

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

RECEIVED

AUG 14 2017

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? |
|-----------------------------------------------------------------------------|-----------------------------------------|------------------------------|-----------------------|------------------------------|------------------------------|
| -10535<br>1-10666<br>1-10537<br>1-10667<br>1-10539<br>1-10668<br>1-10535 OK | Yes <input checked="" type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
| 1-10537 OK                                                                  | Yes <input checked="" type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
| 1-10539 OK                                                                  | Yes <input checked="" 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: Gene Scott  
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Derick & Amy Barney  
New owner(s) as listed on the conveyance document  
Name connector ☐ and ☐ or ☒ and/or  
4644 E. 185 N. Rigby ID 83442  
Mailing address City State ZIP  
208-360-2155 amydebelmo@hotmail.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: 8-12-15

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:

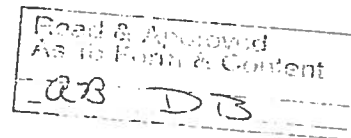
- ☒ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.  
☒ Plat map, survey map or aerial photograph which clearly 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: [Signature] 8-11-17  
Signature of new owner/claimant Title, if applicable Date

Signature: Amy Barney 8-11-17  
Signature of new owner/claimant Title, if applicable Date

**For IDWR Office Use Only:**

Received by JB Date 8/14/2017 Receipt No. E0432810 Receipt Amt. \$ 300.-  
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 Km Date 2/20/2017



WARRANTY DEED

Order No.:56880AM

FOR VALUE RECEIVED

Jan Johnson, an unmarried person
the grantor(s), do(es) hereby grant, bargain, sell and convey unto
Derick Barney and Amy Barney, husband and wife

whose current address is: 4644 EE 185 N, Rigby, ID 83442

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

A Parcel of Land situated in Jefferson County, State of Idaho, Township 4 North, Range 40 East of the Boise Meridian, Section 29; Beginning at the Northeast corner of said Section 29;

Thence S00°00'00"W along the East line of said Section 29 for a distance of 2625.07 feet to the East Quarter of Section 29;

Thence N89°53'49"W for a distance of 2637.21 feet to the Southeast corner of the Northwest Quarter of Section 29;

Thence N00°01'08"E along the East line of said NW¼ for a distance of 876.06 feet to the true point of beginning.

Thence N89°49'10"W for a distance of 365.00 feet;

Thence S01°09'13"W for a distance of 91.79 feet;

Thence N89°49'10"W for a distance of 272.00 feet;

Thence N30°26'11"W for a distance of 57.91 feet;

Thence N00°22'55"W for a distance of 261.95 feet;

Thence S89°49'10"E for a distance of 40.00 feet;

Thence N00°01'05"E for a distance of 220.00 feet;

Thence S89°49'10"E for a distance of 72.00 feet;

Thence S06°45'01"W for a distance of 221.80 feet;

Thence S89°23'10"E for a distance of 238.78 feet;

Thence S80°28'24"E for a distance of 350.04 feet to the East line of the Northwest Quarter of Section 29;

Thence S00°01'05"W for a distance of 161.00 feet to the True Point of Beginning.

Tract 2:

Together with an easement for ingress and egress, over the East 20 feet of the SE¼NW¼ of said Section 29.

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: August 11, 2015

Jan Johnson

State of Idaho } ss

County of \_\_\_\_\_ }

On this \_\_\_\_ day of August, 2015, before me, the undersigned a Notary Public in and for said state, personally appeared Jan Johnson, 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 same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Notary Public for the State of Idaho

Residing at:

Commission Expires:



1650 Elk Creek Dr. Idaho Falls, ID 83404 (208) 524-6600 FAX (208) 524-6072

## ESCROW INSTRUCTIONS

TO: AMERITITLE

ESCROW # 56880AM

**Seller(s): Jan Johnson**  
**Buyer(s): Derick Barney and Amy Barney**

### Legal Description:

A Parcel of Land situated in Jefferson County, State of Idaho, Township 4 North, Range 40 East of the Boise Meridian, Section 29; Beginning at the Northeast corner of said Section 29;  
Thence S00°00'00"W along the East line of said Section 29 for a distance of 2625.07 feet to the East Quarter of Section 29;  
Thence N89°53'49"W for a distance of 2637.21 feet to the Southeast corner of the Northwest Quarter of Section 29;  
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Thence S00°01'05"W for a distance of 161.00 feet to the True Point of Beginning.  
Tract 2:  
Together with an easement for ingress and egress, over the East 20 feet of the SE¼NW¼ of said Section 29.

**Seller hereby deposits, or shall cause to be deposited, the following with escrow under these instructions:**

### Executed Deed,

Seller authorizes preparation, delivery, release, and recording of documents when AmeriTitle holds for the account of the seller the sum as shown on the signed estimated closing statement and further authorizes credits, deductions, and adjustments as set forth on the signed estimated closing statement. Certain items shown on the closing statement are estimates only and the final figures may be adjusted to accommodate exact amounts required at the time of disbursement.

Sellers represent to AmeriTitle they have read and approved the herein mentioned commitment for title insurance and have not executed any lien documents (such as a deed of trust or mortgage) that are not reflected on the commitment for title insurance. Sellers further acknowledge and will indemnify AmeriTitle against any loss should a lien be executed by the undersigned and recorded prior to the closing of this transaction.

**Buyer hereby deposits, or shall cause to be deposited, the following with escrow under these instructions:**

**Certified or collected funds, Loan proceeds and security instrument (if any) in the amount of \$236,075.00,**

Buyer authorizes preparation, delivery, release and recording of documents when AmeriTitle is prepared to issue an Owner's Title insurance policy (ALTA 2006) in Standard and Owners form in the amount of the sales price insuring the Grantee on the deed deposited by Seller on the property described in the commitment for title insurance: report # 56880AM, subject to exceptions # 1-12,14,16-17 and recorded documents as shown above. Unless instructed differently within this file title to the subject property shall be conveyed into the names of **Derick Barney and Amy Barney, husband and wife**

RP006970010080

RP006970010090

RP006970010100

Table Rock Estates

RP00697002003C

RP04N40E294281

RP04N40E294252

RP04N40E294203

RP04N40E294240

RP04N40E294252

RP04N40E294400

RP04N40E294304

RP006970030030

RP006970030020

Point of Diversion

Public  
Jefferson County GIS



Instrument # 418519  
RIGBY, JEFFERSON, IDAHO  
08-12-2015 04:23:49 PM No. of Pages: 1  
Recorded for: AMERITITLE - IDAHO FALLS  
COLLEEN C POOLE Fee: \$10.00  
Ex-Officio Recorder Deputy: LK  
Index To: WARRANTY DEED  
Electronically Recorded by Simplifile

### WARRANTY DEED

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And that (s)he will warrant and defend the same from all lawful claims whatsoever.

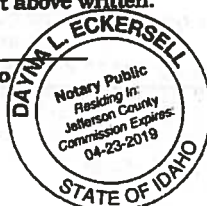
Dated: August 11, 2015

Jan Johnson

State of Idaho } ss  
County of Jefferson

On this 12 day of August, 2015, before me, the undersigned a Notary Public in and for said state, personally appeared Jan Johnson, 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 same.  
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Notary Public for the State of Idaho  
Residing at:  
Commission Expires:



RECEIVED

SEP 08 2017

Department of Water Resources  
Eastern Region



**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](http://www.idwr.idaho.gov)**

**C.L. "BUTCH" OTTER**  
Governor

**GARY SPACKMAN**  
Director

February 23, 2018

DERICK BARNEY  
AMY BARNEY  
4644 E 185 N  
RGBY ID 83442

RE: Change of Ownership for Water Rights 1-10535 (Split into 1-10535 & 1-10666), 1-10537 (Split into 1-10537 & 1-10667) & 1-10539 (Split into 1-10539 & 1-10668)

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](http://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: Gene Scott  
Water District 01