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

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JUN 29 2001

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

WATER RESOURCES
 WESTERN REGION

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, 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
	<u>A65-18365</u>	<u>NO</u>			
<u>65-7580</u>	<u>A65-7580</u>	<u>Yes</u>	<u>Processed at region</u>		

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Department of Water Resources

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) are 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)

Fred + Mary Charters
9825 Hwy 52 Horsehoe Bend

4. New Owner/Claimant(s)

Jack D. Harney
 Name Connector (Check one): ☐ and, ☒ or, ☐ and/or

New Mailing Address

9825 Hwy 52
Horsehoe Bend
HSB, Id, 83629

City, State and ZIP Code

New Telephone Number

() 365-1734

5. Date you acquired the property

Nov, 5, 1999

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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 <u>A65-7580</u>		
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	<u>.08 cfs / 14 afa</u>	<u>4 acres, SWSE</u>
Stock		<u>T7N 1E S15</u>
Domestic		
Other		
Total	<u>.08 cfs / 14 afa</u>	

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) Jack D. Harney
(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 <u>J. Masi</u>	Date <u>1.8.02</u>	Fee <u>\$25.00</u>
Received by <u>J. Masi</u>	Date <u>1.8.02</u>	Receipt No. <u>C069042</u>
Processed by <u>AJ</u>	Date _____	WR _____ Date _____

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PERSONAL REPRESENTATIVE'S DEED

THIS DEED, made by DONNA THORNTON, as personal representative of the estate of FRED T. CHARTERS, deceased, Grantor, to JACK D. HARNEY, a single person, as Grantee, whose address is 9825 Highway 52, Horseshoe Bend, Idaho 83629

WHEREAS, Grantor is the qualified personal representative of said estate, filed as Probate Number SP99-214 in Gem County, Idaho;

THEREFORE, for valuable consideration received, Grantor sells and conveys to Grantee all of Grantor's interest in the following described real property in Gem County, Idaho:

See Exhibit A which is attached hereto and incorporated herein by reference as if set out in full.

together with all appurtenances.

EXECUTED this 5th day of November 1999.

Donna Thornton Pers. Rep.
DONNA THORNTON,
Personal Representative of the Estate
of FRED T. CHARTERS, deceased

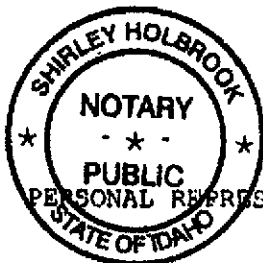
STATE OF IDAHO)

ss.

County of Gem)

On this 5th day of November, 1999, before me, the undersigned, a Notary for said State, personally appeared DONNA THORNTON, known to me to be the personal representative of the estate of FRED T. CHARTERS, deceased, and acknowledged to me that she executed the foregoing document as such personal representative.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Shirley Holbrook
Notary Public for Idaho
Residing at Emmett
My Commission Expires 4-19-2002

PERSONAL REPRESENTATIVE'S DEED - Page 1

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copy

That portion of Government Lots 1 and 2 of Section 15, Township 7 North, Range 1 East, B.M., Gem County, Idaho, described as follows:

COMMENCING at the Northeast corner of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 15, T. 7 N., R. 1 E., B.M., Gem County, Idaho; thence
South $00^{\circ}10'58''$ West, 1397.47 feet, along the East line of said NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ and the East line of Government Lot 1 of Section 15, T. 7 N., R. 1 E., B.M., to a point on the South right-of-way line of State Highway 52 marked by a found $\frac{5}{8}$ " iron pin; thence
South $89^{\circ}39'20''$ West, 1278.99 feet, along said South right-of-way line to the REAL POINT OF BEGINNING marked by a set $\frac{1}{4}$ " iron pin with plastic cap PLS 6552; thence
South $00^{\circ}10'23''$ East, 773.10 feet to a point on the North line of the Montour Valley Acquisition; thence
North $89^{\circ}32'23''$ West, 19.84 feet to a found 2" iron pipe with brass capped stamped "AP2" on the North line of the Montour Valley Acquisition; thence
South $79^{\circ}28'38''$ West, 258.67 feet, along said North line; thence
North $00^{\circ}10'23''$ West, 818.53 feet to a point on said South right-of-way line marked by a set $\frac{1}{4}$ " iron pin with plastic cap PLS 6552; thence
North $89^{\circ}39'20''$ East, 274.30 feet, along said South right-of-way line to the REAL POINT OF BEGINNING.

Jack Harnage
9825 Hwy 52
HBB, Id.

Fred T Charters

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IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 65-18365

NAME AND ADDRESS: FRED T CHARTERS
JEAN CHARTERS
RT 1
HORSESHOE BEND, ID 83629

SOURCE: GROUNDWATER

QUANTITY: 0.06 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 06/30/1978

POINT OF DIVERSION: T07N R01E S15 SWSE Within Gem County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic 1 HOME	01-01 TO 12-31	0.04 CFS
	Stockwater	01-01 TO 12-31	0.02 CFS

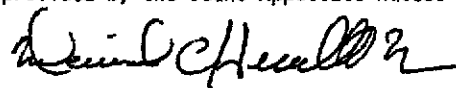
PLACE OF USE:	Stockwater		Within Gem County
	T07N R01E S15	SWSE	
	Domestic		Within Gem County
	T07N R01E S15	SWSE	

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



Daniel C. Hurlbutt, JR.
Presiding Judge
Snake River Basin Adjudication

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State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 8, 2002

JACK D HARNEY
9825 HWY 52
HORSESHOE BEND ID 83629

RE: Change of Ownership for Water Right 65-18365

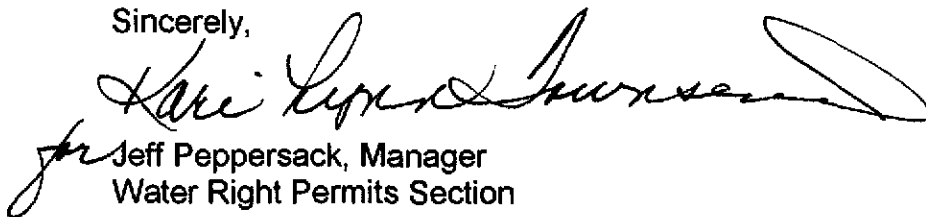
Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records. Also enclosed is a receipt for the \$25.00 filing fee.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

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

Sincerely,


Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosures

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State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 31, 2001

JACK D HARNEY
9825 HWY 52
HORSESHOE BEND ID 83629

RE: Change in Ownership of Decreed Water Right 65-18365

Dear Mr. Harney:

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:

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

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. We have determined that the filing fee for your notice will be **\$25.00**.

Because the Department cannot process the ownership change without proper fees, we will hold any action on your notice pending receipt of the necessary fees. If we do not receive the necessary fees 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 right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage (<http://www.idwr.state.id.us>) on the Internet to obtain the proper forms and instructions.

Please feel free to contact the Department if you have any questions.

Sincerely,

Kari Lynn Townsend
Secretary

KLT:k

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