



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

July 15, 2015

SUSAN BOLTON
FIRST AMERICAN TITLE CO
301 MAIN ST
GOODING ID 83330

RE: Notice of Change of Water Right Ownership
Water Right 36-16973
Buyer: David J. and Bonny J. Ross / Your File #544964GO

Dear Susan:

Thank you for submitting the Notice of Change in Water Right Ownership on behalf of the David and Bonny Ross. Review of the warranty deed submitted with the notice indicates that water right 36-16973 is not appurtenant to the conveyed property. I am enclosing a water right report for your reference.

Further research shows only shares in the Big Springs Water Users Association are appurtenant to the property described in the warranty deed. Therefore, I am returning the ownership change notice and supporting documents. I have requested a refund of the \$25 filing fee and you should receive it within the next ten days. As always, if you have any questions regarding this matter, please feel free to contact me.

Sincerely,

A handwritten signature in cursive script, reading "Trish Fawcett".

Trish Fawcett
Technical Records Specialist

Enclosures

Cc: David and Bonny Ross

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
301 Main Street
Gooding, ID 83330

Instrument # 251684
GOODING COUNTY, GOODING, IDAHO
06-04-2016 11:21:59 No. of Pages: 3
Recorded for: FIRST AMERICAN TITLE - JEROME
DENISE GILL Fee: \$16.00
Ex-Office Recorder Deputy: MJS
Electronically Recorded by Simplifile

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: 544964GO (smb)

Date: May 28, 2015

For Value Received, Troy D. Brown and Tracy J. Brown, husband and wife, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto David J. Ross and Bonny J. Ross, husband and wife, hereinafter called the Grantee, whose current address is P.O. Box 424, Hagerman, ID 83332, the following described premises, situated in Gooding County, Idaho, to-wit:

PARCEL NO. 1 (Identified as Parcel No. 2 on Survey recorded as Instrument No. 247826) **TOWNSHIP 7 SOUTH, RANGE 13, EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO** Section 13: That part of the SE $\frac{1}{4}$ SW $\frac{1}{4}$, being a part of the parcel of land conveyed to Troy D. Brown and Tracy J. Brown by Warranty Deed recorded in Gooding County Recorder's Office on April 13, 1987 as Instrument Number 127122, and being more particularly described as follows:

Commencing at a 5/8-inch iron pin marking the Southeast corner of the Southwest quarter of said Section 13; thence along the South line of said Southwest quarter, N89°15'32"W (N89°47'11"W, record), a distance of 1098.84 feet (1098.55 feet, record) to the Southeast corner of said Brown parcel, being also the POINT OF BEGINNING, and from which a 1/2-inch rebar with a plastic cap imprinted PLS 9858 bears N00°58'31"E at a distance of 17.25 feet; Thence continuing along said South line of said Southwest quarter, N89°15'32"W (N89°47'11"W, record), a distance of 217.67 feet (215.45 feet, record), to the Southwest corner of said Brown parcel, being also the Southwest corner of said SE $\frac{1}{4}$ SW $\frac{1}{4}$, from which a 1/2-inch rebar with a plastic cap imprinted PLS 9858 bears N00°38'26"E at a distance of 30.00 feet, and also from which a 5/8-inch iron pin with a plastic cap stamped PLS 1000 bears S89°15'32"E at a distance of 8.53 feet; Thence along the West line of said SE $\frac{1}{4}$ SW $\frac{1}{4}$, being the same as the West line of said Brown parcel, N00°38'26"E (North, record), a distance of 431.54 feet to a 1/2-inch rebar with a plastic cap stamped PLS 9858; Thence parallel to said South line of said SE $\frac{1}{4}$ SW $\frac{1}{4}$, S89°15'32"E, a distance of 20.00 feet to a 1/2-inch rebar with a plastic cap stamped PLS 9858; Thence parallel to said West line of said SE $\frac{1}{4}$ SW $\frac{1}{4}$, N00°38'26"E, a distance of 170.00 feet to a 1/2-inch rebar with plastic cap imprinted PLS 9858; Thence parallel to said South line of said SE $\frac{1}{4}$ SW $\frac{1}{4}$, S89°15'32"E, a distance of 199.98 feet to a 1/2-inch rebar with plastic cap imprinted PLS 9858 marking the intersection with the East line of said Brown parcel; Thence along the East line of said Brown parcel, S00°51'38"W (S00°21'24"W, record), a distance of 601.54 feet to the POINT OF BEGINNING.

PARCEL NO.2:

Access easement for the purpose of ingress and egress, said easement being adjacent to and on the West side of the West boundary of the SE $\frac{1}{4}$ SW $\frac{1}{4}$, of said Section 13, as set forth in Road Easement recorded June 8, 2004 as Instrument Number 206635, records of Gooding County, Idaho.

Date: 05/28/2015

Warranty Deed
- continued

File No.: 544964GD (smb)

PARCEL NO. 3:**Easement for the purpose of Ingress and egress, described as follows:**

TOWNSHIP 7 SOUTH, RANGE 13, EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO
Section 13: That part of the SE $\frac{1}{4}$ SW $\frac{1}{4}$, being a part of the parcel of land conveyed to Troy D. Brown and Tracy J. Brown by Warranty Deed recorded in Gooding County Recorder's Office on April 13, 1987 as Instrument Number 127122, and being more particularly described as follows:

Commencing at a 5/8-inch Iron pin marking the Southeast corner of the Southwest quarter of said Section 13; thence along said South line of said Southwest quarter, N89°15'32"W (N89°47'11"W, record), a distance of 1098.84 feet (1098.55 feet, record) to the Southeast corner of said Brown parcel, from which a 1/2-inch rebar with a plastic cap imprinted PLS 9858 bears N00°58'31"E at a distance of 17.25 feet;

Thence continuing along said South line of said Southwest quarter, N89°15'32"W (N89°47'11"W, record), a distance of 217.67 feet (215.45 feet, record), to the Southwest corner of said Brown parcel, being also the Southwest corner of said SE $\frac{1}{4}$ SW $\frac{1}{4}$, from which a 1/2-inch rebar with a plastic cap imprinted PLS 9858 bears N00°38'26"E at a distance of 30.00 feet, and also from which a 5/8-inch iron pin with a plastic cap stamped PLS 1000 bears S89°15'32"E at a distance of 8.53 feet;

thence along the West line of said SE $\frac{1}{4}$ SW $\frac{1}{4}$, being the same as the West line of said Brown parcel, N00°38'26"E (North, record), a distance of 431.54 feet to a 1/2-inch rebar with a plastic cap stamped PLS 9858 marking the POINT OF BEGINNING;

Thence continuing along said West line of said SE $\frac{1}{4}$ SW $\frac{1}{4}$, being the same as the West line of said Brown parcel, N00°38'26"E (North, record), a distance of 20.00 feet;

Thence parallel with the South line of said Southwest quarter, S89°15'32"E, a distance of 20.00 feet;

Thence parallel with said West line of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 13, S00°38'26"W, a distance of 20.00 feet to a 1/2-inch rebar with a plastic cap imprinted PLS 9858;

Thence parallel with the South line of said SE $\frac{1}{4}$ SW $\frac{1}{4}$, N89°15'32"W, a distance of 20.00 feet to the POINT OF BEGINNING.

TOGETHER with 3 shares of Big Springs Water Users water.

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.

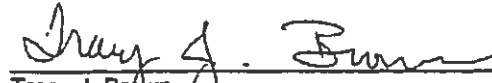
TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from 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: 05/28/2015

Warranty Deed
- continued

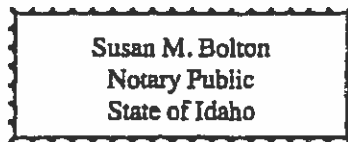
File No.: 54496460 (smb)

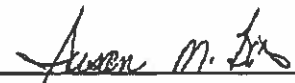

Troy D. Brown


Tracy J. Brown

STATE OF Idaho)
ss.
COUNTY OF Gooding)

On this 27th day of June, 2015, before me, a Notary Public in and for said State, personally appeared Troy D. Brown and Tracy J. Brown, 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: Gooding, ID
My Commission Expires: 10-16-2016

Fawcett, Trish

From: Fawcett, Trish
Sent: Wednesday, July 15, 2015 10:09 AM
To: Marston, Sascha
Subject: Refund

Good morning Sascha,

Please refund the \$25 filing fee from receipt S034836. The Title company submitted an ownership change on a water right that was not appurtenant to the property conveyed in the warranty deed. The refund should reference File #544964GO and should be sent to:

First American Title Co
301 Main St
Gooding ID 83330

Thank you!

Trish Fawcett
Technical Records Specialist
IDWR Southern Region
650 Addison Ave W Ste 500
Twin Falls ID 83301



First American Title Company
301 Main Street, Gooding, ID 83330
Phone (208)934-4427 Fax (208)934-4741

RECEIVED

JUN 10 2015

DEPT OF WATER RESOURCES
SOUTHERN REGION

IDWR
650 Addison Avenue West, Ste 500
Twin Falls, ID 83301

June 08, 2015
File No.: 544964GO (smb)

Attn:

Re: **Transfer Fee**

Property: **1024 A East 2700 South, Hagerman, ID 83332**

Buyer: **David J. Ross and Bonny J. Ross**

Seller: **Troy D. Brown and Tracy J. Brown**

- Our Check No. **5792** in the amount of **\$25.00**, representing **transfer fee**.

Sincerely,

Susan Bolton,
Escrow Officer

smb/sc