

JUN 14 2022

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, [see #7](#) of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
63-12063	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Mark Davis/Mulligan and prior owners were Sheryl S Garey and Charles L Garey
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Kenneth W Bell and Laura L Bell
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or
- 15000 N. McFarland Creek Rd Boise ID 83714
Mailing address City State Zip
- 208-830-3227 cell primary or 208-830-3225 minijoys@live.com AND kbell@boisestate.edu
Telephone Email
4. If the water rights and/or adjudication claims were split, how did the division occur?
☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
5. Date you acquired the water rights and/or claims listed above: purchased this property/home 12-21-2010
6. Do you own the land identified as the water right place of use? Yes ☒ No ☐
o If no, attach evidence that written notice of the change of water right ownership has been delivered to the landowner of record.
7. This form must be signed and submitted with the following **REQUIRED** items:
☒ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
☐ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
☒ Filing fee (see instructions for further explanation):
 ☒ \$25 per undivided water right.
 ☐ \$100 per split water right.
 ☐ No fee is required for pending adjudication claims.
☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

8. Signature: Kenneth W. Bell June 13, 2022
Signature of new owner/claimant Title, if applicable Date
Kenneth W. Bell
Print name
- Signature: Laura Lee Bell June 13, 2022
Signature of new owner/claimant Title, if applicable Date
Laura Lee Bell "Laurie"
Print name

For IDWR Office Use Only:

Received by LG Date 06/14/2022 Receipt No. 4050514 Receipt Amt. \$25.00

Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☐

Name on W-9 _____ Approved by _____ Processed by [Signature] Date 8/4/22

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
**INSTRUCTIONS FOR FILING A
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

This form has been prepared to assist all claimants and owners of water rights to comply with the requirements of Idaho Code §§ 42-248 and 42-1409(6). All persons owning or claiming ownership of a water right or claim are required to provide notice to the Department of Water Resources (IDWR) of any change in ownership of any part of the water right or claim or of any change in the owner's mailing address within 120 days of the change. Forms to report ownership changes and/or to update an address are available on IDWR's website at www.idwr.idaho.gov/forms/water-rights.html. In addition, all new owners of water rights within a pending general adjudication area must inquire whether a notice of claim has been filed and, if not, shall file a notice of claim if necessary.

A notice is required for changes in ownership from one individual to another, from an individual to a business entity (even if the business is owned by the individual), or from one business entity to another (even if both businesses are owned by the same individual). Adding or removing a name is considered an ownership change which requires the submission of evidence to support the change and the filing fee.

Separate brochures describing the adjudication of water rights and the ownership change notice requirement are available from IDWR. Please contact your nearest IDWR office if you would like more information or need help completing this form. A list of IDWR offices is on page 2 of these instructions, or you can call 1-800-451-4129. Water right information can be found on the IDWR's website using the [Water Right and Adjudication Search](#).

Please note:

- Unlike licensed or decreed water rights, which are real property, water right permits, applications for new water rights, and applications to transfer existing water rights are considered the personal property of the permit holders/applicants. Permit holders and applicants must assign their interest in a permit and/or application to the new owner. Assignment forms are available on the IDWR's website at www.idwr.idaho.gov/forms/water-rights.html, or from any IDWR office. The fee for an Assignment of Permit is \$25. There is no charge for an Assignment of Application for Permit or Application for Transfer.
- If you want to change or add a point of diversion, place of use, season of use, or purpose of use of a water right, you must file an Application for Transfer. The ownership of a water right can also be updated through the transfer process.
- The combined portions of a divided ("split") water right cannot exceed the total flow rate, volume, or period of use of the original right.
- IDWR has no jurisdiction concerning easements, rights-of-way, and zoning matters. The buyer and seller must make these provisions where necessary.
- Any action by IDWR updating the ownership of a water right in IDWR's records is not a determination of water right ownership. Water right ownership disputes arising from a notice of change in water right ownership must be resolved in a water rights adjudication or in an action to quiet title.

LINE INSTRUCTIONS:

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). You may have purchased only a portion of the water right(s) held by the seller. If so, the water right(s) held by the seller may need to be divided ("split") to provide you your share of each right. Mark the box "Yes" if a division of the water right is required.

If you receive water from a municipal provider, an irrigation district or other water delivery organization, and the water rights are held by the organization, please do not use this form to record a change. Please contact the water delivery organization to determine if any action is necessary.

If you or the seller believes there are water rights for the property but you do not know the numbers, you may contact IDWR for assistance in identifying the water rights for the property in question. If adjudication claims for the rights are required and have not been filed, IDWR will so advise you.

2. Fill in the name of the current water right holder/claimant.
3. Fill in each name as listed on the conveyance document and complete the current contact information. For water rights, IDWR will update the ownership to the individual(s)/entities listed on the conveyance document. For active adjudication claims, IDWR will update the claimant information to match the conveyance document unless the new claimant provides good cause for the variance.
4. You may have acquired only a portion of the water right(s) held by the seller. If you did not acquire the entire water right/property, please check the appropriate box. Water rights are often conveyed as an appurtenance to the land where they are used, and the conveyance document for the land often does not have specific language regarding the water right. Please read your deed or other conveyance document carefully to be sure. When the conveyance document does not specifically address water rights, it will be assumed that the water rights are to be split proportionate to the amount of land acquired.

5. Indicate the date the water rights and/or adjudication claims were conveyed to you. This may be the date of closing in the case of a real estate transaction, the date a contract was signed, or the date of a court order.
6. If you own the land identified as the water right place of use, mark the box "Yes". If you do not own the land identified as the water right place of use, mark the box "No". If you are filing a change in water right ownership and you do not own the land identified as the place of use for the water right, Idaho Code § 42-248(6) requires you to provide written notice of the change in water ownership to the landowner of record, as identified in the records of the county recorder. If you have provided the required written notice, attach evidence that you have done so. IDWR will return your Notice of Change in Water Right Ownership if you are required to provide written notice to the water right place of use landowner and no evidence is submitted.
7. **REQUIRED ITEMS:**

IDWR cannot process this change without **documentation of ownership**. The documentation may be in the form of a deed, court decree or other conveyance document. If you are submitting a quitclaim deed and the grantor's name does not match the water right holder of record, you will need to provide a chain of title that goes back to the water right holder/claimant of record. You may obtain this information from the assessor's office in the county where the property is located. Items that are **not** conveyance documents are deeds of trust, mortgages, purchase and sales agreements, and property tax notices.

Submit a **plat map, survey map, or aerial photograph** of the place of use for each water right or claim listed in item #1 (if necessary to clarify division of water rights or complex property descriptions). If your 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 photograph with the irrigated acres outlined and point(s) of diversion clearly marked. You also have the option of printing a map using the [map tool](#) on IDWR's website. It is not necessary to obtain a new survey for purposes of this form before contacting IDWR.

The Idaho Legislature has waived the fee to file a Notice of Change in Water Right Ownership for any water right pending in a general water right adjudication such as the Snake River Basin Adjudication or the Northern Idaho Adjudication. This waiver ends when a partial decree is issued for the water right that has been claimed. For water rights not pending in a general adjudication, the **filing fee** is \$25 per water right, except for those water rights that will be divided as a result of the change in ownership. The filing fee for division of a water right is \$100 per water right.

If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. If you are unsure about the status of your water right in the Water Supply Bank, go to the [Water Supply Bank Lease Search](#), input your water right number, and click "Search.". Water rights with multiple owners must specify a designated lessor, using a completed [Lessor Designation](#) form. Each of the owners must sign the Lessor Designation form. Payment of revenue generated from any rental of a leased water right requires a completed [IRS Form W-9](#) for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s). If your water right is in the Water Supply Bank and you want to release it so you can use it, complete and submit the [Request to Release](#) form. Your water right may not be available for immediate release if rented by another water user.

8. One of the new owner(s) must sign the form in the space(s) provided. If someone other than the owner signs the notice, evidence of authority to sign for the owner must be attached. If the new owner is a corporation or other organization, the person signing the notice must be an officer of the corporation or otherwise have authority to sign for the organization and must include their title with the signature.

When you have completed the Notice of Change in Water Right Ownership, retain a copy and **file the original form, necessary attachments, and filing fee with the IDWR office nearest you. Ownership changes for water rights leased to the Water Supply Bank should be sent to the State Office.**

IDWR Northern Region
7600 N Mineral Dr, Ste 100
Coeur d'Alene, ID 83815-7763
(208) 762-2800

IDWR State Office
322 E Front St, Ste 648
PO Box 83720
Boise, ID 83720-0098
(208) 287-4800

IDWR Eastern Region
900 N Skyline Dr, Ste A
Idaho Falls, ID 83402-1718
(208) 525-7161

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190

IDWR Southern Region
650 Addison Ave W, Ste 500
Twin Falls, ID 83301-5858
(208) 736-3033



775 S. Rivershore Lane, Suite 120 / Eagle
Idaho 83616 / (208) 938-8075

322556 /MC/PP

WARRANTY DEED

For Value Received Mark T. Davis and Elizabeth R. Scherfee, Husband and Wife
hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

Kenneth W. Bell and Laura L. Bell, Husband and Wife
hereinafter referred to as Grantee, whose current address is 15000 N. McFarland Creek, Boise, ID 83714
the following described premises, to-wit:

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF.

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantees(s) heirs and assigns forever. And the said Grantor(s) does (do) hereby covenant to and with the said Grantee(s), the Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to U.S. Patent reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and current years taxes, levies, and assessments, includes irrigation and utility assessments, (if any) which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: December 15, 2010

ⓧ
Mark T. Davis

Elizabeth R. Scherfee

Kentucky Fayette
STATE OF ~~KKKK~~, County of ~~ADXX~~

On this 17th day of December, in the year of 2010, before me the undersigned, notary public personally appeared Mark T. Davis and Elizabeth R. Scherfee 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.



Notary Public of
Kentucky/Fayette
Residing at
Commission expires:
October 5, 2014

EXHIBIT A`

1.

1.

Parcel A

A parcel of land lying in the Northeast quarter of the Southeast quarter of Section 30, Township 5 North, Range 2 East, Boise Meridian, Ada County, Idaho and more particularly described as follows:

Beginning at the brass cap marking the one-quarter corner common to Section 31 and the said Section 30;
Thence South 89°51'32" East 1373.98 feet along the Southerly boundary of the Southwest quarter of the said Southeast quarter of Section 30 to a brass cap marking the Southeast corner of the said Southwest quarter of the Southeast quarter of Section 30;
Thence North 18°48'13" East a distance of 1801.90 feet to an iron pin;
Thence North 33°37'55" East a distance of 240.62 feet to an iron pin;
Thence South 71°37'46" East a distance of 50.00 feet to an iron pin, also said point being THE REAL POINT OF BEGINNING;
Thence North 18°22'14" East a distance of 152.85 feet to an iron pin marking a point of curve;
Thence Northeasterly along a curve to the right 66.58 feet, said curve having a central angle of 22°46'56", a radius of 167.44 feet, tangents of 33.73 feet and a long chord of 66.14 feet bearing North 29°45'42" East to an iron pin marking a point of tangent;
Thence North 41°01'10" East a distance of 65.88 feet to an iron pin marking a point of curve;
Thence Northeasterly along a curve to the right 100.00 feet, said curve having a central angle of 15°50'16", a radius of 361.77 feet, tangents of 50.32 feet and a long chord of 99.68 feet bearing North 49°04'18" East to an iron pin marking a point of tangent;
Thence North 56°59'26" East a distance of 158.30 feet to an iron pin, said point bears South 45°09'05" West a distance of 377.71 feet from a brass cap marking the one-quarter corner common to Section 29 and the said Section 30;
Thence South 35°02'29" East a distance of 277.82 feet to an iron pin;
Thence South 19°14'59" West a distance of 163.37 feet to an iron pin;
Thence North 84°52'34" West a distance of 191.86 feet to an iron pin;
Thence South 63°40'16" West a distance of 166.21 feet to an iron pin;
Thence North 70°31'32" West a distance of 103.96 feet to THE POINT OF BEGINNING

Parcel B

A sanitary easement being more particularly described as follows;

A parcel of land lying in the Northeast quarter of the Southeast quarter of Section 30, Township 5 North, Range 2 East, Boise Meridian, Ada County, Idaho and more particularly described as follows:
Beginning at the brass cap marking the one-quarter corner common to Section 31 and the said Section 30;
Thence South 89°51'32" East a distance of 1373.98 feet along the Southerly boundary of the Southwest quarter of the said Southeast quarter of Section 30 to a brass cap marking the Southeast corner of the said Southwest quarter of the Southeast quarter of Section 30;
Thence North 18°48'13" East a distance of 1801.90 feet to an iron pin;
Thence North 33°37'55" East a distance of 240.62 feet to an iron pin;
Thence South 71°37'46" East a distance of 50.00 feet to an iron pin, also said point being THE REAL POINT OF BEGINNING;
Thence South 70°31'32" East a distance of 97.00 feet to a point;
Thence South 33°37'55" West a distance of 95.00 feet to a point;
Thence North 70°31'32" West a distance of 97.00 feet to a point;
Thence North 33°37'55" East a distance of 95.00 feet to THE POINT OF BEGINNING

450.98

N 00-00-00 W

THIS IS NOT A SURVEY. THIS MAP IS FOR INFORMATIONAL PURPOSES ONLY. PIONEER TITLE COMPANY MAKES NO REPRESENTATIONS AS TO THE ACCURACY OF THE MAP AND ASSUMES NO LIABILITY FOR IT.

RS_5336

S0130417220

RS_5324

RS_5342

RS_1282

S0130417600

Bell Residence, (Ken & Laura)
15000 N. McFarland Creek Rd.
Boise, ID 83714

Parcel Description:
Par. # 7600 of NE 45E4
Sec 30 5N 2E
#417200-S

2.86 acres



McFarland Creek Rd.

McFarland

RD

D30-31-24
R 457.79

4



IDAHO DEPARTMENT OF
WATER RESOURCES

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098

Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

August 04, 2022

KENNETH W BELL
LAURA L BELL
15000 N MCFARLAND CREEK RD
BOISE ID 83714-9513

Re: Change in Ownership for Water Right No(s): 63-12063

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records and has enclosed a computer-generated report for you.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Idaho Code §§ 42-222 and 42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department, or from the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208)287-4921.

Sincerely,

Sidney Palmer

Sidney Palmer
Technical Records Specialist 1

Enclosure(s): MIKE MEYERS – Watermaster of Water District 63