

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

FEB 26 2015

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?
29-7483 <i>OK</i>	Yes ☒	Yes ☐		Yes ☐	Yes ☐
29-7483 29-14138	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Wynn Jarvis
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Byron Guy Marshall Lari Ann Marshall
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or ☐ and/or
- 2169 Michael Creek Road Pocatello Id 83204
Mailing address City State ZIP
- 208 241 3996 b.guymarshall@gmail.com
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: December 19th 2014
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):
 - ☐ \$25 per undivided water right.
 - ☐ \$100 per split water right.
 - ☐ 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.

SUPPORT DATA

IN FILE # 29-7483

8. Signature: Byron S Marshall Title, if applicable _____ Date 2/20/2015
Signature of new owner/claimant
- Signature: Lari Marshall Title, if applicable _____ Date 2/20/15
Signature of new owner/claimant

For IDWR Office Use Only:

Received by [Signature] Date 2-26-2015 Receipt No. E040680 Receipt Amt. \$100.07

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 [Signature] Processed by AT Date 3/23/2015



Pioneer Title Co.
GOING BEYOND

135 N. Arthur Ave.
Pocatello, ID 83204

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

**CERTIFIED TO BE A TRUE AND
EXACT COPY OF THE ORIGINAL**

PIONEER TITLE CO. OF BANNOCK COUNTY

File No. 563471 SK/LT

WARRANTY DEED

For Value Received

Wynn Jarvis an unmarried man

hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

Byron Guy Marshall and Lori Marshall, husband and wife

hereinafter referred to as Grantee, whose current address is

Byron Guy Marshall UM 2169 Michaud Creek Road Pocatello, ID 83204

The following described premises, to-wit:

LEGAL DESCRIPTION EXHIBIT "A" ATTACHED

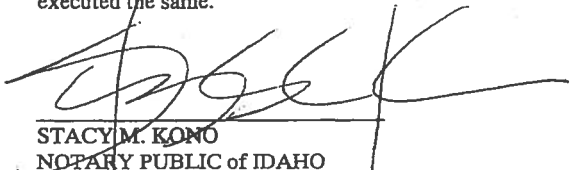
To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantees(s) heirs and assigns forever. And the said Grantor(s) does (do) hereby covenant to and with the said Grantee(s), the Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to U.S. Patent reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and current years taxes, levies, and assessments, includes irrigation and utility assessments, (if any) which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: December 19, 2014


Wynn Jarvis

State of IDAHO, County of BANNOCK

On this 19th day of DECEMBER in the year of 2014, before me, the undersigned, a Notary Public in and for said State, personally appeared Wynn Jarvis known or identified to me to be the person/persons whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.


STACY M. KONO
NOTARY PUBLIC of IDAHO
Residing at: POCATELLO, ID
Commission Expires: 03/09/15

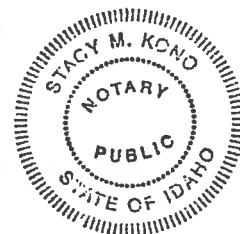


EXHIBIT A

Parcel 1

A parcel of land described as part Lots 3 and 4 of Shimada Acres in the NE1/4SE1/4 of Section 22, Township 6 South, Range 33 East, Boise Meridian, Power County, Idaho, more particularly described as follows:

Commencing at the East ¼ of said Section 22 which is monumented with a 1912 Bureau of Reclamation Brass Cap; Thence, S 00°01'18" W, along the East line of said Section, a distance of 1320.00 feet to the Southeast corner of said Lot 4, the TRUE POINT OF BEGINNING;

Thence N 89°48'32" W, leaving said East line and along the South line of said Lot 4, a distance of 324.49 feet to a point of intersection with the centerline of Michaud Creek Road;

Thence along said road centerline, from a tangent bearing N 66°55'08" W, along a curve to the left having a radius of 1700.00 feet, through a central angle of 4°13'01", for an arc length of 125.12 feet;

Thence N 71°08'09" W, continuing along said road centerline, 140.26 feet; thence N 00°01'22" W, leaving said road centerline, 570.75 feet to a point on the North line of said Lot 3, said point being marked with a ½" rebar and plastic cap stamped PLS 843;

Thence S 89°48'15" E, along said North line 574.50 feet to a point on the East line of said Section, said point being marked with a ½" rebar and plastic cap stamped PLS 843;

Thence S 00°01'18" W, leaving the North line of said Lot 3 and along said East line of said Section, a distance of 660.00 feet to the TRUE POINT OF BEGINNING.

Parcel 2

A parcel of land described as a part of Lot 5 of Shimada Acres in the SE1/4SE1/4 of Section 22, Township 6 South, Range 33 East, Boise Meridian, Power County, Idaho described as follows:

Commencing at the East ¼ corner of said Section, which is monumented with a 1912 Bureau of Reclamation Brass Cap;

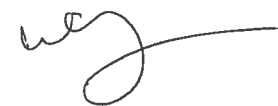
Thence S 00°01'18" W, along the East line of said Section, a distance of 1320.00 feet to the Northeast corner of said Lot 5, marked with a ½" rebar and plastic cap stamped PLS 843, the TRUE POINT OF BEGINNING;

Thence S 00°01'18" W, continuing said East line 154.03 feet to the point of intersection with the centerline of Michaud Creek Road; thence N 64°07'23" W, leaving said East line and along said road centerline, 276.68 feet;

Thence continuing along said centerline, along a curve to the left having a radius of 1700.00 feet, through a central angle of 2°47'45", for an arc length of 82.95 feet to a point of intersection with the North line of said Lot 5; thence S 89°48'23" E, along said North line, 324.49 feet to the TRUE POINT OF BEGINNING

BGM

LM



Purchase and Sale Agreement

This agreement is made this 16 day of Dec, 2014 between seller Wynn Jarvis and buyer Byron Guy and Lori Marshall.

Seller agrees to sell and buyer agrees to buy the following described real property together with all improvements and fixtures, mineral rights, water rights, and the personal property described below:

Street address: TBD Michaud Creek Road

County: Power

Legal description: See Exhibit A and B, for a total of 9.0 acres

Personal property included: 7 shares of water rights along with wheel lines and all existing fencing

Purchase price: \$83,500

Closing costs: All closing costs will be paid for by the buyers.

Closing date and transfer of title: This transaction shall close on or before December 31, 2014. Closing will be held at _____.

The balance due seller shall be paid upon closing.

Seller is responsible for any liens or back taxes on the property.

The undersigned have read the above information, understand it and verify that it is correct.

SELLER:

Wynn Jarvis

BUYERS:

Byron Marshall
Lori Marshall

Exhibit A

SNAKE RIVER SURVEYING, INC.

480 Lincoln Street, Suite C
American Falls, Idaho 83211
Phone (208) 226-5764, Fax (208) 226-5767



28017-8.43
Wynn Jarvis
8.43 Acres
Date: May 6, 2008

A parcel of land described as a part of lots 3 and 4 of Shimada Acres in Section 22, Township 6 South, Range 33 East of the Boise Meridian, Power County, Idaho, described as follows:

Commencing at the E $\frac{1}{4}$ corner of said Section 22 which is monumented with a 1912 Bureau of Reclamation Brass Cap;

Thence, S 00°01'18" W, along the East line of said Section, 1320.00 feet to the Southeast corner of said Lot 4, the TRUE POINT OF BEGINNING;

Thence, N 89°48'23" W, leaving said East line and along the South line of said Lot 4, a distance of 324.49 feet to a point of intersection with the Centerline of Michaud Creek Road;

Thence along said Road Centerline, from a tangent bearing N 66°55'08" W, along a curve to the left having a radius of 1700.00 feet, through a central angle of 4°13'01", for an arc length of 125.12 feet;

Thence, N 71°08'09" W, continuing along said Road centerline, 140.26 feet;

Thence, N 00°01'22" W, leaving said Road Centerline, 570.75 feet to a point on the North line of said Lot 3, said point being marked with a $\frac{1}{2}$ " rebar and plastic cap stamped PLS 843;

Thence, S 89°48'15" E, along said North line, 574.50 feet to a point on the East line of said Section, said point being marked with a $\frac{1}{2}$ " rebar and plastic cap stamped PLS 843;

Thence, S 00°01'18" W, leaving the North line of said Lot 3 and along said East line of said Section, 660.00 feet to the TRUE POINT OF BEGINNING, said parcel containing 8.43 acres more or less;

Exhibit B

SNAKE RIVER SURVEYING, INC.

460 Lincoln Street, Suite C
American Falls, Idaho 83211
Phone (208) 226-5764, Fax (208) 226-5767



28017-.57

Wynn Jarvis

0.57 Acre

Date: May 6, 2008

A parcel of land described as a part of lot 5 of Shimada Acres in Section 22, Township 6 South, Range 33 East of the Boise Meridian, Power County, Idaho, described as follows:

Commencing at the E $\frac{1}{4}$ corner of said Section, which is monumented with a 1912 Bureau of Reclamation Brass Cap;

Thence, S 00°01'18" W, along the East line of said Section, 1320.00 feet to the Northeast corner of said Lot 5, marked with a $\frac{1}{2}$ " rebar and plastic cap stamped PLS 843, the TRUE POINT OF BEGINNING;

Thence, S 00°01'18" W, continuing along said East line, 154.03 feet to the point of intersection with the Centerline of Michaud Creek Road;

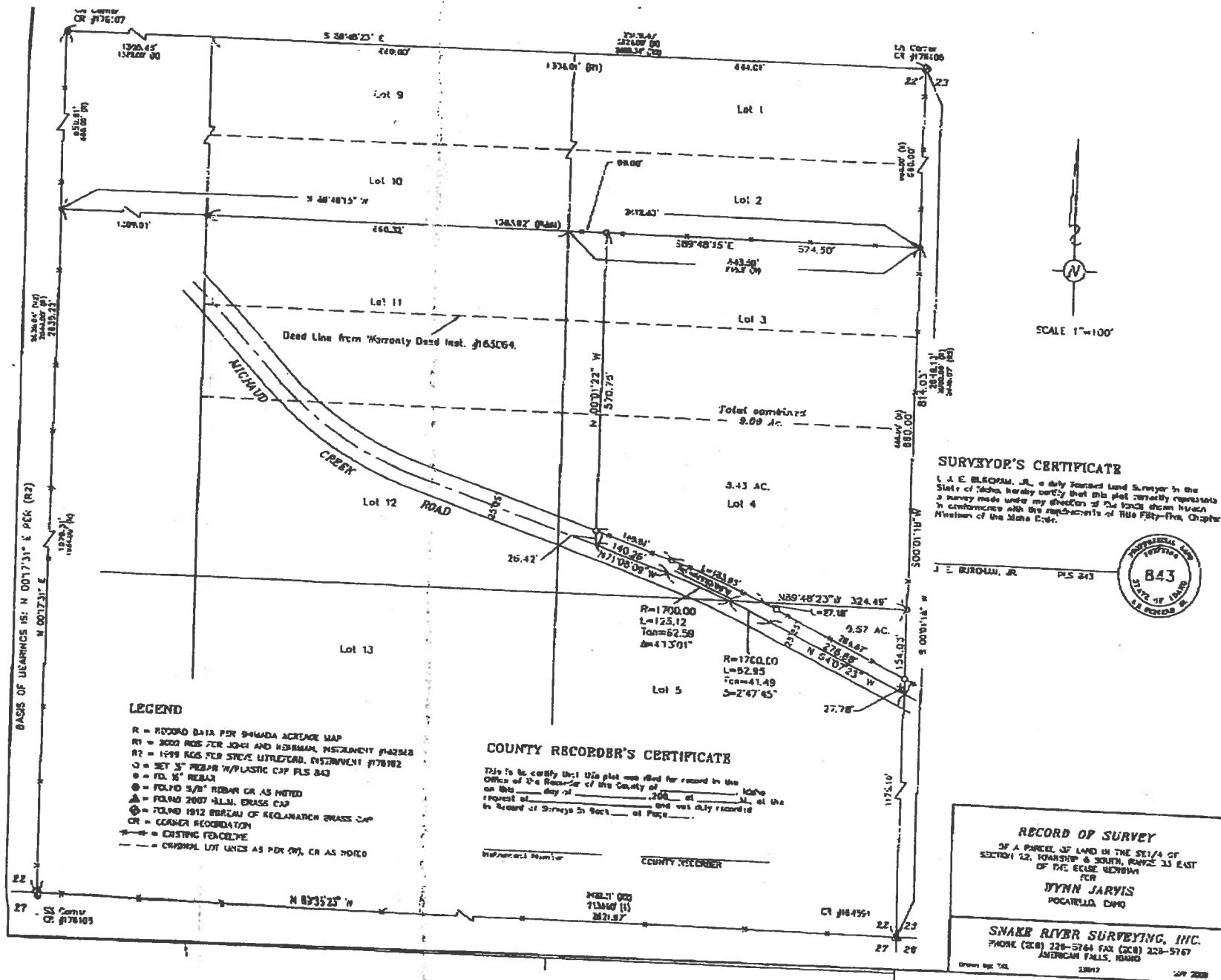
Thence, N 64°07'23" W, leaving said East line and along said Road Centerline, 276.68 feet;

Thence continuing along said Centerline, along a curve to the left having a radius of 1700.00 feet, through a central angle of 2°47'45", for an arc length of 82.95 feet to a point of intersection with the North line of said Lot 5;

Thence, S 89°48'23" E, along said North line, 324.49 feet to the TRUE POINT OF BEGINNING, said parcel containing 0.57 acres more or less.

Subject to an easement for county road purposed described as the S'ly 25.00 feet of the above described parcel.

Exhibit C



Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

11/25/2014

WATER RIGHT NO. 29-7483

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	WYNN JARVIS 2171 MICHAUD CREEK RD POCATELLO, ID 83204 (208)234-3737
Original Owner	JAMES A BUZZARD 2171 MICHAUD CREEK RD POCATELLO, ID 83204 (208)232-7216

Priority Date: 02/10/1987

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	0.2 CFS	45.5 AFA
DOMESTIC	01/01	12/31	0.04 CFS	1.2 AFA
Total Diversion			0.2 CFS	

Location of Point(s) of Diversion:

GROUND WATER|SWNESE|Sec. 22|Township 06S|Range 33E|POWER County

DOMESTIC Use:

Number of homes: 1

Place(s) of use:

Place of Use Legal Description: IRRIGATION POWER County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
06S	33E	22		NESE	13									

Place of Use Legal Description: DOMESTIC POWER County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
06S	33E	22		NESE										

Total Acres: 13

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Dates:

Licensed Date:

Decreed Date: 03/22/2004

Permit Proof Due Date: 6/1/1984

Permit Proof Made Date: 2/10/1987

Permit Approved Date: 6/15/1979

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date: 04/27/1979

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

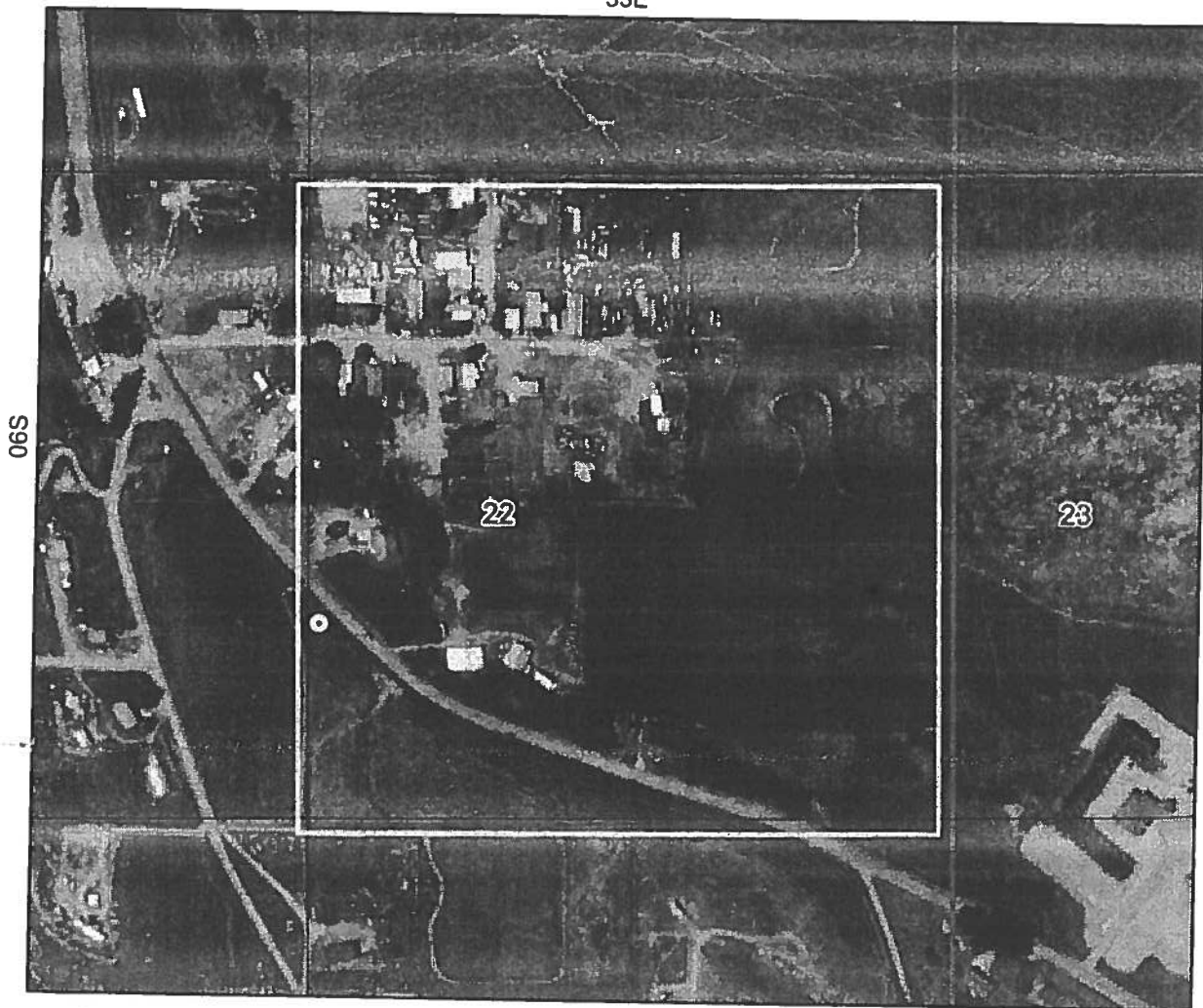
State of Idaho
Department of Water Resources

Water Right
29-7483

DOMESTIC

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.

33E



① Point of Diversion

Place Of Use Boundary

Townships

PLS Sections

Quarter Quarters

Taxlots

0 0.045 0.09 0.18 Miles



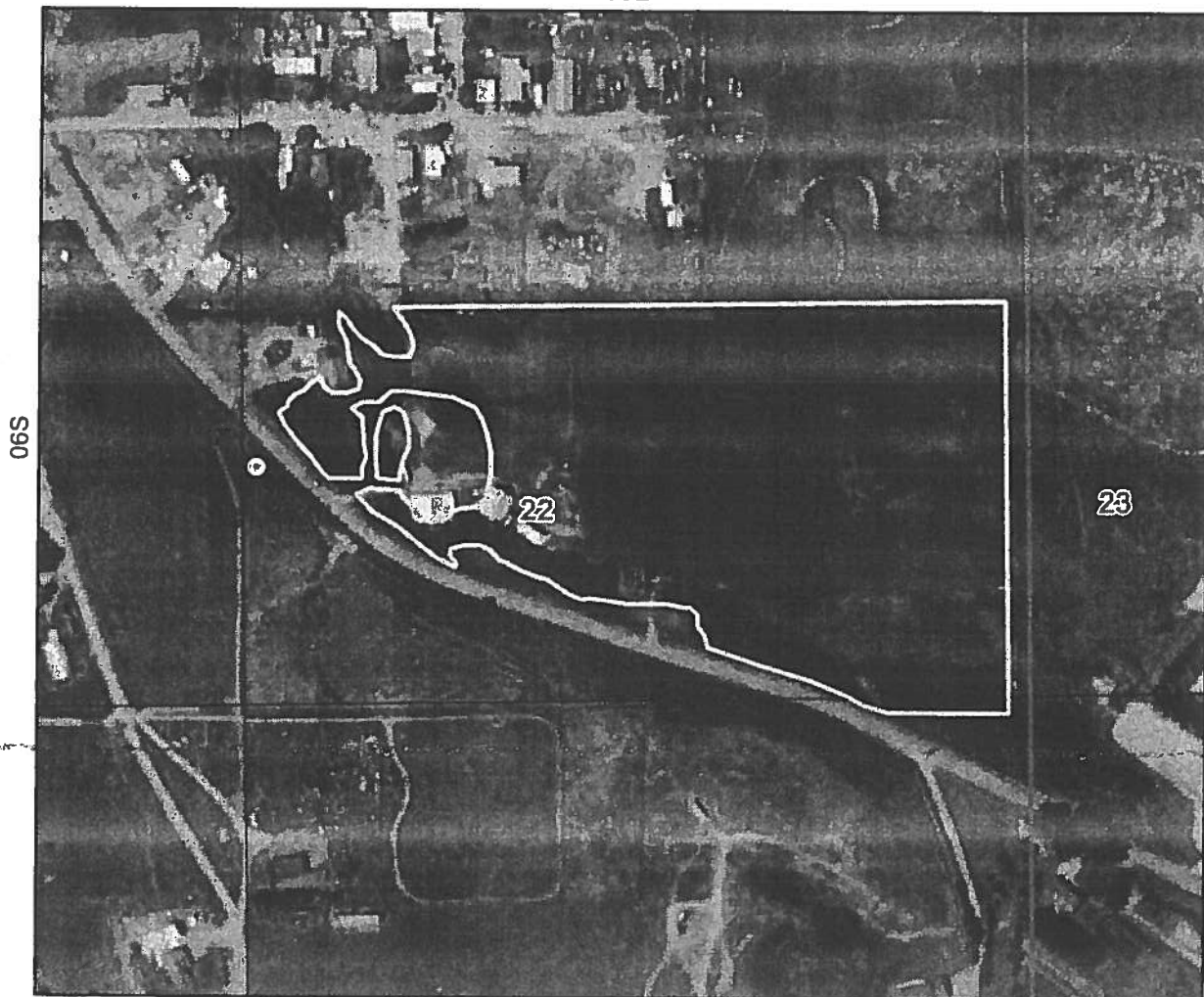
State of Idaho
Department of Water Resources

Water Right
29-7483

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.

33E



⊙ Point of Diversion

Place Of Use Boundary

Townships

PLS Sections

Quarter Quarters

Taxlots

0 0.0375 0.075 0.15 Miles



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I R C P 54(b) FOR
Water Right 29-07483

NAME AND ADDRESS: WYNN JARVIS
2171 MICHAUD CREEK RD
POCAHELLO, ID 83204

SOURCE: GROUND WATER

QUANTITY: 0.20 CFS
46.70 AFY

PRIORITY DATE: 02/10/1987

POINT OF DIVERSION: 106S R33E S22 SENESE Within Power County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.20 CFS 45.50 AFY
	Domestic	01-01 TO 12-31	0.04 CFS 1.20 AFY

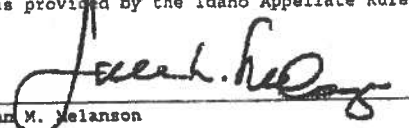
PLACE OF USE: Irrigation Within Power County
106S R33E S22 NESE 13.0
13.0 Acres Total
Domestic Within Power County
106S R33E S22 NESE

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE I R C SECTION 42-1412(6)

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b) I R C P, that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules


John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication