

RECEIVED

MAY 16 2022

DEPARTMENT OF
WATER RESOURCESSTATE 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 #6 of the instructions. DE

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
74-646A ✓	Yes ☐	Yes ☐		Yes ☐	Yes ☐
74-7279 ✓	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Albert & Polly Hertzler

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Beaverhead Land Management

New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or ☐ and/or516 Main Street Unit 181SalmonID 83467

Mailing address

City

State

ZIP

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: March 21 2022

6. 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. 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. Water rights with multiple owners must specify a designated lessor, using a completed Lessor Designation form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).

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: Brent-Emory Johnson Fiduciary Owner May 5, 2022

Signature of new owner/claimant Title, if applicable Date

Signature: _____ Title, if applicable Date

Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by KU Date 5.16.22 Receipt No. C112794 Receipt Amt. 50 -

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 6/14/22

WARRANTY DEED

For good consideration, we, Albert Hertzler and Polly A. Hertzler, of 145 Wimpey Creek Road, Salmon, County of Lemhi, State of Idaho, for twenty-five (25) dollars in silver and other good and valuable consideration, hereby bargain, deed and convey to Beaverhead Land Management, of 516 Main Street, Unit 181, Salmon, County of Lemhi, State of Idaho, the following described land in Lemhi county, free and clear with WARRANTY COVENANTS; to wit:

Parcel I: Lot 3 in Block 2 of Sunny Slope Subdivision according to the official plat thereof filed for record in Book 5 of Plats at Page No. 18, records of Lemhi County, Idaho. Also including the water right as decreed in the Lemhi River adjudication decree Identification No. 74-0646 in the amount of .18 cfs and with a priority date of 4/1/1930 and being diverted from Wimpey Creek. Together with all water, ditch, and mineral rights appurtenant thereto. Also including all oil and gas rights appurtenant thereto. Said parcel contains 35.98 ACRES

Parcel II: A parcel of land located in the South Half Northeast Quarter Section 35, Township 21 North, Range 23 East, B.M., Lemhi County, Idaho, more particularly described as follows:

Commencing at the North Quarter Corner of said Section 35 a distance of 1401.54 feet on a bearing of S. 1 degree 06' 13" East to the Northwest Corner of the Southwest Quarter Northeast Quarter and the real POINT OF BEGINNING.

Thence N. 88 degrees 05' 06" E., 1040.67 feet to a point on the North Side of Wimpey Creek Road; thence S. 50 degrees 05' 34" W., 444.96 feet along said North Side of Wimpey Creek Road; thence S. 42 degrees 52' 32" E., 417.98 feet; thence S. 48 degrees 03' 39" E., 1087.54 feet; thence S. 86 degrees 11' 37" W., 1262.18 feet; thence N. 21 degrees 16' 58" W., 1467.73 feet to the real POINT OF BEGINNING.

Together with .25 CF water from Wimpey Creek, included in the Lemhi River Adjudication, Identification # 74-0646 with property date of 4/1/1930.

Together with all water, ditch, and mineral rights appurtenant thereto. Also including all oil and gas rights appurtenant thereto. Said parcel contains 28.223 acres.

Parcel III: A parcel of land located in the Southwest Quarter Northeast Quarter Section 35, Township 21 North, Range 23 East, B.M., Lemhi County, Idaho, more particularly described as follows:

Commencing at the North Quarter Corner of said Section 35 a distance of 1401.54 feet on a bearing of S. 1 degree 06' 13" E. along the center of Section line to the Northwest Corner of the Southwest Quarter Northeast Quarter; thence S. 21 degrees 16' 58" E., 676.77 feet to a point in the center of the Wimpey Creek Road and being the real POINT OF BEGINNING.

Thence S. 21 degrees 16' 58" E., 790.96 feet to a point on the South Boundary of the Southwest Quarter Northeast Quarter; thence S. 86 degrees 11' 37" W., 3.12 feet along the South Boundary of the Southwest Quarter Northeast Quarter; thence N. 29 degrees 40' 37" W., 348.25 feet; thence N. 18 degrees 23' 14" W., 409.95 feet; thence N. 19 degrees 23' 30" W., 25.95 feet to the center of the Wimpey Creek Road; thence a distance of 6.35 feet along a curve concave to the Southeast having a radial of S. 39 degrees 05' 31" E., 900.00 feet and a central angle of 00 degrees 24' 15" along the center of Wimpey Creek Road; thence N. 51 degrees 18' 44" E., 27.46 feet along the center of the Wimpey Creek Road to the real POINT OF BEGINNING.

Together with all water, ditch, and mineral rights appurtenant thereto. Also including all oil and gas rights appurtenant thereto. Said parcel contains 0.656 acres.

Grantors, for themselves and their heirs, hereby covenant with Grantee, its heirs, and assigns, that Grantors are lawfully seized in fee simple of the above-described premises; that they have a good right to convey; that the premises are free from all encumbrances; that Grantors and their heirs, and all persons acquiring any interest in the property granted, through or for Grantors, will, on demand of Grantee, or its heirs or assigns, and at the expense of Grantee, its heirs or assigns, execute an instrument necessary for the further assurance of the title to the premises that may be reasonably required; and that Grantors and their heirs will forever warrant and defend all of the property so granted to Grantee, its heirs and assigns, against every person lawfully claiming the same or any part thereof.

Being the same property conveyed to the Grantors by deed of
Sharon Ward (name of last Grantor of Deed to current Grantors), dated
9/25/2020.

WITNESS the hands and seal of said Grantor this 21st day of March, 2022.

Albert Hertzler
Grantor - Albert Hertzler

Polly A. Hertzler
Grantor - Polly A. Hertzler

STATE OF Idaho

COUNTY OF Lemhi

On 3.21.2022 before me, Kayla Linger, personally appeared Albert Hertzler and Polly A. Hertzler, personally known to me (or proved to me on the basis of satisfactory evidence) to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their authorized capacity, and that by their signatures on the instrument the persons, or the entity upon behalf of which the persons acted, executed the instrument.

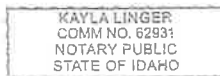
WITNESS my hand and official seal.

Signature Kayla Linger

Affiant Known ☒ Unknown

ID Produced State ID cards

(Notary Seal)



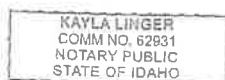
WITNESS my hand and official seal.

Signature Kayla Linger

Affiant Known ☒ Unknown

ID Produced State ID cards

(Notary Seal)



DRAFTED BY: Brent Johnson

RETURN TO:
411 North 6th Street, Unit 6020
Emery, South Dakota [57332]

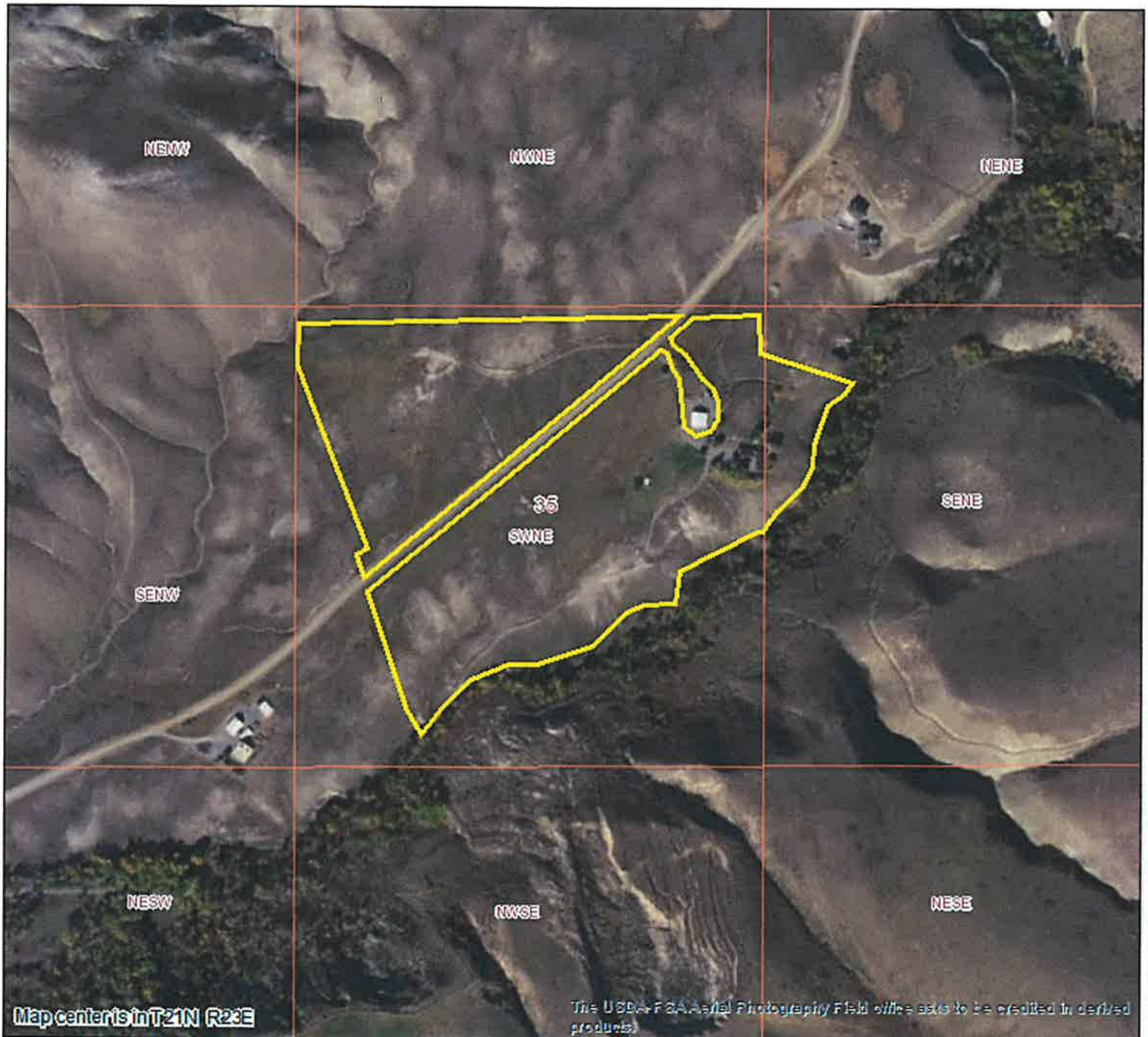
State of Idaho
Department of Water Resources

Water Right

74-646A

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



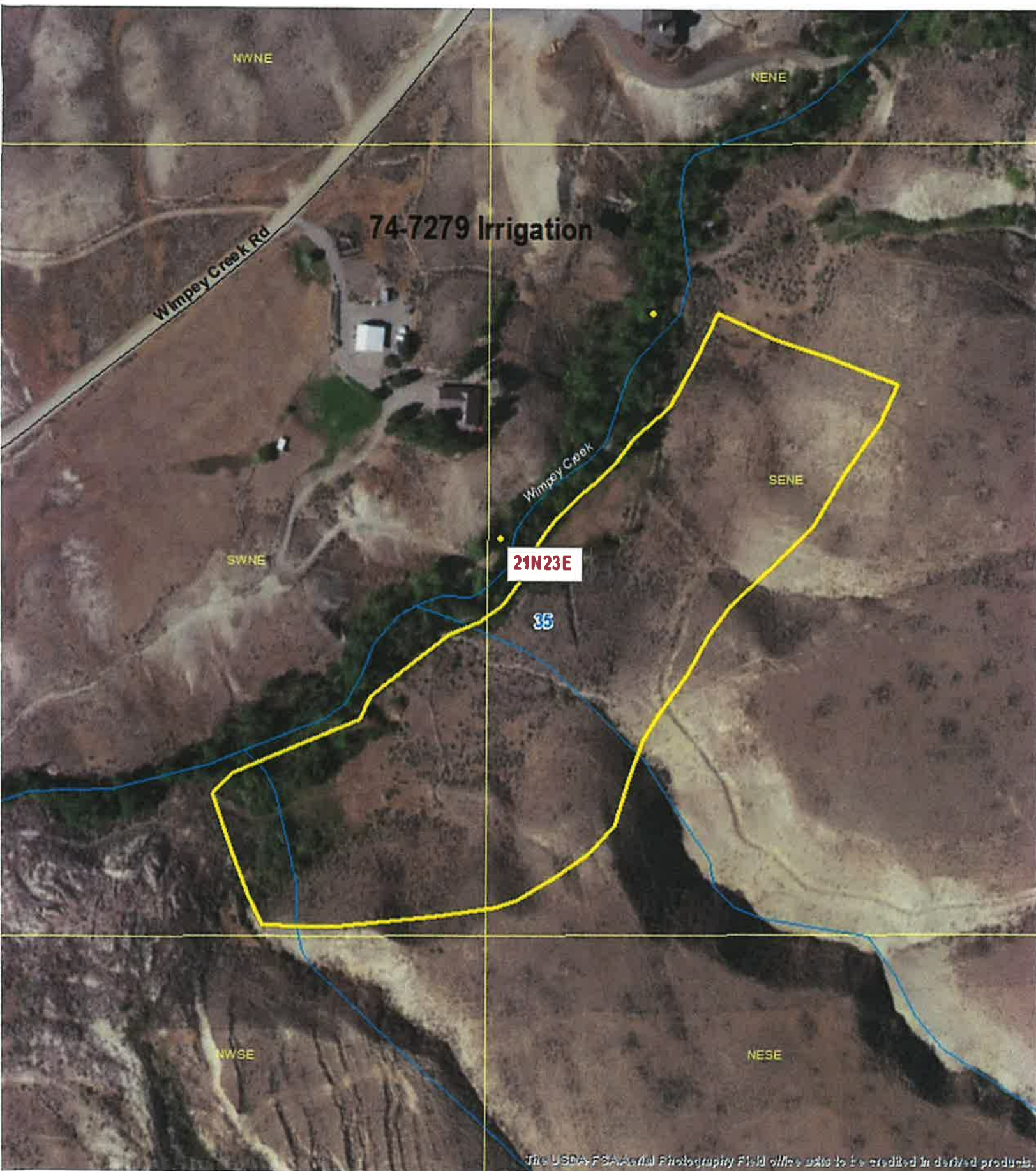
Date created: 10/7/2020



Legend

- Place of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters







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

June 16, 2022

BEAVERHEAD LAND MANAGEMENT
516 MAIN ST PMB 181
SALMON ID 83467-4219

Re: Change in Ownership for Water Right No(s): 74-7279, 74-646A

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