



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

October 15, 2007

ARK PROPERTIES LLC
11204 N BAR 21 DR
GLENN'S FERRY ID 83623

Re: Notice of Change of Water Right Ownership for Water Right 37-13326

Dear Mr. Brackett:

Our letter of July 5, 2007, (copy enclosed) requesting a \$25 filing fee for the above referenced water right ownership change remains unanswered. Therefore, I am returning your Notice of Change in Water Right Ownership request. A copy of your ownership change request will be kept in our files for reference.

If, at a later date, you wish to reinstate this request, you may send the enclosed ownership change request form along with the required support data and filing fee and we will be happy to complete the request. Should you have any questions regarding this matter, please feel free to contact this office.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enclosures



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SOUTHERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
~~Interim~~ Director

July 5, 2007

ARK PROPERTIES LLC
11204 N BAR 21 DR
GLENN'S FERRY ID 83623

Re: Change in Water Right Ownership for Water Right 37-13326

Ladies and Gentlemen:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership. Our review of your notice indicates that additional information is required before we can process the change. The information required is indicated below:

 X **Filing Fee** of \$25 per water right

 Evidence of Water Right Ownership: copy of your Warranty Deed, Title Policy, Contract of Sale, or other legal document indicating your ownership of the property and/or water rights in question.

Effective July 1, 2000, the legislature enacted House Bill No. 545 requiring a filing fee for a change in water right ownership. The fee is \$25 per water right, except for ownership changes resulting in the division of a water right, which is \$100 per water right. All ownership change notices received after June 30, 2000 must include the appropriate filing fees in order to be processed.

Because the Department cannot process the ownership change without proper fee, we will hold any action on your notice pending receipt of the necessary fee. If we do not receive the necessary fee within 30 days, we will return your notice and all attachments and your notice will not be processed.

Please note that water right owners are required to report any change in water rights ownership and/or mailing address to the Department within 120 days of the change. Failing to report these changes could result in a \$100 late filing fee. Please feel free to contact this office if you have any questions.

Sincerely,

Trish Fawcett
Technical Records Specialist

RECEIVED

Form 42-200(42-1400) July, 2000

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

RECEIVED

JAN 22 2007

WATER RESOURCES
WESTERN REGION

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

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
37-13326					

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 or 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) JAMES W. & MARGARET BYCE
4. New Owner/Claimant(s) ARK PROPERTIES, LLC
Name Connector (Check one: ☐ and ☐ or ☐ and/or)
 New Mailing Address 11204 N Barst Dr
 City, State and ZIP Code Glenview Ferry, ID 83623
 New Telephone Number ()
5. Date you acquired the property 1-19-07

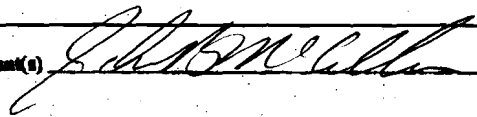
Form 42-20840-1 (07/96) July, 2006

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)
(include title if applicable)



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 _____
Receipted by _____	Date _____	Receipt No. _____
Processed by _____ AJ	Date _____	WR _____ Date _____

WARRANTY DEED

FOR VALUE RECEIVED

James W. Byce and Margaret Byce, husband and wife

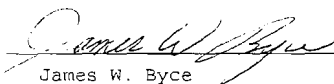
GRANTOR(S), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto
Aik Properties, LLC

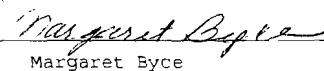
GRANTEE(S), whose current address is: 11204 N. Bar 21 Dr Glenss Ferry, Idaho 83623
the following described real property in Elmore County, State of Idaho,
more particularly described as follows, to wit:

(See Attached)

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantee(s) heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said Grantee(s), that Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever. , except those of record.

Dated: January 16, 2007

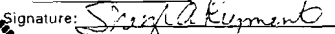

James W. Byce


Margaret Byce

STATE OF Idaho, County of Elmore, ss.

On this 19th day of January
in the year of 2007, before me, the undersigned, a Notary
Public in and for said State, personally appeared
James W. Byce, Margaret Byce

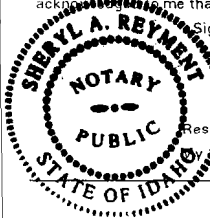
known or identified to me to be the person(s) whose name
are subscribed to the within instrument, and
acknowledged to me that they executed the same.

Signature: 

Name: SHERYL A REYMENT
(type or print)

Residing at: Mountain Home

Commission expires: 12-27-11



LEGAL DESCRIPTION

TRACT I:

Township 5 South, Range 11 East, Boise Meridian, Elmore County,
Idaho:

Section 26: SW1/4SE/4
Section 35: N1/2NE1/4, SW1/4NE1/4, SE1/4NW1/4, N1/2SE1/4,
NE1/4NW1/4, SE1/4NE1/4
Section 36: NW1/4NW1/4, EXCEPT the following:

A parcel of land lying in a portion of the NW1/4NW1/4 of said
Section 36, described as follows:

Beginning at a point in the North line of said Section 36, which
point is South 89°45' East 993.71 feet from the Northwest corner
of said Section 36; thence continuing
South 89°45' East 331.24 feet to the Northeast corner of the
NW1/4NW1/4 of said Section 36; thence
South 0°10'15" East 659.95 feet to a point; thence
North 89°45' West 331.25 feet to a point; thence
North 0°10'12" West 659.95 feet to the point of beginning.

AND

Excepting that portion conveyed to State of Idaho for highway
purposes by Deed recorded April 26, 1968, as Instrument No.
136300, records of Elmore County, Idaho.

TRACT II:

Township 5 South, Range 11 East, Boise Meridian, Elmore County,
Idaho

Section 36: N1/2NE1/4, NE1/4NW1/4, S1/2N1/2, S1/2,

Excepting that portion conveyed to State of Idaho for highway
purposes by Deed recorded April 25, 1968, as Instrument No.
136265, records of Elmore County, Idaho.



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