

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
OCT 15 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?
11-4241 OK	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: Ray D. Johnson, Shirley P. Johnson
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Ben Eborn
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- Po Box 176 Paris ID 83261
Mailing address City State ZIP
- (208) 399-2350 beborn@uidaho.edu
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: 9/6/18
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: Ben Eborn 10/9/18
Signature of new owner/claimant Title, if applicable Date
- Signature: _____
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by [Signature] Date 10-15-2018 Receipt No. E044455 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 _____ Approved by [Signature] Processed by [Signature] Date 10/24/2018

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

WATER RIGHT NO. 11-4241

Priority Date: 03/21/1889
Basis: Statutory Claim
Status: Active

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	8/30	0.5 CFS	
Total Diversion			0.5 CFS	

OVID CREEK|NENW|Sec. 23|Township 13S|Range 43E|BEAR LAKE County

Place of Use Legal Description: IRRIGATION BEAR LAKE County

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
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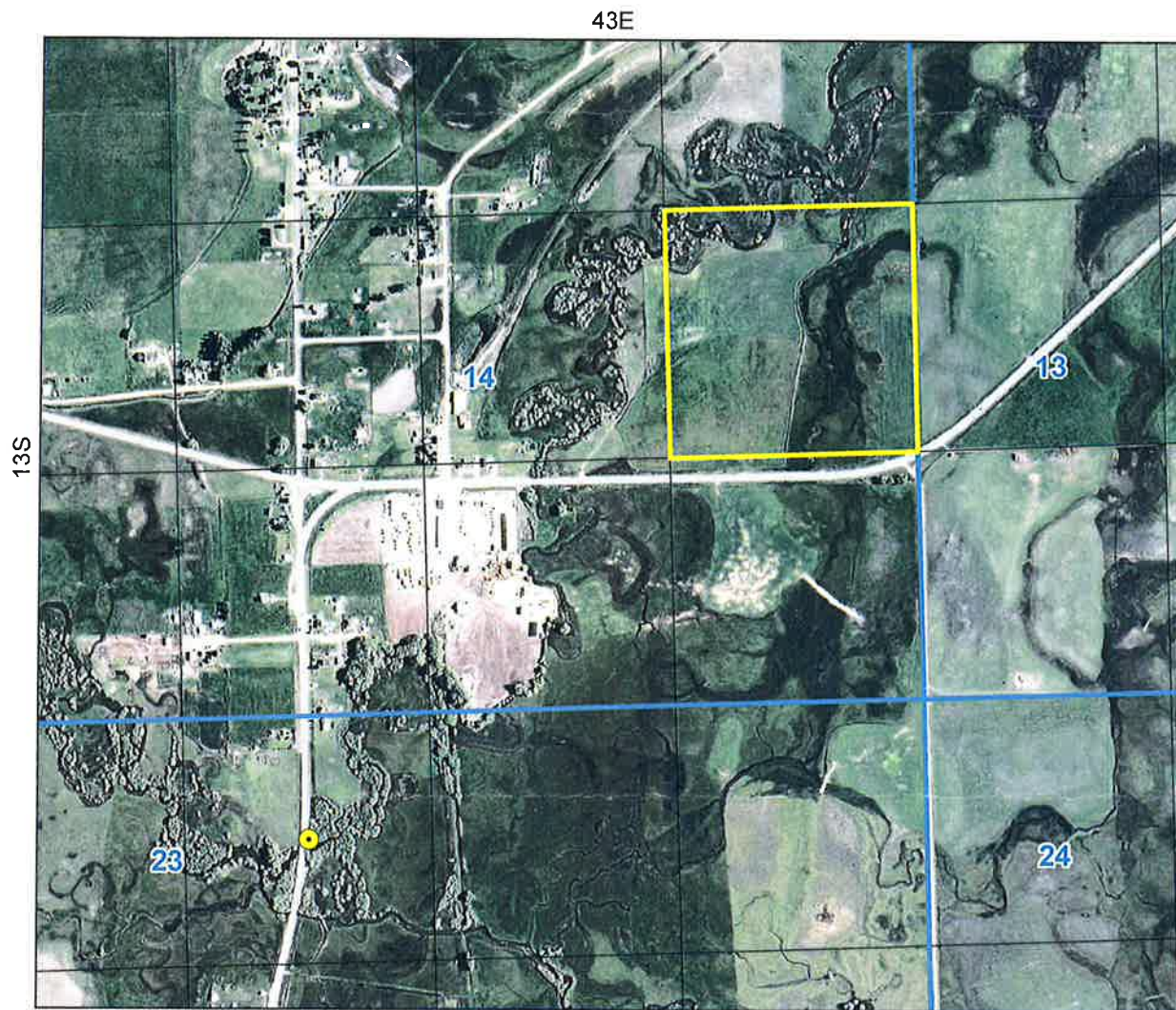
State of Idaho
Department of Water Resources

Water Right

11-4241

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.1 0.2 0.4 Miles



RECORDING REQUESTED BY
First American Title Company

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

Instrument # 227701

BEAR LAKE COUNTY

9-7-2018 08:37:44 AM No. of Pages: 4

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.: **683749-MON (ab)**

Date: **September 05, 2018**

For Value Received, **Rex Johnson and S. Dee Johnson, husband and wife**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Ben Eborn, a married man as his sole and separate property**, hereinafter called the Grantee, whose current address is **PO Box 176, Paris, ID 83261**, 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.

227701

Date: 09/05/2018

Warranty Deed
- continued

File No.: 683749-MON (ab)

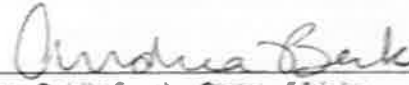

Rex Johnson


S. Dee Johnson

STATE OF Idaho)
COUNTY OF Bear Lake)
SS

On this **Sixth day of September, 2018**, before me, a Notary Public in and for said State, personally appeared **Rex Johnson and S. Dee Johnson**, 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

RECORDING REQUESTED BY
First American Title Company

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

Instrument # 227701

BEAR LAKE COUNTY

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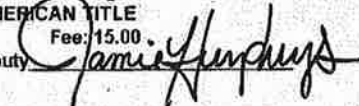
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Date: 09/05/2018

Warranty Deed
- continued

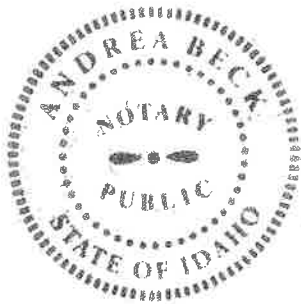
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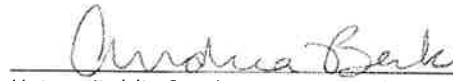

Rex Johnson


S. Dee Johnson

STATE OF Idaho)
COUNTY OF Bear Lake)
ss.

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Notary Public for the State of Idaho
Residing at: Ovid, ID
My Commission Expires: 6/27/2019

Date: 09/05/2018

Warranty Deed
- continued

File No.: 683749-MON (ab)

EXHIBIT A

Commencing at a point 100.56 feet South and 1600.50 feet South 85° West (previously incorrectly described as North 85° West) from the Northeast Corner of the Southeast Quarter of Section 14, Township 13 South, Range 43 East of the Boise Meridian in Idaho, and running thence North 85° East 1600.50 feet (previously incorrectly described as South 85° East); thence South 1200.31 feet; thence North 89°50' West 2000.23 feet to the East bank of North Creek; thence down the East bank of said creek 900.47 feet; thence in Westerly direction across said creek and following its winding on the West side of channel about 800 feet to the place of beginning.

EXCEPT: Any portion lying within US Highway 89

ALSO EXCEPT: That portion conveyed to the State of Idaho for a public highway as described in that certain Right of Way Deed shown in Book 32 of Deeds, page 318, as Instrument No. 38272, records of Bear Lake County, Idaho, and more particularly described as: An irregular shaped piece of land lying situate on the Northwesterly side of the following described centerline of said highway as surveyed and shown on the official plat of the Bear Lake (F.A.P. 97-A) South Section Highway Survey on file in the office of the Department of Public Works of the State of Idaho, and lying in the NE¼SE¼ of Section 14, Township 13 South, Range 43 East, Boise Meridian, and commencing at Station 201-62 which Station is a point on curve approximately 1325 feet South from the East Quarter Corner of Section 14, Township 13 South, Range 43 East, Boise Meridian; thence running North along the East boundary of Section 14, 20 feet to the Real Point of Beginning; thence continuing in the same direction for 40 feet; thence Southwesterly along a curve of radius 1096.0 feet for a distance of 153 feet; thence South 89°35' East for 114 feet; thence North 48°41' East 37 feet to the real Point of Beginning.

ALSO EXCEPT: That portion conveyed to the State of Idaho for a public highway as described in that certain Right of Way Deed shown in Book 32 of Deeds, page 320, as Instrument No. 38276, records of Bear Lake County, Idaho, and more particularly described as: That portion of a strip of land 50 feet wide, being 50 feet on the Northerly side of the following described center line of said highway as surveyed, and shown on the official plat of the Bear Lake (F.A.P. 97-E) South Section Highway on file in the office of the Department of Public Works of the State of Idaho, and lying in the SE¼SE¼ of Section 14, Township 13 South, Range 43 East, Boise Meridian, and beginning at Station 196-15.8 of said Highway Survey, which station is a point of curvature approximately 1440 feet South and 530 feet West from the East Quarter Corner of Section 14, Township 13 South, Range 43 East of the Boise Meridian; thence running Easterly 414.2 feet with a 5°00' curve left, said curve having a central angle of 41°44' left to Station 200-30 which Station is a point on curve approximately 1368 feet South and 120 feet West from the East Quarter Corner of Section 14, Township 13 South, Range 43 East, Boise Meridian.

ALSO EXCEPT a certain piece of land lying situate adjacent to and on the Northerly side of said center line described as follows: Beginning at Station 200-30; thence Northeasterly 85 feet along a 5°00' curve left to Station 201-15; thence North 48°41' East 20 feet; thence North 89°35' West 114 feet; thence South 22°30' East and perpendicular to center line at Station 200-30 for 50 feet to the Point of Beginning.

ALSO EXCEPT a certain piece of land lying situate adjacent to and on the Southerly side of said center line described as follows: Beginning at Station 199-65; thence Northeasterly 150

227701

Date: 09/05/2018

Warranty Deed
- continued

File No.: 683749-MON (ab)

feet along a 5°00' curve left to Station 201-15; thence South 48°41' West 45 feet; thence South 64°10' West 70 feet; thence North 89°35' West 40 feet to the Point of Beginning.

ALSO EXCEPT any portion lying within the following described parcel:

A parcel of land located in Section 14, Township 13 South, Range 43 East, Boise Meridian, Ovid, Bear Lake County, Idaho, and further described as follows:

Beginning at the East Quarter Corner of said Section 14, located South 00°15'34" West 2633.93 feet from the Northeast corner of said Section, the True Point Of Beginning; Thence South 00°09'15" West 155.74 feet along the East line of said Section to a 5/8" rebar with cap; (South 158.4 feet by record); Thence North 83°03'24" West 12.00 feet to a 5/8" rebar with cap set at a fence corner, Thence South 84°52'22" West 700.27 feet along a fence line to a 5/8" rebar with cap; Thence North 00°15'29" East 1399.01 feet to a 5/8" rebar with cap set on a fence line; Thence North 58°21'49" East 83.54 feet to a 5/8" rebar with cap; Thence North 60°46'33" East 172.18 feet to a 5/8" rebar with cap; Thence North 63°01'55" East 152.42 feet to a 5/8" rebar with cap; Thence North 64°43'35" East 126.21 feet to a 5/8" rebar with cap; Thence North 66°28'14" East 126.61 feet to a 5/8" rebar with cap; Thence North 68°44'24" East 124.89 feet to a 5/8" rebar with cap; Thence South 07°20'27" East 49.77 feet to a 5/8" rebar with cap set on the East line of said Section 14; Thence South 00°15'34" West 1479.50 feet to the True Point of Beginning.

ALSO EXCEPT any portion lying within the following described parcel:

A parcel of land located in Section 14, Township 13 South, Range 43 East, Boise Meridian, Ovid, Bear Lake County, Idaho, and further described as follows:

BEGINNING at the East quarter corner of said Section 14, located South 00°15'34" West 2633.93 feet from the Northeast corner of said Section; thence South 216.87 feet; thence West 709.80 feet to a 5/8" rebar with cap labeled "A.A. HUDSON, PLS 4735" set on a fence line, the TRUE POINT OF BEGINNING; following a fence line the next 3 courses; thence South 84°52'22" West 412.21 feet to a 5/8" rebar with cap; thence South 85°09'20" West 368.42 feet to a 5/8" rebar with cap; thence South 88°46'26" West 109.03 feet to a 5/8" rebar with cap; thence North 00°15'40" East 1142.03 feet to a 5/8" rebar with cap set on fence line; thence North 61°38'29" East 191.47 feet to a 5/8" rebar with cap; thence North 86°02'29" East 157.02 feet to a 5/8" rebar with cap; thence North 89°10'11" East 122.83 feet to a 5/8" rebar with cap; thence North 82°05'04" East 89.78 feet to a 5/8" rebar with cap; thence North 72°08'46" East 73.01 feet to a 5/8" rebar with cap; thence North 56°07'08" East 338.95 feet to a 5/8" rebar with cap; thence South 00°15'29" West 1399.01 feet to the True Point of Beginning.



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

C.L. "Butch" Otter
Governor

Gary Spackman
Director

October 24, 2018

BEN EBORN
PO BOX 176
PARIS ID 83261-0176

Re: Change in Ownership for Water Right No(s): 11-4241

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