



322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098
Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

October 24, 2023

MICHAEL L BARRETT
2983 S GOSHEN WAY
BOISE ID 83709-8544

RE: Change in Ownership Water Right No(s): 75-2130

Dear Interested Parties:

The Idaho Department of Water Resources (Department) received a Notice of Change in Water Right Ownership (Notice) from you on April 14, 2023 for the above referenced water rights. The Notice could not be processed because a post-decree conveyance document is needed to update the ownership of the water right.

On August 4, 2023, the Department requested the required information from you. As of the date of this letter, the Department has not received the required information.

The Department is returning your Notice of Change in Water Right Ownership and the attachments. A refund of \$25 has been requested and will be mailed to you under separate cover from the Idaho State Controller's Office. You may re-submit your request with the appropriate documents and fees.

If you have any questions regarding this matter, please contact me at (208) 287-4942.

Sincerely,

Jean Hersley
Technical Records Specialist 2

Enclosure(s)

RETURNEDSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESRECEIVED
APR 4 2023
DEPARTMENT OF
WATER RESOURCES**NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

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?
75-2130	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
75-10726	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: MELVIN BARRETT
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): MICHAEL BARRETT AND/OR BEVERLY BARRETT
New owner(s) as listed on the conveyance document
- Name connector ☒ and ☒ or
- 2983 S. GOSHEN WAY
Mailing address
208-869-6107
Telephone
- BOISE
City
ID
State
83709
Zip
- MIKE BARRETT 1964@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: MARCH 3, 1988
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):
- 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: Michael Barrett
Signature of new owner/claimant

MICHAEL BARRETT
Print name

Title, if applicable

Date 14 APR 2023

Signature: _____
Signature of new owner/claimant

_____ Title, if applicable

_____ Date

_____ Print name

Received by KU Date 4.14.23 For IDWR Office Use Only: Receipt No. C115885 Receipt Amt. 25.00

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 _____ Date _____

RETURNED

Instrument # 33022 # pages: 3
LEMMING COUNTY, Idaho
Sep 04 2023 10:18:55 am Fee: \$ 11.00
For: SLAVIN LAW OFFICE
BRENDA ARMSTRONG, Recorder
CMORSE, Deputy

Quitclaim Deed

For Value Received

MICHAEL L. BARRETT, a married man

does hereby convey, release, remise and forever quitclaim unto:

MICHAEL L. BARRETT and BEVERLY J. BARRETT,
Husband and Wife, as Joint Tenants with Right of Survivorship

whose current address is: 2983 S. Goshen Way
Boise, Idaho 83709

the following described premises, to-wit:

SEE EXHIBIT "A," ATTACHED HERETO AND MADE A PART HEREOF

Also together with water right number 75-2130, and including any and all water and water rights,
ditch and ditch rights appurtenant thereto.

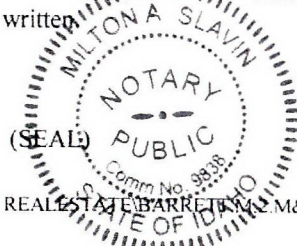
Dated: this 31ST day of AUGUST 2023.

Michael L. Barrett
MICHAEL L. BARRETT

STATE OF IDAHO)
: ss.
County of Lemhi)

On this 31ST day of August 2023, before me a Notary Public in and for Said State,
personally appeared MICHAEL L. BARRETT, known to me to be the person whose name is subscribed to the within
instrument, and acknowledged to me that he executed the same.

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



Milton A. Slavin
Notary Public for State of Idaho
Residing at SALMON ID
My Commission Expires: 11/14/23

RETURNED

That part of Lot Number 6 of Section 6, Township 21, north of Range 22 East of the Boise Meridian, described as follows, to wit:

Commencing at the $W\frac{1}{4}$ Corner of Section 6, Township 21 North, Range 22, East of the Boise Meridian; thence North $89^{\circ} 20'$ East 1220.4 feet thence South $0^{\circ} 04'$ East 30 feet to the place of beginning; thence South $0^{\circ} 40'$ East 511 feet; thence North $85^{\circ} 31'$ West 200.8 feet; thence North $0^{\circ} 40'$ West 493 feet; thence North $89^{\circ} 20'$ East 200 feet to the place of beginning. EXCEPTING AND RESERVING That part of said Lot 6 of Section 6, Township 21 North of Range 22 East of the Boise Meridian, described as follows, to wit: Commencing at the West Quarter Corner of Section 6 Township 21 North of Range 22 East of the Boise Meridian; thence North $89^{\circ} 20'$ East 1220 feet; thence South $0^{\circ} 40'$ East 30 feet to the place of beginning; thence South $0^{\circ} 40'$ East 125 feet; thence South $89^{\circ} 20'$ West 125 feet; thence North $0^{\circ} 40'$ West 125 feet; thence North $89^{\circ} 20'$ East 125 feet to the place of beginning.

A part of the Southwest Quarter of Section 6 Township 21 North of Range 22 East of the Boise Meridian, described as follows: From the West corner of said Section 6, Township 21 North of Range 22 East of the Boise Meridian, run North $89^{\circ} 20'$ East, along the center line of said Section 1220.4 feet to the place of beginning; thence continuing North $89^{\circ} 20'$ East 50 feet to the Northwest Corner of the Tingley Addition; thence South $40'$ East along the West line of the said Tingley Addition, 410 feet; thence South $89^{\circ} 20'$ West 50 feet; thence North $40'$ West 410 feet to the place of beginning. EXCEPTING AND RESERVING that part of the Southwest Quarter of Section 6, Township 21 North of Range 22 East of the Boise Meridian, described as follows:

From the West Quarter Corner of said Section 6, Township 21 North of Range 22 East of the Boise Meridian, run North $89^{\circ} 20'$ East, along the center line of said Section 1220.4 feet to the place of beginning; thence continuing North $89^{\circ} 20'$ East 50 feet to the Northwest Corner of the Tingley Addition; thence South $0^{\circ} 40'$ East along the West line of said Tingley Addition 155 feet; thence South $89^{\circ} 20'$ West 50 feet; thence North $0^{\circ} 40'$ West 155 feet to the place of beginning.

Being a part of the tract of land conveyed by Francis M. Tingley and Lula C. Tingley to Brown, Rand, Monk and McPherson, and described in Book S of Deeds, page 444, records of Lemhi County, Idaho.

Together with all improvements located thereon or used in connection therewith.

Including all water rights, including water right number 75-2130, ditch and ditch rights appurtenant thereto.

RETURNED

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PROPERTY:

A tract of land lying and being in Lot 6 and in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 6, T. 21 N., R. 22 E., Boise Meridian, more particularly described as follows, to wit:

Commencing at the Westerly quarter corner of said Section 6, in Township North 89°20' E. along the Northerly boundary of Lot 6 and the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 6 a distance of 1270.4 feet to a point on the Westerly side of West Fifth Street, in the City of Salmon, Idaho; thence S. 0°40' E. along the Westerly side of West Fifth Street a distance of 155.0 feet to the point of beginning, and the Northeasterly corner of the tract of land herein described; continuing thence S. 0°40' E. 100.0 feet; thence S. 89°20' West 150.0 feet thence N. 0°40' West 100.0 feet; thence N. 89°20' E. 150.0 feet to the point of beginning

ALSO EXCEPTING THE FOLLOWING:

A tract of land lying and being in Lot 6, Section 6, in Township 21 North, Range 22 East, Boise Meridian, within the Corporate Limits of the City of Salmon, Idaho more particularly described as follows, to wit:

Commencing at the West quarter corner of said Section 6, run thence N. 89°20' E. 1095.4 feet; thence S. 0°40' E. 30.0 feet to a point on the South line of Fulton Street and the point of beginning; continuing thence S. 0°40' E. 125.0 feet; thence S. 89°20' W. 75.0 feet; thence N. 0°40' W. 125.0 feet; thence N. 89°20' E. 75.0 feet to the point of beginning. Containing 0.22 acres.

RETURNED

THIS INDENTURE, Made this 8th day of March
in the year of our Lord one thousand nine hundred and Eighty Eight

between MELVIN W. BARRETT and YVONNE F. BARRETT, husband and wife,
of Box 12 Salmon County of Lemhi

State of Idaho the parties of the first part, and

MICHAEL L. BARRETT, as his sole and separate property
of 201 W. Fifth Street, Salmon County of Lemhi

State of Idaho the part Y of the second part,

WITNESSETH, That the said part of the first part, for and in consideration of the sum of

ONE DOLLAR AND OTHER VALUABLE CONSIDERATIONS DOLLARS,

of the United States of America, to them in hand paid by the
said part Y of the second part, the receipt whereof is hereby acknowledged, have granted, bargained

and sold, and by these presents do grant, bargain, sell, convey and confirm unto the said part Y

of the second part, and to his heirs and assigns forever, all the following described real estate,

situated in Salmon County of Lemhi

State of Idaho, to wit:

That part of Lot Number 6 of Section 6, Township 21, north of
Range 22 East of the Boise Meridian, described as follows, to wit:

Commencing at the W $\frac{1}{4}$ Corner of Section 6, Township 21 North,
Range 22, East of the Boise Meridian; thence North 89° 20' East
1220.4 feet thence South 0°04' East 30 feet to the place of
beginning; thence South 0°40' East 511 feet; thence North 85°31' West
200.8 feet; thence North 0°40' West 493 feet; thence North 89°20'
East 200 feet to the place of beginning. EXCEPTING AND RESERVING
That part of said Lot 6 of Section 6, Township 21 North of Range
22 East of the Boise Meridian, described as follows, to wit:
Commencing at the West Quarter Corner of Section 6 Township 21
North of Range 22 East of the Boise Meridian; thence North 89°20'
East 1220 feet; thence South 0°40' East 30 feet to the place of
beginning; thence South 0°40' East 125 feet; thence South 89°20' West
125 feet; thence North 0°40' West 125 feet; thence North 89°20' East
125 feet to the place of beginning.

A part of the Southwest Quarter of Section 6 Township 21 North of
Range 22 East of the Boise Meridian, described as follows: From
the West corner of said Section 6, Township 21 North of Range 22
East of the Boise Meridian, run North 89°20' East, along the center
line of said Section 1220.4 feet to the place of beginning;
thence continuing North 89°20' East 50 feet to the Northwest Corner
of the Tingley Addition; thence South 40' East along the West line
of the said Tingley Addition, 410 feet; thence South 89°20' West
50 feet; thence North 40' West 410 feet to the place of beginning.
EXCEPTING AND RESERVING that part of the Southwest Quarter of Section
6, Township 21 North of Range 22 East of the Boise Meridian, described
as follows:

From the West Quarter Corner of said Section 6, Township 21 North
of Range 22 East of the Boise Meridian, run North 89°20' East, along
the center line of said Section 1220.4 feet to the place of beginning;
thence continuing North 89°20' East 50 feet to the Northwest Corner
of the Tingley Addition; thence South 0°40' East along the West line
of said Tingley Addition 155 feet; thence South 89°20' West 50
feet; thence North 0°40' West 155 feet to the place of beginning.

Being a part of tract of land conveyed by Francis M. Tingley
and Lula C. Tingley to John, Rand, Monk and McPherson, and described
in Book 5 of Deeds, p. 444, records of Lemhi County, Idaho.

Together with all improvements located thereon or used in
connection therewith.

RETURNED

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PROPERTY:

A tract of land lying and being in Lot 6 and in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 6, T. 21 N., R. 22 E., Boise Meridian, more particularly described as follows, to wit:

Commencing at the Westerly quarter corner of said Section 6, in Township North 89°20' E. along the Northerly boundary of Lot 6 and the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 6 a distance of 1270.4 feet to a point on the Westerly side of West Fifth Street, in the City of Salmon, Idaho; thence S. 0°40' E. along the Westerly side of West Fifth Street a distance of 155.0 feet to the point of beginning, and the Northeasterly corner of the tract of land herein described; continuing thence S. 0°40' E. 100.0 feet; thence S. 89°20' West 150.0 feet thence N. 0°40' West 100.0 feet; thence N. 89°20' E. 150.0 feet to the point of beginning

ALSO EXCEPTING THE FOLLOWING:

A tract of land lying and being in Lot 6, Section 6, in Township 21 North, Range 22 East, Boise Meridian, within the Corporate Limits of the City of Salmon, Idaho more particularly described as follows, to wit:

Commencing at the West quarter corner of said Section 6, run thence N. 89°20' E. 1095.4 feet; thence S. 0°40' E. 30.0 feet to a point on the South line of Fulton Street and the point of beginning; continuing thence S. 0°40' E. 125.0 feet; thence S. 89°20' W. 75.0 feet; thence N. 0°40' W. 125.0 feet; thence N. 89°20' E. 75.0 feet to the point of beginning. Containing 0.22 acres.

The Grantors herein do hereby reserve a life estate in and to said property.

TOGETHER WITH all and singular the tenements, hereditaments, appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all other right, title, and interest in and to the above property, as well in law as in equity, of the said parties of the first part.

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises, together with the appurtenances, unto the part Y of the second part, and to his heirs and assigns forever. And the said parties of the first part, and their heirs, the said premises in the quiet and peaceable possession of the said part Y of the second part, heirs and assigns, against the said parties of the first part, and their heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same shall and will WARRANT and by these presents forever DEFEND.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and seal the day and year first above written

SIGNED, SEALED AND DELIVERED IN PRESENCE OF

Melvin W. Barrett [Seal]
MELVIN W. BARRETT
Yvonne F. Barrett [Seal]
YVONNE F. BARRETT [Seal]

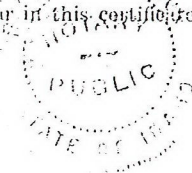
STATE OF IDAHO,
County of Lemhi } ss.

On this 8th day of March in the year 1988, before me
the undersigned, a Notary Public

in and for said State, personally appeared Melvin W. Barrett and Yvonne F. Barrett husband and wife,

known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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



Louise E. Snook
Notary Public
Residing at Salmon Idaho.

STATE OF IDAHO,
County of Lemhi } 183402

I hereby certify that this instrument was filed for record at request of *Mrs Barrett*
at 45 minutes past 11 o'clock A.M. this 9th day of March, A.D. 1988
in my office, and duly recorded in Book of at page

Fees, \$ 9.00 P.D.

Alberta Wiedersick
Ex-Officio Recorder
By *Larry J. Norton* Deputy

Idaho Department of Water Resources Receipt
Receipt ID: C115885

Payment Amount	\$25.00	Date Received	4/14/2023	Region	STATE
Payment Type	Cash				
Payer	BARRETT, MICHAEL				
Comments	CHANGE OF OWNERSHIP WR # 75-2130 FOR: MICHAEL BARRETT AND/OR BEVERLY BARRETT DOCUMENT NUMBER: D230647				

Fee Details

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$25.00	OWNERSHIP CHANGES/SECURITY INTERESTS	56140	0229	21		1155

Signature Line (Department Representative)

Please refund \$25. Ownership change was returned.

Michael Barrett
2983 S Goshen Way
Boise ID 83709-8544

Thank you.

Jean

Hersley, Jean

From: Hersley, Jean
Sent: Tuesday, October 24, 2023 9:37 AM
To: IdwrPayable
Subject: refund
Attachments: Barrett 75-2130.docx

Please process as soon as possible. Thank you.



Jean Hersley
Technical Records Specialist II
Idaho Dept Water Resources
(208) 287-4942



322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098
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Governor Brad Little

Director Gary Spackman

August 4, 2023

MICHAEL L BARRETT
BEVERLY BARRETT
2983 S GOSHEN WAY
BOISE ID 83709-8544

RE: Notice of Change in Water Right Ownership 75-2130

Dear Interested Parties,

On April 14, 2023, the Department of Water Resources(Department) received your request to update the ownership of water right 75-2130.

After the Department reviewed your request, it was determined you would need a post-decree conveyance of the water right from Melvin Barrett or the Estate of Melvin Barrett to you. Because water right 75-2130 was decreed in the name of Melvin Barrett in 2008 and the land was conveyed to you in 1988, the decree separated the water right ownership from the land ownership.

If you would like to be added as the current owner of water right 75-2130, the Department will need a quitclaim deed from Melvin Barrett or his heirs conveying the water right to you.

You could also pursue what is called a quiet title action in District Court. Idaho Code § 42-248(8) states that water right ownership may be settled in a quiet title action pursuant to Idaho code § 6-401. You could file a quiet title action yourself or consult an attorney for advice and assistance.

Another option would be to just do nothing and leave the water right record as it is. An attorney could help advise you on which option may be best for you.

Please let the Department know what option you would like to pursue within 30 days. If the Department does not hear from you within 30 days, we will add you as an "interested party" in the Department's water rights database so you will receive notice of any actions concerning water right 75-2130 or issues within administrative basin 75(where the right is located).

Please contact me with any questions regarding this letter. Thank you.

Sincerely,

Jean Hersley
Technical Records Specialist II