

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED
JAN 07 2015
DEPT OF WATER RESOURCES
SOUTHERN REGION

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?
47-7018	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: Lori Irish, Michael D. Irish, Kathy L. Babington, Lynn J. Babington

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Kathy L. Babington and Lynn J. Babington

New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or ☐ and/or

1107 E. 2900 S.

Mailing address

208-837-4860

Telephone

Hagerman

City

Id

State

83332

ZIP

arkfisheries@yahoo.com

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: September 25, 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.

8. Signature: Kathy L. Babington owner 1/3/2015
- Signature of new owner/claimant Title, if applicable Date
- Signature: Lynn J. Babington owner 1/3/2015
- Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by DM Date 1-7-2015 Receipt No. 5034486 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 _____

TitleFact, Inc.
163 Fourth Avenue North
P.O. Box 486
Twin Falls, Idaho 83303

TWIN FALLS COUNTY
RECORDED FOR:
TITLEFACT, INC.
08:57:23 AM 10-01-2014
2014016569
NO. PAGES 4 FEE: \$19.00
KRISTINA GLASCOCK
COUNTY CLERK
DEPUTY: BH
Electronically Recorded by Simplifile

**** SPACE ABOVE FOR RECORDER ****

QUITCLAIM DEED

For Value Received MICHAEL D. IRISH and LORI J. IRISH, husband and wife, does hereby convey, remise and forever quit claim unto LYNN BABINGTON and KATHY BABINGTON, husband and wife whose address is: 1107 E. 2900 S. Hagerman ID 83332, the following described premises, to-wit:

SEE ATTACHED EXHIBIT 'A'

together with their appurtenances.

Dated: September 25, 2014

Michael D. Irish
MICHAEL D. IRISH

Lori J. Irish
LORI J. IRISH

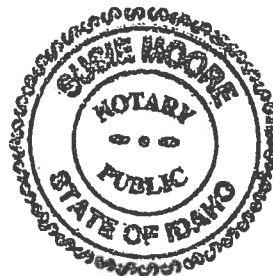
* * * * *

STATE OF IDAHO
County of Twin Falls

On this 30th day of September, 2014, before me, a Notary Public in and for said State, personally appeared Michael D. Irish and Lori J. Irish, known or identified to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same.

IN WITNESS HEREOF I have hereunto set my hand and official seal the day and year first above written.

Susie Moore
Notary Public for Idaho
Residing at Twin Falls
Commission expires: 11-28-2014



**LEGAL DESCRIPTION
FOR
QUIT CLAIM DEED
MIKE IRISH and LYNN BABBINGTON TO LYNN BABBINGTON
FISH PARCEL (1.367 ACRES)**

TOWNSHIP 10 SOUTH, RANGE 14 EAST, BOISE MERIDIAN, TWIN FALLS COUNTY, IDAHO

SECTION 3:

A parcel of land located in the W1/2NW1/4 of Section 3 and being more particularly described as follows:

COMMENCING at the Northwest corner of said Section 3 from which the West One Quarter (W1/4) corner of Section 3 bears South 00°01'37" East-2698.43 feet, thence South 00°01'37" East along the West boundary of the NW1/4 of Section 3 for a distance of 609.02 feet to the **TRUE POINT OF BEGINNING**:

THENCE North 89°58'23" East for a distance of 74.42 feet;

THENCE South 00°01'37" East parallel with the West boundary of the NW1/4 of Section 3 for a distance of 741.36 feet;

THENCE North 89°47'43" West for a distance of 10.91 feet;

THENCE South 00°50'31" East for a distance of 60.43 feet;

THENCE South 75°56'23" West for a distance of 66.35 feet to a point on the West boundary of the NW1/4 of Section 3;

THENCE North 00°01'37" West along the West boundary of the NW1/4 of Section 3 for a distance of 817.83 feet to the **TRUE POINT OF BEGINNING**.

TOGETHER WITH:

1-A 25.0 foot wide easement for the use and maintenance of buried water conveyance pipes and appurtenances that are used to convey water from a subsurface water supply to a fish propagation facility, said easement being on, over, under and across a parcel of land more particularly described as follows:

COMMENCING at the Southwest corner of the before described parcel, **THENCE** North 75°56'23" East for a distance of 25.77 feet to a point on the East easement boundary of a county road and being the **TRUE POINT OF BEGINNING**:

Thence continuing North 75°56'23" East along the South boundary of the before described parcel for a distance of 25.77 feet;

THENCE South 00°01'37" East parallel with the West boundary of the NW1/4 of Section 3 for a distance of 428.48 feet;

THENCE South 89°58'23" West for a distance of 25.00 feet to a point on the East easement

boundary of a county road;

THENCE North 00°01'37" West along the East easement boundary of the county road for a distance of 422.23 feet to the **TRUE POINT OF BEGINNING**.

AND

SUBJECT TO:

1-A 25.0 foot wide county road easement along the West boundary of the before described parcel.



WAIVER OF NUISANCE

Owners or occupants of one family dwellings and divisions of land specifically waive any nuisance claim(s) they may have against agricultural operations including livestock confinement operations. A nuisance is defined as being flies, odors, animal noises, tractor operations or other operations that may be found to be annoying, unpleasant, or obnoxious. This definition shall not apply whenever a nuisance results from the improper or negligent operation of any agricultural operation or an auxiliary to it.

Lynn Babington
Mike Irish
Signature of Property Owner

State of Idaho, County of Twin Falls, ss.

On this 4th, day of June, in the year of 2014

before me, Susan Moore, a Notary Public in and for said State,

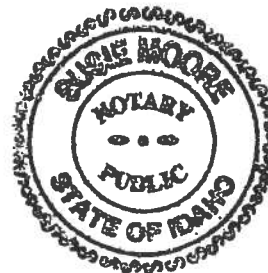
personally appeared, Mike Irish and Lynn Babington, known or identified to me to be the

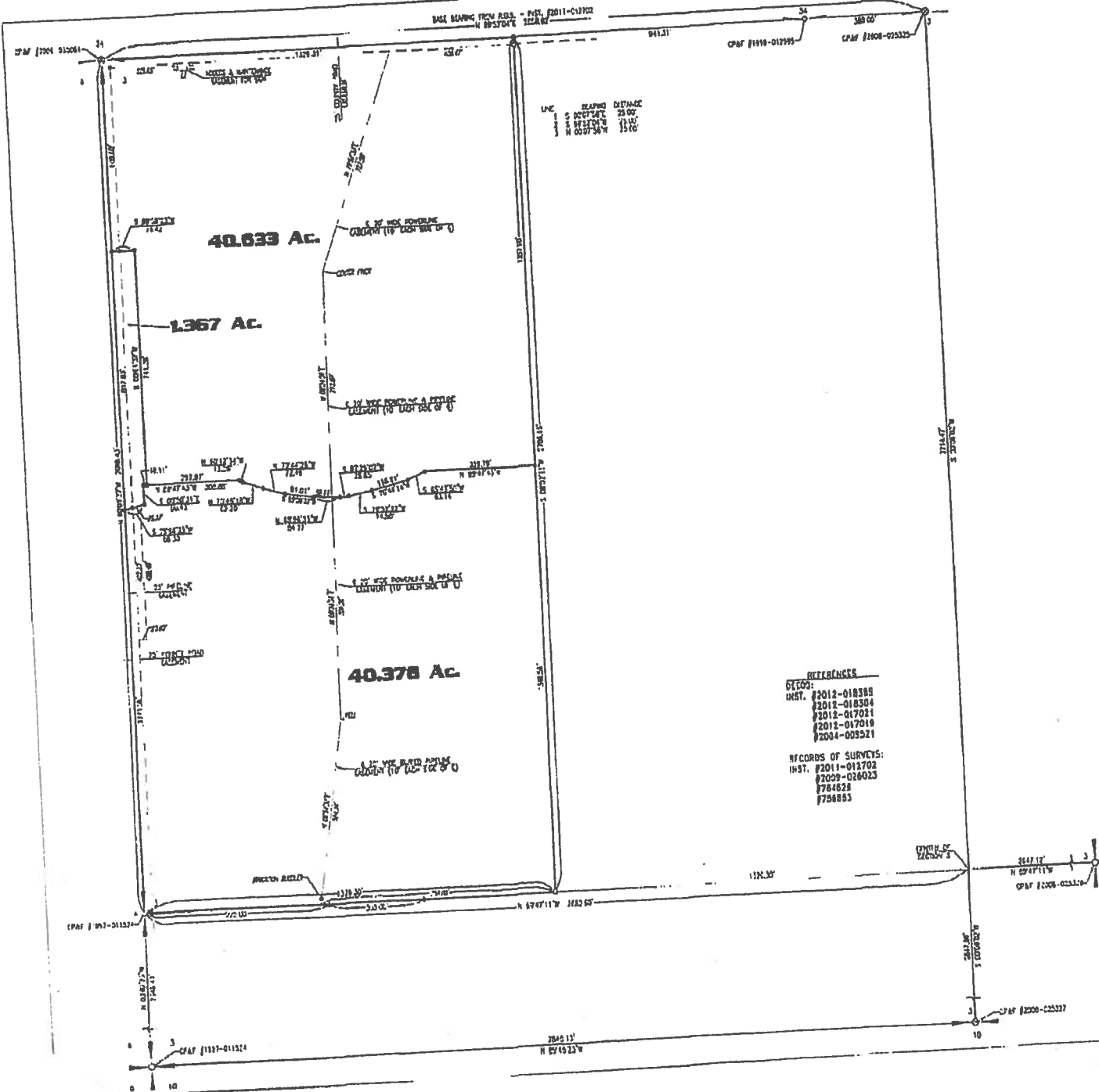
person whose name is subscribed to the within instrument, and acknowledged to me that he/she executed the same.

Susan Moore
Notary Public for the State of Idaho

Residing in Twin Falls, Idaho

My Commission expires: 11-28-2014





North

SCALE
1" = 200'

LOCATED IN
W² NW⁴ SECTION 3,
TOWNSHIP 10 SOUTH,
RANGE 14 EAST,
BOISE MERIDIAN
TWIN FALLS COUNTY, IDAHO
2014

I, JOHN O. ROOT, DO HEREBY CERTIFY THAT THIS MAP IS A TRUE AND ACCURATE MAP OF THE LAND SURVEYED UNDER MY SUPERVISION AND DIRECTION.

ALL POINTS LAND SURVEYING JOHN ROOT - P.L.S. #889 SURVEYING • CONSTRUCTION MANAGEMENT	
RECORD OF SURVEY FOR: MIKE IRISH	
1/2 NW 1/4 SECTION 3, TOWNSHIP 10 SOUTH, RANGE 14 EAST, BLM, TWIN FALLS COUNTY, IDAHO	
SURVEYED BY: JOHN O. ROOT	DATE: 04.03.2014
JOB NO.: 14-014	SHEET NO.: 1 OF 1



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

January 8, 2015

KATHY BABINGTON
LYNN BABINGTON
1107 E 2900 S
HAGERMAN ID 83332

RE: Change of Ownership for Water Right Nos. 47-7018

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)