

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JAN 31 2014

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?
34-489 A OK	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Fern L. Yancey
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Gary L. or Linda L. Kimball
New owner(s) as listed on the conveyance document

Name connector ☐ and ☒ or ☐ and/or
Mailing address P.O. Box 273 City Mackay State Id. ZIP 83251
Telephone 208-588-3080 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: 1996

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 per split water right.
 - No fee is required for pending adjudication claims.

8. Signature: Gary Kimball Title, if applicable _____ Date 1/31/14
Signature: Linda Kimball Title, if applicable _____ Date 1-31-14

For IDWR Office Use Only:

Received by JB Date 1/31/2014 Receipt No. E039490 Receipt Amt. \$100. -
Approved by JB Processed by JB Date 2/13/2014 \$25. - for this app.

WARRANTY DEED

CORRECTION

FOR VALUABLE CONSIDERATION RECEIVED Fern L. Yancey_____, the Grantor,
does hereby grant, bargain, sell and convey unto Gary L. Kimball and Linda L. Kimball_____, the Grantee,
whose current address is P.O. Box 273, Mackay, ID 83251-0273,
the following described real estate situated in Custer County,
State of Idaho, to-wit:

See attached - Exhibit A

WATER - #1899 - 10 INCHES 1,032 STORAGE

* This deed is to correct Instrument No. 0212450

TO HAVE AND TO HOLD the said premises, together with all tenements, hereditaments and appurtenances thereunto belonging, unto the said Grantee, his successors and assigns forever. Grantor does hereby covenant to and with the said Grantee that IT is the owner in fee simple of said premises and that IT will warrant and defend the same from all lawful claims whatsoever.

In construing this Deed and where the context so requires, the singular includes the plural and the masculine, the feminine and neuter.

DATED: 10/29/96Fern L. Yancey

STATE OF IDAHO, County of Butte
On this 29th day of October 1996
before me, Steve H. Hardwick, a
Notary Public in and for the said State personally
appeared Fern L. Yancey

Known to me to be the person(s) whose name(s)
subscribed to the within instrument, and acknowl-
edges to me that _____ executed the same.

Steve H. Hardwick
Residing at Butte Notary Public
Comm. Expires: June 11, 1998 Idaho

THIS SPACE FOR COUNTY RECORD'S USE ONLY.

212450
Custer County Rec. of
Linda Kimball

Time 11:05 AM

11-13-1996
Ethel M. Peck, Clerk
Wanda J. Murphy
62

EXHIBIT A

TRACT A:

A fraction of Section 5, Township 6 North, Range 25 East, Boise Meridian, Custer County, Idaho described as:

That portion of the ^{SW $\frac{1}{4}$ NW $\frac{1}{4}$} ~~NW $\frac{1}{4}$ SW $\frac{1}{4}$~~ ^{by G.R. LK} laying North of the Oregon Short Line and Highway 93.

Contains 9.71 acres M/L

TRACT B:

All that portion of the "Mackay Branch" right of way, now abandoned, of the Union Pacific Railroad Company, successor in interest to the Salmon River Railroad Company, situated in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 5 and the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 6, all in Township 6 North, Range 25 E.B.M., ^{by G.R. LK} Custer County, Idaho, being that same tract or parcel of land heretofore acquired by the aforesaid railroad company by virtue of that certain instrument dated July 22, 1901, from Charles W. Herrick, a single man, said instrument having been filed for record in the aforesaid County on August 6, 1901, at Page 198 of Volume 1, Record of Deeds, said tract or parcel of land being bounded and described therein as follows:

A strip of land 100 feet wide being 50 feet in width on either side of the center line of the main track of Salmon River Railroad said center line entering said SW $\frac{1}{4}$ NW $\frac{1}{4}$ on the E. line at a point 683 feet S. of the NE corner thereof and running thence in a direct line to a point on N. line of said SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 6, 191 feet W. from the NE corner thereof.

Containing 2.93 acres more or less

217566

Custer County Req. of

Kimball Construction

Time 12:30 P.M.

2/23 1999

Ethel M Peck, Clerk

Janet Dangis
Deputy

\$ 6.00