

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 16 2018

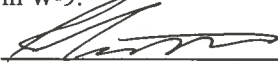
Department of Water Resources
Eastern Region

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?
29-08141 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Peter D McDermott
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Randy Case, Misty Olmsted Case
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 5231 W. Moonlight Mine Rd. Pocatello ID 83201
Mailing address City State ZIP
- 208-221-5651(c), 208-233-5304(h) rumor76@msn.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: October 17, 2017
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:  4/11/2018
Signature of new owner/claimant Title, if applicable Date

Signature: *Misty Olmsted Case* 4/11/2018
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by *JB* Date 4/16/18 Receipt No. E043896 Receipt Amt. \$25.-

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 *JB* Date 5/3/2018



Idaho Department of Water Resources

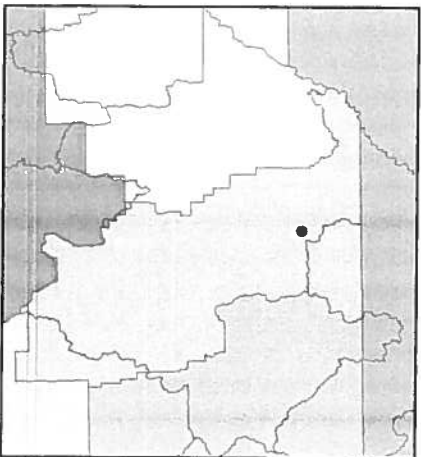
Water Right

29-8141

(RECREATION STORAGE)

R35E

- Point of Diversion
- Place of Use
- State Outline
- Townships
- PLS Sections
- Quarter Quarters

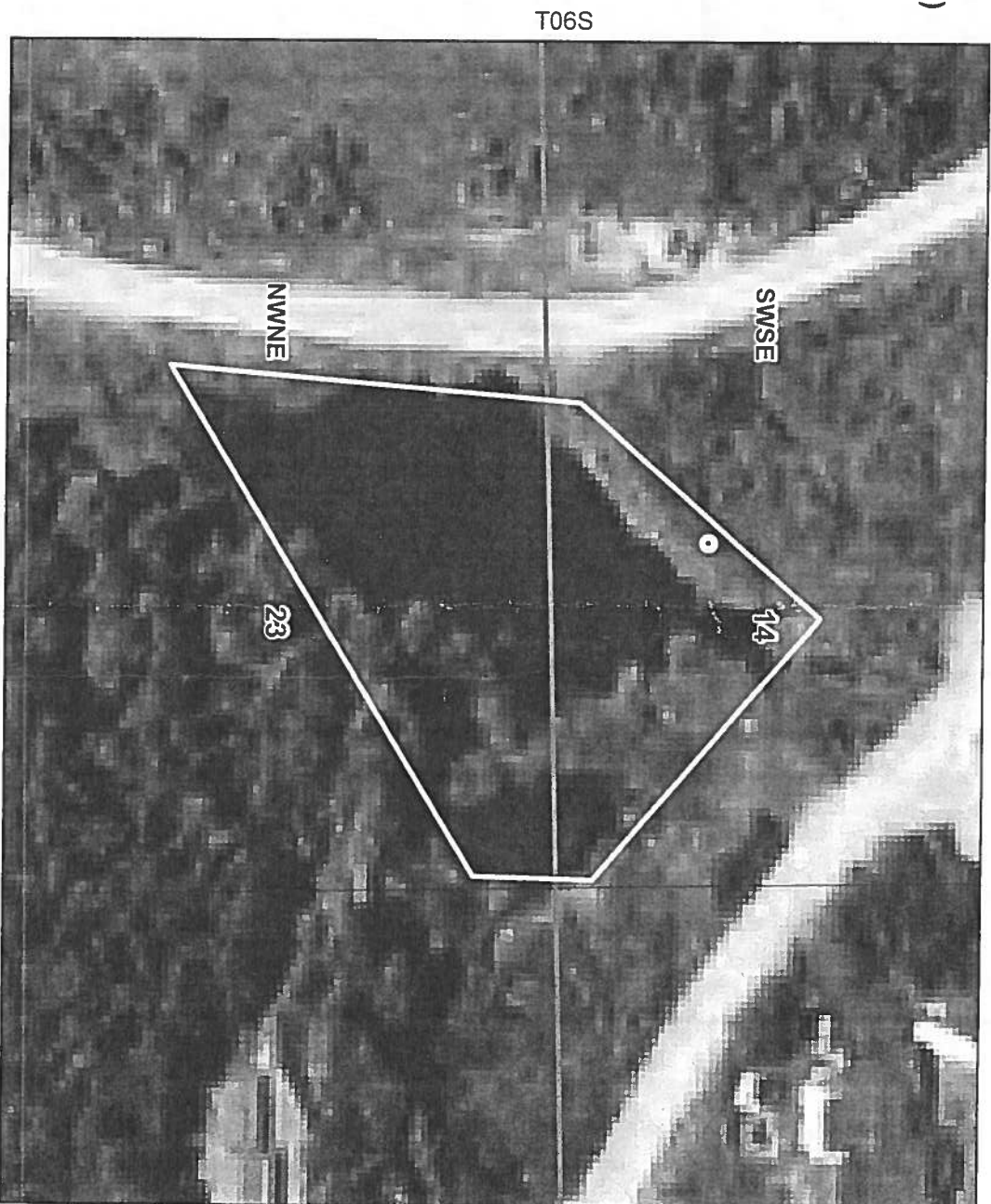


Bannock County

IDWR Basin 29

Prepared by Carlson, Dave

2009 Aerial Photography





First American Title Company
223 North 15th Avenue, Pocatello, Idaho 83201
(208)232-6224, (208)232-6257

Title Transmittal

Randy Case and Misty Olmsted Case
5231 W Moonlight Mine Rd
Pocatello, ID 83201

October 23, 2017
File No.: 653933-P

PROPERTY: 5231 W Moonlight Mine Rd, Pocatello, ID 83201

ENCLOSED please find the following for your records:

- Policy of Title Insurance - TO FOLLOW
- Original recorded Warranty Deed and a copy of the filed Homeowner's Exemption form

The new home or other real estate you have purchased is protected with a Policy of Title Insurance issued by First American Title Company. We have assigned the above number to your records to assure prompt processing of future title orders involving the property.

We appreciate the opportunity of serving you and will be glad to assist you in any way, remembering that **PROTECTION OF YOUR PROPERTY IS YOUR FIRST CONSIDERATION - AND OURS.**

Sincerely,

Dena Weaver

enc.

First American Title - Pocatello

21715538 2017 Oct 20 PM 03:45:00
Electronically Recorded by Simplifile

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
223 North 15th Avenue
Pocatello, ID 83201

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **653933-P (cp)**

Date: **October 17, 2017**

For Value Received, **Peter D. McDermott, an unmarried man**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Randy Case and Misty Olmsted Case, husband and wife**, hereinafter called the Grantee, whose current address is **5231 W Moonlight Mine Rd, Pocatello, ID 83201**, the following described premises, situated in **Bannock County, Idaho**, to-wit: **Legal Description attached hereto as Exhibit A, and by this referenced incorporated herein.**

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.

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
223 North 15th Avenue
Pocatello, ID 83201

Recorded Electronically	
ID	21710538
County	Bannock
Date	10-10-17
Time	3:45
Simplifile.com 800.460.5657	

Space Above This Line for Recorder's Use Only

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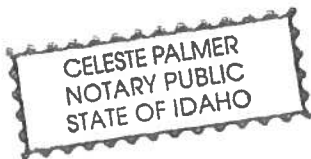
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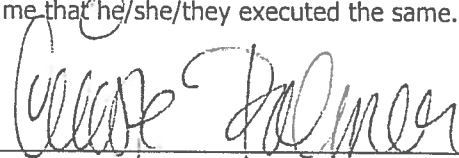
TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from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


Peter D. McDermott

STATE OF Idaho)
SS.
COUNTY OF Bannock)

On this **Twentieth day of October, 2017**, before me, a Notary Public in and for said State, personally appeared **Peter D. McDermott**, 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.





Notary Public for the State of Idaho
Residing at: _____ State of Idaho
My Commission Expires: _____ Residing: Pocatello, Idaho
Comm. Expires: 03/19/2022

EXHIBIT A

PARCEL 1:

LOT 1, WHISPERING PINES HOME SITES DIVISION 2, BANNOCK COUNTY, IDAHO, AS THE SAME APPEARS ON THE OFFICIAL PLAT THEREOF, RECORDED OCTOBER 24, 1973 AS INSTRUMENT NO. 515324.

PARCEL 2:

LOT 2, WHISPERING PINES HOME SITES DIVISION 2, BANNOCK COUNTY, IDAHO, AS THE SAME APPEARS ON THE OFFICIAL PLAT THEREOF, RECORDED OCTOBER 24, 1973 AS INSTRUMENT NO. 515324.

PARCEL 3:

PARCELS OF LAND KNOWN AS THE "SWAMPS" LOCATED IN WHISPERING PINES HOME SITES DIVISION'S 2, 3, AND 4, BANNOCK COUNTY, IDAHO, DESCRIBED AS FOLLOWS:

A - THAT PROPERTY WHICH IS NOT DESIGNATED BY A "LOT NUMBER" ON THE WHISPERING PINES HOME SITES DIVISION 3 PLAT MAP, BUT HAS BEEN DESCRIBED ON THE RECORDS OF BANNOCK COUNTY, IDAHO, AS PARCEL RRWP3001400, AND IS DEFINED BY THE BANNOCK COUNTY ASSESSOR AS "DESIGNATED LOT 14 (SWAMP AREA)" OF THE WHISPERING PINES HOME SITES DIVISION 3 AND WHICH IS OTHERWISE LEGALLY DESCRIBED BY THE FOLLOWING METES AND BOUNDS DESCRIPTION AS:

A PARCEL OF LAND LOCATED IN NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 23, TOWNSHIP 6 SOUTH, RANGE 35 EAST, BOISE MERIDIAN, BANNOCK COUNTY, IDAHO, SAID PARCEL BEING A PORTION OF WHISPERING PINES HOME SITES, DIVISIOIN 3 (RECORDED AS INSTRUMENT NUMBER 515325), AND SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE EAST 1/16 CORNER ON THE NORTH LINE OF SAID SECTION 23; THENCE SOUTH 89°56'10" WEST ALONG THE NORTH LINE OF SAID SECTION 23, 269.74 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF WHISPERING DRIVE; THENCE SOUTH 247' WEST ALONG SAID EASTERLY RIGHT-OF-WAY LINE, 202.10 FEET (RECORD=211.30 FEET) TO A POINT OF TANGENCY WITH A 20.00 FOOT RADIUS CURVE, SAID POINT BEING ON THE NORTHERLY RIGHT-OF-WAY LINE OF THE VACATED PORTION OF CRYSTAL SPRINGS DRIVE; THENCE SOUTHEASTERLY ALONG SAID VACATED RIGHT-OF-WAY LINE, ALONG A CURVE TO THE LEFT, SAID CURVE HAVING A CENTRAL ANGLE OF 144°43', A RADIUS OF 20.00 FEET AND A CHORD BEARING OF SOUTH 69°49'30" EAST, FOR AN ARC LENGTH OF 50.52 (RECORDED AS 48.57) FEET TO A POINT OF TANGENCY ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF THE VACATED PORTION OF CRYSTAL SPRINGS DRIVE; THENCE NORTH 38°04' EAST ALONG SAID VACATED NORTHWESTERLY RIGHT-OF-WAY LINE, 62.41 FEET TO A POINT OF TANGENCY WITH A 275.00 FOOT RADIUS CURVE; THENCE NORTHEASTERLY ALONG SAID VACATED RIGHT-OF-WAY LINE, ALONG A CURVE TO THE RIGHT, SAID CURVE HAVING A CENTRAL ANGLE OF 45°09'40", A RADIUS OF 275.00 FEET AND A CHORD BEARING OF NORTH 60°38'50" EAST, FOR AN ARC LENGTH OF 216.765 FEET TO A POINT OF TANGENCY ON THE NORTHERLY RIGHT-OF-WAY LINE OF THE VACATED PORTION OF CRYSTAL SPRINGS DRIVE; THENCE NORTH 83°13'40" EAST ALONG SAID VACATED NORTHERLY RIGHT-OF-WAY LINE, 21.38 FEET TO A POINT ON THE EAST 1/16 LINE OF SAID SECTION 23; THENCE NORTH 0°02'30" EAST ALONG THE EAST 1/16 LINE OF SAID SECTION 23, 60.29 FEET TO THE TRUE POINT OF BEGINNING.

B-THAT PROPERTY WHICH IS NOT DESIGNATED BY A "LOT NUMBER" ON THE WHISPERING PINES HOME SITES DIVISION 2 PLAT MAP, BUT HAS BEEN DESCRIBED ON THE RECORDS OF BANNOCK COUNTY, IDAHO AS "PARCEL RRWP2002000" AND IS DEFINED BY THE BANNOCK

COUNTY ASSESSOR AS "DESIGNATED LOT 20 (SWAMP AREA)" OF THE WHISPERING PINES HOME SITES DIVISION 2 AND WHICH IS OTHERWISE LEGALLY DESCRIBED BY THE FOLLOWING METES AND BOUNDS DESCRIPTION AS:

A PARCEL OF LAND LOCATED IN THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 23, TOWNSHIP 6 SOUTH, RANGE 35 EAST, BOISE MERIDIAN, BANNOCK COUNTY, IDAHO, SAID PARCEL BEING A PORTION OF WHISPERING PINES HOME SITES, DIVISION 2 (RECORDED AS INSTRUMENT NUMBER 515324), AND SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE EAST 1/16 CORNER ON THE NORTH LINE OF SAID SECTION 23; THENCE NORTH 89°56'10" EAST ALONG THE NORTH LINE OF SAID SECTION 23, 125.14 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF MOONLIGHT MINE ROAD; THENCE SOUTH 62°56'40" EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, 15.49 FEET TO A POINT OF TANGENCY WITH A 20.00 FOOT RADIUS CURVE, SAID POINT BEING ON THE NORTHERLY RIGHT-OF-WAY LINE OF THE VACATED PORTION OF CRYSTAL SPRINGS DRIVE; THENCE SOUTHEASTERLY AND SOUTHWESTERLY ALONG SAID VACATED RIGHT-OF-WAY LINE, ALONG A CURVE TO THE RIGHT, SAID CURVE HAVING A CENTRAL ANGLE OF 146°10'20", A RADIUS OF 20.00 FEET AND A CHORD BEARING OF SOUTH 10°08'41" WEST, FOR AN ARC LENGTH OF 51.02 FEET TO A POINT OF TANGENCY ON THE NORTHERLY RIGHT-OF-WAY LINE OF THE VACATED PORTION OF CRYSTAL SPRINGS DRIVE; THENCE SOUTH 83°13'40" WEST ALONG SAID VACATED NORTHERLY RIGHT-OF-WAY LINE, 133.17 FEET TO A POINT ON THE EAST 1/16 LINE OF SAID SECTION 23; THENCE NORTH 0°02'30" EAST ALONG THE EAST 1/16 LINE OF SAID SECTION 23, 60.29 FEET TO THE TRUE POINT OF BEGINNING.

C-THAT CERTAIN PARCEL OF LAND DELINEATED AS "SWAMP" ON THE RECORDED PLAT OF WHISPERING PINES HOME SITES DIVISION 4, AS THE SAME APPEARS ON THE OFFICIAL PLAT THEREOF. **ALSO REFERRED TO AS LOT 13,** WHISPERING PINES HOME SITES DIVISION 4 BY WARRANTY DEED RECORDED MAY 30, 1989 AS INSTRUMENT NO. 896407.

PARCEL 4:

LOT 1, WHISPERING PINES HOME SITES, DIVISION 3, BANNOCK COUNTY, IDAHO, AS THE SAME APPEARS ON THE OFFICIAL PLAT THEREOF, RECORDED OCTOBER 24, 1973 AS INSTRUMENT NO. 515325.



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

May 04, 2018

Randy Case
Misty Case
5231 W Moonlight Mine Rd
Pocatello ID 83201

Re: Change in Ownership for Water Right No(s): 29-8141

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 29A