



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

January 13, 2016

Jacob Harris
Kylie Harris
408 N 300 W
Blackfoot ID 83221

RE: Notice of Change in Water Right Ownership
Water Rights: 35-1074A & 35-1074B

Dear Sir/Madam:

On August 27, 2015, you filed a Notice of Change in Water Right Ownership (ownership change) with the Idaho Department of Water Resources (IDWR), seeking to update the ownership records for the water rights listed above. After an initial review, we determined that you needed to provide additional evidence of ownership, specifically evidence of ownership of the portion of the water right located in the SENE quarter of Section 9. On September 25, 2015, we sent a letter requesting the additional information. The additional information was to be provided within 30 days.

IDWR has never received a response to the request for additional information. Without the requested documents, we cannot verify ownership of the water right and cannot complete the ownership change. We are therefore returning your original ownership change and have initiated a refund of your filing fee (\$50.00). The refund from the state of Idaho will arrive at the address listed above within a couple of weeks.

Please feel free to re-file your ownership change any time in the future when you have collected the requested documentation of ownership. Because your filing fee is being refunded, you will need to determine and provide the proper filing fee at the time you re-file the ownership change.

If you have any questions, feel free to contact me at (208) 525-7161.

Respectfully submitted,

Jonie Barg
Technical Records Specialist

Enclosure(s)

SUPPORT DATA
IN FILE # 35-4074A

Barg, Jonie

From: Barg, Jonie
Sent: Wednesday, January 13, 2016 9:56 AM
To: Carlos, Rhea
Subject: Refund Request
Attachments: E041399.pdf

Rhea,

Good morning!!

I have a refund request as follows:

Receipt number: E041399
Amount: \$50.00
Payable to: Jacob Harris
408 N 300 W
Blackfoot ID 83221

Reason: Total filing fee received \$50.00 for an ownership change. Additional information was required to complete all of the ownership changes. Because the department did not receive the information a full refund is required.

Let me know if you need additional information.

Thank you so much for your time. Let me know if you have any questions.

Have a great day!!!

Jonie Barg

Jonie Barg
Technical Records Specialist
Idaho Department of Water Resources
900 N Skyline Ste A
Idaho Falls ID 83402
phone: (208) 525-7161
fax: (208) 525-7177
email: jonie.barg@idwr.idaho.gov

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED
AUG 27 2015
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.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
35-4074 A	Yes ☐		Yes ☐		Yes ☐
35-4074 B	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Nils Harris
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Jacob Harris, Kylie Harris
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☒ and/or
- 408 N 300 W Blackfoot ID 83221
Mailing address City State ZIP
- (208) 680-5298 23harrisjn@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: May 7, 2015
6. If the water right described herein has been rented from the Water Supply Bank, rental proceeds will be disbursed in the following manner regardless of any arrangements between the buyer(s) and seller(s) to the contrary:
- Rental payments will go to the lessor(s) of record at the beginning of the rental season.
 - If a change in ownership is processed by the Department during a rental season, rental payment will be made to the person or entity who is the lessor of record at the beginning of that rental season.
 - New lessor(s) of record will receive payment after the following rental season.
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.

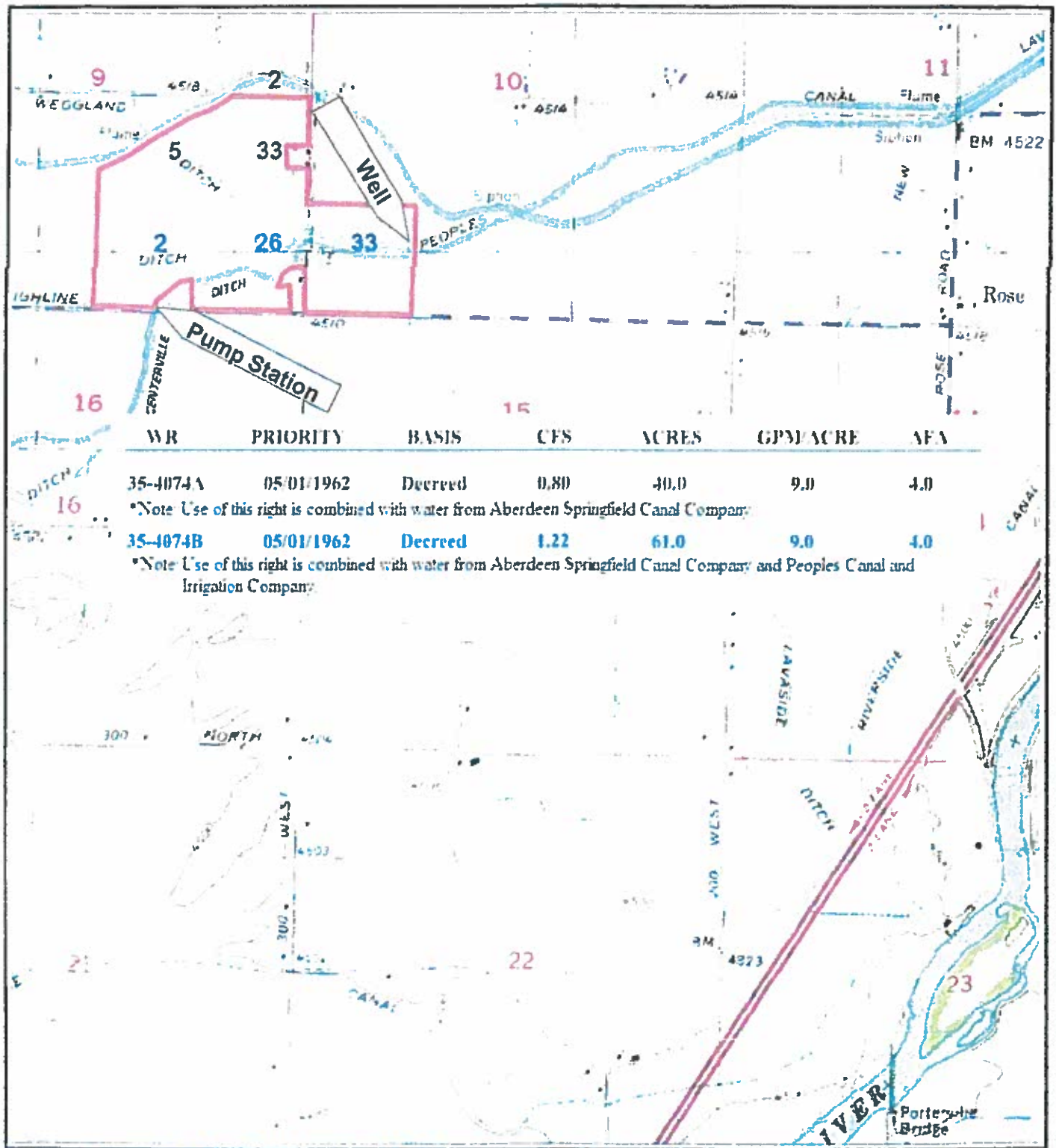
8. Signature: [Signature] Aug 13, 2015
Signature of new owner/claimant Title, if applicable Date
- Signature: Kylie Harris Aug 13, 2015
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by [Signature] Date 8-27-2015 Receipt No. EO 41399 Receipt Amt. \$50.00

Approved by [Signature] Processed by Returned Refund Request Sent 1/13/2016

Water Rights Place of Use Map



RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
168 West Pacific Street/PO Box 868
Blackfoot, ID 83221

Instrument # 667008
BINGHAM COUNTY, IDAHO
2015-05-08 01:19:47 PM No. of Pages: 3
Recorded for: FIRST AMERICAN TITLE - BLACKFO
PAMELA W. ECKHARDT Fee: \$16.00
Ex-Officio Recorder Deputy JPulley
Index To: WARRANTY DEED
Electronically Recorded by Simplifile

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **542510-B (vb)**

Date: **May 05, 2015**

For Value Received, **Nils B Harris, also shown of record as Nils Harris, and Becky Harris, husband and wife**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Jacob Harris and Kylie Harris, husband and wife**, hereinafter called the Grantee, whose current address is **408 North 300 West, Blackfoot, ID 83221**, the following described premises, situated in **Bingham County, Idaho**, to-wit:

TRACT A:

TOWNSHIP 2 SOUTH, RANGE 35 E.B.M., BINGHAM COUNTY, IDAHO
SECTION 9: E $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$; SE $\frac{1}{4}$ SE $\frac{1}{4}$; EXCEPTING THEREFROM PART OF THE SE $\frac{1}{4}$ SE $\frac{1}{4}$ OF SAID SECTION 9, DESCRIBED AS FOLLOWS: BEGINNING AT THE SE CORNER OF SAID SECTION 9, AND RUNNING THENCE N. 89°56'03" W. 170.11 FEET ALONG THE SECTION LINE; THENCE N. 00°05'32" E. 359.18 FEET; THENCE S. 89°56'03" E. 170.10 FEET TO THE E. LINE OF SAID SECTION 9; THENCE S. 00°05'32" W. 359.18 FEET ALONG SAID E. LINE TO THE POINT OF BEGINNING.

TRACT B:

PART OF THE N $\frac{1}{2}$ SE $\frac{1}{4}$ OF SECTION 9, TOWNSHIP 2 SOUTH, RANGE 35 E.B.M., BINGHAM COUNTY, IDAHO, DESCRIBED AS: BEGINNING AT A POINT THAT IS N. 0°08'34" W. 1321.64 FEET ALONG THE E. LINE OF SAID SECTION 9 FROM THE SE CORNER OF SAID SECTION 9 AND RUNNING THENCE S. 89°28'55" W. 2603.55 FEET ALONG THE S. LINE OF THE N $\frac{1}{2}$ SE $\frac{1}{4}$ OF SAID SECTION 9 TO A NORTH SOUTH FENCE; THENCE ALONG SAID FENCE N. 0°00'42" E. 441.96 FEET TO A POINT ON THE S. BANK OF THE ABERDEEN-SPRINGFIELD CANAL THENCE IN A NORTHEASTERLY DIRECTION ALONG SAID CANAL BANK THE FOLLOWING 4 COURSES AND DISTANCES; N. 71°04'56" E. 344.47 FEET; THENCE N. 54°19'12" E. 684.71 FEET; THENCE N. 65°26'40" E. 501.76 FEET; THENCE N. 57°59'31" E. 328.81 FEET TO THE INTERSECTION OF SAID CANAL BANK AND THE N. LINE OF SAID N $\frac{1}{2}$ SE $\frac{1}{4}$; AND THENCE LEAVING SAID CANAL BANK AND RUNNING N. 89°27'15" E. 888.54 FEET ALONG SAID N. LINE OF THE N $\frac{1}{2}$ SE $\frac{1}{4}$; THENCE LEAVING SAID LINE AND RUNNING S. 69°37'41" E. 100.71 FEET TO THE E. LINE OF SAID SECTION 9; THENCE ALONG SAID E. LINE S. 0°08'34" E. 569.96 FEET; THENCE LEAVING SAID E. LINE S. 89°00'57" W. 292.22 FEET; THENCE S. 2°25'49" E. 268.36 FEET; THENCE S. 89°42'38" E. 281.48 FEET TO THE E. LINE OF SAID SECTION 9, THENCE ALONG THE SAID E. LINE S. 0°08'34" E. 441.15 FEET TO THE POINT OF BEGINNING.

TRACT C:

TOWNSHIP 2 SOUTH, RANGE 35 E.B.M., BINGHAM COUNTY, IDAHO
SECTION 9: W $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$

EXCEPTING THEREFROM:

PART OF THE SOUTHEAST $\frac{1}{4}$ SOUTHEAST $\frac{1}{4}$ SECTION 9 TOWNSHIP 2 SOUTH RANGE 35 EAST B.M. BINGHAM COUNTY, IDAHO DESCRIBED AS:

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
168 West Pacific Street/PO Box 868
Blackfoot, ID 83221



Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **542510-B (vb)**

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TRACT A:

TOWNSHIP 2 SOUTH, RANGE 35 E.B.M., BINGHAM COUNTY, IDAHO
SECTION 9: E $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$; SE $\frac{1}{4}$ SE $\frac{1}{4}$; EXCEPTING THEREFROM PART OF THE SE $\frac{1}{4}$ SE $\frac{1}{4}$ OF SAID SECTION 9, DESCRIBED AS FOLLOWS: BEGINNING AT THE SE CORNER OF SAID SECTION 9, AND RUNNING THENCE N. 89°56'03" W. 170.11 FEET ALONG THE SECTION LINE; THENCE N. 00°05'32" E. 359.18 FEET; THENCE S. 89°56'03" E. 170.10 FEET TO THE E. LINE OF SAID SECTION 9; THENCE S. 00°05'32" W. 359.18 FEET ALONG SAID E. LINE TO THE POINT OF BEGINNING.

TRACT B:

PART OF THE N $\frac{1}{2}$ SE $\frac{1}{4}$ OF SECTION 9, TOWNSHIP 2 SOUTH, RANGE 35 E.B.M., BINGHAM COUNTY, IDAHO, DESCRIBED AS: BEGINNING AT A POINT THAT IS N. 0°08'34" W. 1321.64 FEET ALONG THE E. LINE OF SAID SECTION 9 FROM THE SE CORNER OF SAID SECTION 9 AND RUNNING THENCE S. 89°28'55" W. 2603.55 FEET ALONG THE S. LINE OF THE N $\frac{1}{2}$ SE $\frac{1}{4}$ OF SAID SECTION 9 TO A NORTH SOUTH FENCE; THENCE ALONG SAID FENCE N. 0°00'42" E. 441.96 FEET TO A POINT ON THE S. BANK OF THE ABERDEEN-SPRINGFIELD CANAL THENCE IN A NORTHEASTERLY DIRECTION ALONG SAID CANAL BANK THE FOLLOWING 4 COURSES AND DISTANCES; N. 71°04'56" E. 344.47 FEET; THENCE N. 54°19'12" E. 684.71 FEET; THENCE N. 65°26'40" E. 501.76 FEET; THENCE N. 57°59'31" E. 328.81 FEET TO THE INTERSECTION OF SAID CANAL BANK AND THE N. LINE OF SAID N $\frac{1}{2}$ SE $\frac{1}{4}$; AND THENCE LEAVING SAID CANAL BANK AND RUNNING N. 89°27'15" E. 888.54 FEET ALONG SAID N. LINE OF THE N $\frac{1}{2}$ SE $\frac{1}{4}$; THENCE LEAVING SAID LINE AND RUNNING S. 69°37'41" E. 100.71 FEET TO THE E. LINE OF SAID SECTION 9; THENCE ALONG SAID E. LINE S. 0°08'34" E. 569.96 FEET; THENCE LEAVING SAID E. LINE S. 89°00'57" W. 292.22 FEET; THENCE S. 2°25'49" E. 268.36 FEET; THENCE S. 89°42'38" E. 281.48 FEET TO THE E. LINE OF SAID SECTION 9, THENCE ALONG THE SAID E. LINE S. 0°08'34" E. 441.15 FEET TO THE POINT OF BEGINNING.

TRACT C:

TOWNSHIP 2 SOUTH, RANGE 35 E.B.M., BINGHAM COUNTY, IDAHO
SECTION 9: W $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$

EXCEPTING THEREFROM:

PART OF THE SOUTHEAST $\frac{1}{4}$ SOUTHEAST $\frac{1}{4}$ SECTION 9 TOWNSHIP 2 SOUTH RANGE 35 EAST B.M. BINGHAM COUNTY, IDAHO DESCRIBED AS:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 9; THENCE N 00°05'32" E 359.18 FEET ALONG THE SECTION LINE TO THE NORTHEAST CORNER OF DEED INSTRUMENT 637966 AND THE POINT OF BEGINNING. THENCE N 89°55'14" W 303.90 FEET ALONG THE WESTERLY EXTENSION OF THE NORTH LINE OF SAID DEED; THENCE N 00°05'32" E 68.54 FEET PARALLEL WITH THE EAST LINE OF THE SOUTHEAST ¼ TO A POINT ON THE SOUTHERLY BANK OF THE PEOPLES CANAL; THENCE ALONG SAID BANK THE FOLLOWING COURSES N 54°54'45" E 87.63 FEET; THENCE N 38°32'12" E 93.41 FEET; THENCE LEAVING SAID BANK S 89°54'28" E 174.20 FEET TO A POINT ON THE EAST LINE OF THE SOUTHEAST ¼ SECTION 9; THENCE S 00°05'32" W 192.12 FEET ALONG THE SECTION LINE TO THE POINT OF BEGINNING.

ALSO EXCEPTING:

PART OF THE SOUTHEAST ¼ SECTION 9 TOWNSHIP 2 SOUTH RANGE 35 EAST B.M. BINGHAM COUNTY, IDAHO DESCRIBED AS:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 9; THENCE N 89°55'14" W 1391.17 FEET ALONG THE SECTION LINE TO THE POINT OF BEGINNING. THENCE N 89°55'14" W 437.01 FEET CONTINUING ALONG THE SECTION LINE TO A POINT ON THE SOUTHEASTERLY BANK OF THE PEOPLES CANAL; THENCE ALONG SAID BANK THE FOLLOWING COURSES N 34°56'29" E 111.60 FEET; THENCE N 46°01'51" E 64.34 FEET; THENCE N 49°27'19" E 60.54 FEET; THENCE N 45°21'53" E 188.90 FEET; THENCE N 71°18'27" E 95.94 FEET; THENCE N 84°15'54" E 56.22 FEET; THENCE LEAVING SAID BANK S 00°04'37" W 345.21 FEET TO THE POINT OF BEGINNING.

TRACT D:

**TOWNSHIP 2 SOUTH, RANGE 35 E.B.M., BINGHAM COUNTY, IDAHO
SECTION 10: SW¼SW¼**

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.

Date: 05/05/2015

Warranty Deed
- continued

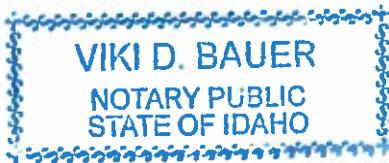
File No.: 542510-B (vb)


Nils B. Harris


Becky Harris

STATE OF Idaho)
ss.
COUNTY OF Bingham)

On this 7 day of May, 2015, before me, a Notary Public in and for said State, personally appeared **Nils B. Harris and Becky Harris**, 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.




Notary Public for the State of Idaho
Residing at: Blackfoot, Id
My Commission Expires: 3/29/20