



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

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

August 24, 2009

MARK GODDARD
C/O WAYNE LEASING LLC
1555 SUN VIEW DR
ODGEN, UT 84404

RE: Water right 23-4000

Mr. Goddard:

In July of 2004 you submitted a Change of Ownership form to the Department. It was determined that the legal description of the deed you submitted did not match the legal description of the water right.

A Motion to Set Aside Partial Decree and File Amended Claim was filed with the SRBA Court by your attorney in June of 2006. The motion was denied by the Court in January of 2007.

Since we cannot put the ownership of water right 23-4000 in your name, I am returning all of the documentation you submitted with the form and the ownership will not be changed.

If you have questions, please feel free to call.

Sincerely,

Sandy Egbert
Enclosures

dl
DELRECEIVED
JUL 15 2004
Department of Water ResourcesSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIPPlease print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please provide water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
23-4000					

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).
OR
If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Ed and Dora Daniels
P.O. Box 183, Irwin, ID 83428
4. New Owner/Claimant(s) Mark Goddard
Name Connector (Check one): [] and, [] or, [] and/or
New Mailing Address c/o Wayne Leasing, LLC, 1555 Sun View Drive
City, State and ZIP Code Ogden, UT 84404
New Telephone Number (801) 399-2434
5. Date you acquired the property 3/13/01

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

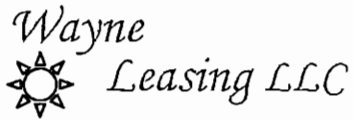
WAYNE LEASING, LLC

7. Signature of New Owner(s) or Claimant(s) BY: Mark E. Goddard
(include title if applicable) Mark E. Goddard

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by <u>JC</u>	Date <u>7-2-04</u>	Fee <u>\$25</u>
Received by <u>JC</u>	Date <u>7-2-04</u>	Receipt No. <u>E030019</u>
Processed by _____ AJ	Date _____	WR _____ Date _____



RECEIVED

JUL 01 2004

Department of Water Resources
Eastern Region

1555 Sun View Drive Ogden, Utah 84404

801-399-2434 Ogden

801-355-1205 Salt Lake

June 29, 2004

Mr. W. Roger Warner
Water Right Supervisor – Eastern Region
Idaho Department of Water Resources
900 North Skyline Drive, Suite A
Idaho Falls, Idaho 83402-1718

Dear Mr. Warner:

As per our conversation today, please find enclosed the documents and information we discussed as well as a check for \$25.00 for the filing fee.

If you have any questions or you need to contact me for anything, please call me at 801-721-0030. Thank you for your assistance with this matter.

Sincerely,

Mark E. Goddard,
Managing Partner

MEG:dct

BONNEVILLE COUNTY RECORDER
1043126 MAR 13 01 PM 3 35
WARRANTY DEED

1043126

Order No.: 14-19662 -D.O

FOR VALUE RECEIVED

Edda A. Clark as Personal Representative of the Estate of Dora B. Daniels, also known of record as Dora Daniels

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Wayne Leasing LLP

whose current address is

7933 S. 2100 E.
South Weber, UT 84405

the grantee(s), the following described premises, in Bonneville County, Idaho, TO WIT:

TRACT I:

The South Half of the Southwest Quarter of Section 11, Township 1 North, Range 43, East of the Boise Meridian, Bonneville County, Idaho.

TRACT II:

The North Half of the Northwest Quarter and the Southeast Quarter of the Northwest Quarter of Section 14, Township 1 North, Range 43, East of the Boise Meridian, Bonneville County, Idaho.

TRACT III:

The North Half of the Northeast Quarter of Section 15, Township 1 North, Range 43, East of the Boise Meridian, Bonneville County, Idaho.

TOGETHER WITH: All water and water rights, ditch and ditch rights used in connection therewith and appurtenant thereto.

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(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: 2/28/2001

Edda A. Clark
Edda A. Clark Personal Representative to the Estate
of Dora B. Daniels

State of ~~Idaho~~ Utah }
County of ~~Bonneville~~ Tooele } ss.

On this 12th day of March, 2001, before me, a Notary Public in and for said state, personally appeared Edda A. Edda A. Clark who to me to be person whose name is subscribed to the within instrument as the Personal Representative of the Estate of Dora B. Daniels, and acknowledged

INSTRUMENT NO.	1043126
DATE	3-13-01
INST. CODE	205
IMAGED PGS	1
FEE	3.00
STATE OF IDAHO) COUNTY OF BONNEVILLE) ss	
I hereby certify that the within instrument was recorded.	
Ronald Longmore, County Recorder	
By	<u>K. Longmore</u> Deputy
Request of	