

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 09 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?
✓ 34-84A OK	Yes ☐	Yes ☐	✓ 34-769 OK	Yes ☐	Yes ☐
✓ 34-293A OK	Yes ☐	Yes ☐	✓ 34-2245 OK	Yes ☐	Yes ☐
✓ 34-294A OK	Yes ☐	Yes ☐	✓ 34-10371 OK	Yes ☐	Yes ☐
✓ 34-767 OK	Yes ☐	Yes ☐		Yes ☐	Yes ☐
✓ 34-768A OK	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Clinton and Esther Bitton
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): John Timothy Donahue
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 5208 W. 161st Street Stilwell KS 66085
Mailing address City State ZIP
- 913-219-1134 tdonahue01@yahoo.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: January 17, 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: John Timothy Donahue Title, if applicable Date 4/4/18
Signature of new owner/claimant
- Signature: _____ Title, if applicable Date _____
Signature of new owner/claimant

For IDWR Office Use Only:

Received by JB Date 4/9/2018 Receipt No. E043871 Receipt Amt. \$200.-
 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 CF/JB Processed by JB Date 9/7/2018



ATEC 374698

Instrument # 254267

CHA CUSTER, IDAHO
01-20-2018 09:58:03 No. of Pages: 1
Recorded for: AMERITITLE - IDAHO FALLS
Lura H. Baker Fee: \$15.00
Ex-Officio Recorder Deputy: CAC

WARRANTY DEED

Order No.: 204119AM

FOR VALUE RECEIVED

The Clinton Bitton and Esther Bitton Family Limited Partnership, an Idaho Limited Partnership who acquired title as The Clinton Bitton and Esther A. Bitton Family Limited Partnership

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

John Timothy Donahue, an unmarried man

whose current address is:
5208 W 161st Street
Stilwell, KS 66085

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

Parcel 1:

**North half Southeast Quarter, South half Northeast Quarter, Northeast Quarter Southwest Quarter, Southeast Quarter Northwest Quarter
Section 20, Township 8 North, Range 21 East, Custer County, State of Idaho.**

Parcel 2:

**Southwest Quarter Northwest Quarter, Northwest Quarter Southwest Quarter
Section 21, Township 8 North, Range 21 East, Custer County, State of Idaho.**

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: January 17, 2018

The Clinton Bitton and Esther Bitton Family Limited Partnership

BY: Barbara E. Shelton
Barbara E. Shelton, General Partner

State of Idaho ss.
County of Bannock

On this 18th day of January, 2018, before me, the undersigned a Notary Public in and for said state, personally appeared Barbara E Shelton known or identified to me to be the partner(s) of the The Clinton Bitton and Ester Bitton Family Limited Partnership that executed the foregoing instrument, and acknowledged to me that he/she/they executed the same in said Partnership name.

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

Jordan L Kress
Notary Public for the State of Idaho
Residing at: Pocatello
Commission Expires: 7/26/2022

JORDAN L KRESS
NOTARY PUBLIC
STATE OF IDAHO



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

September 14, 2018

JOHN DONAHUE
5208 W 161ST ST
STILWELL KS 66085-8958

Re: Change in Ownership for Water Right No(s): 34-84A, 34-293A, 34-294A, 34-767, 34-768A, 34-769, 34-2245 & 34-10371

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 34
Big Lost River Ground Water District