

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED
DEC 24 2014
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?
36-10107	Yes ☐	Yes ☐		Yes ☐	Yes ☐
36-16560	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Bernd Wachtel and Sheila Wachtel
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Leland D. Russell and Catherine L. Russell
New owner(s) as listed on the conveyance document Name connector ☐ and ☒ or ☐ and/or
- 1188 East 2700 South Hagerman ID 83332
Mailing address City State ZIP
- 541-891-1696 russellleland@yahoo.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 22, 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):
 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] Title, if applicable Date 12-19-2014
Signature of new owner/claimant

Signature: [Signature] Title, if applicable Date 12-19-2014
Signature of new owner/claimant

For IDWR Office Use Only:

Received by [Signature] Date 12.24.2014 Receipt No. 5034470 Receipt Amt. \$50-

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 # 36-10107

RECORDING REQUESTED BY
First American Title Company

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

Instrument # 250299
GOODING COUNTY, GOODING, IDAHO
12-22-2014 10:56:28 No. of Pages: 2
Recorded for: FIRST AMERICAN TITLE - JEROME
DENISE GILL Fee: \$13.00
Ex-Officio Recorder Deputy: MJS
Electronically Recorded by Simplifile

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **527663GO (smb)**

Date: **December 12, 2014**

For Value Received, **Bernd Wachtel and Sheila Wachtel, husband and wife**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Leland D. Russell and Catherine L. Russell, husband and wife, as joint tenants with rights of survivorship**, hereinafter called the Grantee, whose current address is **1188 East 2700 South, aka 1194 East 2700 South, Hagerman, ID 83332**, the following described premises, situated in **Gooding County, Idaho**, to-wit:

A parcel of land located in the NE¼ of Section 19, Township 7 South, Range 14 East, Boise Meridian, Gooding County, Idaho and being more particularly described as follows:
COMMENCING at the East One Quarter (E¼) corner of said Section 19 from which the Northeast Section corner of said Section 19 bears North 00°05'35" West-2641.67 feet,
THENCE South 89°57'01" West along the South boundary of the NE¼ of said Section 19 for a distance of 587.39 feet to the **TRUE POINT OF BEGINNING**:
THENCE continuing South 89°57'01" West along the South boundary of the NE¼ of said Section 19 for a distance of 485.46 feet;
THENCE North 00°02'29" East parallel with the West boundary of the E½NE¼ of said Section 19 for a distance of 269.19 feet;
THENCE North 89°57'01" East parallel with the South boundary of the NE¼ of said Section 19 for a distance of 215.84 feet;
THENCE South 45°02'59" East for a distance of 380.69 feet to a point on the South boundary of the NE¼ of said Section 19 and being **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.

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.

Date: 12/12/2014

Warranty Deed
- continued

File No.: **527663GO (smb)**

Bernd Wachtel
Bernd Wachtel

Sheila Wachtel

STATE OF Utah)
)
) ss.
)
COUNTY OF Washington)

On this 16th day of **December, 2014**, before me, a Notary Public in and for said State, personally appeared **Bernd Wachtel and Sheila Wachtel**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

Ann B. Marshall
Notary Public for the State of Utah
Residing at: Washington
My Commission Expires:
02-02-2015





First American Title Company
301 Main Street, Gooding, ID 83330
Phone (208)934-4427 Fax (208)934-4741

RECEIVED
DEC 24 2014
DEPT OF WATER RESOURCES
SOUTHERN REGION

Idaho Department of Water Resources
650 Addison Ave W, Ste. 500
Twin Falls, ID 83301

December 22, 2014
File No.: 527663GO (smb)

Phone: 208-736-3033

Property: **1188 East 2700 South, aka 1194 East 2700 South, Hagerman, ID 83332**

Parcel No.: **RP07S14E192212A**

Legal Description of Property in question:

A parcel of land located in the NE $\frac{1}{4}$ of Section 19, Township 7 South, Range 14 East, Boise Meridian, Gooding County, Idaho and being more particularly described as follows:
COMMENCING at the East One Quarter (E $\frac{1}{4}$) corner of said Section 19 from which the Northeast Section corner of said Section 19 bears North 00°05'35" West-2641.67 feet,
THENCE South 89°57'01" West along the South boundary of the NE $\frac{1}{4}$ of said Section 19 for a distance of 587.39 feet to the TRUE POINT OF BEGINNING;
THENCE continuing South 89°57'01" West along the South boundary of the NE $\frac{1}{4}$ of said Section 19 for a distance of 485.46 feet;
THENCE North 00°02'29" East parallel with the West boundary of the E $\frac{1}{2}$ NE $\frac{1}{4}$ of said Section 19 for a distance of 269.19 feet;
THENCE North 89°57'01" East parallel with the South boundary of the NE $\frac{1}{4}$ of said Section 19 for a distance of 215.84 feet;
THENCE South 45°02'59" East for a distance of 380.69 feet to a point on the South boundary of the NE $\frac{1}{4}$ of said Section 19 and being TRUE POINT OF BEGINNING.

Prior vested owner of property: **Bernd Wachtel and Sheila Wachtel, husband and wife**

TO WHOM IT MAY CONCERN:

Please be advised that the above referenced property has been sold and title is now vested as follows:

Leland D. Russell and Catherine L. Russell

as per copy of recorded Warranty Deed attached hereto. I have enclosed a Notice of Change of Water Right Ownership and a check for the \$50.00 fee for transfer.

Mailing Address: **1188 East 2700 South, aka 1194 East 2700 South, Hagerman, ID 83332**

First American Title Company

File No.: 527663GO (smb)
Date: December 22, 2014

Sincerely,

A handwritten signature in cursive script, appearing to read "Susan", written in black ink.

Susan Bolton
Escrow Officer

smb/smb



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

December 31, 2014

LELAND D RUSSELL
CATHERINE RUSSELL
1188 E 2700 S
HAGERMAN ID 83332

RE: Change of Ownership for Water Right Nos. 36-10107, 36-16560

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right(s) to you. 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,

A handwritten signature in black ink, appearing to read 'Trish Fawcett'.

Trish Fawcett
Technical Records Specialist

Enclosure(s)

Cc: First American Title (File 527663GO)