

STATE 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.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
34-327	Yes ☒		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: JACK McAFfee

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Billy Hilliard & Darlene J. Hilliard

New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or ☐ and/or

33624 3125 N

Mailing address

MOORE

City

ID

State

83255

ZIP

208-121

Telephone

BHILL45891@aol.com

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: 10-6-08

6. If the water right described herein has been rented from the Water Supply Bank, rental proceeds will be disbursed in the following manner regardless of any arrangements between the buyer(s) and seller(s) to the contrary:

- Rental payments will go to the lessor(s) of record at the beginning of the rental season.
- If a change in ownership is processed by the Department during a rental season, rental payment will be made to the person or entity who is the lessor of record at the beginning of that rental season.
- New lessor(s) of record will receive payment after the following rental season.

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.

8. Signature: Billy Hilliard

Signature of new owner/claimant

Title, if applicable

5-31-2018

Date

- Signature: Darlene J. Hilliard

Signature of new owner/claimant

Title, if applicable

5-31-2018

Date

For IDWR Office Use Only:

Received by JB

Date

June 4, 2018

Receipt No.

E044069

Receipt Amt.

\$100.-

Approved by

Processed by

Date

Refund Requested 7/18/2018

NO. 0046078
RECORDED

OCT 08 2008

A.M. 3:25 P.M.
BUTTE COUNTY RECORDER

Tully J. McAfee

080447BU
5812LRT

For Valuable Consideration Received:

REA JEAN SMITH MCAFFEE, A WIDOW,

the Grantor, does hereby grant, bargain, sell, convey and warrant unto

BILLY J. HILLIARD AND DARLENE J. HILLIARD, HUSBAND AND WIFE,
AS COMMUNITY PROPERTY WITH RIGHT OF SURVIVORSHIP,
the Grantees, whose current address is:
P.O. BOX 677, MOORE, ID 83255

~~5300 E. Desert Inn Road Unit 269, Las Vegas, NV 89122~~

the following described premises, to-wit:

See Exhibit "A" attached hereto and made a part hereof.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that he is the owner in fee simple of said premises; that said premises are free from all encumbrances and that he will warrant and defend the same from all lawful claims whatsoever.

Rea Jean Smith McAfee
Rea Jean Smith McAfee

10-10-08
Date

STATE OF UTAH)
) ss.
COUNTY OF UTAH)

On this 6 day of October, 2008, before me, the undersigned, a Notary Public, in and for said State, personally appeared **REA JEAN SMITH MCAFFEE**, known to me, and/or identified to me on the basis of satisfactory evidence, to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.

WITNESS MY HAND AND OFFICIAL SEAL

Jennifer A. Hall
Residing at: SPRINGVILLE, UTAH
Commission Expires: 5/15/2011

EXHIBIT "A"

Part of Lot 4, Block 11, JOHNSTON ADDITION to the City of Moore, being in the NE1/4SW1/4 of Section 28, Township 5 North, Range 26 East of the Boise Meridian, Butte County, Idaho, described as:

Commencing at the Southwest corner of Lot 3, Block 11, Johnston Addition to the City of Moore;

thence N. 89° 36' 20" E., 339.20 feet along the South lines of Lots 3 and 4 to an intersection of an existing fence line and said South line of Lots 3 and 4, said point being marked by a 5/8" iron rod-PLS 12222 and also being the POINT OF BEGINNING;

thence N. 01° 42' 29" W., 214.56 feet along said existing fence line to the North line of said Lot 4, said point being marked by a 5/8" iron rod-PLS 12222;

thence N. 89° 36' 20" E., 109.56 feet to the Northeast corner of said Lot 4, said point being marked by a 5/8" iron rod-PLS 12222;

thence S. 00° 34' 31" E., 214.50 feet to the Southeast corner of said Lot 4, said point being marked by a 5/8" iron rod-PLS 12222;

thence S. 89° 36' 20" W., 105.32 feet along the South line of said Lot 4 to the POINT OF BEGINNING.



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

July 18, 2018

C.L. "BUTCH" OTTER
Governor

Billy Hilliard
Darlene Hilliard
3362 W 3125 N
Moore ID 83255

GARY SPACKMAN
Director

The "Notice of Change in Water Right Ownership" for 34-327 has been returned for the following item(s):

**** Water Right not appurtenant to your property-Please review the map attached, water right number 34-327 is not appurtenant to the Hilliard property, according to the legal description filed with your application. Because the ownership change could not be complete you are entitled to a refund of \$100.00 for receipt number E044069. The department has initiated the refund and it should arrive from the state office in a couple of weeks.

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 within 120 days of the change. Failure to do so could result in a \$100 late filing fee. 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.

If you have any questions please contact Jonie Barg at (208)525-7161.

Respectfully submitted,

Jonie Barg
Technical Records Specialist

Idaho Department of Water Resources



Legend

-  Place of Use 34-327
-  Hilliard Property
-  Township/Range
-  Sections
-  QQ
-  Parcels

Barg, Jonie

From: Barg, Jonie
Sent: Wednesday, July 18, 2018 2:48 PM
To: Pline, Treva; Steed, Susan
Subject: Refund Request
Attachments: Receipt

Categories: Red Category

Treva & Susan,

Good afternoon!!

I have a refund request as follows:

Receipt number: E044069
Amount: \$100.00
Payable to: Billy Hilliard
3362 W 3125 N
Moore ID 83255

Reason: Total filing fee received \$100.00 for an ownership change application for Billy and Darlene Hilliard. The water right is not appurtenant to the Hilliard property therefore the applicant is entitled to a full refund.

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
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Idaho Falls ID 83402
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fax: (208) 525-7177
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