

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

OCT 13 2022

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Department of Water Resources
Eastern 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. WD 01

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
22-12784 <i>OK</i>	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: Mark Harrington

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Ferrarone Family Living Trust

New owner(s) as listed on the conveyance document

Name connector

☐ and ☐ or

8 Ryan Ave

Mill Valley

CA

94941-2124

Mailing address

City

State

Zip

415-265-4144

jferrarone@plathco.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: _____

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.

8. Signature: *[Signature]* 1/12/22

Signature of new owner/claimant Title, if applicable Date

J. Ferrarone

Print name

Signature: _____

Signature of new owner/claimant Title, if applicable Date

Print name

For IDWR Office Use Only:

Received by CH Date 10/13/2022 Receipt No. E048626 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 [Signature] Processed by [Signature] Date 10/20/2022

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Rocky Mountain Environmental Associates, Inc.
482 Constitution Way Ste 303
Idaho Falls, ID 83402

(Space Above for Recorder's Use)

SPECIAL WARRANTY DEED FOR WATER RIGHTS

MARK HARRINGTON, a single man, whose address is PO Box 300, Driggs, ID 83422 (hereinafter collectively "Grantor") does hereby grant, bargain, sell, assign, and convey unto John B Ferrarone, as trustee of **THE FERRARONE FAMILY LIVING TRUST** dated February 4, 2015, whose address is 8 Ryan Ave, Mill Valley, CA 94941 (hereinafter "Grantee") and to Grantee's heirs and assigns forever, all of Grantor's right, title, and interest in water right described on Exhibit A attached hereto (hereinafter the "Water Right").

Grantor hereby covenants and warrants to Grantee as follows:

- (A) Grantor is the owner of the Water Right;
- (B) Grantor has not conveyed any of the Water Right to anyone other than Grantee;
- (C) The Water Right is free from all liens, claims, or encumbrances; and
- (D) Grantor has the authority to convey the Water Right to Grantee.

Grantor makes no other covenants or warranties as to the Water Right.

[THIS SPACE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, the undersigned authorized officer of Grantor, acting on behalf of Grantor, has caused his name to be hereunto subscribed.

DATED this 5th day of October, 2022

"GRANTOR"

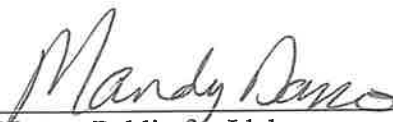


Mark Harrington

STATE OF IDAHO)
)ss.
County of Madison)

This record was acknowledged before me on the 5th day of October 2022, by **Mark Harrington**.





Notary Public for Idaho
My Commission Expires: 06/24/23

EXHIBIT A

WATER RIGHT DESCRIPTION

Page 2 of 7

WATER RIGHT NO. 22-12784

As Modified by Transfer No. 86096

In accordance with the approval of Transfer No. 86096, Water Right No. 22-12784 is now described as follows:

Right Holder: MARK HARRINGTON
PO BOX 300
DRIGGS, ID 83422

Priority Date: 6/1/1896

Source: DARBY CREEK

Tributary: TETON RIVER

BENEFICIAL USE

IRRIGATION

From
04/15

To
to 10/31

Diversion Rate
0.940 cfs
0.940 cfs

LOCATION OF POINT(S) OF DIVERSION

DARBY CREEK SENE Sec 9 Twp 04N Rge 45E TETON County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	45E	9			40.0				40.0	40.0									120.0
Right Acre Limit:			47.0																
POU Total Acres:			120.0																

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of a specific 47 acres within the 120 acre place of use authorized by this right in a single irrigation season. The specific 47 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 47 acres to be irrigated within the 120 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
2. Rights 22-2124A, 22-4083 and 22-12784 when combined shall not exceed the irrigation of 114.5 acres.
3. This right shall only be diverted when Dick Creek and Darby Creek are connected to the Teton River and water rights on those creeks are regulated in conjunction with water rights from the Teton River.
4. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 01.

Transfer No. 86096

WATER RIGHT NO. 22-12784

As Modified by Transfer No. 86096

CONDITIONS OF APPROVAL

5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
6. Diversion of water under this right is limited to those times when water is available for diversion under the priority of this right at the original point of diversion from Darby Creek in T04N, R46E, Sec 17, Lot 1 (SWNWNE).
7. Authorized point of diversion is from Dick Creek.
8. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Transfer No. 86096



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 Gary Spackman

October 20, 2022

THE FERRARONE FAMILY LIVING TRUST
8 RYAN AVE
MILL VALLEY CA 94941-2124

Re: Change in Ownership for Water Right No(s): 22-12784

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 Barg
Technical Records Specialist 1

Enclosure(s)

cc: Water District 01