

**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<br>Right No(s). | Adjudication<br>Claim No(s). | Split | Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split |
|-----------------------|------------------------------|-------|-----------------------|------------------------------|-------|
|                       | 75-83                        | ✓     |                       |                              |       |
|                       | 75-84                        | ✓     |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |

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) Barry Marcus, et al  
737 N. 7th St., Boise, ID 83702
4. New Owner/Claimant(s) David Yanoff  
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 343 Diamond Creek Rd.  
 City, State and ZIP Code Salmon, ID 83467  
 New Telephone Number (208) 756-2248
5. Date you acquired the property 01-26-2000

SW NE Lot 9  
 22N 22E S6

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<br>(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<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | _____                                                                      | _____                                                        |
| Stock                                                                                                                   | _____                                                                      | _____                                                        |
| Domestic                                                                                                                | _____                                                                      | _____                                                        |
| Other _____                                                                                                             | _____                                                                      | _____                                                        |
| Total                                                                                                                   | _____                                                                      | _____                                                        |

| DESCRIPTION OF YOUR PORTION OF WATER RIGHT<br>(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<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | _____                                                                      | _____                                                        |
| Stock                                                                                                                   | _____                                                                      | _____                                                        |
| Domestic                                                                                                                | _____                                                                      | _____                                                        |
| Other _____                                                                                                             | _____                                                                      | _____                                                        |
| Total                                                                                                                   | _____                                                                      | _____                                                        |

7. Signature of New Owner(s) or Claimant(s)  
(include title if applicable)

DLCC (DAVID YANOFF)

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 _____           |
| Receipted by _____    | Date _____ | Receipt No. _____   |
| Processed by _____ AJ | Date _____ | WR _____ Date _____ |

# WARRANTY DEED

Order No.: 307000341L-C

## FOR VALUE RECEIVED

**John Michael Gwartney, a married man dealing with his sole and separate property**

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

**David B. Yanoff, an unmarried person**

whose current address is

**70 Towhee Drive Palmerton, PA 18071**

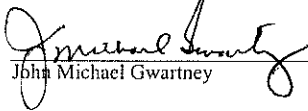
the grantee(s), the following described premises, in Lemhi County, Idaho, TO WIT:

**Lot 2 of Diamond Creek Subdivision, according to the official plat thereof, filed in Book 5 of Plats at Page(s) 45 Official Records of Lemhi County, Idaho, and corrected by Affidavit Authorizing Changes On Plat recorded October 28, 1983 as Instrument No. 169591.**

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: 7/18/2000

  
John Michael Gwartney

State of Idaho

} ss.

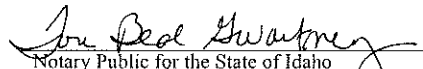
County of Lemhi

On this 26th day of July, before me, a Notary Public in and for said state, personally appeared John Michael Gwartney and

known or identified to me to be the person(s) whose name(s) subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

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



  
Notary Public for the State of Idaho  
Residing at: Evans  
Commission Expires: 8/17/00

State of Idaho ) SS No. 244872  
County of Lemhi )

This instrument was filed for record at the request  
of Alliance Title  
at 3:08 p.m. on July 27, 2000  
at the County Clerk's Office, Lemhi County, Idaho  
by Janet Summers, Deputy

Fee \$3.00  
Return to A.T.

# DIAMOND CREEK

Located in Lots 3, 4, 5, 6, 8, 9, and the SE  $\frac{1}{4}$  NW  $\frac{1}{4}$

Section 6, T.22N., R.22E., B.M.,

and Lots 10 and 11, Section 31,

T.23N., R.22E., B.M.,

Lemhi County, Idaho

Selling Real Estate Since 1948  
Tract purchasers  
3, 4, 5, 6, and 9,  
of U.S. Government  
County, Idaho,

tion 31, being the  
t on a bearing of

the westerly  
following courses

feet;  
feet;  
feet;  
feet;  
feet;

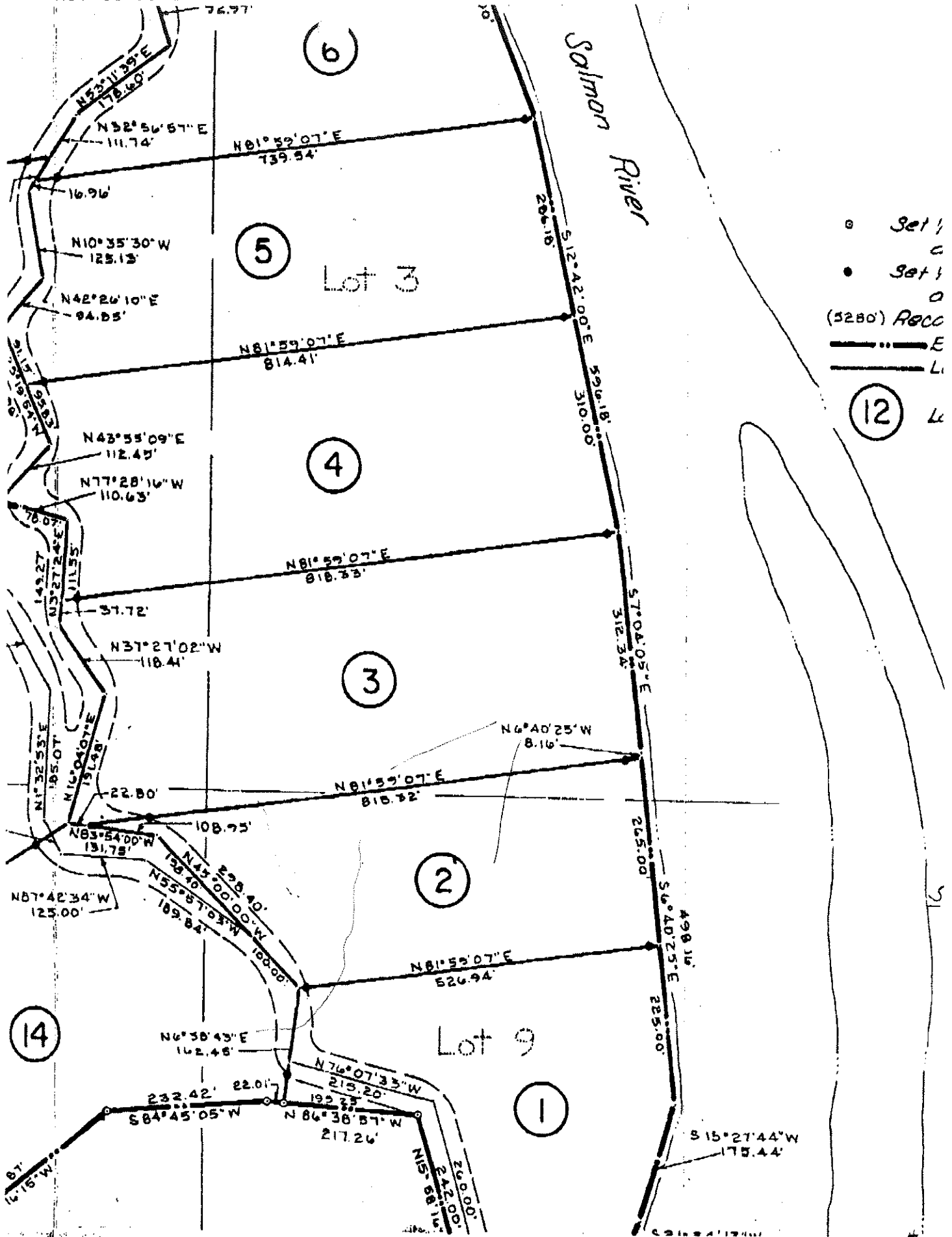
## CERTIFICATE OF SURVEYOR

This is to certify that I, James S. Johnston, C.E.L.S. No. 2237,  
State of Idaho, made the survey of the land as described in the  
forgoing certificate of owners and designated herein as  
DIAMOND CREEK, and that this plat, comprised of 3 sheets, is  
a true and correct representation of said survey  
as made and staked by me or under my supervision in accordance  
with the laws of the State of Idaho on said land.

#159000

COUNTY RECORDER'S CERTIFICATE

James S. Johnston  
COUNTY RECORDER  
JAN 1 1948



# WARRANTY DEED

Order No.:307000341L-C

## FOR VALUE RECEIVED

John Michael Gwartney, a married man dealing with his sole and separate property

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

David B. Yanoff, an unmarried person

whose current address is

70 Towhee Drive Palmerton, PA 18071

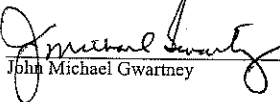
the grantee(s), the following described premises, in Lemhi County, Idaho, TO WIT:

Lot 2 of Diamond Creek Subdivision, according to the official plat thereof, filed in Book 5 of Plats at Page(s) 45 Official Records of Lemhi County, Idaho, and corrected by Affidavit Authorizing Changes On Plat recorded October 28, 1983 as Instrument No. 169591.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: 7/18/2000

  
John Michael Gwartney

State of Idaho

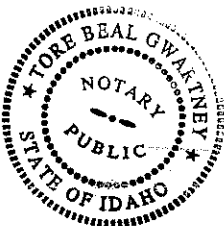
} ss.

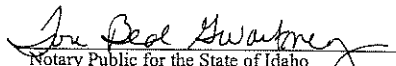
County of Lemhi

On this 26th day of July, before me, a Notary Public in and for said state, personally appeared John Michael Gwartney and

known or identified to me to be the person(s) whose name(s) subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

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



  
Notary Public for the State of Idaho  
Residing at: Idaho  
Commission Expires: 8/17/00

State of Idaho )  
County of Lemhi )

SS No. 244872

This instrument was filed for record at the request

of Alliance Title

at 3:08 o'clock p.m. July 27, 2000

and duly filed and indexed in the records of Lemhi

County Toni J. Moxon  
Ex-Officio Recorder

By Jane Summers Deputy

Fee \$3.00

Return to A.T.