

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAR 08 2016

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?
37-4010	Yes ☐	Yes ☐		Yes ☐	Yes ☐
37-4011	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Ned Swisher
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Double D Landscape LLC
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 203 N. 4400 E. Rigby ID 83442
Mailing address City State ZIP
- 208-589-0076 N8durtschi@gmail.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: July 8, 2015

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.

SUPPORT DATA

IN FILE # 37-4010

8. Signature: Nathan Durtschi OWNER 2/12/16
Signature of new owner/claimant Title, if applicable Date
- Signature: Alisa Durtschi owner 2-12-16
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by DM Date 3-8-2016 Receipt No. S035318 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 _____ Processed by _____ Date _____

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
301 Main Street
Gooding, ID 83330

Instrument # 252166
GOODING COUNTY, GOODING, IDAHO
07-20-2015 12:11:03 No. of Pages: 2
Recorded for: FIRST AMERICAN TITLE - JEROME
DENISE GILL Fee: \$13.00
Ex-Officio Recorder Deputy: MJS
Electronically Recorded by Simplifile

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **552950GO (smb)**

Date: **July 08, 2015**

For Value Received, **Brian K. Hanley and Tamra Klein Hanley, husband and wife**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Double D Landscape, LLC**, hereinafter called the Grantee, whose current address is **203 N 4400 E, Rigby, ID 83442**, the following described premises, situated in **Gooding County, Idaho**, to-wit:

TOWNSHIP 6 SOUTH, RANGE 13 EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 27: A parcel of land located in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ being more particularly described as follows:

Commencing at the North One Quarter (N $\frac{1}{4}$) corner of said Section 27 from which the Northwest corner of said Section 27 bears North 89°49'15" West 2626.23 feet;
Thence North 89°49'15" West along the North boundary of the NW $\frac{1}{4}$ of said Section 27 for distance of 1313.12 feet to the Northeast corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 27 and being the TRUE POINT OF BEGINNING;
Thence South 00°30'56" East along the East boundary of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 27 for a distance of 1093.59 feet to a point on the Northeasterly right-of-way boundary of Highway U.S. 30, said point being on the arc of a curve left;
Thence Northwesterly along the Northeasterly right-of-way boundary of Highway U.S. 30 and along the arc of the curve left for a distance of 854.14 feet to the point of tangency, said arc having a radius of 22993.32 feet and a chord bearing and distance of North 37°05'10" West - 854.10 feet;
Thence North 38°09'01" West along the Northeasterly right-of-way of Highway U.S. 30 for a distance of 527.48 feet to a point on the North boundary of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 27;
Thence South 89°49'15" East along the North boundary of the NW $\frac{1}{4}$ of said Section 27 for a distance of 831.03 feet to the TRUE POINT OF BEGINNING.

SAID PARCEL WAS PREVIOUSLY DESCRIBED OF RECORD AS:

THAT PART OF THE NW $\frac{1}{4}$ NW $\frac{1}{4}$ IN SECTION 27, TOWNSHIP 6 SOUTH, RANGE 13 EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO, LYING AND SITUATE EAST OF THE NEW U.S. HIGHWAY 30.

TOGETHER WITH Idaho Department of Water Resources water right #37-10084.

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.

Date: 07/08/2015

Warranty Deed
- continued

File No.: 552950GO (smb)

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.

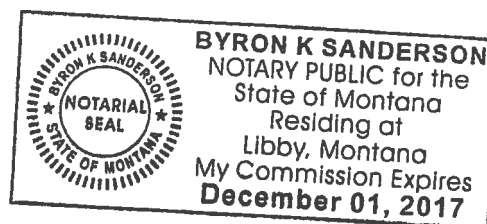
Brian K. Hanley
Brian K. Hanley

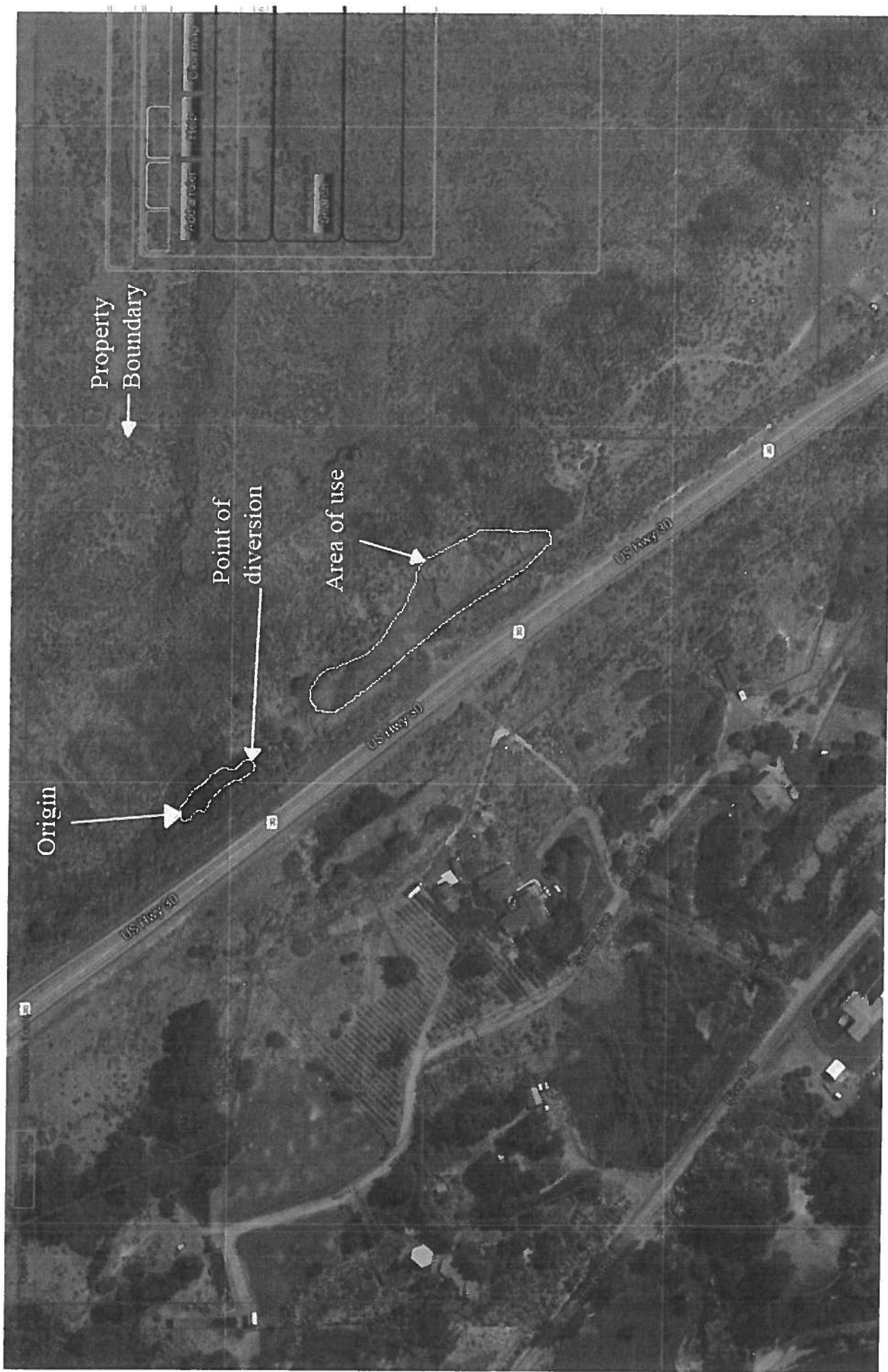
Tamra Klein Hanley
Tamra Klein Hanley

STATE OF Montana)
COUNTY OF Lincoln)
SS.

On this 16th day of July, 2015, before me, a Notary Public in and for said State, personally appeared **Brian K. Hanley and Tamra Klein Hanley**, 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.

Byron Sanderson
Notary Public for the State of Montana
Residing at: Libby, MT
My Commission Expires: 12-1-17







State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER

Governor

March 9, 2016

GARY SPACKMAN

Director

DOUBLE D LANDSCAPE LLC
203 N 4400 E
RIGBY ID 83442

Re: Change in Water Right Ownership for Water Right 37-4010 and 37-4011

Dear Mr. and Mrs. Durtschi:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership. Review of your notice indicates that the two water rights listed above are *not* appurtenant to the property described in the warranty deed included with the change notice. I am including a map showing the parcel to which the water rights are appurtenant.

Since water rights 37-4010 and 37-4011 are not appurtenant to the parcel described in your warranty deed, the ownership change cannot be processed as requested. I am herein returning your notice and attachments along with your check number 1302 in the amount of \$25. If you have recently purchased the property shown on the enclosed map, you may resubmit the Notice of Change in Water Right Ownership form along with that warranty deed and a check for \$50.

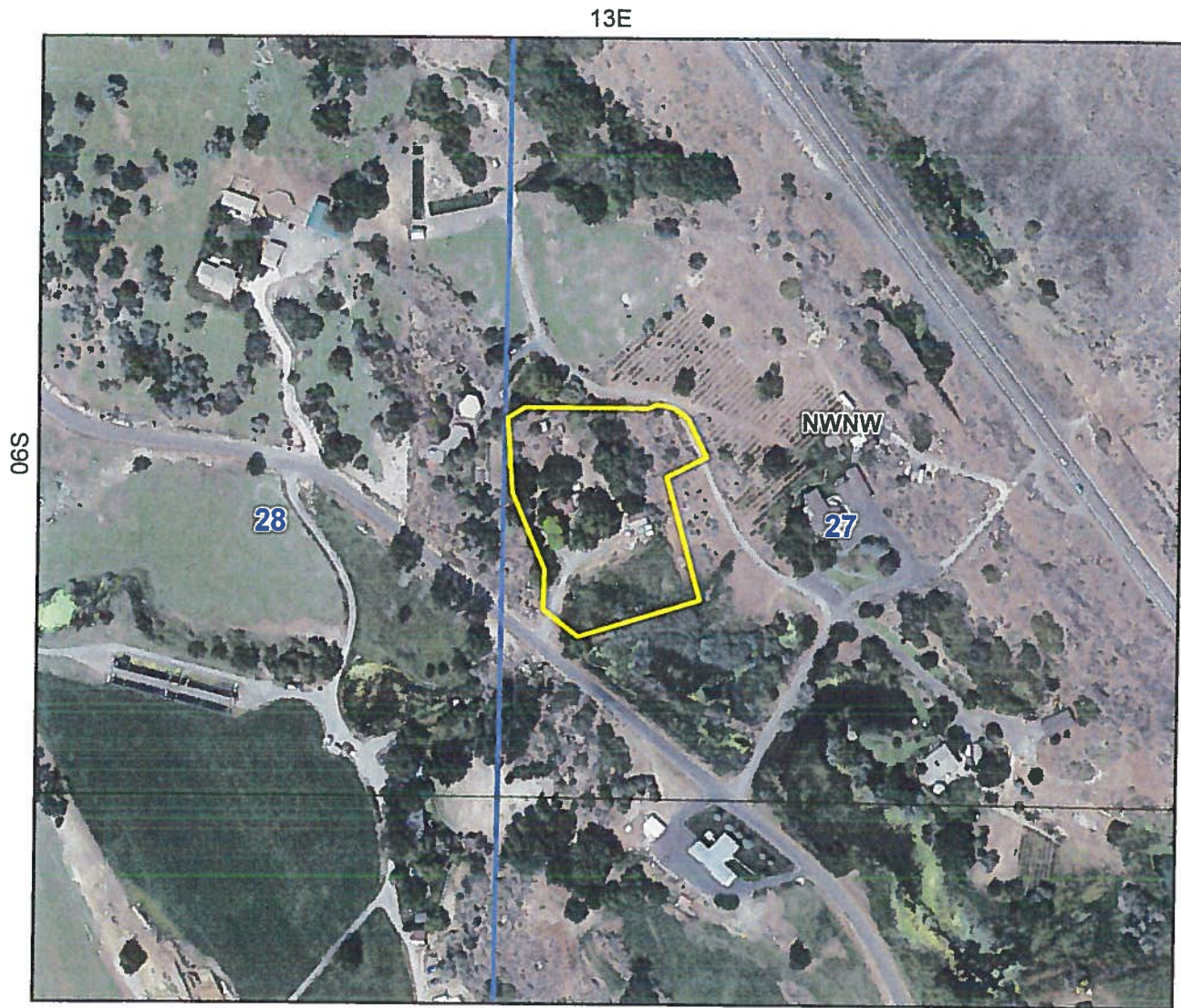
Should you have any questions, please feel free to give me a call.

Sincerely,

Trish Fawcett

Technical Records Specialist

State of Idaho
Department of Water Resources
Water Right License
37-4010



0 0.035 0.07 0.14 Miles

-  Place Of Use Boundary
-  Townships
-  PLS Sections

