

RECEIVED

MAR 05 2015

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESDEPT 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?
36-16233	Yes ☐	Yes ☐		Yes ☐	Yes ☐
36-16228	Yes ☐	Yes ☐		Yes ☐	Yes ☐
36-16224	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Kendall Harper and Rebecca Harper
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Mollie A. MacDonald, Trustee of the Mollie A. MacDonald Living Trust dated July 31, 2007
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 1361 Prospect Ave. Long Beach CA 90804-3129
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.
☐ 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] 2-27-2015
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 3.5.2015 Receipt No. S034595 Receipt Amt. \$75-
 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 _____

SUPPORT DATA
IN FILE # 36-16224

RECORDING REQUESTED BY
First American Title Company

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

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

Instrument # 250837
GOODING COUNTY, GOODING, IDAHO
03-02-2015 16:51:34 No. of Pages: 2
Recorded for: FIRST AMERICAN TITLE - JEROME
DENISE GILL Fee: \$13.00
Ex-Officio Recorder Deputy: DAL
Electronically Recorded by Simplifile

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **530887GO (smb)**

Date: **January 28, 2015**

For Value Received, **Harper Properties, LLC, an Idaho limited liability company**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Mollie A. MacDonald, Trustee of the Mollie A. MacDonald Living Trust dated July 31, 2007**, hereinafter called the Grantee, whose current address is **958 Pioneer Road, Hagerman, ID 83332**, the following described premises, situated in **Gooding County, Idaho**, to-wit:

TOWNSHIP 7 SOUTH, RANGE 13 EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO Section 11: A parcel of land located in Section 11, and being a portion of Lots 7 and 9 of the VINEYARDS SUBDIVISION, which is a portion of Lots 3 and 4 and part of Parcel C of Robert L. Justice Ranch, Gooding County, Idaho, as the same is platted in the official plat thereof, now of record in the office of the Recorder of said County.

COMMENCING at the Southeast Corner of said Lot 9 which is the TRUE POINT OF BEGINNING.

Thence North 89°30'58" West along the South boundary of said Lot 9 for a distance of 242.87 feet;

Thence North 89°35'30" West along the South boundary of said Lot 9 for a distance of 97.40 feet to the Southwest corner of said Lot 9;

Thence North 32°22'27" East along the Westerly boundary of said Lot 9 for a distance of 58.68 feet;

Thence North 13°44'10" East along the Westerly boundary of said Lot 9 for a distance of 408.62 feet;

Thence North 89°34'31" West along the Westerly boundary of said Lot 9 for a distance of 105.73 feet;

Thence North 00°09'38" East along the Westerly boundary of said Lot 9 for a distance of 62.64 feet to the Northwest Corner of said Lot 9;

Thence South 89°45'18" (recorded South 89°50'08") East for a distance of 113.08 feet to the approximate centerline of the Sands Ditch;

Thence North 01°13'18" East 57.20 feet along the approximate centerline of the Sands Ditch;

Thence North 09°50'51" East 7.84 feet along the approximate centerline of the Sands Ditch;

Thence leaving the centerline of the Sands Ditch South 75°29'22" East for a distance of 387.28 feet to a point on the Easterly boundary of said Lot 9;

Thence South 19°50'23" West along the Easterly boundary of said Lot 9 for a distance of 510.34 feet to the Southeast corner of said Lot 9 and being the TRUE POINT OF BEGINNING.

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.

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	<u>250837</u>
County	<u>Gooding</u>
Date	<u>3-2-15</u> Time <u>16:51:34</u>
Simplifile.com 800.460.6657	

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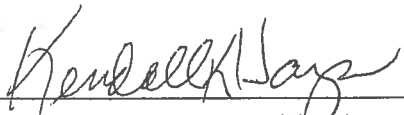
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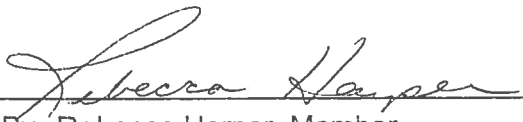
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TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple 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.

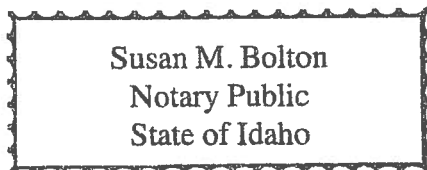
Harper Properties, LLC, an Idaho limited liability company

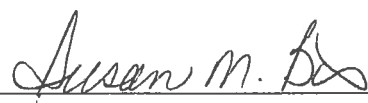

By: Kendall K. Harper, Member


By: Rebecca Harper, Member

STATE OF Idaho)
SS.
COUNTY OF Gooding)

On this 23rd day of February, 2015, before me, a Notary Public in and for said State, personally appeared **Kendall K. Harper and Rebecca Harper**, known or identified to me to be the persons whose names are subscribed to the within Instrument as the Members of the **Harper Properties, LLC, an Idaho limited liability company**, which is known or identified to me to be the entity whose name is subscribed to the within instrument and acknowledged to me that they executed the same in said Limited Liability Company's name.




Notary Public of Idaho
Residing at: Gooding, ID
Commission Expires: 10/16/2016

Fawcett, Trish

From: Skaggs, Pam
Sent: Thursday, March 05, 2015 2:06 PM
To: Jones, Doug
Cc: Fawcett, Trish; Merritt, Allen
Subject: RE: 37-8883 & 37-8891 - Missing database records
Attachments: 36-7460 Split Research.xls

Doug,

I talked to Trish today & don't see any reason why **Right 37-8883** (renumbered from 36-7460V) is not active per Transfer 5098.

Also per attached research of the many split parts of 36-7460 found another one in the same boat.

Right 37-8891 (renumbered from 36-7460Z) for stockwater & commercial use at a dairy per Transfer 5316 approved 06-10-1999 along with Right 37-8055.

I don't know how these rights ended up as "See Remarks" status since there is no explanation. Both were recorded as "X" records before workflow & during the SRBA.

I recommend both be updated per the transfer approvals. Let me know if you have any other questions about these.

Pam

Pam Skaggs
Water Rights Supervisor
(208) 287-4951

From: Jones, Doug
Sent: Wednesday, March 04, 2015 1:14 PM
To: Skaggs, Pam
Cc: Fawcett, Trish
Subject: 37-8883 - Missing database record

Pam,

Trish had an inquiry from a title company regarding this right. She did a lot of looking and stone turning but could not find out anything but that a transfer approved moving a B36 right to B37 creating the right, then that the record was evaporated and /Z status applied. We could find no document that explains what happened between transfer approval/right creation then obliteration. Can you help us out?

Thanks Doug



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

March 6, 2015

MOLLIE A MACDONALD LIVING TRUST
1361 PROSPECT AVE
LONG BEACH CA 90804-3129

RE: Change of Ownership for Water Right Nos. 36-16224, 36-16228 and 36-16233

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,

Trish Fawcett
Technical Records Specialist

Enclosure(s)

Cc: First American Title Co. (File No. 530887GO)