

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

RECEIVED

AUG 07 2017

DEPT OF WATER RESOURCES  
SOUTHERN 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? |
|-----------------------|------------------------------|------------------------------|-----------------------|------------------------------|------------------------------|
| 47-11849              | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
| 47-11852              | 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: Jonathan R. Fortner and Margaret Mae Fortner  
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Gene R. Barker, III  
New owner(s) as listed on the conveyance document      Name connector ☐ and ☐ or ☐ and/or
- 3347 E. 3400 N.      Kimberly      ID      83341  
Mailing address      City      State      ZIP
- 707-382-9118  
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: 08/01/2017
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):  
     o \$25 per *undivided* water right.  
     o \$100 per *split* water right.  
     o 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]      Title, if applicable: \_\_\_\_\_      Date: 08/01/2017  
     Signature of new owner/claimant      Title, if applicable      Date
- Signature: \_\_\_\_\_      Title, if applicable: \_\_\_\_\_      Date: \_\_\_\_\_  
     Signature of new owner/claimant      Title, if applicable      Date

SUPPORT DATA

IN FILE # 47-11849

### For IDWR Office Use Only:

Received by [Signature] Date 8-7-2017 Receipt No. 5036272 Receipt Amt. \$50-

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  
1502 Locust Street North, Bldg. 300  
Twin Falls, ID 83301

**TWIN FALLS COUNTY**  
RECORDED FOR:  
FIRST AMERICAN TITLE - TWIN F/  
08:38:31 AM 08-02-2017  
**2017012257**  
NO. PAGES 4 FEE: \$15.00  
KRISTINA GLASCOCK  
COUNTY CLERK  
DEPUTY: SW  
Electronically Recorded by Simplifile

Space Above This Line for Recorder's Use Only

## **WARRANTY DEED**

File No.: **642061-TF (lk)**

Date: **July 18, 2017**

For Value Received, **Jonathan R. Fortner and Margaret Mae Fortner, husband and wife**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Gene R. Barker, III, a married man as his sole and separate property**, hereinafter called the Grantee, whose current address is **3347 East 3400 North, Kimberly, ID 83341**, the following described premises, situated in **Twin Falls County, Idaho**, to-wit:

**BEING A PORTION OF PARCEL 3 AS SHOWN ON CANYON LAND, TWIN FALLS COUNTY, IDAHO ACCORDING TO THE MAP OF SURVEY, RECORDED IN BOOK 28 OF MISCELLANEOUS, PAGE 1859, RECORDS OF TWIN FALLS COUNTY, IDAHO, SAID PARCEL 3 ALSO BEING A PORTION OF THE NE $\frac{1}{4}$ NW $\frac{1}{4}$  OF SECTION 7, TOWNSHIP 11 SOUTH, RANGE 18 EAST, BOISE MERIDIAN, TWIN FALLS COUNTY, IDAHO, COMPRISED OF TWO (2) PARCELS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

### **PARCEL 1**

**COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 7;**

**THENCE, SOUTH 89°50'40" WEST 680.73 FEET ALONG THE NORTH BOUNDARY OF SAID NE $\frac{1}{4}$ NW $\frac{1}{4}$  OF SECTION 7 TO THE NORTHEAST CORNER OF SAID PARCEL 3 AND BEING THE REAL POINT OF BEGINNING;**

**THENCE, SOUTH 00°42'41" EAST 125.00 FEET ALONG THE EAST BOUNDARY OF SAID PARCEL 3;**

**THENCE, LEAVING SAID EAST BOUNDARY, SOUTH 89°50'50" WEST 348.94 FEET TO A POINT ON THE WEST BOUNDARY OF SAID PARCEL 3;**

**THENCE, NORTH 01°11'52" WEST 125.00 FEET ALONG SAID WEST BOUNDARY TO THE NORTHWEST CORNER OF SAID PARCEL 3;**

**THENCE, NORTH 89°50'40" EAST 350.00 FEET ALONG THE NORTH BOUNDARY OF SAID PARCEL 3 TO SAID REAL POINT OF BEGINNING.**

**SUBJECT TO AND TOGETHER WITH: THE BENEFITS OF THE ROADWAY AND UTILITY EASEMENT AS REFLECTED ON THE MAP OF SURVEY, RECORDED IN BOOK 28 OF MISCELLANEOUS, PAGE 1859, RECORDS OF TWIN FALLS COUNTY, IDAHO.**

### **PARCEL 2**

**COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 7;**

**THENCE, SOUTH 89°50'40" WEST 680.73 FEET ALONG THE NORTH BOUNDARY OF SAID NE¼NW¼ OF SECTION 7 TO THE NORTHEAST CORNER OF SAID PARCEL 3;**

**THENCE, SOUTH 00°42'41" EAST 125.00 FEET ALONG THE EAST BOUNDARY OF SAID PARCEL 3 AND BEING THE REAL POINT OF BEGINNING;**

**THENCE, LEAVING SAID EAST BOUNDARY, SOUTH 89°50'50" WEST 348.94 FEET TO A POINT ON THE WEST BOUNDARY OF SAID PARCEL 3;**

**THENCE, SOUTH 01°11'52" EAST 125.00 FEET ALONG SAID WEST BOUNDARY;**

**THENCE, LEAVING SAID WEST BOUNDARY, NORTH 89°50'58" EAST 347.88 FEET TO A POINT ON SAID EAST BOUNDARY OF PARCEL 3;**

**THENCE NORTH 00°42'41" WEST 125.00 FEET ALONG SAID EAST BOUNDARY TO SAID REAL POINT OF BEGINNING.**

**SUBJECT TO AND TOGETHER WITH: THE BENEFITS OF THE ROADWAY AND UTILITY EASEMENT AS REFLECTED ON THE MAP OF SURVEY, RECORDED IN BOOK 28 OF MISCELLANEOUS, PAGE 1859, RECORDS OF TWIN FALLS COUNTY, IDAHO.**

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: 07/18/2017

Warranty Deed  
- continued

File No.: 642061-TF (Ik)

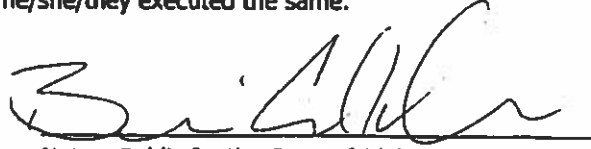
  
Jonathan R. Fortner

Margaret Mae Fortner

STATE OF Idaho )  
COUNTY OF Ada )  
SS.

On this 31<sup>st</sup> day of July, 2017, before me, a Notary Public in and for said State, personally appeared Jonathan R. Fortner, 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: Ada County, ID.  
My Commission Expires: 6/20/22





State of Idaho

## DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 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

August 21, 2017

GENE R BARKER III  
3347 E 3400 N  
KIMBERLY ID 83341

RE: Change of Ownership for Water Right Nos. 47-11849 and 47-11852

Dear Water Right Holder(s):

The Department acknowledges receipt of correspondence changing ownership of the above referenced water right(s). 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 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](http://www.idwr.idaho.gov).

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

Sincerely,

Jim Bitzenburg  
Senior Water Right Agent

Enclosure(s)



**First American Title Company**  
**1502 Locust Street North, Bldg. 300, Twin Falls, ID 83301**  
**Phone (208)734-2905 Fax (208)734-2945**

**RECEIVED**

**AUG 07 2017**

**DEPT OF WATER RESOURCES  
SOUTHERN REGION**

IDWR Southern Region  
650 Addison Ave. W., Suite 500  
Twin Falls, ID. 83301-5858

August 02, 2017  
File No.: 642061-TF (lk)

Attn: Accounts Receivable

Re:

Property: **3347 East 3400 North, Kimberly, ID 83341**  
Buyer: **Gene R. Barker, III and Lauren Salas**  
Seller: **Jonathan R. Fortner and Margaret Mae Fortner**

Sincerely,

Lisa Koompin,  
Escrow Officer

lk/lk