



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N Skyline Dr., Ste A, Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 FAX: (208) 525-7177 www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

November 14, 2014

Christopher Kubs
Lianne Kubs
3075 W 2500 N
Arco ID 83213

RE: Notice of Change in Water Right Ownership
Water Rights: 34-7000, 34-10412, 34-10486, 34-740C

Dear Sir/Madam:

On March 7, 2013, you filed a Notice of Change in Water Right Ownership (ownership change) with the Idaho Department of Water Resources (IDWR), seeking to update the ownership records for the water rights listed above. After an initial review, we determined that you needed to provide additional evidence of ownership specifically a full chain of title from the current owner of the water right according to the records filed with the department. On May 29, 2014, we sent a letter requesting the additional information. The additional information was to be provided within 30 days.

IDWR has never received a response to the request for additional information. Without the requested documents, we cannot verify ownership of the water right and cannot complete the ownership change. We are therefore returning your original ownership change and have initiated a refund of your filing fee (\$100.00). The refund from the state of Idaho will arrive at the address listed above within a couple of weeks.

Please feel free to re-file your ownership change any time in the future when you have collected the requested documentation of ownership. Because your filing fee is being refunded, you will need to determine and provide the proper filing fee at the time you re-file the ownership change.

If you have any questions, feel free to contact me at (208) 525-7161.

Respectfully submitted,

Jonie Barg
Technical Records Specialist

Enclosure(s)

SUPPORT DATA

IN FILE # 34-740C

Barg, Jonie

From: Barg, Jonie
Sent: Friday, November 14, 2014 4:07 PM
To: Sutcliffe, Lorna
Subject: FW: Refund Request ****correction
Attachments: E039600.pdf

Lorna,

Good afternoon!!

I have a refund request as follows:

Receipt number: E039600
Amount: \$100.00
Payable to: Lianne Kubs
3075 W 2500 N
Arco ID 83213

Reason: Total filing fee received \$100.00 for [ownership change](#) for 4 water right. The department cannot complete the ownership change, therefore a full refund is required.

Let me know if you need additional information.

Thank you so much for your time. Let me know if you have any questions.

Have a great day!!!

Jonie Barg

Jonie Barg
Technical Records Specialist
Idaho Department of Water Resources
900 N Skyline Ste A
Idaho Falls ID 83402
phone: (208) 525-7161
fax: (208) 525-7177
email: jonie.barg@idwr.idaho.gov

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAR 07 2013

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.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
34-7000	Yes ☐		Yes ☐		Yes ☐
34-10412	Yes ☐		Yes ☐		Yes ☐
34-10486	Yes ☐		Yes ☐		Yes ☐
34-740C	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name:

Bob & Carole Sherman
Name of current water right holder/claimant

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

Christopher S. and Lianne N. Kubs
New owner(s) as listed on the conveyance document

3075 W. 2500 N.
Mailing address

Arco
City

Name connector ☐ and ☐ or ☒ and/or
Idaho 83213
State ZIP

208-527-3829
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 described herein has been rented from the Water Supply Bank, rental proceeds will be disbursed in the following manner regardless of any arrangements between the buyer(s) and seller(s) to the contrary:
- Rental payments will go to the lessor(s) of record at the beginning of the rental season.
 - If a change in ownership is processed by the Department during a rental season, rental payment will be made to the person or entity who is the lessor of record at the beginning of that rental season.
 - New lessor(s) of record will receive payment after the following rental season.
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.-
 - \$100 per split water right.
 - No fee is required for pending adjudication claims.

8. Signature:

[Signature]
Signature of new owner/claimant

Title, if applicable

Date

Signature:

[Signature]
Signature of new owner/claimant

Title, if applicable

Date

For IDWR Office Use Only:

Received by [Signature]

Date

3/7/2014

Receipt No.

E0391000

Receipt Amt.

\$100.

Approved by _____

Processed by _____

Date _____

After recording return to and send all tax statements to the following address:
Christopher S Kubs and Lianne N Kubs
3075 W 2500 N
Arco, ID 83213

NO. 0051221
RECORDED

NOV 19 2013

AM 2:05 PM
BUTTE COUNTY RECORDER
Jim Samell

SPECIAL CORPORATE WARRANTY DEED

FOR VALUE RECEIVED Federal National Mortgage Association its successors and assigns organized and existing under the laws of the United States of America a corporation duly organized and existing under the laws of the State of Idaho, grantor, does hereby Grant, Bargain, Sell and Convey to **Christopher S Kubs and Lianne N. Kubs, husband and wife, Grantees**

Whose address is: PO Box 171, Fairfield ID 83327, the following described real estate, to-wit:

Property commonly known as: 3075 W 2500 N, Arco, ID 83213

See legal description attached hereto and incorporated herein by this reference.

RP-04N26E363041-A

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that it is the owner in fee simple of said premises; that no encumbrances were initiated during the ownership of the undersigned nor is the undersigned aware of any such Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that it will warrant and defend the same from all lawful claims whatsoever.

DATED: November 18, 2013

Federal National Mortgage Association

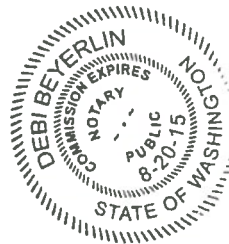
By *Shawna Crawford* FNMA by
On behalf of RCO, its attorney-in-fact Shawna Crawford
For RCO as AIF

STATE OF: Washington }
COUNTY OF: King } SS:

I certify that I know or have satisfactory evidence that SHAWNA CRAWFORD/FRED HERTS is the person who signed this instrument, on oath stated that she/he is authorized to execute the instrument and acknowledged it on behalf of Routh Crabtree Olsen, P.S., as the Attorney in Fact of Federal National Mortgage Association to be the free and voluntary act of such party for the uses and purposes mentioned in this instrument.

Dated: 11/18/2013

Debi Beyerlin
DEBI BEYERLIN
Notary Public in and for the state of: Washington
Residing at North Bend
My Appointment Expires: 8/20/2015



04N 26E 363041

LEGAL DESCRIPTION
3075 W 2500 N, Arco ID 83213

Beginning at a point 627 feet East of the NW Section corner of Section 36, Township 4 North, Range 26 E.B.M., Butte County, Idaho, which point is the real point of beginning; thence S. 1320 feet parallel with the West Section line of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 36; thence 363 feet East along said South line; thence North to the North line of said Section 36; thence W. 363 feet along the North line to real point of beginning. EXCEPT highway along North line. ALSO EXCEPT county road. ALSO EXCEPT: The following described parcel: Beginning at the NW corner of Section 36, Township 4 North, Range 26 E.B.M., Butte County, Idaho; thence East along the N. Section line of said Section 36, 990 feet, more or less, to the Point of Beginning; thence S. 0°01' E., 200 feet to a point; thence South 89°59' West 98 feet to a point; thence N. 0°01' W., 200 feet, more or less, to the North Section line of said Section 36; thence East along the North Section line of said Section 36, 98 feet, more or less, to the Point of Beginning.