



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 16, 2022

MARK K ULSH
JENNIFER L ULSH
PO BOX 27
LEADORE ID 83464-0027

RE: Change in Ownership Water Right No(s): 74-14440,74-13728,74-13636,

Dear Interested Parties:

The Idaho Department of Water Resources (Department) received a Notice of Change in Water Right Ownership (Notice) from you on May 2, 2022, for the above referenced water rights. The Notice could not be processed because the current owner of these water rights is the USDI BLM.

The land patent you provided is dated 1999. Water right 74-14440 was decreed in 2000 and 74-13636 & 74-13728 were decreed in 2004. Mr. Whittaker did not file a competing claim on these water rights so when the SRBA Court decreed these rights in the name of USDI BLM, it severed the rights from the land. You will need to have the BLM convey the water rights to you if you want the Department to update the ownership to you.

The Department is returning your Notice of Change in Water Right Ownership and the attachments. A refund of \$75 has been requested and will be mailed to you under separate cover from the Idaho State Controller's Office. You may re-submit your request with the appropriate documents and fees.

If you have any questions regarding this matter, please contact me at (208) 287-4942.

Sincerely,

Jean Hersley
Technical Records Specialist 2

Enclosure(s)

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESRECEIVED
MAY 02 2022
WATER RESOURCES

MAY 02 2022

Department of Water Resources
Eastern Region

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?
74-13636 ✓	Yes ☐	Yes ☐		Yes ☐	Yes ☐
74-14440 ✓	Yes ☐	Yes ☐		Yes ☐	Yes ☐
74-13728 ✓	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: United States of America (Bureau of Land Management)

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Mark K. Ulsh & Jennifer L. Ulsh

New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ orPO Box 27

Mailing address

864 363-6325

Telephone

Leadore

City

markch53e@aol.com

Email

ID

State

83464

Zip

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: 10/30/2020
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.

8. Signature: Mark K. Ulsh Title, if applicable: _____ Date: 4/29/2022
- Signature of new owner/claimant
- Mark K. Ulsh
- Print name

- Signature: _____ Title, if applicable: _____ Date: _____
- Signature of new owner/claimant
- Print name

For IDWR Office Use Only:

Received by M. Jettis Date 5-2-22 Receipt No. E048079 Receipt Amt. 75.00Active 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 _____ Date _____

RETURNED

The United States of America
To all to whom these presents shall come, Greeting:

IDI-31385 2F

WHEREAS

F. James Whittaker and Paula J. Whittaker

are entitled to a land patent pursuant to Section 206, Act of October 21, 1976, as amended (43 U.S.C. 1716) for the following described land:

241053

State of Idaho)
County of Lemhi) SS No. _____
This instrument was filed for record at the request
of Femhi Little
at 3:12 o'clock P.m. 6-25 1999
and duly filmed and indexed in the records of Lemhi
County
Terri J. Morton
Ex-Officio Recorder
By JZ Deputy
Fee 6.00
Return to Femhi Little

Boise Meridian, Idaho

T. 15 N., R. 25 E.

sec. 15, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$;

sec. 26, SE $\frac{1}{4}$ SE $\frac{1}{4}$.

T. 14 N., R. 26 E.,

sec. 3, SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$.

T. 14 N., R. 27 E.,

sec. 35, NW $\frac{1}{4}$ NW $\frac{1}{4}$.

Containing 440 acres.

NOW KNOW YE, that there is, therefore, granted by the **UNITED STATES** unto the above named claimants, the land described above; **TO HAVE AND TO HOLD** the said land with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto said claimants, and to their heirs and assigns, forever; and

EXCEPTING AND RESERVING TO THE UNITED STATES:

1. A right-of-way thereon for ditches and canals constructed by the authority of the United States. Act of August 30, 1890 (43 U.S.C. 945).
2. A perpetual right-of-way for road purposes as reserved under Right-of-Way No. IDI 32208, pursuant to Title V of the Act of October 21, 1976 (43 U.S.C. 1767) as to the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of section 3, T. 14 N., R. 26 E., B.M., and the right to enforce all or any of the terms and conditions of the right-of-way.

Patent No. 11-99-0019

3. An easement and right-of-way over, across, and upon a strip of land 66 feet wide along an existing road located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of section 26, T. 15 N., R. 25 E., B.M., and as shown on the official Bureau of Land Management status records for the State of Idaho, and further identified in case file IDI 3721, for the full use of a road by the United States and its assigns; licensees, and permittees, including the right of access and use for the people of the United States generally to lands owned, administered, or controlled by the United States. This road is authorized pursuant to 44 LD 513.

4. The right to itself, its permittees or licensees to enter upon, occupy, and use any part or all of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ and the W $\frac{1}{2}$ SW $\frac{1}{4}$ of section 3, T. 14 N., R. 26 E., B.M., necessary, in the judgement of the Federal Energy Regulatory Commission, for the purposes of Part 1 of the Federal Power Act of August 26, 1935, as amended (16 U.S.C. 818); and no claim or right to compensation shall accrue from the occupation or use of any of said land for said purposes. The United States or any licensee for any such lands hereunder may enter thereupon for the purposes of Part 1 of the Federal Power Act upon payment of any damages to crops, buildings, or other improvements caused thereby to the owner thereof, or upon giving a good and sufficient bond to the United States for the use and benefit of the owner to secure the payment of such damages as may be determined and fixed in an action brought upon the bond in a court of competent jurisdiction, said bond to be in the form prescribed by the Federal Energy Regulatory Commission; and for the following purpose or purposes, if any, and under the following additional restrictions, if any, contained in the Federal Energy Regulatory Commission's determination; dated: None.

SUBJECT TO those rights held by Lemhi County, its successors or assigns, for an existing road, in T. 14 N., R. 26 E., section 3, SW $\frac{1}{4}$ NW $\frac{1}{4}$, exercised under RS 2477 and noted under Serial No. IDI 20154.



IN TESTIMONY WHEREOF, the undersigned authorized officer of the Bureau of Land Management, in accordance with the provisions of the Act of June 17, 1948 (62 Stat.476), has, in the name of the United States, caused these letters to be made Patent, and the Seal of the Bureau to be hereunto affixed.

GIVEN under my hand, in Boise, Idaho, the twenty fifth day of June in the year of our Lord one thousand nine hundred and NINETY NINE and of the Independence of the United States the two hundred and TWENTY-THIRD.

By 
 Jimmie Buxton
 Branch Chief, Lands and Minerals
 Resource Services Division

Patent Number 11-99-0019

RETURNED

Order No.:307052966L-G

FOR VALUE RECEIVED

F. James Whittaker and Paula J. Whittaker, husband and wife

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

Michael L. Levy, a single person

whose current address is

302 Sea Oats Dr. Juno, FL 33408-1466

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

TOWNSHIP 15 NORTH, RANGE 25 EAST, BOISE MERIDIAN, LEMHI COUNTY,
IDAHO. SECTION 15: SW1/4

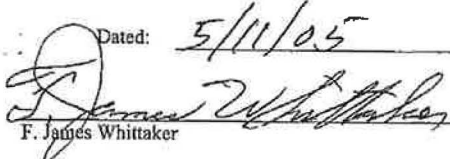
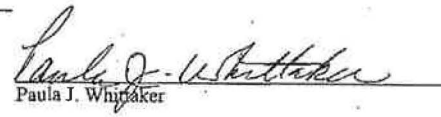
TOGETHER WITH THE FOLLOWING EASEMENT FOR INGRESS/EGRESS AND
UTILITIES:

SEE ATTACHED EXHIBIT "A"

*****IT IS HEREBY MUTUALLY UNDERSTOOD AND AGREED THAT THE
ABOVE DESCRIBED REAL PROPERTY CANNOT BE SUBDIVIDED*****

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.

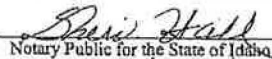
Dated: 5/11/05

F. James Whittaker

Paula J. Whittaker

State of Idaho }
County of Lemhi } ss.

On this 11th day of May, in the year 2005 before me, a Notary Public in and for said state,
personally appeared F. James Whittaker and Paula J. Whittaker 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.




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

Idaho) SS No. 262918
County of Lemhi)
This instrument was filed for record at the request
of Alliance
Attest: 11:00 a.m. 11 May 2005
I do hereby certify that this instrument was
duly filed and indexed in the records of Lemhi
County
Tami J. Morton
Ex-Officio Recorder
By K. Baumer Deputy
Fee 6.00
Return to _____

RETURNED

EXHIBIT A" 062818

Taylor Mountain Surveying
903 Waller Street
Salmon, Idaho 83467
(208) 756-8321

INGRESS/EGRESS EASEMENT

An easement for ingress/egress and utilities across the following described parcel:
A parcel of land located in the SE ¼, Section 10, T. 15 N., R. 25 E., Boise Meridian, Lemhi County, Idaho, more particularly described as follows:

Commencing at the SE Corner of said Section 10 from which the S ¼ Corner of Section 10 bears S 88°54'07" W, 2619.62 ft., the Basis of Bearing of this description, run thence S 88°54'07" W along the southerly boundary of Section 10 a distance of 1309.81 ft. to the E 1/16 Corner of Sections 10 and 15, said corner being the POINT OF BEGINNING;

Continue thence S 88°54'07" W a distance of 72.99 ft. to a point in an existing fence line;

Thence along said fence line the following courses:

N 00°37'45" E, 1405.97 ft.; S 88°35'05" E, 884.87 ft. to a point on the easterly right-of-way of an existing county road;

Thence leaving said fence line S 21°30'24" W along said right-of-way a distance of 54.12 ft. to a point on the northerly boundary of the SE ¼ SE ¼ of said Section 10;

Thence leaving said right-of-way S 89°00'42" W along said northerly boundary a distance of 799.07 ft. to the SE 1/16 Corner of said Section 10;

Thence S 00°21'35" W along the westerly boundary of said SE ¼ SE ¼ a distance of 1318.53 ft. to the POINT OF BEGINNING.

ALSO: A 30.00 ft. wide ingress/egress easement located in Section 15, T. 15 N., R. 25 E., Boise Meridian, Lemhi County, Idaho, westerly of the following described line;

Commencing at the point of beginning of the above described parcel, run thence S 88°54'07" W along the northerly boundary of said Section 15 a distance of 36.50 ft. to the POINT OF BEGINNING;

Thence S 36°53'57" W a distance of 1214.86 ft.;

Thence S 27°10'26" W a distance of 139.97 ft.;

Thence S 00°44'43" E a distance of 364.87 ft.;

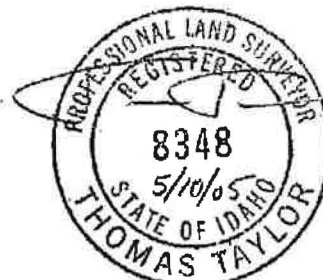
Thence S 10°20'21" W a distance of 222.57 ft.;

Thence S 05°28'45" E a distance of 153.12 ft.;

Thence S 18°30'54" W a distance of 66.71 ft.;

Thence S 30°06'44" W a distance of 895.07 ft. to the C ¼ Corner of said Section 15, said point being the POINT OF TERMINUS.

The sidelines of this easement being prolonged or shortened to conform with the grantor's and grantee's property lines.



RETURNEED



WARRANTY DEED

Alliance Title & Escrow, LLC Order No.:506193

FOR VALUE RECEIVED

Michael L. Levy, an unmarried man

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

Mark K. Ulsh and Jennifer L. Ulsh, husband and wife

whose current address is

**PO Box 27
Leadore, ID 83464**

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

**Southwest Quarter Section 15, Township 15 North, Range 25 East, Boise Meridian,
Lemhi County, Idaho.**

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.

RETURNED

Dated: 10/30/20

Michael L. Levy
Michael L. Levy

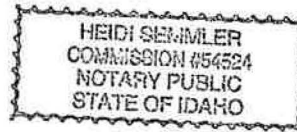
State of Idaho } ss
County of Lemhi }

On this 30th day of October, 2020, before me, Heidi Semmler, a Notary Public in and for said state, personally appeared Michael L. Levy, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within Instrument.

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

Heidi Semmler
Heidi Semmler

Notary Public for the State of Idaho
Residing at: Salmon
Commission Expires: May 19, 2021



RETURNED

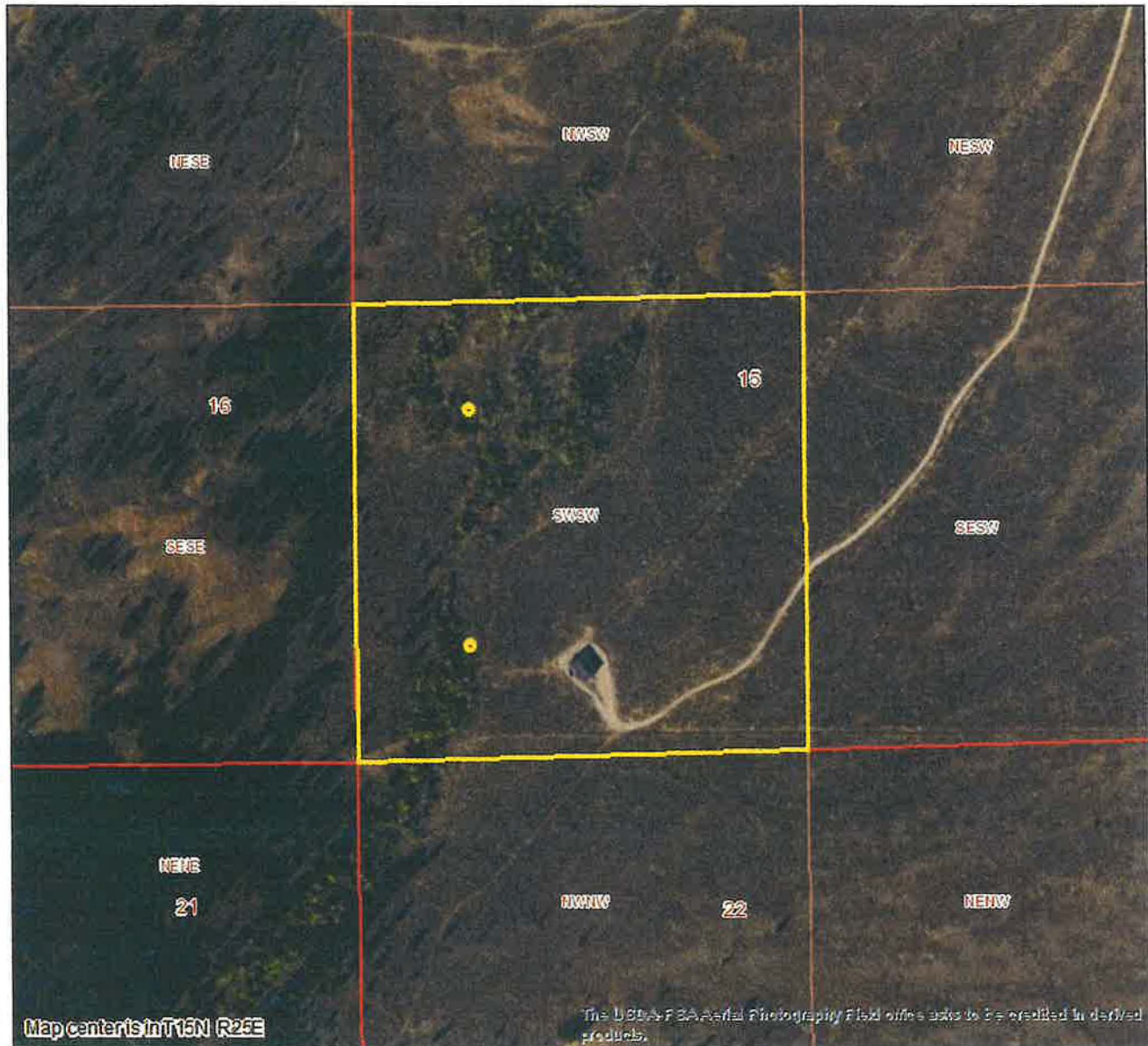
State of Idaho
Department of Water Resources

Water Right

74-14440

STOCKWATER

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: 4/29/2022



Legend

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



RETURNED

State of Idaho
Department of Water Resources

Water Right

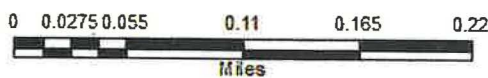
74-13728

STOCKWATER

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: 4/29/2022



Legend

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



RETURNED

State of Idaho
Department of Water Resources

Water Right

74-13636

STOCKWATER

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: 4/29/2022



Legend

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



MEMORANDUM

TO: Sascha Marston
FROM: Jean Hersley
DATE: May 16, 2022
RE: **Refund: ownership change returned**

Please refund \$75.

NAME: JENNIFER L ULSH
MARK K ULSH
PO BOX 27
LEADORE ID 83464-0027

RECEIPT #: E048079

Thank you.

Jean

Hersley, Jean

From: Hersley, Jean
Sent: Monday, May 16, 2022 7:56 AM
To: IdwrPayable
Subject: Refund
Attachments: ULSH.doc

Please process the attached refund as soon as possible. Thank you.

*Jean Hersley
Technical Records Specialist II
Idaho Dept Water Resources
(208) 287-4942*