

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

FEB 01 2016

Notice of Change in Water Right Ownership 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?
72-7174	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: Max Albertson and Robert Lothrop
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Lothrop Legacy LLC
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 1218 N. Gage Lane Nampa ID 83687
Mailing address City State ZIP
208-867-9913 hcastleton@yahoo.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: 1/1/16
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: Robert Lothrop Manager/Member 1/1/16
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 AM Date 2-1-2016 Receipt No. 5035242 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 _____ Processed by _____ Date _____

QUITCLAIM DEED

THIS INDENTURE, Made this 1st day of August, 2012, between MAX and LORRAINE ALBERTSON, husband and wife, and MAX and LORRAINE ALBERTSON, as members of L&C Properties, LLC, of Pocatello, County of Bannock, State of Idaho, GRANTORS, and LOTHROP PROPERTIES, LP, an Idaho Limited Partnership of Boise, County of Ada, State of Idaho, GRANTEE.

WITNESSETH That the said GRANTORS, for and in consideration of the sum of One Dollar and other good and valuable consideration, lawful money of the United States of America, to them in hand paid by GRANTEE, the receipt whereof is hereby acknowledged, does by these presents remise, release and forever QUITCLAIM unto the GRANTEE, and to its heirs and assigns, all that certain lot, piece or parcel of land, located in the County of Custer, State of Idaho, particularly described as follows, to-wit:

Lot 1, Yankee Fork Subdivision Number 2, Custer County, Idaho, as filed April 7, 1982, in the Custer County Recorder's Office as Instrument No. 162965.

Including all land, cabin and water rights.

TOGETHER With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, the reversion and reversions, remainder and remainders, issues and profits thereof.

TO HAVE AND TO HOLD, All and singular, the said premises, together with the appurtenances, unto the party of the second part, and to its heirs and assigns forever.

IN WITNESS WHEREOF, The said party of the first part has hereunto set his hand and seal the day and year first above written.

251059


MAX ALBERTSON

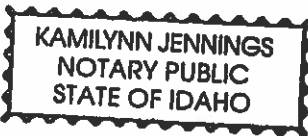
Custer County Req. of
Thornton Byron LP
Time 10:49 AM Date 10/26/2015
Lura H. Baker, Clerk
Cherry Cushman
Deputy

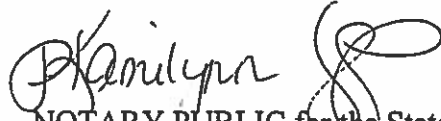
75,000

251059

STATE OF IDAHO)
 ss.
County of Bannock)

On this 1st day of August, 2012, before me a Notary Public, in and for said State, personally appeared MAX ALBERTSON, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

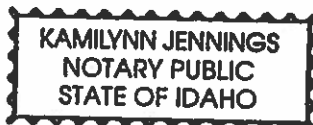



NOTARY PUBLIC for the State of Idaho
Residing at Pocatello, Idaho
My commission expires: 2-13-18


LORRAINE ALBERTSON

STATE OF IDAHO)
 ss.
County of Bannock)

On this 1st day of August, 2012, before me a Notary Public, in and for said State, personally appeared LORRAINE ALBERTSON, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.




NOTARY PUBLIC for the State of Idaho
Residing at Pocatello, Idaho
My commission expires: 2-13-18

251371

#

Custer County Reg. of

Thornton Byron LLP

Time 10:56 AM Date 1/16, 2016

Lura H. Baker, Clerk

Cecily Cushman \$ 13⁰⁰
Deputy

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:
THORNTON BYRON LLP
3101 W. MAIN STREET, SUITE 200
POST OFFICE BOX 7156
BOISE, ID 83707-1156
208-344-8600

(SPACE ABOVE LINE FOR RECORDER'S USE)

BARGAIN AND SALE DEED

LOTHROP PROPERTIES L.P., an Idaho limited partnership, acting for and on behalf of Mary Ann Mouchka, Rena C. Nelson and Helen L. Lothrop-Staudt, all of whom are married women dealing with their sole and separate property, Grantor, does hereby grant, bargain, sell, and convey unto LOTHROP LEGACY LLC, an Idaho limited liability company, whose current address is 1218 N. Gage Lane, Nampa, Idaho 83687, Grantee, all of Grantor's right, title or interest in and to that certain real property situated in Custer County, Idaho, and more particularly described more particularly described as follows:

Lot No. One (1), as shown and designated upon the Plat of YANKEE FORK SUBDIVISION NUMBER 2, which is on file and of record in the office of the Recorder of Custer County, Idaho, in the official Plat files, as Reception No. 162965.

TOGETHER WITH all improvements, easements, hereditaments and appurtenances thereto, and subject to such rights, easements, covenants, restrictions and zoning regulations as appear of record or based upon the premises, specifically including all land, cabin and water rights.

IN WITNESS WHEREOF, Grantor has hereunto subscribed its name to this instrument effective the first day of January, 2016.

GRANTOR:

LOTHROP PROPERTIES L.P.

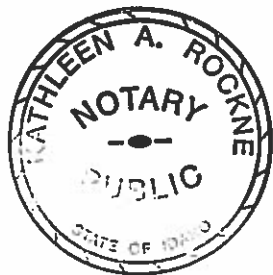
BY:

Cynthia J. Lothrop
CYNTHIA J. LOTHROP,
GENERAL PARTNER

STATE OF IDAHO)
 SS.
COUNTY OF ADA)

On this 3rd day of December, 2015, before me, the undersigned Notary Public in and for said State, personally appeared CYNTHIA J. LOTHROP, known or identified to me to be the General Partner of Lothrop Properties L.P., the within named Idaho limited partnership, and the person whose name is subscribed to the within instrument, and acknowledged to me that said limited partnership 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.



Kathleen A. Rockne
NOTARY PUBLIC, State of Idaho
Residing at 2111 1st Ave, Idaho
Commission expires: 2/24/2018

251435

#

Custer County Req. of

Thornton Byron LLPTime 10:48 A M Date 1/25, 2016

Lura H. Baker, Clerk

Lura H. Baker \$ 13⁰⁰
DeputyRECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:THORNTON BYRON LLP
3101 W. MAIN, SUITE 200
POST OFFICE BOX 7156
BOISE, ID 83707-1156
208-344-8600

S	R	U	PAGE	SIZE	DA	MISC	LONG	RFD	COPY
M	A	L	465	426	PCOR	NCOR	SMF	NCHG	EXAM

(SPACE ABOVE LINE FOR RECORDER'S USE)

**AFFIDAVIT OF SURVIVING SPOUSE
SUCCEEDING TO COMMUNITY PROPERTY**

STATE OF IDAHO)
 SS.
COUNTY OF ADA)

CYNTHIA J. LOTHROP, of legal age, being first duly sworn, deposes and says:

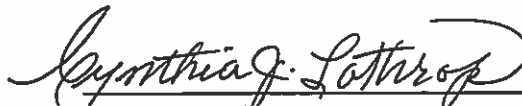
1. ROBERT A. LOTHROP, the decedent mentioned in the attached certified copy of Certificate of Death, was married to Affiant at the time of decedent's death.
2. Affiant and decedent at all times considered the following real property situated in the County of Custer, State of Idaho, to be community property, as set forth in that certain Corporation Warranty Deed dated June 3, 1982, and recorded as Instrument No. 163951, records of Custer County, Idaho:

Lot No. One (1), as shown and designated upon the Plat of YANKEE FORK SUBDIVISION NUMBER 2, which is on file and of record in the office of the Recorder of Custer County, Idaho, in the official Plat files, as Reception No. 162965.

3. More than forty (40) days have passed since the decedent's death.

4. There has not been nor will there be an election to probate spouse's interest in such real property or transfer it to any trust.
5. I am the successor to decedent's interest in such real property and I have full power to sell, lease, encumber and otherwise deal with and dispose of such property. No other person has any right in such property by testate or intestate succession.
6. This affidavit is made for the benefit and protection of my successors and all other parties dealing with such property, including title insurance companies insuring title to such property.

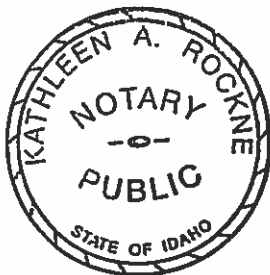
DATED effective the 31st day of December, 2015.

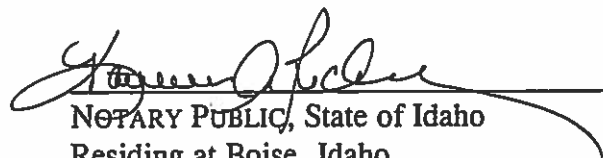

CYNTHIA J. LOTHROP

STATE OF IDAHO)
 SS.
COUNTY OF ADA)

On this 20th day of January, 2016, before me, the undersigned Notary Public in and for said State, personally appeared CYNTHIA J. LOTHROP, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she 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.




NOTARY PUBLIC, State of Idaho
Residing at Boise, Idaho
Commission expires: 2/24/2018

251436

#

Custer County Req. of

Thornton Byron LLP

Time 10:48 M Date 1/25, 2016

Lura H. Baker, Clerk

Reed Benson \$13⁰⁰
Deputy

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:
THORNTON BYRON LLP
3101 W. MAIN STREET, SUITE 200
POST OFFICE BOX 7156
BOISE, ID 83707-1156
208-344-8600

(SPACE ABOVE LINE FOR RECORDER'S USE)

QUITCLAIM DEED

CYNTHIA J. LOTHROP, individually and as the Surviving Spouse of Robert J. Lothrop, Deceased, pursuant to that certain Affidavit of Surviving Spouse filed concurrently herewith, Grantor, does hereby remise, release, convey and forever quitclaim unto LOTHROP LEGACY LLC, an Idaho limited liability company, whose current address is 1218 N. Gage Lane, Nampa, Idaho 83687, Grantee, all right, title or interest in and to that certain real property situated in Custer County, Idaho, and more particularly described more particularly described as follows:

Lot No. One (1), as shown and designated upon the Plat of YANKEE FORK SUBDIVISION NUMBER 2, which is on file and of record in the office of the Recorder of Custer County, Idaho, in the official Plat files, as Reception No. 162965.

TOGETHER WITH all improvements, easements, hereditaments and appurtenances thereto, and subject to such rights, easements, covenants, restrictions and zoning regulations as appear of record or based upon the premises, specifically including all land, cabin and water rights.

IN WITNESS WHEREOF, Grantor has hereunto subscribed her name to this instrument effective the 31st day of December, 2015.

GRANTOR:

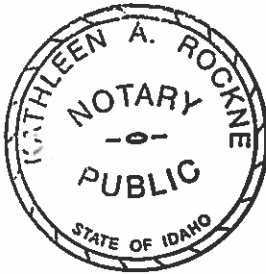


CYNTHIA J. LOTHROP, INDIVIDUALLY AND AS
THE SURVIVING SPOUSE OF ROBERT J. LOTHROP

STATE OF IDAHO)
 SS.
COUNTY OF ADA)

On this 20th day of January, 2016, before me, the undersigned Notary Public in and for said State, personally appeared CYNTHIA J. LOTHROP, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she 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.




NOTARY PUBLIC, State of Idaho
Residing at Boise, Idaho
Commission expires: 2/24/2018



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

February 2, 2016

LOTHROP LEGACY LLC
1218 N GAGE LN
NAMPA ID 83687

RE: Change of Ownership for Water Right Nos. 72-7174

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, appearing to read 'Trish Fawcett'.

Trish Fawcett
Technical Records Specialist

Enclosure(s)

Cc: Thornton Byron LLP

LAW OFFICE

THORNTON BYRON LLP

TAX • ESTATE PLANNING • BUSINESS • WEALTH PRESERVATION

RIVERFRONT PLAZA
3101 W. MAIN, SUITE 200
BOISE, IDAHO 83702-2099

P.O. BOX 7156
BOISE, IDAHO 83707-1156

TELEPHONE: 208-344-8600
FACSIMILE: 208-344-8720

WWW.THORNTONBYRON.COM

D. JOHN THORNTON, P.A.
GREGORY A. BYRON, LL.M., P.A.
KEVIN C. BELEW, LL.M., P.A.
JUSTIN C. JONES, LL.M., P.C.

JOSHUA G. HILLYARD, LL.M.
AMBER R. MYRICK, LL.M., P.A.

OF COUNSEL
JENYA SHANAYEVA, LL.M., P.C.

PRACTICE LIMITED TO:
IDAHO, CALIFORNIA, NEVADA,
OREGON, UTAH, WASHINGTON

January 29, 2016

RECEIVED

FEB 01 2016

DEPT OF WATER RESOURCES
SOUTHERN REGION

IDWR Southern Region
650 Addison Avenue W., Ste. 500
Twin Falls, ID 83301-5858

Re: Lothrop Legacy LLC
Water Right #72-7174

To Whom It May Concern:

Enclosed are the following documents for processing:

1. Quitclaim Deed from Max and Lorraine Albertson to Lothrop Properties LP, recorded on October 26, 2015, as instrument #251059, Custer County, Idaho;
2. Bargain and Sale Deed from Lothrop Properties LP to Lothrop Legacy LLC, recorded on January 6, 2016, as instrument #251371, Custer County, Idaho;
3. Affidavit of Surviving Spouse Succeeding to Community Property recorded on January 25, 2016, as Instrument #251435, Custer County, Idaho;
4. Quitclaim Deed from Cynthia J. Lothrop, acting individually and as the surviving spouse of Robert J. Lothrop, recorded on January 25, 2016, as Instrument #251436, Custer County, Idaho;
5. Notice of Change in Water Right Ownership.

Pursuant to the above documents, the water right should now be vested in Lothrop Legacy LLC. Please process this Notice of Change in Water Right Ownership; we have included our check for the \$25 processing fee. If you need any additional information to make this change, please let us know immediately.

If you have any questions, please call. Thank you for your assistance.

Very truly yours,



Kathleen A. Rockne
Legal Administrator

/K
Enclosures