

RECEIVED

MAY 08 2017

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESDEPT 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?
36-39D	Yes ☐	Yes ☐		Yes ☐	Yes ☐
36-10083	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Fred J. Walmsley and Susan K. Walmsley
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Marvin and Wendy McKenzie Family Trust
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 215 Willow Lane Hagerman ID 83316
Mailing address City State ZIP
208-290-2376 hugs from pups@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):
 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.

SUPPORT DATA

IN FILE # 36-39D

8. Signature: Marvin McKenzie Title, if applicable: _____ Date: 5 May 17
Signature of new owner/claimant
- Signature: Wendy McKenzie Title, if applicable: _____ Date: 5-MAY-17
Signature of new owner/claimant

For IDWR Office Use Only:

Received by DM Date 5-8-2017 Receipt No. SO 36113 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
301 Main Street
Gooding, ID 83330

Instrument # 258276
GOODING COUNTY, GOODING, IDAHO
06-05-2017 13:37:57 No. of Pages: 2
Recorded for: FIRST AMERICAN TITLE - JEROME
DENISE GILL Fee: \$13.00
Ex-Officio Recorder Deputy: JB
Electronically Recorded by Simplifile

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **621824GO (smb)**

Date: **February 24, 2017**

For Value Received, **Scott Walmsley, Successor Death Trustee, of the Fred J. and Susan K. Walmsley Living Trust dated March 3, 1995**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Marvin McKenzie and Wendy McKenzie, Trustees of the Marvin and Wendy McKenzie Family Trust dated February 8, 2016**, hereinafter called the Grantee, whose current address is **215 Willow Lane, Hagerman, ID 83332**, the following described premises, situated in **Gooding County, Idaho**, to-wit:

Parcel No. 1:

Lot 8 in Block 2 of Willow Brook Subdivision, Gooding County, Idaho, as the same is platted in the official plat thereof, now of record in the office of the County Recorder of said County.

Parcel No. 2:

A parcel of land located in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 11, Township 7 South, Range 13 East, Boise Meridian, said parcel being lot 9 of the WILLOW BROOK SUBDIVISION and a portion of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of said section 11 and being more particularly described as follows:

Commencing at the Southeast corner of said Section 11, Thence N89°28'48"W along the South boundary of the SE $\frac{1}{4}$ of said Section 11 for a distance of 1330.87 feet to the Southeast corner of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 11, Thence N00°06'15"W along the East boundary of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 11 for a distance of 1316.87 feet to the Southeast corner of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 11, Thence N89°33'37"W along the South boundary of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 11 for a distance of 45.83 feet to a point on the Westerly right-of-way boundary of Highway U.S. 30, Thence N00°11'49"W along the Westerly right-of-way boundary of Highway U.S. 30 for a distance of 455.91 feet to the point of curvature of a curve left, Thence Northwesterly along the Westerly right-of-way boundary of Highway U. S. 30 and on the arc of the curve left for a distance of 407.62 feet to the TRUE POINT OF BEGINNING, said arc having a radius of 42971.85 feet and a chord bearing and distance of N00°28'10"W-407.62 feet:

Thence N82°04'00"W for a distance of 91.57 feet to a point on the Easterly boundary of the WILLOW BROOK SUBDIVISION;

Thence N33°28'15"E along the Easterly boundary of the WILLOW BROOK SUBDIVISION for a distance of 5.54 feet to the Southeast corner of Lot 9 of Block 2 of the WILLOW BROOK SUBDIVISION;

Thence N82°04'00"W along the Southerly boundary of Lot 9 of Block 2 of the WILLOW BROOK SUBDIVISION for a distance of 136.69 feet to the Southwest corner of Lot 9 of Block 2 of the WILLOW BROOK SUBDIVISION;

Date: 02/24/2017

Warranty Deed
- continued

File No.: 621824GO (smb)

Thence N07°56'00"E along the West boundary of Lot 9 of Block 2 of the WILLOW BROOK SUBDIVISION for a distance of 262.54 feet to the Northwest corner of Lot 9 of Block 2 of the WILLOW BROOK SUBDIVISION;

Thence S80°46'04"E along the North boundary of Lot 9 of Block 2 of the WILLOW BROOK SUBDIVISION for a distance of 184.91 feet to the Northeast corner of the WILLOW BROOK SUBDIVISION and being a point on the arc of the Westerly right-of-way boundary of Highway U. S. 30;

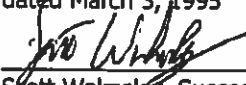
Thence Southeasterly along the Westerly right-of-way boundary of Highway U.S. 30 and on the arc of the curve right for a distance of 266.51 feet to the TRUE POINT OF BEGINNING, said arc having a radius of 42971.85 feet and a chord bearing and distance of S00°55'08"E-266.51 feet.

TOGETHER WITH IDWR water rights 36-39D and 36-10083.

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.

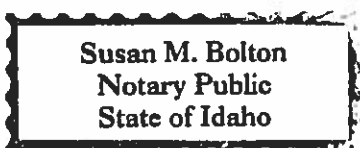
TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from 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.

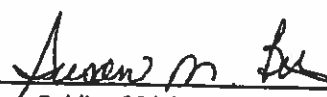
The Fred J. and Susan K. Walmsley Living Trust
dated March 3, 1995

 **TRUSTEE**
Scott Walmsley, Successor Death Trustee

STATE OF Idaho)
SS.
COUNTY OF Gooding)

On this 5th day of May, 2017, before me, a Notary Public in and for said State, personally appeared **Scott Walmsley**, known or identified to me to be the person(s) whose name(s) is subscribed to the within instrument as Successor Death Trustee of the **Fred J. and Susan K. Walmsley Living Trust, dated March 3, 1995 Trust**, and acknowledged to me that he executed the same as such Successor Death Trustee.


Susan M. Bolton
Notary Public
State of Idaho



Notary Public of Idaho
Residing at: Gooding, Id
Commission Expires: 10-16-2022

S 89° 38' 27" E - 1322.92' (1320')

This map is given for informational purposes only - no assurances are made as to the actual footages and boundaries reflected herein.

First American Title



1/16 CC
1322

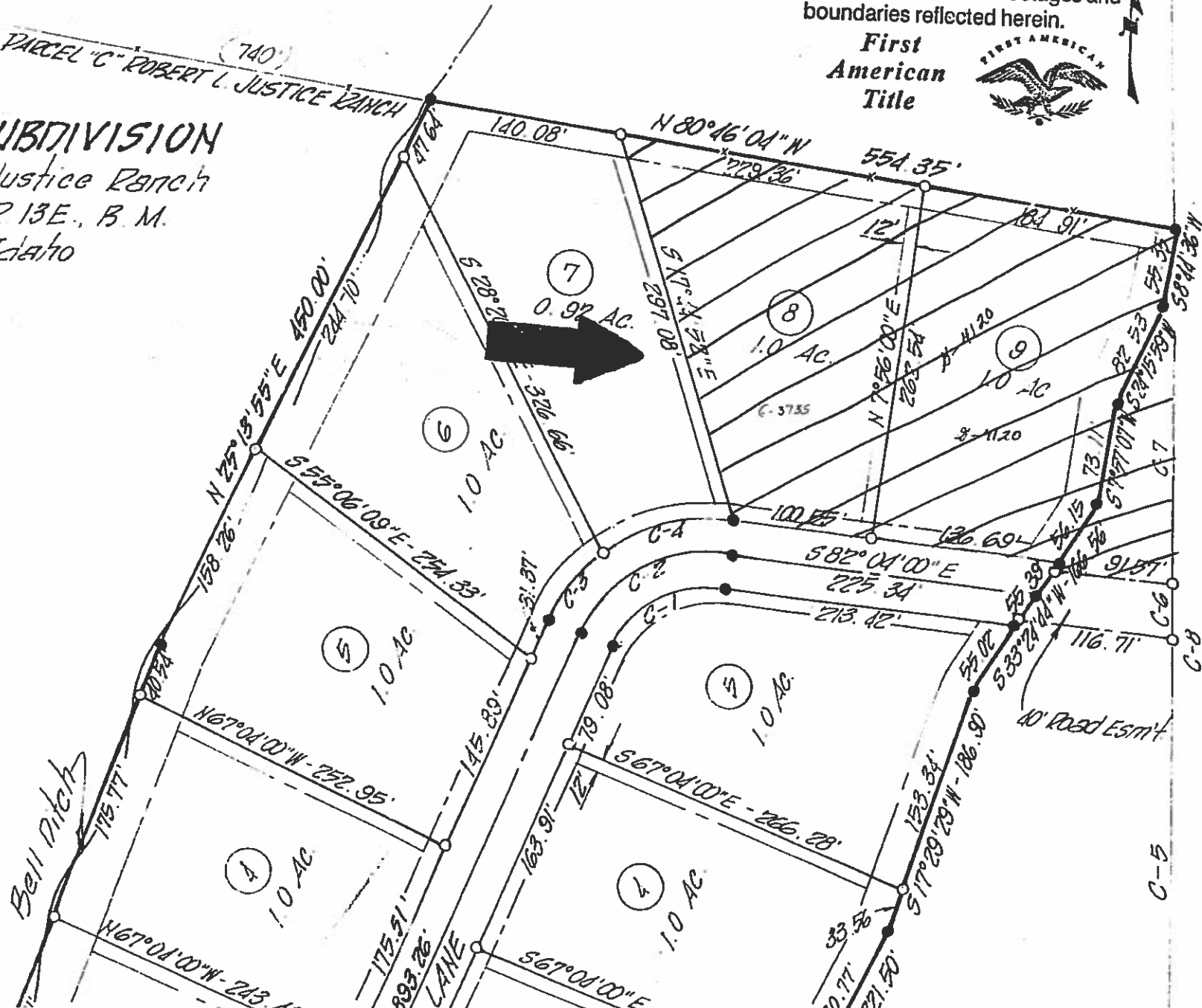
BDRY, PARCEL "C" ROBERT L JUSTICE RANCH

7K SUBDIVISION

rt L Justice Ranch

T 7S, R 13E, B M.

nty, Idaho



195.12

121.75
S 0° 06' 15" E 1316.87'



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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

May 12, 2017

MARVIN & WENDY MCKENZIE FAMILY TRUST
215 WILLOW LN
HAGERMAN ID 83332

RE: Change of Ownership for Water Right Nos. 36-39D and 36-10083

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.

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

Sincerely,

Trish Fawcett
Technical Records Specialist

Enclosure(s)

Cc: First American Title (621824GO)

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MAY 08 2017

DEPT OF WATER RESOURCES
SOUTHERN REGION



First American Title Company
301 Main Street, Gooding, ID 83330
Phone (208)934-4427 Fax (208)934-4741

IDWR
650 Addison Ave W. Ste. 500
Twin Falls, ID 83301

May 05, 2017
File No.: 621824GO (smb)

Attn:

Re:

Property: **215 Willow Lane, Hagerman, ID 83332**
Buyer: **Marvin and Wendy McKenzie Family Trust dated February 8, 2016**
Seller: **Fred J. and Susan K. Walmsley Living Trust dated March 3, 1995**

- Our Check No. **7804** in the amount of **\$Water Transfer**, representing **50.00**.
- Notice of Change
- Warranty Deed
- Map

Sincerely,

Susan Bolton,
Escrow Officer

smb/ca