

STATE OF IDAHO
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?
34-282C	Yes ☒	Yes ☒	Split into 34-282C + 14526	Yes ☐	Yes ☐
34-452E	Yes ☒	Yes ☒	Split into 452E + 14527	Yes ☐	Yes ☐
34-2438	Yes ☒	Yes ☒	Split into 2438 + 14528	Yes ☐	Yes ☐
34-10795	Yes ☒	Yes ☒	Split into 10795 + 14529	Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Max and Cheryl Bingham

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): James and Jessica McDonald

New owner(s) as listed on the conveyance document

Name connector ☒ and ☐ or ☐ and/or

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: _____

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.

SUPPORT DATA

IN FILE # 34-282C

- ☒ 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: _____

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 SC

Date

12/16/15

Receipt No.

E041690

Receipt Amt.

\$400.00

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 JESSICA McDONALD

Approved by MH

Processed by MA

Date 12/22/15



Order Number: 293055

Warranty Deed

For value received,

Max J. Bingham and Cheryl L. Bingham, husband and wife,

the grantor, does hereby grant, bargain, sell, and convey unto

James McDonald and Jessica McDonald, husband and wife,

whose current address is 8 N. 3900 E., Rigby, ID 83442

the grantee, the following described premises, in Custer County, Idaho, to wit:

Township 6 North, Range 26 East, Boise Meridian, Custer County, Idaho
Section 30: NE1/4NE1/4

Water Rights include, but are not limited to:

Portions of 34-282C, 34-452E, 34-2438, 34-10795

To have and to hold the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

Dated: November 17, 2015


Max J. Bingham


Cheryl L. Bingham

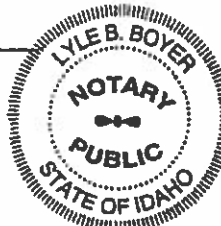
State of Idaho

ss.

County of Butte

On this 17th day of November in the year of 2015, before me, the undersigned, a Notary Public in and for said State, personally appeared Max J. Bingham and Cheryl L. Bingham, known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.


Notary Public
Residing in: Arco, Idaho
My Commission Expires: 6-5-2021
(seal)





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

December 24, 2015

James McDonald
Jessica McDonald
8 N 3900 E
Rigby ID 83442

RE: Change of Ownership for Water Rights 31-282C (Split into 31-282C & 31-14526), 31-152E (Split into 31-152E & 14527), 31-2438 (split into 31-2438 & 31-14528) & 31-10795 (Split into 31-10795 & 31-14529)

Dear Water Right Holder:

The department acknowledges receipt of correspondence changing ownership and splitting the above referenced water right. The department has modified its records to reflect the changes and has enclosed computer-generated reports for your records.

Please note, water right(s) 31-282C, 31-152E, 31-2438 and 31-10795 was leased to the Water Supply Bank on (bank) on June 2, 2014. In accordance with the bank lease acceptance, the lessor/current right holder (right holder) may not use the right(s) while it is in the bank, even if the right(s) is not rented from the bank. The right(s) will remain in the bank until December 31, 2018 unless released earlier by the Water Resource Board or upon request by the right holder. To reduce the term of the lease, the right holder must submit a written request to the department. The department will verify if the right is rented or available for release, and notify the right holder of the release date.

Your portion of the water right has a specified point of diversion, nature of use and place of use. If you plan on changing any of these, including adding a new point of diversion, then an Application for Transfer on your portion of this right is required. If you do not plan on changing any items on your water right, then no further action is required at this time.

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.

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

Enclosures

cc: Water District 34
Max & Cheryl Bingham