

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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DEC 04 2024 DE
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WATER RESOURCES
WESTERN REGION

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NOV 25 2024
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WATER RESOURCES
WESTERN REGION

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, see #7 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
57-10095	Yes ☐	Yes ☐		Yes ☐	Yes ☐
2-7026	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: JAMES E. TAYLOR
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): ROBERT P. HERZ
New owner(s) as listed on the conveyance document

17430 BARNWOOD DR
Mailing address
719-232-1132
Telephone

PEYTON CO 80831
City State Zip
ROB911T36@GMAIL.COM
Email

4. If the water rights and/or adjudication claims were split, how did the division occur?
☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
5. Date you acquired the water rights and/or claims listed above: 7 NOV 24

6. Do you own the land identified as the water right place of use? Yes ☒ No ☐
 o If no, attach evidence that written notice of the change of water right ownership has been delivered to the landowner of record.

7. This form must be signed and submitted with the following **REQUIRED** items:
- ☒ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
- ☐ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
- ☒ Filing fee (see instructions for further explanation): \$50
- o \$25 per undivided water right.
- o \$100 per split water right.
- o No fee is required for pending adjudication claims.
- ☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
- ☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

8. Signature: [Signature] Title, if applicable: _____ Date: 18 Nov 24
 Signature of new owner/claimant
ROBERT P. HERZ
 Print name

Signature: _____ Title, if applicable: _____ Date: _____
 Signature of new owner/claimant

 Print name

For IDWR Office Use Only:

Received by MB Date 11/25/2024 Receipt No. W052274 Receipt Amt. \$50.00

Active in the Water Supply Bank? Yes ☐ No ☒ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☐

Name on W-9 _____ Approved by SA Processed by SA Date 12/05/2024

SUPPORT DATA
IN FILE # 2-7026

This instrument was prepared by:
Teresa Gail Herz
17430 Barnwood Dr.
Peyton, CO 80831

After recording, mail document
and tax statements to:

Robert Preston Herz
17430 Barnwood Dr.
Peyton, CO 80831
Parcel #1 RP01S02W289990 Parcel #2 RP01S02W276300

Instrument # 318914

MURPHY, OWYHEE, IDAHO

11-8-2024 11:30:08 AM No. of Pages: 4

Recorded for: ROBERT P HERZ

ANGELA BARKELL

Ex-Officio Recorder Deputy

Index to: DEED, QUIT-CLAIM

Fee: 15.00

QUITCLAIM DEED

This Quitclaim Deed (the "Deed") is made effective this 07 day of November, 2024 (the "Effective Date") between James Eugene Taylor (the "Grantor") whose mailing address is 17079 State Hwy 78, Malba, ID 83641, and Robert Preston Herz (the "Grantee") whose mailing address is 17430 Barnwood Dr., Peyton, CO 80831.

WITNESSETH, that the Grantor, for and in consideration of the sum of **ZERO** (United States Dollars) and other good and valuable consideration, to it in hand paid by Grantee, the receipt whereof is hereby acknowledged, does hereby quitclaim, convey and release unto Grantee all interest Grantor has, if any, in the real property (the "Property") located in an unincorporated area in Owyhee County, Idaho, and more particularly described as follows:

EXECUTED this 11/07/2024.


Grantor Signature

James Eugene Taylor
Grantor Name


Grantee Signature

Robert Preston Herz
Grantee Name

Scotex, to me known to be the person(s) described in and who executed the within instrument, and acknowledged that they signed the same as their voluntary act and deed, for the uses and purposes therein mentioned.

Witness my hand and official seal hereto affixed on November 06, 2024.

07 (CS)

Cathy Sparks
Signature

(CS) James Allen Cathy Sparks
Notary Public

My Commission Expires: ~~11/06/2024~~ July 18, 2030
11-7-2030
(CS)

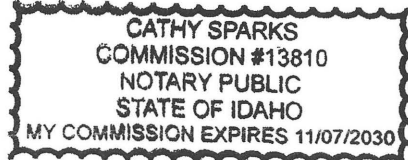


EXHIBIT A

Parcel 1:

That part of Government Lot 5 of Section 27, Township 1 South, Range 2 West, Boise Meridian, Owyhee County, Idaho, which lies South and West of State Highway No. 78 (formerly Highway No. 45), as now constructed.

Parcel 2:

That part of Government Lot 8 of Section 28, Township 1 South, Range 2 West, Boise Meridian, Owyhee County, Idaho, described as follows:

BEGINNING at the Southeast corner of said Government Lot 8, Section 28, Township 1 South, Range 2 West, Boise Meridian, Owyhee County, Idaho; thence

North approximately 397.5 feet to the South boundary line of State Highway No. 78 (formerly Highway 45), as now constructed; thence in a

Northwesterly direction along the Southern boundary of said State Highway right of way, approximately 300 feet; thence due

South to the South boundary line of Government Lot 8 aforesaid; thence due

East on the Southern boundary line of Government Lot 8 to the POINT OF BEGINNING.

Jamae Engen Taylor

State of IDAHO

Rev. 134D95B

PLEASE USE THE SPACE BELOW FOR THE COUNTY RECORDER'S OFFICE

RECEIVED

DEC 04 2024

WATER RESOURCES
WESTERN REGION

RECEIVED

Dec 04, 2024

DEPARTMENT OF
WATER RESOURCES

RECEIVED

DEC 04 2024

WATER RESOURCES
WESTERN REGION

This instrument was prepared by:
Teresa Gail Herz
17430 Barnwood Dr.
Peyton, CO 80831

Instrument # 318914

MURPHY, OWYHEE, IDAHO
11-8-2024 11:30:08 AM No. of Pages: 4
Recorded for: ROBERT P HERZ
ANGELA BARKELL Fee: 15.00
Ex-Officio Recorder Deputy *Angela Barkell*
Index to: DEED, QUIT-CLAIM

After recording, mail document
and tax statements to:

Robert Preston Herz
17430 Barnwood Dr.
Peyton, CO 80831
Parcel #1 RP01S02W289990 Parcel #2 RP01S02W276300

QUITCLAIM DEED

This Quitclaim Deed (the "Deed") is made effective this 07 day of November, 2024 (the "Effective Date") between James Eugene Taylor (the "Grantor") whose mailing address is 17079 State Hwy 78, Malba, ID 83641, and Robert Preston Herz (the "Grantee") whose mailing address is 17430 Barnwood Dr., Peyton, CO 80831.

WITNESSETH, that the Grantor, for and in consideration of the sum of **ZERO** (United States Dollars) and other good and valuable consideration, to it in hand paid by Grantee, the receipt whereof is hereby acknowledged, does hereby quitclaim, convey and release unto Grantee all interest Grantor has, if any, in the real property (the "Property") located in an unincorporated area in Owyhee County, Idaho, and more particularly described as follows:

Quitclaim Deed (Rev. 134D95B)

1 / 3

STATE OF IDAHO } ss
County of Owyhee }

I hereby certify that the foregoing
instrument is a true and correct copy of the
original as it appears

318914
Record of Owyhee County

Dated: November 18th 2024

Angela Barkell, Deputy
Title

Parcel #1 PRP01S02W289990 Physical Address: 17079 State Hwy 78, Malibu, Id 83641 Legal Description: TAX 1 28 19 2W Acres: 2.500000 Parcel #2 RP01S02W278300 Physical Address: 17079 STATE HWY 78, GUFFY, ID, 83641 Legal Description: LOT 5 LYING S OF HWY 27 19 2W Acres: 4.000000

The Property is the homestead of the Grantor.

See Exhibit A

TO HAVE AND TO HOLD unto said Grantee, its successors and assigns, forever.

Grantor declares that the transfer is exempt from any documentary transfer taxes.

EXECUTED this 11/07/2024.



Grantor Signature

James Eugene Taylor

Grantor Name



Grantee Signature

Robert Preston Herz

Grantee Name

ACKNOWLEDGEMENT OF NOTARY PUBLIC

STATE OF Idaho

COUNTY OF Canyon

On this day, personally appeared before me by means of physical presence, the Grantor, ~~and the~~
~~Grantor~~ to me known to be the person(s) described in and who executed the within instrument, and
acknowledged that they signed the same as their voluntary act and deed, for the uses and purposes
therein mentioned.

Witness my hand and official seal hereto affixed on November 07, 2024.

Cathy Sparks
Signature

James Allen Cathy Sparks
Notary Public

My Commission Expires: ~~11/07/2024~~ July 18, 2030
11-7-2030

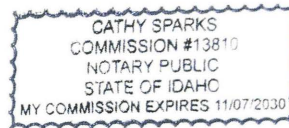


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Northwesterly direction along the Southern boundary of said State Highway right of way, approximately 300 feet; thence due
South to the South boundary line of Government Lot 8 aforesaid; thence due
East on the Southern boundary line of Government Lot 8 to the POINT OF BEGINNING.

Samuel Engen Taylor



IDAHO DEPARTMENT OF
WATER RESOURCES

Western Region • 2735 W Airport Way • Boise, ID 83705-5082

Phone: 208-334-2190 • Fax: 208-334-2348 • Email: westerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

December 05, 2024

ROBERT P HERZ
17430 BARNWOOD DR
PEYTON CO 80831-7142

Re: Change in Ownership for Water Right No(s): 57-10095, 2-7026

Dear Water Right Holder:

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records and has enclosed a computer-generated report for you.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Idaho Code §§ 42-222 and 42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department, or from the Department's website, idwr.idaho.gov.

If you have any questions concerning the enclosed information, please contact me at 208-605-4631.

Sincerely,

Susy Hobson
Technical Records Specialist 1

Enclosure(s)

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

12/5/2024

Water Right 57-10095

Owner Type **Name and Address**
Current Owner ROBERT P HERZ
17430 BARNWOOD DR
PEYTON, CO 80831-7142
(719) 232-1132

Previous Owner JAMES E TAYLOR
HC 79 BOX 37
MELBA, ID 83641
(208) 495-2806

Previous Owner MERRY TAYLOR
HC 79 BOX 37
MELBA, ID 83641
(208) 495-2806

Priority Date: 7/1/1965

Basis: Decreed

Status: Active

Source
GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DOMESTIC	1/01	12/31	0.040 CFS	
	<u>Total Diversion</u>		0.040 CFS	

Source and Point(s) of Diversion:

GROUND WATER L5(SESESE) Sec. 28, Twp 01S, Rge 02W, OWYHEE County

Place Of Use:

DOMESTIC within OWYHEE County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	02W	28																X L5	

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

12/5/2024

Conditions of Approval:

1. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. PARCEL NO. RP0083700

Dates and Other Information:

Decreed Date: 12/3/1996
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: AND
Water District Number: NWD
Mitigation Plan: False

Combined Use Limits:

N/A

SubCase:

N/A

Water Supply Bank:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

12/5/2024

Water Right 2-7026

Owner Type **Name and Address**
Current Owner ROBERT P HERZ
 17430 BARNWOOD DR
 PEYTON, CO 80831-7142
 (719) 232-1132

Previous Owner JAMES E TAYLOR
 HC 79 BOX 37
 MELBA, ID 83641
 (208) 495-2806

Previous Owner MERRY TAYLOR
 HC 79 BOX 37
 MELBA, ID 83641
 (208) 495-2806

Priority Date: 2/13/1969

Basis: Decreed

Status: Active

Source
SNAKE RIVER

Tributary
COLUMBIA RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	11/01	0.240 CFS	30.0 AF
	<u>Total Diversion</u>		0.240 CFS	30.0 AF

Source and Point(s) of Diversion:

SNAKE RIVER L5(SWSW) Sec. 27, Twp 01S, Rge 02W, OWYHEE County

Place Of Use:

IRRIGATION within OWYHEE County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	02W	27											5.0 L5						5.0
01S	02W	28																1.0 L1	1.0

POU Total Acres: 6.0

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

12/5/2024

Conditions of Approval:

- | | | |
|----|-----|---|
| 1. | C18 | This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code. |
| 2. | S39 | The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after November 1 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right. |

Dates and Other Information:

Decreed Date: 6/15/2009
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: AND
Water District Number: NWD
Mitigation Plan: False

Combined Use Limits:

N/A

SubCase:

N/A

Water Supply Bank:

N/A

Hobson, Susy

From: robvmax@msn.com
Sent: Wednesday, December 4, 2024 9:55 AM
To: IDWR File
Subject: Hi Susy, here are all pages in pdf format for water rights # 2-7026 and 57-10095. Thank you, Dr. Robert Herz, 719-232-1132 cell. Adobe Scan Dec 04, 2024 (2).pdf

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Adobe Scan Dec 04, 2024 (2).pdf: <https://acrobat.adobe.com/id/urn:aaid:sc:VA6C2:58b41535-fe44-49a7-86dc-ae1a5f7af22a>

Created and shared using Adobe Scan.



IDAHO DEPARTMENT OF
WATER RESOURCES

Western Region • 2735 W Airport Way • Boise, ID 83705-5082

Phone: 208-334-2190 • Fax: 208-334-2348 • Email: westerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

November 26, 2024

ROBERT P HERZ
17430 BARNWOOD DR
PEYTON CO 80831-7142

RE: Change in Ownership Water Right Nos: 2-7026, 57-10095

Dear Interested Parties:

The Department of Water Resources (Department) acknowledges receipt of your Notice of Change in Water Right Ownership (Notice).

Our review of your Notice indicates that additional information is required before the Department can process the change. The information required is indicated below:

- Copy of the entire Quit Claim Deed, Deed, Title Policy, Contract of Sale, or other legal document indicating your ownership of the property and/or water rights in question. The Quit Claim Deed you supplied has truncated pages.

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

Also, please note that water right holders are required to report any change of ownership and/or mailing address to the Department within 120 days of the change. Forms to update ownership or update your address are available from any office of the Department or on the Department's website.

If you have any questions regarding this matter, please contact me at 208-605-4631.

Sincerely,

Susy Hobson
Technical Records Specialist 1

Enclosure(s)