



IDAHO DEPARTMENT OF
WATER RESOURCES

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 04, 2024

JOHN DONOVAN RUSH
PO BOX 111
CAREY ID 83320-0111

RE: Change in Ownership Water Right No(s): 37-21218

Dear Interested Parties:

The Idaho Department of Water Resources (Department) received a Notice of Change in Water Right Ownership (Notice) from you on August 8, 2024 for the above referenced water rights. The Notice could not be processed because additional filing fees were needed.

On August 13, 2024 the Department requested the additional fees from you. As of the date of this letter, the Department has not received the additional fees.

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 Title Fact 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)

c: Title Fact

COPYSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

AUG 08 2024

Notice of Change in Water Right OwnershipDEPARTMENT OF
WATER RESOURCES

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 #6 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
37-21218	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: ALMA E RUSH AND JOE L RUSH

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): JOHN DONOVAN RUSH

New owner(s) as listed on the conveyance document

Name connector

☐ and ☐ or ☐ and/orBOX 111CAREY

ID

83320

Mailing address

City

State

ZIP

208-650-8350JONDONRUSH@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: _____

6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed IRS Form W-9 for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed Lessor Designation form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).

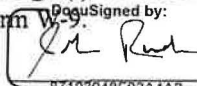
7. This form must be signed and submitted with the following **REQUIRED** items:

- ☒ 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: 

8/2/2024

Signature of new owner/claimant

Title, if applicable

Date

Signature: _____

Signature of new owner/claimant

Title, if applicable

Date

For IDWR Office Use Only:

Received by TS Date 08-08-24 Receipt No. 0118729 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 _____

COPY

Instrument # 707462

HAILEY, BLAINE, IDAHO
08-05-2024 1:52:39 PM No. of Pages: 1
Recorded for: TITLEFACT, INC.
STEPHEN MCDUGALL GRAHAM Fee: \$15.00
Ex-Officio Recorder Deputy: JG
Electronically Recorded by Simplifile

2

Case No. 78091 CM

TitleFact, Inc.
163 Fourth Avenue North
P.O. Box 486
Twin Falls, Idaho 83303

**** SPACE ABOVE FOR RECORDER ****

WARRANTY DEED

FOR VALUE RECEIVED DENNIS RAY RUSH, a married man dealing with his sole and separate property, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto JOHN DONOVAN RUSH, an unmarried man, hereinafter called Grantee, whose address is: P.O. Box 112, Carey, Id, 83320, the following described premises in Blaine County, Idaho; to-wit:

Township 1 South, Range 22 East, Boise Meridian, Blaine County, Idaho
Section 6: SW $\frac{1}{4}$ SE $\frac{1}{4}$

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and 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 they are free from all encumbrances except as described above; and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: June 20 2024

Dennis R. Rush
DENNIS RAY RUSH

* * * * *

STATE OF Alabama
County of Etowah

On this 20th day of June 2024, before me, a Notary Public in and for said State, personally appeared DENNIS RAY RUSH, known or identified to me to be the persons whose names subscribed to the foregoing instrument and acknowledged to me that he executed the same.

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

Kristen Crowe
Notary Public for Family Savings Credit Union
Residing at Rainbow City
Commission expires: 1/27/25



COPY

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right 37-21218

5/30/2024

<u>Owner Type</u>	<u>Name and Address</u>
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Current Owner	ALMA E RUSH PO BOX 303 CAREY, ID 83320 (208) 823-4441
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Current Owner JOE L RUSH
PO BOX 303
CAREY, ID 83320
(208) 823-4441

Priority Date: 8/18/1905

Basis: Decreed

Status: Active

Source

FISH CREEK

Tributary

LITTLE WOOD RIVER

Beneficial Use

IRRIGATION

From

To

04/15 10/31

Diversion Rate

0.900 CFS

Volume

Total Diversion

0.900 CFS

Source and Point(s) of Diversion:

FISH CREEK

SENESE

Sec. 33, Twp 01N, Rge 22E, BLAINE County

Place Of Use:

IRRIGATION within BLAINE County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
01S	22E	6															23.0	25.0	48.0

POU Total Acres: 48.0

Conditions of Approval:

- | | | |
|----|-----|---|
| 1. | C18 | This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code. |
| 2. | F01 | WATER IS DELIVERED THROUGH HIGHLINE CANAL. |
| 3. | E55 | USE OF THIS RIGHT WITH RIGHT NO. 37-2572 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 48 ACRES IN A SINGLE IRRIGATION SEASON. |

Comments:

COPY

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right 37-21218

5/30/2024

Dates and Other Information:

Decreed Date: 9/21/2006
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: AND
Water District Number: 37U
Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Water Rights</u>
		48.0	37-21218 ,37-2572

SubCase:

N/A

Water Supply Bank:

N/A

Idaho Department of Water Resources Receipt
Receipt ID: C118729

Payment Amount	\$25.00	Date Received	8/8/2024	Region	STATE
Payment Type	Check	Check Number	104128		
Payer	TITLE FACT, TRUST ACCOUNT				
Comments	CHANGE OF OWNERSHIP WR#37-21218 FOR: JOHN DONOVAN RUSH DOCUMENT NUMBER: D43586				

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 to:

Title Fact
163 Fourth Ave N
PO Box 756
Twin Falls ID 83303-0486

Ownership change was returned unprocessed. Thank you.

Jean

Hersley, Jean

From: Hersley, Jean
Sent: Friday, October 4, 2024 12:31 PM
To: IdwrPayable
Subject: refund
Attachments: 37-21218 Title Fact- Returned Rush OC.docx

Please process the attached refund. Thank you.



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



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Governor Brad Little

Director Mathew Weaver

August 13, 2024

JOHN DONOVAN RUSH
PO BOX 111
CAREY ID 83320-0111

RE: Change in Ownership Water Right No(s): 37-21218

Dear Interested Parties:

The Department of Water Resources (Department) acknowledges receipt of your Notice of Change in Water Right Ownership (Notice).

Our review of your Notice indicates that additional information is required before the Department can process the change. The information required is indicated below:

- Additional Filing Fee of \$75. The deed you provided with your request only includes the SWSE of Township 01S, Range 22E, Section 6. The place of use (POU) for water right 37-21218 includes the SWSE and the SESE. If you have another deed that includes the SESE, please provide it to the Department. If you don't, an additional \$75 will need to be split this water right.

Effective July 1, 2000, the legislature enacted House Bill No. 545 requiring a filing fee for a change in water right ownership. The fee is \$25 per water right, except for ownership changes resulting in the division of a water right, which is \$100 per water right. All ownership change notices received after June 30, 2000 must include the appropriate filing fees in order to be processed. We have determined that the additional filing fee for your notice will be \$75.

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

Also, please note that permit holders are required to report any change of ownership and/or mailing address to the Department within 120 days of the change. Forms to assign ownership or update your address are available from any office of the Department or on the Department's website.

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

Sincerely,

Jean Hersley
Technical Records Specialist 2

Enclosure(s)