

RECEIVED

JUL 02 2024

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESDEPT. OF WATER RESOURCES
SOUTHERN REGION

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?
35-2065	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Kenneth Thurston, Marie Thurston
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Carolyn McCartney
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or
- 326 W 1450 S Orem UT 84058
Mailing address City State Zip
- 801-830-4198 mccar134@gmail.com
Telephone 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: 5/1/2024
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: Carolyn McCartney July 2, 2024
Signature of new owner/claimant Title, if applicable Date
Carolyn McCartney
Print name

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

Received by M. Pitts Date 7-2-24 For IDWR Office Use Only: Receipt No. E050205 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 JB Processed by JB Date 9/30/2024



Dept. Water Resources

900 N Skyline Dr.

8-5:00

2006-2007

141

RECORDING REQUESTED BY
Flying S Title and Escrow of Idaho, Inc.

AND WHEN RECORDED MAIL TO:
Flying S Title and Escrow of Idaho, Inc.
168 West Pacific Street/PO Box 868
Blackfoot, ID 83221

Instrument # 762060
BINGHAM COUNTY, IDAHO
2024-05-01 03:15:12 PM No. of Pages: 3
Recorded for: FLYING S TITLE AND ESCROW - BL
PAMELA W. ECKHARDT Fee: \$15.00
Ex-Officio Recorder Deputy JPulley
Index To: WARRANTY DEED
Electronically Recorded by Simplifile

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **1130984-B (tr)**

Date: **April 26, 2024**

For Value Received, **Russell Thurston, Personal Representative of the Estate of Marie Berg Thurston, deceased, Case No. CV06-24-0657**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Carolyn McCartney, a married woman as her sole and separate property**, hereinafter called the Grantee, whose current address is **326 West 1450 South, Orem, UT 84058**, the following described premises, situated in **Bingham County, Idaho**, to-wit:

Township 4 South, Range 33 E.B.M., Bingham County, Idaho
Section 5: SW $\frac{1}{4}$ SW $\frac{1}{4}$,

Except: Beginning at the Northwest corner of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 5, and running thence East at right angles thereto 450 feet, more or less, to an existing North-South ditch line; thence South parallel to the West section line 484 feet; thence West 450 feet to the West section line; thence North along said West section line 484 feet to the point of beginning.

Also Except: Beginning at a point that is S. 89°53'00" E. 1323.26 feet along the South line of said Section 5, more or less, to the Southeast corner of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 5, to the true point of beginning, all from the Southwest corner of said Section 5, and running thence N. 89°53'00" W. 170.00 feet; thence N. 00°23'18" E. 320.00 feet; thence S. 89°53'00" E. 170.00 feet, more or less, to the East line of said SW $\frac{1}{4}$ SW $\frac{1}{4}$; thence S. 00°23'18" W. 320.00 feet along said East line of said SW $\frac{1}{4}$ SW $\frac{1}{4}$ to the point of beginning.

Also Except: Commencing at the Southwest corner of said Section 5; thence N. 00°28'40" E. 163.43 feet along the West line of said Section to the point of beginning; thence N. 00°28'40" E. along the West line of said Section 200.02 feet; thence S. 89°30'36" E. 225.08 feet; thence S. 00°29'35" W. 200.07 feet; thence N. 89°29'45" W. 225.03 feet to the point of beginning.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations,

RECORDING REQUESTED BY
Flying S Title and Escrow of Idaho, Inc.

AND WHEN RECORDED MAIL TO:
Flying S Title and Escrow of Idaho, Inc.
168 West Pacific Street/PO Box 868
Blackfoot, ID 83221

E-RECORDED

simplifile

ID: 762060

County: Bingham

Date: 5-1-24

Time: 3:15 PM

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **1130984-B (tr)**

Date: **April 26, 2024**

For Value Received, **Russell Thurston, Personal Representative of the Estate of Marie Berg Thurston, deceased, Case No. CV06-24-0657**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Carolyn McCartney, a married woman as her sole and separate property**, hereinafter called the Grantee, whose current address is **326 West 1450 South, Orem, UT 84058**, the following described premises, situated in **Bingham County, Idaho**, to-wit:

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Also Except: Commencing at the Southwest corner of said Section 5; thence N. 00°28'40" E. 163.43 feet along the West line of said Section to the point of beginning; thence N. 00°28'40" E. along the West line of said Section 200.02 feet; thence S. 89°30'36" E. 225.08 feet; thence S. 00°29'35" W. 200.07 feet; thence N. 89°29'45" W. 225.03 feet to the point of beginning.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations,

Date: **04/26/2024**

Warranty Deed
- continued

File No.: **1130984-B (tr)**

restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Date: 04/26/2024

Warranty Deed
- continued

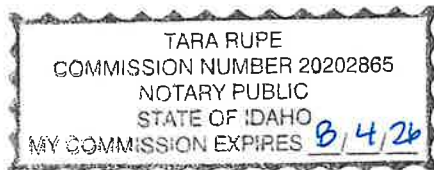
File No.: 1130984-B (tr)

Russell Thurston, Personal Representative of the
Estate of Marie Berg Thurston, deceased, Case
No. CV06-24-0657

Russell D. Thurston, Personal Representative
Russell Thurston, Personal Representative
n G.

STATE OF Idaho)
COUNTY OF Bingham)
SS.

On this ⁿ **First day of May, 2024**, before me, a Notary Public in and for said State, personally appeared **Russell Thurston**, known or identified to me to be the person(s) whose name(s) **is** subscribed to the within instrument as Personal Representative of the Estate of **Marie Berg Thurston**, and acknowledged to me that he executed the same as such Personal Representative.



Tara Rupe

Notary Public of Idaho
Residing at: Blackfoot, ID
Commission Expires: 08/04/2026

AFTER RECORDING MAIL TO:

Carolyn McCartney
326 West 1450 South
Orem, UT 84058

Instrument # 762061

BINGHAM COUNTY, IDAHO
2024-05-01 03:15:12 PM No. of Pages: 2
Recorded for: FLYING S TITLE AND ESCROW - BL
PAMELA W. ECKHARDT Fee: \$15.00
Ex-Officio Recorder Deputy JPulley
Index To: QUIT CLAIM DEED
Electronically Recorded by Simplifile

QUITCLAIM DEED

File No.: 1130984-B (tr)

Date: April 26, 2024

For Value Received, **Charles A McCartney, spouse of Carolyn McCartney**, do(es) hereby convey, release, remise, and forever quit claim unto **Carolyn McCartney, a married woman as her sole and separate property**, whose address is **326 West 1450 South Orem, UT 84058**, herein after called the Grantee, the following described premises situated in **Bingham County, Idaho**, to-wit:

Township 4 South, Range 33 E.B.M., Bingham County, Idaho
Section 5: SW $\frac{1}{4}$ SW $\frac{1}{4}$,

Except: Beginning at the Northwest corner of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 5, and running thence East at right angles thereto 450 feet, more or less, to an existing North-South ditch line; thence South parallel to the West section line 484 feet; thence West 450 feet to the West section line; thence North along said West section line 484 feet to the point of beginning.

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Also Except: Commencing at the Southwest corner of said Section 5; thence N. 00°28'40" E. 163.43 feet along the West line of said Section to the point of beginning; thence N. 00°28'40" E. along the West line of said Section 200.02 feet; thence S. 89°30'36" E. 225.08 feet; thence S. 00°29'35" W. 200.07 feet; thence N. 89°29'45" W. 225.03 feet to the point of beginning.

together with its appurtenances.

AFTER RECORDING MAIL TO:

Carolyn McCartney
326 West 1450 South
Orem, UT 84058

RECORDED
ID: 762061
County: Bingham
Date: 5-1-24 Time: 3:15pm

QUITCLAIM DEED

File No.: **1130984-B (tr)**

Date: **April 26, 2024**

For Value Received, **Charles A McCartney, spouse of Carolyn McCartney**, do(es) hereby convey, release, remise, and forever quit claim unto **Carolyn McCartney, a married woman as her sole and separate property**, whose address is **326 West 1450 South Orem, UT 84058**, herein after called the Grantee, the following described premises situated in **Bingham County, Idaho**, to-wit:

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Except: Beginning at the Northwest corner of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 5, and running thence East at right angles thereto 450 feet, more or less, to an existing North-South ditch line; thence South parallel to the West section line 484 feet; thence West 450 feet to the West section line; thence North along said West section line 484 feet to the point of beginning.

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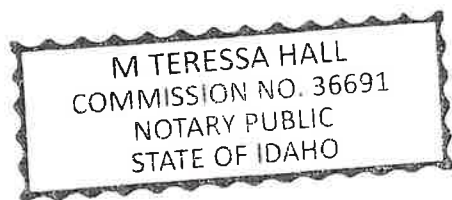
together with its appurtenances.

Dated: 5-1-2024

Charles A McCartney
Charles A McCartney

STATE OF Idaho)
COUNTY OF Bingham)
ss.

On this First day of May, 2024, before me, a Notary Public in and for said State, personally appeared **Charles A McCartney**, known or identified to me to be the person(s) whose name(s) is subscribed to the within instrument, and acknowledged to me that he executed the same.



M. Teresa Hall
Notary Public of Idaho
Residing at: Blackfoot, ID
Commission Expires: ~~08/04/2026~~ 8/24/2025
MTA

RECEIVED

SEP 30 2024

DEPT. OF WATER RESOURCES
EASTERN REGION

September 18, 2024

Mr. and Mrs. Corwin West
677 South 1700 West
Pingree, Idaho 83262

Re: Transfer of ownership of the Thurston Farm

Dear Mr. and Mrs. Corwin West,

The A. Kenneth and Marie Thurston farm, adjacent to your property, was recently purchased by their daughter, Carolyn McCartney, (sister to Dennis Thurston, your neighbor). Personnel in the Idaho Falls Department of Water Resources requested I inform you of the update in ownership in order to transfer the water rights of the farm to my name.

It is my understanding the transfer of water rights on our farm will have no effect with the Mecham Brothers' current arrangement of farming and irrigating both your property and our property. I anticipate this arrangement can continue in the future.

Please let me know if you have any concerns.

Sincerely,



Carolyn McCartney
326 West 1450 South
Orem, Utah 84058
mcca134@gmail.com

P.S. My brother Dennis said you had cut up and removed wood from a huge tree that was felled in front of my parents house several years ago. He was impressed how efficiently you cut and cleaned everything up. We are hoping to demolish the old chicken coop in November, and there are several quaking aspen trees that we will probably have to cut down. We would be happy for you to have the wood if you would like it.



MOUNTAIN SHADOWS
877 E 1200 S
OREM, UT 84097-9998
(800)275-8777

09/21/2024 11:35 AM

Product	Qty	Unit Price	Price
Priority Mail®	1		\$9.85
3m Flat Rate Env			
Pingree, ID 83262			
Flat Rate			
Expected Delivery Date			
Mon 09/23/2024			
Tracking #:			
9505 5150 4097 4265 1712 73			
Insurance			\$0.00
Up to \$100.00 included			
Total			\$9.85

Grand Total: \$9.85

Credit Card Remit \$9.85

Card Name: VISA
Account #: XXXXXXXXXX0706
Approval #: 81811D
Transaction #: 863
AID: A0000000031010 Contactless
AL: VISA CREDIT

In a hurry? Self-service kiosks offer quick and easy check-out. Any Retail Associate can show you how.

Text your tracking number to 28777 (2USPS) to get the latest status. Standard Message and Data rates may apply. You may also visit www.usps.com USPS Tracking or call 1-800-222-1811.

Save this receipt as evidence of insurance. For information on filing an insurance claim go to <https://www.usps.com/help/claims.htm> or call 1-800-222-1811

Preview your Mail
Track your Packages
Sign up for FREE @
<https://informedelivery.usps.com>

All sales final on stamps and postage.
Refunds for guaranteed services only.
Thank you for your business.

Tell us about your experience.
Go to: <https://postalexperience.com/Pos>
or scan this code with your mobile device.



or call 1-800-410-7420.

ALERT: TROPICAL CYCLONE HELENE, FLOODING, AND SEVERE WEATHER IN THE SOUTH...



[FAQs >](#)

Tracking Number:

9505515040974265171273

Copy

[Add to Informed Delivery \(https://informedelivery.usps.com/\)](https://informedelivery.usps.com/)

Latest Update

Your item was delivered in or at the mailbox at 12:45 pm on September 23, 2024 in PINGREE, ID 83262.

Get More Out of USPS Tracking:
USPS Tracking Plus®

Delivered

Delivered, In/At Mailbox

PINGREE, ID 83262

September 23, 2024, 12:45 pm

[See All Tracking History](#)

What Do USPS Tracking Statuses Mean? (<https://faq.usps.com/s/article/Where-is-my-package>)

[Text & Email Updates](#)

[USPS Tracking Plus®](#)

[Product Information](#)

[See Less](#)

Feedback

1542

Re. ver. d

WARRANTY DEED

199455193538

For Value Received
KENNETH THURSTON and MARIE BERG THURSTON, husband and wife

193538

NO
BINGHAM TITLE & TRUST CO.

the grantor s , do hereby grant, bargain, sell, and convey unto
JOHN C. HARRISON and JERILYN L. HARRISON, husband and wife,
Pingree, Idaho

'75 APR 1 PM 2 40

the grantee s, the following described premises, to-wit:

OFFICIAL RECORDS
FEE 1.00
BINGHAM TITLE & TRUST CO.

A portion of the SW¹/₄SW¹/₄ of Section 5, Township 4 South, Range
33, E. B. M., Bingham County, Idaho, described as:

Beginning at the NW corner of said Section 5 and running thence
E. at right angles thereto 450 feet more or less, to an existing
North South ditch line; thence S. parallel to the W. Section line
484 feet; thence W. 450 feet to the W. Section line; thence
N. along said West Section line 484 feet to the point of beginning.

Subject to reservations in United States and State Patents, existing
and recorded easements and rights of way, zoning and building ordinances
and taxes and assessments for 1975 as pro-rated between the parties
hereto.

199455

NO
BINGHAM TITLE & TRUST CO.

'75 MAR 22 PM 4 00

OFFICIAL RECORDS
FEE 1.00
BINGHAM TITLE & TRUST CO.

BINGHAM TITLE & TRUST CO

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee s,
their heirs and assigns forever. And the said Grantor do hereby covenant to and
with the said Grantee s, that they are the owners in fee simple of said premises; that said
premises are free from all incumbrances except as hereinabove set forth and that they will warrant and
defend the same from all lawful claims whatsoever.
Dated: March 21, 1975

Kenneth Thurston

Marie Berg Thurston

STATE OF IDAHO, COUNTY OF BINGHAM
On this 28 day of March, 1975,
before me, a notary public in and for said State, personally
appeared

KENNETH THURSTON and MARIE BERG
THURSTON, 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.

Dorise Underwood

Notary Public

Residing at Blackfoot, Idaho
Comm. Expires 10-15-1975

STATE OF IDAHO, COUNTY OF
I hereby certify that this instrument was filed for record at
the request of

at minutes past o'clock m.,
this day of
19, in my office, and duly recorded in Volume
of the Official Records.

Ex-Officio Recorder

By Deputy.

Fees \$
Mail to:

INSTRUMENT No.

WARRANTY DEED

300482

For Value Received

KENNETH THURSTON and MARIE B. THURSTON, husband and wife

the grantorS , do hereby grant, bargain, sell, and convey unto

DENNIS B. THURSTON and KAREN J. THURSTON, husband and wife

the grantee S , whose current address is

Box 22, Springfield, Idaho 83277

the following described premises, to-wit:

A portion of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 5, Township 4 South, Range 33 E. B. M., Bingham County, Idaho, described as Beginning at the SE corner of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 5, and running thence North 320 feet; thence West 170 feet; thence South 320 feet; thence East 170 feet to the point of beginning.

SUBJECT TO Reservations in United States Patent, existing and recorded rights-of-way and easements, zoning and building ordinances, and taxes and assessments as prorated between the parties hereto.

BINGHAM COUNTY RECORDER
AT ASKEW, IDAHO
RECORDED 46 117 25 k.

'83 JAN 3 AM 11 10

300482

RECORDED AT THE REQUEST OF

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor S do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that said premises are free from all incumbrances except as hereinabove set forth and that they will warrant and defend the same from all lawful claims whatsoever.

Dated:

December 31, 1982

Kenneth Thurston
Kenneth Thurston

Marie B. Thurston
Marie B. Thurston

STATE OF IDAHO, COUNTY OF Bingham
On this 31st day of December, 1982,
before me, a notary public in and for said State, personally
appeared

KENNETH THURSTON and MARIE B.
THURSTON, husband and wife

known to me to be the personS who se nameS are
subscribed to the within instrument, and acknowledged to
me that they executed the same.

Leah E. Rice

Notary Public

Residing at Springfield, Idaho
Comm. Expires June 17th 1985



INSTRUMENT No.

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A35-02065
Date Received: 5/04/1989
Receipt No: M003354
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: A. KENNETH THURSTON 208-328-2371
Address: 1698 W. 700 S.
PINGREE, ID 83262

AND/OR
Name: MARIE B. THURSTON 208-328-2371
Address: 1698 W. 700 S.
PINGREE, ID 83262

2. Date of Priority: NOV 12, 1946

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04S	33E	5	SW	SW	SW		BINGHAM

5. Description of diverting works:
12" CASING 85' TD. 10 HP. VERT. TURBINE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.680		

7. Total Quantity Appropriated is:
0.680 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 102.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10: Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04S	33E	5	SW	SW		IRR	34.0
Section Acres							34.0
Total Acres							34.0

11. Place of use in counties: BINGHAM

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 19963

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I We do do not wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): A. Kenneth Thurston Date: Aug. 17, 1994

Marie B. Thurston Date: Aug 17, 1994

State of Idaho)

County of Bingham) SS.

Subscribed and sworn (or affirmed) before me this 17th day

of August 19 94

Janette Whyte
Notary Public



Residing at Pingree

My Commission Expires 8/98

443624

A35-02065

Page 3

Date: 05/04/89

BINGHAM COUNTY RECORDER
BLACKFOOT, IDAHO
FEE 950 DEP 200
96 APR 29 PM 2:18
RECORDED AT THE REQUEST OF
A. Kenneth Thurston
1148 W. 700 S
Pingree, ID 83412



Instrument # 745092
BINGHAM COUNTY, IDAHO
2022-05-02 10:32:54 AM No. of Pages: 3
Recorded for: TITLEONE - TWIN FALLS
PAMELA W. ECKHARDT Fee: \$15.00
Ex-Officio Recorder Deputy JPulley
Index To: QUIT CLAIM DEED
Electronically Recorded by Simplifile

File # 22450569

Quitclaim Deed

For value received, **Dennis B Thurston**

Does hereby convey, release, remise, and forever quit claim unto

Dennis B Thurston and Karen Thurston, husband and wife

whose current address is , 695 S 1700 W, Pingree ID 83262

the following described premises:

See Exhibit A, attached hereto and incorporated herein.

To have and to hold the said premises, unto the said grantees, heirs and assigns forever.

Remainder of this page left intentionally blank.

Date: 04/27/2022

Dennis B. Thurston

Dennis B Thurston

State of Idaho, County of Bonneville, ss.

On this 27 day of April in the year of 2022, before me, the undersigned, a Notary Public in and for said State, personally appeared Dennis B Thurston 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.

Shannon K Croft, Notary Public
Residing at: _____
My Commission Expires: _____
(seal)

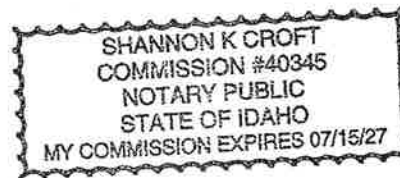


EXHIBIT A
LEGAL DESCRIPTION OF THE PREMISES

EXHIBIT A

Part of the SW 1/4, Section 5 Township 4 South Range 33 East B.M. Bingham County, Idaho described as: Commencing at the Southwest corner of said Section 5; Thence N 00°28'40" E 163.43 feet along the West line of said Section to the Point of Beginning; Thence, N 00° 28' 40" E along the West line of said Section 200.02 feet; Thence, S 89° 30' 36" E 225.08 feet; Thence, S 00° 29' 35" W 200.07 feet; Thence N 89° 29' 45" W 225.03 feet to the Point of Beginning.

1732663

PART OF THE SW 1/4 OF
SECTION 5, T. 4 S., R. 33 E.B.M.
BINGHAM COUNTY, IDAHO

RECORDER'S CERTIFICATE

Instrument # 732863
BINGHAM COUNTY
6:35:52 PM 02-20-21 PM No. of Pages: 1
Surveyor: CHRIS G. STREET
Recorder: PAMELA J. LEAVITT
Es-Office Recorder Deputy Fee: \$.00

N 1/4 SEC 5
FOUND ALUMINUM CAP 12224
CP&F INST. NO. 715802

Dead Inst.
No. 621829

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Dead Inst.
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Dead Inst.
No. 621829

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2

CHANGE IN ADDRESS OF NOTICE OF CLAIM

Adjudication Claim Number(s): Water Right # 35-2065

Previous Mailing Address: 1698 West 700 South
Pingree, Idaho 83262

New Mailing Address: 326 West 1450 South
Orem, Utah
84058

Telephone Number: (801) 830-4198

Signature(s) of all Claimant(s): Carolyn McCartney
Carolyn McCartney
Print your name below your signature.

Please mail or FAX this completed form to the office nearest you:

Adjudication Section
Idaho Department of Water Resources
7600 N. Mineral Dr., Ste. 100
Coeur d'Alene, ID 83815-7763
Phone 208-762-2800
FAX 208-762-2819

Adjudication Section
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705-5082
Phone 208-334-2190
FAX 208-334-2348

Adjudication Section
Idaho Department of Water Resources
650 Addison Ave. W, Ste. 500
Twin Falls, ID 83301-5858
Phone 208-736-3033
FAX 208-736-3037

Adjudication Section
Idaho Department of Water Resources
900 N. Skyline Dr., Ste. A
Idaho Falls, ID 83402-3653
Phone 208-525-7161
FAX 208-525-7177

Adjudication Section
Idaho Department of Water Resources
322 E. Front St.
P.O. Box 83720
Boise, ID 83720-0098
Phone 208-287-4800
FAX 208-287-6700

IDWR Use Only

Revised 02/14

Data Entry: _____

Date: _____

UTAH STATUTORY FORM POWER OF ATTORNEY
Utah Code Sections 75-9-101 et seq.

IMPORTANT INFORMATION

This power of attorney authorizes another person (your agent) to make decisions concerning your property for you (the principal). Your agent will be able to make decisions and act with respect to your property (including your money) whether or not you are able to act for yourself. The meaning of authority over subjects listed on this form is explained in Title 75, Chapter 9, Uniform Power of Attorney Act.

This power of attorney does not authorize the agent to make health care decisions for you.

You should select someone you trust to serve as your agent. Unless you specify otherwise, generally the agent's authority will continue until you die or revoke the power of attorney, or the agent resigns or is unable to act for you.

Your agent is entitled to reasonable compensation unless you state otherwise in the Special Instructions.

This form provides for designation of one agent. If you wish to name more than one agent you may name a co-agent in the Special Instructions.

Co-agents are not required to act together unless you include that requirement in the Special Instructions. If your agent is unable or unwilling to act for you, your power of attorney will end unless you have named a successor agent.

You may also name a second successor agent. This power of attorney becomes effective immediately unless you state otherwise in the Special Instructions.

If you have questions about the power of attorney or the authority you are granting to your agent, you should seek legal advice before signing this form.

DESIGNATION OF AGENT

I Marie B. Thurston (Name of Principal)
name the following person as my agent:

Name of Agent: Kay Pierce

Agent's Address: 712 South 65 West Orem Utah 84058

Agent's Telephone Number: 801 420-5978

If my agent is unable or unwilling to act for me, I name as my successor agent:

Name of Successor Agent: Carolyn T. McCartney

Successor Agent's Address: 326 West 1450 South Orem, Utah 84058

Successor Agent's Telephone Number: 801 224-4198

GRANT OF GENERAL AUTHORITY

I grant my agent and any successor agent general authority to act for me with respect to the following subjects as defined in Title 75, Chapter 9, Uniform Power of Attorney Act:

(INITIAL each subject you want to include in the agent's general authority. If you wish to grant general authority over all of the subjects you may initial "All Preceding Subjects" instead of initialing each subject.)

- ☒ Real Property
- ☒ Tangible Personal Property
- ☒ Stocks and Bonds
- ☐ Commodities and Options
- ☒ Banks and Other Financial Institutions
- ☐ Operation of Entity or Business
- ☒ Insurance and Annuities
- ☒ Estates, Trusts, and Other Beneficial Interests
- ☒ Claims and Litigation
- ☒ Personal and Family Maintenance
- ☒ Benefits from Governmental Programs or Civil or Military Service
- ☒ Retirement Plans
- ☒ Taxes
- ☒ All Preceding Subjects

GRANT OF SPECIFIC AUTHORITY (OPTIONAL)

My agent MAY NOT do any of the following specific acts for me UNLESS I have INITIALED the specific authority listed below:

CAUTION:

Granting any of the following will give your agent the authority to take actions that could significantly reduce your property or change how your property is distributed at your death.

INITIAL ONLY the specific authority you WANT to give your agent.

- ☐ Create, amend, revoke, or terminate an inter vivos trust
- ☐ Make a gift, subject to the limitations of Section 75-9-217, and any special instructions in this power of attorney
- ☐ Create or change rights of survivorship
- ☐ Create or change a beneficiary designation
- ☐ Authorize another person to exercise the authority granted under this power of attorney

NOMINATION OF CONSERVATOR OR GUARDIAN (OPTIONAL)

If it becomes necessary for a court to appoint a conservator of my estate or guardian of my person, I nominate the following person(s) for appointment:

Name of Nominee for conservator of my estate: _____

Nominee's Address: _____

Nominee's Telephone Number: _____

Name of Nominee for guardian of my person: _____

Nominee's Address: _____

Nominee's Telephone Number: _____

RELIANCE ON THIS POWER OF ATTORNEY

Any person, including my agent, may rely upon the validity of this power of attorney or a copy of it unless that person knows it has terminated or is invalid.

SIGNATURE AND ACKNOWLEDGMENT

Your Signature: Marie B. Thurston

Date: January 28, 2020

Your Name Printed: Marie B. Thurston

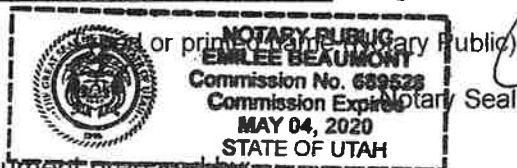
Your Address: 1988 North Cove Point Lane # 114 ^{Provo} 84604

Your Telephone Number: 801 225-5371

On this date, I certify that Marie Berg Thurston (name)
who is known to me or who presented satisfactory identification, in the form of
Utah Driver's License (form of identification), has, while in my
presence and while under oath or affirmation, voluntarily signed this document and declared that it is true.

01-28-2020^{2B}
Date

Sign here



[This document prepared by: _____]

State of Idaho

License and Certificate of Water Right

Water License No. 19963 Priority November 12, 1946 Amount 0.8 second foot

THIS IS TO CERTIFY that KENNETH THURSTON

of Pingree, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated November 12, 1946; that Permit No. 19963 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 0.8 second foot, was issued thereunder on October 4, 1947, showing that said works were completed on the 24th day of September, 1947; and that on the 15th day of November, 1947

KENNETH THURSTON

of Pingree, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of a right to the use of the waters of a drilled well, a tributary of - - for the purpose of irrigation, under Use Permit No. 19963 of the Department of Reclamation, and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 8 of Licenses, at page 4443, on the 21st day of February, 1949;

The right hereby confirmed dates from November 12, 1946;

The Point of Diversion is located

in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 5, Tp. 4 S., R. 33 E., B. M. Bingham County.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall

STATE OF IDAHO

License and Certificate of

Water Right

Water License No. 19963

To Kenneth Thurston

Pingree, Idaho

Source of Supply Drilled well

Bingham County

Amount 0.8 Sec. Foot

Point of Diversion SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 5,

Twp. 4 S., Range 33 E., B.M.

Place of Use SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 5,

Twp. 4 S., Range 33 E., B.M.

Purpose Irrigation

Date of Priority November 12, 1946

Recorded February 21, 1949

in Book 8 of Licenses, Page 4443

COMPARED 10129

STATE OF IDAHO, } ss
(County of Bingham, }

I hereby certify that the within instrument was filed for record in this office at the request of

Kenneth Thurston

on the 11 day of April 1949

at 20 minutes past 11 o'clock

A.M. and was duly recorded in

Book 1 of Miss. Page 152

Bingham County Records.

H. H. Wood

County Recorder

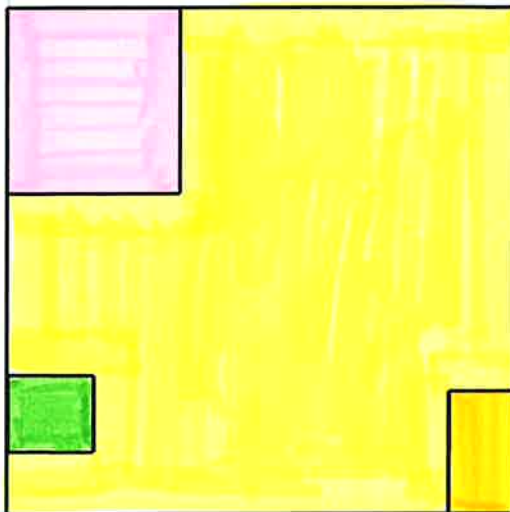
Stella C. Union

Deputy Recorder

Recorder's Fee \$ 804

Pingree

199455 1975 Kenneth + Marie Thurston To John + Jeri Lynn Harrison
300482 1982 Kenneth + Marie Thurston To Dennis + Karen Thurston
1989 claim for 34 acres
745092 2022 Dennis B Thurston To Dennis + Karen Thurston



762060 Estate of Marie Berg Thurston To Carolyn McCartney

included
Except
Also Except
Also Except

7/3/2024

Scale: 1 inch= 500 feet

File: McCarthy.ndp

Tract 1: 40.0000 Acres, Closure: n00.0000e 0.00 ft. (1/999999), Perimeter=5280 ft.
Tract 2: 5.0000 Acres (217800 Sq. Feet), Closure: n00.0000e 0.00 ft. (1/999999), Perimeter=1868 ft.
Tract 3: 1.2488 Acres (54399 Sq. Feet), Closure: n00.0000e 0.00 ft. (1/999999), Perimeter=980 ft.
Tract 4: 1.0335 Acres (45021 Sq. Feet), Closure: s30.0536e 0.01 ft. (1/129858), Perimeter=850 ft.
Tract 5: 5.0000 Acres (217800 Sq. Feet), Closure: n00.0000e 0.00 ft. (1/999999), Perimeter=1868 ft.
Tract 6: 1.2489 Acres (54400 Sq. Feet), Closure: n00.0000e 0.00 ft. (1/999999), Perimeter=980 ft.
Tract 7: 1.0335 Acres (45021 Sq. Feet), Closure: s30.0536e 0.01 ft. (1/129858), Perimeter=850 ft.

Tract Data and Deed Calls: File= McCarthy.ndp

Tract 01: 40.0000 Acres, Closure: n00.0000e 0.00 ft. (1/999999), Perimeter=5280 ft.
Tract 02: 5.0000 Acres (217800 Sq. Feet), Closure: n00.0000e 0.00 ft. (1/999999), Perimeter=1868 ft.
Tract 03: 1.2488 Acres (54399 Sq. Feet), Closure: n00.0000e 0.00 ft. (1/999999), Perimeter=980 ft.
Tract 04: 1.0335 Acres (45021 Sq. Feet), Closure: s30.0536e 0.01 ft. (1/129858), Perimeter=850 ft.
Tract 05: 5.0000 Acres (217800 Sq. Feet), Closure: n00.0000e 0.00 ft. (1/999999), Perimeter=1868 ft.
Tract 06: 1.2489 Acres (54400 Sq. Feet), Closure: n00.0000e 0.00 ft. (1/999999), Perimeter=980 ft.
Tract 07: 1.0335 Acres (45021 Sq. Feet), Closure: s30.0536e 0.01 ft. (1/129858), Perimeter=850 ft.
Tract 07: 1.0335 Acres (45021 Sq. Feet), Closure: s30.0536e 0.01 ft. (1/129858), Perimeter=850 ft.

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3: s90w 1320.00
4: n0e 1320.00
5: n90e 1320.00
6: @0
7: /nw,sw,sw,5,4s,33e
8: n90e 450
9: s00e 484
10: n90w 450
11: n00e 484
12: @0
13: /se,sw,sw,5,4s,33e
14: n89.5300w 170
15: n00.2318e 320
16: s89.5300e 170
17: s00.2318w 320
18: @0
19: /sw,5,4s,33e
20: /n00.2840e 163.43
21: n00.2840e 200.02
22: s89.3036e 225.08
23: s00.2935w 200.07
24: n89.2945w 225.03
25: @0
26: /nw,sw,sw,5,4s,33e
27: n90e 450.00
28: s00e 484
29: n90w 450.00
30: n00e 484.00
31: @0
32: /se,sw,sw,5,4s,33e
33: n00e 320
34: n90w 170
35: s00e 320
36: n90e 170
37: @0
38: /sw,5,4s,33e
39: /n00e 163.43
40: n00.2840e 200.02
41: s89.3036e 225.08
42: s00.2935w 200.07
43: n89.2945w 225.03



IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

September 30, 2024

CAROLYN MC CARTNEY
326 W 1450 S
OREM UT 84058-7327

Re: Change in Ownership for Water Right No(s): 35-2065

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) 497-3787.

Sincerely,

Jonie Baily
Technical Records Specialist 1

Enclosure(s)

cc: WATER DISTRICT 120
BINGHAM GROUND WATER DISTRICT

RECEIVED

SEP 30 2024

DEPT. OF WATER RESOURCES
EASTERN REGION

September 23, 2024

Jonie Bailly, Technical Records Specialist
Idaho Department of Water Resources
900 North Skyline Drive
Idaho Falls, ID 83402

RE: Water Right No. 35-2065

Dear Jonie,

On Tuesday, September 17, we talked about the water right boundaries on my parent's farm that I purchased. In order to update the water right to my name, I needed to inform the adjacent property owners, Mr. and Mrs. West of the update.

Attached is a copy of the letter to Mr. and Mrs. Corwin West informing them of the update to ownership of my parents' farm. I have also attached the USPS tracking record of the letter I sent, to verify the letter was delivered to their mailbox.

Please let me know if you need additional information. I so appreciate your expertise and efforts in helping to complete this process.

Sincerely,



Carolyn McCartney
326 West 1450 South
Orem, Utah 84058

mcca134@gmail.com

September 10, 2024

RECEIVED

SEP 16 2024

DEPT. OF WATER RESOURCES
EASTERN REGION

Jonie Baily, Technical Records Specialist
Idaho Department of Water Resources
900 North Skyline Drive
Idaho Falls, ID 83402

RE: Water Right No. 35-2065

Dear Jonie,

Enclosed are four documents copied from records at the Bingham County Courthouse, as well as a Change of Address form, a Power of Attorney document, and a copy of the original License and Certificate of Water Right issued to my now deceased father. I have labeled each document with a sticky note and I'm adding some additional details for several of the documents:

Document A is the Warranty Deed for the 5 acres on the northwest portion of my father's farm that was sold to John Harrison in 1975. I am hoping to purchase several acres of this parcel from the current owner, Mr. West.

Document B is the parcel purchased in 1982 by my brother, Dennis Thurston. He built the home on this parcel. It has been sold several times since. The current owner is Mr. Shawver.

Document C is the Claim to Water Right that was part of the General Adjudication filed in May of 1989. This document is probably in your records, but I'm sending it just in case it is not.

Document D is the Quick Claim Deed of the parcel to the north of my parent's original home that my brother Dennis Thurston purchased in 2022 to build another home. He currently resides in the home.

Document E is the change in address form that was attached to the email you sent me last week. It is my understanding that the current address on file for the state records is my parents original home address in Pingree. The home is being rented, so the address needs to be changed. My sister Kay Pierce, currently receives mail addressed to my deceased mother, Marie B Thurston from the Bingham County Groundwater District at my sister's address. I'm hoping this also can be changed to my address listed on the form.

Document F is the Power of Attorney that was completed in 2020 that states that my sister and I had my mother's power of attorney before her death in 2023. I hope this document will be helpful in changing the address in the state and county water district records. I understand I still need to go through the complete application process to change the water rights to my name.

Document G is a copy of the original license and Certificate of Water Right filed by my father stating he had the right to drill a well for the purpose of irrigation for 40 acres. It states the priority date as November 12, 1946.

As I have reviewed document C recorded in 1989, I noted there is a statement that 34 acres were being irrigated. The acres irrigated in the original license from 1946 was 40 acres. Could it be that my father did not

include the 5 acres he sold in 1975 and also the acre that was sold to my brother in 1982 in the adjudicated water right from 1989? I am wondering who drew the boundaries for the water right from 1989 on the map I received in July from the Department of Water Resources and what documents were used to establish the boundaries.

When I was at the Bingham County Courthouse trying to find all the records that might have information that would give clarity to the water rights, I was told there were a number of records with my mother and father's name. The clerks were ever so helpful and spent a lot of time looking for documents, but couldn't look at all of the records because there were so many. I asked if I could access all the records related to my parents online. I was told I could have access, but could only access the records by using computers in an adjacent room. Because the courthouse was closing shortly, I was not able to review the records at that time. I am thinking and hoping there might be some additional records at the courthouse that maps or states specifically the acreage included in the 34 irrigated acres. I am personally planning to do additional research.

Thank you so much for your patience as I try to find records and sort things out. I will inform you if I am able to purchase the farm ground from Mr. West. If he is not willing to sell, I will move forward with the application for transfer of the water right. If you are in need of additional information, please email, text, or call me. My cell number is 801 830-4198.

Sincerely,

A handwritten signature in cursive script that reads "Carolyn McCartney". The signature is written in dark ink and is positioned above the typed name and address.

Carolyn McCartney
326 West 1450 South
Orem, Utah 84058



IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

July 3, 2024

CAROLYN MCCARTNEY
326 W 1450 S
OREM UT 84058

RE: Change in Ownership Water Right No. 35-2065

Dear Sir/Madam:

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:

**** **Evidence of Ownership/Additional Filing Fees:** Please review the map attached. It appears there is a portion of this water right on property that is not included in your Warranty Deed Instrument Number 762060. If you did not purchase the entire place of use of the water right a split is required. The filing fee for a split ownership change is \$100.00 per water right. If you believe a split is not required, please provide additional evidence of ownership, agreements, etc. Please note Idaho Code requires evidence of ownership but also notice to the property owners before an ownership change can be updated when a portion of the water right is on someone else's property.

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

Please note that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.idaho.gov.

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

Sincerely,

Jonie Baily
Technical Records Specialist

 Carolyn McCartney Property
 POU 35-2065
 Parcels
 Township/Range
 Sections