

11/07/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 75-14154

NAME AND ADDRESS: CAROL J FOUTZ
12 SIMS RANCH RD
SALMON ID 83467

HUBERT C FOUTZ
12 SIMS RANCH RD
SALMON ID 83467

SOURCE: SALMON RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.080 CFS

PRIORITY DATE: 08/15/1961

POINT OF DIVERSION:

T19N R21E S14 NWSE Lot 5 Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.080 CFS

PLACE OF USE:

IRRIGATION in LEMHI County

T19N R21E S14 Lot 5 NWSE 4.00

4 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



Idaho Department of Water Resources

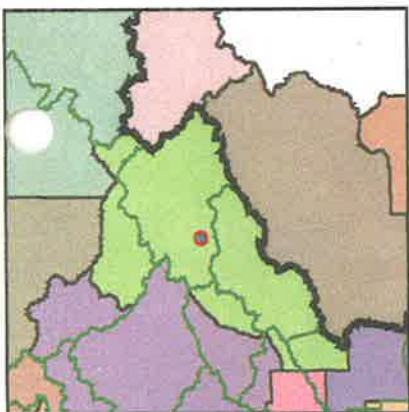
SRBA Recommendation:

75-14154

(Irrigation)

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Lemhi County
IDWR Basin 75



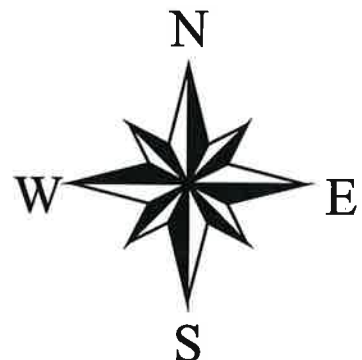
0 0.1 0.2 Miles

Prepared by M. Ciscell
On Monday, November 20, 2006
2004 Aerial Photography

75-14154



-  Lemhi taxlots
-  GCDB19N21E GCDB
-  Pou.shp
-  Pod.shp
-  Administrative BasinsAdminbas.shp



Eastern Regional Office
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718

HUBERT C FOUTZ
CAROL FOUTZ
12 SIMS RANCH I
SALMON ID 83467

* 0347 JFE 1 1000 00 04/03/08
 RETURN TO SENDER
 TEMPORARILY AWAY
 RETURN TO SENDER

63467-83452\$1700

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276 277 278 279 280 281 282 283 284 285 286 287 288 289 290 291 292 293 294 295 296 297 298 299 300 301 302 303 304 305 306 307 308 309 310 311 312 313 314 315 316 317 318 319 320 321 322 323 324 325 326 327 328 329 330 331 332 333 334 335 336 337 338 339 340 341 342 343 344 345 346 347 348 349 350 351 352 353 354 355 356 357 358 359 360 361 362 363 364 365 366 367 368 369 370 371 372 373 374 375 376 377 378 379 380 381 382 383 384 385 386 387 388 389 390 391 392 393 394 395 396 397 398 399 400 401 402 403 404 405 406 407 408 409 410 411 412 413 414 415 416 417 418 419 420 421 422 423 424 425 426 427 428 429 430 431 432 433 434 435 436 437 438 439 440 441 442 443 444 445 446 447 448 449 450 451 452 453 454 455 456 457 458 459 460 461 462 463 464 465 466 467 468 469 470 471 472 473 474 475 476 477 478 479 480 481 482 483 484 485 486 487 488 489 490 491 492 493 494 495 496 497 498 499 500 501 502 503 504 505 506 507 508 509 510 511 512 513 514 515 516 517 518 519 520 521 522 523 524 525 526 527 528 529 530 531 532 533 534 535 536 537 538 539 540 541 542 543 544 545 546 547 548 549 550 551 552 553 554 555 556 557 558 559 560 561 562 563 564 565 566 567 568 569 570 571 572 573 574 575 576 577 578 579 580 581 582 583 584 585 586 587 588 589 590 591 592 593 594 595 596 597 598 599 600 601 602 603 604 605 606 607 608 609 610 611 612 613 614 615 616 617 618 619 620 621 622 623 624 625 626 627 628 629 630 631 632 633 634 635 636 637 638 639 640 641 642 643 644 645 646 647 648 649 650 651 652 653 654 655 656 657 658 659 660 661 662 663 664 665 666 667 668 669 670 671 672 673 674 675 676 677 678 679 680 681 682 683 684 685 686 687 688 689 690 691 692 693 694 695 696 697 698 699 700 701 702 703 704 705 706 707 708 709 710 711 712 713 714 715 716 717 718 719 720 721 722 723 724 725 726 727 728 729 730 731 732 733 734 735 736 737 738 739 740 741 742 743 744 745 746 747 748 749 750 751 752 753 754 755 756 757 758 759 760 761 762 763 764 765 766 767 768 769 770 771 772 773 774 775 776 777 778 779 780 781 782 783 784 785 786 787 788 789 790 791 792 793 794 795 796 797 798 799 800 801 802 803 804 805 806 807 808 809 810 811 812 813 814 815 816 817 818 819 820 821 822 823 824 825 826 827 828 829 830 831 832 833 834 835 836 837 838 839 840 841 842 843 844 845 846 847 848 849 850 851 852 853 854 855 856 857 858 859 860 861 862 863 864 865 866 867 868 869 870 871 872 873 874 875 876 877 878 879 880 881 882 883 884 885 886 887 888 889 890 891 892 893 894 895 896 897 898 899 900 901 902 903 904 905 906 907 908 909 910 911 912 913 914 915 916 917 918 919 920 921 922 923 924 925 926 927 928 929 930 931 932 933 934 935 936 937 938 939 940 941 942 943 944 945 946 947 948 949 950 951 952 953 954 955 956 957 958 959 960 961 962 963 964 965 966 967 968 969 970 971 972 973 974 975 976 977 978 979 980 981 982 983 984 985 986 987 988 989 990 991 992 993 994 995 996 997 998 999 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011 1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023 1024 1025 1026 1027 1028 1029 1030 1031 1032 1033 1034 1035 1036 1037 1038 1039 104

SCANNED
APR 07 2008



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

EASTERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

March 26, 2008

ANTOINETTE FOUTZ-CONTRERAS
1957 ROSECRANS WAY
STOCKTON CA 95207

RE: Notice of Change of Water Right Ownership (NCO) for 75-14154 and Notice of Completed Administrative Proceeding (NCAP)

Dear Sir/Madam:

The Idaho Department of Water Resources (IDWR) acknowledges receipt of an NCO changing the right holder for the above referenced water right(s). Based on this NCO, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated.

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,


Jonie Barg
Office Specialist II

Enclosure

CC HUBERT AND CAROL FOUTZ

SCANNED

APR 07 2008

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

)

Water Rights: 75-14154

Case No. 39576

)

)

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following Administrative proceeding:

☐ Address change

☒ Substitution of Party FOUTZ-FOUTZ-CONTRERAS

☐ I.C. § 42-222 transfer

☐ point of diversion ☐ place of use

☐ period of use ☐ nature of use

☐ split of water right ☐ change in ownership

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: March 28, 2008

Ernest Carlson

Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on March 31, 2008, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707

2. One copy to:

Claimant/Seller for Substitution of Party or attorney of record:
Hubert C Foutz
Carol J Foutz
12 Sims Ranch Rd
Salmon ID 83467

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
Antoinette Foutz-Contreras
1957 Rosecrans Way
Stockton CA 95207

4. One copy to:

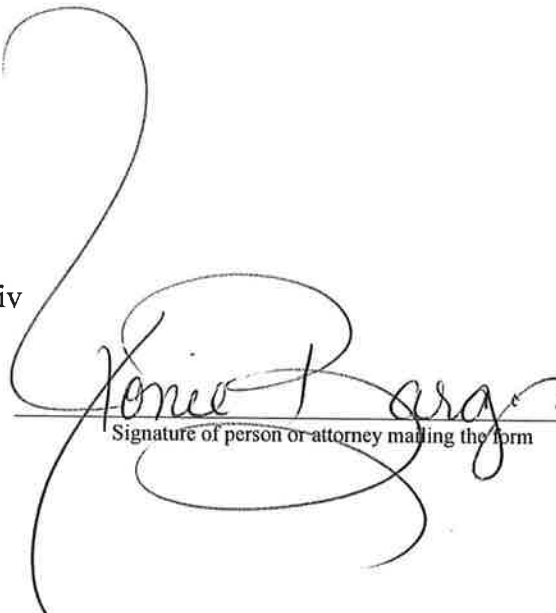
Each party in the subcase, or attorney of record

5. One copy each to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

6. One Copy to:

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724


Signature of person or attorney mailing the form

03/26/2008

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

RIGHT NUMBER: 75-14154

NAME AND ADDRESS: ANTOINETTE FOUTZ-CONTRERAS
1957 ROSEERANS WAY
STOCKTON ID 95207

SOURCE: SALMON RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.080 CFS

PRIORITY DATE: 08/15/1961

POINT OF

DIVERSION: T19N R21E S14 SWSE Lot 11 Within LEMHI County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.080 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T19N R21E S14 Lot 5 NWSE 4.00

4 ACRES TOTAL

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

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

SCANNED
APR 17 2008



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

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March 26, 2008

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Respectfully,


Jonie Barg
Office Specialist II

Enclosure

SCANNED
APR 01 2008

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In Re SRBA

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Water Rights: 75-14154

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ADMINISTRATIVE
PROCEEDING

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DATED: March 28, 2008

Ernest Carlson

Signature of IDWR Representative

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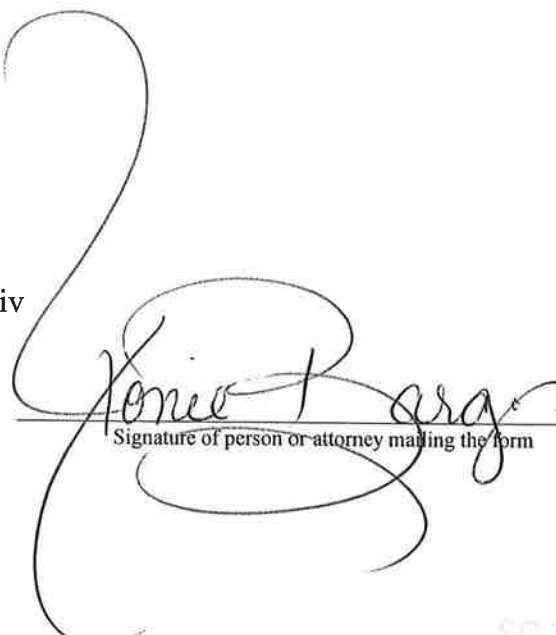
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Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724


Signature of person or attorney mailing the form

03/26/2008

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

RIGHT NUMBER: 75-14154

NAME AND ADDRESS: ANTOINETTE FOUTZ-CONTRERAS
1957 ROSERANS WAY
STOCKTON ID 95207

SOURCE: SALMON RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.080 CFS

PRIORITY DATE: 08/15/1961

POINT OF

DIVERSION: T19N R21E S14 SWSE Lot 11 Within LEMHI County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.080 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T19N R21E S14 Lot 5 NWSE 4.00

4 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

75-14154
Julie
SPBA
Julie m@SRBA
SRBA
5-14-10
US

SCANNED

APR 01 2008

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 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)
75-14154	~~75-46785~~	Adj. Needs NCAP			

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)

Hubert C and Carol T
Foutz, 12 Sims Ranch Rd.
Salmon ID. 83467

4. New Owner/Claimant(s)

Antoinette Foutz-Contreras

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

New Mailing Address

1957 Rosecrans Wy.

City, State and ZIP Code

Stockton, CA 95207

New Telephone Number

(209) 476-0706

Email:

RECEIVED
FEB 29 2008

Department of Water Resources
Southern Region

SCANNED

APR 11 2008

5. Date you acquired the property

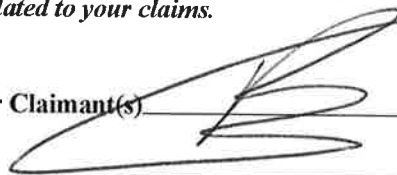
Jan 3, 2008

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)

2/25/08

(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 _____ Date _____
 Receipted by _____ Date _____
 Processed by _____ AJ Date _____

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

APR 11 2008

This instrument was filed for record at the request
of All once title
at 1037 o'clock P.m 1-3 2008
and duly filmed and indexed in the records of Lemhi
County Terri J. Morton
Ex-Officio Recorder
By Eynica Cardin Deputy
Fee 83.00
Return to A.T.

WARRANTY DEED

Order No.: **3070704503L-D**

FOR VALUE RECEIVED

Carol J. Foutz and Hubert C. Foutz, Wife and Husband

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

Antoinette E. Foutz-Contreras, a married woman as her sole and separate property

whose current address is

1957 Rosecrans Way Stockton, CA 95207

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

**LOT 1 OF BRINEY CREEK ACRES SUBDIVISION, ACCORDING TO THE OFFICIAL
PLAT THEREOF, FILED IN BOOK 5 OF PLATS AT PAGE(S) 3 OFFICIAL RECORDS
OF LEMHI COUNTY, IDAHO, AND AMENDED BY INSTRUMENT NO. 173337
RECORDED SEPTEMBER 14, 1984.**

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: Jan 3 - 2008

Carol J. Foutz
Carol J. Foutz

Hubert C. Foutz
Hubert C. Foutz

State of Idaho }
County of Lemhi } ss.

On this 3rd day of January, in the year 2008 before me, a Notary Public in and for said state, personally appeared Carol J. Foutz & Hubert C. Foutz known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that 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.



Sheri Hall
Notary Public for the State of Idaho
Residing at: Salmon
Commission Expires: 4/24/2009

RECORDED
APR 11 2008



P.O. Box 1169, Salmon, ID 83467-, Phone (208) 756-4231 Fax (208) 756-4232

To: **Antoinette Foutz-Contreras**
1957 Rosecrans Way
Stockton, CA 95207

Order No.: **3070704503L-D**
Date: **January 4, 2008**
Reference:

Prop: **Lot 1 Briney Creek Acres Amended, , ID**

Enclosed please find your Title Insurance Policy No. **72106-1521382** issued by **Alliance Title & Escrow Corp.** We have also enclosed the deed to your property: **Deed No. 274797 & 274798.** This Policy is your guarantee of ownership and should be retained with your other valuable real estate papers. Please read the Policy carefully. If you have any questions, feel free to contact our office at **(208) 756-4231** and one of our knowledgeable staff members will be happy to assist you.

We hope that your real estate transaction went as smoothly as possible, and we would like to assist you again in the future. We have created a special file regarding your property and are therefore in a position to render you even better service with your future transactions. In the event you desire to sell or refinance your property in the future, please contact us for applicable credits and faster service. So, be sure to inform the real estate agent or lender handling your transaction, that you want your title insurance issued by **Alliance Title & Escrow Corp.**

We appreciate the opportunity to serve you and look forward to handling all your future real estate closings and title insurance needs. Keep in mind that at **Alliance Title & Escrow Corp.**, protection of your property is not only your first concern, but ours as well.

Thank you for your business.

Alliance Title & Escrow Corp.

By: 
Tina Dettloff

SCANNED

APR 01 2008

11/20/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 75-14154
NAME AND ADDRESS: CAROL J FOUTZ
12 SIMS RANCH RD
SALMON ID 83467
HUBERT C FOUTZ
12 SIMS RANCH RD
SALMON ID 83467

SOURCE: SALMON RIVER TRIBUTARY: SNAKE RIVER
QUANTITY: 0.080 CFS
PRIORITY DATE: 08/15/1961
POINT OF DIVERSION: T19N R21E S14 SWSE Lot 11 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	0.080 CFS
PLACE OF USE:	<u>IRRIGATION in LEMHI County</u>		
	T19N R21E S14 Lot 5 NWSE 4.00		
	4 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

RECORDED
APR 11 2007



Idaho Department of Water Resources

SRBA Recommendation:

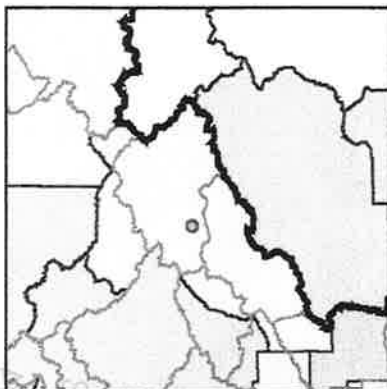
75-14154

(Irrigation)

Legend

⊙ Point of Diversion
Place of Use

▭ Townships
▭ PLS Sections
▭ Quarter Quarters



Lemhi County
IDWR Basin 75



0 0.1 0.2 Miles

Prepared by M. Ciscell
On Monday, November 20, 2006
2004 Aerial Photography

11/20/2006

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: 12/13/2006

Water right number: 75-14154

CAROL J FOUTZ
12 SIMS RANCH RD
SALMON ID 83467
Telephone Number: (208) 756-2134

HUBERT C FOUTZ
12 SIMS RANCH RD
SALMON ID 83467
Telephone Number: (208) 756-2134

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE:

12-06-2006

SIGNATURE:

Hubert C Foutz

Please print your name:

Hubert C Foutz

IDWR Regional Office, 7600 Mineral Drive, Suite 100, Coeur D' Alene, ID 83815, 2087622800

SCANNED ✓

DEC 11 2006

RECEIVED

DEC 03 2006

IDWR/North

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

RECEIVED
 SEP 22 2004
 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 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
	75-14154				
	75-2145A ✓				

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) Stewart G. and Hope Ann Benedict Cunningham
Salmon ID 83467
4. New Owner/Claimant(s) Carol J. and Hubert C. Fautz
 Name Connector (Check one): ☐ and, ☒ or ~~or~~ and/or
- New Mailing Address 12 Sims Ranch Rd.
- City, State and ZIP Code Salmon ID 83467
- New Telephone Number (208) 756 2134
5. Date you acquired the property 6-11-04

75-14154

SCANNED
 SEP 23 2004

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 <u>75-2145A</u>		
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	<u>1.10 cfs</u>	<u>5 ac.</u>
Stock		
Domestic		
Other		
Total	<u>1.10 cfs</u>	

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)
(include title if applicable)

[Handwritten Signature]

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 _____

SCANNED
SEP 23 2004

COT
W&H

WARRANTY DEED

Order No.:307042366L-D

FOR VALUE RECEIVED

Stewart G. Carrington and Hope Ann Benedict Carrington, Husband and Wife

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

Carol J. Foutz and Hubert C. Foutz, Wife and Husband

whose current address is

12 Sims Ranch Rd. Salmon, ID 83467

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

LOT 1 OF BRINEY CREEK ACRES SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF, FILED IN BOOK 5 OF PLATS AT PAGE(S) 3 OFFICIAL RECORDS OF LEMHI COUNTY, IDAHO, AND AMENDED BY INSTRUMENT NO. 173339 RECORDED SEPTEMBER 14, 1984.

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: 6-11-04

Stewart G. Carrington
Stewart G. Carrington

Hope Ann Benedict Carrington
Hope Ann Benedict Carrington

State of Idaho)

County of) ss.

On this 11th day of June, in the year 2004 before me, a Notary Public in and for said state, personally appeared Stewart G. Carrington and Hope Ann Benedict Carrington 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.

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



Sheri Phillips
Notary Public for the State of Idaho

Residing at: Salmon

Commission Expires: 4/24/09

State of Idaho)
County of Lemhi)

SS No. 258907

This instrument was filed for record at the request

of Alliance Title

at 11:00 o'clock a.m. 6-11 2004

and duly filed and indexed in the records of Lemhi

County

Terri J. Morton
Esq. Clerk/Recorder

By Brenda Cuthbert Deputy

Fees 300

Return to AT

SCANNED

SEP 23 2004

Govt Land

I already sold
these 2
X with home (5)
on it X



SCANNED

SEP 23 2004

mailed 9-1-05
-P

FIRST CLASS



UNITED STATES POSTAGE
PITNEY BOWES
02 1A \$ 00.83⁰
0004389393 AUG 25 2005
MAILED FROM ZIP CODE 83702

SCANNED
SEP - 1 2005

CARR094 834672010 1504 03 08/30/05
FORWARD TIME EXP RTN TO SEND
CARRINGTON
PO BOX 909
SALMON ID 83467-0909

RETURN TO SENDER

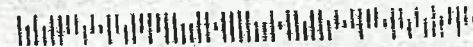
RECEIVED
SEP 01 2005
Department of Water Resources

75-14154
✓ 14155

IDAHO DEPARTMENT OF WATER
RESOURCES
322 EAST FRONT ST
P.O. BOX 83720
BOISE, ID 83720-0098

TO

HOPE AND STEWART CARRINGTON
94 S ST CHARLES ST
SALMON ID 83467



November 3, 2006

Mr. & Mrs Hubert C Foutz
12 Sims Ranch Rd
Salmon ID 83467

RE: 75-14154

Dear Mr. & Mrs. Foutz:

We have processed your change of water right ownership form. Enclosed is a copy of our recommendation, which we expect to submit in the near future.

Sincerely,

Carolyn Monitz ✓
Records Clerk

CM: Encl.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 1910 Northwest Blvd. Suite 210, Coeur d'Alene, Idaho 83814-2615

Phone: (208) 769-1450

Fax: (208) 769-1454

Web Site: www.idwr.idaho.gov

JAMES E. RISCH
Governor

KARL J. DREHER
Director

August 10, 2006

Carol Foutz
12 Sims Ranch Road
Salmon, ID 83467

RE: 75-~~4095~~

On March 30, 1993, a Notice of Claim in the Snake River Adjudication was submitted which was later owned by Stewart Carrington. We searched the Lemhi County tax lot information and it appears that you may now own a portion of that right. If you do own the property, and the water is still being used, and you want your name in the final recommendation, then you need to file a change in water right ownership form and mail it to this office. Be sure to include a copy of the warranty deed or other document as described in item 2. B.

Sincerely,

Kenneth Knoblock
Water Resources Agent

*Found change of ownership
form - 8/21/6*

