

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED
DEC 05 2016
DEPT OF WATER RESOURCES
SOUTHERN 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?
47-4050B	Yes ☐	Yes ☐		Yes ☐	Yes ☐
47-17658	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Richard A. Foster

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Joshua M. & Melanie L. Markell

New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or ☐ and/or

3548E 3195N
Mailing address

Kimberly
City

ID 83341
State ZIP

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.

SUPPORT DATA

IN FILE # 47-4050B

8. Signature: Melanie L. Markell
Signature of new owner/claimant

Title, if applicable

12/1/16
Date

Signature: Joshua M. Markell
Signature of new owner/claimant

Title, if applicable

1 Dec 16
Date

For IDWR Office Use Only:

Received by DM

Date 12-5-2016

Receipt No. S035833

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 _____

Case No. 69608SM

TitleFact, Inc.
163 Fourth Avenue North
P.O. Box 486
Twin Falls, Idaho 83303

TWIN FALLS COUNTY
RECORDED FOR:
TITLEFACT, INC.
02:38:07 PM 12-01-2016
2016020901
NO. PAGES 2 FEE: \$13.00
KRISTINA GLASCOCK
COUNTY CLERK
DEPUTY: SM
Electronically Recorded by Simplifile

**** SPACE ABOVE FOR RECORDER ****

WARRANTY DEED

FOR VALUE RECEIVED RICHARD A. FOSTER, a married man, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto JOSHUA M. MARKELL and MELANIE L. MARKELL, husband and wife, hereinafter called Grantee, whose address is:

3548 E. 3195 N. Kimberly ID, the following described premises in Twin Falls County, Idaho; to-wit: §3341

Township 11 South, Range 18 East, Boise Meridian, Twin Falls County, Idaho

Section 20: A portion of the SE¼, more particularly described as follows:

BEGINNING at the Southeast corner of said Section 20;

THENCE North 89°22'01" West 604.59 feet along the South boundary of said Section 20 to the Southeast corner of that certain map entitled "NANNINI ESTATES SUBDIVISION", recorded August 21, 2007, as Instrument No. 2007-020924, records of Twin Falls County, Idaho;

THENCE North 00°41'08" West 390.00 feet along the East boundary of said "NANNINI ESTATES SUBDIVISION" to the Northeast corner thereof;

THENCE North 89°22'01" West 711.01 feet along the North boundary of said "NANNINI ESTATES SUBDIVISION" to the Northwest corner thereof, said corner also being a point on the East boundary of the W½SE¼ of said Section 20;

THENCE South 00°41'40" East 390.00 feet along said East boundary to a point on said South boundary of Section 20;

THENCE North 89°22'01" West 387.29 feet along said South boundary;

THENCE leaving South boundary North 00°37'59" East for 631.86 feet;

THENCE North 60°54'03" West 282.49 feet;

THENCE North 16°00'36" West 1265.87 feet;

THENCE North 24°18'27" East 434.08 feet;

THENCE South 89°19'13" East 768.82 feet along a line parallel with the North boundary of the NE¼SE¼ of said Section 20 to a point on the East boundary of the W½SE¼;

THENCE leaving said East boundary South 89°19'13" East 717.81 feet along a line parallel with said North boundary of the NE¼SE¼ of Section 20;

THENCE leaving said parallel line South 00°38'11" East 1204.19 feet along a line parallel with the East boundary of the SE¼ of said Section 20;

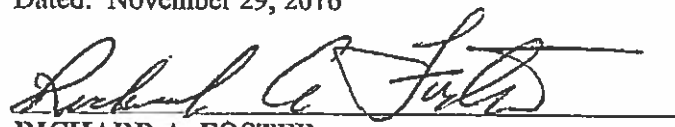
THENCE leaving said parallel line North 89°24'24" East 600.00 feet to a point on said East boundary of the SE¼ of Section 20;

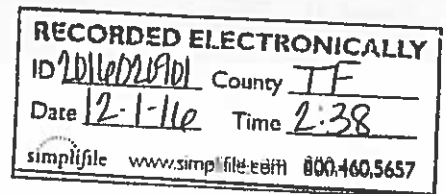
THENCE South 00°38'11" East 1184.92 feet along said East boundary to said REAL POINT OF BEGINNING.

SUBJECT TO a 25.00 foot wide county road easement being parallel with and adjoining said South boundary and East boundary of Section 20.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and 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 they are free from all encumbrances except as described above; and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: November 29, 2016


RICHARD A. FOSTER



Case No. 69608SM

TitleFact, Inc.
163 Fourth Avenue North
P.O. Box 486
Twin Falls, Idaho 83303

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WARRANTY DEED

FOR VALUE RECEIVED **RICHARD A. FOSTER**, a married man, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **JOSHUA M. MARKELL and MELANIE L. MARKELL**, husband and wife, hereinafter called Grantee, whose address is:

3548 E. 3195 N. Kimberly ID, the following described premises in Twin Falls County, Idaho; to-wit: 83341

Township 11 South, Range 18 East, Boise Meridian, Twin Falls County, Idaho

Section 20: A portion of the SE $\frac{1}{4}$, more particularly described as follows:

BEGINNING at the Southeast corner of said Section 20;

THENCE North 89°22'01" West 604.59 feet along the South boundary of said Section 20 to the Southeast corner of that certain map entitled "NANNINI ESTATES SUBDIVISION", recorded August 21, 2007, as Instrument No. 2007-020924, records of Twin Falls County, Idaho;

THENCE North 00°41'08" West 390.00 feet along the East boundary of said "NANNINI ESTATES SUBDIVISION" to the Northeast corner thereof;

THENCE North 89°22'01" West 711.01 feet along the North boundary of said "NANNINI ESTATES SUBDIVISION" to the Northwest corner thereof, said corner also being a point on the East boundary of the W $\frac{1}{2}$ SE $\frac{1}{4}$ of said Section 20;

THENCE South 00°41'40" East 390.00 feet along said East boundary to a point on said South boundary of Section 20;

THENCE North 89°22'01" West 387.29 feet along said South boundary;

THENCE leaving South boundary North 00°37'59" East for 631.86 feet;

THENCE North 60°54'03" West 282.49 feet;

THENCE North 16°00'36" West 1265.87 feet;

THENCE North 24°18'27" East 434.08 feet;

THENCE South 89°19'13" East 768.82 feet along a line parallel with the North boundary of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 20 to a point on the East boundary of the W $\frac{1}{2}$ SE $\frac{1}{4}$;

THENCE leaving said East boundary South 89°19'13" East 717.81 feet along a line parallel with said North boundary of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 20;

THENCE leaving said parallel line South 00°38'11" East 1204.19 feet along a line parallel with the East boundary of the SE $\frac{1}{4}$ of said Section 20;

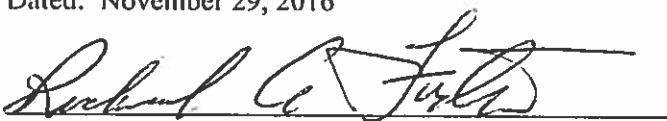
THENCE leaving said parallel line North 89°24'24" East 600.00 feet to a point on said East boundary of the SE $\frac{1}{4}$ of Section 20;

THENCE South 00°38'11" East 1184.92 feet along said East boundary to said REAL POINT OF BEGINNING.

SUBJECT TO a 25.00 foot wide county road easement being parallel with and adjoining said South boundary and East boundary of Section 20.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and 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 they are free from all encumbrances except as described above; and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: November 29, 2016

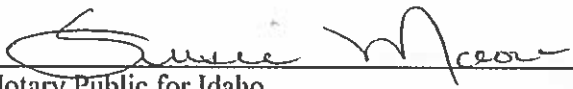

RICHARD A. FOSTER

* * * * *

STATE OF IDAHO
County of Twin Falls

On this 1st day of December, 2016, before me, a Notary Public in and for said State, personally appeared Richard A. Foster, known or identified to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and official seal the day and year first above written.



Notary Public for Idaho
Residing at Twin Falls
Commission expires 11-28-2020





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

December 7, 2016

JOSHUA MARKELL
MELANIE MARKELL
3548 E 3195 N
KIMBERLY ID 83341

RE: Change of Ownership for Water Right Nos. 47-4050B and 47-17658

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,

A handwritten signature in cursive script, reading 'Trish Fawcett'.

Trish Fawcett
Technical Records Specialist

Enclosure(s)

Cc: TitleFact (Case 69608SM)