

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 18 2022

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?
72-16718 ✓	Yes ☐	Yes ☐		Yes ☐	Yes ☐
72-16716	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: John K Van Alfen
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): D Thomas Stillwaugh or Terri L Stillwaugh
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or
- 9300 E Hansen Road 350 Rod And Gun Club 4 Middleton Challis ID 83644 83226
Mailing address City State Zip
- 208-995-5903 terristillwaugh@pm.me
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: 9-17-21
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):
 o \$25 per *undivided* water right.
 o \$100 per *split* water right.
 o 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.

SUPPORT DATA

FILE # 72-16716

8. Signature: [Signature] Title, if applicable _____ Date Apr 12 2022
 Signature of new owner/claimant
- D Thomas Stillwaugh
Print name
- Signature: [Signature] Title, if applicable _____ Date 4/12/22
 Signature of new owner/claimant
- TERRI Stillwaugh
Print name

For IDWR Office Use Only:

Received by _____ Date _____ Receipt No. _____ Receipt Amt. _____

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 5/24/22

201310

#

Custer County Req. of

D. Thomas StillwaughTime 12:12 P.M. Date 9/17, 2021

Lura H. Baker, Clerk

Terri Hawkins \$15.00
Deputy**WARRANTY DEED**

For Value Received, I/WE, John K Van Alfen, do hereby grant, bargain, sell and convey unto Donald Thomas Stillwaugh and Terri L Stillwaugh, whose address is: 9300 E Hansen Rd Middleton, Idaho 83644

The following described premises in CUSTER County, Idaho, to-wit:

PARCEL "C"

A parcel of land located in the NW¼ of Section 16, T. 14 N., R. 19 E., Boise Meridian, Custer County, Idaho, more particularly described as follows:
Commencing at the NW Corner of said Section 16 from which the NE Corner of said section bears S 89°30'07" E a distance of 5295.16 ft. the Basis of Bearing of this description, run thence S 35°01'30" E a distance of 2161.52 ft. to a point on the easterly right-of-way of Challis Creek Road; Thence S 89°30'19" E a distance of 276.27 ft.; Thence S 03°36'41" E a distance of 434.14 ft. to the POINT OF BEGINNING; Thence S 89°30'19" E a distance of 528.13 ft.; Thence S 03°36'41" E a distance of 448.61 ft.; Thence N 89°27'17" W a distance of 141.14 ft.; Thence N 89°25'28" W a distance of 353.63 ft.; Thence N 07°50'33" W a distance of 451.60 ft. to the POINT OF BEGINNING.

PARCEL CONTAINS 5.25 ACRES.

SUBJECT TO AND TOGETHER WITH: an easement for ingress and egress and utility purposes as shown on Record of Survey Plat recorded in the Custer County Courthouse, Instrument No.

PARCEL "D"

A parcel of land located in the NW¼ of Section 16, T. 14 N., R. 19 E., Boise Meridian, Custer County, Idaho, more particularly described as follows:
Commencing at the NW Corner of said Section 16 from which the NE Corner of said section bears S 89°30'07" E a distance of 5295.16 ft. the Basis of Bearing of this description, run thence S 35°01'30" E a distance of 2161.52 ft. to a point on the easterly right-of-way of Challis Creek Road; Thence S 89°30'19" E a distance of 276.27 ft.; Thence S 03°36'41" E a distance of 434.14 ft. to the POINT OF BEGINNING; Thence S 07°50'33" E a distance of 451.60 ft.; Thence N 89°25'28" W a distance of 259.94 ft. to a point on the easterly right-of-way of Challis Creek Road; Thence 448.68 ft. along said right-of-way, a curve to the left having a delta of 03°30'46", a radius of 7318.42 ft. and a chord bearing of N 05°05'57" W for a distance of 448.61 ft.; Thence S 89°30'19" E a distance of 238.22 ft. the POINT OF BEGINNING.

PARCEL CONTAINS 2.53 ACRES.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that they are the owners of said premises, and that they are free from all

26/310

On this 17 day of September, in the year of 2021, before me, a Notary Public, in and for the said State, personally appeared John K Van Alfen, know or acknowledged to me that they he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year in this certificate first above written.

Lura H. Baker

Notary Public for the State of Idaho

Residing at: Clayton, ID

Commission Expires: 12-12-2021





WATER RIGHT NO. 72-16716
As Modified by Transfer No. 73190

In accordance with the approval of Transfer No. 73190, Water Right No. 72-16716 is now described as follows.

Right Holder: JOHN K VAN ALFEN
 PO BOX 1390
 CHALLIS ID 83226

Priority Date: November 06, 1915

Source: CHALLIS CREEK

Tributary: SALMON RIVER

BENEFICIAL USE
 IRRIGATION

From 04/01 to 11/01

To
Diversion Rate
 0.01 CFS
 0.01 CFS

LOCATION OF POINT(S) OF DIVERSION:

CHALLIS CREEK L10 (SWNWNW) Sec. 7 Twp 14N Rge 19E CUSTER County

CHALLIS CREEK SWNWNE Sec. 17 Twp 14N Rge 19E CUSTER County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
14N 19E 16	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	7.8
								7.8									7.8

Total Acres: 7.8

CONDITIONS OF APPROVAL

1. This right is limited to a diversion rate of 0.005 cfs and when combined with right 72-16715 is limited to a combined diversion rate of 0.01 cfs.
2. This right is limited to the irrigation of 0.2 acres within the place of use described above in a single irrigation season.
3. Rights 72-16716 and 72-16718 when combined shall not exceed a total diversion rate of 0.11 cfs and the irrigation of 5.8 acres.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
5. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 72C.
6. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

WATER RIGHT NO. 72-16716
As Modified by Transfer No. 73190

CONDITIONS OF APPROVAL

7. This right does not grant any right-of-way or easement across the land of another.
8. Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 13th day of February, 20 07


Acting Administrator, Water Management Division

WATER RIGHT NO. 72-16718
As Modified by Transfer No. 73190

In accordance with the approval of Transfer No. 73190, Water Right No. 72-16718 is now described as follows.

Right Holder: JOHN K VAN ALFEN
 PO BOX 1390
 CHALLIS ID 83226

Priority Date: May 01, 1879

Source: CHALLIS CREEK

Tributary: SALMON RIVER

BENEFICIAL USE

IRRIGATION

From 04/01 to **To** 10/31

Diversion Rate

0.11 CFS

0.11 CFS

LOCATION OF POINT(S) OF DIVERSION:

CHALLIS CREEK L10 (SWNWNW) Sec. 7 Twp 14N Rge 19E CUSTER County

CHALLIS CREEK SWNWNE Sec. 17 Twp 14N Rge 19E CUSTER County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
14N	19E	16	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	7.8
										7.8									7.8

Total Acres: 7.8

CONDITIONS OF APPROVAL

1. This right is limited to a diversion rate of 0.105 cfs and when combined with right 72-16717 is limited to a combined diversion rate of 0.21 cfs.
2. This right is limited to the irrigation of 5.6 acres within the place of use described above in a single irrigation season.
3. Rights 72-16716 and 72-16718 when combined shall not exceed a total diversion rate of 0.11 cfs and the irrigation of 5.8 acres.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
5. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 72C.
6. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

WATER RIGHT NO. 72-16718
As Modified by Transfer No. 73190

CONDITIONS OF APPROVAL

7. This right does not grant any right-of-way or easement across the land of another.
8. Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 13th day of February, 20 07


Acting Administrator, Water Management Division



IDAHO DEPARTMENT OF
WATER RESOURCES

RECEIVED

MAY 23 2022

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

May 09, 2022

COPY

THOMAS D STILLWAUGH
350 ROD AND GUN CLUB LOOP
CHALLIS ID 83226-4728

RE: Water Right No(s): 72-16718, 72-16716
Change in Ownership

Dear Interested Parties:

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

Our review of your Notice indicates that additional information is required before the Department can process the change. The information required is indicated below:

 X Filing Fee of \$25 per water right

Effective July 1, 2000, the legislature enacted House Bill No. 545 requiring a filing fee for a change in water right ownership. The fee is \$25 per water right, except for ownership changes resulting in the division of a water right, which is \$100 per water right. All ownership change notices received after June 30, 2000 must include the appropriate filing fees in order to be processed. We have determined that the filing fee for your notice will be \$50.

Because the Department cannot process the Notice without proper fees, we will hold any action on your notice pending receipt of the necessary fees. If we do not receive the fees within 30 days we will return your notice and all attachments and your notice will not be processed.

Also, please note that permit holders are required to report any change of ownership and/or mailing address to the Department within 120 days of the change. Forms to assign ownership or update your address are available from any office of the Department or on the Department's website.

If you have any questions regarding this matter, please contact me at (208)287-4921 or email me at Sidney.palmer@idwr.idaho.gov.

Sincerely,

Sidney Palmer

Sidney Palmer
Technical Records Specialist 1

Enclosure(s)

c: JOHN K VAN ALFEN



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

May 24, 2022

THOMAS D STILLWAUGH
TERRI L STILLWAUGH
350 ROD AND GUN CLUB LOOP
CHALLIS ID 83226-4728

Re: Change in Ownership for Water Right No(s): 72-16716, 72-16718

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