

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAR 03 2016

WATER RESOURCES
WESTERN 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?
61-10638	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: Liercke Construction, Inc
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Miguel Ontiveros and Nancy Ibarra
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 1130 NW Smith St Mountain Home ID 83647
Mailing address City 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: February 29, 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):
 o \$25 per *undivided* water right.
 o \$100 per *split* water right.
 o 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: MIGUEL ONTIVEROS 2-29-16
Signature of new owner/claimant Title, if applicable Date

Signature: Nancy Ibarra 2-29-16
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by [Signature] Date 3/3/16 Receipt No. W043937 Receipt Amt. \$25⁰⁰

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 [Signature] Approved by [Signature] Processed by [Signature] Date 3/15/16

[Close](#)IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

2/25/2016

WATER RIGHT NO. 61-10638

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LIERCKE CONSTRUCTION INC PO BOX 1089 MOUNTAIN HOME, ID 83647
Original Owner	TOM KODESH 77 NW JEROME AVE MOUNTAIN HOME, ID 83647-2452 (208)587-4519

Priority Date: 06/02/1952
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>
DOMESTIC	1/01	12/31	0.04 CFS	
Total Diversion			0.04 CFS	

Location of Point(s) of Diversion:

GROUND WATER|SESW|Sec. 26|Township 03S|Range 06E|ELMORE County

Place(s) of use:

Place of Use Legal Description: DOMESTIC ELMORE County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
03S	06E	26		SESW										

Conditions of Approval:

1.	N13	THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2.	N11	THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3.		PARCEL NO. 00062000040A PROPERTY ALSO KNOWN AS TAX 103, LOT 40, GARRETT'S ADDITION

Dates:

Licensed Date:

Decreed Date: 01/30/1998

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:

Water District Number:

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

Instrument # 0000450289
ELMORE COUNTY, ID
01:54:17 PM Oct 20, 2015
For ALLIANCE TITLE - MTN. HOME OJ
No. of Pages: 3 Fee: \$16.00
BARBARA STEELE, Recorder
DE, Deputy
Electronically Recorded by Simplifile

WHEN RECORDED MAIL TO:

Fairview Operation 2, LLC
119 S. Main Street, Suite 410
Seattle, WA 98104
Attn: Rosann Harris

WARRANTY DEED
(77 NW Jerome Avenue, Mountain Home, Idaho)

THE GRANTOR, LIERCKE CONSTRUCTION, INC., a Washington corporation, whose current address is 490 North 3rd East, Mountain Home, Idaho 83647, for good and valuable consideration, conveys and warrants to FAIRVIEW OPERATION 2, LLC, a Washington limited liability company, whose address is 119 S. Main Street, Suite 410, Seattle, WA 98104, the following-described real estate situated in the County of Elmore, State of Idaho:

Township 3 South, Range 6 East, Boise Meridian, Elmore County, Idaho

Section 26: Part of SE¼SW¼ and part of Lot 40 of Garretts Addition to Mountain Home and also part of Block One of Saldon Subdivision, described as follows:

Beginning at the South Quarter corner for Section 26 marked with a brass cap monument; thence

North 0°40' West 324.01 feet along the center of Jerome Street; thence

North 88°57'46" West 25 feet to the Northeast corner of Lot 40, Garretts Addition and the TRUE POINT OF BEGINNING; thence

South 0°04' East 180.20 feet (of record as 179.95 feet) along the Easterly boundary of said Lot 40 of Garretts Addition to the Northeast corner of Lot One, Block One, Saldon Subdivision; thence

North 89°10'56" West (of record as North 89°11' West) 172.43 feet along the Northerly boundary of said Saldon Subdivision to the Northwest corner of Lot One; thence

North 0°10'10" East (of record as North) 180.85 feet to the Northerly boundary of Lot 40, Garretts Addition and the Northeast corner of Lot 10, Block One of the Saldon Subdivision; thence

South 88°57'46" East (of record as South 88°56' East) 171.70 feet along the Northerly boundary of Lot 40, Garretts Addition to the TRUE POINT OF BEGINNING.

Together with all existing or subsequently erected or affixed buildings, improvements and fixtures; all easements, rights of way and appurtenances; all water, water rights, and ditch rights (including stock in utilities with ditch or irrigation rights); and all other rights, royalties and profits relating to the real property, including without limitation all minerals, oil, gas, geothermal, and similar matters; all assignments of rents and security interest in the rents and personal property.

(the "Property").

This conveyance shall include any and all estate, right, title, interest, appurtenances, tenements, hereditaments, reversions, remainders, easements, development entitlements, rents, issues, profits, rights-of-way and water rights in anywise appertaining to the Property, as well in law as in equity.

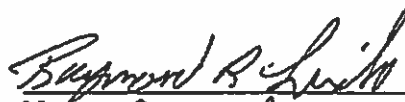
The Grantor covenants to the Grantee that Grantor is the owner, in fee simple, of the Property; that the Property is free from all encumbrances, excepting real property taxes accrued and unpaid, and any liens for real property taxes not yet due, and excepting those encumbrances of record, and that Grantor will warrant and defend the same from all lawful claims.

DATED this 20th day of October, 2015.

GRANTOR:

LIERCKE CONSTRUCTION, INC., a
Washington corporation

By:



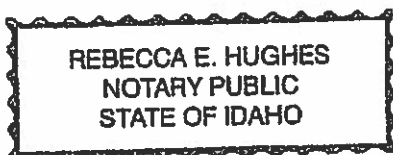
Name: Raymond R. Liercke

Title: Pres

STATE OF IDAHO)
)
) : ss
County of Elmore)

On this 20th day of October, 2015, before me personally appeared Raymond R. Liercke, to me known to be the President of Liercke Construction, Inc., the corporation that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act of said corporation, for the uses and purposes therein mentioned, and on oath stated that he/she was authorized to execute the said instrument on behalf of said corporation.

GIVEN UNDER MY HAND AND OFFICIAL SEAL the day and year in this certificate first above written.



Rebecca E. Hughes
Notary Public (Signature)

Rebecca E. Hughes
(Print Name)

My commission expires: 1/30/16

(Seal or Stamp)

Instrument # 452293 # Pages: 2
ELMORE COUNTY, Idaho
Mar 01, 2016 2:00:07 pm Fee: \$ 13.00
For: GUARANTY TITLE INC
BARBARA STEELE, Recorder
DELLIS, Deputy

NOTICE OF SALE

NOTICE IS HEREBY GIVEN that the real property described herein has been sold by Fairview Operation 2, LLC

To Miguel Ontiveros and Nancy Ibarra, husband and wife, whose address is 1130 NW Smith St., Mountain Home, Idaho 83647, subject to the terms and conditions of an unrecorded Contract for Sale of Real Property dated this 25th day of February, 2016 and held in escrow by Guaranty Title, Inc. Mountain Home, Idaho.

Said property described as follows:

SEE ATTACHED EXHIBIT A

Dated: February 26, 2016

Fairview Operation 2, LLC

By Michael Morgan
Authorized Signatory.

STATE OF Washington)
COUNTY OF King)

On this 26th day of February in the year 2016, before me a Notary Public, personally appeared Michael Morgan known or identified to me to be one of the members in the limited liability company of Fairview Operation 2, LLC and the member or one of the members who subscribed said limited liability company name to the foregoing instrument, and acknowledged to me that he/she/they executed the same in said limited liability company name.



Signature: Rosann Harris

Residing at: 1622 P 35th Park SE, Bothell, WA

Comm. Exp: 11-17-2019

EXHIBIT "A"

Township 3 South, Range 6 East, Boise Meridian, Elmore County, Idaho

Section 26

Part SE1/4SW1/4 and Part of Lot 40 of Garretts Addition to Mountain Home and also Part of Block One of the Saldon Subdivision - Described as follows:

Beginning at the South Quarter corner for Section 26 marked with a brass cap monument;

thence North 0°04' West 324.01 feet along the center of Jerome Street;

thence North 88°57'46" West 25.00 feet to the Northeast corner of Lot 40, Garretts Addition and the TRUE POINT OF BEGINNING;

thence South 0°04' East 180.20 feet (Recorded 179.95 feet) along the Easterly boundary of said Lot 40 of Garretts Addition to the Northeast corner of Lot One, Block One, Saldon Subdivision;

thence North 89°10'56" West (Recorded North 89°11" West) 172.43 feet along the Northerly boundary of said Saldon Subdivision to the Northwest corner of said Lot One;

thence North 0°10'10" East (Recorded NORTH) 180.85 feet to the Northerly boundary of Lot 40, Garretts Addition and the Northeast corner of Lot 10, Block One of the Saldon Subdivision;

thence South 88°57'46" East (Recorded South 88°56' East) 171.70 feet along the Northerly boundary of Lot 40, Garretts Addition to the TRUE POINT OF BEGINNING.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

March 15, 2016

MIGUEL ONTIVEROS
NANCY IBARRA
1130 NW SMITH ST
MOUNTAIN HOME ID 83647

RE: Notice of Ownership Change in Water Right No. 61-10638

Dear Applicants,

The Department acknowledges the receipt of correspondence changing ownership of the above referenced water right to you. The Department has modified its records to reflect the 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 Sections 42-222 and 42-223, Idaho Code.

Please 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.

If you have any questions concerning the enclosed information, please feel free to contact this office at 208-334-2190.

Sincerely,

Chad Jones
Office Specialist II
Western Regional Office

Enclosures