

RECEIVED

MAR 28 2022

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

MAR 21 2022

Department of Water Resources
Eastern RegionDEPARTMENT 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?
75-14436 ✓	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: Robert Tacke
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): The Christopher W. James Trust
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or
- 3880 Garden Creek Road Challis ID 83226-0510
Mailing address City State Zip
208-940-2293 cwjames77@gmail.com
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: July 15, 2021
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: Ben Marsden Attorney for Owner/Claimant 03/17/2022
Signature of new owner/claimant Title, if applicable Date
Ben Marsden
Print name
- Signature: _____
Signature of new owner/claimant Title, if applicable Date
Print name

Received by LB Date 3/21/2022 For IDWR Office Use Only: Receipt No. E047920 Receipt Amt. \$25.-
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 SP Date 4/19/22

SHERIFF'S DEED

I, Steve Penner, Sheriff of Lemhi County, Idaho, state and declare the following under oath:

RECITALS

WHEREAS, the District Court in the County of Lemhi State of Idaho, entered a JUDGMENT on December 29, 2020 in Case No. CV-2017-016, in the District Court in and for the County of Lemhi, State of Idaho, against defendant, Helmut Robert "Bob" Tacke; and

WHEREAS, the Clerk of such Court issued a WRIT OF EXECUTION on April 30, 2021; and

WHEREAS, the WRIT OF EXECUTION required or otherwise directed me to sell the following real property:

A PARCEL OF LAND SITUATED IN A PORTION OF GOVERNMENT LOT 4 OF SECTION 3, TOWNSHIP 20 NORTH, RANGE 22 EAST, BOISE MERIDIAN, COUNTY OF LEMHI, STATE OF IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING at the Corner common to Sections 33, 34, 4 and 3, said corner bears N.00°04'16" W a distance of 2654.11 feet from the Quarter Corner common to Sections 3 and 4, the basis of bearings for this description: thence along the west line of said Section 3 S 00°04'16"E a distance of 677.70 feet to the POINT OF BEGINNING; thence leaving said west line N 89°36'09"E a distance of 657.27 feet; thence S 00°04'16"E a distance of 662.75 feet to a point on the south line of Government Lot 4; thence along said south line S 89°36'09"W a distance of 657.27 feet to the Southwest Corner of Government Lot 4; then leaving said south line and along said west line of Section 3 N 00°04'16" W a distance of 662.75 feet to the POINT OF BEGINNING.

The above-described parcel contains an area of 10.00 acres and is subject to all easements and rights of way of record or implied.

Further described as Parcel RP20N22E033503A.;

and

WHEREAS, I duly sold the foregoing real property for \$450,000 to The Christopher W. James Trust, JDT February 7, 1979, on July 15, 2021 and on the same date issued a Certificate of Sale; and

WHEREAS, I recorded the Certificate of Sale on July 20, 2021 as instrument number 324943 in the records of Lemhi County; and

WHEREAS, the foregoing real property was subject to redemption within six months after the sale; and

WHEREAS, the time for redemption has fully expired and no redemption has occurred:

NOW, THEREFORE, I, Sheriff of Lemhi County, Idaho, hereby grant and forever transfer the aforementioned real property to The Christopher W. James Trust, UDT February 7, 1979, P.O. Box 510, Challis, Idaho 83220.

Dated the 24th day of January, 2022.



Steve Penner
Sheriff of Lemhi County, Idaho

State of Idaho)
) ss.
County of Lemhi)

On the 24th day of January, 2022, before me, a Notary Public, personally appeared Steve Penner, Sheriff of Lemhi County, Idaho, known or identified to me to be the person who executed this SHERIFF'S DEED, and acknowledged to me that he executed the same.



Notary Public

Commission expires: 11.21.23

Residing at: Salmon ID

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Bryan D. Smith, Esq. – ISB #4411
SMITH, DRISCOLL & ASSOCIATES, PLLC
414 Shoup Ave.
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Facsimile: (208) 529-4166
Email: bds@eidaholaw.com

Attorneys for Plaintiff

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LEMHI

THE CHRISTOPHER W. JAMES TRUST, UDT
February 7, 1979, CHRISTOPHER W. JAMES,
TRUSTEE,

Plaintiff,

v.

HELMUT ROBERT "BOB" TACKE,

Defendant.

Case No. CV-2017-016

CERTIFICATE OF SALE

I, Steve Penner, Sheriff of the County of Lemhi, State of Idaho, do hereby certify that, under and by virtue of that certain Writ of Execution issued by the District Court of the Seventh Judicial District of the State of Idaho, in and for the County of Lemhi, in the above-entitled action, dated April 30, 2021, and Notice of Sale pursuant to Idaho Code § 11-302, which required me as such Sheriff to sell the below listed property according to law, and apply the proceeds of such sale towards the satisfaction of the debt in the above-entitled action.

I duly sold at the Lemhi County Courthouse, 206 Courthouse Drive, Salmon, Idaho 83467, on the 15th day of July, 2021, at public auction, according to law, and after due and legal notice, the hereinbelow listed property for the sum of Four Hundred Fifty Thousand Dollars (\$450,000.00) DOLLARS, to The Christopher W. James Trust, UDT February 7, 1979, Christopher W. James Trustee, who made the highest bid, by credit bid, therefore at such sale and which said sum was the whole price paid for said property:

PROPERTY SOLD AT AUCTION

A PARCEL OF LAND SITUATED IN A PORTION OF GOVERNMENT LOT 4 OF SECTION 3, TOWNSHIP 20 NORTH, RANGE 22 EAST, BOISE MERIDIAN, COUNTY OF LEMHI, STATE OF IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING at the Corner common to Sections 33, 34, 4 and 3, said corner bears N.00°04'16" W a distance of 2654.11 feet from the Quarter Corner common to Sections 3 and 4, the basis of bearings for this description: thence along the west line of said Section 3 S 00°04'16"E a distance of 677.70 feet to the POINT OF BEGINNING; thence leaving said west line N 89°36'09"E a distance of 657.27 feet; thence S 00°04'16"E a distance of 662.75 feet to a point on the south line of Government Lot 4; thence along said south line S 89°36'09"W a distance of 657.27 feet to the Southwest Corner of Government Lot 4; then leaving said south line and along said west line of Section 3 N 00°04'16" W a distance of 662.75 feet to the POINT OF BEGINNING.

The above-described parcel contains an area of 10.00 acres and is subject to all easements and rights of way of record or implied.

Further described as Parcel RP20N22E033503A.

This property is subject to redemption pursuant to Idaho Code § 11-310.

IN WITNESS WHEREOF, I have hereunto set my hand as Sheriff of Lemhi County, Idaho, as aforesaid, this 20 day of July, 2021.

Lemhi County Sheriff

By Euphical Cardin
Deputy

SUBSCRIBED AND SWORN to before me this 20th day of July, 2021.



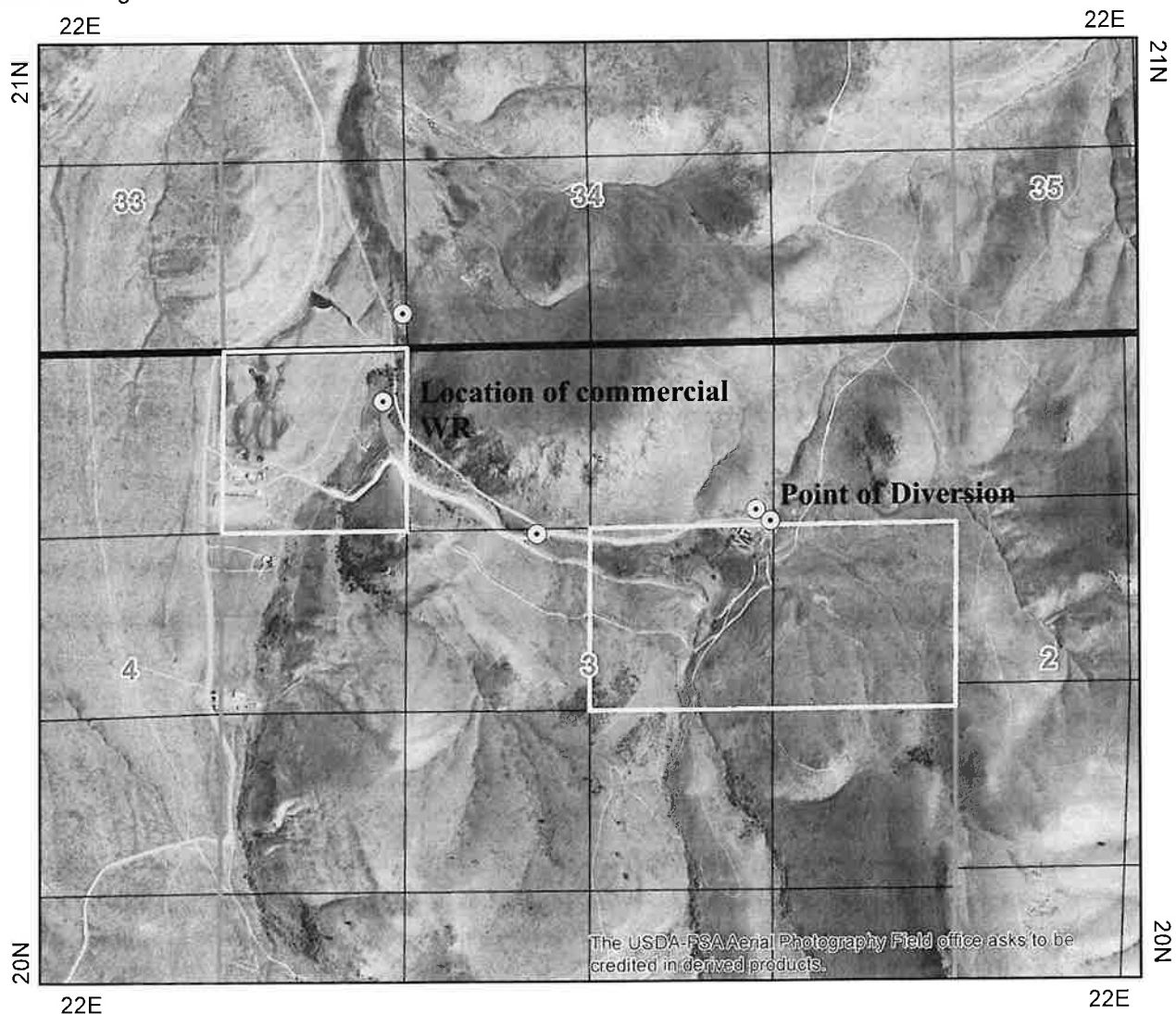
Teresa Morton
Notary Public for Idaho
Residing at:
My Commission Expires:

State of Idaho
Department of Water Resources

Water Right 75-14436

COMMERCIAL

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.



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

0 0.15 0.3 0.6 Miles



LAW OFFICES OF
SMITH, DRISCOLL & ASSOCIATES, PLLC

414 SHOUP

BRYAN D. SMITH
B. J. DRISCOLL
BRYAN N. ZOLLINGER

POST OFFICE BOX 50731
IDAHO FALLS, IDAHO 83405

TELEPHONE (208) 524-0731
FAX (208) 529-4166
e-mail: info@eidaholaw.com

RECEIVED

March 17, 2022

MAR 21 2022

Department of Water Resources
Eastern Region

IDWR Eastern Region
900 N. Skyline Drive, Ste A.
Idaho Falls, Idaho 83402-1718

**Re: The Christopher W. James Trust
Water Right No. 75-14436**

RECEIVED

MAR 28 2022

DEPARTMENT OF
WATER RESOURCES

Gentlemen:

Enclosed please find an original **Notice of Change in Water Right Ownership** in the above matter for filing, together with a check in the amount of \$25.00 to cover the filing fee.

Should you have any questions regarding the foregoing, please don't hesitate to advise. Thank you for your assistance.

Thank you for your assistance.

Yours very truly,

SMITH, DRISCOLL & ASSOCIATES, PLLC



Debbie Hamilton
Legal Assistant

dh

Enclosures



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

April 19, 2022

THE CHRISTOPHER W JAMES TRUST
3880 GARDEN CREEK RD
CHALLIS ID 83226

Re: Change in Ownership for Water Right No(s): 75-14436

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)