

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

RECEIVED
JUN 10 2008
 DEPARTMENT OF
 WATER RESOURCES

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 IDWR will produce new water right number(s) for the split(s).

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
Ad 73-4024					
Ad 73-4025					
Ad 73-12047					
Ad 73-12103					

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 on file with the county Planning and Zoning or Recorder's Office).
- OR**
- D. 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 or equivalent **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)

Chuck and Claudia Charlton
HC 62 Box 1080
Ellis Id 83235

4. New Owner/Claimant(s)

Sydney and Karen Dowton
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

PO Box 7

City, State and ZIP Code

Ellis, Id 83235

New Telephone Number

(208) 870-4225 Email: _____

5. Date you acquired the property

May 28, 2008

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 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 (you may copy this page, if 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 will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		

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.

7. Signature(s) of New Owner(s) or Claimant(s)

Sydney M. Denton
Karen C. Denton

(title if applicable)

(title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

Received by UN
 Received by UN
 Processed by _____ AJ

Date 6/10/08
 Date 6/10/08
 Date _____

Receipt Amt. 100.00
 Receipt No. 0087079
 WR _____ Date _____

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 73-12047

NAME AND ADDRESS: CHUCK R CHARLTON
PO BOX 96
ELLIS ID 83235

SOURCE: DUCK SPRING
PATTERSON CREEK

TRIBUTARY: PATTERSON CREEK
TRIBUTARY: PAHSIMEROI RIVER

QUANTITY: 0.350 CFS

PRIORITY DATE: 04/01/1912

POINT OF
DIVERSION:

T15N R21E S26 SWSW Injection Within LEMHI County
T15N R21E S26 SESW Within LEMHI County
T15N R21E S26 SWSE Within LEMHI County
T15N R21E S27 SESE Rediversion Within LEMHI County

Water diverted under this right is exchanged by injecting water diverted under this right into the Pahsimeroi River at the point of injection described above, and diverting an equal amount from the Pahsimeroi River at the point of rediversion described above.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.350 CFS

PLACE OF USE: IRRIGATION in CUSTER County

T15N R21E S07 SENE 6.60
6.6 ACRES TOTAL

Right Nos. 73-12047, 73-12103, and 73-12104 are limited to the irrigation of a combined total of 6.6 acres in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Patterson Creek is also known as Spring Creek.

This right is a split from former right 73-73A.

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 73-12103

NAME AND ADDRESS: CHUCK R CHARLTON
PO BOX 96
ELLIS ID 83235

SOURCE: PAHSIMEROI RIVER

TRIBUTARY: SALMON RIVER

QUANTITY: 0.200 CFS

PRIORITY DATE: 04/01/1912

POINT OF
DIVERSION: T15N R21E S27 SESE Within CUSTER County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/01 10/31	0.200 CFS
PLACE OF USE:	<u>IRRIGATION in CUSTER County</u>		
	T15N R21E S07	SENE 6.60	
	6.6 ACRES TOTAL		

Right Nos. 73-12047, 73-12103 and 73-12104 are limited to the irrigation of a combined total of 6.6 acres in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Recommended as a portion of Right No. 73-73B.

This right is a split from former right 73-4026.

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 73-12104

NAME AND ADDRESS: CHUCK R CHARLTON
PO BOX 96
ELLIS ID 83235

SOURCE: PAHSIMEROI RIVER

TRIBUTARY: SALMON RIVER

QUANTITY: 0.200 CFS

PRIORITY DATE: 02/18/1926

POINT OF

DIVERSION: T15N R21E S27 SESE Within CUSTER County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.200 CFS

PLACE OF USE: IRRIGATION in CUSTER County

T15N R21E S07 SENE 6.60

6.6 ACRES TOTAL

Right Nos. 73-12047, 73-12103, and 73-12104 are limited to the irrigation of a combined total of 6.6 acres in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

This right is a split from former right 73-4026.

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 73-4024

NAME AND ADDRESS: CHUCK R CHARLTON
PO BOX 96
ELLIS ID 83235

SOURCE: PAHSIMEROI RIVER

TRIBUTARY: SALMON RIVER

QUANTITY: 2.450 CFS

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 02/18/1926

POINT OF
DIVERSION: T15N R21E S8 SESW Within CUSTER County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	2.400 CFS
STOCKWATER	01/01 12/31	0.050 CFS

PLACE OF USE: IRRIGATION in CUSTER County

T15N R21E S07	SENE	31.00	T15N R21E S08	SWNW	36.00
T15N R21E S08	SENW	2.80			

STOCKWATER same as IRRIGATION

69.8 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 73-4025

NAME AND ADDRESS: CHUCK R CHARLTON
PO BOX 96
ELLIS ID 83235

SOURCE: SPRING

TRIBUTARY: PAHSIMEROI RIVER

QUANTITY: 0.800 CFS

PRIORITY DATE: 08/01/1950

POINT OF
DIVERSION: T15N R21E S8 NENESW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.800 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T15N R21E S08 SENW 24.00

24 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use



Order No. 0058060

WARRANTY DEED

For Value Received,

Chuck R. Charlton and Claudia F. Charlton, husband and wife

GRANTOR(s), do(es) hereby GRANT, BARGAIN, SELL and CONVEY unto

Sydney M. Dowton, Jr. and Karen A. Dowton, husband and wife

GRANTEE(s), whose address is: PO Box 7, Ellis, ID 83235

the following described real property, to-wit:

TOWNSHIP 15 NORTH, RANGE 21 EAST, BOISE MERIDIAN, LEMHI COUNTY, IDAHO.

SECTION 8: SOUTHEAST QUARTER NORTHWEST QUARTER, AND THAT PART OF THE EAST HALF SOUTHWEST QUARTER NORTHWEST QUARTER, LYING AND BEING IN LEMHI COUNTY, IDAHO.

EXCEPTING THEREFROM:

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER NORTHWEST QUARTER OF SECTION 8, TOWNSHIP 15 N., RANGE 21 E., BOISE MERIDIAN, LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

COMMENCING AT THE NORTHWEST SECTION CORNER OF SAID SECTION 8, A DISTANCE OF 1,320.35 FEET ON A BEARING OF S. 0° 01' 02" E. ALONG THE WEST BOUNDARY OF SECTION 8 TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER NORTHWEST QUARTER; THENCE N. 89° 57' 22" E., 2,638.77 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER NORTHWEST QUARTER AND THE REAL POINT OF BEGINNING.

FROM THIS REAL POINT OF BEGINNING, A DISTANCE OF 760.88 FEET ON A BEARING OF S. 0° 02' 15" E., TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF THE COUNTY ROAD; THENCE THE FOLLOWING COURSES AND DISTANCES ALONG SAID RIGHT-OF-WAY;

N. 21° 02' 30" W., 150.22 FEET;

N. 16° 48' 15" W., 423.39 FEET ALONG THE CHORD OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 8° 28' 30" AND A RADIUS OF 2,832.00 FEET;

N. 12° 34' W., 11.80 FEET;

N. 26° 42' 44" W., 227.96 FEET ALONG THE CHORD OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 21° 40' 56" AND A RADIUS OF 606.00 FEET TO A POINT ON THE NORTHERLY BOUNDARY OF THE SOUTHEAST QUARTER NORTHWEST QUARTER;

THENCE N. 89° 57' 22" E., 280.88 FEET ALONG SAID NORTHERLY BOUNDARY TO THE REAL POINT OF BEGINNING.

ALSO:

TOWNSHIP 15 NORTH, RANGE 21 EAST, BOISE MERIDIAN, CUSTER COUNTY, IDAHO.

SECTION 7: SOUTHEAST QUARTER NORTHEAST QUARTER;

SECTION 8: THAT PORTION OF THE SOUTH HALF NORTHWEST QUARTER LYING
SOUTHWEST OF THE PAHSIMEROI RIVER.

PURSUANT TO AN IRC 1031 TAX DEFERRED EXCHANGE ON BEHALF OF GRANTOR/GRANTEE

TO HAVE AND TO HOLD the premises with its appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises that said premises are free from all encumbrances except the current year's taxes and assessments, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record and that they will warrant and defend the same from all lawful claims whatsoever.

DATED this 22 day of May, 2008.

Chuck R. Charlton
Chuck R. Charlton

Claudia F. Charlton
Claudia F. Charlton

State of Idaho

County of Custer ^{SS}

On this 22nd day of May, 2008 before me Laila Plummer, a notary public in and for said State, personally appeared Chuck R. Charlton and Claudia F. Charlton known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Laila Plummer
Notary Public

Residing at: Challis

Commission Expires: 5/31/2011

