

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

DEC 26 2018

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?
11-7642	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: Ron & Sally Harper
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): James B. & Shannan Harkcastle
New owner(s) as listed on the conveyance document
- Name connector ☐ and ☐ or ☐ and/or
- Mailing address: 1075 Main St City: Bern State: ID ZIP: 83220
- Telephone: (208) 709-6122 Email: jsharkcastle@live.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: 11-8-2018
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.
- ☐ 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 B. Harkcastle Title, if applicable: Owner Date: 12-17-18
Signature of new owner/claimant
- Signature: Shannan Harkcastle Title, if applicable: Owner Date: 12-17-18
Signature of new owner/claimant

For IDWR Office Use Only:

Received by: JB Date: 12/26/2018 Receipt No.: E044612 Receipt Amt.: \$225 -

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: JB Date: 11/9/2018

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
469 Washington St
Montpelier, ID 83254

Instrument # 228129

BEAR LAKE COUNTY

11-13-2018 08:37:00 AM No. of Pages: 3

Recorded for : FIRST AMERICAN TITLE

CINDY GARNER

Fee: 15.00

Ex-Officio Recorder Deputy

Index to: WARRANTY DEED

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **704734-MON (ab)**

Date: **November 08, 2018**

For Value Received, **Ronald Leo Harper and Sally E Harper, husband and wife**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **James Hardcastle and Shannan Hardcastle, husband and wife as community property with right of survivorship**, hereinafter called the Grantee, whose current address is **1075 Main St, Bern, ID 83220**, the following described premises, situated in **Bear Lake County, Idaho**, to-wit: **Legal Description attached hereto as Exhibit A, and by this referenced incorporated herein.**

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.

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.

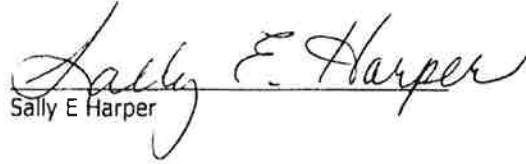
228129

Date: 11/08/2018

Warranty Deed
- continued

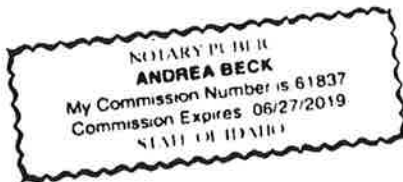
File No.: 704734-MON (ab)


Ronald Leo Harper


Sally E Harper

STATE OF Idaho)
COUNTY OF Bear Lake)

On this **Ninth day of November, 2018**, before me, a Notary Public in and for said State, personally appeared **Ronald Leo Harper and Sally E Harper**, 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: Ovid, ID
My Commission Expires: 6/27/2019

Date: 11/08/2018

Warranty Deed
- continued

File No.: 704734-MON (ab)

EXHIBIT A**PARCEL NO. 1:**

A parcel of land located in Section 26, Township 12 South, Range 43 East, Boise Meridian, Bear Lake County, Idaho and further described as follows:

Beginning at the Southeast corner of said Section 26, from which the Southwest corner of Section 26 bears South 89° 28' 47" West 5245.78 feet;
Thence North 09° 45' 45" West 1925.09 feet to a 5/8" rebar with cap set on the westerly right of way line of Main Street, said point also being on a fence line, the True Point of Beginning;
Thence South 82° 48' 00" West 154.90 feet along said fence line to a 5/8" rebar with cap;
Thence South 77° 08' 47" West 70.23 feet along said fence line to a 5/8" rebar with cap set on a fence corner;
Thence North 00° 37' 55" East 79.53 feet along said fence line to a 5/8" rebar with cap;
Thence North 01° 28' 34" West 206.78 feet along said fence line to a 5/8" rebar with cap;
Thence North 20° 10' 32" East 97.74 feet along said fence line to a 5/8" rebar with cap;
Thence North 28° 51' 16" East 54.70 feet along said fence line to a 5/8" rebar with cap;
Thence North 38° 15' 13" East 22.90 feet along said fence line to a 5/8" rebar with cap;
Thence North 50° 04' 20" East 19.33 feet along said fence line to a 5/8" rebar with cap;
Thence North 79° 47' 16" East 26.10 feet along said fence line to a 5/8" rebar with cap;
Thence South 86° 35' 37" East 104.08 feet along said fence line to a 5/8" rebar with cap set on said westerly right of way line of Main Street;
Thence South 00° 54' 31" West 242.20 feet along said right of way line to the beginning of a 930.00 foot radius curve concave to the northeast;
Thence southeasterly along said curve through a central angle of 06° 48' 05" a distance of 110.40 feet (chord = South 02° 29' 32" East 110.33 feet);
Thence South 05° 53' 34" East 67.65 feet along said right of way line to the True Point of Beginning.

PARCEL NO. 2:

A 10.00 foot wide access easement from the west boundary line of the above described parcel in a strait line west to the existing spring, which is located North 17° 18' 45" West 2045.17 feet from the Southeast corner of said Section 26. Pertains to culinary water for existing house only and does not include spring overflow.



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

January 09, 2019

JAMES B HARDCASTLE
SHANNAN M HARDCASTLE
1075 MAIN ST
BERN ID 83220-5226

Re: Change in Ownership for Water Right No(s): 11-7642

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 11
Zions Bank