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DEPARTMENT OF WATER RESOURCES

NOV 11 2014

DEC 11 2014

Notice of Change in Water Right Ownership

WATER RESOURCES
WESTERN REGION

DEPARTMENT OF
WATER RESOURCES

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?
02-10209	Yes ☒	Yes ☐		Yes ☐	Yes ☐
split into 02-10209	Yes ☐	Yes ☐		Yes ☐	Yes ☐
2-10209	Yes ☐	Yes ☐		Yes ☐	Yes ☐
2-10511	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

4. Previous Owner's Name:

Name of current water right holder/claimant

Mark McDonough

3. New Owner(s)/Claimant(s):

Steve Jones; Micaela Jones

New owner(s) as listed on the conveyance document

Name connector

☒ and☐ or☐ and/or

12041 Deer Flat Road

Nampa

ID

B3484

Mailing address

City

State

Zip

208.466.7554

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 in a specifically identified 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.

SUPPORT DATA

IN FILE # 2-10209

8. Signature:

Signature of new owner/claimant

Title, if applicable

Date

11-7-14

Signature:

Signature of new owner/claimant

Title, if applicable

Date

11-7-14

For IDWR Office Use Only:

Received by

Date

12-22-14

Receipt No.

C099731

W042643

Receipt Amt.

75.00
\$25Active 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

2-26-15

Deed of sale

A bargain and sale deed does not warrant against any encumbrances. It does imply that the grantor holds title to the property. Since it does not warrant good title from the grantor, the grantee could be in trouble if title defects appear at a later date. This type of deed is used frequently in tax sales and for foreclosure actions. As with the special warranty deed, other warranties can be conveyed in a bargain and sale deed if they are specifically stated.

.Special warranty deed

The special warranty deed is not nearly as protective of the buyer as is the general warranty deed. The grantor of a special warranty deed conveys the property with two warranties:

- The grantor warrants that they have received title.
- the grantor warrants, unless noted specifically in the deed, that the property was not encumbered during their period of ownership.

The grantor of the special warranty deed, in effect, only warrants the title against their own actions or omissions. They warrant nothing prior to their taking title. If specifically stated in the deed, other warranties can be conveyed. Special warranty deeds are frequently used by executors and trustees

General Warranty deed

The covenants or warranties in a general warranty deed do not cover just the period of ownership of this grantor. They extend back to the origin of the property. Each grantor of a general warranty deed in the title chain would be liable for title problems before and through their ownership



Clerk Recording Web Query

Document Details[Back](#)[Forward](#)[Help?](#)[Return to Search](#)

DOCUMENT #: 2014-032594
DOCUMENT TYPE: REC - RECORDING
DOC SUBTYPE: DEED - WARRANTY, SPECIAL WARRANTY, QUIT CLAIM
RECORDING DATE: 9/9/2014 3:48:09 PM
RECORDING FEES: \$16.00
BOOK & PAGE:
CONSIDERATION:
DESCRIPTION:
INDEXED: Yes
VERIFIED: Yes
ARCHIVE DATA: [View Additional Information](#)

*fund 11/10/14
RS*

Return To

NAME	ADDRESS	ADDRESS 2	CITY	STATE	ZIP
PIONEER TITLE CANYON - CALDWELL	610 S KIMBALL		CALDWELL	ID	83605

Parties

PARTY TYPE	LAST NAME	FIRST NAME	MIDDLE NAME	SUFFIX
DIRECT	MCDONOUGH	MARK	A	
INDIRECT	JONES	STEVE	J	
INDIRECT	JONES	MICAELA	L	

The following documents are referenced in this document:

DOCUMENT #	BOOK & PAGE	DOCUMENT TYPE

The following documents make reference to this document:

DOCUMENT #	BOOK & PAGE	DOCUMENT TYPE

[Return To Search](#)

BARGAIN AND SALE DEED

For Value Received

Mark A. McDonough, an unmarried man

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

Steve J. Jones and Micaela L. Jones, husband and wife

hereinafter referred to as Grantee, whose current address is 12041 Deer Flat Rd, Nampa, ID 83686

The following described water right, to-wit:

The portion of water right 02-10209, attached hereto as Exhibit B and by this reference made part hereof, that is appurtenant to T01N R02W S31 Lot 5 (SESW) for irrigation of 5.0 acres, for the diversion 0.10 cfs at the point of diversion identified in water right 02-10209 as T01N R02W S31 Lot 5 (SESESW), said point of diversion to be utilized exclusively by grantee.

TO HAVE AND TO HOLD the said water right unto the said Grantees, and Grantees' heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, the Grantor is the owner of said water right, and subject to U.S. Patent reservations, restrictions, dedications, easements, rights of way, 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.

Dated: 9-9-14

Mark McDonough
Mark McDonough

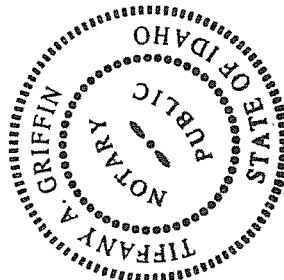
State of Idaho, County of Canyon

On this 9th day of September in the year 2014, before me, the undersigned, a Notary Public in and for said State, personally appeared Mark McDonough 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 executed the same.

Residing at: Tiffany A. Griffin

Commission Expires: _____

RESIDING IN NAMPA, IDAHO
MY COMMISSION EXPIRES 05/17/2020



RECORD OF SURVEY

A PORTION OF THE SE1/4SW1/4 AND OF THE SW1/4SW1/4 OF SECTION 31
TOWNSHIP 1 NORTH, RANGE 2 WEST, BASE MERIDIAN
CANYON COUNTY, IDAHO

9829934

RECORDED

'98 AUG 11 AM 10 25

NED J KERR
CANYON CNTY RECORDER
BY *M. J. Baker*

SCALE: 1" = 200'

BASE OF BEARING
IDAHO STATE PLANE COORDINATES
WEST ZONE (BY G.P.S.)

LEGEND

- STONE - FOUND
- BRASS CAP ARGUMENT - FOUND
- 5/8" x 3/4" REBAR - SET
- 5/8" REBAR - FOUND
- 1/2" x 24" REBAR - SET
- 1/2" REBAR - FOUND
- P.A. NAIL & BRASS WASHER
- CALCULATED POINT
- PROPERTY BOUNDARY LINE
- 10' GENERAL UTILITY EASEMENT LINE
- ROAD EASEMENT
- WITNESS CORNER
- W.C.
- () DATA OF RECORD

CERTIFICATION

I, Ned J. Kerr, Surveyor, being duly sworn, depose and say that I am a Professional Land Surveyor, licensed by the State of Idaho, and that this map has been made from an actual survey made on the ground under my direct supervision, that this map is an exact and true representation of the actual survey made, and that I am a duly qualified and competent person to make such a survey.

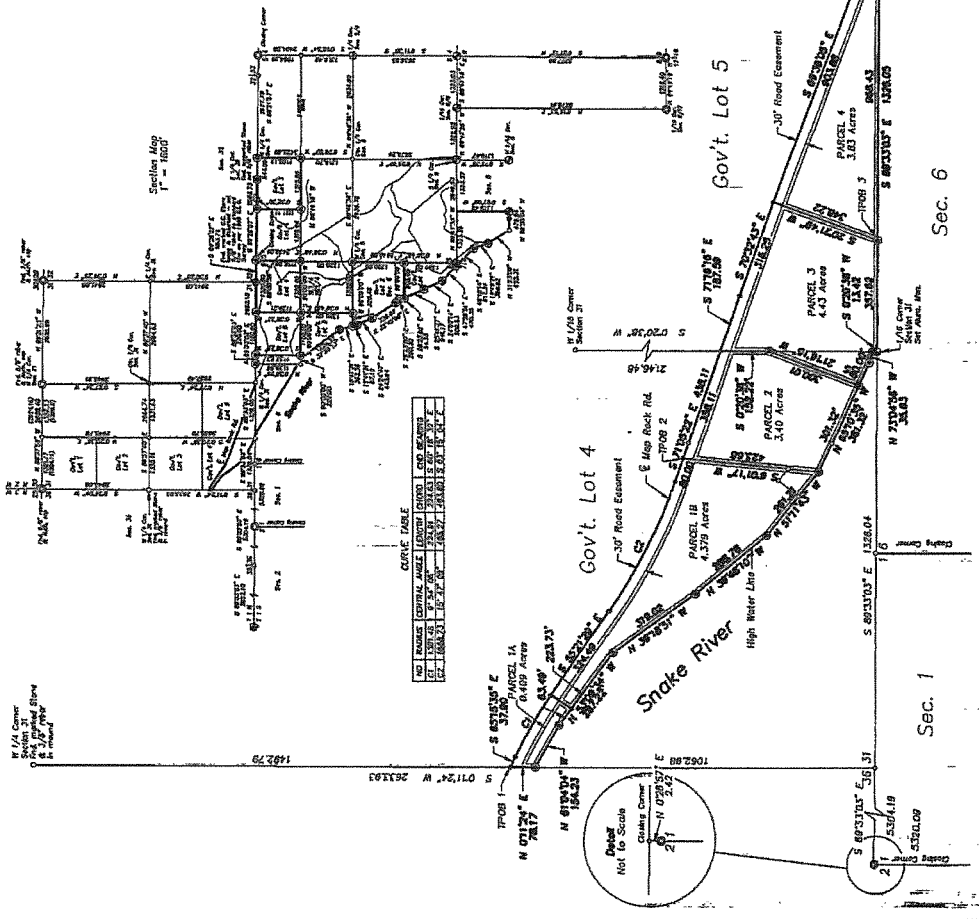


124-31-1-2-0-00-00
INDEX NO. 124-31-1-2-0-00-00

SURVEY FOR MARK McDONOUGH
Sheet 1 of 8



Drawn by WFL
DATE: JUL 30, 1998
Book: A13396
Job No. A1339601



LAUEL JACKI
AUBURN CA
530-823-8020

Schwendtger



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

February 26, 2015

STEVE JONES
MICAELA JONES
12041 DEER FLAT RD
NAMPA ID 83686

Re: Change in Water Right Ownership: Water Right No. 2-10209 (split into 2-10209 and **2-10511**)

Dear Water Right Holder(s):

The Department acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records based on the information received to reflect the change in ownership and has enclosed a computer-generated report for your records.

Your portion of these water rights has a specified point of diversion, nature of use and place of use. If you plan on changing the nature of use, place of use, or point of diversion under this right, including adding a new point of diversion, then an Application for Transfer on your portion of this right is required. Please contact this office for further information on the Application for Transfer form or you can find the forms at www.idwr.idaho.gov. If you do not plan on changing any items on your water right, then no further action is required at this time.

Please note, water right(s) 2-10209 was leased to the Water Supply Bank (Bank) in 2004. As a result, your portion, 2-10511, is also leased to the Bank. In accordance with the Bank lease acceptance, the lessor/current right holder (right holder) may not use the right(s) while it is in the Bank, even if the right(s) is not rented from the Bank. The right(s) will remain in the Bank indefinitely, unless released earlier by the Water Resource Board or upon request by the right holder. To reduce the term of the lease, the right holder must submit a written request to the department. The department will verify if the right is rented or available for release, and notify the right holder of the release date.

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.

Please feel free to contact me at 208-287-4942 if you have any questions concerning the enclosed information or this letter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jean Hersley".

Jean Hersley
Technical Records Specialist II

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

February 26, 2015

MARK A MC DONOUGH
PO BOX 74
MELBA ID 83641

Re: Change in Water Right Ownership: Water Right No. 2-10209 (split into 2-10209 and 2-10511)

Dear Water Right Holder(s):

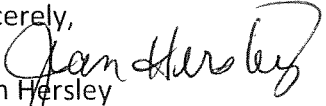
We have received and processed a Change of Ownership for a portion of your original Water Right as referenced above. This change of ownership resulted in a split of your original water right.

When a portion of the original water right has been conveyed to another and the original right has been split, a new water right number is issued to the new owner representing their portion of the original water right. Each water right contains only the portion of the original right for each separate owner. The original water right number reflects your remaining portion of the water right, after the change of ownership. Enclosed is a copy of this water right for your records. Please refer to your water right number when corresponding with our office.

Please note, water right(s) 2-10209 was leased to the Water Supply Bank (bank) in 2004. In accordance with the bank lease acceptance, the lessor/current right holder (right holder) may not use the right(s) while it is in the bank, even if the right(s) is not rented from the bank. The right(s) will remain in the bank until indefinitely unless released earlier by the Water Resource Board or upon request by the right holder. To reduce the term of the lease, the right holder must submit a written request to the department. The department will verify if the right is rented or available for release, and notify the right holder of the release date.

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.

If you have any questions concerning this ownership change, or the enclosed information, please contact me at 208-287-4942.

Sincerely,

Jean Hersley
Technical Records Specialist II

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

December 11, 2014

STEVE J JONES
MICAELA L JONES
12041 DEER FLAT RD
NAMPA ID 83686

RE: Ownership Change Water Right: 2-10209

Dear Property Owner:

The Department of Water Resources acknowledges receipt of your request for a Notice of Change of Water Right Ownership on water right 2-10209. In reviewing the information provided to us, it was determined that this will be a division of the water right and additional fees will be required.

Effective July 1, 2000, the legislature enacted House Bill No. 545 requiring a filing fee for a change in water right ownership. The fee is \$25 per water right, except for ownership changes resulting in the division of a water right, which is \$100 per water right. All ownership change notices received after June 30, 2000 must include the appropriate filing fees in order to be processed. We have determined that the filing fee for your notice will be an additional **\$75.**

Because the Department cannot process the ownership change without proper fees, we will hold any action on your notice pending receipt of the necessary fees. If we do not receive the necessary fees within 30 days we will return your notice and all attachments and your notice will not be processed.

Please feel free to contact this office if you have any questions.

Sincerely,

Jean Hersley
Technical Records Specialist II