

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 20 2015

DEPT OF WATER RESOURCES
SOUTHERN REGION

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?
36-16251	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: David & Patricia Kleven 1994 Trust
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Melvin J. Seamons
 New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or

1798 E 1450 S
Mailing address
208-961-1590
Telephone

Gooding
City

ID
State

83330
ZIP

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: April 15, 2015

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: _____ | _____ | _____ |
| 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 DM Date 4-20-2015 Receipt No. 5034703 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 _____

RECORDING REQUESTED BY
First American Title Company

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

Instrument # 251271
GOODING COUNTY, GOODING, IDAHO
04-16-2016 14:04:18 No. of Pages: 4
Recorded for: FIRST AMERICAN TITLE - JEROME
DENISE GILL Fee: \$19.00
Ex-Officio Recorder Deputy: MJS
Electronically Recorded by Simplifile

ELECTRONICALLY RECORDED
DO NOT REMOVE
THE COUNTY STAMPED
FIRST PAGE AS IT IS NOW
INCORPORATED AS PART OF
THE ORIGINAL DOCUMENT

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **522095GO (smb)**

Date: **April 03, 2015**

For Value Received, **David Bruce Kleven and Patricia Christine Kleven as Co-Trustees of the David and Patricia Kleven 1994 Trust dated October 28, 1994**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Melvin J. Seamons, a single man**, hereinafter called the Grantee, whose current address is **1798 E 1450 S, Gooding, ID 83330**, the following described premises, situated in **Gooding County, Idaho**, to-wit: **Legal Description attached hereto as Exhibit A, and by this referenced incorporated herein.**

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.

RECORDING REQUESTED BY
First American Title Company

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

Recorded Electronically

ID 251271

County Gooding

Date 4-15-15 Time 14:04:18

Simplifile.com 800.460.5857

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **522095GO (smb)**

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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: 04/03/2015

Warranty Deed
- continued

File No.: 522095GO (smb)

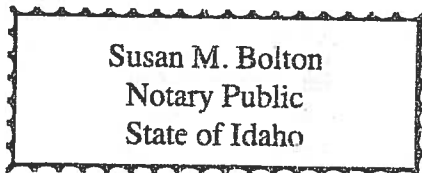
David and Patricia Kleven 1994 Trust

David Bruce Kleven
David Bruce Kleven, Co-Trustee

Patricia Christine Kleven
Patricia Christine Kleven, Co-Trustee

STATE OF Idaho)
SS.
COUNTY OF Gooding)

On this 15th day of April, 2015, before me, a Notary Public in and for said State, personally appeared **David Bruce Kleven and Patricia Christine Kleven**, known or identified to me to be the person(s) whose name(s) are subscribed to the within instrument as Co-Trustees of the **David and Patricia Kleven 1994 Trust** Trust, and acknowledged to me that they executed the same as such Co-Trustees.



Susan M. Bolton
Notary Public of Idaho
Residing at: Gooding, ID
Commission Expires: 10-16-2016

EXHIBIT A

Parcel 1

Township 7 South, Range 13 East of the Boise Meridian, Gooding County, Idaho
SECTION 36: A parcel of land located In the NE $\frac{1}{4}$ NW $\frac{1}{4}$ more particularly described as follows:

COMMENCING at the North One Quarter corner of said Section 36, from which the Northwest corner of said Section 36 bears South 89°54'00" West 2627.70 feet, said North One Quarter corner being the True Point of Beginning;

THENCE South 00°03'46" West parallel with the East boundary of the NW $\frac{1}{4}$ of said Section 36 for a distance of 560.72 feet;

THENCE South 89°54'00" West parallel with the North boundary of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 36 for a distance of 706.00 feet;

THENCE North 00°03'46" East parallel with the East boundary of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 36 for a distance of 560.72 feet to a point on the North boundary of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 36;

THENCE North 89°54'00" East along the North boundary of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 36 for a distance of 706.00 feet to the True Point of Beginning.

Parcel 1A

An access easement, said easement being on, over, under and across a strip of land that is encompassed by the following described boundary:

COMMENCING at the North One Quarter corner of said Section 36;

THENCE South 00°03'46" West along the East boundary of the NW $\frac{1}{4}$ of said Section 36 for a distance of 1395.07 feet to the center of an existing County Road;

THENCE South 81°59'10" West along the center of the County Road for a distance of 319.91 feet to the True Point of Beginning;

THENCE North 07°34'26" West for a distance of 203.58 feet;

THENCE North 36°06'36" West for a distance of 76.08 feet;

THENCE North 44°46'49" West for a distance of 133.96 feet;

THENCE North 79°40'33" West for a distance of 226.46 feet;

THENCE North 00°03'46" East for a distance of 1039.51 feet to a point on the North boundary of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 36;

THENCE North 89°54'00" East along the North boundary of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 36 for a distance of 25.00 feet;

THENCE South 00°03'46" West for a distance of 1018.70 feet;

THENCE South 79°40'33" East for a distance of 213.44 feet;

THENCE South 44°46'49" East for a distance of 143.71 feet;

THENCE North 82°34'51" East for a distance of 40.29 feet;

THENCE South 07°34'26" East for a distance of 283.72 feet to a point in the center of an existing County Road;

THENCE South 81°59'10" West along the center of the County Road for a distance of 25.00 feet to the True Point of Beginning.

PARCEL 2

Township 7 South, Range 13 East of the Boise Meridian, Gooding County, Idaho

SECTION 36: A parcel of land located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ more particularly described as follows:

COMMENCING at the North One Quarter corner of said Section 36, from which the Northwest corner of said Section 36 bears South 89°54'00" West 2627.70 feet;

THENCE South 00°03'46" West along the East boundary of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 36 for a distance of 560.72 feet to the True Point of Beginning;

THENCE continuing South 00°03'46" West along the East boundary of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 36 for a distance of 834.35 feet to a point on the center of a County Road;

THENCE South 81°59'10" West along the center of the County Road for a distance of 319.91 feet;

THENCE North 07°34'26" West for a distance of 283.91 feet;

THENCE South 82°50'02" West for a distance of 15.29 feet;

THENCE North 44°46'49" West for a distance of 143.71 feet;

THENCE North 79°40'33" West for a distance of 238.85 feet;

THENCE North 00°03'46" East parallel with the East boundary of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 36 for a distance of 453.38 feet;

THENCE North 89°54'00" East parallel with the North boundary of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 36 for a distance of 706.00 feet to the True Point of Beginning.

Parcel 2A

An access easement, said easement being on, over, under and across a strip of land that is encompassed by the following described boundary:

COMMENCING at the North One Quarter corner of said Section 36;

THENCE South 00°03'46" West along the East boundary of the NW $\frac{1}{4}$ of said Section 36 for a distance of 1395.07 feet to the center of an existing County Road;

THENCE South 81°59'10" West along the center of the County Road for a distance of 319.91 feet to the True Point of Beginning;

THENCE North 07°34'26" West for a distance of 203.58 feet;

THENCE North 36°06'36" West for a distance of 76.08 feet;

THENCE North 44°46'49" West for a distance of 133.96 feet;

THENCE North 79°40'33" West for a distance of 226.46 feet;

THENCE North 00°03'46" East for a distance of 1039.51 feet to a point on the North boundary of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 36;

THENCE North 89°54'00" East along the North boundary of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 36 for a distance of 25.00 feet;

THENCE South 00°03'46" West for a distance of 1018.70 feet;

THENCE South 79°40'33" East for a distance of 213.44 feet;

THENCE South 44°46'49" East for a distance of 143.71 feet;

THENCE North 82°34'51" East for a distance of 40.29 feet;

THENCE South 07°34'26" East for a distance of 283.72 feet to a point in the center of an existing County Road;

THENCE South 81°59'10" West along the center of the County Road for a distance of 25.00 feet to the True Point of Beginning.

TOGETHER with Idaho Department of Water Resources Water Right #36-16251.



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

June 11, 2015

MELVIN J SEAMONS
1798 E 1450 S
GOODING ID 83330

RE: Change of Ownership for Water Right Nos. 36-16251

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: First American Title (File 522095GO)