

RECEIVED

FEB 07 2022

WATER RESOURCES
WESTERN REGION

RECEIVED

FEB 09 2022

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESDEPARTMENT 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?
78-250	Yes ☒	Yes ☐			Yes ☐
78-251	Yes ☒	Yes ☐	78-250 Split into 78-250 & 78-12553		Yes ☐
78-252	Yes ☒	Yes ☐	78-251 Split into 78-251 & 78-12554		Yes ☐
78-4130	Yes ☒	Yes ☐	78-252 Split into 78-252 & 78-12555		Yes ☐
	Yes ☐	Yes ☐	78-4130 Split into 78-4130 & 78-12556		Yes ☐

2. Previous Owner's Name: Phil and Lynette Walters
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Kurt and Rebecca Dwello
New owner(s) as listed on the conveyance document Name connector ☐ and ☒ or

3278 Wallace Ln.
Mailing address
208-315-1536
Telephone

New Meadows ID 83654
City State Zip
dwellok@gmail.com
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: 6/17/2004
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.

SUPPORT DATA

IN FILE # 78-250

8. Signature: Kurt Dwello Title, if applicable: _____ Date: 2/7/22
Signature of new owner/claimant

Print name

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

Print name

For IDWR Office Use Only:

Received by LE Date 02/07/2022 Receipt No. W050104 Receipt Amt. \$400.00

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 Jph Date 5-3-22

INSTRUMENT NO. **106371**

WARRANTY DEED

PAGE 1 OF 1

For Value Received, HPJ PARTNERS, a California Limited Partnership,

the grantor, does hereby grant, bargain, sell and convey unto
KURT DWELLO and REBECCA J. DWELLO, husband and wife,

the grantees, whose current address is 13907 Farm to Market Rd, McCall ID 83638

the following described premises, in Adams County, Idaho, to-wit:

Lots 4 and 5, Block 1, Timber Ridge Subdivision, Adams County, Idaho, as
set forth on the official plat thereof recorded August 22, 1995 in Book 2
Plats page 17, in the office of the Adams County Recorder.

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 in fee simple of said premises; that
they are free from all encumbrances excepting for all easements of record, rights of way,
matters visible, and all matters of record and title and that they will warrant and defend
the same from all lawful claims whatsoever.

Date: JUNE 14, 2004

HPJ PARTNERS, a California limited partnership

BY: [Signature]

HOBERT L. ALTER, GENERAL PARTNER

Instrument # 106371

COUNCIL, ADAMS, IDAHO

2004-06-18

03:50:01 No. of Pages: 1

Recorded for: TIMBERLINE TITLE & ESCROW

MICHAEL FISK

Fee: 3.00

Ex-Officio Recorder Deputy [Signature]

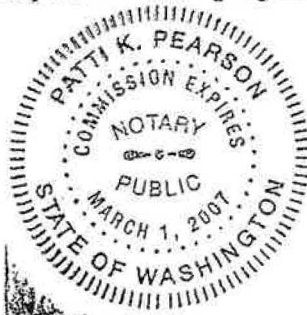
Index to: DEED

STATE OF Washington)

: ss

COUNTY OF San Juan)

On this 17 day of June, in the year of 2004, before me, a Notary Public in and for said State, personally appeared
HOBERT L. ALTER known or identified to me to be the partner or one of the partners of HPJ Partners who subscribed said
partnership name to the foregoing instrument, and acknowledged to me that he executed the same in said partnership name.

[Signature]

Notary Public

Residing at:

Commission expires:

#04-487

For Value Received, HPJ PARTNERS, a California limited partnership

the grantor, does hereby grant, bargain, sell and convey unto
KURT DWELLO and REBECCA J. DWELLO, husband and wife

the grantees, whose current address is 13907 Farm to Market Road, McCall, ID 83638

the following described premises, in Adams County, Idaho, to-wit:

Lot 3, Block 1, Timber Ridge Subdivision, Adams County, Idaho, as set forth
on the official plat thereof recorded August 22, 1995 in Book 2 Plats
page 17, in the office of the Adams County Recorder.

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 owner in fee simple of said premises; that
they are free from all encumbrances excepting for all easements of record, rights of way,
matters visible, and all matters of record and title and that they will warrant and defend
the same from all lawful claims whatsoever.

Date: July 14, 2004

HPJ PARTNERS, a California limited partnership

Instrument # 106606

COUNCIL, ADAMS, IDAHO

2004-07-21 03:36:06 No. of Pages: 1

Recorded for: TIMBERLINE TITLE & ESCROW

MICHAEL FISK Fee: 3.00

Ex-Officio Recorder Deputy *Leahy*

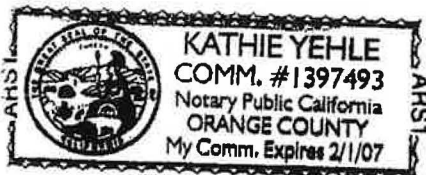
Index to: DEED

By:

Hobart L. Alter by *Hobart P. Alter* P.O.A.
HOBART L. ALTER, General Partner, By,
HOBART P. ALTER, His attorney-in-fact

STATE OF *California*,
COUNTY OF *Orange*)
: ss

On this 20 day of July, in the year of 2004, before me, a Notary Public in and for said State, personally appeared
HOBART P. ALTER known or identified to me to be the person whose name is subscribed to the within instrument as the
attorney-in-fact of HOBART L. ALTER, and acknowledged to me that he subscribed the name of HOBART L. ALTER
thereto as principal and his own name as attorney-in-fact.



Kathie Yehle
Notary Public

Residing at: *San Clemente, Ca. 111 Palisades*
Commission expires: *2-1-07*

RECEIVED

JUN 01 2015

May 16, 2015

Holly Becker
C/O Payette National Forest
500 N. Mission
McCall Id 83638

WATER RESOURCES
WESTERN REGION

and

Idaho Department of Water Rights
Western Region,
2735 Airport Way
Boise Id 83705-5082

I have abandoned all water rights on Sewell Creek, claim numbers 78-00250, 78-00251, 78-00252,
and 78-04130.

Sincerely, 

Phil Walters
Lewiston Idaho

1030 Calle Sombra Suite 65
San Clemente, CA

DEC 31 2015

READ & APPROVED

WARRANTY DEED

WATER RESOURCES
WESTERN REGION
For value received PHILLIP ALLEN WALTERS aka PHILIP A. WALTERS and LYNETTE MARIE WALTERS aka LYNETTE M. WALTERS, husband and wife, the Grantors, do hereby grant, bargain, sell and convey unto HPI Partners, a California limited partnership registered in Idaho the Grantees, the following described premises in Adams County, Idaho, to-wit:

A parcel of land situated in Township 19 North, Range 2 East, Boise Meridian, Adams County, Idaho, described as

Section 8: SE1/4NE1/4, N1/2SE1/4, SE1/4SE1/4, NE1/4SW1/4
Section 9: NE1/4SW1/4, LOTS 3 AND 4, SE1/4SW1/4

SAVING AND EXCEPTING THEREFROM the following tracts of land:

TRACT 1: Beginning at the Southeast corner of Section 8, Township 19 North, Range 2 East of Boise Meridian;

Thence North 1276.1 feet;

Thence North 89 degrees 54' West 264.4 feet to the TRUE POINT OF BEGINNING;

Thence North 89 degrees 54' West 53.5 feet;

Thence North 89 degrees 54' West 208.7 feet;

Thence North 89 degrees 54' West 219.5 feet;

Thence North 417.4 feet;

Thence South 89 degrees 54' East 521.7 feet;

Thence South 417.4 feet to the TRUE POINT OF BEGINNING.

All is NE1/4SE1/4 and SE1/4SE1/4 of Section 8, Township 19 North, Range 2 East of Boise Meridian, Adams County, Idaho.

TRACT 2: Beginning at the Southeast corner of Section 8,

Township 19 North, Range 2 East, Boise Meridian;

Thence North 1316.1 feet;

Thence North 89 degrees 54' West 3491.6 feet to the TRUE POINT OF BEGINNING;

Thence North 89 degrees 54' West 466.7 feet;

Thence North 466.7 feet;

Thence South 89 degrees 54' East 466.7 feet;

Thence South 466.7 feet to the TRUE POINT OF BEGINNING.

All is the NE1/4SW1/4, Section 8, Township 19 North, Range 2

East, Boise Meridian, Adams County, Idaho.

Subject to the following encumbrances which are filed for record in the office of the Adams County

AN EASEMENT for the purpose of public utilities and rights incidental thereto as set forth in a deed of grant to IDAHO POWER COMPANY (no representation is made as to present ownership or encumbrances), recorded April 23, 1948 as Instr. No. 31760, records of Adams County, Idaho.

AN EASEMENT for the purpose of public utilities and rights incidental thereto as set forth in a deed of grant to IDAHO POWER COMPANY (no representation is made as to present ownership or encumbrances), recorded October 2, 1964 as Instr. No. 43721, records of Adams County, Idaho.

WARRANTY DEED, Page 4

A attachment to email sent by Paul Schaefer
on 12-30-15

AN EASEMENT for the purpose of public utilities and rights incidental thereto as set forth in a document granted to IDAHO POWER COMPANY (no representation is made as to the present ownership of said easement), recorded December 28, 1984 as Instr. No. 69657, records of Adams County, Idaho.

AN EASEMENT for the purpose of public utilities and rights incidental thereto as set forth in a document granted to IDAHO POWER COMPANY (no representation is made as to the present ownership of said easement), recorded October 16, 1981 as Instr. No. 63067, records of Adams County, Idaho.

A RESERVED RIGHT OF WAY for road purposes deed by James W. McCumsey to the Public, which was made reference to in a Warranty Deed recorded September 13, 1913 as Instr. No. 2758, Book 1 of Deeds at page 396, records of Adams County, Idaho.

A RIGHT OF WAY with terms and conditions for the purpose of a County road, granted to Adams County (no representation is made as to the present ownership of said right of way), recorded July 11, 1911 as Instr. No. 391 in Book 2 of Deeds at page 90, records of Adams County, Idaho.

AN EASEMENT with terms and conditions as set forth in a document granted to COUNTY OF ADAMS, recorded February 19, 1960 in Book 25 of Deeds at page 146 as Instr. No. 40169, records of Adams County, Idaho.

EASEMENTS for roads, ditches and public utilities as now established.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee that they are the owners in fee simple of said premises; that they are free from all encumbrances and that they will warrant and defend the same from all lawful claims whatsoever.

DATED This 9th day June, 1993.

Phillip Allan Walters

Lynette Marie Walters
STATE OF IDAHO

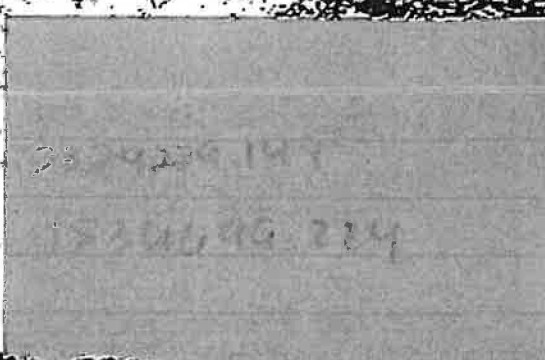
COUNTY OF Valley

On this 11 day of June, 1993, before me a Notary Public for the State of Idaho, in and for the County of Valley, personally appeared PHILLIP A. WALTERS AND LYNETTE M. WALTERS, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, this 11th day of June, 1993.

[Signature]
Notary Public
STATE OF IDAHO
11/5/95

WARRANTY DEED Page 1N



INSTRUMENT NO. 81201

State of Kada)
County of Adams) SS.

Filed for record at the request of
Robert J. and Yvonne
24 min. past 11 o'clock P.M.
this 14 day of June, 19 93
by MICHAEL FISK RECORDER
by SEAN M. J. JONES
Deputy

Page 5 of 99





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 03, 2022

KURT DWELLO
REBECCA J DWELLO
3278 WALLACE LN
NEW MEADOWS ID 83654-5061

Re: Change in Water Right Ownership: 78-250 (Split into 78-250 and **78-12553**), 78-251 (Split into 78-251 and **78-12554**), 78-252 (Split into 78-252 and **78-12555**), 78-4130 (Split into 78-4130 and **78-12556**)

Dear Water Right Holder(s):

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

Your portion of each water right(s) has a specified point of diversion, nature of use and place of use. If you plan to change the authorized point of diversion, nature of use, or place of use, including adding a new point of diversion, you must file an Application for Transfer of Water Right. If you do not plan to change any elements of your water right, then no further action is required at this time.

The portion of the water right retained by the original right holder retains the original water right number. The Department is sending the original right holder a copy of this letter and a computer-generated report showing the changes to the original water right.

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) 287-4942.

Sincerely,

Jean Hersley
Technical Records Specialist 2

Enclosure(s)

c: Water District No. 78C



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

February 09, 2022

KURT DWELLO
REBECCA DWELLO
3278 WALLACE LN
NEW MEADOWS ID 83654-5061

RE: Change in Ownership Water Right No(s): 78-251, 78-250, 78-252, 78-4130

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:

☒ Evidence of Water Right Ownership: these water rights were decreed in the Snake River Basin Adjudication (SRBA) in 2007. This means the court ruled the owner of these water rights are Phil Walters and Lynette Walters even if they no longer own any land appurtenant to the water rights. The deed you provided conveyed land from HPJ Partners to you in 2004. Since you did not file a competing claim or object to the claim the Walters made on these water rights, the Department cannot split the water rights based on the deeds provided. The Department will need documents that convey a portion of the water rights to you.

Because the Department cannot process the Notice without proper documentation, we will hold any action on your notice pending receipt of the necessary information. If we do not receive the necessary information within 30 days, we will request a refund and return your notice, all attachments, including the transfer 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) 287-4942.

Sincerely,

Jean Hersley
Technical Records Specialist 2

Enclosure(s)

c: PHIL WALTERS
LYNETTE WALTERS