



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N Skyline Dr., Ste A, Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 FAX: (208) 525-7177 www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

August 18, 2009

Phillip Eisenhauer
Shelley Erwin
PO Box 4922116
Redding CA 96049

RE: Change in Ownership Water Right No. 75-62, 75-68B, 75-4333, 75-10061W & 75-10062T

Dear Sir/Madam:

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

During our review of the documentation you submitted we found some discrepancies between that documentation and the legal description of the place of use for the water right(s) indicated in your notice. I have enclosed a copy of the water right(s) for your reference.

The department is returning your ownership change for the following reasons:

XXXX The property described in the Warranty Deed provided does not cover the place of use for the above listed water rights.

At your earliest convenience please review the enclosed map showing the place of use of the water rights and the property described with you Notice of Change in water right ownership. If you own property covered by the place of use, please submit a legal document showing evidence of ownership. Our department will keep a copy of this ownership change in our file for reference purposes only.

Please note that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.idaho.gov.

If you believe this decision was made in error, please do not hesitate to contact our department at 208-525-7161.

Sincerely,


Jonie Barg
Technical Records Specialist

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

RECEIVED

JUL 01 2009

Department of Water Resources
Eastern Region

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

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)
ADJ 75-62		✓			
ADJ 75-683		✓			
ADJ 75-4333		✓			
75-10061W PDR		✓			
ADJ 75-10062T		✓			

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)

Carmen Land & Livestock
PO Box 124
Carmen ID 83462

4. New Owner/Claimant(s)

Phillip G. Eisenhower Shelley Erwin
 Name Connector (Check one): ☒ and, ☐ or, ☐ and/or

New Mailing Address

P.O. Box 492216

City, State and ZIP Code

Redding, CA 96049

New Telephone Number

(530) 226-2304 Email: peisenhauer@fs.fed.us

5. Date you acquired the property

3-15-08

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)

Phillip G. Eisenbauer
Sherry D. Brown

(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 _____
 Received by _____
 Processed by _____ AJ

Date _____
 Date _____
 Date _____

Receipt Amt. _____
 Receipt No. _____
 WR _____ Date _____



State of Idaho) SS No. **276919**
County of Lemhi)
This instrument was filed for record at the request
of Alliance Title
at 3:30 o'clock p m. 7-24-1988
and duly filed and indexed in the records of Lemhi
County Terri J. Morton
Ex-Officio Recorder
By Erin J. Carden Deputy
Fee 6.00
Return to AT

WARRANTY DEED

Order No.:3070804710L-G

FOR VALUE RECEIVED

Carmen Land & Livestock, Inc., an Idaho Corporation

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

Phillip G. Eisenhower and Shelley L. Erwin, Husband and Wife as joint tenants with full rights of survivorship

whose current address is

1306 W. Vista View, Washington, UT 84780

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

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 3, T. 22 N., R. 22 E., BOISE MERIDIAN, LEMHI COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH EAST CORNER OF LOT 22, AJAX PEAK SUBDIVISION FILED AS INSTRUMENT NO. 151473 BOOK 5 PAGE 28 RECORDS OF LEMHI COUNTY; RUN THENCE N 26°35'16"W, 322.78 FT., ALONG THE EASTERLY BOUNDARY OF AJAX PEAK SUBDIVISION TO THE NORTH EAST CORNER OF SAID LOT 22; THENCE ALONG THE NORTHERLY LINE OF SAID LOT 22 S 67°54'58" W, 227.29 FT, TO THE POINT OF BEGINNING:

THENCE CONTINUING ALONG SAID NORTHERLY LINE S 67°54'58" W, 139.19 FT.;

THENCE N 00°08'50" E, 175.87 FT. TO THE EAST CORNER OF LOTS 22 AND 20 SAID AJAX PEAK SUBDIVISION;

THENCE LEAVING THE EASTERLY BOUNDARY OF SAID AJAX PEAK SUBDIVISION S 89°51'08" E ALONG AN EXISTING FENCE, 78.09 FT.;

THENCE CONTINUING ALONG SAID FENCE S 22°13'41" E, 133.25 FT. TO THE POINT OF BEGINNING.

ALSO

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 3, T. 22 N., R. 22 E., BOISE MERIDIAN, LEMHI COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTH EAST CORNER OF LOTS 22, AJAX PEAK SUBDIVISION FILED AS INSTRUMENT NO. 151473 BOOK 5 PAGE 28 RECORDS OF LEMHI COUNTY; RUN THENCE N 26°35'16"W, 322.78 FT., ALONG THE EASTERLY BOUNDARY OF AJAX PEAK SUBDIVISION TO THE NORTH EAST CORNER OF SAID LOT 22 AND A POINT IN AN EXISTING FENCE;

THENCE ALONG SAID FENCE THE FOLLOWING COURSES;

N 67°54'58" E, 8.00 FT., S 26°23'42" E, 324.30 FT.;

THENCE LEAVING SAID FENCE S 80°42'04" W, 7.21 FT. TO THE POINT OF BEGINNING.

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: 7-24-08

Carmen Land & Livestock, Inc.

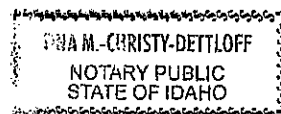
Bruce A. McFarland
By: Bruce A. McFarland, President

David M. McFarland
By: David M. McFarland, Secretary

State of Idaho)
County of LEMHI) ss.

On this 24th day of July, 20 08, before me, a Notary Public in and for said state, personally appeared Bruce A. McFarland & David M. McFarland known to me to be the PRESIDENT & SECRETARY of the Corporation, and acknowledged to me that pursuant to a Resolution of the Board of Directors, he/she executed the foregoing in said Corporation name. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

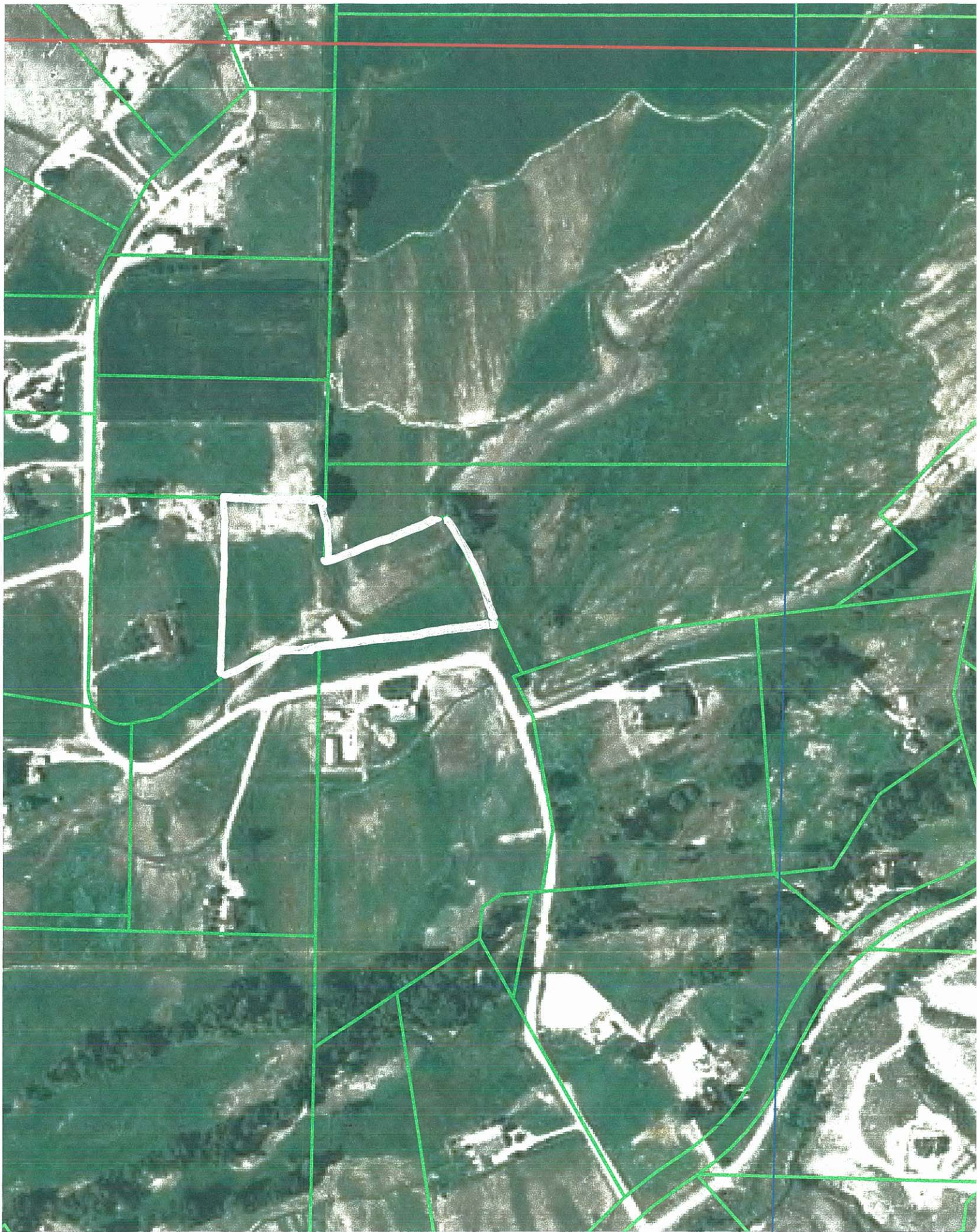
Christy-Dettloff
Notary Public for the State of
Residing at: SALMON, ID
Commission Expires: 2/23/2010



Print this page in a more readable format. Click **Print** next to the upper-right corner of the map.

Welcome





Shasta-Trinity National Forest
Fire and Aviation Management
3644 Avtech Parkway
Redding, CA 96002
(530) 226-2484 FAX

Shasta-Trinity NF (FAM)

Fax

To: Joni From: Phil Eisenhauer
Fax: 208-525-7177 Pages: 2
Phone: _____ Date: 7-7-09
Re: _____ CC: _____

☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

• Comments:

Joni, I hope this what you needed. Since it doesn't have the legal description I may have to FAX you that too? phone 530-226-2304 to let me know. Thanks!

Phil

99-0034-L

Warranty Deed

For Value Received

JOHN A. ELLIS AND KATHY L. ELLIS, husband and wife

the grantors, do hereby grant, bargain, sell and convey unto

PHILLIP G. EISENHAUER

whose current address is

2119 N. HANTHORNE LANE
CEDAR CITY, UT 84720

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

LOT 22 OF AJAX PEAK SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT
THEREOF, FILED FOR RECORD IN BOOK 5 OF PLATS AT PAGE 28,
OFFICIAL RECORDS OF LEMHI COUNTY, IDAHO.

State of Idaho)
County of Lemhi) SS No. **242493**

This instrument was filed for record at the request

of Phillip G. Eisenhauer

at 10:27 o'clock p.m. on 10-27-1999

and duly filed and indexed in the records of Lemhi

County

Terri J. Morton

Ex-Officio Recorder

By Phillip G. Eisenhauer Deputy

Fee 3.00

Return to AJ

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee,
heirs and assigns forever. And the said Grantors do hereby covenant to and with the said
Grantee, that they're the owners in fee simple of said premises; that they are free from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: OCTOBER 15, 1999

John A. Ellis
JOHN A. ELLIS

Kathy L. Ellis
KATHY L. ELLIS

OHIO

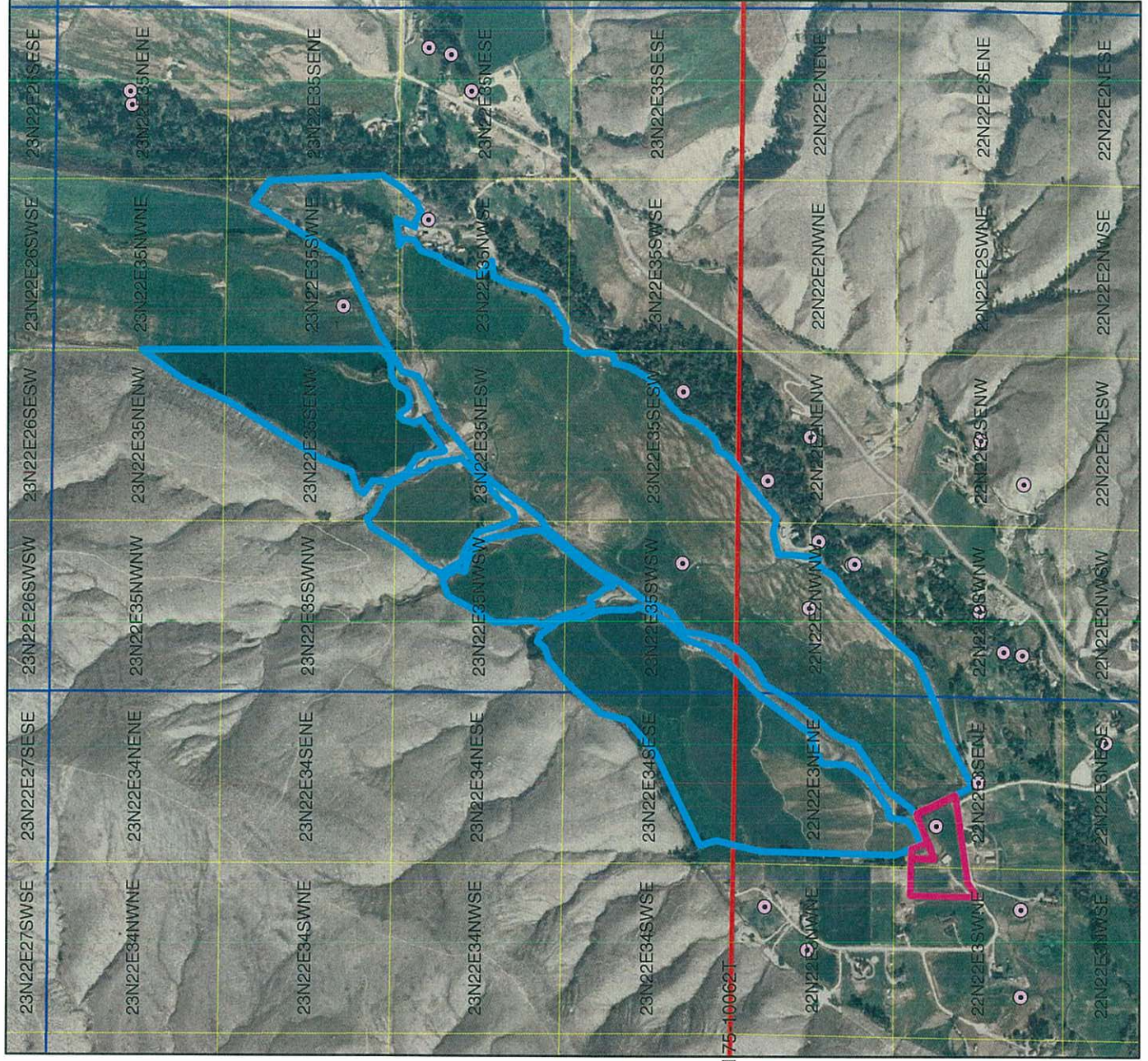
STATE OF OHIO, COUNTY OF ROSS
On this 15th day of OCTOBER, 19 99
before me, a notary public in and for said State, personally appeared

JOHN A. ELLIS AND KATHY L. ELLIS

known to me to be the persons whose names are
subscribed to the within instrument, and acknowledged to me that
they executed the same.

Sherry L. Haynes
Residing at Chillicothe (Ross) Notary Public
Comm. Expires 8-11-04 OH 8880

Idaho Department of Water Resources



Legend

- Right POD
- Eisenhauer Property
- Place of Use for 75-62, 75-6875, 75-4333, 75-10061V and 75-10062T
- Township/Range
- Sections
- QQ

Layout Created by:

Jonie Barg

Date:

August 18, 2009