

RECEIVED

MAR 13 2025

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

DEPT. 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. Dew

| Water Right/Claim No. | Split?                                  | Leased to Water Supply Bank? | Water Right/Claim No. | Split?                       | Leased to Water Supply Bank? |
|-----------------------|-----------------------------------------|------------------------------|-----------------------|------------------------------|------------------------------|
| <del>3-2004B</del>    | Yes <input checked="" type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
| 3-10296               | Yes <input type="checkbox"/>            | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
| 3-10296 + 3-10297     | Yes <input type="checkbox"/>            | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/>            | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/>            | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |

2. Previous Owner's Name: Steve Mackay  
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Troy Halberg and Barri Halberg  
New owner(s) as listed on the conveyance document

826 Haas Rd Weiser ID 83672  
Mailing address City State Zip  
208-718-0913 troyh@riverbend-electric.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 ☐  
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 decrec, 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 #** 3-10296

8. Signature: [Signature] 3/6/2025  
Signature of new owner/claimant Title, if applicable Date

Signed by:  
Print name Barri R Halberg 3/7/2025  
Signature of new owner/claimant Title, if applicable Date

Print name \_\_\_\_\_

**For IDWR Office Use Only:**

Received by KM Date 3.13.24 Receipt No. C120394 Receipt Amt. 100 -

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 [Signature] Date 4-9-25



**Instrument # 263719**  
STATE OF IDAHO, COUNTY OF WASHINGTON  
2025-03-10 08:43:56 AM No. of Pages: 4  
Recorded for: TITLEONE BOISE  
DONNA WHITE Fee: \$15.00  
Ex-Officio Recorder Deputy MMcConnell  
Index To: DEED  
Electronically Recorded by Simplifile

Order Number: 25539542

## **Warranty Deed**

For value received,

**Jeffrey Stuart Mackay and Erin Lynnette Mackay Brown and Kelly Annette Mackay-Stringer who acquired title as Kelly Annette Mackay**

the grantor, does hereby grant, bargain, sell, and convey unto

**Troy Halberg, a married man, and Barri R. Halberg, a married man**

whose current address is 826 Haas Rd Weiser, ID 83672

the grantee, the following described premises, in Washington County, Idaho, to wit:

**See Exhibit A, attached hereto and incorporated herein.**

To have and to hold the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

Remainder of page intentionally left blank.

Dated: March 6, 2025

Jeffrey Stuart Mackay  
Jeffrey Stuart Mackay

Signed in Counterpart  
Erin Lynnette Mackay Brown

Signed in Counterpart  
Kelly Annette Mackay-Stringer

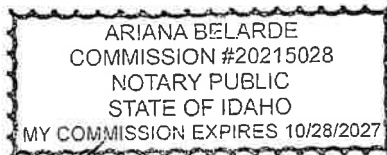
State of Idaho, County of Ada, ss.

On this 7 day of March in the year of 2025, before me, the undersigned, a Notary Public in and for said State, personally appeared Jeffrey Stuart Mackay, 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.

[Signature]  
Notary Public

Residing In: Ada

My Commission Expires: 10/28/27  
(seal)



On this \_\_\_\_\_ day of March in the year of 2025, before me, the undersigned, a Notary Public in and for said State, personally appeared Erin Lynnette Mackay Brown, 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.

\_\_\_\_\_  
Notary Public

Residing In:

My Commission Expires:  
(seal)

On this \_\_\_\_\_ day of March in the year of 2025, before me, the undersigned, a Notary Public in and for said State, personally Kelly Annette Mackay-Stringer, 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.

\_\_\_\_\_  
Notary Public

Residing In:

My Commission Expires:  
(seal)

Dated: March 6, 2025

Signed in Counterpart  
Jeffrey Stuart Mackay

Erin Lynnette Mackay Brown

Kelly Annette Mackay-Stringer

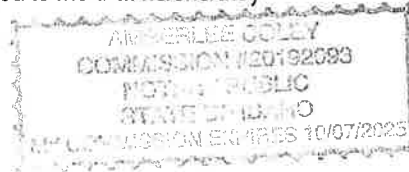
State of Idaho, County of \_\_\_\_\_, ss.

On this \_\_\_\_\_ day of March in the year of 2025, before me, the undersigned, a Notary Public in and for said State, personally appeared Jeffrey Stuart Mackay, 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.

\_\_\_\_\_  
 Notary Public  
 Residing In:  
 My Commission Expires:  
 (seal)

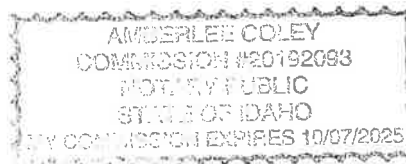
On this 7<sup>th</sup> day of March in the year of 2025, before me, the undersigned, a Notary Public in and for said State, personally appeared Erin Lynnette Mackay Brown, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

Amberlee Coley  
 Notary Public  
 Residing In: Payette  
 My Commission Expires: 10/07/2025  
 (seal)



On this 7<sup>th</sup> day of March in the year of 2025, before me, the undersigned, a Notary Public in and for said State, personally Kelly Annette Mackay-Stringer, 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.

Amberlee Coley  
 Notary Public  
 Residing In: Payette  
 My Commission Expires: 10/07/2025  
 (seal)



## EXHIBIT A

### LEGAL DESCRIPTION OF THE PREMISES

Lots 37, 38, 39, 40, 41, 42, 43, 44, 45, 47 and 48 of Sunnyside Orchard Tract, according to the Official Plat thereof, on file in the office of the County Recorder of Washington County, Idaho, and being situated in portions of Section 17, Township 10 North, Range 5 West of the Boise Meridian.

Excepting therefrom that portion conveyed to the City of Weiser in Deed recorded March 30, 1990, as Instrument No. 149042, Official Records, more particularly described as follows:

Portions of Lots 5, 6, 24, 37 and 38, and all of Lot 23, Sunnyside Orchard Tract, as shown on the official plat thereof on file in the office of the County Recorder of Washington County, Idaho, more particularly described by metes and bounds as follows:

Commencing at the East one-quarter corner of Section 17, Township 10 North, Range 5 West, Boise Meridian, Washington County, Idaho, and running South 0°00'00" West 668.75 feet (formerly described as 670 feet) along the Easterly boundary of said Section 17 to a point;

Thence North 89°55'37" West 30.00 feet to the Southeast corner of Lot 6, said Sunnyside Orchard Tract;

Thence continuing North 89°55'37" West 297.76 feet along the Southerly boundary of said Lot 6 to the TRUE POINT OF BEGINNING;

Thence continuing North 89°55'37" West 972.24 feet along said Southerly boundary of Lot 6 and the Southerly boundary of Lot 23 to the Southwest corner of said Lot 23;

Thence North 0°00'00" East 246.49 feet along the Westerly boundary of said Lot 23 to a point on the Southwesterly right of way line of proposed relocated Hansen Road;

Thence North 44°09'11" West 439.88 feet along said Southwesterly right of way line of proposed relocated Hansen Road to a point of curve;

Thence continuing along said Southwesterly right of way of proposed relocated Hansen Road Northwesterly 191.66 feet along a curve to the left having a radius of 240.00 feet, tangents of 101.27 feet, a central angle of 45°45'21" and whose long chord bears North 67°01'52" West 186.61 feet to a point of tangent;

Thence North 0°05'28" East 15.00 feet to a point on the Northerly boundary of Lot 37, said Sunnyside Orchard Tract;

Thence South 89°54'32" East 819.52 feet along the Northerly boundaries of Lots 37 and 24, said Sunnyside Orchard Tract to a point;

Thence South 44°09'11" East 905.75 feet to the TRUE POINT OF BEGINNING.

### PERSONAL REPRESENTATIVE'S DEED

For value received Elizabeth Mackay, as personal representative of the Estate of Steven B. Mackay, filed as Case No. 93-00580, in the Third Judicial District, County of Washington, State of Idaho, transferor, hereby quitclaims, transfers, and conveys to to Stuart Mackay, transferee, whose address is 1680 Crystal Lane, Weiser, Idaho 83672, as his sole and separate property, a life estate in that parcel of real property, located in Washington County, Idaho and more particularly described in the attached Exhibit "A," together with all appurtenances. Transferor hereby transfers the remainder interest in said property to the transferee's children: Jeffrey Stuart Mackay, Erin Lynette Mackay Brown, and Kelly Annette Mackay. The address of those persons who hold the remainder interest shall be in care of transferee at his address.

EXECUTED this 25 day of <sup>Sept</sup>~~August~~, 1995.

  
Elizabeth Mackay  
Personal representative of the Estate of  
Steven B. Mackay, deceased.

STATE OF Utah )  
COUNTY OF Davis )  
SS

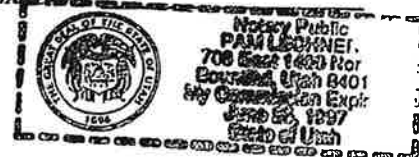
On this 25 day of <sup>Sept</sup>~~April~~, 1995, before me, the undersigned, a notary public in and for said state, personally appeared, Elizabeth Mackay, known or identified to me to be the person whose name is subscribed to the within instrument, as personal representative of the Estate of Steven B. Mackay, deceased, and acknowledged to me that she executed the same as such Personal Representative.

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

(SEAL)

Pam Lechner  
NOTARY PUBLIC FOR Key Bank  
Residing at: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

**Personal Representatives' Deed - 2/S&S - 1**  
95-G-2310



INSTRUMENT NO. 164410  
CLERK OF DISTRICT COURT, COUNTY OF WASHINGTON  
Filed for record at the request of  
ELAM & BURKE

INSTRUMENT NO. 164410  
PAGE 2 OF 2

35 Min. past TEN o'clock A.M.  
This 4TH day of OCTOBER 10, 95  
Index to: DEEDS  
SHARON W.D. Recorder, Fee: \$6.00  
By *J. A. McKnight* Deputy  
BOX 1539, BOISE, ID 83701

Comp. Index  
Comp. Reg.  
Film  
Compare  
Exam. Reg.  
Ex. Reg.  
Up-dates  
Returns  
Copy

**PARCEL E**

Est. of Steven B. Mackay, deceased, and Elizabeth C. Mackay,  
undivided 1/2 interest and Stephen Wayne Mackay, an undivided  
interest

Lots 4, 5, 6, 24, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47 and 48  
of Sunnyside Orchard Tract according to the Official Plat thereof on  
file in the office of the County Recorder of Washington County,  
Idaho, and being situated in portions of Section 17 and 20, Township  
10 North, Range 5 West of the Boise Meridian, SAVE AND EXCEPT all  
that portion conveyed to the City of Weiser in Deed recorded March  
30, 1990 as Instrument No. 149042, Official Records.

and FURTHER EXCEPTING the following:

A parcel of land situated within Lot 3 (within NE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section  
17, Township 10 North, Range 5 West, Boise Meridian) of Sunnyside  
Orchard Tract, as the same is shown on the official plat thereof on  
file in the office of the County Recorder of Washington County,  
Idaho, which parcel of land is more particularly described as  
follows:

Beginning at the northeast corner of the NE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 17,  
Township 10 North, Range 5 West, Boise Meridian;  
Thence South a distance of 20.00 feet along the East line of said  
NE $\frac{1}{4}$ SE $\frac{1}{4}$ ;

Thence N 89°54'40" W - 30.00 feet to the northeast corner of Lot 5  
of Sunnyside Orchard Tract, which point is the TRUE POINT OF  
BEGINNING, and which point is on the west right-of-way line of  
an existing County Road known as River Dock Road and on the  
south right-of-way line of an existing County Road known as  
Hansen Road;

Thence N. 89°54'40" W. 280.00 feet along the North boundary of said  
Lot 5 and the south right-of-way line of Hansen Road;

Thence South, parallel to the east boundary of said Lot 5, a  
distance of 155.57 feet;

Thence S. 89°54'40" E, parallel to the north boundary of said Lot  
5, a distance of 280.00 feet to a point on the west right-of-  
way line of River Dock Road;

Thence North a distance of 155.57 feet along the east boundary of  
said Lot 5 and the west right-of-way line of River Dock Road  
to the TRUE POINT OF BEGINNING.



560 S. 16th St., Suite A  
Payette, ID 83661  
Ph. (208) 405-2410  
Fx.  
www.titleonecorp.com

### **New Owner Information**

Date: March 6, 2025

#### **Property Information**

Property Address:

TBD Hansen Rd

Weiser, ID 83672

Closing Date: March 10, 2025

#### **Homeowner Information**

Buyer Name: Troy Halberg and Barri R. Halberg

Email Address: troyh@riverbend-electric.com

Phone Number: (208) 718-0913

Mailing address if different from property address:

826 Haas Rd

Weiser, ID 83672

Seller Name: Jeffrey Stuart Mackay and Erin Lynnette Mackay Brown and Kelly Annette Mackay-Stringer

**Recorded Warranty Deed enclosed for your records.**

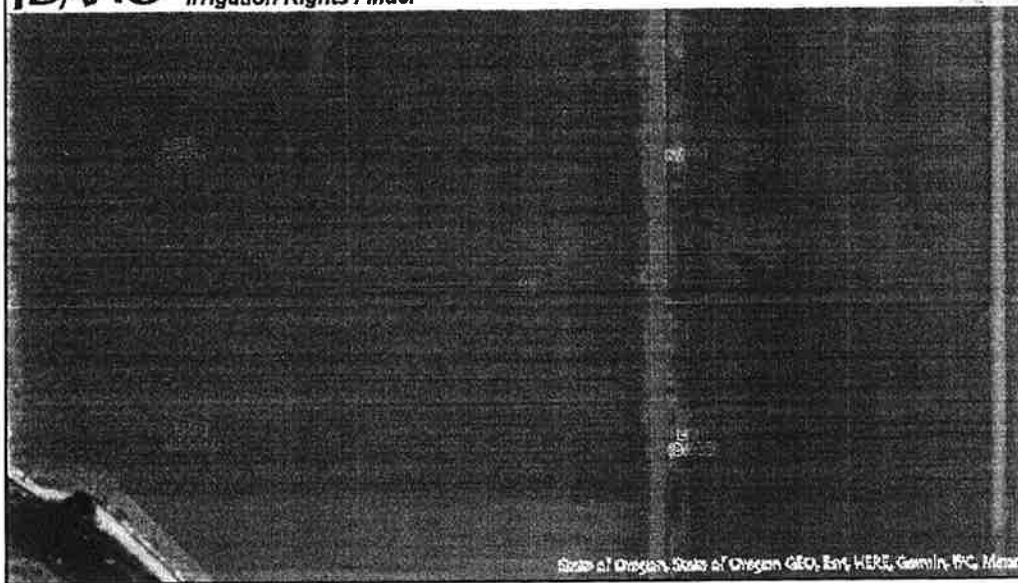
Thank you for the opportunity to serve you!

Sincerely,

Amberlee Coley

(208) 405-2410

amberlee.coley@titleonecorp.com



### Legend

- ☒ Water Right Place of Use
- ☐ Recommendation Place of Use
- ☐ Water Permit Place of Use
- ☐ Irrigation Company

Search type: Identify



### State of Idaho

Department of  
Water Resources  
322 East Front Street  
Boise, Idaho 83720-0098  
Phone: (208) 28-4800  
Fax: (208) 287-6700

Scale: 1" = 210 feet

## Search Results

| Water Right Number | Process     | Owner        |
|--------------------|-------------|--------------|
| 3-2001B            | Water Right | STEVE MACKAY |

**Disclaimer:** Shapes represent an approximation of the water right extent. Please review each water right of interest either on-line (choose the Details link) or by contacting IDWR (208-287-4800).

## Water Right Report : 3-2001-B ( Decreed/Active)

### Water Right Owners

| Owner Type    | Name             | Address                      | City    | State | Postal Code |
|---------------|------------------|------------------------------|---------|-------|-------------|
| Current Owner | MACKAY, STEVE    | 380 DECK ST                  | ONTARIO | OR    | 37914       |
| Current Owner | MACKAY, STEVEN W | C/O STEVE MACKAY 380 DECK ST | ONTARIO | OR    | 97914       |

### Water Right Status

Priority Date : 1/15/1907  
Basis : Decreed  
Status : Active

### Water Source

| Source      | Source Qualifier | Tributary      | Tributary Qualifier |
|-------------|------------------|----------------|---------------------|
| SNAKE RIVER |                  | COLUMBIA RIVER |                     |

### Points Of Diversion (Location)

| Source      | Township | Range | Section | Govt. Lot | QQQ | QQ | Q  | County     | Diversion Type |
|-------------|----------|-------|---------|-----------|-----|----|----|------------|----------------|
| SNAKE RIVER | 10N      | 05W   | 20      | 1         | NW  | NE | NE | WASHINGTON |                |

### Water Uses

| Beneficial Use | From  | To    | Diversion Rate | Volume |
|----------------|-------|-------|----------------|--------|
| IRRIGATION     | 03/01 | 11/15 | 1.02 CFS       |        |
| <b>TOTAL</b>   |       |       | 1.02 CFS       |        |

### Places of Use

#### Place of Use Legal Description : IRRIGATION (WASHINGTON county)

| Township | Range | Section | Lot | QQQ | QQ | Q  | Acres |
|----------|-------|---------|-----|-----|----|----|-------|
| 10N      | 05W   | 17      |     |     | SE | NE | 5.0   |
| 10N      | 05W   | 17      |     |     | NW | SE | 16.0  |
| 10N      | 05W   | 17      | 1   |     | SW | SE | 23.0  |
| 10N      | 05W   | 20      | 1   |     | NE | NE | 7.0   |

### Irrigation Totals

Total Acres    Acre Limit  
51.00

### Conditions

#### Code    Conditions

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.

### Dates

Licensed Date :  
Decreed Date : 7/9/2007  
Permit Proof Due Date :  
Permit Proof Made Date :  
Permit Approved Date :  
Permit Moratorium Expiration Date :  
Enlargement Use Priority Date :

### Other Information

State or Federal : S  
Water District Number : NWD  
Generic Max Rate Per Acre : 0  
Generic Max Volume Per Acre : 0  
Civil Case Number :  
Decree Plaintiff :  
Decree Defendant :

Enlargement Statute Priority Date :  
Application Received Date:  
Protest Deadline Date:

Swan Falls Trust or Nontrust :  
Swan Falls Dismissed :  
DLE Act Number :  
Cary Act Number :  
Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES

3/6/2025

2021 - ExternalSearch - Priority



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](mailto:idwrinfo@idwr.idaho.gov) • Website: [idwr.idaho.gov](http://idwr.idaho.gov)

Governor Brad Little

Director Mathew Weaver

April 09, 2025

TROY HALBERG  
BARRI R HALBERG  
826 HAAS RD  
WEISER ID 83672-5064

Re: Change in Water Right Ownership: 3-10296 (Split into 3-10296 and **3-10297**)

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of a portion of the above referenced water right(s) to you. The Department has modified its records based on the information received and has enclosed a computer-generated report for you. You submitted your Notice of Change in Water Right Ownership for a portion of water right 3-2001B. The Department had another ownership change pending that was received before you submitted yours. In that ownership change, the Department split water right 3-2001B into 3-2001B and 3-10296. Your warranty deed conveyed a portion of water right 3-10296 to you.

**Your portion of each water right(s) has a specified point of diversion, nature of use and place of use. If you plan to change the authorized point of diversion, nature of use, or place of use, including adding a new point of diversion, you must file an Application for Transfer of Water Right.** If you do not plan to change any elements of your water right, then no further action is required at this time.

The portion of the water right retained by the original right holder retains the original water right number. The Department is sending the original right holder a copy of this letter and a computer-generated report showing the changes to the original water right.

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) 287-4942.

Sincerely,

A handwritten signature in cursive script that reads "Jean Hersley".

Jean Hersley  
Technical Records Specialist 2

Enclosure(s)

c: ERIN LYNETTE MACKAY BROWN  
KELLY MACKAY STRINGER  
JEFFREY STUART MACKAY