

RECEIVED

MAR 26 2018

## Notice of Change in Water Right Ownership

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? |
|-----------------------|------------------------------|------------------------------|-----------------------|------------------------------|------------------------------|
| 37-10593              | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |

2. Previous Owner's Name: Fineas Hughbanks and Nancy Hughbanks  
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Thomas O. Bingham and Marjorie J. Bingham  
New owner(s) as listed on the conveyance document      Name connector ☐ and ☐ or ☐ and/or
- 1925 S 2000 E      Gooding      ID 83330  
Mailing address      City      State      ZIP
- 208-358-0600      arrowb7@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):
- ☐ \$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: <u>Thomas Dwyer</u>       | Signature of new owner/claimant | Title, if applicable | Date                |
| Signature: <u>Raymond J. Birmingham</u> | Signature of new owner/claimant | Title, if applicable | Date <u>3-22-18</u> |

**For IDWR Office Use Only:**

Received by AM Date 3-26-2018 Receipt No. 5036656 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

|                                |                                       |
|--------------------------------|---------------------------------------|
| <b>Recorded Electronically</b> |                                       |
| ID                             | <u>261243</u>                         |
| County                         | <u>Gooding</u>                        |
| Date                           | <u>3/22/2018</u> Time <u>13:07:06</u> |
| Simplifile.com APP. 880.5957   |                                       |

Space Above This Line for Recorder's Use Only

## WARRANTY DEED

File No.: **669777GO (smb)**

Date: **March 09, 2018**

For Value Received, **Nancy E. Highbanks, a widow**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Thomas O. Bingham and Marjorie J. Bingham, husband and wife**, hereinafter called the Grantee, whose current address is **1925 South 2000 East, Gooding, ID 83330**, the following described premises, situated in **Gooding County, Idaho**, to-wit:

**TOWNSHIP 6 SOUTH, RANGE 15 EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO**

**Section 8: S½E½NE¼NE¼**

**EXCEPTING THEREFROM** that part of the Northeast Quarter of the Northeast Quarter more particularly described as follows:

**Commencing at the Northeast corner of said Section 8;**  
**Thence South 0°13'00" West, 665.81 feet along the East boundary of said Section 8 to a point on said boundary which is the TRUE POINT OF BEGINNING;**  
**Thence South 0°13'00" West, 100.00 feet to a point on said boundary;**  
**Thence North 89°36'07" West, 435.60 feet to a point;**  
**Thence North 0°13'00" East, 100.00 feet to a point;**  
**Thence South 89°36'07" East, 435.60 feet to the TRUE POINT OF BEGINNING.**

**TOGETHER with 5.5 shares of Big Wood Canal Company water and 5 acres from the American Falls Reservoir District #2.**

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  
301 Main Street  
Gooding, ID 83330

**Instrument # 261243**  
GOODING COUNTY, GOODING, IDAHO  
03-22-2018 13:07:06 No. of Pages: 2  
Recorded for: FIRST AMERICAN TITLE - JEROME  
DENISE GILL Fee: \$16.00  
Ex-Officio Recorder Deputy: JM  
Electronically Recorded by Simplifile

Space Above This Line for Recorder's Use Only

## **WARRANTY DEED**

File No.: **669777GO (smb)**

Date: **March 09, 2018**

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**Section 8: S $\frac{1}{2}$ E $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$**

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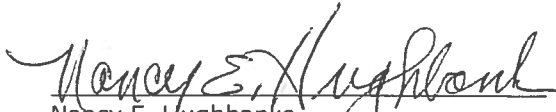
SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

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.

Date: 03/09/2018

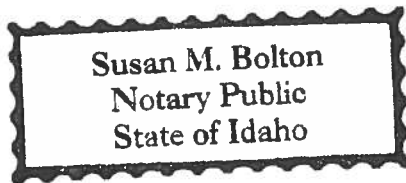
Warranty Deed  
- continued

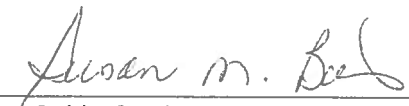
File No.: 669777GO (smb)

  
Nancy E. Hughbanks

STATE OF Idaho )  
COUNTY OF Gooding )  
ss.

On this 9<sup>th</sup> day of March, 2018, before me, a Notary Public in and for said State, personally appeared **Nancy E. Hughbanks**, 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: Gooding, ID  
My Commission Expires: 10-16-2022



**State of Idaho**

**DEPARTMENT OF WATER RESOURCES**

Southern Region • 650 ADDISON AVE W STE 500 • TWIN FALLS, ID 83301-5858

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

C.L. "Butch" Otter  
Governor

Gary Spackman  
Director

April 16, 2018

THOMAS O BINGHAM  
1925 S 2000 E  
GOODING ID 83330-5308

MARJORIE J BINGHAM  
1925 S 2000 E  
GOODING ID 83330-5308

Re: Change in Ownership for Water Right No: 37-10593

Dear Water Right Holders:

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right 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) 736-3033.

Sincerely,

Kent Aasa  
Water Resource Agent

Enclosure

RECEIVED

MAR 26 2018

DEPT OF WATER RESOURCES  
SOUTHERN REGION



**First American Title Company**  
301 Main Street, Gooding, ID 83330  
Phone (208)934-4427 Fax (208)934-4741

IDWR  
650 Addison Avenue West, Ste. 500  
Twin Falls, ID 83301

March 23, 2018  
File No.: 669777GO (smb)

Attn:  
Phone: Fax:

Property: **1925 South 2000 East, Gooding, ID 83330**

Parcel No.: **RP06S15E080470A**

Our Check No. **9034** in the amount of **\$25.00**, representing **Payment of the fee to file the Notice of Change in Water Right Ownership. I have also enclosed a copy of the recorded Warranty Deed and the signed Notice of Change in Water Right Ownership form.**

Legal Description of Property in question:

**TOWNSHIP 6 SOUTH, RANGE 15 EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO**

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Thence North 0°13'00" East, 100.00 feet to a point;  
Thence South 89°36'07" East, 435.60 feet to the TRUE POINT OF BEGINNING.**

Prior vested owner of property: **Nancy E. Hughbanks**

TO WHOM IT MAY CONCERN:

Please be advised that the above referenced property has been sold and title is now vested as follows:

**Thomas O. Bingham and Marjorie J. Bingham, husband and wife**

as per copy of recorded Warranty Deed attached hereto. Please change your records accordingly and bill the new owners at:

Mailing Address: **1925 South 2000 East, Gooding, ID 83330**

Sincerely,

Susan Bolton  
Escrow Officer

smb/lr