

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED
FEB 12 2016
Department of Water Resources
Eastern 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?
35-12912 <i>OK</i>	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: Marilyn and Vern R. Duffin
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Jeffrey T. Duffin and Chana Duffin
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or ☐ and/or
- P.O. Box 525 Aberdeen Idaho 83210
Mailing address City State ZIP
208-221-1115 jeffduffin33@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: January 6, 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: *Jeffrey T. Duffin* Attorney February 12, 2016
Signature of new owner/claimant Title, if applicable Date

Signature: _____ Title, if applicable Date

For IDWR Office Use Only:

Received by *JB* Date *2/12/2016* Receipt No. *E041821* 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 *JB* Processed by *JB* Date *2/17/2016*

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Jeffrey T. Duffin
P.O. Box 525
Aberdeen, ID 83210

Instrument # 673204

BINGHAM COUNTY

1-6-2016 02:49:53 PM No. of Pages: 4

Recorded for : JEFFREY T. DUFFIN

PAMELA W. ECKHARDT

Fee: 19.00

Ex-Officio Recorder Deputy

(Space Above for Recorder's Use)

SPECIAL WARRANTY DEED FOR WATER RIGHT

VERN R. DUFFIN and MARILYN DUFFIN, husband and wife (hereinafter collectively "Grantors"), do hereby grant, bargain, sell, assign, and convey unto and **JEFFREY T. DUFFIN and CHANA DUFFIN**, husband and wife, of P.O. Box 525, Aberdeen, ID 83210 (hereinafter collectively "Grantees") and to Grantees' heirs and assigns forever, Grantors' right title and interest in Water Right No. 35-12912 as described in **Exhibit A** hereto (the "Water Right").

Grantors hereby covenant and warrant to Grantees as follows:

- (A) Grantors are the owners of the Water Right;
- (B) Grantors have not conveyed any of the Water Right to anyone other than Grantees;
- (C) The Water Right is free from all liens, claims, or encumbrances; and
- (D) Grantors have the authority to convey the Water Right to Grantees.

Grantors make no other covenants or warranties as to the Water Right. Only the Water Right is conveyed herein. No land is conveyed pursuant to this deed.

IN WITNESS WHEREOF, the Grantors have caused his name to be hereunto subscribed.

DATED this 5TH day of January, 2016.

"GRANTORS"

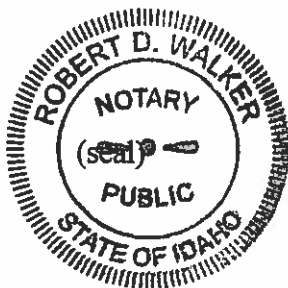
Vern R. Duffin
Vern R. Duffin

Marilyn Duffin
Marilyn Duffin

STATE OF IDAHO)
County of POWER) ss.

On this 5TH day of January, 2016, before me, a Notary Public for said County and State, personally appeared VERN R. DUFFIN and MARILYN DUFFIN, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me they executed the same.

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



ROBERT D. WALKER
Notary Public for Idaho
Residing at: IDAHO FALLS
My commission expires: 11-7-2017

Exhibit A to Special Warranty Deed

1/5/2016

Water Right Report

Close

IDAHO DEPARTMENT OF WATER RESOURCES Water Right Report

1/5/2016

WATER RIGHT NO. 35-12912

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MARILYN DUFFIN
Current Owner	VERN R DUFFIN
	2142 S 2800 W
	ABERDEEN, ID 83210
	(208)397-4100

Priority Date: 04/01/1961

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>
IRRIGATION	4/01	10/31	1.36 CFS	312 AFA
Total Diversion			1.36 CFS	

Location of Point(s) of Diversion:

GROUND WATER|NESWSW|Sec. 15|Township 06S|Range 30E|BINGHAM County

Place(s) of use:

Place of Use Legal Description: IRRIGATION BINGHAM 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>
-----------------	--------------	----------------	------------	--------------	--------------	------------	--------------	--------------	------------	--------------	--------------	------------	--------------	--------------

<http://www.idwr.idaho.gov/apps/ExtSearch/RightReportAJ.asp?BasinNumber=35&TypeofWaterRight=True&SplitSuffix=%20%20&SequenceNumber=12912>

1/2

1/5/2016

Water Right Report

06S | 30E | 15 | | NWSE | 39 | | SWSE | 39 | | | | | |

Total Acres: 78

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. RIGHT NO. 35-02485 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

Dates:

Licensed Date:

Decreed Date: 01/31/2002

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: AND

Water District Number: 120

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

673204



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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

February 22, 2016

Jeffrey Duffin
Chana Duffin
PO Box 525
Aberdeen ID 83210

RE: Change of Ownership for Water Right No(s). 35-12912

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right(s) to you. 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 deliberately abandoned or 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,

Jonie Barg
Technical Records Specialist

Enclosure(s)

cc: Water District 120
Aberdeen American Falls Ground Water District