

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
JAN 18 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?
13-481	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: Benny C Comish
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Richard D Comish
New owner(s) as listed on the conveyance document
- Mailing address: 1261 Comish Rd City: GRACE State: ID ZIP: 83241
- Telephone: 1-208-425-9131 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: Richard D. Comish Title, if applicable: _____ Date: 1-16-18
Signature of new owner/claimant
- Signature: Frances M. Comish Title, if applicable: _____ Date: 1-16-18
Signature of new owner/claimant

For IDWR Office Use Only:

Received by: JB Date: 1/18/2018 Receipt No. E043669 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: 2/6/2018

QUITCLAIM DEED

**FOR VALUE RECEIVED,
Bennie C. Comish, widowed**

Do(es) hereby convey, release, remise and forever quit claim unto

Richard Dean Comish & Frances Marie Comish, Husband and Wife

whose current address is::

1261 Comish Road, Grace Idaho 83241

the following described premises: Township 9 South Range 40 East Section 35
Beginning at a point 590 feet West of the Southeast corner of the SE1/4NE1/4
of said section 35, and running thence West 214 feet, more or less to a point
526 feet East of the Southwest corner of the SE1/4NE1/4 of said section 35;
thence North 990 feet; thence East 263 feet; thence Southerly along the ext.
of Comish lane to a point 590 feet West, 271 feet North and 138 feet East of
the Southeast corner of the SE1/4NE1/4; thence West 138 feet; thence South
271 feet to a point on the South line of the NE1/4, to the point of beginning

TO HAVE AND TO HOLD the said premises, unto the said grantees, heirs and assigns
forever.

September 20, 2011

Bennie C. Comish
Bennie C. Comish

State of ID

} ss.

County of Caribou

On this 20th day of September, in the year 2011 before me, a Notary Public in and for said state, personally
appeared Bennie C. Comish known or identified to me to be the person whose name is subscribed to the
within instrument and acknowledged to me that he/she/they executed the same.

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



Sally Hill
Notary Public for the State of Idaho
Residing at: Soda Springs
Commission Expires: 7-19-2016



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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

February 09, 2018

RICHARD COMISH
FRANCES COMISH
1261 COMISH RD
GRACE ID 83241

Re: Change in Ownership for Water Right No(s): 13-481

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.

According to our phone conversation on February 5, 2018 you asked the department to add your name and leave Benny Comish on the water right as a current owner, because this water right is for 2 homes one owned by you and the other owned by a Mr. Gibson. The department will request an ownership change application from Mr. Gibson and will update this water right to reflect the current owner as soon as the information is received.

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 of the owner of a water right, to the Department. Notice of the change must be provided to the Department within **120 days** of the change. Water right forms are available from any office of the Department, or at www.idwr.idaho.gov.

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 13T
Benny Comish

MEMORANDUM

DATE: February 6, 2018

RE: Change of Ownership 13-481

Water Right History:

Water Right is for 2 homes and 1 acre of irrigation. Talked to Richard Comish who indicated at one point this water right was for 1 acre of land and 2 homes, home addresses as follows: 1261 Comish Road and 1245 Comish Road. The pipe to 1245 Comish was cut off a long time ago, and they have since drilled their own well. The current owner of 1245 Comish is Michael and Luann Gibson. A transfer to add the new point of diversion on the Gibson property has not yet been filed with the department.

Richard & Frances Comish 2018 Ownership Change

Ownership Change received January 18, 2018. Evidence of ownership included the ownership for 1 home (1261 Comish) and 6 acres of property.

Richard & Frances Comish Ownership Change Complete

At the request of Richard Comish as opposed to splitting the water right, the department has added Richard and Frances Comish to water right, Benny Comish is still listed. The department sent a request to Michael and Luann Gibson to file an ownership change in order for them to replace Benny Comish. Then the water right will list Richard & Frances Comish and Michael & Luann Gibson. They should file a transfer to add their point of diversion.