

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

FEB 02 2023

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

DEPT OF WATER RESOURCES
SOUTHERN REGION

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?
36-16229	Yes ☐	Yes ☐		Yes ☐	Yes ☐
36-16234	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: MARILYN HOLYOAK
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): JOANN KELLEY AND DONALD WHALEN
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or

233 COURT ST.
Mailing address
(775) 340-3305
Telephone

ELKO NV 89801
City State Zip
hdspr88321200@ya.hoo.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: 6-21-2019
6. Do you own the land identified as the water right place of use? Yes ☒ No ☐
☐ 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):
 - ☐ \$25 per *undivided* water right.
 - ☐ \$100 per *split* water right.
 - ☐ 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.

SUPPORT DATA

IN FILE # 36-16229

8. Signature: Joann Kelley Title, if applicable: _____ Date: 1-26-2023
 Signature of new owner/claimant
Joann Kelley
 Print name
- Signature: Donald Whalen Title, if applicable: _____ Date: 1/26/23
 Signature of new owner/claimant
DONALD WHALEN
 Print name

Received by: SG Date: 2/2/2023 For IDWR Office Use Only: Receipt No. 5039647 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: _____ Processed by: TW Date: 3/3/2023

SCANNED

MAY 01 2023

ELECTRONICALLY RECORDED
STAMPED FIRST PAGE NOW
INCORPORATED AS PART OF
THE ORIGINAL DOCUMENT.

Instrument # 265293
GOODING COUNTY, GOODING, IDAHO
06-24-2019 16:07:15 No. of Pages: 3
Recorded for: TITLEONE - JEROME
DENISE GILL Fee: \$15.00
Ex-Officio Recorder Deputy: JM
Electronically Recorded by Simplifile

Order Number: 19335906

Warranty Deed

For value received,

Marilyn Holyoak, a single woman

the grantor, does hereby grant, bargain, sell, and convey unto

Jo Ann Kelley and Donald Whalen, wife and husband, as community property with right of survivorship

whose current address is 233 Court St Elko, NV 89801

the grantee, the following described premises, in Gooding County, Idaho, to wit:

Lot 1 in Block 1 of the Vineyards Subdivision being a portion of Lots 3 and 4 and part of Parcel C of Robert L. Justice Ranch, Gooding County, Idaho, as the same is platted in the official plat thereof, now of record in the office of the Recorder of said County.

To have and to hold the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK

SCANNED
MAY 01 2023

Dated: June 18, 2019

Marilyn Holyoak 6/21/19
Marilyn Holyoak

State of _____, County of _____, ss.

On this _____ day of June in the year of 2019, before me, the undersigned, a Notary Public in and for said State, personally appeared Marilyn Holyoak, 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.

Notary Public
Residing In:
My Commission Expires:
(seal)

California Notarial
LOOSE CERTIFICATE ATTACHED

All-Purpose Acknowledgement

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

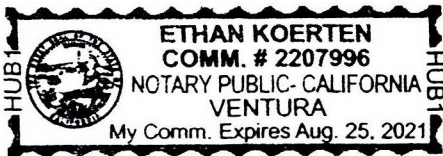
State of California

County of Ventura)

On JUNE 21st 2019 before me, Ethan Koerten, Notary Public personally appeared
(insert name and title of the officer)

MARILYN HOLYOAK,
who proved to me on the basis of satisfactory evidence 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 in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.



WITNESS my hand and official seal,

[Signature]
(SEAL) SIGNATURE

OPTIONAL INFORMATION

The acknowledgment contained within this document is in accordance with California law. Any certificate of acknowledgment performed within the State of California shall use the preceding wording pursuant to Civil Code section 1189. An acknowledgment cannot be affixed to a document sent by mail or otherwise delivered to a notary public, including electronic means, whereby the signer did not personally appear before the notary public, even if the signer is known by the notary public. In addition, the correct notarial wording can only be signed and sealed by a notary public. The seal and signature cannot be affixed to a document without the correct notarial wording.

THE INFORMATION BELOW IS OPTIONAL. HOWEVER, IT MAY PROVE VALUABLE AND COULD PREVENT FRAUDULENT ATTACHMENT OF THIS FORM TO AN UNAUTHORIZED DOCUMENT.

CAPACITY CLAIMED BY THE SIGNER

- ☐ INDIVIDUAL
- ☐ CORPORATE OFFICER
- ☐ PARTNER (S)
- ☐ ATTORNEY-IN-FACT
- ☐ TRUSTEE
- ☐ OTHER _____

DESCRIPTION OF ATTACHED DOCUMENT

WARRANTY DEED
TITLE OR TYPE OF DOCUMENT

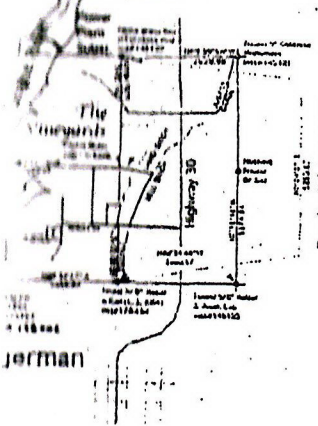
3
NUMBER PAGES (INCLUDING ACKNOWLEDGMENT)

6-21-2019
DATE OF DOCUMENT

SCANNED

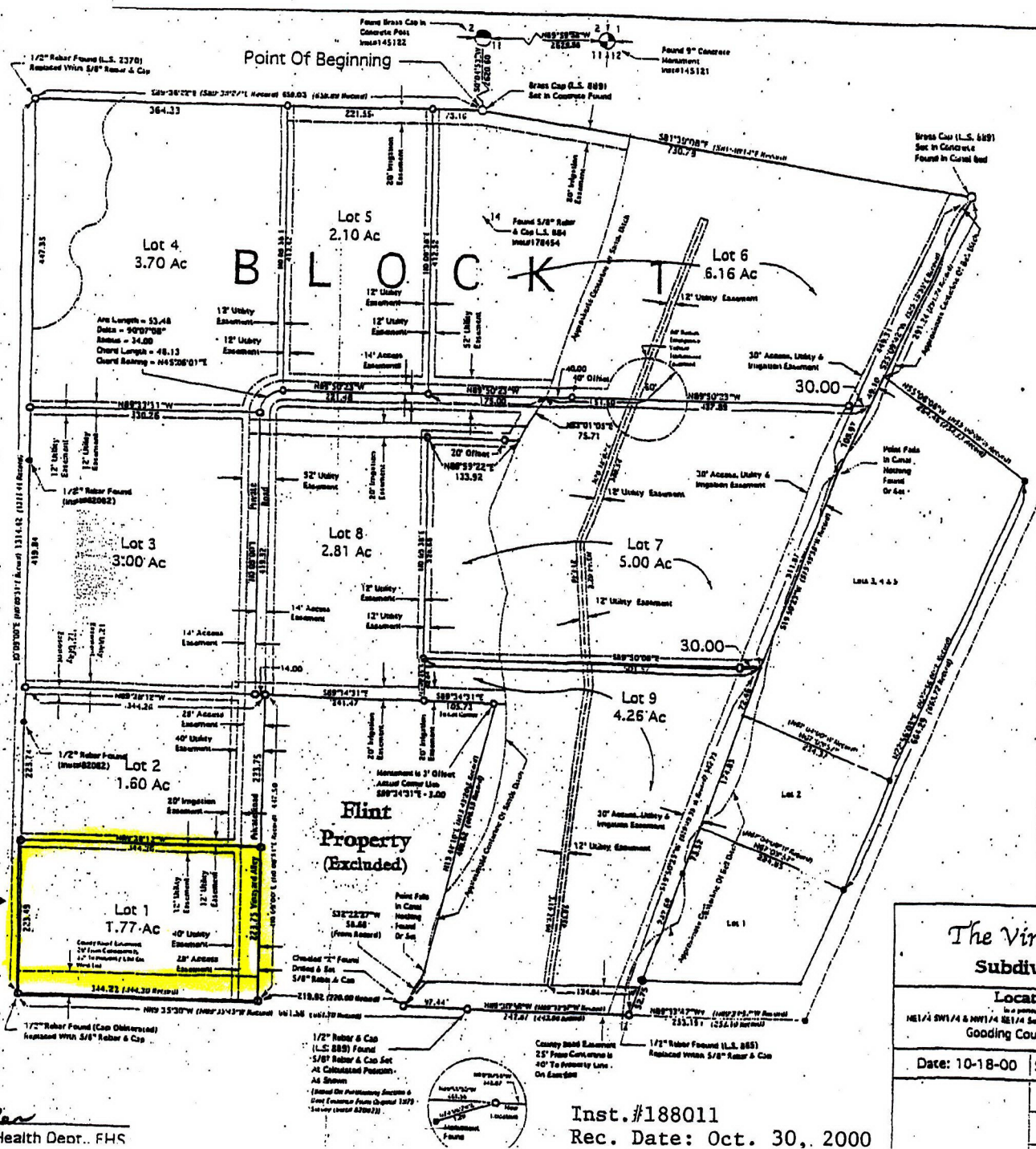
MAY 01 2023

Project Vicinity
T7S R13E Section 11



LEGEND

- Section Corner
- Quarter Corner
- 5/8" Rebar & Cap Set
- Brass Cap In Concrete Found
- 1/2" Rebar Found
- 5/8" Rebar Found
- Nothing Found Or Set
- Subdivision Boundary Line
- Subdivision Lot Line
- Easement Line
- Ditch



Steelhead Engineering

(208) 324-1083
152 E. Main St. Jerome, Idaho 83338

Restrictions as required by Idaho Code 0, Chapter 13, have been satisfied. Sanitary rations may be reimposed, in accordance with Code Title 50, Chapter 13, Section 50-1326, issuance of a certificate of disapproval.

10-20-00

South Central District Health Dept., FHS

Inst. #188011
Rec. Date: Oct. 30, 2000

The Vineyards Subdivision	
Location To a portion of NE1/4 SW1/4 & NW1/4 NE1/4 Section 11, T. 7 S., R. 13 E., S. 13 E., Gooding County, Idaho	
Date: 10-18-00	Scale: 1" = 100'-0"
Drawn by: JLM Drawing File: The Vineyards-10-18-00	

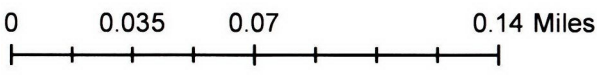
State of Idaho
Department of Water Resources
Water Right License
36-16234
Marilyn Holyoak

13E

S20



-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters
-  Taxlots





IDAHO DEPARTMENT OF
WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858

Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

March 03, 2023

JO ANN KELLEY
DONALD WHALEN
233 COURT ST
ELKO NV 89801-3155

Re: Change in Ownership for Water Right No(s): 36-16229 and 36-16234

Dear Water Right Holder(s):

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.

If you have any questions concerning the enclosed information, please contact me at (208) 293-9912.

Sincerely,

Tyler Wallace
Engineer Intern

Enclosure(s)

CC:
WATER DISTRICT 36A