

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESRECEIVED
DEC 19 2014
Department of Water Resources
Eastern 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?
34-712B 34-14494 34-711B 34-14493 >34-712B	Yes ☒	Yes ☐		Yes ☐	Yes ☐
>34-711B	Yes ☒	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: STEVEN SPANGLER SPENGLER

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): JOHN DURFEE ; BARBARA DURFEE

New owner(s) as listed on the conveyance document

Name connector

☐ and☐ or☐ and/orMailing address 4505 OLD LOOP ROADCity MACLAY, IDAHOState IDZIP 83251Telephone 208-727-7022Email jdurfee007@gmail.com

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 2008

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: John Durfee

Signature of new owner/claimant

OWNER

Title, if applicable

DEC 19, 2014

Date

- Signature: Barbara Durfee

Signature of new owner/claimant

OWNER

Title, if applicable

DEC 19, 2014

Date

For IDWR Office Use Only:

Received by JBDate 12/19/2014Receipt No. E040513Receipt Amt. \$200.-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 JBProcessed by CFDate 4/30/2015

228537

Recording requested by:

When recorded, please mail this deed and, unless otherwise shown below, mail tax statement to :

Name:

Address:

City/State:

Zip:

title Order No. _____ Escrow No. _____

238795

#

Custer County Req. of

First American Title

Time *4:27 PM* Date *5-2, 2008*

Barbara C. Breedlove, Clerk

B. Breedlove \$12.00
Deputy

WARRANTY DEED

For Value received: STEPHEN M. SPENGLER, unmarried at the time of this Warranty Deed,

hereinafter called GRANTOR,

HEREBY GRANTS, bargains, sells, conveys and warrants unto:

JOHN DURFEE and BARBARA DURFEE, husband and wife,

2017 E. Millstream LN

Salt Lake City, UT 84109

hereinafter called GRANTEE,

THE FOLLOWING DESCRIBED PREMISES, TO WIT:

Part of the North $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of Section 20 and also being part of the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 17, Township 7 North, Range 24 East of the Boise Meridian, Custer County, Idaho, described as follows:

Commencing at the Northeast corner of Section 20, said point being the General Land Office brass cap recorded as Corner Perpetuation and Filing Record instrument number 0219714; thence S 89E33'11" W 1338.22 feet along the North line of said section to the Northwest corner of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 20, said point being marked by a 2006 BLM brass cap monument; thence S 08E53'33" E 56.75 feet to a $\frac{1}{2}$ " iron rod-PLS 12222, aid point being the POINT OF BEGINNING; thence S 08E53'33" E 58.81 feet to a $\frac{1}{2}$ " iron rod-PLS 12222; thence S 00E50'38" W 427.83 feet to a $\frac{1}{2}$ " iron rod-PLS 12222, said point also being the Northeast corner of deed instrument number 212925; thence N 88E18'53" W 770.92 feet along the North line of said deed instrument number to a $\frac{1}{2}$ " iron rod-PLS 2370, said point also being a common corner to a deed instrument number 222024; thence N 33E31'28" E 820.71 feet to the centerline of Old Loop Road; thence along said centerline the following Two (2) courses; thence (1) S 56E28'32" E 329.06 feet; thence (2) S 45E42'21" E 56.17 feet to the POINT OF BEGINNING. 8.01 acres, more or less.

TO HAVE AND TO HOLD the said premises, as their sole and separate property, with their appurtenances, **excluding any water rights**, unto the said Grantee, their heirs and

238795

assigns forever. And the said Grantor does hereby covenant to and with said Grantee, that it is the owner in fee simple of said premises, having received said premises by way of WARRANTY DEED, namely Instrument # _____, attached hereto and incorporated herein by reference, and has all right and title as conveyed by said Warranty Deed; that said premises are free from all encumbrances, other than those encumbrances of record and the following deed restrictions:

1. A road right of way along the North side of said parcel as indicated in a Record of Survey recorded as Instrument # _____.
2. Property to be used for residential purposes only.
3. Mobile home(s), trailer home(s) or modular style home(s) are prohibited.
4. Residential structure shall be limited to two (2) stories.
5. All future utilities to be underground.
6. No trash, waste, refuse, garbage, litter, junk, junk or non-working vehicles, shall be placed upon or allowed to exist upon the property.
7. One (1) RV may be upon the property.
8. Grantee may live in a recreational vehicle (RV) during construction of the primary residence only.
9. All houses and outbuilding to be constructed of material colors that are harmonious with the natural environment of the property; natural wood and natural wood colors, greys, browns, sage, and earthy greens are acceptable for exterior colors. Roofs shall be non-glaring is metal is chosen.
10. Primary residence shall be 1200 square feet or greater.

and that he will warrant and defend the same from all lawful claims whatsoever.

GRANTOR

Stephen M. Spengler
Stephen M. Spengler

DATED this 21st day of April, 2008

State of Idaho)
County of Blaine) ss.

On this 21st day of April, 2008, before me, the undersigned, a Notary Public, in and for the State of Idaho, personally appeared Stephen M. Spengler, an unmarried man, known to me, and/or identified to me on the basis of satisfactory evidence, to be the Grantor(s) in the above Warranty Deed and that she signed the within instrument and acknowledged to me that she executed the same.

WITNESS MY HAND AND SEAL.

Notary Public:



Jane Hill
Residing: Markham, Idaho
Commn. Exp.: 8-1-2012

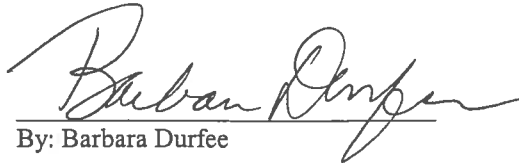
238795

APPROVED AS TO FORM AND CONTENT and RESTRICTIVE COVENANTS
ACKNOWLEDGED AND ACCEPTED.

GRANTEE:

GRANTEE

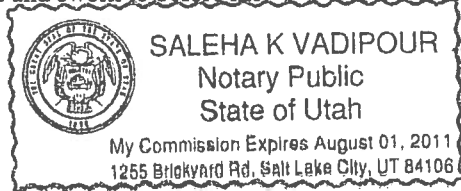

By: John Durfee


By: Barbara Durfee

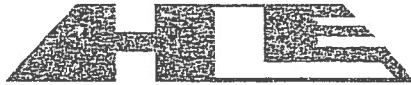
STATE OF Utah)
COUNTY OF Salt Lake) : ss.

On this 22 day of April, 2008, before me, a Notary Public in and for the State of Utah, personally appeared the people know or proved to me as John Durfee and Barbara Durfee, who acknowledged that they are the person(s) who signed the above Warranty Deed and executed the same.

Subscribed and sworn to before me




Notary Public for State of UTAH
Residing: 1255E Brickyard Rd.
Commn. Exp: August 01, 2011



238795

HARPER - LEAVITT ENGINEERING, INC.*CIVIL ENGINEERING, MATERIALS TESTING & LAND SURVEYING*

Date: 10/04/2007
For: Spengler/Durfee
Job #: 2007-215
By: SCR

8.01 Acre Parcel

Part of the North ½ of the Northeast ¼ of Section 20 and also being part of the Southwest ¼ of the Southeast ¼ of Section 17, Township 7 North, Range 24 East of the Boise Meridian, Custer County, Idaho, described as:

Commencing at the Northeast corner of Section 20, said point being a General Land Office brass cap recorded as Corner Perpetuation and Filing Record instrument number 0219714; thence S 89°33'11" W 1338.22 feet along the North line of said section to the Northwest corner of the Northeast ¼ of the Northeast ¼ of said Section 20, said point being marked by a 2006 BLM brass cap monument; thence S 08°53'33" E 56.75 feet to a ½" iron rod-PLS 12222, said point being the POINT OF BEGINNING; thence S 08°53'33" E 58.81 feet to a ½" iron rod-PLS 12222; thence S 00°50'38" W 427.83 feet to a ½" iron rod-PLS 12222, said point also being the Northeast corner of deed instrument number 212925; thence N 88°18'53" W 770.92 feet along the North line of said deed instrument number to a ½" iron rod-PLS 2370, said point also being a common corner to deed instrument number 222024; thence N 33°31'28" E 820.71' feet to the centerline of Old Loop Road; thence along said centerline the following (2) Two courses; thence (1) S 56°28'32" E 329.06' feet; thence (2) S 45°42'21" E 56.17' feet to the POINT OF BEGINNING.

Parcel contains 8.01 Acres more or less and is subject to a road right of way along the North side

238796

Custer County Req. of

First American TitleTime 4:27 PM Date 5-2, 2008

Barbara C. Breedlove, Clerk

Deputy

\$ 9.00

Recording requested by:

When recorded, please mail this deed and, unless otherwise shown below, mail tax statement to :

Name:

Address:

City/State:

Zip:

title Order No.

Escrow No.

QUITCLAIM DEED – WATER RIGHTSAccommodation Only

For Value received: STEPHEN M. SPENGLER, unmarried at the time of this Warranty Deed,

hereinafter called GRANTOR,

HEREBY GRANTS, bargains, sells, conveys and warrants unto:

JOHN DURFEE and BARBARA DURFEE, husband and wife,

2017 E Millstream LNSalt Lake City, UT 84109

hereinafter called GRANTEE,

THE FOLLOWING DESCRIBED WATER RIGHTS, TO WIT:

* 6 ACRES OUT OF Right #34-00711B, priority date 04/22/1884, .35cfs total diversion, 17.5 total acres, and

* 8 ACRES OUT OF Right #34-00712B, priority date 06/01/1894, .59cfs total diversion, 26 total acres

[location Custer Co., water source Big Lost River]

Which shall become appurtenant to the following real property

Part of the North $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of Section 20 and also being part of the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 17, Township 7 North, Range 24 East of the Boise Meridian, Custer County, Idaho, described as follows:Commencing at the Northeast corner of Section 20, said point being the General Land Office brass cap recorded as Corner Perpetuation and Filing Record instrument number 0219714; thence S 89E33'11" W 1338.22 feet along the North line of said section to the Northwest corner of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 20, said point being marked by a 2006 BLM brass cap monument; thence S 08E53'33" E 56.75 feet to a $\frac{1}{2}$ " iron rod-PLS 12222, aid point being the POINT OF BEGINNING; thence S 08E53'33" E 58.81 feet to a $\frac{1}{2}$ " iron rod-PLS 12222; thence S 00E50'38" W 427.83 feet to a $\frac{1}{2}$ " iron rod-PLS 12222, said point also being the Northeast corner of deed

QUITCLAIM DEED - 1

238796

Instrument number 212925; thence N 88E18'53" W 770.92 feet along the North line of said deed instrument number to a 1/2" iron rod-PLS 2370, said point also being a common corner to a deed instrument number 222024; thence N 33E31'28" E 820.71 feet to the centerline of Old Loop Road; thence along said centerline the following Two (2) courses; thence (1) S 56E28'32" E 329.06 feet; thence (2) S 45E42'21" E 56.17 feet to the POINT OF BEGINNING. 8.01 acres, more or less.

as conveyed to Grantees by that certain Warranty Deed recorded as Instrument No. _____, records Custer County, State of Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their heirs and assigns forever.

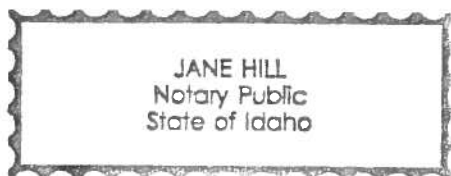
DATED this ____ day of April, 2008

GRANTOR: STEPHEN M SPENGLER

Stephen M. Spengler
By: STEPHEN M SPENGLER

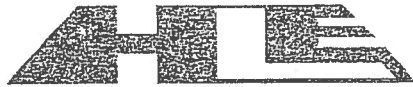
State of Idaho)
County of Custer) ss.
~~Blaine~~

On this 21st day of APRIL, 2008, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared STEPHEN M SPENGLER known to me, and/or identified to me on the basis of satisfactory evidence, to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same.



WITNESS MY HAND AND SEAL

Jane Hill
Notary Public for the State of Idaho
Residing: Mockay, Idaho
Commission expires: 8-1-2012



238796

HARPER - LEAVITT ENGINEERING, INC.
CIVIL ENGINEERING, MATERIALS TESTING & LAND SURVEYING

Date: 10/04/2007
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Parcel contains 8.01 Acres more or less and is subject to a road right of way along the North side

State of Idaho
Department of Water Resources

Water Right 34-711B

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.

