

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

SEP 10 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?
37-444	Yes ☒	Yes ☐		Yes ☐	Yes ☐
37-2541	Yes ☒	Yes ☐			Yes ☐
37-7636A	Yes ☒	Yes ☐	37-444 (split into 37-444 & 37-22994),		Yes ☐
37-446	Yes ☐	Yes ☐	37-2541 (Split into 37-2541 & 37-22995),		Yes ☐
	Yes ☐	Yes ☐	37-7636A (Split into 37-7636 & 37-22996)		Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: H. Philip Cash and Debra Cash
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Judy Cash
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- P.O. Box 880 Bellevue ID 83313
Mailing address City State ZIP
(208) 788-6253 sunlandinvestments@gmail.com
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: 28 June 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.

SUPPORT DATA

IN FILE # 37.444

8. Signature: Robert L. Harris Attorney Sept. 10, 2018
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 _____ Date 12/28/15 Receipt No. 5035169 Receipt Amt. \$325.-
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 9/19/2018

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Robert L. Harris, Esq.
Holden, Kidwell, Hahn & Crapo, PLLC
PO Box 50130
Idaho Falls, ID 83405-0130

CAMAS COUNTY
Recorded for:
OLDEN KIDWELL HAHN & CRAPO
9:08:56 am 07-23-2018
2018-088426
No. Pages: 2 Fee: \$15.01
KORRI BLODGETT
County Clerk
Deputy: KBLODGETT

(Space Above for Recorder's Use)

QUITCLAIM DEED FOR WATER RIGHT

THIS INDENTURE is made this 28th day of June, 2018, between **H. Philip Cash and Debra Cash**, husband and wife, together referred to herein as the "GRANTOR" and Judy Cash, a single woman, whose mailing address is P.O. Box 880, Bellevue, Idaho 83313, referred to herein as the "GRANTEE".

WITNESSETH, that the GRANTOR, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) lawful money of the United States of America and other good and valuable consideration to GRANTOR, in hand paid by the GRANTEE, the receipt whereof is hereby acknowledged, does by these presents remise, release, and forever QUITCLAIM unto the GRANTEE, and to GRANTEE's successors and assigns forever, all right, title and interest now owned or hereafter acquired by the Grantor in all the following described water rights or portions thereof in the County of Camas, State of Idaho, to-wit:

The portions of Water Right Nos. 37-444, 37-2541, and 37-7636A (whether for irrigation, stockwater, or domestic uses), appurtenant to and located upon the following described property:

T1S, R15E, BM	§ 27	NW ¹ / ₄ NW ¹ / ₄
T1S, R15E, BM	§ 27	NW ¹ / ₄ SW ¹ / ₄
T1S, R15E, BM	§ 27	SE ¹ / ₄ NW ¹ / ₄
T1S, R15E, BM	§ 28	NW ¹ / ₄ NE ¹ / ₄
T1S, R15E, BM	§ 28	NW ¹ / ₄ SE ¹ / ₄
T1S, R15E, BM	§ 28	SE ¹ / ₄ NE ¹ / ₄
T1S, R15E, BM	§ 28	SE ¹ / ₄ SE ¹ / ₄

TOTAL AUTHORIZED ACRES (180 authorized acres for irrigation)

In total, this conveys to GRANTEE the following:

Water Right No. 37-444: Irrigation: 2 CFS; 157 acres of irrigation
Stockwater: 0.01 CFS

Water Right No. 37-2541: Irrigation: 0.1 CFS; 17.5 AFA; 5 acres of irrigation
Domestic: 0.02 CFS; 0.6 AFA

Water Right No. 37-7636A: Irrigation: 1.2 CFS; 459 AFA; 153 acres of irrigation

TOGETHER, with the tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining, and any reversions, remainders, or rents, issues and profits therefrom.

TO HAVE AND TO HOLD the said water rights unto the GRANTEE, and to GRANTEE's successors and assigns forever.

In construing this Quitclaim Deed and where the context so requires, the singular includes the plural.

"GRANTOR"

H. Philip Cash
H. Philip Cash

Debra Cash
Debra Cash

State of IDAHO)
)
County of Twin Falls)

This record was acknowledged before me on this 28 day of June, 2018, by H. Philip Cash.

State of IDAHO
County of Twin Falls



Jessica Nielsen
Signature of Notary Public
My commission expires 4/3/24

This record was acknowledged before me on this 28 day of June, 2018, by Debra Cash.



Jessica Nielsen
Signature of Notary Public
My commission expires 4/3/24

FILED

Signed: 1/23/2018 03:39 PM

Date / Time:

KORRI BLODGETT
CLERK OF THE DISTRICT COURT

By:

[Signature]

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF CAMAS

JUDY CASH, an unmarried woman,

Petitioner,

v.

PHILIP CASH and DEBRA CASH, husband
and wife, and Does 1-5, unknown persons
who may claim interest,

Respondents.

Case No. CV-2016-02

JUDGMENT

Supreme Court No. 45804

JUDGMENT IS ENTERED AS FOLLOWS:

- 1) Petitioner's *Petition to Quiet Title* is hereby GRANTED as to the following
described property (the "Property"):

TOWNSHIP 1 SOUTH, RANGE 15 EAST of the Boise Meridian, Camas
County, Idaho.

Section 28: SE $\frac{1}{4}$ of the SE $\frac{1}{4}$; NW $\frac{1}{4}$ of the SE $\frac{1}{4}$; NW $\frac{1}{4}$ of the NE $\frac{1}{4}$; and SE $\frac{1}{4}$ of
the NE $\frac{1}{4}$.

Section 27: NW $\frac{1}{4}$ of the NW $\frac{1}{4}$; NW $\frac{1}{4}$ of the SW $\frac{1}{4}$; and SE $\frac{1}{4}$ of the NW $\frac{1}{4}$.

EXCEPTING THEREFROM the following described parcel of land:

BEGINNING at the Northeast corner of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 27; thence N
89°29'26" W, a distance of 427.89 feet; thence S 0°25'17" W, a distance of
714.45 feet; thence S 89°29'26" E, a distance of 427.89 feet; thence N 0°25'17" E,
a distance of 714.45 feet to the POINT OF BEGINNING.

FILED - ORIGINAL

MAR -6 2018

Supreme Court Court of Appeals
Entered on ATS by *l.c.g.*

Title to the Property is quieted in Petitioner, Judy Cash ("Judy"). The counterclaim filed by Respondents Philip and Debra Cash (the "Cashes"), seeking to quiet title to the Property, is DENIED and DISMISSED.

2) Judy's claim to water right number 37-446 (the "Stockwater Right"), appurtenant to the NWNW, Section 27, Township 1 South, Range 15 East, Camas County, is GRANTED. Title to the Stockwater Right is quieted in Judy. Likewise, the counterclaim filed by the Cashes, seeking to quiet title to the Stockwater Right, is DENIED and DISMISSED.

3) Count II of the Cashes' counterclaim to quiet title as to water right numbers 37-444, 37-2541, and 37-7636A, as well as all of the 280 shares of Twin Lakes Reservoir & Irrigation Company as represented by stock certificate no. 581 (the "Water Entitlements") is GRANTED. Title to the Water Entitlements is quieted in the Cashes. Judy's claim, seeking to quiet title to the Water Entitlements, is DENIED and DISMISSED.

4) Count I of the Cashes' *Second Amended Response and Counterclaim*, is DISMISSED WITH PREJUDICE.

5) Counts III, IV, V, and VI of the Cashes' *Second Amended Response and Counterclaim*, are DISMISSED WITHOUT PREJUDICE and the Cashes retain the right to refile their claims pursuant to the parties' *Stipulation to Dismiss Respondents' Counterclaims Without Prejudice, Vacate the Trial, and for Entry of Final Judgment*.

6) The parties shall bear their own attorney's fees and costs.

Dated January 23, 2018.


ERIC J. WILOMAN
District Judge

Certificate of Service

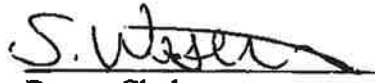
I HEREBY CERTIFY that on this 23rd day of January, 2018, a true and correct copy of the foregoing ORDER was delivered to:

Robert L. Harris
D. Andrew Rawlings
Holden Kidwell Hahn & Crapo PLLC
P.O. Box 50130
Idaho Falls, Idaho 83405
rharris@holdenlegal.com
arawlings@holdenlegal.com

☐ U.S. Mail, Postage Prepaid
☐ Hand Delivered
☐ Overnight Mail
☒ E-Mail

Travis L. Thompson
Scott A. Magnuson
BARKER ROSHOLT & SIMPSON LLP
163 2nd Avenue West
P.O. Box 63
Twin Falls, Idaho 83303-0063
Facsimile: (208) 735-2444
Email: tlt@idahowaters.com
sam@idahowaters.com

☐ U.S. Mail, Postage Prepaid
☐ Hand Delivered
☐ Overnight Mail
☒ E-Mail


Deputy Clerk



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

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

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

February 1, 2016

JUDY CASH
PO BOX 880
BELLEVUE ID 83313

RE: Ownership of Water Rights 37-446, 37-22994, 37-22995 and 37-22996

Dear Ms. Cash,

On December 28, 2015, the Department of Water Resources received a request for a change of ownership for water rights, 37-444, 37-446, 37-2541 and 37-7636A. These rights, except 37-446, were to be split. An acknowledgement letter confirming the change was sent to you with a copy to H Phillip Cash on January 7, 2016. On January 21, 2016, the Department received a letter from Barker, Rosholt & Simpson, LLP, a law firm, on behalf of H Phillip Cash contesting the change of ownership.

Because this ownership change is being contested, the Department is withdrawing the split of the water rights and returning the ownership to H Phillip Cash. Water Rights 37-22994, 37-22995 and 37-22996 are no longer valid water rights and ownership of 37-446 is being returned to H Phillip Cash. Disputes over ownership of water rights can only be resolved by a court. The Department recommends you contact an attorney to discuss the matter.

If you have any questions regarding this letter, please contact the Department at 208-287-4800.

Sincerely,

A handwritten signature in cursive script, reading "Jean Hersley".

Jean Hersley
Technical Records Specialist II

c: Barker, Rosholt & Simpson LLP
H Phillip Cash

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED
DEC 28 2015
DEPT OF WATER RESOURCES
SOUTHERN REGION

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?
37-7636A <u>22946</u>	Yes ☒	Yes ☐		Yes ☐	Yes ☐
37-2541 <u>22945</u>	Yes ☒	Yes ☐		Yes ☐	Yes ☐
37-444 <u>22944</u>	Yes ☒	Yes ☐		Yes ☐	Yes ☐
37-446	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: H Philip Cash
Name of current water right holder/claimant

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

P.O. Box 880 Bellevue ID 83313
Mailing address City State ZIP
208-788-6523 sunlandinvestments@gmail.com
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: March 27, 2002

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.

SUPPORT DATA

FILE # 37-444

8. Signature: Judy Cash
Signature of new owner/claimant

Title, if applicable

Date: 12-28-15

Signature: _____
Signature of new owner/claimant

Title, if applicable

Date: JAN 07 2016

For IDWR Office Use Only:

Received by B. White Date 12/28/15 Receipt No. 5035169 Receipt Amt. \$325.00
 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 gmh Date 1-7-16

QUITCLAIM DEED

For Value Received **Phil Cash**

do hereby convey, release, remise and forever quit claim unto

Judy Cash, an unmarried woman

whose address is: P.O. Box 880, Bellevue, ID 83313

Hereinafter called the Grantee, the following described premises situated in Blaine County, Idaho, to-wit:

See Attached Exhibit 'A'

075110

Recorded at the Request of
First American
at 9:25 AM
on April 1st, 2002
In Book 33 Page 49
of Deeds
RODIE BENNETT
CAMAS COUNTY RECORDER
By Kogge Blodgett
Fees \$ 10.00

together with their appurtenances.

Dated: March 27, 2002

Phil Cash
Phil Cash

STATE OF Idaho)

)ss.

COUNTY OF Blaine)

On this 28th day of March, In the year of 2002 before me, personally appeared
Phil Cash, known or identified to me, to be the person(s) whose
name(s) is subscribed to the within instrument, and acknowledged to me that he executed the same.

[Signature]
Notary Public of Idaho
Residing at: Ketchum, Idaho
Commission Expires: 8/27/2007

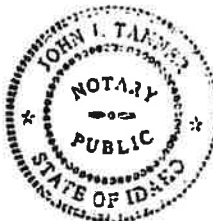


EXHIBIT 'A'

Township 1 South, Range 15 East of the Boise Meridian, Camas County, Idaho.

Section 28: SE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$ & SE $\frac{1}{4}$ NE $\frac{1}{4}$

Section 27: NW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ & SE $\frac{1}{4}$ NW $\frac{1}{4}$.

EXCEPTING THEREFROM the following described parcel of land:

BEGINNING at the Northeast corner of the NW $\frac{1}{4}$;
thence due West 428 feet;
thence due South 2,036 feet;
thence due East 428 feet;
thence due North 2,036 feet to the POINT OF BEGINNING.

HAC



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

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

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

January 7, 2016

JUDY CASH
PO BOX 880
BELLEVUE ID 83313

Re: Change in Water Right Ownership: Water Right No. 37-444 (Split into 37-444 and 37-22994), 37-446, 37-2541 (Split into 37-2541 and 37-22995), 37-7636A (Split into 37-7636A and 37-22996)

Dear Water Right Holder(s):

The Department acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records based on the information received to reflect the change in ownership and has enclosed a computer-generated report for your records.

Your portion of these water rights has a specified point of diversion, nature of use and place of use. If you plan on changing the nature of use, place of use, or point of diversion under this right, including adding a new point of diversion, then an Application for Transfer on your portion of this right is required. Please contact this office for further information on the Application for Transfer form or you can find the forms at www.idwr.idaho.gov. If you do not plan on changing any items on your water right, then no further action is required at this time.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing an ownership change notice, the department does not review the history of water use to determine if the right has been forfeited 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 Sections 42-222 and 42-223, Idaho Code.

Please feel free to contact me at 208-287-4942 if you have any questions concerning the enclosed information or this letter.

Sincerely,

A handwritten signature in cursive script that reads "Jean Hersley".

Jean Hersley
Technical Records Specialist II

Enclosure

c: Water District No. 37B



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

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

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

January 7, 2016

H PHILIP CASH
607 E 200 S
FAIRFIELD ID 83327

Re: Change in Water Right Ownership: Water Right No. 37-444 (Split into 37-444 and 37-22994),
37-2541 (Split into 37-2541 and 37-22995), 37-7636A (Split into 37-7636A and 37-22996)

Dear Water Right Holder(s):

We have received and processed a Change of Ownership for a portion of your original Water Right as referenced above. This change of ownership resulted in a split of your original water right.

When a portion of the original water right has been conveyed to another and the original right has been split, a new water right number is issued to the new owner representing their portion of the original water right. Each water right contains only the portion of the original right for each separate owner. The original water right number reflects your remaining portion of the water right, after the change of ownership. Enclosed is a copy of this water right for your records. Please refer to your water right number when corresponding with our office.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing an ownership change notice, the department does not review the history of water use to determine if the right has been forfeited 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 Sections 42-222 and 42-223, Idaho Code.

If you have any questions concerning this ownership change, or the enclosed information, please contact me at 208-287-4942.

Sincerely,

Jean Hersley
Technical Records Specialist II

Enclosure

c: Water District No. 37B



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N Skyline Dr., Ste A, Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 FAX: (208) 525-7177 www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

September 21, 2018

Judy Cash
Po Box 880
Bellevue ID 83313

RE: Change of Ownership for Water Rights 37-444 (split into 37-444 & 37-22994), 37-2541 (Split into 37-2541 & 37-22995), 37-7636A (Split into 37-7636 & 22996) & 37-446 (No Split Required)

Dear Water Right Holder:

The department acknowledges receipt of correspondence changing ownership and splitting the above referenced water right. The department has modified its records to reflect the changes and has enclosed computer-generated reports for your records.

Your portion of the water right has a specified point of diversion, nature of use and place of use. If you plan on changing any of these, including adding a new point of diversion, then an Application for Transfer on your portion of this right is required. If you do not plan on changing any items on your water right, then no further action is required at this time.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing an ownership change notice, the department does not review the history of water use to determine if the right has been deliberately abandoned or forfeited 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 Sections 42-222 and 42-223, Idaho Code.

Please note that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.idaho.gov.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,

Jonie Barg
Technical Records Specialist

Enclosures

cc: Water District 37B
H Phillip Cash
Holden Kidwell Hahn Crapo



Holden Kidwell
Hahn & Crapo P.L.L.C.
L A W O F F I C E S

RECEIVED
SEP 10 2018
Department of Water Resources
Eastern Region

1000 Riverwalk Drive, Suite 200
PO Box 50130
Idaho Falls, Idaho 83405

Tel: (208) 523-0620
Fax: (208) 523-9518
www.holdenlegal.com

Email: rharris@holdenlegal.com

September 10, 2018

Idaho Department of Water Resources
Attn: Jonie Barg
900 North Skyline Drive, Suite A
Idaho Falls, ID 83402-1718

RE: Notice of Change in Water Right Ownership for Water Right Nos. 37-444, 37-2541, and 37-7636A in the Name of Judy Cash.

Dear Jonie:

Enclosed for processing is a *Notice of Change in Water Right Ownership* for the above referenced rights (the "Rights"). Currently, IDWR lists H. Philip Cash as the owner of the Rights. The ownership of portions of the Rights appurtenant to quarter-quarters owned by Judy Cash (and listed on the attached *Quitclaim Deed for Water Right*) was litigated *Cash v. Cash*, Camas County Case No. CV-2016-02 (the "Case"). The Case determined that while Judy Cash owned the quarter-quarters in question, the portions of the Rights appurtenant to those quarter-quarters remained with H. Philip Cash. Judy Cash was appealing this determination, Idaho Supreme Court No. 45804, when the parties were able to settle the matter. As part of that settlement, H. Philip Cash executed the attached *Quitclaim Deed for Water Right*, which conveyed those portions of the Rights appurtenant to Judy Cash's quarter-quarters to Judy Cash. Therefore, there should be no issues in splitting the Rights and updating the ownership for her portion of the split Rights to Judy Cash.

Additionally, there is a stockwater right (37-446) that in the final judgment on this matter was decreed in Judy Cash's name. I have included a copy of Judgment, and the ownership of 37-446 is addressed in paragraph 2.

As we previously discussed, Judy Cash submitted a prior ownership change and paid the requisite \$325.00 filing fee (evidenced by receipt SO35169). The decision to split ownership was reversed once notice was provided to IDWR from H. Philip Cash of the ownership dispute. Now that the ownership dispute has been resolved, the water rights can be updated as described on the attached form, and there is no need to resubmit the filing fee. With all of these documents, we believe you can update the ownership accordingly. If you have any questions or concerns, or need any other information, please do not hesitate to give us a call.

Established in 1896

Idaho Department of Water Resources
September 10, 2018
Page 2 of 2

Best Regards,



Robert L. Harris
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

Enclosures

G:\WPDATA\RLH\19811-000 Cash, Judy_01 APPEAL\NCWRO Letter.docx