

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED
JUL 13 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?
71-04013	Yes ☐	Yes ☐		Yes ☐	Yes ☐
71-04014	Yes ☐	Yes ☐		Yes ☐	Yes ☐
71-04015	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Margaret Watkins / Robert Jarrett

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Matthew Barney

New owner(s) as listed on the conveyance document

4-40 44th Drive

Mailing address

917-415-0834

Telephone

Long Island City

City

Name connector

NY

State

☐ and ☐ or ☐ and/or

11101

ZIP

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: 6/20/2016

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.

SUPPORT DATA

IN FILE # 71-4013

- ☐ 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]

Signature of new owner/claimant

Title, if applicable

Date

June 16, 2016

Signature: [Signature]

Signature of new owner/claimant

Title, if applicable

Date

For IDWR Office Use Only:

Received by [Signature]

Date

7-13-2016

Receipt No.

5035593

Receipt Amt.

\$75-

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
120 Second Ave. North/PO Box 7999
Ketchum, ID 83340

Instrument # 251944
CHALLIS, CUSTER, IDAHO
06-20-2016 11:05:03 No. of Pages: 3
Recorded for: FIRST AMERICAN TITLE - KETCHUM
Lura H. Baker Fee: \$16.00
Ex-Officio Recorder Deputy: rr

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **588683K (rm)**

Date: **June 10, 2016**

For Value Received, **Margaret N. Watkins and Robert V. Jarrett, wife and husband**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Matthew Barney, an unmarried man**, hereinafter called the Grantee, whose current address is **67 S Elliott Pl, Brooklyn, NY 11217**, the following described premises, situated in **Custer County, Idaho**, to-wit:

A parcel of land previously described by a metes and bounds description in a deed recorded as Instrument Number 251097, records of Custer County, Idaho, said property being re-described below because the deeded description lacked proper dimensional information to close along the highway right of way:

A parcel of land located within the SW 1/4 of the NE 1/4, Section 18, Township 9 North, Range 14 East, Boise Meridian, Custer County, Idaho, also known as Tract 1615 and more particularly described as follows:

Commencing at a Brass Cap marking the southeasterly property corner of said Tract, also being the CE 1/16 of said Section 18 and the TRUE POINT OF BEGINNING;

thence North 89°21'08" West, 1320.89 feet along the east-west center section line for said Section to the southwesterly property corner, as witnessed by a 15.00 foot USFS Witness Corner witnessing the C1/4 corner for said section;

thence North 00°32'26" East, 877.41 feet along the north-south center section line for said Section to a 5/8" rebar marking the northwesterly property corner;

thence North 89°51'50" East, 1,048.82 feet to a 5/8" rebar marking the northeasterly property corner, also being a point along the westerly right of way for State Highway 75;

thence following said right of way along a non-tangential curve to the right with a length of 508.79 feet, a central angle of 05°07'03", a radius of 5696.58 feet and a long chord of 508.62 at bears South 18°29'51" East to a 5/8" rebar marking an easterly property corner;

thence continuing along said right of way South 15°58'21" East, 373.61 feet to a 5/8" rebar marking an easterly property corner;

thence departing said right of way and following the east 1/16th line for said section, South 00°29'52" West, 63.27 feet to THE TRUE POINT OF BEGINNING;

FORMERLY SHOWN OF RECORD AS:

Township 9 North, Range 14 E.B.M., Custer County, Idaho.

Section 18: That part of the SW $\frac{1}{4}$ NE $\frac{1}{4}$, W. of the highway right-of-way (formerly U.S. 93) EXCEPT the following tract: Beginning at the NE corner of said Section 18; thence S. 53°31' W. 2220.6 feet to the intersection of the N. line of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ and the Westerly right-of-way line of said highway, the true point of beginning; thence Southeasterly along said right-of-way line 456.0 feet; thence N. 89°51' W., 994.5 feet, more or less, to the W. line of said SW $\frac{1}{4}$ NE $\frac{1}{4}$; thence N. along said W. line 433.4 feet to the NW corner of said SW $\frac{1}{4}$ NE $\frac{1}{4}$; thence S. 89°51' E. along said N. line 854.6 feet to the true point of beginning

Together with Idaho Department of Water Resources Water Right Numbers 71-04013, 71-04014 and 71-04015 and any other water rights appurtenant to the above described real property.

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.

Margaret N. Watkins
Margaret N. Watkins

Robert V. Jarrett
Robert V. Jarrett

STATE OF Idaho)
SS.
COUNTY OF Blaine)

On this 16 day of June, 2016, before me, a Notary Public in and for said State, personally appeared **Margaret N. Watkins and Robert V. Jarrett**, 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.

Rustie Moore
Notary Public for the State of Idaho
Residing at: Hailey, ID
My Commission Expires: 12/24/2018



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 71-04013

NAME AND ADDRESS: MARGARET WATKINS
ROBERT JARRETT
2397 STRYKER AVE
FT LEWIS, WA 98433

SOURCE: GROUNDWATER

QUANTITY: 0.41 CFS

PRIORITY DATE: 05/01/1959

POINT OF DIVERSION: T09N R14E S18 SESWNE Within Custer County

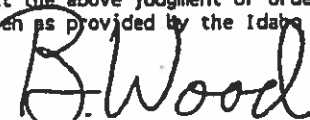
PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	05-01 TO 10-31	0.41 CFS

PLACE OF USE: Irrigation Within Custer County
T09N R14E S18 SWNE 6.7
6.7 Acres Total

THE RIGHTS LISTED BELOW ARE LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 7.9 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 71-04013, 71-04014 & 71-04015.

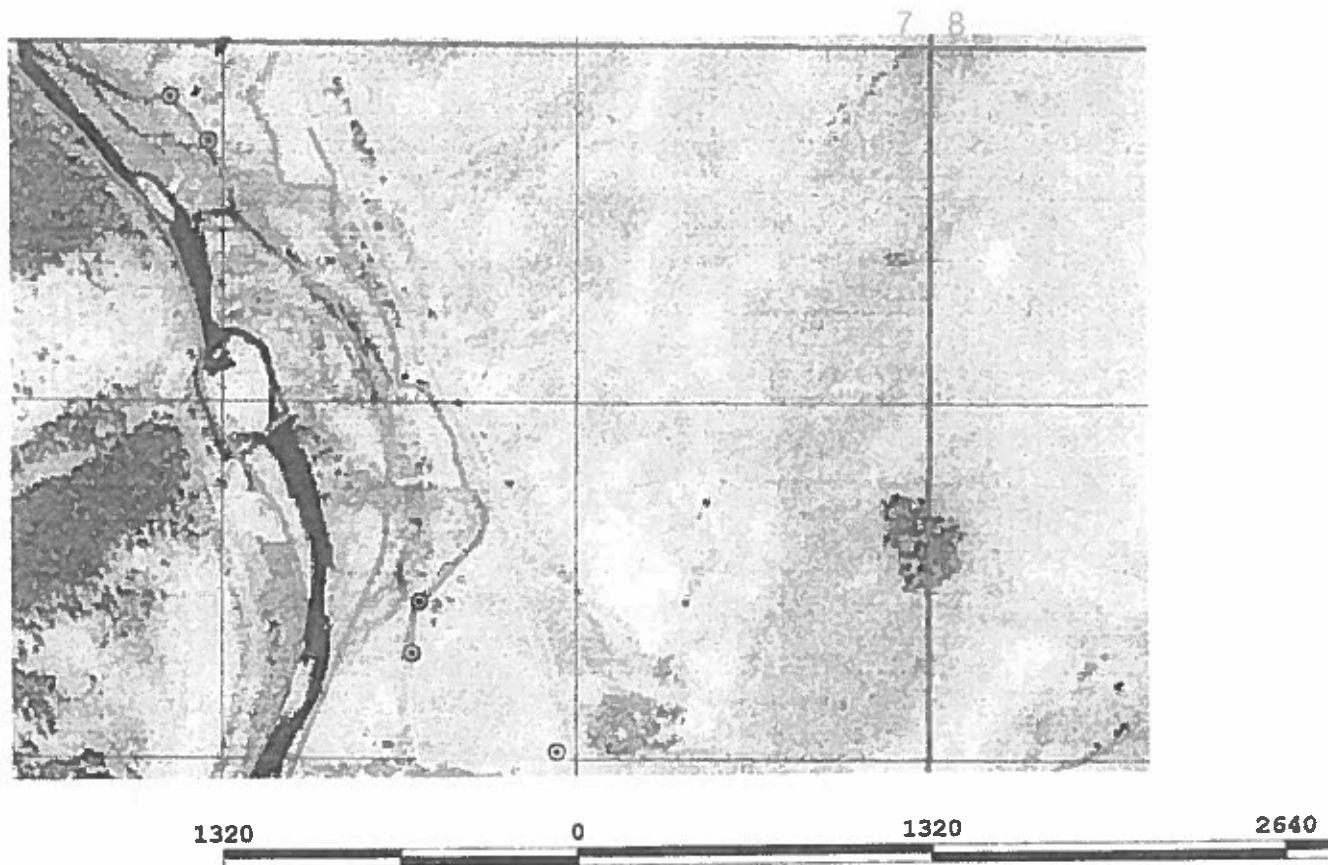
RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


Barry Wood
Administrative District Judge
Interim Presiding Judge of the
Snake River Basin Adjudication

IDAHO DEPARTMENT OF WATER RESOURCES

71-04013



POU:

TWP 09N, RGE 14E, SEC 18

POD:

GROUNDWATER - SESWNE

SEC 18, TWP 09N, RGE 14E



- ☐ RECOMMENDED PLACE OF USE
- ☒ RECOMMENDED POINT OF DIVERSION
- ☐ SECTION LINES
- ☐ QUARTER QUARTER LINES
- ☒ STREAM AND DITCH CHANNELS

GIS PLACE OF USE PRESENTATION
1987 AND/OR 1988 NAPP PHOTOGRAPHY
DATA ENTRY JUNE 1998
BY ALLEN MERRITT

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 71-04014

NAME AND ADDRESS: MARGARET WATKINS
ROBERT JARRETT
2397 STRYKER AVE
FT LEWIS, WA 98433

SOURCE: GOLD CREEK TRIBUTARY: SALMON RIVER
QUANTITY: 0.70 CFS
PRIORITY DATE: 05/01/1935
POINT OF DIVERSION: T09N R14E S18 NENWSE Within Custer County

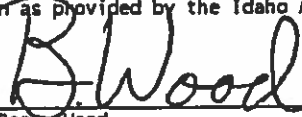
PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Irrigation 05-01 TO 10-31 0.70 CFS

PLACE OF USE: Irrigation Within Custer County
T09N R14E S18 SWNE 6.7
6.7 Acres Total

THE RIGHTS LISTED BELOW ARE LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 7.9 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 71-04013, 71-04014 & 71-04015.

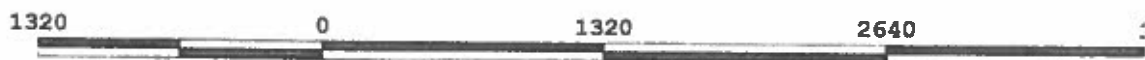
RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


Barry Wood
Administrative District Judge
Interim Presiding Judge of the
Snake River Basin Adjudication

IDAHO DEPARTMENT OF WATER RESOURCES

71-04014



POU:

TWP 09N, RGE 14E, SEC 18

POD:

GOLD CREEK - NENWSE

SEC 18, TWP 09N, RGE 14E



-  RECOMMENDED PLACE OF USE
-  RECOMMENDED POINT OF DIVERSION
-  SECTION LINES
-  QUARTER QUARTER LINES
-  STREAM AND DITCH CHANNELS

GIS PLACE OF USE PRESENTATION
1987 AND/OR 1988 NAPP PHOTOGRAPHY
DATA ENTRY JUNE 1998
BY ALLEN MERRITT

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 71-04015

NAME AND ADDRESS: MARGARET WATKINS
ROBERT JARRETT
2397 STRYKER AVE
FT LEWIS, WA 98433

SOURCE: SPRINGS TRIBUTARY: SALMON RIVER
QUANTITY: 0.17 CFS
PRIORITY DATE: 05/01/1935
POINT OF DIVERSION: T09N R14E S18 SESWNE Within Custer County

TWO POINTS OF DIVERSION LOCATED IN T09N, R14E, S18, SESWNE.

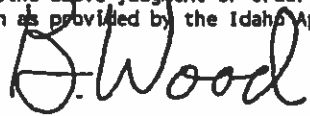
PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	05-01 TO 10-31	0.13 CFS
	Domestic	01-01 TO 12-31	0.04 CFS

PLACE OF USE: Irrigation T09N R14E S18 SWNE 2.4 Within Custer County
2.4 Acres Total
Domestic T09N R14E S18 SWNE Within Custer County

THE RIGHTS LISTED BELOW ARE LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 7.9 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 71-04013, 71-04014 & 71-04015.

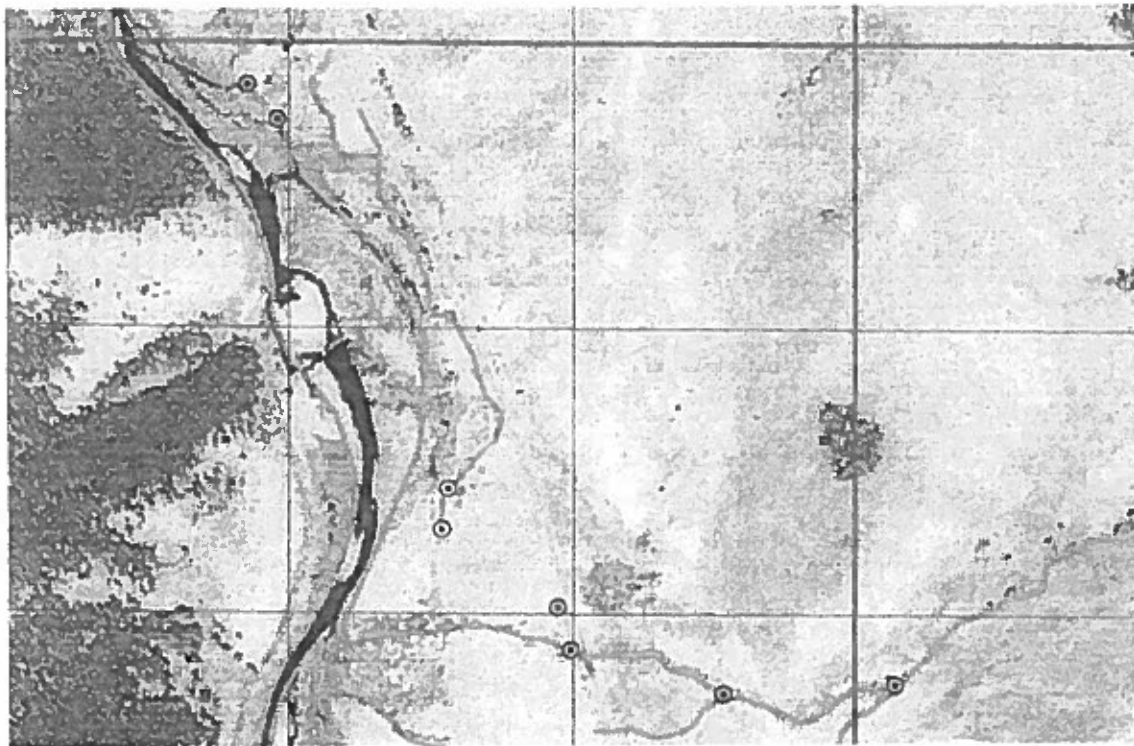
RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


Barry Wood
Administrative District Judge
Interim Presiding Judge of the
Snake River Basin Adjudication

IDAHO DEPARTMENT OF WATER RESOURCES

71-04015



1320 0 1320 2640

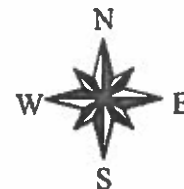
POU:

TWP 09N, RGE 14E, SEC 18

POD:

SPRINGS - 2 PTS IN SESWNE

SEC 18, TWP 09N, RGE 14E



-  RECOMMENDED PLACE OF USE
-  RECOMMENDED POINT OF DIVERSION
-  SECTION LINES
-  QUARTER QUARTER LINES
-  STREAM AND DITCH CHANNELS

GIS PLACE OF USE PRESENTATION
1987 AND/OR 1988 NAPP PHOTOGRAPHY
DATA ENTRY JUNE 1998
BY ALLEN MERRITT



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

July 18, 2016

ATTN KATHLEEN
HOGUE & DUNLAP LLP
PO BOX 460
HAILEY ID 83333

RE: Change of Ownership for Water Right Nos. 71-4013, 71-4014 and 71-4015 / Matthew Barney

Dear Kathleen:

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)

HOGUE & DUNLAP, L.L.P.

ATTORNEYS AT LAW

TERRY G. HOGUE

POST OFFICE BOX 460
419 SOUTH MAIN STREET
HAILEY, IDAHO 83333
(208) 788-3567
FAX (208) 788-4230

TRACY DUNLAP

RECEIVED
JUL 13 2016
DEPT OF WATER RESOURCES
SOUTHERN REGION

June 27, 2016

Idaho Department of Water Resources
Attn: Trish Fawcett
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380

Re: *Water Right Nos. 71-04013; 71-04014; and 71-04015*

Dear Ms. Fawcett:

The law firm of Hogue & Dunlap, L.L.P. has the honor of representing Matthew Barney. Mr. Barney concluded a purchase of improved real property in Custer County on June 20, 2016, which includes three (3) Water Rights.

I am enclosing a Notice of Change in Water Right Ownership, a Warranty Deed, three (3) Partial Decrees Pursuant to I.R.C.P. 54(b) for each of the corresponding Water Rights, and a check in the amount of Seventy-five Dollars (\$75) for the filing fee.

Please provide my office with confirmation of the change in Water Right ownership for all three (3) Water Rights. There is no need to forward separate confirmations to Mr. Barney. I will transmit copies of the confirmations to him once I receive them.

If you have questions, please contact me.

Respectfully,

HOGUE & DUNLAP, L.L.P.



Terry G. Hogue

TGH:kdI

Encls.

cc: Mr. Matthew Barney w/ encls.
Edward Greenberg, CPA w/ encls.