

RECEIVED

DEC 28 2018

WATER RESOURCES
WESTERN REGION

D9

JAN 02 2019

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESDEPARTMENT 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?
57-11778	Yes ☐	Yes ☐		Yes ☐	Yes ☐
57-1126	Yes ☐	Yes ☐		Yes ☐	Yes ☐
57-1125	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Benson AND Hook Family LTD Partnership
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Highway 78 Trust
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- Mailing address: PO Box 220 City: Star State: ID ZIP: 83669
Telephone: 208-608-1200 Email: gjohnston7@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: Oct 12, 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):
- ☐ \$25 per undivided water right.
 - ☐ \$100 per split water right.
 - ☐ No fee is required for pending adjudication claims.

SUPPORT DATA

IN FILE # 57-1125

- ☐ 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: Jay Benson Title, if applicable: Trustee Date: 12/14/18
Signature of new owner/claimant

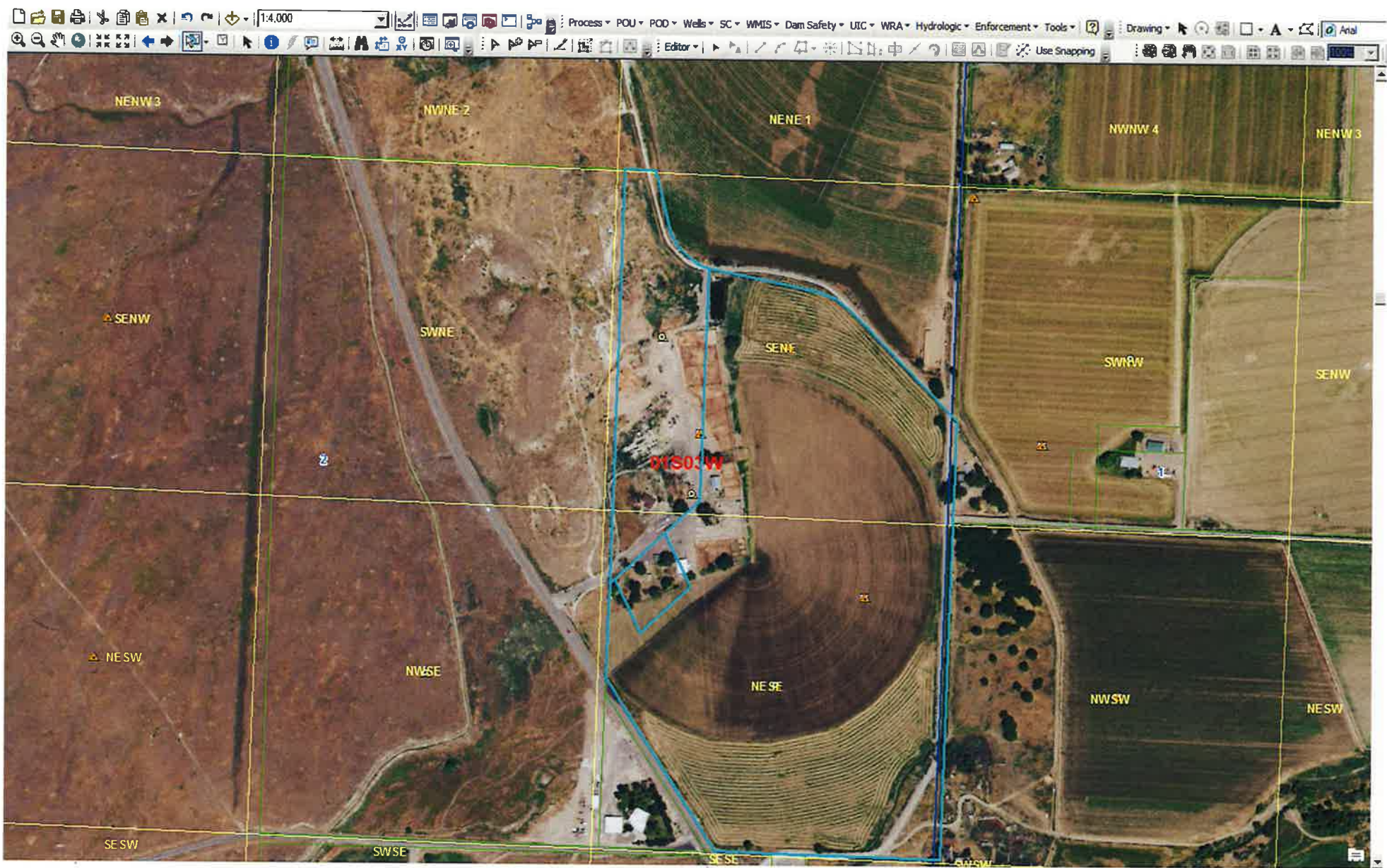
- Signature: _____ Title, if applicable: _____ Date: _____
Signature of new owner/claimant

For IDWR Office Use Only:

Received by CS Date 12/28/2018 Receipt No. W047039 Receipt Amt. \$75.00

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 _____ Processed by dj Date 1-10-19



Instrument # 297621**MURPHY, OWYHEE, IDAHO**

10-22-2018 09:26:26 AM No. of Pages: 4

Recorded for : HWY 78 TRUST

ANGELA BARKELL

Fee: 15.00

Ex-Officio Recorder Deputy

Index to: DEED, WARRANTY

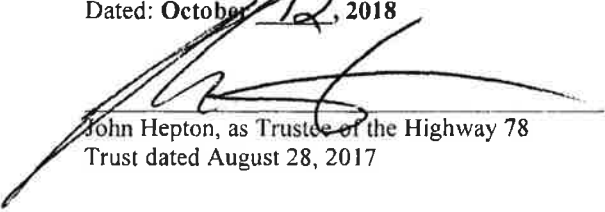
WARRANTY DEED

FOR VALUE RECEIVED, John Hepton, Trustee of the Highway 78 Trust dated August 28, 2017, the Grantor, does hereby grant, bargain sell and convey unto Jocelyn Benton, Trustee of the Highway 78 Trust dated August 28, 2017, the Grantee, whose current address is PO Box 220, Star, ID 83669, the following described premises, in Owyhee County, Idaho, TO WIT:

See addendum A

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that they are free from all encumbrances EXCEPT: Subject to all existing patent reservations, easements, rights of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes, assessments, including irrigation and utility easements (if any) for the current year, which are not due and payable, and that Grantors will warrant and defend the same from all lawful claims whatsoever.

Dated: October 12, 2018


John Hepton, as Trustee of the Highway 78
Trust dated August 28, 2017

State of Idaho)
)ss.
County of Canyon)

On this 12 day of October 2018, before me, a notary public in and for the State of Idaho, personally appeared before me, John Hepton, known to me to be the Trustee of the Highway 78 Trust dated August 28, 2017, the person whose name is subscribed to the within instrument as Trustee and acknowledged to me that he executed the foregoing instrument on behalf of said Trust.




Notary Public in and for the State of Idaho
Residing at: Nampa
My Commission Expires: 1/25/22

ADDENDUM A

Parcel I:

A parcel of land located in the Northeast Quarter of the Southeast Quarter, Section 2, Township 1 South, Range 3 West, Boise Meridian, Owyhee County, Idaho.

Being further described as follows:

Beginning at a point, from which the East Quarter corner bears North 88°27'01" East a distance of 1131.77 feet; thence South 26°52'49" East a distance of 234.16 feet; thence South 45°56'54" West a distance of 264.50 feet; thence North 26°52'49" West a distance of 234.13 feet; thence North 45°56'27" East a distance of 264.51 feet to the Point of Beginning.

Basis of Bearings:

The East line of the Northeast Quarter of Section 2, Township 1 South, Range 3 West, Boise Meridian, derived from found monuments and taken as South 00°37'51" West.

Parcel II:

(Easement for ingress and egress)

A parcel of land located In the Northeast Quarter of the Southeast Quarter, Section 2, Township 1 South, Range 3 West, Boise Meridian, Owyhee County, Idaho, being further described as follows:

Beginning as a point on the West line of the Northeast Quarter of the Southeast Quarter (formerly described as the Southeast Quarter of the Northeast Quarter) of said Section 2 also being the Northeasterly right-of-way of State Highway 78, from which the East Quarter corner of said Section 2 bears North 66°35'23" East a distance of 1,459.75 feet; thence continuing along said West line North 00°37'36" East a distance of 351.05 feet; thence leaving said West line North 45°56'27" East a distance of 284.66 feet; thence South 26°52'49" East a distance of 29.31 feet; thence South 45°56'27" West a distance of 264.32 feet; thence South, 00°37'36" West to a point on said right-of-way a distance of 380.02 feet; thence continuing along said right-of-way North 33°55'27" West a distance of 49.37 feet to the Point of Beginning.

Basis of Bearings:

The East line of the Northeast Quarter of Section 2, Township 1 South, Range 3 West, Boise Meridian, derived from found monuments and taken as South 00°37'51" West.

Parcel III:

A parcel of land located in the Southeast Quarter of the Northeast Quarter and the Northeast Quarter of the Southeast Quarter of Section 2, Township 1 South, Range 3 West, Boise Meridian, Owyhee County, Idaho. Being further described as follows:

Beginning at a point on the East line of said Section 2, from which the Northeast corner of said Section 2 bears North 00°37'51" East a distance of 2051.26 feet; thence along said East line, South 00°37'51" West to the South 1/16 corner, a distance of 1,735.07 feet; thence along the South line of the Northeast Quarter of the Southeast Quarter of said Section 2, North 89°14'17" West to the Northeasterly right-of-way of State Highway 78, a distance of 836.68 feet; thence along said right-of-way the following two courses, from a tangent which bears North 35°57'08" West, along a curve to the right with a radius of 1,333.40 feet and a central angle of 03°48'26" an arc length of 88.60 feet (with a chord bearing of North 34°02'55" West, and a chord distance of 88.59 feet); North 33°55'27" West to the West line of the Northeast Quarter of the Southeast Quarter of said Section 2, a distance of 786.71 feet; thence along said West line of the Northeast Quarter of the Southeast Quarter, North 00°37'36" East a distance of 351.05 feet; thence leaving said West line of the Northeast Quarter of the Southeast Quarter, North 45°56'27" East a distance of 20.15 feet; thence South 26°52'49" East a distance of 234.13 feet; thence North 45°56'54" East a distance of 264.50 feet; thence North 26°52'49" West a distance of 234.16 feet; thence North 45°56'27" East a distance of 187.83 feet; thence North 00°37'32" East to the centerline of a concrete irrigation ditch, a distance of 859.90 feet; thence along said centerline of concrete ditch the following 8 courses: South 85°16'31" East a distance of 40.16 feet; South 89°44'51" East a distance of 176.30 feet; South 85°42'39" East a distance of 70.84 feet; South 80°31'11" East a distance of 40.51 feet; South 79°05'19" East a distance of 97.39 feet; South 70°49'27" East a distance of 79.17 feet; South 51°51'04" East a distance of 80.10 feet; South 45°02'32" East a distance of 610.21 feet to the Point of Beginning.

Parcel IV:

A parcel of land located in the Southeast Quarter of the Northeast Quarter and the Northeast Quarter of the Southeast Quarter of Section 2, Township 1 South, Range 3 West Boise Meridian, Owyhee County, Idaho. Being further described as follows:

Beginning at the Northeast 1/16 corner of said Section 2, from which the Northeast corner of said Section 2 bears
North 49°50'04" East a distance of 1761.42 feet; thence
South 89°11'30" East along the North line of said Southeast Quarter of the Northeast Quarter, a distance of 118.59 feet to the centerline of a concrete irrigation ditch; thence along said centerline of the following 5 courses;
South 15°04'11" East a distance of 247.71 feet;
South 26°31'18" East a distance of 51.91 feet;
South 43°32'41" East a distance of 24.97 feet;
South 51°38'48" East a distance of 82.98 feet;
South 69°24'22" East a distance of 46.39 feet; thence
South 00°37'32" West, a distance of 859.90 feet; thence
South 45°56'27" West to the West line of said Northeast Quarter of the Southeast Quarter of Section 2, a distance of 472.49 feet; thence along said West line of the Northeast Quarter of the Southeast Quarter of Section 2,
North 00°37'36" East to the Center East 1/16 corner, a distance of 245.79 feet;
thence along the West line of the Southeast Quarter of the Northeast Quarter of said Section 2,
North 00°37'32" East a distance of 1,315.94 feet to the Point of Beginning.

Basis of Bearings:

The East line of the Northeast Quarter of Section 2, Township 1 South, Range 3 West, Boise Meridian, derived from found monuments and taken as South 00°37'51" West.



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 E FRONT ST STE 648 PO BOX 83720 • BOISE, ID 83720-0098

Phone: (208)287-4800 • Fax: (208)287-6700 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

January 10, 2019

HIGHWAY 78 TRUST
PO BOX 220
STAR ID 83669-0220

Re: Change in Ownership for Water Right Nos: 57-1125, 57-1126, and 57-11778

Dear Water Right Holder:

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water rights 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) 287-4920.

Sincerely,

Debbi Judd
Technical Records Specialist

Enclosures

c. Water District 57R