

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED DE

JUN 29 2016

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?
03-10009	Yes ☐	Yes ☐		Yes ☐	Yes ☐
03-10225	Yes ☐	Yes ☐		Yes ☐	Yes ☐
03-10226	Yes ☐	Yes ☐		Yes ☐	Yes ☐
67-08059	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: ELIZABETH C MACKAY
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): RICHARD A DOBERSTEIN
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 1310 AIRPORT RD WEISER ID 83672
Mailing address City State ZIP
- 520.508.2104
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: 05.18.15

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: Richard Doberstein 6.27.16
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 AO Date 6-29-16 Receipt No. C102220 Receipt Amt. 100.00

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 dj Date 7-14-16

SCANNED

JUL 14 2016

PERSONAL REPRESENTATIVE'S DEED

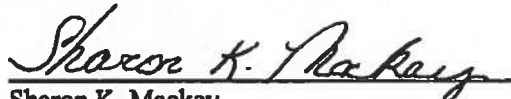
THIS DEED, Made Sharon K. Mackay aka Sharon Kathleen Mackay, as Personal Representative of the Estate of Stephen W. Mackay, (herein "Grantor"), to Richard R. Doberstein, a single person, having an address of 8900 S. Bell Ranch Road, Wilcox, AZ 85643, (herein "GRANTEE").

WHEREAS, Grantor is a qualified Personal Representative of said estate, filed as Probate No. CV 2014-1625 in Washington County, Idaho.

For good and valuable consideration, the receipt of which is hereby acknowledged, Grantor grants and conveys to Grantee, all of Grantor's interest in the following described real property located in Washington County, Idaho:

SEE ATTACHED EXHIBIT A

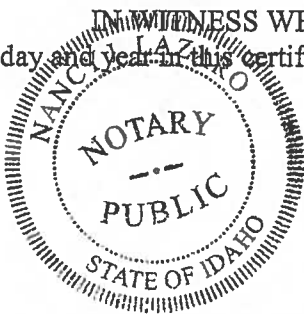
Together with any and all tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.


Sharon K. Mackay

STATE OF Idaho)
COUNTY OF Washington) ss:

On this, the 18 day of May, 2015, before me a Notary Public, personally appeared SHARON K. MACKAY aka SHARON KATHLEEN MACKAY, known or identified to me to be the person whose name is subscribed to the within instrument, as Personal Representative of the Estate of Stephen W. Mackay, Washington County, Idaho, Probate No. CV 2014-1625, and acknowledged to me that she executed the same as such Personal Representative.

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



Nancy R. Ferguson
Notary Public
Residing at: Weiser, Id
My Commission expires: 10/9/19

SEND TAX STATEMENTS TO:

Richard Doberstein
8900 S. Bell Ranch Road
Wilcox, AZ 85643

EXHIBIT "A"

46232AM

PARCEL I

IN TOWNSHIP 10 NORTH, RANGE 5 WEST OF THE BOISE MERIDIAN,
WASHINGTON COUNTY, IDAHO:

In Sec. 5:

Lot 6, SW $\frac{1}{4}$ SE $\frac{1}{4}$, and the following described parcel of land;
Commencing at the SE corner of said Section 5;
Thence West along the South boundary of said Section 5, a distance of 3960.00
(formerly 3970.70 of record) to a point on the South line of Government Lot 6;
Thence continuing West, along the South boundary of said Section 5 and said
Government Lot 6, a distance of 714.02 feet to a point on the highwater line of
the Snake River;
Thence North 14°02'00" West along the high water line of said Snake River, a
distance of 188.98 feet to the TRUE POINT OF BEGINNING;
Thence continuing along the high water line of said Snake River as follows:
N 14°02'00" W, a distance of 18.02 feet;
Thence N 34°38'58" W, a distance of 277.49 feet;
Thence N 31°26'34" W, a distance of 147.13 feet;
Thence N 23°58'43" W, a distance of 152.04 feet;
Thence N 80°00'00" W, a distance of 64.00 feet;
Thence N 2°49'03" E, a distance of 53.83 feet;
Thence N 3°07'18" W, a distance of 117.70 feet;
Thence N 58°30'00" W, a distance of 170.00 feet;
Thence N 26°36'51" W, a distance of 203.02 feet;
Thence S 60°20'00" W, a distance of 105.00 feet;
Thence N 1°56'12" E, a distance of 225.87 feet to a point on the North
boundary of said Government Lot 6;
Thence East, along the North boundary of said Government Lot 6 and parallel
with the South boundary of said Government Lot 6, a distance of 1127.82 feet;
Thence S 0°34'00" E, a distance of 225.90 feet;
Thence S 22°15'00" W, a distance of 332.60 feet;
Thence S 27°51'00" W, a distance of 237.60 feet;
Thence S 24°48'00" W, a distance of 201.70 feet;
Thence S 30°05'00" W, a distance of 242.48 feet to the TRUE POINT OF
BEGINNING;

SAVE AND EXCEPT THE FOLLOWING:

Beginning at the SE corner of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 5;

Thence North 164 feet;
Thence West 287 feet;
Thence South 164 feet;
Thence East 287 feet to the place of beginning.

IN TOWNSHIP 10 NORTH, RANGE 5 WEST OF THE BOISE MERIDAIN,
WASHINGTON COUNTY, IDAHO:

In Section 8:

Commencing at the NW corner of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 8;
Thence East along the North line of said NW $\frac{1}{4}$ NE $\frac{1}{4}$ 454 feet;
Thence South parallel with the West line of said NW $\frac{1}{4}$ NE $\frac{1}{4}$ 959.5 feet;
Thence West parallel to the North line of said NW $\frac{1}{4}$ NE $\frac{1}{4}$ 454 feet;
Thence North 959.5 feet to the place of beginning;

Lots 3, 4, NE $\frac{1}{4}$ NW $\frac{1}{4}$, EXCEPTING the following:

All that part of said Lot 3 and NE $\frac{1}{4}$ NW $\frac{1}{4}$ lying South of existing slough that intersections said subdivision.

PARCEL II

All that part of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 21, Township 11 North, Range 6 West of the Boise Meridian, Washington County Idaho lying North of the right-of-way of the Oregon Short Line Railroad.

NAME AND ADDRESS: ELIZABETH C MACKAY
STEVEN W MACKAY
C/O STEVE MACKAY
380 DECK ST
ONTARIO, OR 97914

PAGE 1
Jun-20-2007

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right 3-10226

5/24/2016

Owner Type **Name and Address**
Current Owner ELIZABETH C MACKAY
 C/O STEVE MACKAY
 380 DECK ST
 ONTARIO, OR 97914
 (541) 262-3463

Current Owner STEVEN W MACKAY
 C/O STEVE MACKAY
 380 DECK ST
 ONTARIO, OR 97914
 (541) 262-3463

Priority Date: 3/8/1955

Basis: Decreed

Status: Active

Source
SNAKE RIVER

Tributary
COLUMBIA RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/01	11/15	0.860 CFS	
	<u>Total Diversion</u>		0.860 CFS	

Source and Point(s) of Diversion

SNAKE RIVER SWNNWE Sec. 8, Twp 10N, Rge 05W, WASHINGTON County

Place Of Use

IRRIGATION within WASHINGTON County

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10N	05W	8		8.0			26.0	11.0											45.0
								L4											

POU Total Acres: 45.0

Conditions of Approval:

1. This right is renumbered from former right 3-2036 .
2. F05 Right No. 3-10225 is also diverted through point of diversion described above.
3. 129 Place of use is within the area serviced by Crane Creek Reservoir.
4. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Comments:

1. Renumber 5/1/2006 Renumber WR 3-10226
This has been renumbered from 3-2036

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right 3-10226

5/24/2016

Dates and Other Information

Decreed Date: 7/9/2007
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: OR
Mitigation Plan: False

Combined Use Limits

N/A

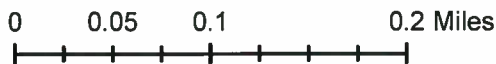
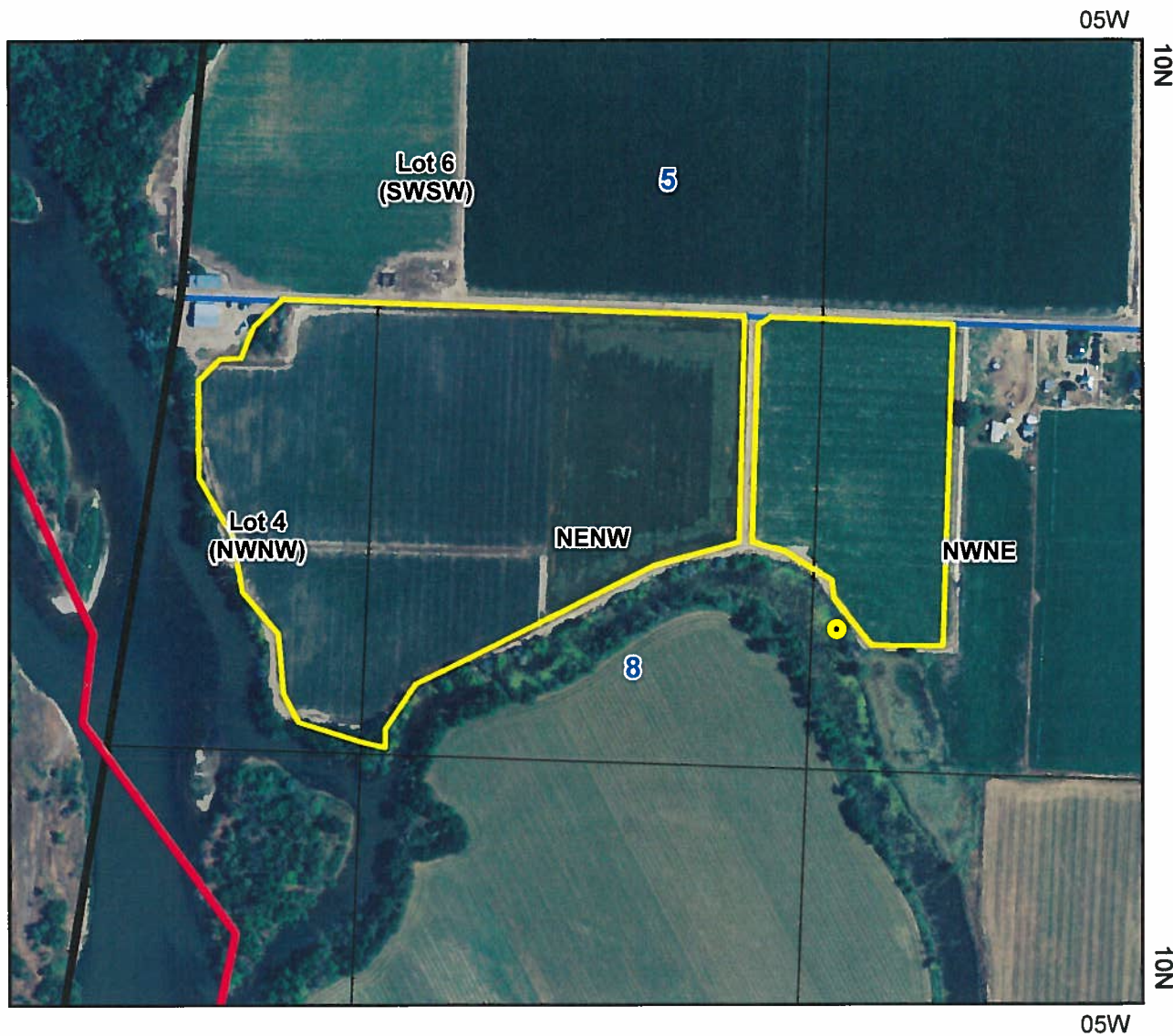
SubCase:

N/A

Water Supply Bank:

N/A

State of Idaho
Department of Water Resources
Water Right License
3-10226



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections



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 03-10009

NAME AND ADDRESS: ELIZABETH C MACKAY
STEVEN W MACKAY
C/O STEVE MACKAY
380 DECK ST
ONTARIO, OR 97914

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.26 CFS

PRIORITY DATE: 03/01/1957

POINT OF DIVERSION: T10N R05W S08 LOT 4 (NWNWNW) Within Washington County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	0.26 CFS

PLACE OF USE: Irrigation Within Washington County
T10N R05W S05 LOT 6 (SESW) 13.0
13.0 Acres Total

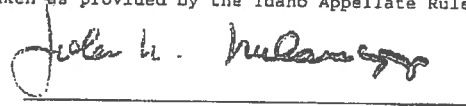
Place of use is within the area serviced by Crane Creek
Reservoir.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

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.



John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right 3-10009

5/24/2016

Owner Type **Name and Address**
 Current Owner ELIZABETH C MACKAY
 C/O STEVE MACKAY
 380 DECK ST
 ONTARIO, OR 97914
 (541) 262-3463

Current Owner STEVEN W MACKAY
 C/O STEVE MACKAY
 380 DECK ST
 ONTARIO, OR 97914
 (541) 262-3463

Priority Date: 3/1/1957

Basis: Decreed

Status: Active

Source
 SNAKE RIVER

Tributary
 COLUMBIA RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/01	11/15	0.260 CFS	
	<u>Total Diversion</u>		0.260 CFS	

Source and Point(s) of Diversion

SNAKE RIVER L4(NWNWNW) Sec. 8, Twp 10N, Rge 05W, WASHINGTON County

Place Of Use

IRRIGATION within WASHINGTON County

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10N	05W	5												13.0 L6					13.0

POU Total Acres: 13.0

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. 129 Place of use is within the area serviced by Crane Creek Reservoir.

Comments:

Dates and Other Information

Decreed Date: 7/9/2007
 Civil Case Number: 39576
 Judicial District: FIFTH

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right 3-10009

5/24/2016

State or Federal: S
Owner Name Connector: OR
Mitigation Plan: False

Combined Use Limits

N/A

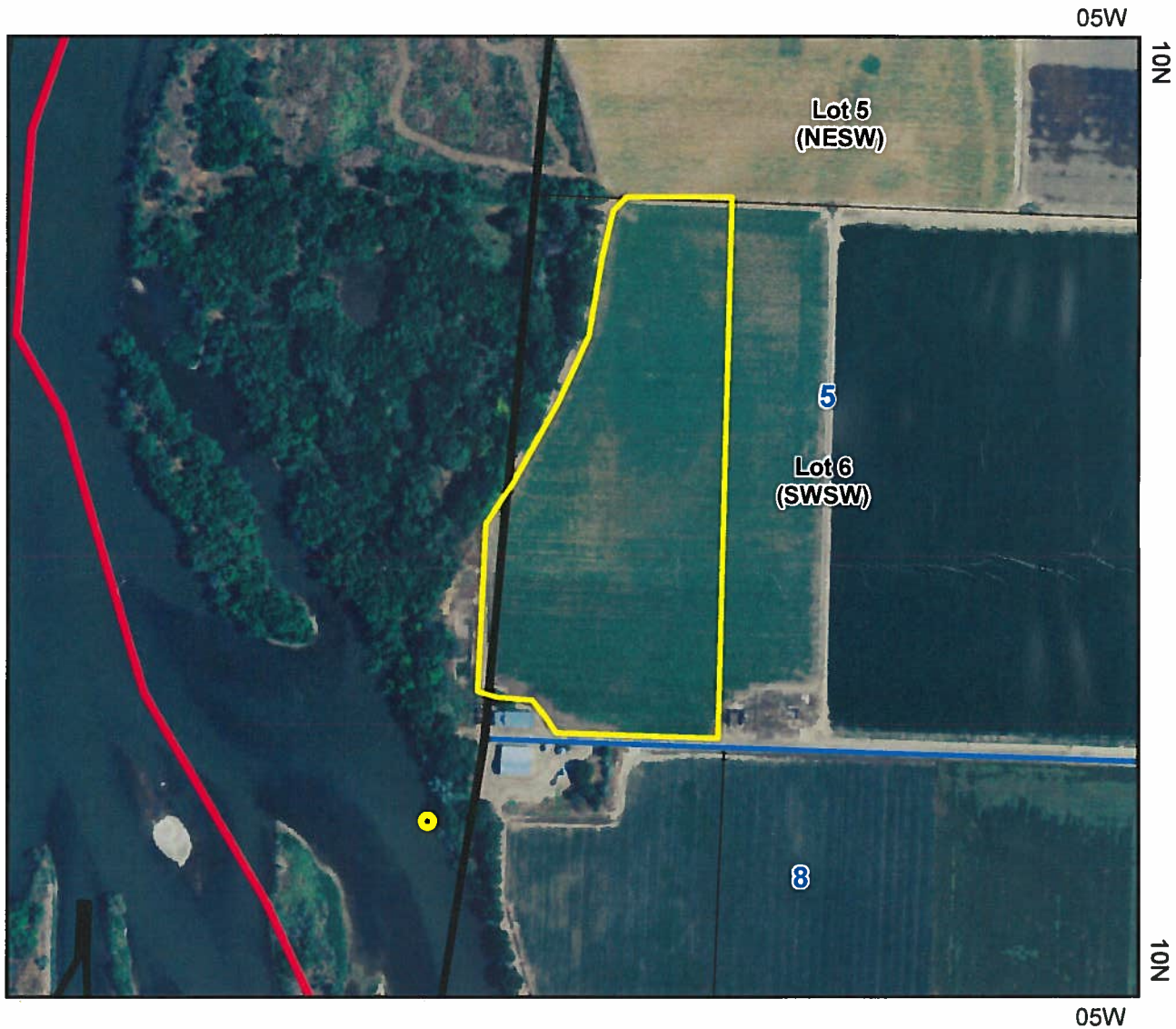
SubCase:

N/A

Water Supply Bank:

N/A

State of Idaho
Department of Water Resources
Water Right License
3-10009



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections



RECEIVED

JUN 29 2016

DEPARTMENT OF
WATER RESOURCES

June 27, 2016

State of Idaho
Department of Water Resources
322 E Front St
PO Box 83720
Boise, ID 83720-0098

RE: Notice of Change in Water Right Ownership

Enclosed please find:

- Completed Form 42-248/42-1409(6)
- Check #2610 for \$100.00 filing fee for four (4) Water Rights.
- Copy of the Personal Representative's Deed conveying the Property to Richard A. Doberstein. Also attached is the Legal Description for the property conveyed.
- Copies of the Partial Decrees and aerial photographs for Water Rights 03-10226 and 03-10009. These were furnished to us by your Department.
- The Partial Decrees and aerial photographs for Water Rights 03-10225 and 67-08059 on this property were not sent us, but need to be included with this Notice of Change, as they are also to be changed to Richard A Doberstein.

One question we have on Domestic Water Rights: do they need to be changed also?

Thank you for your assistance.

Very truly yours,



Carol Doberstein, Secretary for Richard A Doberstein

Enclosures



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 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

July 15, 2016

RICHARD A DOBERSTEIN
1310 AIRPORT RD
WEISER ID 83672

Re: Change of Ownership for Water Right Nos: 3-10009, 3-10225, & 3-10226

Dear Water Right Holder:

The Department acknowledges the receipt of correspondence changing ownership of the above referenced water rights to you. The Department has modified its records to reflect this change in ownership and has enclosed a computer-generated report for your records.

While reviewing the submitted documents, it was noticed that Water Right No. 67-8059 is a permit. A permit is personal property and not appurtenant to land, therefore I am enclosing an Assignment of Permit form to convey ownership.

It was also noticed that there are two water rights appurtenant to the land listed as "Parcel II" in Exhibit A to the Personal Representative's Deed. I am enclosing a computer-generated report for your reference, as well as a Notice of Change in Water Right Ownership should you decide to change ownership for those water rights.

You submitted payment of \$100.00 with the Change of Ownership notice for four water rights. Only three water rights are being changed at this time and I am requesting a refund, which will arrive under separate cover from the State Controller's Office.

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 Idaho Code §§ 42-222 and 42-223.

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. Change reporting forms are available from any office of the Department, or at www.idwr.idaho.gov.

Thank you for your patience. If you have any questions concerning the enclosed information, please feel free to contact me at (208) 287-4920.

Sincerely,

A handwritten signature in cursive script, appearing to read "Debbi Judd".

Debbi Judd
Technical Records Specialist

Enclosures