

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JAN 04 2017

DEPARTMENT OF
WATER RESOURCES

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?
61-12153	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: James L. Briggs and Becky (Rebecca) A. Briggs
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Tracey Newbery
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 1075 NE CATTLE DRIVE MOUNTAIN HOME ID 83647
Mailing address City State ZIP
- 208-861-8158 traceymiller2013@yahoo.com
Telephone Email
4. If the water rights and/or adjudication claims were split, how did the division occur? N/A
☐ 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: 12/30/2016
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.

8. Signature: Tracey Newbery 12/29/16
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 VC Date 1/4/17 Receipt No. 1102852 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 _____ Approved by _____ Processed by Jmk Date 2-7-17

WARRANTY DEED

Alliance Title & Escrow Corp. Order No.:337971

For Value Received

James L. Briggs, a single man and Rebecca A. Briggs, a single woman

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Tracey Newbery, a married woman

whose current address is: 1075 NE Cattle Drive, Mountain Home, ID 83647

the grantee(s), the following described premises, in Elmore County, Idaho, TO WIT:

See attached Exhibit 'A'

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Date: 12/28/16

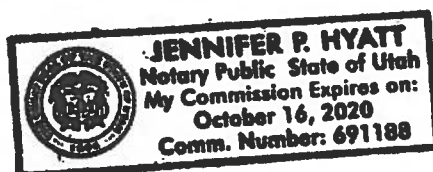
James L. Briggs
James L. Briggs

Rebecca A. Briggs
Rebecca A. Briggs

State of Utah } ss
County of Blaine }

On 12-28-16, before me, the undersigned, a Notary Public in and for said state, personally appeared James L. Briggs and Rebecca A. Briggs, known or identified to me to be the persons whose names are subscribed to the within Instrument and acknowledged to me that THEY executed same.

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



[Signature]
Notary Public for the State of Utah
Residing at: Blaine
Commission Expires: 10-16-20

This document was E-Recorded
by Alliance Title & Escrow Corp.
on 12/30/16
Instrument # 457541
official records of Elmore County Idaho

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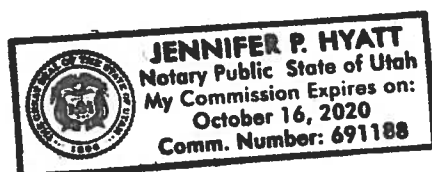
James L. Briggs
James L. Briggs

Rebecca A. Briggs
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County of Blaine }

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Residing at: Blaine
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Exhibit 'A'

Parcel 1

A parcel of land lying in the Southwest Quarter Northwest Quarter of Section 12, Township 3 South, Range 6 East, Boise Meridian, Elmore County, Idaho, said parcel being more particularly described as follows:

Commencing at a found Brass Cap marking the North Quarter Corner of said Section 12, Township 3 South, Range 6 East, Boise Meridian, Elmore County, Idaho; thence South 89°34'42" West, 2650.28 feet along the North boundary of the said Northwest Quarter of Section 12 to a found Brass Cap marking the Section Corner common to Sections 1, 2, 11 and 12; thence South 00°00'00" East, 1322.49 feet along the West boundary of the said Northwest Quarter of Section 12 to a set 5/8" iron pin marking the North 1/16 Corner common to said Sections 11 and 12; thence North 89°35'12" East, 1326.43 feet along the North boundary of the said Southwest Quarter Northwest Quarter of Section 12 to a set 5/8" iron pin marking the Northwest 1/16 Corner of said Section 12; thence South 00°03'21" East, 1322.52 feet along the East boundary of the said Southwest Quarter Northwest Quarter of Section 12 to a set 5/8" iron pin marking the West 1/16 Corner of said Section 12, said pin also marking the Real Point of Beginning; thence South 89°35'13" West, 663.86 feet along the South boundary of the said Southwest Quarter Northwest Quarter of Section 12; thence North 00°01'41" West, 330.63 feet to a set 1/2" iron pin; thence North 89°35'13" East, 663.70 feet to a set 1/2" iron pin lying on the said East boundary of the Southwest Quarter Northwest Quarter of Section 12; thence South 00°03'21" East, 330.63 feet along the said East boundary of the Southwest Quarter Northwest Quarter of Section 12 to the Point of Beginning.

Parcel 2:

A thirty-foot wide non-exclusive easement, for the benefit of Parcel 1 as created by Warranty Deed recorded on March 6, 2006 as Instrument Number 373957, for ingress and egress over, under and across the land described as follows:

A parcel of land lying in the Southwest Quarter Northwest Quarter of Section 12, Township 3 South, Range 6 East, Boise Meridian, Elmore County, Idaho, said easement being more particularly described as follows:

Commencing at a found Brass Cap marking the North Quarter Corner of said Section 12, Township 3 South, Range 6 East, Boise Meridian, Elmore County, Idaho; thence South 89°34'42" West, 2650.28 feet along the North boundary of the said Northwest Quarter of Section 12 to a found Brass Cap marking the Section Corner common to Sections 1, 2, 11 and 12; thence South 00°00'00" East, 1322.49 feet along the West boundary of the said Northwest Quarter of Section 12 to a set 5/8" iron pin marking the North 1/16 Corner common to said Sections 11 and 12; thence continuing South 00°00'00" East 991.88 feet along the West boundary of the said Southwest Quarter Northwest Quarter of Section 12 to a set 1/2" iron pin, said pin marking the Real Point of Beginning; thence North 00°00'00" West, 30.00 feet along the said West boundary of the Southwest Quarter Northwest Quarter of Section 12 to a point;

thence North 89°35'13" East, 1182.74 feet to a point lying on the centerline of the Miller Canal;
thence South 19°09'05" East 31.68 feet along the said centerline of Miller Canal to a set ½" iron pin;
thence South 89°35'13" West, 1193.14 feet to the Point of Beginning.

Parcel 3

A thirty-foot wide non-exclusive easement, for the benefit of Parcel 1 as created by Boundary and Easement Agreement recorded on June 10, 2005 as Instrument Number 366741, for ingress and egress over, under and across the land described as follows:

A parcel of land lying in the Southeast Quarter Northeast Quarter of Section 11, Township 3 South, Range 6 East, Boise Meridian, Elmore County, Idaho; said parcel being more particularly described as follows:

Commencing at a found Brass Cap marking the Section Corner common to Sections 1, 2, 11, and 12, Township 3 South, Range 6 East, Boise Meridian, Elmore County, Idaho, said Brass Cap bears South 89°34'42" West 2650.28 feet from a found Brass Cap marking the North Quarter Corner of said Section 12; thence South 00°00'00" East 2645.00 feet along the East boundary of the said Northeast Quarter of Section 11 to a found Brass Cap marking the East Quarter Corner of said Section 11, said Brass Cap also marking the Real Point of Beginning;
thence South 89°24'08" West 30.00 feet along the South boundary of the said Southeast Quarter Northeast Quarter of Section 11 to a point;
thence North 00°00'00" West 330.73 feet to a point;
thence North 89°35'13" East 30.00 feet to a set ½" iron pin lying on the East boundary of the said Southeast Quarter Northeast Quarter of Section 11;
thence South 00°00'00" East 330.63 feet along the said East boundary of the Southeast Quarter Northeast Quarter of Section 11 to the Point of Beginning.

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thence continuing South 00°00'00" East 349.15 feet along the said East boundary of the Northeast Quarter of Section 11 to a set ½" iron pin;
thence South 89°35'13" West 30.00 feet to a point;
thence North 00°00'00" West 349.13 feet to a point;
thence North 89°32'06" East 30.00 feet to the Point of Beginning.

QUITCLAIM DEED

ATEC ORDER NO.: 337971

FOR VALUE RECEIVED,

Sherman Andrew Miller, spouse of Grantee

do(es) hereby convey, release, remise and forever quitclaim unto

Tracey Newbery, a married woman as her sole and separate property

whose current address is: 1075 NE Cattle Drive, Mountain Home, Idaho 83647

the following described premises:

SEE ATTACHED LEGAL DESCRIPTION

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

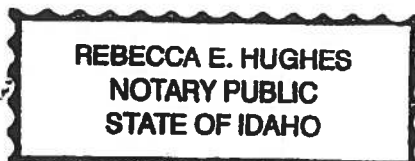
Date: 12/29/16

Sherman Andrew Miller
Sherman Andrew Miller

State of IDAHO } ss
County of ELMORE }

On December 29, 2016, before me, the undersigned, a Notary Public in and for said state, personally appeared **Sherman Andrew Miller**, known or identified to me to be the person whose name is subscribed to the within Instrument and acknowledged to me that HE executed same.

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



Rebecca E. Hughes
Notary Public for the State of: IDAHO
Residing at: Mountain Home, Idaho
Commission Expires: 1/30/22

This document was E-Recorded

by Alliance Title & Escrow Corp.

on 12/30/16

Instrument # 457542

QUITCLAIM DEED

official records of Elmore County Idaho

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Date: 12/29/16

Sherman Andrew Miller
Sherman Andrew Miller

State of IDAHO } ss
County of ELMORE }

On December 29, 2016, before me, the undersigned, a Notary Public in and for said state, personally appeared **Sherman Andrew Miller**, known or identified to me to be the person whose name is subscribed to the within Instrument and acknowledged to me that HE executed same.

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

REBECCA E. HUGHES
NOTARY PUBLIC
STATE OF IDAHO

Rebecca E. Hughes
Notary Public for the State of: IDAHO
Residing at: Mountain Home, Idaho
Commission Expires: 1/30/22

EXHIBIT "A"

337971

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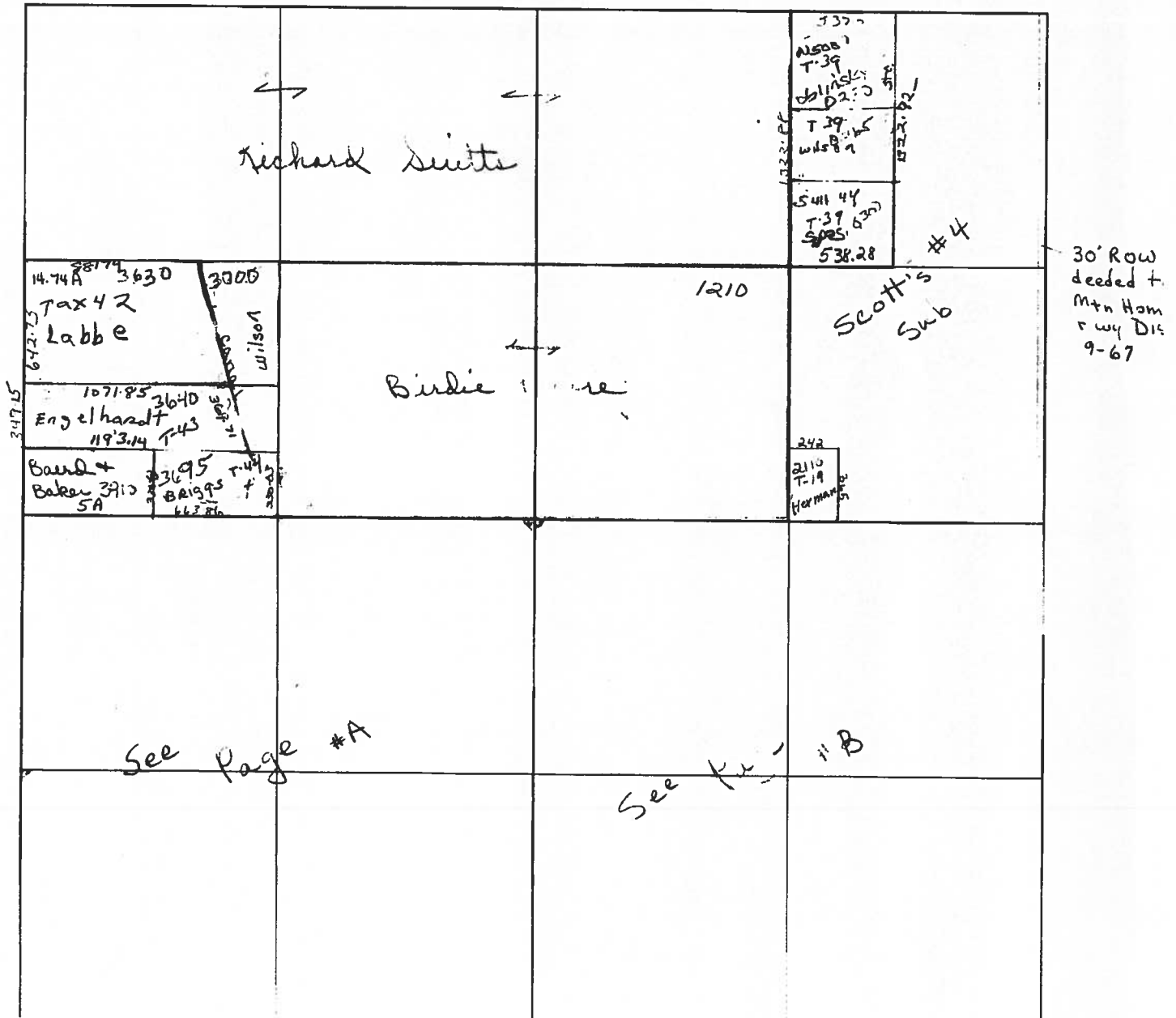
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Section 12 Township 35 Range 6 E



Miller Canal





Miller Canal

Canal

North St

MAP MAP TOOLS ADVANCED TOOLS GEOPROCESSING TOOLS

SEARCH BY ADDRESS
Example: 123 1st Ave

SEARCH BY NAME:
Example: Smith, Ralph

SEARCH BY PARCEL NUMBER:
Example: RP1N35E04-215
RP03S06E123695

SEARCH



Map Satellite

LAYERS UPDATES

General Layers

- ☐ Wells
- ☐ Proposed
- ☐ Annotations
- ☐ (Updated Nightly)
- ☐ Cell towers
- ☐ All Registered Towers

Taxing Districts

- ☐ Ambulance
- ☐ Cemetery
- ☐ City
- ☐ Fire
- ☐ Highway
- ☐ Hospital
- ☐ Recreation
- ☐ School
- ☐ Sewer and Water
- ☐ Urban Renewal
- ☐ Water

Other Layers

- ☐ Boise Radar
- ☐ National Weather Service Weather Warnings
- ☐ Fire Perimeters
- ☐ Wind Directions

Township and Range Labels

G Map



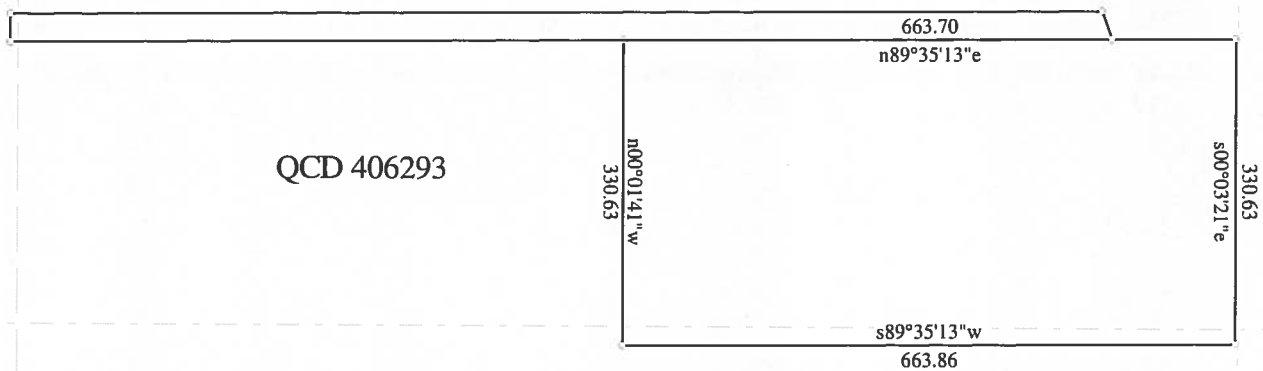
DETAIL INFO ASSESS INFO HOUSE PHOTO

Parcel Number: RP03S06E123695
Site Address: 1075 NE CATTLE DR
Site Zipcode: 83647

Homeowner Name: BRIGGS, JAMES L
Homeowner Address: 1208 W 400 N #90
Homeowner City: CLEARFIELD
Homeowner State: UT

This map/plat is being furnished as an aid in locating the herein described land in relation to adjoining streets, natural boundaries and other land, and is not a survey of the land depicted. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the Company does not insure dimensions, distances, location of easements, acreage or other matters shown thereon.

Terms of Use | Privacy Policy | Report a problem



Title:		Date: 11-30-2016
Scale: 1 inch = 208 feet	File:	
+Tract 1: 5.038 Acres: 219461 Sq Feet: Closure = n16.0257w 0.00 Feet: Precision >1/999999: Perimeter = 1989 Feet +Tract 2: 0.818 Acres: 35638 Sq Feet: Closure = n76.0200e 0.01 Feet: Precision =1/357264: Perimeter = 2438 Feet Net Area= 5.856 Acres: 255099 Sq Feet		
001=/ne,ne,nw,12,3s,6e	007=n00.0141w 330.63	013=/s00e 991.88
002=/s89.3442w 2650.28	008=n89.3513e 663.70	014=n00w 30.00
003=/s00e 1322.49	009=s00.0321e 330.63	015=n89.3513e 1182.74
004=/n89.3512e 1326.43	010=@0+	016=s19.0905e 31.68
005=/s00.0321e 1322.52	011=/s89.3442w 2650.28	017=s89.3513w 1193.14
006=s89.3513w 663.86	012=/s00e 1322.49	

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

12/19/2016

WATER RIGHT NO. 61-12153

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BECKY A BRIGGS
Current Owner	JAMES L BRIGGS
	PO BOX 46
	MOUNTAIN HOME, ID 83647
	(208) 599-2263
Original Owner	FERREL FEDDY
Original Owner	JACK A LOTT
	RT 1 BOX 654
	MOUNTAIN HOME, ID 83647
Original Owner	HAROLD LOTT
	RT 3 BOX 654
	MOUNTAIN HOME, ID 83647
	(208)587-8374

Priority Date: 05/19/1961

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	0.07 CFS	16 AFA
Total Diversion			0.07 CFS	

Location of Point(s) of Diversion:

GROUND WATER|SWNW|Sec. 12|Township 03S|Range 06E|ELMORE County

Place(s) of use:

Place of Use Legal Description: IRRIGATION ELMORE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
03S	06E	12		SWNW	4									

Total Acres: 4

Conditions of Approval:

1. X63 All water rights within Basin 61 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.
2. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be
3. X61 shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than April 12, 2001.

Dates:

Licensed Date:

Decreed Date: 04/12/2001

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: And/Or

Water District Number: 161

Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

Close



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

February 7, 2017

TRACEY NEWBERY
1075 NE CATTLE DR
MOUNTAIN HOME ID 83647

Re: Change of Ownership for Water Right/Permit No(s): 61-12153

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 to reflect this change in ownership and has enclosed a computer-generated report 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 § 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. 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 feel free to contact me at (208) 287-4942.

Sincerely,

Jean Hersley
Technical Records Specialist II

Enclosure(s)