

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED

JUN 17 2013

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.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
47-7263B	Yes ☐		Yes ☐		Yes ☐
47-7146	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Merrily Eckel
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Catherine M. Bettis
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 708 Greenwich St., Apt. 6C New York NY 10014
Mailing address City State ZIP
(415) 385-0102 cmoorebettis@gmail.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: Oct. 18, 2012
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: [Signature] Attorney for C.M. Bettis June 17, 2013
Signature of new owner/claimant Title, if applicable Date

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

For IDWR Office Use Only:

Received by [Signature] Date 6-17-13 Receipt No. C097358 Receipt Amt. 50.00
Approved by _____ Processed by [Signature] Date 7-9-13

SUPPORT DATA

47-7146

EXHIBIT 1



TWIN FALLS COUNTY
RECORDED FOR:
TITLEONE BOISE
02:13:10 PM 10-19-2012
2012020205
NO. PAGES 3 FEE: \$16.00
KRISTINA GLASCOCK
COUNTY CLERK
DEPUTY: BH
Electronically Recorded by Simplifile

Order Number: 12213132 S

WARRANTY DEED

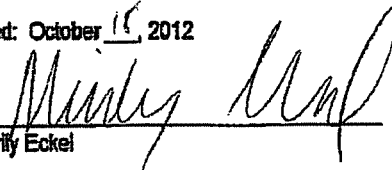
For Value Received,

Merrily Eckel, an unmarried woman, the Grantor, does hereby grant, bargain sell and convey unto, Catherine Bettis, an unmarried woman, whose current address is 708 Greenwich Street, Apr. 6C, New York, NY 10014, the Grantee, the following described premises, in Twin Falls County, Idaho, To Wit:

EXHIBIT "A" ATTACHED HERETO AND MADE APART HEREOF

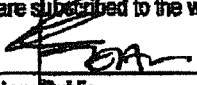
TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

Dated: October 16, 2012

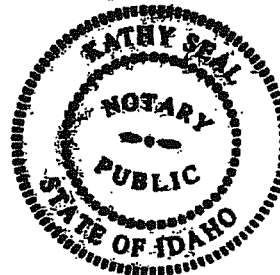

Merrily Eckel

State of Idaho, County of Blairstown ss.

On this 18th day of October in the year of 2012, before me, the undersigned, a Notary Public in and for said State, personally appeared Merrily Eckel, 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.


Notary Public

My Commission Expires: 7.26.2017
(seal)



Date: October 17, 2012

File No.: 437923-TF (Inb)

EXHIBIT 'A'

LEGAL DESCRIPTION:

PARCEL 1

Township 8 South, Range 14 East of Boise Meridian, Twin Falls County, Idaho

Section 32: The Southeast Quarter of the Southeast Quarter

EXCEPTING the following described parcel

Commencing at the Southeast corner of said Section 32;
Thence North 0°03' West along the East line of said Section 32 a distance of 834.00 feet to the TRUE POINT OF BEGINNING;
Thence North 89°03' West 1318.29 feet to a point on the West line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Thence North 0°17' West along the West line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$ a distance of 466.80 feet to the Northwest corner of said SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Thence South 89°54' East along the North line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$ a distance of 1320.00 feet to a point on the East line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Thence South 0°03' East along the East line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$ a distance of 487.50 feet to the TRUE POINT OF BEGINNING.

ALSO EXCEPTING

Township 8 South, Range 14 East of Boise Meridian, Twin Falls County, Idaho

Section 32: That part of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ described as follows:

Commencing at the Southeast corner of said Section 32;
Thence North 89°31'46" West 793.76 feet;
Thence North 00°03'00" West 840.08 feet;
Thence South 89°03'00" East 793.85 feet;
Thence South 00°03'00" East 833.44 feet to the TRUE POINT OF BEGINNING.

PARCEL 2

Township 8 South, Range 14 East of Boise Meridian, Twin Falls County, Idaho

Section 32: That part of the S $\frac{1}{2}$ SE $\frac{1}{4}$ described as follows:

Commencing at the Southeast corner of said Section 32;

File No.: 437923-TF (Inb)

Date: October 17, 2012

**Thence North 00°03'00"West along the East line of said Section 32 for 833.44 feet;
Thence North 89°03'00"West for 1112.93 feet to the TRUE POINT OF BEGINNING;
Thence continuing North 89°03'00"West for 209.46 feet to the West line of the SE¼SE¼ of
said Section 32;
Thence South 00°01'27"West along said West line for 55.67 feet;
Thence North 50°44'12"West for 186.39 feet;
Thence South 87°54'17"East for 70.67 feet;
Thence North 22°35'37"East for 30.19 feet;
Thence South 71°27'49"East for 286.40 feet to the TRUE POINT OF BEGINNING.**

EXHIBIT 2

State of Idaho
Department of Water Resources

Water Right
47-7146

DOMESTIC

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.

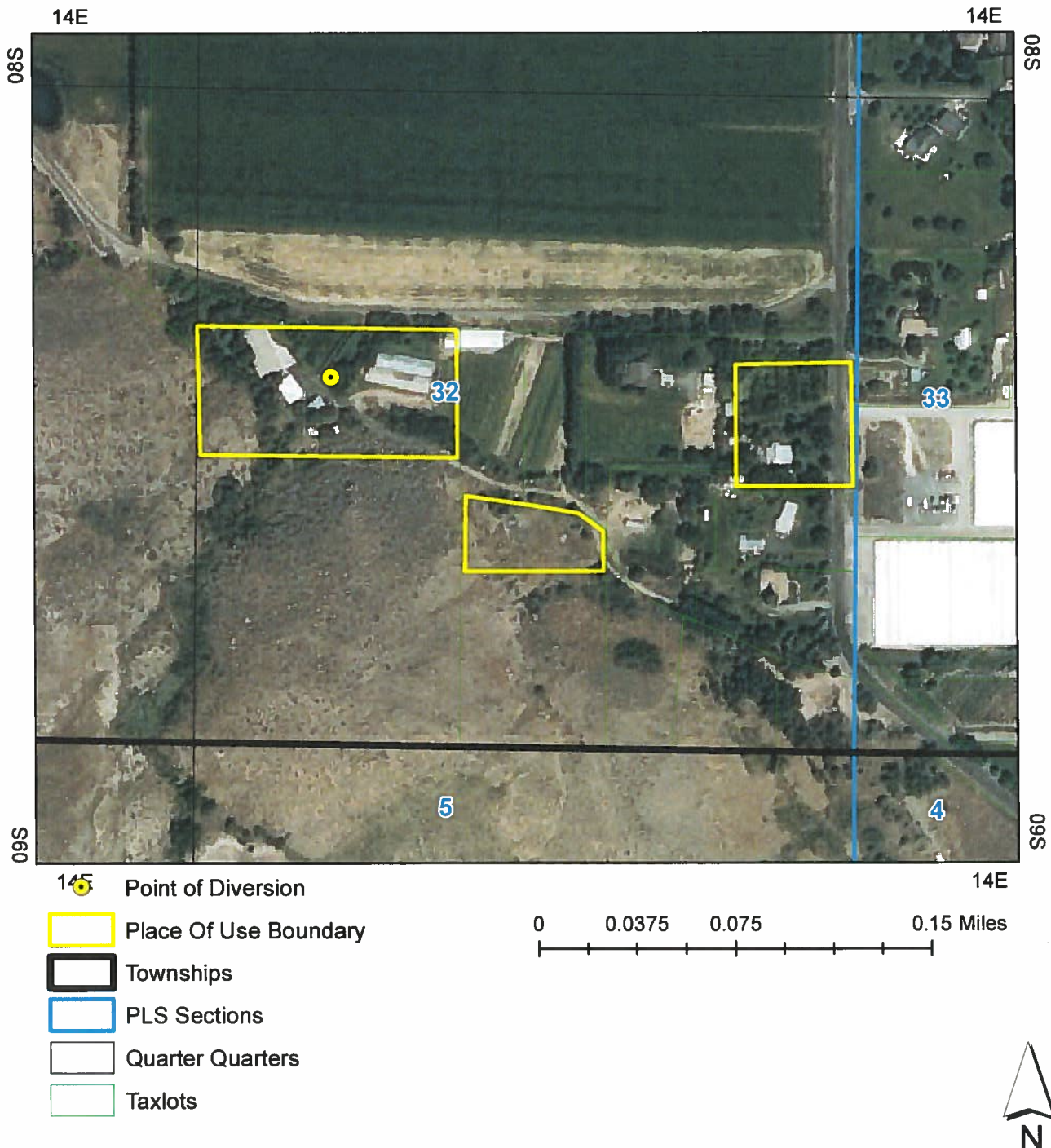


State of Idaho
Department of Water Resources

Water Right
47-7146

HEATING

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



State of Idaho
Department of Water Resources

Water Right
47-7146

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.

14E



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters
- Taxlots

0 0.0075 0.015 0.03 Miles



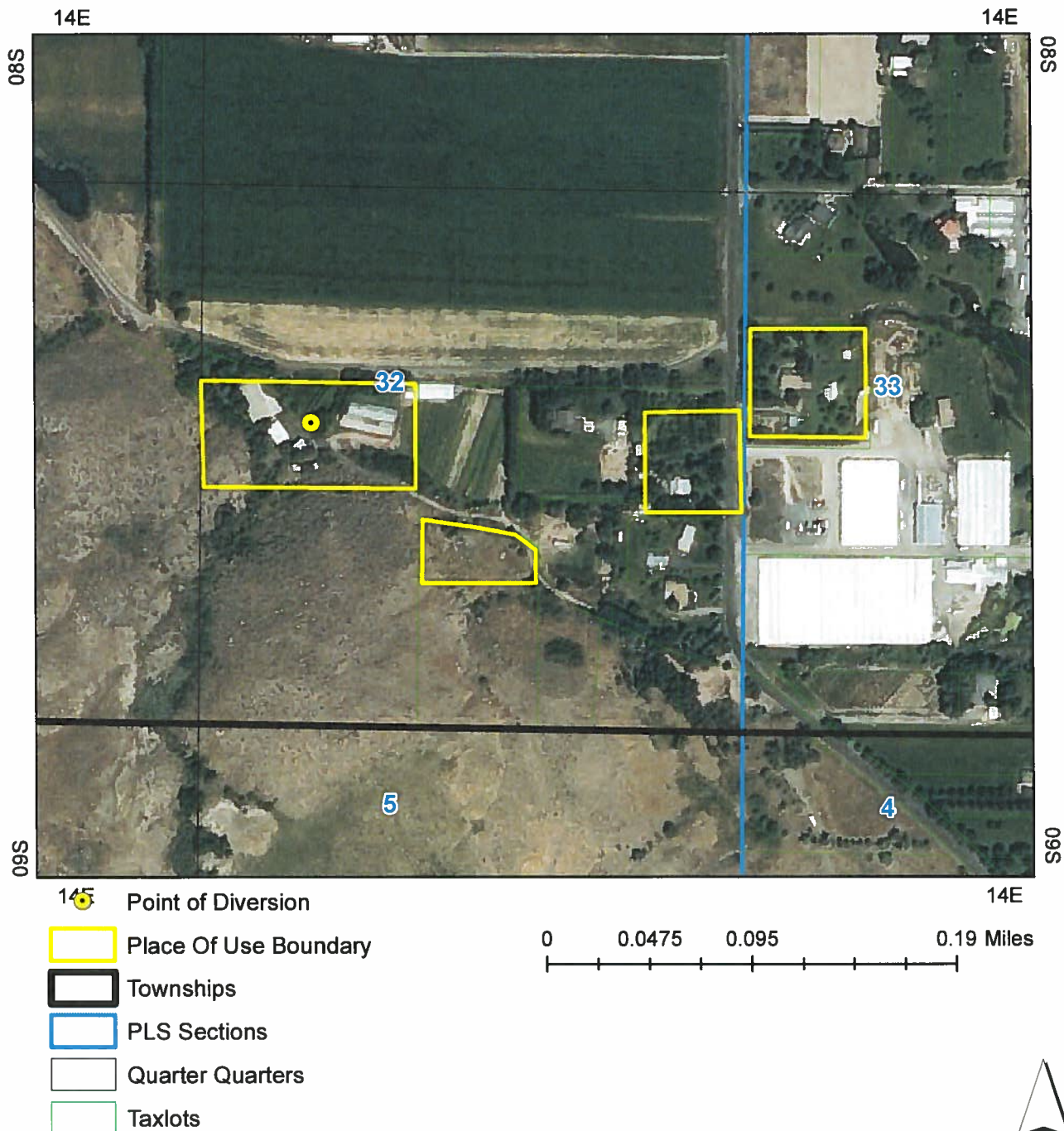
EXHIBIT 3

State of Idaho
Department of Water Resources

Water Right
47-7263B

DOMESTIC

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.

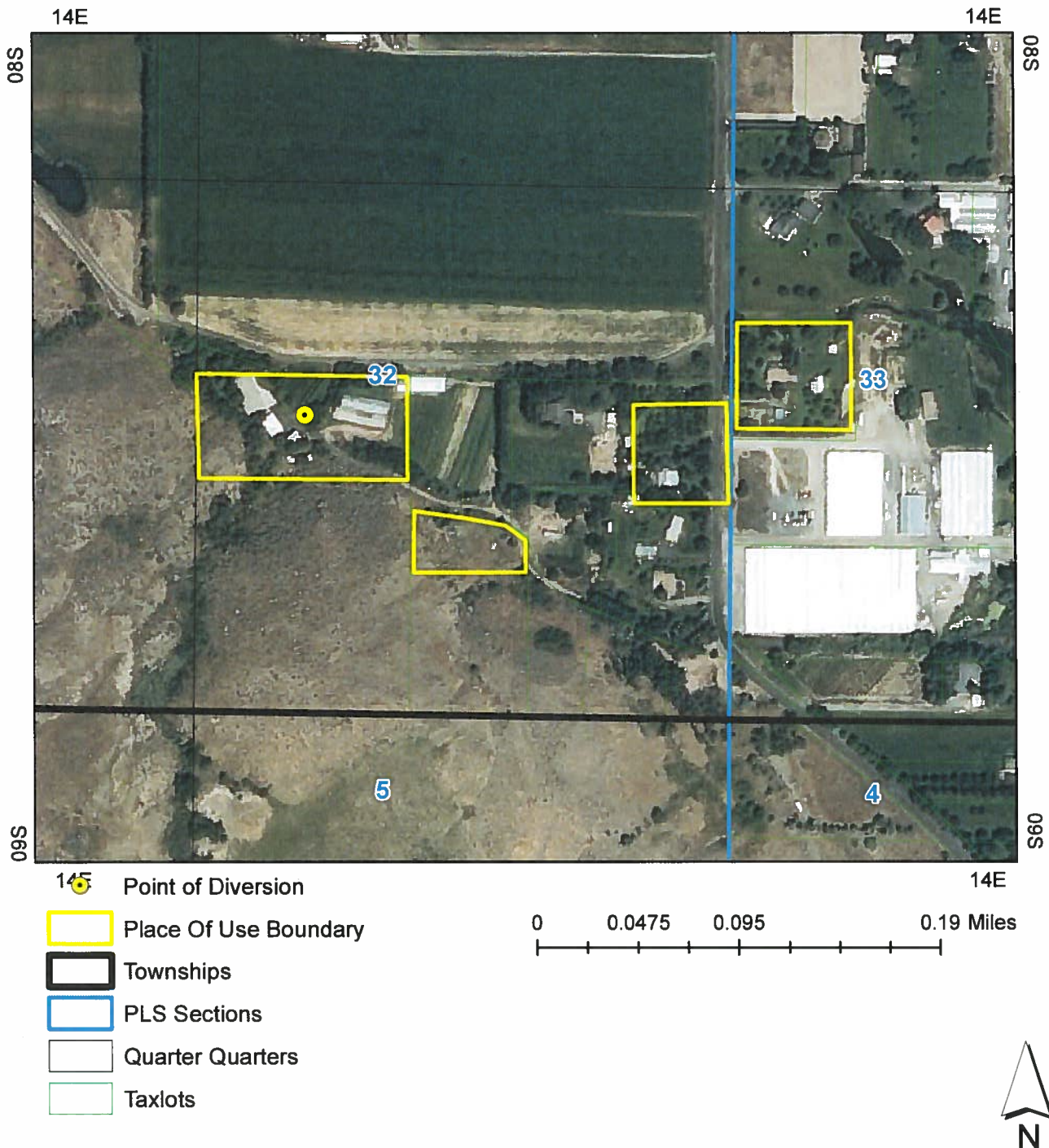


State of Idaho
Department of Water Resources

Water Right
47-7263B

HEATING

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.

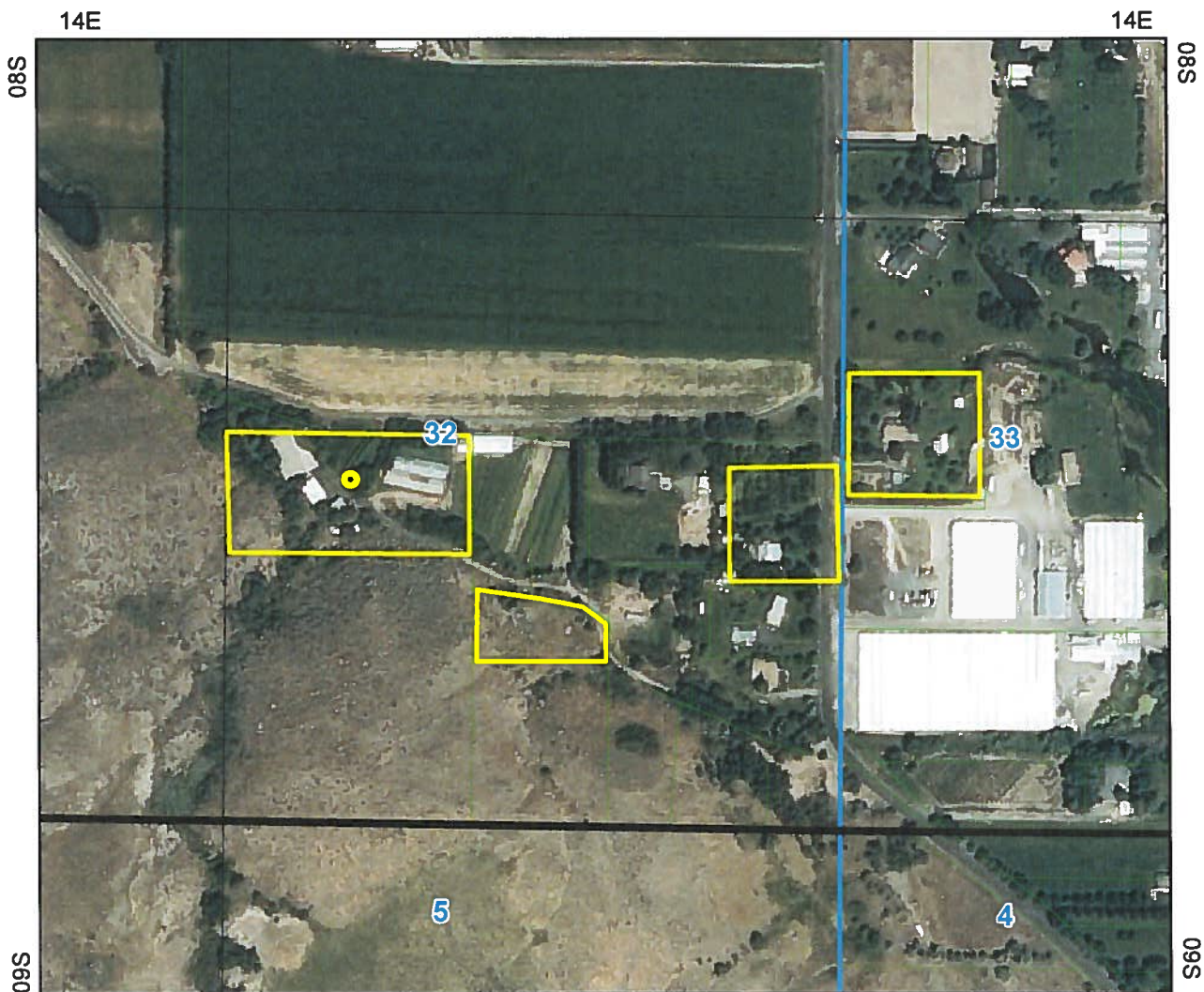


State of Idaho
Department of Water Resources

Water Right
47-7263B

RECREATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



- 145 Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters
- Taxlots

0 0.0475 0.095 0.19 Miles



MEMO TO FILE

From: Vikie Hancock + *DWR*
Re: Recommendation
Claim No(s): 47-7263A, 47-7263B & 47-17122

3/24/05

The following claims were filed in the SRBA against right 47-7263, licensed in 1992, field exam in November 1986.

47-7263A filed by Rex Hiat who purchased his property from Robertson
47-7263B filed by Johnny Kuest the original licensee of the right
47-17122 Angela Calkins who purchased her property from Bertholf

Kuest filed his claim at the time that this water right was still in the permit stage and it is unclear whether he intended to file on all or part of the right. Hiat and Calkins filed claims asserting that they had a separate right to a portion of 47-7263. It is clear from the licensing field exam that the Kuest, Hiat and Calkins residences are the three residences included in right 47-7263.

Predecessors of both Hiat and Calkins signed identical well agreements with Kuest in 1977. IDWR deputy attorney general Nick Spencer reviewed a copy of the agreements and determined that Kuest retained ownership of the entire water right, agreeing to provide water to the predecessors of Hiat and Calkins. [See copies in file].

Based upon the determination by Nick Spencer, I am disallowing claims 47-7263A and 47-17122 and recommending 47-7263B to Kuest for the full amount of the licensed right. The right of Hiat and Calkins to water from this well, if any, lies within the agreement between private parties. Note that license 47-7146 in Mr. Kuest's name covers water use on an additional four neighboring residential lots from the same hot well.

ALBERT P. BARKER
JOHN A. ROSHOLT
JOHN K. SIMPSON
TRAVIS L. THOMPSON
SHELLEY M. DAVIS
PAUL L. ARRINGTON
SCOTT A. MAGNUSON
SARAH W. HIGER



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brs@idahowaters.com

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Twin Falls, Idaho 83301-3029
(208) 733-0700 telephone
(208) 735-2444 facsimile
jf@idahowaters.com

Shelley M. Davis
smd@idahowaters.com

June 12, 2013

VIA HAND DELIVERY

Catherine Moore Bettis
708 Greenwich St., Apt. 6C
New York, NY 10014

Re: Engagement for Legal Services

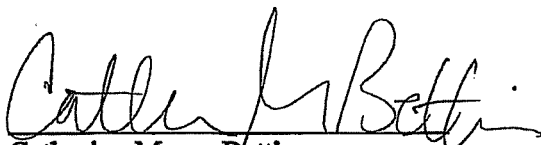
Dear Catherine:

Thank you for providing Barker Rosholt & Simpson, LLP with the opportunity to represent you in your current legal needs. Our office strives to provide the most efficient and effective assistance to our clients, and we understand that your current needs require timely attention. This letter serves to explain the scope of our representation of you addressing your current legal needs, and also explains our office's billing policies and procedures. By signing this letter you agree to hire our office for the scope of work explained below, and agree to the billing policies as well.

If you agree that I have accurately described the scope of work that you need done on your behalf, and if you agree to the billing rates and policies, please sign in the space provided below. I look forward to working for you to resolve this matter.

Very truly yours,

BARKER ROSHOLT & SIMPSON LLP


Catherine Moore Bettis


Shelley M. Davis