

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAR 25 2024

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?
71-40A	Yes ☐	Yes ☐		Yes ☐	Yes ☐
71-39A	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name:

David & Lisa Muscavage
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s):

Mark & Candace Urness
New owner(s) as listed on the conveyance document

Name connector ☒ and ☐ or

1045 N. Morehouse Ave
Mailing address

Eagle
City

ID
State

83616
Zip

208-484-1971
Telephone

mark.urness54@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: 08/08/2023

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.

SUPPORT DATA

IN FILE # 71-39A

8. Signature:

Mark Urness
Signature of new owner/claimant

Title, if applicable

03/09/24
Date

Mark Urness
Print name

- Signature:

Candace Urness
Signature of new owner/claimant

Title, if applicable

03/09/24
Date

Candace Urness
Print name

For IDWR Office Use Only:

Received by DM

Date 3-25-2024

Receipt No. 5040145

Receipt Amt. \$50-

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 TN

Date 4/18/2024

Recording Requested By and
When Recorded Return to:

Instrument # 265132
CHALLIS, CUSTER, IDAHO
02-07-2024 10:25:15 No. of Pages: 2
Recorded for: TITLEONE BOISE
Lura H. Baker Fee: \$15.00
Ex-Officio Recorder Deputy: TG

MARK URNESS AND CANDACE URNESS
1045 North Morehouse Avenue
Eagle, ID 83616
19836-ID

143807 / 23482088

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED (this "Deed"), made as of February 5, 2024, is between #863 PIONEER EXCHANGE ACCOMMODATION TITLEHOLDER, LLC, an Idaho limited liability company ("Grantor"), and Mark Urness and Candace Urness, husband and wife ("Grantee"), whose legal address is: 1045 North Morehouse Avenue Eagle, ID 83616

WITNESSETH, That Grantor, for and in consideration of One Dollar and No/100 (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm, unto Grantee, its successors and assigns forever, all the real property, together with improvements, located in the County of Custer, State of Idaho, more particularly described as follows:

A fraction of Homestead Entry Survey No. 109, Custer County, Idaho described as:

Beginning at Corner No. 1 from which the corner of Section 1, 2, 11 and 12, in Township 11 North, Range 12 East, Boise Meridian, bears North 3° West, 1,130.58 feet distant;
Thence South 47°19' East, 601.22 feet to the Southeast side of the Thompson Creek right-of-way, this being the TRUE POINT OF BEGINNING;
Thence South 47°19' East, 978.82 feet to Corner No. 2 of Homestead Entry Survey No. 109;
Thence South 42°36' West, 2,346.96 feet to Corner No. 4;
Thence North 47°26' West, 979.28 feet to the Southeast side of the Thompson Creek right-of-way;
Thence North 42°36' East, 2,346.96 feet along the Thompson Creek right-of-way to the Northeasterly side of said Homestead Entry Survey No. 109 and the TRUE POINT OF BEGINNING.

TOGETHER with all and singular the hereditaments and appurtenances thereto belonging, or in anyway appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of Grantor, either in law or equity, of in and to the above bargained premises, with the hereditaments, easements, rights of way and appurtenances, and with all of Grantor's interest, if any, in and to any and all minerals, water, ditches, wells, reservoirs and drains, and all water, ditch, well, reservoir and drainage rights which are appurtenant to, located on, now or hereafter acquired under or above or used in connection with the property (collectively, the "Property").

TO HAVE AND TO HOLD the said premises above bargained and described with the appurtenances, unto Grantee, its successors and assigns forever. Grantor, for itself, and its successors and assigns, does covenant, grant, bargain and agree to and with the Grantee, its successors and assigns, that at the time of the ensembling and delivery of these presents, Grantor is well seized of the premises above conveyed, has good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind or nature whatsoever, as of 9th day of August, 2023.

The Grantor shall and will WARRANT AND FOREVER DEFEND the above-bargained premises in the quiet and peaceable possession of Grantee, its successors and assigns, against all and every person or persons claiming the whole or any part thereof BY, THROUGH OR UNDER Grantor.

IN WITNESS WHEREOF, Grantor has executed this Special Warranty Deed as of the date set forth above.

#863 PIONEER EXCHANGE ACCOMMODATION TITLEHOLDER, LLC,
an Idaho limited liability company

By: Pioneer 1031 Company, Sole Member



By: Lauren Pena

Its: Accommodator and Banking Coordinator

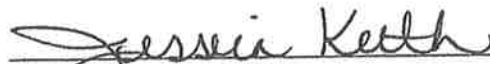
STATE OF IDAHO

)
) ss.
)

COUNTY OF ADA

On this February 5, 2024 before me, the undersigned, a Notary Public in and for said State, personally appeared Lauren Pena, known to me to be the Accommodator and Banking Coordinator of Pioneer 1031 Company, an Idaho corporation, which corporation is the Sole Member of #863 Pioneer Exchange Accommodation Titleholder, LLC, an Idaho limited liability company, and acknowledged to me that she/he executed the within and foregoing instrument for and on behalf of said corporation as Sole Member of said limited liability company and in said corporation's name as Sole Member of said limited liability company.

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

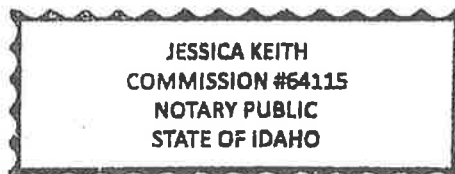


Notary Public for Idaho

Residing at Boise Idaho

My Commission Expires: 8/18/2026

(NOTARIAL SEAL)



Water Right Locator

Find water rights in Idaho

IDWR Home IDWR GIS Data Hub

Address or WR #



71-39D

71-10136B
71-39G

71-10136A

71-40E

71-39E

71-39E

2383 COW CAMP RD

71-39A



Cow Camp Rd

Cow Camp Rd

71-47

71-45

71-50

71-10391

71-10199

300 600ft

-115.009 44.295 Degrees

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Water Right Locator

Find water rights in Idaho

Customize

Layer List

Layers

- ☐ Administrative Basins
- ☐ Irrigation Organizations
- ☐ Surface Water PODs
- ☐ Ground Water PODs
- ☐ ESPA Model Outline
- ☐ ESPA Model Grid
- ☐ Water Districts
- ☐ Surface Water POUs

Basemap Gallery

Filter

Add Data

Draw

Print or Download

Help and About

Address or WR #

71-10202

71-10202

71-1036B

71-40E

71-39E

71-39E

71-45

(1 of 3)

WaterRightPous: 71-39A

WaterRightNumber	71-39A
BasinNumber	71
SequenceNumber	39
SubSuffix	A
Status	Active
PriorityDate	5/31/1904 11:00 PM
DecreedDate	3/16/1999 12:00 AM
Owner	DAVID MUSCAVAGE
WaterUse	IRRIGATION
WaterUseCode	01
TotalAcres	38.10
AcresLimit	
Source	MC GOWAN CREEK
Zoom to	

0 300 600ft

-115.014 44.297

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Basemap Gallery

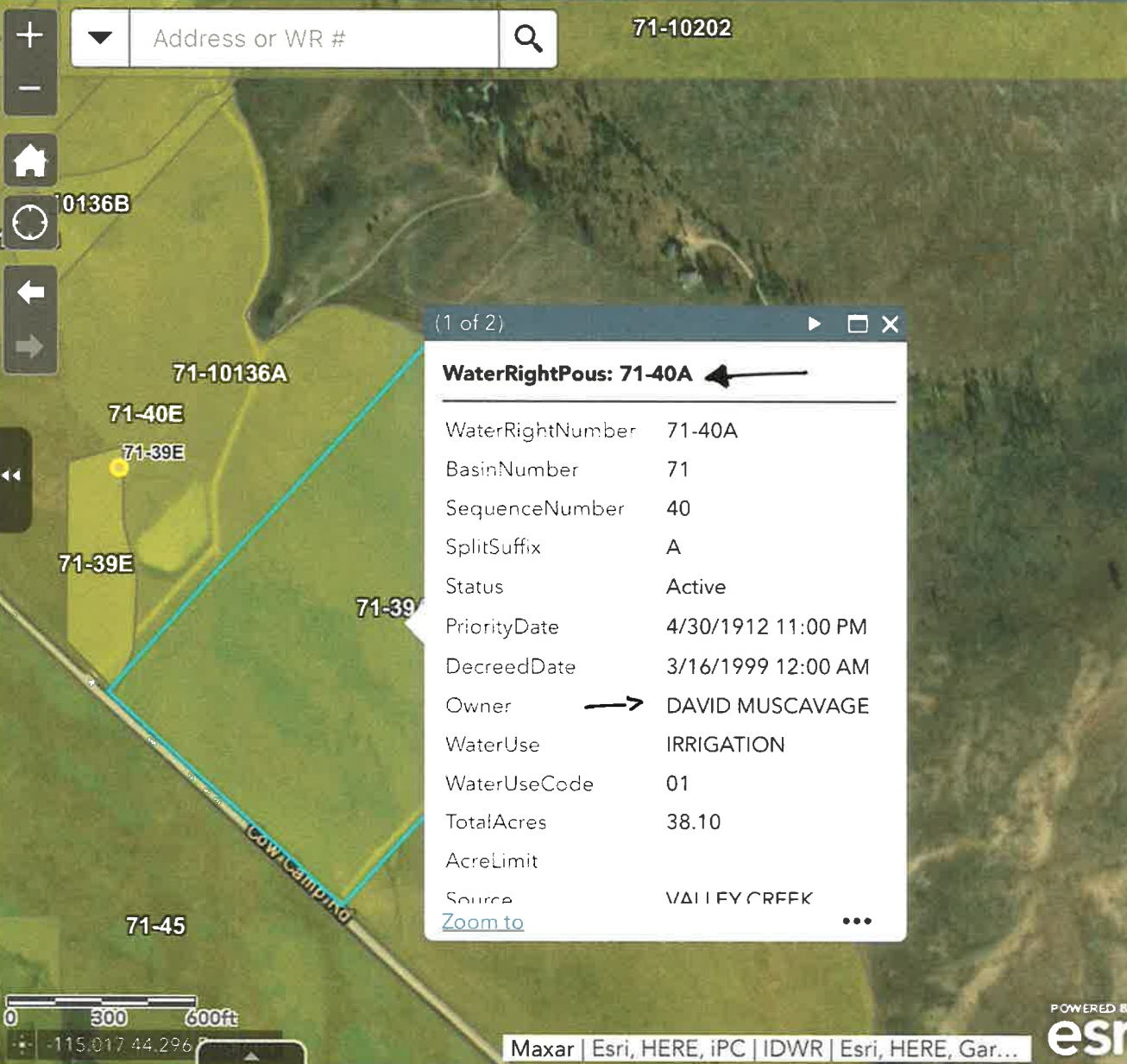
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Add Data

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Help and About



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Find water rights in Idaho

IDWR Home IDWR GIS Data Hub

71-39A



Water Right Diversion

71-39A



71-10203

71-39G

71-10203

Thompson Creek
71-10202

71-10136B

71-10202

71-39D

71-40H

71-10136B

71-10136A

71-39E

71-45

71-39E

71-39A

0.1 0.2mi

-115.009 44.295 Degrees

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Water Right Locator

Find water rights in Idaho

IDWR Home IDWR GIS Data Hub

71-40A

Water Right Diversion

71-40A



Highway 21

Valley Creek Rd

71-50

Holding Flt

Highway 21

Harrah Crk

71-41

71-7148

71-43B

71-10204

71-7042

71-7042

71-10204

0.1 0.2mi

-115.009 44.295 Degrees

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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 Mathew Weaver

April 18, 2024

MARK URNESS
CANDACE URNESS
1045 N MOREHOUSE AVE
EAGLE ID 83616-3616

Re: Change in Ownership for Water Right No(s): 71-39A and 71-40A

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 Associate

Enclosure(s)

Cc:
Water District 71