

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

OCT 24 2018

DEPT OF WATER RESOURCES
SOUTHERN 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?
36-08686	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: Lynn & Kathy Babington

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Thomas & Anna Simmons

New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or ☐ and/or

2825 South 1050 East

Bozeman

ID

83332

Mailing address

City

State

ZIP

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: September 25, 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: Thomas Simmons

Signature of new owner/claimant

Title, if applicable

Date

9-28-18

Signature: Anna Simmons

Signature of new owner/claimant

Title, if applicable

Date

9-28-18

For IDWR Office Use Only:

Received by Am

Date 10-24-2018

Receipt No. SO37011

Receipt Amt. \$25-

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 Am

Date 10-24-2018

Case No. 71814sm

TitleFact, Inc.
163 Fourth Avenue North
P.O. Box 486
Twin Falls, Idaho 83303

**** SPACE ABOVE FOR RECORDER ****

Instrument # 263047
GOODING COUNTY, GOODING, IDAHO
10-01-2018 10:42:29 No. of Pages: 1
Recorded for: TITLEFACT, INC.
DENISE GILL Fee: \$16.00
Ex-Officio Recorder Deputy: JM
Electronically Recorded by Simplifile

ELECTRONICALLY RECORDED - DO NOT
REMOVE THE COUNTY STAMPED FIRST
PAGE AS IT IS NOW INCORPORATED AS
PART OF THE ORIGINAL DOCUMENT.

WARRANTY DEED

FOR VALUE RECEIVED **Lynn J. Babington and Kathy L. Babington, husband and wife**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Thomas Simmons and Anna Simmons, husband and wife**, hereinafter called Grantee, whose address is:

2825 South 1050 East Hagerman, Idaho 83322, the following described premises in Gooding County, Idaho; to-wit:

Township 7 South, Range 13 East of the Boise Meridian, Gooding County, Idaho
Section 25: A parcel of land located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, more particularly described as follows:
BEGINNING at the North quarter corner of said Section 25;
THENCE South 0°11'54" West along the center section line of Section 25 1302.73 feet and the TRUE POINT OF BEGINNING;
THENCE North 89°54' West along the existing fence line 500.00 feet;
THENCE South 89°52'44" West along the existing fence line 496.23 feet;
THENCE North 37°35'19" East 121.02 feet;
THENCE North 61°20'33" East 336.95 feet to the approximate center line of a drain ditch;
THENCE along the center of the drain ditch on the following courses:
South 84°39'16" East 227.35 feet;
South 70°05'21" East 97.37 feet;
South 47°04'03" East 63.07 feet;
North 69°29'54" East 102.33 feet;
South 71°10'14" East 91.40 feet;
South 38°11'32" East 52.61 feet;
THENCE North 89°59'59" East 48.20 feet;
THENCE South 0°11'54" West 125.00 feet and the TRUE POINT OF BEGINNING

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and 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 they are free from all encumbrances except as described above; and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: September 25, 2018

Lynn J. Babington
Lynn J. Babington
Kathy L. Babington
Kathy L. Babington

* * * * *

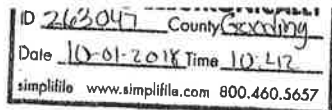
STATE OF IDAHO
County of Twin Falls

On this 26 day of September, 2018, before me, a Notary Public in and for said State, personally appeared Lynn J. Babington and Kathy L. Babington, known or identified to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and official seal the day and year first above written.

Susan Moore
Notary Public for Idaho
Residing at Twin Falls
Commission expires 11-28-2020





Case No. 71814sm

TitleFact, Inc.
163 Fourth Avenue North
P.O. Box 486
Twin Falls, Idaho 83303

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Dated: September 25, 2018

Lynn J. Babington
Lynn J. Babington

Kathy L. Babington
Kathy L. Babington

STATE OF IDAHO
County of Twin Falls

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Susan M. Moore
Notary Public for Idaho
Residing at Twin Falls
Commission expires 11-28-2020





State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 ADDISON AVE W STE 500 • TWIN FALLS, ID 83301-5858
Phone: (208)736-3033 • Fax: (208)736-3037 • Website: www.idwr.idaho.gov

C.L. "Butch" Otter
Governor

Gary Spackman
Director

October 24, 2018

THOMAS SIMMONS
ANNA SIMMONS
2825 S 1050 E
HAGERMAN ID 83332-5835

Re: Change in Ownership for Water Right No(s): 36-8686

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) 736-3033.

Sincerely,

Denise Maline
Administrative Assistant I

Enclosure(s)

c: TitleFact Inc., Twin Falls ID
Water District 36A