

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED

APR 30 2018

RECEIVED
APR 25 2018
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?
34-10285 <i>OK</i>	Yes ☐	Yes ☐	34-708B <i>OK</i>	Yes ☐	Yes ☐
34-10286 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
34-2361A <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
34-2281A <i>OK</i>	Yes ☒	Yes ☐		Yes ☐	Yes ☐
34-709B <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Donald & Judy Lord
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Jayson Kent Giesbrecht or Jana Grace Giesbrecht
New owner(s) as listed on the conveyance document Name connector ☐ and ☒ or ☐ and/or

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: April 6, 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):
- ☐ \$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: Jayson Giesbrecht Title, if applicable _____ Date 4-6-18
Signature: Jana Giesbrecht Title, if applicable _____ Date 4-6-18

For IDWR Office Use Only: NO SPLIT PER Cooper & James. Request Refund.

Received by DM Date 4-25-2018 Receipt No. 5036710 Receipt Amt. \$225-

Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing.

Name on W-9 _____ Approved by CE/JC Processed by B W-9 received? Yes ☐ No ☐ Date 9/7/2018

RECEIVED

APR 30 2018

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

RECEIVED

APR 25 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?
34-10285	Yes ☐	Yes ☐	34-708B	Yes ☐	Yes ☐
34-10286	Yes ☐	Yes ☐		Yes ☐	Yes ☐
34-2361A	Yes ☐	Yes ☐		Yes ☐	Yes ☐
34-2281A	Yes ☒	Yes ☐		Yes ☐	Yes ☐
34-709B	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Donald & Judy Lord
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Jayson Kent Giesbrecht or Jana Grace Giesbrecht
New owner(s) as listed on the conveyance document Name connector ☐ and ☒ or ☐ and/or
- Mailing address 1820 E. 1100 S. City Eden State ID ZIP 83325
- Telephone 209-358-4102 Email jaysonandjana@gmail.com
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: April 6, 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):
☐ \$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: Jayson Giesbrecht Title, if applicable _____ Date 4-6-18
 Signature: Jana Giesbrecht Title, if applicable _____ Date 4-6-18

For IDWR Office Use Only:

Received by [Signature] Date 4-25-2018 Receipt No. 5036710 Receipt Amt. \$225-
 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 _____

AFTER RECORDING MAIL TO:

Jayson Kent Giesbrecht
1820 East 1100 South
Eden, ID 83325

Instrument # 254537

CHALLIS, CUSTER, IDAHO
04-06-2018 02:26:08 No. of Pages: 3
Recorded for: FIRST AMERICAN TITLE - RETCHUM
Lura H. Baker Fee: \$15.00
Ex-Officio Recorder Deputy: TH

QUITCLAIM DEED

File No.: **665375K (rm)**

Date: **April 06, 2018**

For no consideration, **Donald R. Lord and Judy Lord, husband and wife**, hereby remises, releases and forever quit claims unto **Jayson Kent Giesbrecht and Jana Grace Giesbrecht, husband and wife**, whose address is **1820 East 1100 South, Eden, ID 83325**, the following described Idaho Department of Water Water Right Numbers, to-wit:

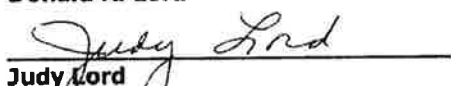
34-10285, 34-10286, 34-2361A, 34-709B, 34-708B all Water Rights appurtanant to attached legal description excepting water from Water Right No. 34-2281A which will be split.

TO HAVE AND TO HOLD the said water rights unto said Grantees and the grantee's successors and assigns forever.

Dated: April 6, 2018



Donald R. Lord



Judy Lord

APN: RP07N25E323610

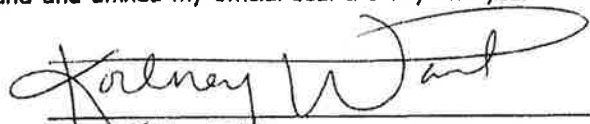
Quitclaim Deed - continued

File No.: 665375K (rm)
Date: 04/06/2018

STATE OF Idaho)
)
COUNTY OF Minidoka)

On this 6 day of April, 2018, before me, a Notary Public in and for said State, personally appeared **Donald R. Lord and Judy Lord**, 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.

In witness whereof, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Notary Public of Idaho

Residing at: ID Heyburn ID

My Commission Expires: July 17, 2019



EXHIBIT 'A'

File No.: **665375K (rm)**

Property: **4266 N 4100 W, Mackay, ID 83251**

Parcel 1:

Township 7 North, Range 25 E.B.M., Custer County, Idaho

Section 32: Beginning at the Northwest corner of the SW $\frac{1}{4}$ NW $\frac{1}{4}$, thence East 284 feet; thence South 529 feet; thence West 284 feet; thence North 529 feet to the point of beginning, EXCLUDING the irrigation well and site.

Parcel 2:

Township 7 North, Range 25 E.B.M., Custer County, Idaho

Section 32: W $\frac{1}{2}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$ SW $\frac{1}{4}$; S $\frac{1}{2}$ N $\frac{1}{2}$, Except beginning at the Northwest corner of the SW $\frac{1}{4}$ NW $\frac{1}{4}$, thence East 284 feet; thence South 529 feet; thence West 284 feet; thence North 529 feet to the point of beginning.

A.P.N. RP07N25E323610 and RP07N25E321202

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
120 Second Ave. North/PO Box 7999
Ketchum, ID 83340

Instrument # 254536

CHALLIS, CUSTER, IDAHO
04-06-2018 02:26:08 No. of Pages: 2
Recorded for: FIRST AMERICAN TITLE - KETCHUM
Lura H. Baker Fee: \$15.00
Ex-Officio Recorder Deputy: TH

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: 665375K (rm)

Date: March 9, 2018

For Value Received, **Donald R. Lord and Judy K. Lord, husband and wife**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Jayson Kent Giesbrecht and Jana Grace Giesbrecht, husband and wife**, hereinafter called the Grantee, whose current address is **1820 E 1100 S, Eden, ID 83325**, the following described premises, situated in **Custer County, Idaho**, to-wit:

Parcel 1:

Township 7 North, Range 25 E.B.M., Custer County, Idaho

Section 32: Beginning at the Northwest corner of the SW $\frac{1}{4}$ NW $\frac{1}{4}$, thence East 284 feet; thence South 529 feet; thence West 284 feet; thence North 529 feet to the point of beginning, EXCLUDING the irrigation well and site.

Parcel 2:

Township 7 North, Range 25 E.B.M., Custer County, Idaho

Section 32: W $\frac{1}{2}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$ SW $\frac{1}{4}$; S $\frac{1}{2}$ N $\frac{1}{2}$, Except beginning at the Northwest corner of the SW $\frac{1}{4}$ NW $\frac{1}{4}$, thence East 284 feet; thence South 529 feet; thence West 284 feet; thence North 529 feet to the point of beginning.

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.

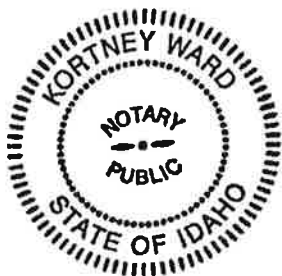
TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from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

Donald R. Lord
Donald R. Lord

Judy K. Lord
Judy K. Lord

STATE OF Idaho)
COUNTY OF Minidoka)

On this 6 day of ^{April} ~~March~~, 2018, before me, a Notary Public in and for said State, personally appeared **Donald R. Lord and Judy K. Lord**, 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.



Kortney Ward
Notary Public for the State of Idaho
Residing at: Heppner ID
My Commission Expires: July 17, 2019

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
120 Second Ave. North/PO Box 7999
Ketchum, ID 83340

Instrument # 254536

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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.

Donald R. Lord
Donald R. Lord

Judy K. Lord
Judy K. Lord

STATE OF Idaho)
COUNTY OF Minidoka)
ss.

On this 6 day of ~~March~~^{April}, 2018, before me, a Notary Public in and for said State, personally appeared **Donald R. Lord and Judy K. Lord**, 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.



Kortney Ward
Notary Public for the State of Idaho
Residing at: Hayden ID
My Commission Expires: July 17, 2019



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 12, 2018

JAYSON GIESBRECHT
JANA G GIESBRECHT
1820 E 1100 S
EDEN ID 83325-5246

Re: Change in Ownership for Water Right No(s): 34-708B, 34-709B, 34-2281A, 34-2361A, 34-10285 & 34-10286

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: Big Lost River Ground Water District
Water District 34
DL Evans Bank

Barg, Jonie

From: Barg, Jonie
Sent: Friday, September 07, 2018 11:14 AM
To: Steed, Susan; Pline, Treva
Subject: Refund Request
Attachments: Receipt(2)

Treva & Susan,

Good morning!!

I have a refund request as follows:

Receipt number: S036710
Amount: \$75.00
Payable to: Jayson Giesbrecht
1820 E 1100 S
Eden ID 83325

Reason: Total filing fee received \$225.00 for an ownership change. Ownership Change submitted requesting a division of 1 water right, according to review a split is not required there for a partial refund is required.

Let me know if you need additional information.

Thank you so much for your time. Let me know if you have any questions.

Have a great day!!!

Jonie Barg

Jonie Barg
Technical Records Specialist
Idaho Department of Water Resources
900 N Skyline Ste A
Idaho Falls ID 83402
phone: (208) 525-7161
fax: (208) 525-7177
email: jonie.barg@idwr.idaho.gov

First American Title Company
417 N. Overland Ave. Burley, ID 83318
208-878-4772



April 11, 2018

Trish
Idaho Dept. of Water Resources
650 Addison Ave. W. *Ste. 500*
Twin Falls, ID 83301

RECEIVED
APR 25 2018
DEPT OF WATER RESOURCES
SOUTHERN REGION

Dear Trish,

Enclosed please find Notice of Change in Water Right Ownership for the Giesbrecht's. Also please find a copy of the Certificate of Sale for Big Lost River Irrigation District and the Quitclaim Deed, Mortgage and Warranty Deed showing recorded transaction documents for this sale.

D.L. Evans Bank has a Mortgage on all the water rights being transferred here. The Lords are keeping part of water right No. 34-2281A, so please just show D.L. Evan's mortgage on the part of that water right that is going with this sale to the Giesbrecht's

Also enclosed please find a check in the amount of \$225 for the change. Please let me know if you need anything further.

Sincerely,

First American Title Company

Terri L. McBride
Manager

