



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

July 24, 2008

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

KATHLEEN GREEN
ROBERT GREEN
6256 BARTLETT POINT RD
MACKAY ID 83251

RE: Water Right 34-297b -- Returning Ownership Change Notice, and Refund

Dear Mr. Green

Enclosed is the ownership change you submitted for the water right referenced above. It is being returned because, as per our discussion today, there is no water right associated with your property. A refund of the \$25 application fee will be issued and should arrive within the next couple of weeks.

Please feel free to contact this office if you have any further questions.

Sincerely,

A handwritten signature in black ink that reads "Dayna M. Ball". The signature is written in a cursive, flowing style.

Dayna M. Ball
Technical Reviewer
Water Allocations Section

Enclosures

RECEIVED

APR 23 2007

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Department of Water Resources
Eastern Region

MAY 02 2007

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

DEPARTMENT OF
WATER RESOURCES

1. Please list the 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
PD 34-297 B					

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)

Anaya Hixon
PO Box 161, Sun Valley ID 83353

4. New Owner/Claimant(s)

Robert or Kathleen Green
Name Connector (Check one): ☒ and, ☐ or, ☐ and/or

New Mailing Address

6256 Bartlett Point Rd

City, State and ZIP Code

MACKAY, ID, 83251

New Telephone Number

(208) 588 2083

5. Date you acquired the property

APRIL 1999

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	_____	_____

7. Signature of New Owner(s) or Claimant(s) Robert Green
(include title if applicable) Mathew Green

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 _____	Date _____	Fee <u>\$25 -</u>
Received by <u>JC</u>	Date <u>4-24-07</u>	Receipt No. <u>E032811</u>
Processed by _____	AJ Date _____	WR _____ Date _____

WARRANTY DEED

FOR VALUE RECEIVED

ANANYA HIXON, an unmarried woman

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

ROBERT GREEN and KATHLEEN M. GREEN, husband and wife

GRANTEE(s) whose address is: 29 KENDALL PARK, WALTHAM, MA 02451

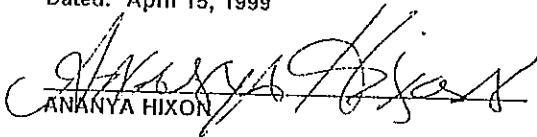
the following described real property in CUSTER County, Idaho, to wit:

SEE LEGAL DESCRIPTION ATTACHED HERETO AND MADE A PART HEREOF.

Subject To: Taxes, easements established or of record, restrictions and encumbrances of record, rights reserved in federal patents, state or railroad deeds, building or use restrictions, building and zoning regulations and ordinances of any governmental unit.

TO HAVE AND TO HOLD 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 they are free from all encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: April 15, 1999


ANANYA HIXON

State of New York

County of

Queens } ss.

On this 16 day of April, in the year 1999, before me, the undersigned, personally appeared ANANYA HIXON, 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.

WITNESS my hand and official seal.

Notary Public

Commission Expires:

FRANCES STAIANO
Notary Public, State of New York
No. 41-4753642
Qualified in Queens County
Commission Expires 12/31/99

EXHIBIT "A"

Attached to and made a part of the Warranty Deed from Ananya Hixon, Grantor, to Robert Green and Kathleen M. Green, Grantee

A FRACTION OF THE NE1/4SW1/4NW1/4, SECTION 15, T. 8 N., R. 21 E., BOISE MERIDIAN, CUSTER COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE W1/4 CORNER OF SAID SECTION 15, FROM WHICH THE WP BETWEEN SECTIONS 15 AND 16 BEARS N. 00 DEGREES 01' 30" W., 1345.95 FT., THE BASIS OF BEARING OF THIS DESCRIPTION, RUN THENCE N. 00 DEGREES 01' 30" W. ALONG THE WESTERLY BOUNDARY OF SECTION 15 A DISTANCE OF 1321.95 FT. TO THE NW CORNER OF THE SW1/4NW1/4 OF SAID SECTION 15;

THENCE N. 89 DEGREES 00' 52" E. ALONG THE NORTHERLY BOUNDARY OF SAID SW1/4NW1/4 A DISTANCE OF 669.39 FT. TO THE NW CORNER OF SAID NE1/4SW1/4NW1/4 AND THE POINT OF BEGINNING;

CONTINUE THENCE N. 89 DEGREES 00' 52" E. ALONG SAID NORTHERLY BOUNDARY A DISTANCE OF 445.72 FT.;

THENCE S. 00 DEGREES 34' 13" E. A DISTANCE OF 386.89 FT.;

THENCE N. 89 DEGREES 08' 07" E. A DISTANCE OF 225.04 FT. TO A POINT ON THE EASTERLY BOUNDARY OF SAID NE1/4SW1/4NW1/4;

THENCE S. 00 DEGREES 34' 13" E. ALONG SAID EASTERLY BOUNDARY A DISTANCE OF 272.52 FT. TO THE SE CORNER OF SAID NE1/4SW1/4NW1/4;

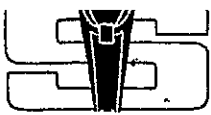
THENCE S. 88 DEGREES 58' 18" W. ALONG THE SOUTHERLY BOUNDARY OF SAID NE1/4SW1/4NW1/4 A DISTANCE OF 673.56 FT. TO THE SW CORNER OF SAID NE1/4SW1/4NW1/4;

THENCE N. 00 DEGREES 19' 39" W. ALONG THE WESTERLY BOUNDARY OF SAID NE1/4SW1/4NW1/4 A DISTANCE OF 660.43 FT. TO THE POINT OF BEGINNING.

ATT: DAYNA

From Robert + Kathleen Green

Rcvd 7/17/08



QUITCLAIM DEED

THIS INDENTURE, Made this **15th** day of **August**

in the year of our Lord two thousand

between

ROBERT GREEN and KATHLEEN GREEN, husband and wife

as Grantor and

KATHLEEN M. GREEN and ROBERT GREEN, wife and husband

as Grantee

whose current address is **6256 BARTLETT POINT ROAD, MACKAY, ID 83251**

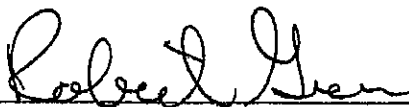
WITNESSETH That said Grantor for and in consideration in lawful money of the United States of America, in hand paid by the Grantee, the receipt whereof is hereby acknowledged, does by these premises remise, release and forever QUITCLAIM, unto the said Grantee and to its heirs and assigns all that certain lot, piece or parcel of land, situate, lying and being in, County of Blaine, State of Idaho, bounded and particularly described as follows, to-wit:

**SEE EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE
INCORPORATED HEREIN.**

TOGETHER With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD, All and singular the said premises, together with the appurtenances, unto the Grantee and to its heirs and assigns forever.

IN WITNESS WHEREOF, The said Grantor has hereunto set its hand and seal the day and year first above written.



ROBERT GREEN



KATHLEEN M. GREEN