MARKING THE POINT OF BEGINNING;

THENCE NORTH 27°41'49" WEST, A DISTANCE OF 122.74 FEET TO A REBAR WITH A PLASTIC CAP SET STAMPED, "PLS 13856";

THENCE NORTH 02°51'44" WEST, A DISTANCE OF 978.02 FEET TO A REBAR WITH A PLASTIC CAP SET STAMPED, "PLS 13856";

THENCE SOUTH 41°00'09" EAST, A DISTANCE OF 248.41 FEET TO A REBAR WITH A PLASTIC CAP SET STAMPED, "PLS 13856";

THENCE ALONG A NON-TANGENT CURVE TO THE RIGHT, HAVING A DELTA ANGLE 47°21'18", A RADIUS OF 178.18 FEET, AN ARC LENGTH OF 147.27 FEET, WITH A CHORD BEARING OF SOUTH 21°26'20" EAST, AND A CHORD LENGTH OF 143.11 FEET TO A REBAR WITH A PLASTIC CAP SET STAMPED, "PLS 13856";

THENCE SOUTH 02°14'19" WEST, A DISTANCE OF 110.59 FEET TO A REBAR WITH A PLASTIC CAP SET STAMPED, "PLS 13856";

THENCE SOUTH 00°11'21" EAST, A DISTANCE OF 85.75 FEET TO A REBAR WITH A PLASTIC CAP SET STAMPED, "PLS 13856";

THENCE SOUTH 02°32'41" EAST, A DISTANCE OF 259.29 FEET TO A REBAR WITH A PLASTIC CAP SET STAMPED, "PLS 13856";

THENCE SOUTH 14°19'43" EAST, A DISTANCE OF 156.31 FEET TO A REBAR WITH A PLASTIC CAP SET STAMPED, "PLS 13856";

THENCE SOUTH 09°14'43" WEST, A DISTANCE OF 69.63 FEET TO A REBAR WITH A PLASTIC CAP SET STAMPED, "PLS 13856";

THENCE NORTH 88°49'58" WEST, A DISTANCE OF 23.35 FEET TO A POINT;

THENCE WITH A NON-TANGENT CURVE TO THE LEFT HAVING A DELTA ANGLE OF 52°18'12", A RADIUS OF 97.50 FEET, AN ARC LENGTH 89.00 FEET, WITH A CHORD BEARING OF SOUTH 65°00'56" WEST, WITH A CHORD DISTANCE OF 85.95 FEET TO A REBAR WITH A PLASTIC CAP SET STAMPED, "PLS 13856";

THENCE SOUTH 38°51'50" WEST, A DISTANCE OF 68.73 FEET TO THE POINT OF BEGINNING, CONTAINING 4.01 ACRES OF LAND, MORE OR LESS.



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

February 15, 2019

JAMES L BYRNE
102 DOME PARK PL
ITALY TX 76651-3534

LOUISE TWITCHELL
8633 S 1600 E
REXBURG ID 83440-4654

Re: Change in Ownership for Water Right No(s): 22-4166

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,

Jonie Barg
Technical Records Spec I

Enclosure(s)

cc: Water District 100
Madison Ground Water District