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# NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

Please print or type

(see instructions on back of page)

MAY 19 1998

DATE OF CLOSING: 4-30-98

Department of Water Resources

LEGAL DESCRIPTION OF PROPERTY: Township 10 S Range 22 E  
 Section 24, 1/4 of NE 1/4 of NW 1/4, Govt. Lot \_\_\_\_\_, BM.  
 Lot \_\_\_\_\_, Block \_\_\_\_\_, Subdivision/Townsite \_\_\_\_\_  
 If you have additional legal descriptions, please attach separate sheet.

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s)  
Assigned by IDWR: A36-12293

☐ Name and Address of Former  
Owner/Claimant(s)(Seller): Sewel M. Nassziger

☐ New Owner/Claimant  
(Purchaser): David Bench + Tracy Mounce

☐ New Mailing Address: 807 W. 500 S.  
Heyburn, Idaho 83336

☐ New Telephone Number: ( ) \_\_\_\_\_ - \_\_\_\_\_

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes X no  
 If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☐ Attach proof of  
ownership, describe  
proof attached: \_\_\_\_\_

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New  
Owner/Claimant(s): David A Bench

Date 4-30-98

Tracy J Mounce

Date 4-30-98

☐ Signature of Former  
Owner/Claimant(s): Sewel M Nassziger

Date 4-30-98Date 4-30-98

(Signature of former claimant(s) is not required if proof of ownership is attached.)

## FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: \_\_\_\_\_ By: \_\_\_\_\_

Further Action Needed:

Further Action Taken

Date: \_\_\_\_\_ By: \_\_\_\_\_

Final Review and Data-Entry

Date: \_\_\_\_\_ By: \_\_\_\_\_

Claim Numbers of Split, if any:

RECORDED

MAY 22 2000

Original to be mailed to Idaho Department of Water Resources  
 Copies to Former Owner and New Owner

## **INSTRUCTIONS**

This form has been prepared to assist new owners of property to comply with the requirements of Section 42-1409(7), Idaho Code. This statute provides that new property owners notify the Department of Water Resources (IDWR) of any change in ownership of a water right during an adjudication of water rights, and if a claim for the water right has not been filed to file the needed claim(s).

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. If you would like any of these brochures or if you have questions about completing this form please contact your nearest office of IDWR or you may call 1-800-451-4129 (toll-free).

The first line of the form asks for the date of closing so IDWR will have a record of the effective date of the property transfer.

The second line of information requires the legal description of the property being transferred. This information is **ESSENTIAL** and should be available from the documents that will be present at the time of closing. The first two lines of the legal description **MUST** be completed. IDWR's records are based upon legal descriptions using township, range, section and fractions of a section descriptions, and this information must be included on the form. If you also have available a legal description based upon a townsite or subdivision and lot and block number, please also include this additional information. A lot and block legal description is **NOT** a substitute for the township, range, section and fraction of a section description.

After completing the legal description, if all water is supplied by a public service water supply you may check the first box; complete the name, address and telephone information for yourself, the new owner; sign the form in the space provided and return the form to the IDWR office nearest you.

If there are water rights associated with the property, the seller should be able to provide you with the water right number(s). The water right number(s) for the property are to be put in the space provided at the second box on the form. If you or the seller believe there are water rights for the property but the numbers are unknown, then you may wish to call or come into an office of IDWR for assistance in identifying the water rights for the property involved. If claims for the property have not been filed you will be so advised by IDWR.

After the water right number(s) for the property has been entered on the form, complete the name and address information for **BOTH** the former owner/seller and for yourself, the new owner, in the spaces provided. Please also include your telephone number. If the property you have purchased is only part of the property owned by the former owner/seller, you may be purchasing only part of the total water right held by the seller. This means the water right held by the seller must be split so you get your proportionate share of the water right. Be sure to include a description of the portion of the water right you have purchased. The seller should be able to help you describe the portion of the water right for the property you have purchased.

If the former owner/seller will sign the form and the seller is shown as the claimant of the water right in IDWR's records, then you do not need to attach proof of ownership of the land or the water right. The seller should know if the original claim was filed by him, or if the seller has filed a change in ownership so the seller is shown as the claimant of the water right in IDWR's records. If the seller is not going to sign the form then you must attach some proof of ownership of the property described at the top of the form or proof of ownership referencing the specific water right(s) for the property.

The new owner must sign the form in the space provided. If the former owner/seller is available to sign the form please do so in the space provided.

When complete, the new owner and the former owner/seller should each retain one of the copies and return the original of the form to IDWR. You may return the form to the IDWR office nearest you or to: Idaho Department of Water Resources, Statehouse Mail, Boise, ID 83720-9000, Attention: Adjudication Bureau.

IN RE THE GENERAL ADJUDICATION  
OF RIGHTS TO THE USE OF WATER FROM  
THE SNAKE RIVER BASIN WATER SYSTEM.

Ident. Number: **A36-12293**  
Date Received: 9/26/1989  
Receipt No: S009365  
Received By:

**COPY FOR  
YOUR FILES**

83336

Trib. to:

|                 |              |                |               |               |               |            |               |
|-----------------|--------------|----------------|---------------|---------------|---------------|------------|---------------|
| <b>Township</b> | <b>Range</b> | <b>Section</b> | <b>1/4 of</b> | <b>1/4 of</b> | <b>1/4 of</b> | <b>Lot</b> | <b>County</b> |
| 10S             | 22E          | 24             |               | NE            | NW            |            | MINIDOKA      |

| Purpose  | From  | To    | C.F.S | (or) | A.F.A. |
|----------|-------|-------|-------|------|--------|
| DOMESTIC | 01/01 | 12/31 | 0.040 |      |        |

**A.F.A.**

9. Non-irrigation uses:  
D/1

| Township | Range | Section | 1/4 of 1/4 | Lot | Use    | Acres |
|----------|-------|---------|------------|-----|--------|-------|
| 10S      | 22E   | 24      | NE NW      |     | DOMEST |       |

MICROFILMED

44 22 2001

04/24/88 FRI 13:10 FAX 801-600-0000

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:  
NONE

14. Remarks:  
OWNERSHIP CHANGE MADE 4/4/96 BY TLB.

15. Basis of Claim: BENEFICIAL USE

SCHEDULE C

TOWNSHIP 10 SOUTH, RANGE 22 EAST, BOISE MERIDIAN;  
MINIDOKA COUNTY, IDAHO

SECTION 24: A part of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ , more particularly described as follows:

Beginning North 89°32' West 286.0 feet from the Northeast corner of the  
NE $\frac{1}{4}$ NW $\frac{1}{4}$  of said Section 24;

Thence North 89°32' West for 200 feet;

Thence South 00°01' East for 275.0 feet;

Thence South 86°40'17" East for 200.33 feet;

Thence North 00°01' West for 285.0 feet to the POINT OF BEGINNING.

NOV 22 2000

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 36-12293

1996 NOV 26 AM 11:36

DISTRICT COURT - SRBA  
TWIN FALLS CO., IDAHO

NAME & ADDRESS: JEWEL N NAFFZIGER  
807 W 500 S  
HEYBURN ID 83336

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 09/15/1974

POINT OF DIVERSION: T10S R22E S24 NENW Within MINIDOKA County

|                               |                                   |                              |                      |
|-------------------------------|-----------------------------------|------------------------------|----------------------|
| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE<br>DOMESTIC 1 HOME | PERIOD OF USE<br>01-01 12-31 | QUANTITY<br>0.04 CFS |
|-------------------------------|-----------------------------------|------------------------------|----------------------|

PLACE OF USE: DOMESTIC Within MINIDOKA County  
T10S R22E S24 NENW

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.

DATED: NOV 26 1996



DANIEL C. HURLBUTT  
PRESIDING JUDGE  
Snake River Basin Adjudication

RULE 54(b) CERTIFICATE

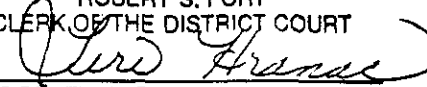
With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment 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.

State of Idaho

County of Twin Falls ss.

I hereby certify the foregoing to be a full,  
true and correct copy of the original on  
file in the above entitled action.

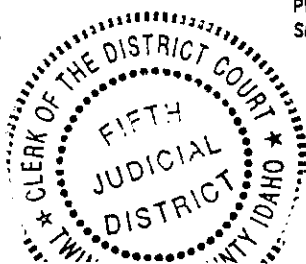
ROBERT S. FORT  
CLERK OF THE DISTRICT COURT

By   
DEPUTY CLERK  
PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)  
Water Right 36-12293

DATED: NOV 26 1996



DANIEL C. HURLBUTT  
PRESIDING JUDGE  
Snake River Basin Adjudication



MICROFILMED

MAY 22 1997  
MAY 22 2003



**State of Idaho**

**DEPARTMENT OF WATER RESOURCES**

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

Phone: (208) 327-7900 FAX: (208) 327-7866

July 6, 1999

DIRK KEMPTHORNE  
GOVERNOR

KARL J. DREHER  
DIRECTOR

TRACY MOUNCE  
DAVID BENCH  
807 W 500 S  
HEYBURN ID 83336

RE: Decreed Water Right 36-12293

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced decreed 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.

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 the department if you have questions.

Sincerely,

L. GLEN SAXTON, Chief  
Water Allocations Bureau

LGS:klt

Enclosure

RECEIVED

MAY 22 2000