



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

December 28, 2016

C.L. "BUTCH" OTTER
Governor

Berkley Wray
Connie Wray
960 W Hwy 28
Blackfoot ID 83221

GARY SPACKMAN
Director

RE: Notice of Change in Water Right Ownership
Water Rights: 35-2263A

Dear Sir/Madam:

On March 4, 2016, you filed a Notice of Change in Water Right Ownership (ownership change) with the Idaho Department of Water Resources (IDWR), seeking to update the ownership records for the water rights listed above. After an initial review, we determined that you needed to provide additional evidence of ownership, specifically a deed covering the entire place of use of the water right or an additional filing fee to split the water right. On March 30, 2016 and September 26, 2016, we sent a letter requesting the additional information. The additional information was to be provided within 30 days.

IDWR has never received a response to the request for additional information. Without the requested documents, we cannot verify ownership of the water right and cannot complete the ownership change. We are therefore returning your original ownership change and have initiated a refund of your filing fee (\$25.00). The refund from the state of Idaho will arrive at the address listed above within a couple of weeks.

Please feel free to re-file your ownership change any time in the future when you have collected the requested documentation of ownership. Because your filing fee is being refunded, you will need to determine and provide the proper filing fee at the time you re-file the ownership change.

If you have any questions, feel free to contact me at (208) 525-7161.

Respectfully submitted,

Jonie Barg
Technical Records Specialist

Enclosure(s)

SCANNED
DEC 29 2016

Barg, Jonie

From: Barg, Jonie
Sent: Friday, December 30, 2016 9:34 AM
To: Carlos, Rhea
Subject: Refund Request

Rhea,

Good afternoon!!

I have a refund request as follows:

Receipt number: E041889
Amount: \$25.00
Payable to: Wray Farms
960 W Hwy 26
Blackfoot ID 83221

Reason: Total filing fee received \$25.00 for an ownership change application. Additional information was required to complete all of the ownership change. The information was requested and was not submitted, therefore the application was returned unprocessed and a full refund is required.

Let me know if you need additional information.

Thank you so much for your time. Let me know if you have any questions.

Have a great day!!!



Jonie Barg
Idaho Department of Water Resources
900 N Skyline Ste A
Idaho Falls ID 83402
phone: (208) 525-7161
fax: (208) 525-7177
email: jonie.barg@idwr.idaho.gov

Protect your Enthusiasm from the Negativity of others. ~ H Jackson Brown Jr. ~

Receipt Details for ID E041889

Status	Adjustment Type	Version
		1

General Information:

Date Received 3/4/2016 7:57:53 AM	Date Deposited 3/4/2016 4:19:21 PM	Region EASTERN	Total Amount \$25 00	Payment Type Check
Payee: Wray Farms				

Account Information

Check Number 14996

Comment Ownership change for Berkley and Connie Wray water right number 35-2263A

Fee Details

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$25.00	OWNERSHIP CHANGES/SECURITY INTERESTS	63140	0229	21		1155

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAR 04 2016

Department of Water Resources
Eastern 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?
35-2263A	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: DELWYN ELLIS & BARBARA ELLIS
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): BERKLEY & CONNIE WRAY
New owner(s) as listed on the conveyance document Name/connector ☐ and ☐ or ☐ and/or
- 960 W. HWY 26 BLACKFOOT ID 83221
Mailing address City State ZIP
- (208)-684-4431 BerkleyWray@gmail.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: JAN 05, 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: Berkley Wray Title, if applicable: _____ Date: 2/29/16
Signature of new owner/claimant
- Signature: Connie Wray Title, if applicable: _____ Date: 2/29/16
Signature of new owner/claimant

For IDWR Office Use Only:

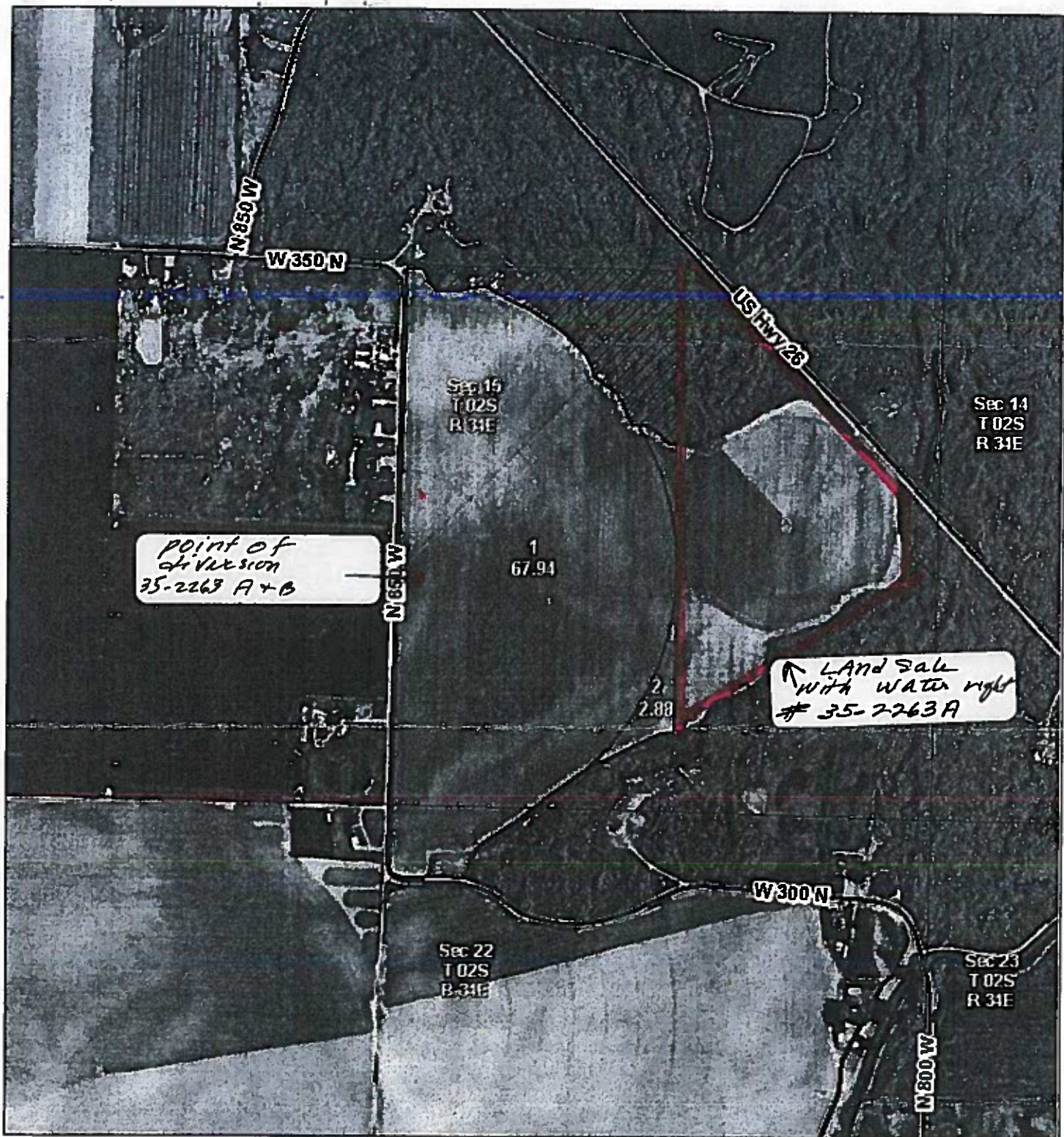
Received by JB Date 3/4/2016 Receipt No. E041889 Receipt Amt. \$25

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 _____ Processed by _____ Date _____

SCANNED

DEC 20 2016



United States Department of Agriculture
Farm Service Agency

Farm: 6322
Tract 24474

Bingham County, ID
1:7,851

January 28, 2013



Disclaimer: Wetland Identifiers do not represent the size, shape or specific determination of the area.
Refer to your original determination (CPA-020 and attached maps) for exact wetland
boundaries and determinations, or contact NRCS.
For FSA program purposes only

SCANNED
DEC 30 2016

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
168 West Pacific Street/PO Box 868
Blackfoot, ID 83221

Recorded Electronically	
ID	<u>613484</u>
County	<u>Bingham</u>
Date	<u>1-15-16</u> Time <u>12:31pm</u>
Simplifile.com 800 450 5557	

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: 569444-B (vb)

Date: January 05, 2016

For Value Received, **Delwyn V. Ellis and Barbara Fay Ellis, who acquired title as Barbara Fay Ellis, husband and wife**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Berkley Wray and Connie A. Wray, husband and wife**, hereinafter called the Grantee, whose current address is **960 West Highway 26, Blackfoot, ID 83221**, the following described premises, situated in **Bingham County, Idaho**, to-wit:

**A PART OF THE SE $\frac{1}{4}$ OF SECTION 15, TOWNSHIP 2 SOUTH, RANGE 34, E.B.M., BINGHAM COUNTY, IDAHO, DESCRIBED AS:
BEGINNING AT A POINT THAT IS N 00°31'52" E 1056.43 FEET ALONG THE EAST SECTION LINE FROM THE SOUTHEAST CORNER OF SECTION 15, AND RUNNING THENCE N 00°31'52" E 330 FEET; THENCE N 43°33'01" W 1825.59 FEET ALONG THE SOUTHERLY RIGHT OF WAY OF STATE HIGHWAY NO. 26; THENCE SOUTH 2307.52 FEET; THENCE N 62°27'23" E 1415.16 FEET TO THE POINT OF BEGINNING.**

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.

SCANNED
DEC 30 2016