

FEB 22 2018

Department of Water Resources
Eastern RegionSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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?
34-769 > 34-769 OK	Yes ☒	Yes ☐	34-84A > 34-84A OK	Yes ☒	Yes ☐
34-768A > 34-768A OK	Yes ☒	Yes ☐	34-10372 OK	Yes ☐	Yes ☐
34-767 > 34-767 OK	Yes ☒	Yes ☐		Yes ☐	Yes ☐
34-293A > 34-293A OK	Yes ☒	Yes ☐		Yes ☐	Yes ☐
34-294A > 34-294A OK	Yes ☒	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Dennie Donahue and Donna Donahue Ester Bitton
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Kevin B and Dana J Donahue
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
5195 N Hwy 93 Mackay ID 83251
Mailing address City State ZIP
208-339-5604 knddonahue@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: _____

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: Dana Donahue owner 2-22-18
Signature of new owner/claimant Title, if applicable Date

Signature: _____ Title, if applicable Date
Signature of new owner/claimant

For IDWR Office Use Only:

Received by JB Date 2/22/2018 Receipt No. E043743 Receipt Amt. \$750.-

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 CF Date 8/8/18

RE-RECORDED TO CORRECT AND REPLACE LEGAL DESCRIPTION

AmeriTitle

Instrument # 254211

CHALLIS, CUSTER, IDAHO
01-03-2018 12:35:03 No. of Pages: 2
Recorded for: AMERITITLE - KETCHUM
Lura H. Baker Fee: \$15.00
Ex-Officio Recorder Deputy: CAC

WARRANTY DEED

Instrument # 254238

CHALLIS, CUSTER, IDAHO
01-12-2018 11:45:41 No. of Pages: 3
Recorded for: AMERITITLE - IDAHO FALLS
Lura H. Baker Fee: \$15.00
Ex-Officio Recorder Deputy: CAC

Order No.: 212494AM
ATEC # 379750
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

Kevin B Donahue and Dana J Donahue, husband and wife and Ryan K Donahue, a married person

whose current address is:

5195 N US HWY 93
Mackay, ID. 83251

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

See attached Exhibit "A"

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: December 29, 2017

The Clinton Bitton and Esther Bitton Family Limited Partnership

Barbara E. Shelton
Barbara E. Shelton, General Partner

State of Idaho ss.
County of Danahue

On this 2 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 Esther Bitton Family Limited Partnership 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.

Bret Howell
Notary Public for the State of Idaho
Residing at: Twisted ID
Commission Expires: Aug. 11, 2020

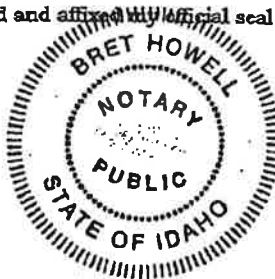


EXHIBIT "A"

874698

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.

WEST HALF NORTHEAST QUARTER, NORTH HALF NORTHWEST QUARTER, SOUTHEAST
QUARTER NORTHWEST QUARTER
SECTION 21, TOWNSHIP 8 NORTH, RANGE 21 EAST, CUSTER COUNTY
STATE OF IDAHO

Donahue Split Analysis

[illegible]



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

August 10, 2018

Kevin Donahue
Dana Donahue
Ryan Donahue
5195 N Hwy 93
Mackay ID 83251

RE: Change of Ownership for Water Rights 34-84A (Split into 34-84A & 34-14666), 34-293A (Split into 34-293A & 34-14667), 34-294A (Split into 34-294A & 34-14668), 34-767 (Split into 34-767 & 34-14669), 34-768A (Split into 34-768A & 34-14670), 34-769 (Split into 34-769 & 34-14671) & 34-10372 (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: Ester Bitton
Clinton Bitton

Water District 34
Big Lost River Ground Water District