

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 05 2017

WATER RESOURCES
WESTERN 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?
61-4086	Yes ☒	Yes ☐		Yes ☐	Yes ☐
61-4086 + 61-12324	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Rainey

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Robert Hieb

New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or ☐ and/or

1465 E 8th N

Mountain home ID 83647

Mailing address

City

State

ZIP

503-704-1199

Broncobob7@Comcast.Net

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: Dec 2016

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 # 61-4086

8. Signature: Robert Hieb Title, if applicable: _____ Date: 3-29-17

Signature of new owner/claimant

Title, if applicable

Date

- Signature: _____ Title, if applicable: _____ Date: _____

Signature of new owner/claimant

Title, if applicable

Date

For IDWR Office Use Only:

Received by AS Date 4/5/17 Receipt No. W045136 Receipt Amt. \$25.00

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 X Approved by _____ Processed by Jmh Date 11-6-17

WARRANTY DEED

16634

For Value Received,

JANET JO DAVISON, A SINGLE WOMAN

the Grantor does hereby grant, bargain, sell, convey and warrant unto

ROBERT C HIEB, A SINGLE MAN

the Grantee whose current address is:
1465 East 8th North St, Mountain Home, ID 83647

the following described real property in Elmore County, State of Idaho more particularly described as follows, to-wit:

Lots 8 and 9, Sleepy Hollow Subdivision, Mountain Home, Elmore County, Idaho, according to the official plat thereof on file and of record in the office of the County Recorder of Elmore County, Idaho. And Amended by Surveyors Error, recorded October 10, 1979, as Instrument No. 190970, records of Elmore County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that he is the owner in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that he will warrant and defend the same from all lawful claims whatsoever, except those of record.

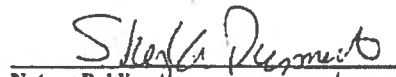
Date: October 14, 2016


Janet Jo Davison

State of Idaho
County of Elmore

On this 14th day of October, 2016, before me, the undersigned, a Notary Public, in and for said State, personally appeared JANET JO DAVISON, known to me, and/or identified to me on the basis of satisfactory evidence, to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

WITNESS MY HAND AND OFFICIAL SEAL


Notary Public
Residing at: Mountain Home
Commission Expires: 1-6-18



WARRANTY DEED

16634

For Value Received,

JANET JO DAVISON, A SINGLE WOMAN

the Grantor does hereby grant, bargain, sell, convey and warrant unto

ROBERT C HIEB, A SINGLE MAN

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1465 East 8th North St, Mountain Home, ID 83647

the following described real property in Elmore County, State of Idaho more particularly described as follows, to-wit:

Lots 8 and 9, Sleepy Hollow Subdivision, Mountain Home, Elmore County, Idaho, according to the official plat thereof on file and of record in the office of the County Recorder of Elmore County, Idaho. And Amended by Surveyors Error, recorded October 10, 1979, as Instrument No. 175662, records of Elmore County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that he is the owner in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that he will warrant and defend the same from all lawful claims whatsoever, except those of record.

Date: October 11, 2016

Janet Jo Davison

State of Idaho
County of Elmore

On this _____ day of October, 2016, before me, the undersigned, a Notary Public, in and for said State, personally appeared **JANET JO DAVISON**, known to me, and/or identified to me on the basis of satisfactory evidence, to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

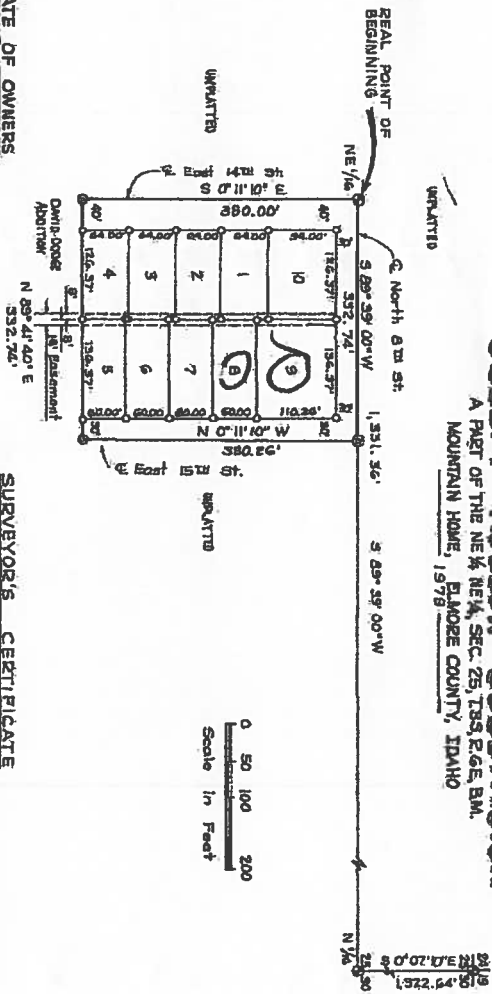
WITNESS MY HAND AND OFFICIAL SEAL

Notary Public
Residing at:
Commission Expires:

See affidavit # 190970 10/10/79
 Re: Surveyor Certification - erroneous description

SLEEPY HOLLOW SUBDIVISION

A PART OF THE NE 1/4 NE 1/4, SEC. 25, T38, R3E, BM.
 MOUNTAIN HOME, ELMORE COUNTY, IDAHO
 1978



CERTIFICATE OF OWNERS

STATE OF IDAHO
 COUNTY OF ELMORE
 This is to certify that the undersigned own the owners in fee simple of the property hereinafter described and that the correct description of the property is as follows: Block 4, (measured), of David O'Casey Addition, on file with the County Recorder, more particularly described in the SUBDIVISION CERTIFICATE. That the undersigned owners do agree the same to be surveyed, divided, and partitioned into lots and streets as shown on this plat, and hereby dedicate to the public for utility purposes, the right to use said easements, to be hereafter perpetually reserved for such utility and drainage purposes to be erected within the limits of said easements.
 IN WITNESS WHEREOF, we have hereunto set our hands this 20th day of May, 1979.

Ned Rainey
 Ned Rainey
Groce Rainey
 Groce Rainey

ACKNOWLEDGEMENT

STATE OF IDAHO
 COUNTY OF ELMORE
 On this 20th day of May, 1979, before me, the undersigned, a Notary Public in and for the said State, personally appeared Ned Rainey and Groce Rainey, husband and wife, executed the within instrument and acknowledged to me that they executed the same.
 IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year in this Certificate first above written.

Notary Public for Idaho
 Residing at _____
 My Commission expires _____

SURVEYOR'S CERTIFICATE

STATE OF IDAHO
 COUNTY OF ELMORE
 I, Larry F. Mathison, a Registered Professional Engineer in the State of Idaho, do hereby certify that the above described plat of the Sleepy Hollow Subdivision is a true and correct representation of the same as the same was surveyed, divided, and partitioned into lots and streets as shown on this plat, and hereby dedicate to the public for utility purposes, the right to use said easements, to be hereafter perpetually reserved for such utility and drainage purposes to be erected within the limits of said easements.
 IN WITNESS WHEREOF, I have hereunto set my hand and seal this 20th day of May, 1979.



EASEMENT NOTE:

All lot lines common to a street right of way have a permanent 5' wide public utilities and drainage easement.

LEGEND

- Round Brass Cap Monument
- Fixed 1/8" Rubber
- Set 1/2" x 30" Rubber
- Set 1/2" x 24" Rubber
- Public Utility and Drainage Easements from property lines where not dimensioned.

APPROVALS:

COUNTY ENGINEER
 I, _____, Elmore County Engineer for Elmore County, hereby approve this plat of the SLEEPY HOLLOW SUBDIVISION.

CITY ENGINEER

I, Robert Joeels, City Engineer for the City of Mountain Home, hereby approve this plat of the SLEEPY HOLLOW SUBDIVISION.

SANITARY

RESTRICTIONS under Title 50, Chapter 13, Idaho Code have been satisfied.

CITY COUNCIL

MAYOR AND CITY COUNCIL
 I, Nelson H. Oles, Jr., Mayor of the City of Mountain Home, Elmore County, Idaho, do hereby certify that "SLEEPY HOLLOW SUBDIVISION" meets the City requirements and has been approved by the City Planning and Zoning Commission.
 Nelson H. Oles, Jr.
 Mayor

I, Karen Becker, City Clerk of Mountain Home, Elmore County, Idaho, do hereby certify that a regular meeting of the City Council held on the 20th day of May, 1979, this plat of SLEEPY HOLLOW SUBDIVISION was duly accepted and approved.
 Karen Becker
 City Clerk

COUNTY RECORDERS CERTIFICATE

STATE OF IDAHO
 COUNTY OF ELMORE
 I hereby certify that this instrument was filed at _____ o'clock _____ M., this 20th day of May, 1979, in my office and was duly recorded.

Notary Public for Idaho
 Residing at _____
 My Commission expires _____

Fee \$10.00



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

November 6, 2017

ROBERT HIEB
1465 E 8TH N
MOUNTAIN HOME ID 83647

Re: Change in Water Right Ownership: 61-4086 (Split into 61-4086 and **61-12324**)

Dear Water Right Holder(s):

The Department acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records based on the information received to reflect the change in ownership and has enclosed a computer-generated report for your records.

Your portion of these water rights has a specified point of diversion, nature of use and place of use. If you plan on changing the nature of use, place of use, or point of diversion under this right, including adding a new point of diversion, then an Application for Transfer on your portion of this right is required. Please contact this office for further information on the Application for Transfer form or you can find the forms at www.idwr.idaho.gov. 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 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.

Also note that as of July 1, 1996, 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.

Please feel free to contact me at 208-287-4942 if you have any questions concerning the enclosed information or this letter.

Sincerely,

Jean Hersley
Technical Records Specialist II

Enclosure

c: Water District No. 161



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

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GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

November 6, 2017

NED E RAINEY
GRACE E RAINEY
1465 E 8TH N
MOUNTAIN HOME ID 83467

Re: Change in Water Right Ownership: 61-4086 (Split into **61-4086** and 61-12324)

Dear Water Right Holder(s):

We have received and processed a Change of Ownership for a portion of your original Water Right as referenced above. This change of ownership resulted in a split of your original water right.

When a portion of the original water right has been conveyed to another and the original right has been split, a new water right number is issued to the new owner representing their portion of the original water right. Each water right contains only the portion of the original right for each separate owner. The original water right number reflects your remaining portion of the water right, after the change of ownership. Enclosed is a copy of this water right for your records. Please refer to your water right number when corresponding with our office.

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 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.

If you have any questions concerning this ownership change, or the enclosed information, please contact me at 208-287-4942.

Sincerely,

Jean Hersley
Technical Records Specialist II

Enclosure

c: Water District No. 161

Hersley, Jean

From: Hersley, Jean
Sent: Monday, November 06, 2017 9:46 AM
To: Miller, Nick
Subject: ownership change WD 161
Attachments: DOC002

For your information and files.

Jean



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

October 12, 2017

ROBERT HIEB
1465 E 8TH N
MOUNTAIN HOME ID 83647

RE: Notice of Change in Water Right Ownership No(s). 61-4086

Dear Interested Party(s):

The Department of Water Resources (Department) acknowledges receipt of your request to update the ownership of water right 61-4086. The Department will need a **signed and notarized** copy of the warranty deed you provided.

It also appears that water right 61-4086 will need to be split. According to the deed you provided, you own Lots 8 & 9 of the Sleepy Hollow Subdivision which is a portion of water right 61-4086. I have enclosed a water right report for your benefit. Effective July 1, 2000, the legislature enacted House Bill No. 545 requiring a filing fee for a change in water right ownership. The fee is \$25 **per** water right, except for ownership changes resulting in the division of a water right, which is \$100 per water right. All ownership change notices received after June 30, 2000 must include the appropriate filing fees in order to be processed. The Department has determined that the additional filing fee for your notice will be **\$75.**

Because the Department cannot process the ownership change without proper documentation and fees, we will hold any action on your notice pending receipt of the necessary information and fees. If we do not receive the necessary information and fees within 30 days we will return your request unprocessed. Please send the documents and fee to the address above.

Please contact me at (208) 287-4942 if you have any questions regarding this matter.

Sincerely,

A handwritten signature in cursive script that reads "Jean Hersley".

Jean Hersley
Technical Records Specialist II

Enclosure