

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
22-4138					

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Mary W Luthy
980 E 7800 S
4. New Owner/Claimant(s) Billy or Melia Luthy
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 960 E 7800 S
- City, State and ZIP Code Rexburg, Idaho 83440
- New Telephone Number (208) 356-6331
5. Date you acquired the property May 22, 1995

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 Department of Water Resources
 Eastern Region

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6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) X Billy Luthy
(include title if applicable) Nelda Luthy

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee _____
 Received by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

THIS INDENTURE, made this 30th day of April, 2003, between KAY LUTHY of Ririe, Idaho; BILL LUTHY of Rexburg, Idaho; DUWAYNE LUTHY of Sugar City, Idaho; and, MARDEAN POPE of Rexburg, Idaho, the Grantor, and BILL LUTHY and NELIA S. LUTHY, his wife, of 960 East 7800 South, Rexburg, Madison County, Idaho, the Grantee,

WITNESSETH, that the Grantor, for and in consideration of the sum of Ten Dollars, lawful money of the United States of America, and other good and valuable considerations, to Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, does by these presents remise, release and forever QUITCLAIM, unto the said Grantee, and to Grantee heirs and assigns, forever, all the following described real estate, situated in Madison County, Idaho, to-wit:

Township 5 North, Range 40 EBM, Madison, County, Idaho

Parcel 1:

Section 33: SE1/4 of the NW1/4 less the Sutton Cemetery together with the appurtenant water rights in the Sunny Dell Irrigation District.

Parcel 2:

NE1/4 of the SW1/4 together with appurtenant water rights in the Sunny Dell Irrigation District.

EXCEPTING THEREFROM: Commencing at the Southwest corner of the Northeast Quarter of the Southwest Quarter of Section 33; Township 5 North, Range 40 EBM, Madison County, Idaho and running thence North 269 feet; thence East 566 feet; thence South 269 feet; thence West 566 feet to the point of beginning.

TOGETHER WITH all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, and rents, issues and profits thereof;

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances, unto the said Grantee, and to Grantee heirs and assigns forever.

IN WITNESS WHEREOF, the said Grantor has hereunto set his hand and seal the day and year first above written.

Duwayne Luthy
DUWAYNE LUTHY

MARDEAN POPE

On this 16 day of May, 2003, before me, the undersigned, a Notary Public in and for said State, personally appeared KAY LUTHY, known to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that they/she/he executed the same.

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

Janeal Field
Notary Public for Idaho
Residing at: Lewiston
Commission Expires: 1/31/08

On this 13th day of May, 2003, before me, the undersigned, a Notary Public in and for said State, personally appeared BILL LUTHY, known to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that they/she/he executed the same.

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

Crayne P. Roberts
Notary Public for Idaho
Residing at: Rexburg
Commission Expires: 12-25-03

On this 13th day of May, 2003, before me, the undersigned, a Notary Public in and for said State, personally appeared DUWAYNE LUTHY, known to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that they/she/he executed the same.

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

Wendy N. Roberts
Notary Public for Idaho
Residing at: Rexburg
Commission Expires: 2-25-03

On this 12th day of May, 2003, before me, the undersigned, a Notary Public in and for said State, personally appeared MARDEAN POPE, known to me to be the person(s) whose