

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

NOV 01 2018

WATER RESOURCES
WESTERN 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?
65-7039	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: Michael E Holladay
 Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Nikita Clark
 New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or

<u>10498 Hwy 95</u>	<u>Payette</u>	<u>Id</u>	<u>83661</u>
Mailing address	City	State	ZIP
<u>808-343-0599</u>	<u>Nikita.c.clark@gmail.com</u>		
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: April 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: [Signature] Title, if applicable: Owner Date: 29 Oct 2018
Signature of new owner/claimant
- Signature: _____ Title, if applicable: _____ Date: _____
Signature of new owner/claimant

For IDWR Office Use Only:

Received by AK Date 11/1/2018 Receipt No. WD96905 Receipt Amt. 25.00
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 N/A Approved by AK Processed by AK Date 11/2/2018



Instrument # 413782
 PAYETTE COUNTY
 2018-03-23 10:39:26 AM No. of Pages: 3
 Recorded for: AMERITITLE - PAYETTE
 BETTY J DRESSER Fee: \$16.00
 Ex-Officio Recorder Deputy Melody Capener
 Index To: DEED
 Electronically Recorded by Simplifile

WARRANTY DEED

Order No.: 219171AM

FOR VALUE RECEIVED

Michael E. Holladay, a married man as his sole and separate property

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Nikita Clark and Lana M. Fingarson, husband and wife

whose current address is:

10498 Hwy 95
 Payette, ID 83661

the grantee(s), the following described premises, in Payette County, Idaho, TO WIT:

See Attached Exhibit 'A'

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record. And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: March 23, 2018

x Michael E. Holladay
 Michael E. Holladay

State of ID) ss
 County of Payette)

On this 23rd day of March, 2018, before me, Kerry Frye a Notary Public in and for said state, personally appeared Michael E. Holladay, 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 same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Kerry Frye

Notary Public for the State of ID
 Residing at: Fruitland ID
 Commission Expires: 5/20/2022



Instrument # 413782

EXHIBIT 'A'

File No. 219171AM

Land in the County of Payette, Idaho, as follows:

In Assessor's Plat of North Payette, as per Plat in Book 1, Page 23, Plat Records, Payette County, Idaho:

A parcel of land in Blocks 34, 35 and 36, as follows:

A portion of Block 36, more particularly described as follows:

Beginning at the Northwest corner of the NW1/4NE1/4 of Sec. 27, Twp. 9 N., R. 5 W., B.M.;

Thence South following the West side line of said NW1/4NE1/4, 26 feet;

Thence East and parallel to the North side line of said NW1/4NE1/4, 321 feet;

Thence in a Southeasterly direction to a point 411 feet East of the West side line of said NW1/4NE1/4 and 326 feet North of the South side line of said Block 36;

Thence East and parallel to the North side line of said NW1/4NE1/4 to the West side line of a certain drainage ditch;

Thence in a Northerly direction following said West side line of a certain drainage ditch to the North side line of said NW1/4NE1/4;

Thence West following said North side line to the point of beginning;

EXCEPTING THEREFROM the following described parcel of land:

A parcel in Block 36 of the Assessor's Plat of North Payette, which plat is on file in the Office of Payette County Recorder in Book 1 of Plat Records at Page 23, being more particularly described as follows:

Commencing at the Northwest corner of said Block 36; which is the North Quarter Corner of Section 27, Township 9 North, Range 5 West, Boise Meridian;

Thence S 89°15'10" E, along the North boundary of said Block 36, a distance of 364.70 feet;

Thence S 00°41'27" W, parallel with the West boundary of said Block 36, a distance of 26.00 feet, to a point on the existing fence, which is the True Point of Beginning;

Thence S 09°14'41" E, along said fence, a distance of 161.3 feet, to an angle point in said fence line;

Thence S 18°26'47" E, along said fence, a distance of 105.4 feet to a curve;

Thence along a curve to the left having a radius of 24.9 feet with a delta of 78°10'20", a tangent of 20.2 feet and a long chord of 34.0 feet;

Thence S 89°15'10" E, along an existing fence a distance of 395.9 feet, more or less to a point 35.0 feet West of the center line of an existing drain ditch;

Thence S 53°22'58" E, a distance of 29.2 feet to the existing round fence post, which is 10 feet West, more or less, from center of drain ditch;

Thence N 89°15'10" W, along the extension of the existing East-West fence line a distance of 450.5 feet, more or less, to a point 15 feet West of the existing North-South fence line;

Thence N 18°26'14" W, parallel with said North-South fence line a distance of 144.7 feet, more or less;

Thence N 09°14'05" W, parallel with said North-South fence line a distance of 157.6 feet, to a point 26.00 feet South of the North side of said Block 36;

Thence S 89°15'10" E, a distance of 16.5 feet to the True Point of Beginning;

FURTHER EXCEPTING THEREFROM that portion conveyed to the State of Idaho, for highway purposes, by Warranty Deed recorded July 24, 1964, Rec # 121162, Records of Payette County, Idaho.

AND

A portion of Block 35, more particularly described as follows:

Beginning at a point 231 feet North and 330 feet West of the Southeast corner of the SW1/4SE1/4 of Sec. 22, Twp. 9 N., R. 5 W., B.M., (which point is identical with the point of intersection of the East side line of a certain drainage ditch with the North side line of said Block 35);

Thence West and parallel to the South side line of said SW1/4SE1/4, 446 feet, more or less, to the Easterly side line of a certain road;

Thence following said Easterly side line S. 47°15' W, to the point of intersection of the West side line of said Block 35 (which point is 97 feet North of the South side line of said SW1/4SE1/4);

Thence South 97 feet to the South side line of SW1/4SE1/4;

Thence East following said South side line of said SW1/4SE1/4, 580 feet to the East side line of said drainage ditch;

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Thence in a Northerly direction following said East side line of said ditch to the point of beginning.

AND

A portion of Block 34 described as follows:

Commencing at the Southwest corner of the SE1/4 of Sec. 22, Twp. 9 N., R. 5 W., B.M.;

Thence S 89°46'55" E along the South boundary of said SE1/4 690.98 feet;

Thence North 231 feet to the TRUE POINT OF BEGINNING;

Thence N 89°46'55" W 135.49 feet;

Thence North 5.5 feet;

Thence S 89°46'55" E 446 feet;

Thence South 5.50 feet;

Thence N 89°46'55" W 310.51 feet to said TRUE POINT OF BEGINNING.

[illegible]



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 W AIRPORT WAY • BOISE, ID 83705-5082

Phone: (208)334-2190 • Fax: (208)334-2348 • Website: www.idwr.idaho.gov

C.L. "Butch" Otter
Governor

Gary Spackman
Director

November 02, 2018

NIKITA CLARK
10498 HIGHWAY 95
PAYETTE ID 83661-5309

Re: Change in Ownership for Water Right No(s): 65-7039

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) 334-2190.

Sincerely,

Anna Kaiser
Office Specialist II

Enclosure(s)