

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

OCT 10 2014

DEPARTMENT OF
WATER RESOURCES

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?
36-4227	Yes ☒	Yes ☐		Yes ☐	Yes ☐
Split into:	Yes ☐	Yes ☐		Yes ☐	Yes ☐
36-4227	Yes ☐	Yes ☐		Yes ☐	Yes ☐
36-17032 &	Yes ☐	Yes ☐		Yes ☐	Yes ☐
36-17033	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: David Ross and Bonny Ross
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Stanley Allen and Barbara Allen
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- Mailing address: P.O. Box 14 City: Jerome State: FD ZIP: 83338
(208) 644-1475 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: October 2000
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 # 36-4227

8. Signature: [Signature] Title, if applicable: _____ Date: 10-5-14
Signature of new owner/claimant
- Signature: [Signature] Title, if applicable: _____ Date: 10-5-14
Signature of new owner/claimant

For IDWR Office Use Only:

Received by: [Signature] Date: 10/10/14 Receipt No. C099502 Receipt Amt. \$75.00

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: [Signature] Date: 10-16-14

2004626

T: 27548

WARRANTY DEED

For Value Received: Gordon Retterath and Rita Retterath, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

Stanley M. Allen and Barbra J. Allen, husband and wife

whose address is: 100 East 115 South, Jerome, ID 83338

Hereinafter called the Grantee, the following described premises situated in Jerome County, Idaho, to-wit:

Township 8 South, Range 17 East of the Boise Meridian, Jerome County, Idaho

Section 30: A parcel of land of the NE 1/4 more particularly described as follows:

Commencing at the Northeast corner of said Section 30 from which the East one quarter (E 1/4) corner bears South 00°02'13" East 2640.39;

Thence South 00°02'13" East along the East boundary of the NE 1/4 of Section 30 for a distance of 525.00 feet to the TRUE POINT OF BEGINNING;

Thence continuing South 00°02'13" East along the East boundary of the NE 1/4 of Section 30 for a distance of 234.00 feet;

Thence North 89°50'12" West parallel with the North boundary of the NE 1/4 of Section 30 for a distance of 525.00 feet;

Thence North 00°02'13" West parallel with the East boundary of the NE 1/4 of Section 30 for a distance of 234.00 feet;

Thence South 89°50'12" East parallel with the North boundary of the NE 1/4 of Section 30 for a distance of 525.0 feet to the 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 their 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.

Dated: October 1, 2000

Gordon Retterath
Gordon Retterath

Rita Retterath
Rita Retterath

STATE OF *California*
COUNTY OF *Yuba*
Lassen

On this 1st day of October, 2000, before me, *Suzanne R. C. Brown*, personally appeared Gordon Retterath and Rita Retterath, known or identified to me or proved to me on the oath of, to be the person(s) whose name(s) are subscribed to the within instrument, and acknowledged to me that they executed the same.

Suzanne R. C. Brown
Notary Public of
Residing at: *1000 S. Colquhoun*
Commission Expires: *May 1, 2002*



Instrument # 2004626

JEROME COUNTY, JEROME, IDAHO
20001001
Recorded for FIRST AMERICAN TITLE
CHEROKEE WATTS
EX OFFICIO Notary Deputy

Return to:
Records Pro
577 Laramie
Tombura, H

4001111
2004626
11

THIS DEED
THE BOISE

(herein "Bo
(herein "Tri
a corporate
16000 910

(herein "Te

The foll

☒ W
evidenced b
including t
principal a
with the ba

☐ W
as may be
extensions
the terms
credit limi

T
with intere
rate if tha
accordance
agreement
herein crea
located in

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED

OCT 10 2014

DEPARTMENT OF
WATER RESOURCES

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?
36-4227	Yes ☒	Yes ☐		Yes ☐	Yes ☐
Split into:	Yes ☐	Yes ☐		Yes ☐	Yes ☐
36-4227	Yes ☐	Yes ☐		Yes ☐	Yes ☐
36-17032 +	Yes ☐	Yes ☐		Yes ☐	Yes ☐
36-17033	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: David Ross and Bonnie Ross
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Sandi J. Falconburg
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 109 S 100 E Jerome ID 83338
Mailing address City State ZIP
- (208) 324-4623
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: 9-14-2000

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 # 36-4227

8. Signature: Sandi Falconburg Title, if applicable: _____ Date: 10-1-14
Signature of new owner/claimant

Signature: _____ Title, if applicable: _____ Date: _____
Signature of new owner/claimant

For IDWR Office Use Only:

Received by CS Date 10/10/14 Receipt No. C099502 Receipt Amt. \$75⁰⁰

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 gmk Date 10-16-14

WARRANTY DEED

#J-29609

For Value Received

Instrument # 2004101
 JEROME COUNTY JEROME, IDAHO
 2000-08-14 15:43:12 No. of Pages: 7
 Recorded for: LAND TITLE & ESCROW
 CHERYL WATTS Fee: 6.00
 Ex-Officio Recorder Deputy

DAVID ROSS and BONNY ROSS, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

RICHARD L. FALCONBURG and SANDI J. FALCONBURG, husband and wife
 Address: 109 S 100 E, JEROME, ID 83338

Hereinafter called the Grantee, the following described premises situated in JEROME County, Idaho, to wit:

TOWNSHIP 8 SOUTH, RANGE 17 EAST OF THE BOISE MERIDIAN,
 JEROME COUNTY, IDAHO

Section 30: A parcel of land located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, described as follows:

Commencing at the Northeast corner of said Section 30, from which the East quarter corner bears:
 South 00°02'13" East, 2640.39 feet;
 Thence South 00°02'13" East along the East boundary of the NE $\frac{1}{4}$ of Section 30 for a distance of
 410.00 feet to THE TRUE POINT OF BEGINNING;
 Thence continuing South 00°02'13" East along the East boundary of the NE $\frac{1}{4}$ of Section 30 for a
 distance of 176.00 feet;
 Thence North 89°50'12" West parallel with the North boundary of the NE $\frac{1}{4}$ of Section 30 for a
 distance of 525.00 feet;
 Thence North 00°02'13" West parallel with the East boundary of the NE $\frac{1}{4}$ of Section 30 for a
 distance of 176.00 feet;
 Thence South 89°50'12" East parallel to the North boundary of the NE $\frac{1}{4}$ of Section 30 for a distance
 of 525.00 feet to THE TRUE POINT OF BEGINNING.

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

2000 taxes and subsequent years, taxes are an accruing lien, not yet due or payable.

Assessments of the North Side Canal Company and the rights and powers of said Company as by law provided.

Right of way for roads, canals, laterals and waste ditches as contained in an Agreement by and between the State of Idaho, and the Twin Falls North Side Land and Water Company, dated August 21, 1907, recorded in Book 15 Page 589, Jerome County records.

Reservations as set forth in Patent from The United States of America, to Northern Pacific Railroad Company, its successors and assigns, dated May 19, 1910, recorded June 18, 1910 in Book 22 of Deeds at Page 511, as Instrument Number 17160, Jerome County records.

State of Idaho Easement No. 3060 by and between the State of Idaho, acting by and through the State Board of Land Commissioners, and The Idaho Fish and Game Department, as party of the first part, and Idaho Power Company, as party of the second part, dated November 14, 1967, recorded December 13, 1967 as Instrument Number 174324, Jerome County records.

State of Idaho Easement No. 3079 by and between the State of Idaho, acting by and through the State Board of Land Commissioners, party of the first part, and The Idaho Power Company, party of the second part, dated April 9, 1968, recorded June 13, 1968 as Instrument Number 177184, Jerome County records.

Reservations in State of Idaho Deed dated March 27, 1997, and recorded July 29, 1997 as Instrument Number 973145, Jerome County records.

Subject to a 25.00 foot wide county road easement along the East boundary of the before described parcel as set forth in Quitclaim Deed dated August 17, 1999, recorded August 29, 1999 as Instrument Number 994343, Jerome County records.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: September 14, 2000

DAVID ROSS

BONNY ROSS

STATE OF IDAHO

COUNTY OF JEROME

On this 14th day of September, 2000, before me, the undersigned, a Notary Public in and for said State, personally appeared **DAVID ROSS & BONNY ROSS**, known or identified to me to be the person, whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

SANDRA MOORE
NOTARY PUBLIC
STATE OF IDAHO

Notary Public

Residing at: London

My Commission expires: 2-2-65



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

October 16, 2014

STANLEY ALLEN
BARBRA ALLEN
PO BOX 14
JEROME ID 83338

Re: Change in Water Right Ownership: Water Right No. 36-4227(*Allen, Lothspeich*) (Split into 36-17032(*Allen*) and 36-17033(*Falconburg*))

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.

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,

Jean Hersley
Technical Records Specialist II

Enclosure

c: Williams Meservy & Lothspeich LLP



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

October 16, 2014

SANDI J FALCONBURG
RICHARD L FALCONBURG
109 S 100 E
JEROME ID 83338

Re: Change in Water Right Ownership: Water Right No. 36-4227(*Allen, Lothspeich*) (Split into 36-17032(*Allen*) and 36-17033(*Falconburg*))

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.

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 that reads "Jean Hersley".

Jean Hersley
Technical Records Specialist II

Enclosure

c: Williams Meservy & Lothspeich LLP



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

October 16, 2014

STANLEY M ALLEN
BARBRA J ALLEN
JOHN B LOTHSPREICH
JANET M LOTHSPREICH
PO BOX 14
JEROME ID 83338

Re: Change in Water Right Ownership: Water Right No. 36-4227(*Allen, Lothspeich*) (Split into 36-17032(*Allen*) and 36-17033(*Falconburg*))

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, then the original water right number is renumbered by issuing a new water right number to represent each split. Each split contains only the portion of the original right for each separate owner. The above referenced new water right number reflects your remaining portion of the original water right, after the change of ownership. Enclosed is a copy of this new water right for your records. Please refer to your new water right number when corresponding with our office.

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

c: Williams Meservy & Lothspeich LLP

Williams, Meservy & Lothspeich, LLP
Attorneys at Law

153 East Main Street
Post Office Box 168
Jerome, Idaho 83338-0168



ROBERT E. WILLIAMS - Partner
JAMES C. MESERVY - Partner
JOHN B. LOTH SPEICH - Partner
BRIAN J. WILLIAMS - Associate
THEODORE R. LARSEN - Associate
EUGENE D. FREDERICKSEN - Retired

TELEPHONE: (208) 324-2303
FACSIMILE: (208) 324-3135
E-MAIL: JBLOTHSPEICH@CABLEONE.NET

October 7, 2014

RECEIVED
OCT 10 2014
DEPARTMENT OF
WATER RESOURCES

Emalee Rushing
Office Services Supervisor
State of Idaho Department of Water Resources
Post Office Box 83720
Boise, Idaho 83720-0098

RE: Notice of Change in Water Right ownership for Water Right No. 36-4227

Dear Emalee:

I'm writing following up to your September 22, 2011 letter relative to the Notice of Change in Water Right ownership regarding the acquisition of property from David and Bonny Ross by A & L Enterprises, LLC.

It has been decided between the three (3) separate property owners to split the Water Right consistent with your letter. Please find enclosed Notice of Change in Water Right Ownership from Falconburg's and Allen's with accompanying deeds. Please also find enclosed a check payable to IDWR for the additional fee of \$75. I'm hopeful that this will resolve the issue. It has taken sometime to address the issue with Mrs. Falconburg.

I look forward to hearing from you to confirm that the Water Right has been split between the three (3) properties.

Sincerely,

A handwritten signature in dark ink, appearing to read 'John B. Lothspeich', written over a horizontal line.

JOHN B. LOTH SPEICH

JBL/val
Enclosures