

STATE OF IDAHO
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.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
29-135830X	Yes ☐	29-136140X	Yes ☐		Yes ☐
29-135900X	Yes ☐	29-136000X	Yes ☐		Yes ☐
29-135960X	Yes ☐		Yes ☐		Yes ☐
29-136020X	Yes ☐		Yes ☐		Yes ☐
29-136080X	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name:

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

Name of current water right holder/claimant
Jeffrey Harris
Name of each new owner as listed on the conveyance document
Thayne ~~and~~ Ann Andersen

RECEIVED

APR 14 2011

Department of Water Resources
Eastern Region

New owner continued
8987 S. Bob Smith Rd
Mailing address
Lava Hot Springs
City
220-5764
Telephone
ID
State
83246
ZIP
Email
thayne@inbox.com

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: 15 Sept 2006

6. 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.

7. Signature:

Signature of new owner/claimant

Title, if applicable

Date 4-14-2011

Signature:

Signature of new owner/claimant

Title, if applicable

Date

For IDWR Office Use Only:

Received by

Date

Receipt No.

Receipt Amt.

Approved by

Processed by

DEPARTMENT OF WATER RESOURCES

**INSTRUCTIONS FOR FILING A
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

This form has been prepared to assist all claimants and owners of water rights to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. All persons owning or claiming ownership of a water right or claim are required to provide notice to the Department of Water Resources (IDWR) of any change in ownership of any part of the water right or claim or of any change in the owner's mailing address within 120 days of the change. Forms to report ownership changes and/or to update an address are available on IDWR's website at www.idwr.idaho.gov. In addition, all new owners of water rights within a pending general adjudication area must inquire whether a notice of claim has been filed and, if not, shall file a notice of claim if necessary.

A notice is required for changes in ownership from one individual to another, from an individual to a business entity (even if the business is owned by the individual), or from one business entity to another (even if both businesses are owned by the same individual). Adding or removing a name is considered an ownership change which requires the submission of evidence to support the change and the filing fee.

Separate brochures describing the adjudication of water rights and the ownership change notice requirement are available from IDWR. Please contact your nearest IDWR office if you would like more information or need help completing this form. A list of IDWR offices is on page 2 of these instructions, or you can call 1-800-451-4129. Water right information can be found on the department's website using the "Search Tools" and "Water Right & Adjudication Search" links at www.idwr.idaho.gov.

Please note:

- Unlike licensed or decreed water rights, which are real property, water right permits, applications for new water rights, and applications to transfer existing water rights are considered the personal property of the permit holders/applicants. Permit holders and applicants must assign their interest in a permit and/or application to the new owner. Assignment forms are available on the department's website at www.idwr.idaho.gov, or from any IDWR office. The fee for an assignment of permit is \$25. There is no charge for an assignment of application for permit or application for transfer.
- If you want to change or add a point of diversion, place of use, season of use, or purpose of use of a water right, you must file an Application for Transfer. The ownership of a water right can also be updated through the transfer process.
- The combined portions of a divided ("split") water right cannot exceed the total flow rate, volume, or period of use of the original right.
- IDWR has no jurisdiction concerning easements, rights-of-way, and zoning matters. The buyer and seller must make these provisions where necessary.

LINE INSTRUCTIONS:

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). You may have purchased only a portion of the water right(s) held by the seller. If so, the water right(s) held by the seller may need to be divided ("split") to provide you your share of each right. Mark the box "Yes" if a division of the water right is required.

If you receive water from a municipal provider, an irrigation district or other water delivery organization, and the water rights are held by the organization, please do not use this form to record a change. Please contact the water delivery organization to determine if any action is necessary.

If you or the seller believes there are water rights for the property but you do not know the numbers, you may contact IDWR for assistance in identifying the water rights for the property in question. If adjudication claims for the rights are required and have not been filed, IDWR will so advise you.

2. Fill in the name of the current water right holder/claimant.

3. Fill in each name as listed on the conveyance document and complete the current contact information. For water rights, IDWR will update the ownership to the individual(s)/entities listed on the conveyance document. For active adjudication claims, IDWR will update the claimant information to match the conveyance document unless the new claimant provides good cause for the variance.

4. You may have acquired only a portion of the water right(s) held by the seller. If you did not acquire the entire water right/property, please check the appropriate box. Water rights are often conveyed as an appurtenance to the land where they are used, and the conveyance document for the land often does not have specific language regarding the water right. Please read your deed or other conveyance document carefully to be sure. When the conveyance document does not specifically address water rights, it will be assumed that the water rights are to be split proportionate to the amount of land acquired.
5. Indicate the date the water rights and/or adjudication claims were conveyed to you. This may be the date of closing in the case of a real estate transaction, the date a contract was signed, or the date of a court order.

6. ATTACHMENTS:

IDWR cannot process this change without **documentation of ownership**. The documentation may be in the form of a deed, court decree or other conveyance document. If you are submitting a quitclaim deed and the grantor's name does not match the water right holder of record, you will need to provide a chain of title that goes back to the water right holder/claimant of record. You may obtain this information from the assessor's office in the county where the property is located. Items that are **not** conveyance documents are deeds of trust, mortgages, purchase and sales agreements, and property tax notices.

Submit a **plat map, survey map, or aerial photograph** of the place of use for each water right or claim listed in item #1 (if necessary to clarify division of water rights or complex property descriptions). If your right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency or equivalent aerial photograph with the irrigated acres outlined and point(s) of diversion clearly marked. You also have the option of printing a map using the Create a Map tool on IDWR's website at: www.idwr.idaho.gov. It is not necessary to obtain a new survey for purposes of this form before contacting IDWR.

The Idaho Legislature has waived the fee to file a Notice of Change in Water Right Ownership for any water right pending in a general water right adjudication such as the Snake River Basin Adjudication or the Northern Idaho Adjudication. This waiver ends when a partial decree is issued for the water right that has been claimed. For water rights not pending in a general adjudication, the **filing fee** is \$25 per water right, except for those water rights that will be divided as a result of the change in ownership. The filing fee for division of a water right is \$100 per water right.

7. One of the new owner(s) must sign the form in the space(s) provided. If someone other than the owner signs the notice, evidence of authority to sign for the owner must be attached. If the new owner is a corporation or other organization, the person signing the notice must be an officer of the corporation or otherwise have authority to sign for the organization and must include their title with the signature.

When you have completed the Notice of Change in Water Right Ownership, retain a copy and **file the original form, necessary attachments, and filing fee with the IDWR office nearest you.**

IDWR Northern Region
7600 N. Mineral Dr., Suite 100
Coeur d'Alene, ID 83815-7763
(208) 762-2800

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718
(208) 525-7161

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380
(208) 736-3033

~ OR ~

IDWR State Office
322 East Front St, 6th Floor
P.O. Box 83720
Boise, ID 83720-0098
(208) 287-4800



IDWD
Order No. 10496AT

WARRANTY DEED

For Value Received,

Jeffrey F. Harris and Kathleen M. Harris, husband and wife

GRANTOR(s), do(es) hereby GRANT, BARGAIN, SELL and CONVEY unto

Thayne L. Andersen and Ann K Andersen, husband and wife

GRANTEE(s), whose address is: ~~4344 454 BOX 282, APO, AK 99078~~

PO Box 252, McCammon, ID 83250
the following described real property, to-wit:

A PARCEL OF LAND IN THE SOUTHWEST 1/4 SOUTHEAST 1/4 OF SECTION 15 AND THE NORTHWEST 1/4 NORTHEAST 1/4 OF SECTION 22, TOWNSHIP 9 SOUTH, RANGE 37 EAST OF THE BOISE MERIDIAN, BANNOCK COUNTY, IDAHO, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SECTION LINE COMMON TO SECTIONS 15 AND 22 AND THE INTERSECTION OF SAID SECTION LINE WITH THE WESTERLY RIGHT OF WAY LINE OF WEST BOB SMITH ROAD, SAID POINT ALSO BEING THE MOST NORTHERLY CORNER OF PARCEL OF LAND SHOWN ON RECORD OF SURVEY INSTRUMENT NO. 96017931, WHICH POINT BEASRS SOUTH 89°56'00" WEST A DISTANCE OF 1356.33 FEET FROM THE SECTION CORNER COMMON TO SECTIONS 14, 15, 22 AND 23;

THENCE SOUTH 40°37'19" WEST ALONG THE NORTHERLY LINE OF SAID RECORD OF SURVEY, A DISTANCE OF 460.65 FEET TO A 1/2" REBAR WITH A PLASTIC CAP READING PLS 8075, SAID POINT BEING A COMMON CORNER OF RECORD OF SURVEY INST. NO. 96017931 AND 20111048;

THENCE NORTH 87°34'27" WEST, ALONG THE NORTHERLY LINE OF RECORD OF SURVEY INST. NO. 20111048, A DISTANCE OF 243.55 FEET TO A 1/2" REBAR WITH A PLASTIC CAP READING PLS 843;

THENCE NORTH 47°57'34" WEST A DISTANCE OF 424.00 FEET;

THENCE NORTH 20°32'26" WEST, ALONG AN EXISTING FENCE LINE, A DISTANCE OF 222.76 FEET;

THENCE NORTH 06°26'28" EAST, CONTINUING ALONG SAID FENCE LINE, A DISTANCE OF 103.28 FEET;

THENCE NORTH 89°56'00" EAST A DISTANCE OF 867.58 FEET TO A POINT IN THE CENTERLINE OF WEST BOB SMITH ROAD;

THENCE SOUTH 33°56'08" EAST ALONG SAID CENTERLINE, A DISTANCE OF 94.99 FEET TO A POINT OF TANGENCY ON A 132.50 FOOT CURVE IN WHICH THE RADICUS POINT BEARS SOUTH 33°56'08" WEST;

THENCE CONTINUING ALONG SAID CENTERLINE IN A SOUTHEASTERLY DIRECTION, ALONG A CURVE TO THE RIGHT, FOLLOWING THE 132.50 FOOT RADIUS, THROUGH A

20620928

20620928
Recorded at request of
AmeriTitle
Date 9/15/06 3:36 PM
Official Record Book 887
Bannock County Recorder
Paula E. Rogers

CENTRAL ANGLE OF 27°41'37" FOR AN ARC LENGTH OF 64.04 FEET (THE CHORD BEARS SOUTH 20°05'21" EAST FOR A DISTANCE OF 63.42 FEET);

THENCE SOUTH 06°14'33" EAST, CONTINUING ALONG SAID CENTERLINE, A DISTANCE OF 50.00 FEET TO A POINT OF TANGENCY ON A 822.97 FOOT RADIUS IN WHICH THE RADIUS POINT BEARS NORTH 83°45'27" EAST;

THENCE CONTINUING ALONG SAID CENTERLINE, ALONG A CURVE TO THE LEFT, FOLLOWING THE 822.97 FOOT CURVE IN A SOUTHWESTERLY DIRECTION, THROUGH A CENTRAL ANGLE OF 04°50'26" FOR AN ARC LENGTH OF 69.53 FEET (THE CHORD BEARS SOUT 08°39'46" EAST FOR A DISTANCE OF 69.53 FEET);

THENCE SOUTH 89°56'00" WEST 33.59 FEET TO THE TRUE POINT OF BEGINNING.

RESERVING THEREFROM AN EASEMENT 100.00 FEET IN WIDTH FOR WATER PIPELINE MAINTENANCE LYING 100.00 FEET WEST OF THE FOLLOWING DESCRIBED LINE: BEGINNING AT THE MOST NORTHWESTERLY CORNER OF THE ABOVE DESCRIBED PARCEL; THENCE SOUTH 06°26'28" WEST A DISTANCE OF 103.28 FEET; THENCE SOUTH 20°32'26" EAST A DISTANCE OF 222.76 FEET; THENCE SOUTH 47°57'34" EAST A DISTANCE OF 424.00 FEET.

TO HAVE AND TO HOLD the premises with its appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises that said premises are free from all encumbrances except the current year's taxes and assessments, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record and that they will warrant and defend the same from all lawful claims whatsoever.

DATED this 13 day of SEP, 2006.

Jeffrey F. Harris

Jeffrey F. Harris
Kathleen M. Harris

Kathleen M. Harris

State of Idaho)

ss

County of Bannock)

On this 13th day of SEP, 2006 before me *Shawna Elzner*, a notary public in and for said State, personally appeared Jeffrey F. Harris and Kathleen M. Harris known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Shawna Elzner
Notary Public
Residing at: *Porter*
Commission Expires: *3/8/11*

SHAWNA ELZNER
NOTARY
PUBLIC
STATE OF IDAHO

WARRANTY DEED

20201143

For Value Received MAX WENGREEN HALL also shown of record as MAX W. HALL

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

JEFFREY F. HARRIS

whose address is: P.O. BOX 252, MCCAMMON, ID 83250

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

SEE ATTACHED LEGAL

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: January 16, 2002


MAX WENGREEN HALL

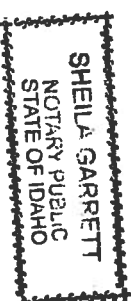
STATE OF Idaho

ss.

COUNTY OF BANNOCK

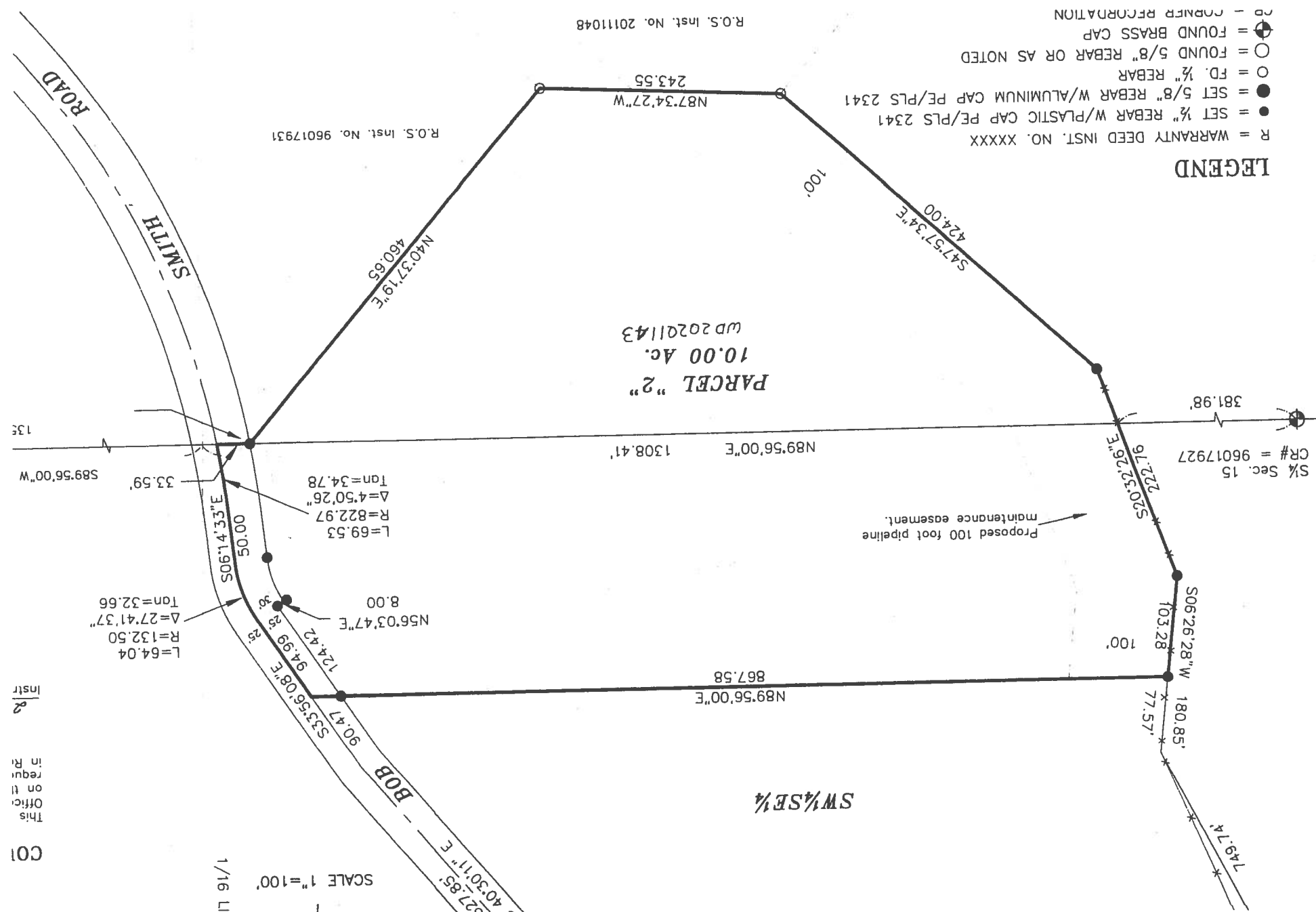
On this 16th day of January, 2002, before me SHEILA GARRETT, personally appeared MAX WENGREEN HALL, known or identified to me (or proved to me on the oath of), to be the person(s) whose name(s) is subscribed to the within instrument, and acknowledged to me that HE executed the same.


Notary Public of Idaho
Residing at: INCOM, Idaho
Commission Expires: 09/17/05



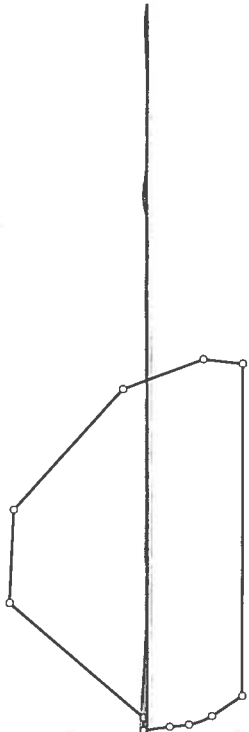
NO 20201143
RECORDED AT REQUEST OF
FIRST AMERICAN TITLE
2002 JAN 16 PM 4 36
SCHOOL RECORD BOOK NO. 805
BANNOCK COUNTY IDAHO
LORAY W CHAN RECORDER
FEE 6 DEPUTY 

R = WARRANTY DEED INSTR. NO. XXXXX
 ● = SET 1/2" REBAR W/PLASTIC CAP PE/PLS 2341
 ● = SET 5/8" REBAR W/ALUMINUM CAP PE/PLS 2341
 ○ = FD. 1/2" REBAR
 ○ = FOUND 5/8" REBAR OR AS NOTED
 ⊕ = FOUND BRASS CAP
 ⊖ - CORNER RECORDATION



This
Office
on the
request
in R.

103



Title:		Date: 06-13-2011
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Scale: 1 inch = 500 feet	File:	
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Tract 1: 9.988 Acres: 435095 Sq Feet: Closure = 324.4313e 0.01 Feet: Precision = 1/449954: Perimeter = 2634 Feet		
001=s/e,15.9s,37e	006=n20.3226w 222.76	011=s06.1433e 50.00
002=s89.5600w 1356.33	007=n06.2628e 103.28	012: Lt. R=822.97, Arc=69.53, Delta=04.5026
003=s40.3719w 460.65	008=n89.5600e 867.58	Bng=s08.3946e, Cnd=69.50
004=n87.3427w 243.55	009=s33.5608e 94.99	013=s89.5600w 33.59
005=n47.5734w 424.00	010: Rt. R=132.50, Arc=64.04, Delta=27.4137	
	Bng=s30.0521e, Cnd=63.42	

WR for 8.8 acres
9.988 acres