

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED
SEP 19 2017
Department of Water Resources
Eastern 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?
29-11005 <i>OP</i>	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: Downey Properties
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Mike Vaughan
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or

P.O. Box 266 Downey ID 83234
Mailing address City State ZIP
208-390-3832 MVaughan4186@aol.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: Mike Vaughan 9-19-17
Signature of new owner/claimant Title, if applicable Date

Signature: _____
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by JB Date 9/19/2017 Receipt No. E043406 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 9/26/2017

First American Title - Pocatello

21706094 2017 May 05 AM 08:54:00
Electronically Recorded by Simplifile

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
223 North 15th Avenue
Pocatello, ID 83201

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **614795-P (sg)**

Date: **April 14, 2017**

For Value Received, **Downey Properties, LLC, a Utah limited liability company** hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Mike Vaughan and Shelley Vaughan, husband and wife**, hereinafter called the Grantee, whose current address is **P.O. Box 266, Downey, Idaho 83234**, the following described premises, situated in **Bannock County, Idaho**, to-wit: **Legal Description attached hereto as Exhibit A, and by this referenced Incorporated herein.**

mv
DC

Water Claim #29-11005

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
223 North 15th Avenue
Pocatello, ID 83201

Recorded Electronically	
ID	<u>21706094</u>
County	<u>Bannock</u>
Date	<u>5-5-17</u> Time <u>8:54</u>
Simplifile.com 800.460.5657	

Space Above This Line for Recorder's Use Only

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Downey Properties, LLC, a Utah
limited liability company
by its Manager
Goldberg Property Management, LLC

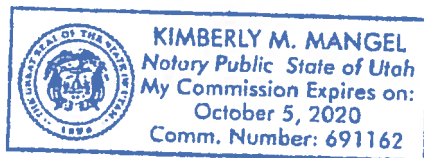
By its Manager The Stanley Goldberg
Trust and The Sandra Goldberg Trust

✓ By: Marilynn Tetrick
Name: Marilynn Tetrick
Title: Trustee

✓ By: C. Leon Nelson
Name: C. Leon Nelson
Title: Trustee

STATE OF UT)
COUNTY OF Salt Lake) ss.

On this 3rd day of May, 2017, before me, a Notary Public in and for said State, personally appeared **Marilynn Tetrick, Trustee and C. Leon Nelson, Trustee of the Stanley Goldberg Trust and the Sandra Goldberg Trust**, known or identified to me to be the person whose name is subscribed to the within Instrument as one of the Managers/Members of the **the Goldberg Property Management, LLC which is the Manger of Downey Properties, LLC**, which is known or identified to me to be the entity whose name is subscribed to the within instrument and acknowledged to me that they executed the same in said Limited Liability Company's name.



✓ Kimberly M. Mangel
Notary Public of UT
Residing at: Salt Lake County
Commission Expires: October 5, 2020

EXHIBIT A

PARCEL 1:

TOWNSHIP 12 SOUTH, RANGE 37 EAST OF THE BOISE MERIDIAN, BANNOCK COUNTY, IDAHO.

SECTION 6: ALL OF GOVERNMENT LOT 6 AND ALL OF GOVERNMENT LOT 7.

ALSO: BEGINNING AT THE WEST 1/16 CORNER OF LATITUDINAL CENTER LINE SECTION 6; THENCE SOUTH ALONG THE WEST 1/16 LINE OF SAID SECTION 6, 1320 FEET, MORE OR LESS, TO THE SOUTHWEST 1/16 CORNER OF SAID SECTION 6; THENCE EAST ALONG THE SOUTH 1/16 LINE OF SECTION 6, 1320 FEET, MORE OR LESS, TO THE SOUTH 1/16 CORNER OF SAID SECTION 6; THENCE NORTH ALONG THE LATITUDINAL CENTER LINE OF THE AFORESAID SECTION 6, 660 FEET; THENCE IN A NORTHWESTERLY DIRECTION 1476 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

ALSO: BEGINNING AT THE NORTH QUARTER CORNER OF SECTION 6; THENCE NORTH 89°50' WEST ON THE TOWNSHIP LINE, 430 FEET; THENCE SOUTH 16°35' WEST 300 FEET; THENCE SOUTH 15°50' WEST 1070 FEET, TO INTERSECT THE NORTH 1/16 LINE OF SECTION 6; THENCE EASTERLY ALONG SAID NORTH 1/16 LINE 820 FEET TO THE NORTH 1/16 CORNER OF SAID SECTION; THENCE NORTHERLY ALONG THE MERIDIONAL CENTERLINE OF SAID SECTION, 1320 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

ALSO: BEGINNING AT THE NORTHWEST CORNER OF THE NW¼SE¼ OF SECTION 6; THENCE SOUTH ON 1/16 LINE 110 FEET; THENCE NORTH 89°25' EAST 240 FEET; THENCE SOUTH 73°15' EAST 345 FEET; THENCE NORTH 15°50' EAST 214 FEET; THENCE WEST ON THE 1/16 LINE 630 FEET TO THE POINT OF BEGINNING.

ALSO: BEGINNING AT THE NORTH QUARTER CORNER OF SECTION 6; THENCE SOUTH 1320 FEET, MORE OR LESS TO THE NORTH 1/16 CORNER OF SAID SECTION 6; THENCE WEST ALONG THE NORTH 1/16 LINE 820 FEET; THENCE SOUTH 15°50' WEST 1380 FEET, MORE OR LESS TO A POINT WHICH IS 130 FEET EAST OF THE WEST 1/16 CORNER OF SECTION 6; THENCE EAST ALONG THE LATITUDINAL CENTER LINE OF SECTION 6, 1820 FEET; THENCE NORTH 15°50' EAST 1770 FEET; THENCE NORTH 19°25' EAST 1000 FEET, MORE OR LESS TO INTERSECT THE NORTH LINE OF SAID SECTION 6, AT A POINT THAT IS 141.0 FEET EAST OF THE EAST 1/16 CORNER ON THE NORTH LINE OF SECTION 6; THENCE WESTERLY ALONG THE NORTH LINE OF SAID SECTION 1461 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

ALSO: BEGINNING AT THE NORTHWEST CORNER OF THE NE¼SW¼ OF SECTION 6; RUNNING THENCE EAST 80 RODS; THENCE SOUTH 40 RODS; THENCE NORTHWEST COURSE 89½ RODS, MORE OR LESS, TO THE POINT OF BEGINNING.

EXCEPTING THE FOLLOWING DESCRIBED TRACT: BEGINNING AT THE NORTH QUARTER CORNER OF SECTION 6; THENCE EAST ALONG THE NORTH LINE OF SECTION 6 A DISTANCE OF 1461 FEET, MORE OR LESS, TO A POINT 141 FEET EAST OF THE EAST 1/16 CORNER ON THE NORTH LINE OF SAID SECTION 6; THENCE SOUTH 19°25' WEST 660 FEET; THENCE IN A NORTHWESTERLY DIRECTION 1400 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM: A PARCEL OF LAND LOCATED IN THE SW¼ OF SECTION 6, TOWNSHIP 12 SOUTH, RANGE 37 EAST, BOISE MERIDIAN, BANNOCK COUNTY, IDAHO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 6, LOCATED NORTH 89°57'54" WEST 5781.15 FEET FROM THE EAST QUARTER CORNER OF SAID SECTION 6; THENCE SOUTH 89°57'54" EAST 3116.42 FEET ALONG THE NORTH BOUNDARY OF THE SW¼

TO THE NORTHEAST CORNER OF THE SW $\frac{1}{4}$ OF SAID SECTION 6; THENCE SOUTH 01°17'47" EAST 291.55 FEET ALONG THE EAST BOUNDARY OF THE SW $\frac{1}{4}$ TO A 5/8" REBAR AND CAP LABELED "BRIAN ALLEN, PLS 9163" SET ON THE SOUTHERLY RIGHT OF WAY LINE OF WOODLAND ROAD, THE TRUE POINT OF BEGINNING.

THENCE SOUTH 01°17'47" EAST 410.30 FEET ALONG THE EAST BOUNDARY OF SAID SW $\frac{1}{4}$ TO A 5/8" REBAR AND CAP; THENCE SOUTH 88°42'13" WEST 513.38 FEET TO A 5/8" REBAR AND CAP; THENCE NORTH 01°17'47" WEST 445.58 FEET PARALLEL TO THE EAST BOUNDARY OF THE SW $\frac{1}{4}$ TO A 5/8" REBAR AND CAP SET ON THE SOUTHERLY RIGHT OF WAY LINE OF WOODLAND ROAD; THENCE EASTERLY ALONG SAID RIGHT OF WAY LINE THE FOLLOWING SIX (6) COURSES:

THENCE SOUTH 83°41'47" EAST 100.33 FEET TO A 5/8" REBAR AND CAP; THENCE SOUTH 84°31'34" EAST 74.26 FEET TO A 5/8" REBAR AND CAP; THENCE NORTH 89°44'59" EAST 115.89 FEET TO A 5/8" REBAR AND CAP; THENCE SOUTH 89°41'23" EAST 116.75 FEET TO A 5/8" REBAR AND CAP; THENCE SOUTH 87°59'37" EAST 76.18 FEET TO A 5/8" REBAR AND CAP; THENCE SOUTH 84°59'52" EAST 31.76 FEET TO THE TRUE POINT OF BEGINNING.



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

September 29, 2017

Mike Vaughan
Po Box 266
Downey ID 83234

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

RE: Change of Ownership for Water Right No(s). 29-11005

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right(s) to you. The department has modified its records to reflect the change in ownership and has enclosed computer-generated reports for your records.

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.

Also, 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.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,

Jonie Barg
Technical Records Specialist

Enclosure(s)

cc: Water District 29H