

# SUPERSEDED

See May, 2021 *Corrected*  
Ownership Change documents  
under 2-4028 for current  
water right information.

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

RECEIVED

JAN 11 2016

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? |
|-----------------------|-----------------------------------------|------------------------------|-----------------------|------------------------------|------------------------------|
| 2-4028                | Yes <input checked="" type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/>            | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/>            | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/>            | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/>            | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |

2. Previous Owner's Name: Jim A. Duggan  
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Jay R. Tschannen  
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 53 Bell Rapids Road 1802 Orchard E. Hagerman Twin Falls ID 83332 83301  
Mailing address City State ZIP
- 208-316-1483 jtschannen@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: \_\_\_\_\_
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: Jay Tschannen 1-7-2016  
Signature of new owner/claimant Title, if applicable Date
- Signature: \_\_\_\_\_  
Signature of new owner/claimant Title, if applicable Date

SUPPORT DATA

IN FILE #

2-4028

### For IDWR Office Use Only:

Received by \_\_\_\_\_ Date \_\_\_\_\_ Receipt No. \_\_\_\_\_ Receipt Amt. \_\_\_\_\_

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 \_\_\_\_\_ Date \_\_\_\_\_

**RECORDING REQUESTED BY**  
First American Title Company

**AND WHEN RECORDED MAIL TO:**  
First American Title Company  
301 Main Street  
Gooding, ID 83330

**TWIN FALLS COUNTY**  
RECORDED FOR:  
FIRST AMERICAN TITLE - TWIN F/  
03:44:48 PM 01-07-2016  
**2016000322**  
NO. PAGES 3 FEE: \$16.00  
KRISTINA GLASCOCK  
COUNTY CLERK  
DEPUTY: BH  
Electronically Recorded by Simplifile

Space Above This Line for Recorder's Use Only

## **WARRANTY DEED**

File No.: **570966GO (smb)**

Date: **November 19, 2015**

For Value Received, **Wright Dwight Duggan, as Personal Representative of the Estate of Mac Carrol Duggan, deceased**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Jay R. Tschannen, a single man**, hereinafter called the Grantee, whose current address is **1802 Orchard East, Twin Falls, ID 83301**, the following described premises, situated in **Twin Falls County, Idaho**, to-wit:

**PARCEL 1:**

**A PARCEL OF LAND LOCATED IN PART OF GOVERNMENT LOT 8 IN SECTION 1, TOWNSHIP 8 SOUTH, RANGE 13 EAST, BOISE MERIDIAN, TWIN FALLS COUNTY, IDAHO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 1 AND BEING A 1967 BLM BRASS CAP FROM WHICH A 1967 BLM BRASS CAP MARKED AS AP 1996 BEARS NORTH 01°03'12" EAST 2184.54 FEET;**

**THENCE NORTH 01°03'12" EAST ALONG THE WESTERLY BOUNDARY OF SECTION 1 FOR A DISTANCE OF 1,309.43 FEET TO THE SOUTH SIXTEENTH CORNER COMMON TO SECTIONS 1 AND 2 AND BEING A 1984 BLM ALUMINUM CAP;**

**THENCE SOUTH 89°25'18" EAST ALONG THE SOUTHERLY BOUNDARY OF THE NW¼SW¼ OF SAID SECTION 1 FOR A DISTANCE OF 1,347.01 FEET TO A FOUND ½ INCH REBAR AND BEING THE SOUTHWEST CORNER OF GOVERNMENT LOT 8 OF SAID SECTION 1;**

**THENCE NORTH 00°39'03" EAST ALONG THE WESTERLY BOUNDARY OF SAID GOVERNMENT LOT 8 FOR A DISTANCE OF 897.45 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY OF OLD UNITED STATES HIGHWAY #30 AND BEING A FOUND ½ INCH REBAR & CAP (LS843);**

**THENCE SOUTH 63°57'50" EAST ALONG SAID SOUTHERLY RIGHT OF WAY FOR A DISTANCE OF 118.56 FEET;**

**THENCE CONTINUING ALONG SAID SOUTHERLY RIGHT OF WAY ON THE ARC OF A NON-TANGENT CURVE TO THE RIGHT FOR A DISTANCE OF 323.91 FEET, HAVING A RADIUS OF 547.96 FEET, A CENTRAL ANGLE OF 33°52'07" AND A LONG CHORD WHICH BEARS SOUTH 46°56'07" EAST – 319.21 FEET TO A FOUND ½ INCH REBAR WITH CAP (ILLEGIBLE) AND BEING THE POINT OF BEGINNING;**

**THENCE SOUTH 30°00'03" EAST CONTINUING ALONG SAID SOUTHERLY RIGHT OF WAY FOR A DISTANCE OF 232.39 FEET TO A FOUND ½ INCH REBAR & CAP (LS843);**

**THENCE SOUTH 49°39'45" WEST FOR A DISTANCE OF 105.74 FEET;**

**THENCE NORTH 40°20'15" WEST FOR A DISTANCE OF 73.41 FEET TO A FOUND ½ INCH REBAR WITH CAP (ILLEGIBLE);**

**THENCE SOUTH 83°17'58" WEST FOR A DISTANCE OF 76.45 FEET TO A FOUND ½ REBAR WITH CAP (LS1000);**

**THENCE NORTH 79°45'57" WEST FOR A DISTANCE OF 44.42 FEET TO A FOUND ½ INCH REBAR WITH CAP (LS1000);**

**THENCE NORTH 07°50'09" WEST FOR A DISTANCE OF 142.59 FEET;**

**THENCE NORTH 06°20'37" EAST FOR A DISTANCE OF 62.00 FEET;**

**THENCE NORTH 75°46'12" EAST FOR A DISTANCE OF 30.00 FEET;**

**THENCE SOUTH 34°08'07" EAST FOR A DISTANCE OF 54.40 FEET;**

**THENCE NORTH 59°38'08" EAST FOR A DISTANCE OF 98.00 FEET TO THE POINT OF BEGINNING.**

**PARCEL 2:**

**TOGETHER WITH:**

**A 20 FEET IN WIDTH ACCESS EASEMENT AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 1 AND BEING A 1967 BLM BRASS CAP FROM WHICH A 1967 BLM BRASS CAP MARKED AS AP 1996 BEARS NORTH 01°03'12" EAST, 2184.54 FEET;**

**THENCE NORTH 01°03'12" EAST ALONG THE WESTERLY BOUNDARY OF SECTION 1 FOR A DISTANCE OF 1,309.43 FEET TO THE SOUTH SIXTEENTH CORNER COMMON TO SECTIONS 1 AND 2 AND BEING A 1984 BLM ALUMINUM CAP;**

**THENCE SOUTH 89°25'18" EAST ALONG THE SOUTHERLY BOUNDARY OF THE NW¼SW¼ OF SAID SECTION 1 FOR A DISTANCE OF 1,347.01 FEET TO A FOUND ½ INCH REBAR AND BEING THE SOUTHWEST CORNER OF GOVERNMENT LOT 8 OF SAID SECTION 1;**

**THENCE NORTH 00°39'03" EAST ALONG THE WESTERLY BOUNDARY OF SAID GOVERNMENT LOT 8 FOR A DISTANCE OF 897.45 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY OF OLD UNITED STATES HIGHWAY #30 AND BEING A FOUND ½ INCH REBAR & CAP (LS843);**

**THENCE SOUTH 63°57'50" EAST ALONG SAID SOUTHERLY RIGHT OF WAY FOR A DISTANCE OF 118.56 FEET;**

Date: 11/19/2015

Warranty Deed  
- continued

File No.: 570966GO (smb)

THENCE CONTINUING ALONG SAID SOUTHERLY RIGHT OF WAY ON THE ARC OF A NON-TANGENT CURVE TO THE RIGHT FOR A DISTANCE OF 288.32 FEET, HAVING A RADIUS OF 547.96 FEET, A CENTRAL ANGLE OF 30°08'49" AND A LONG CHORD WHICH BEARS SOUTH 48°47'45" EAST - 285.00 FEET TO THE POINT OF BEGINNING AND BEING THE CENTERLINE OF SAID 20 FOOT ACCESS EASEMENT;

THENCE SOUTH 75°46'12" WEST FOR A DISTANCE OF 94.87 FEET;

THENCE SOUTH 34°08'07" EAST, A DISTANCE OF 62.07 FEET TO THE POINT OF TERMINUS.

SIDELINES WILL BE FORESHORTENED OR LENGTHENED TO SAID PARCEL BOUNDARY.

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.

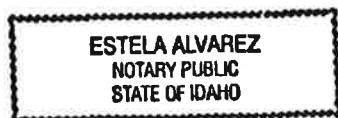
TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from 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.

Wright Dwight Duggan Personal  
Representative of the Estate of Mac Carrol  
Duggan (deceased)

Wright Dwight Duggan P.R.  
Wright Dwight Duggan, Personal  
Representative

STATE OF Idaho )  
SS.  
COUNTY OF Twin Falls )

On this 1<sup>st</sup> day of January, 2016, before me, a Notary Public in and for said State, personally appeared **Wright Dwight Duggan**, known or identified to me to be the person(s) whose name(s) is subscribed to the within instrument as Personal Representative of the Estate of **Mac Carrol Duggan**, and acknowledged to me that he executed the same as such Personal Representative.



Alvarez  
Notary Public of Idaho  
Residing at: Gooding, ID  
Commission Expires: 10-16-2016 AN

AFTER RECORDING MAIL TO:

Jay R. Tschannen  
53 Bell Rapids Road  
Hagerman, ID 83332

**TWIN FALLS COUNTY**  
RECORDED FOR:  
FIRST AMERICAN TITLE - TWIN F/  
03:44:54 PM 01-07-2016  
**2016000323**  
NO. PAGES 1 FEE: \$10.00  
KRISTINA GLASCOCK  
COUNTY CLERK  
DEPUTY: BH  
Electronically Recorded by Simplifile

## QUITCLAIM DEED

File No.: **570966GO (smb)**

Date: **December 28, 2015**

For Value Received, **Jim A. Duggan, a single man**, do(es) hereby convey, release, remise, and forever quit claim unto **Jay R. Tschannen, a single man**, whose address is **53 Bell Rapids Road, Hagerman, ID 83332**, herein after called the Grantee, the following described premises situated in **Twin Falls County, Idaho**, to-wit:

**A 50% interest in Idaho Department of Water Resources water right No. 2-4028.**

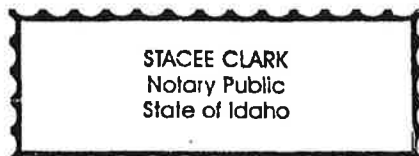
together with its appurtenances.

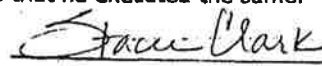
Dated: 1/6/16

  
Jim A. Duggan

STATE OF Idaho )  
SS.  
COUNTY OF Gooding )

On this 6<sup>th</sup> day of January, 2016, before me, a Notary Public in and for said State, personally appeared **Jim A. Duggan**, 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.



  
Notary Public of Idaho  
Residing at: Hagerman, ID 83332  
Commission Expires: 1-14-2017



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

February 8, 2016

OSPREY DYNAMICS LLC  
59 BELL RAPIDS RD  
HAGERMAN ID 83332

JAY TSCHANNEN  
1802 ORCHARD E  
TWIN FALLS ID 83301

Re: Change of Ownership/Split of Water Right 2-4028  
Split into 2-4028 (Tschannen) and 2-10522 (Osprey Dynamics)

Dear Water Right Holder(s):

The Department acknowledges receipt of correspondence splitting ownership of the above referenced water rights. The Department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records.

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.

Also, 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](http://www.idwr.idaho.gov).

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

Sincerely,

Trish Fawcett  
Technical Records Specialist

Enclosure

Cc: First American Title Co. (File No. 570966GO)