

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
JAN 31 2022
DEPT OF WATER RESOURCES
SOUTHERN 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?
72-24A	Yes ☐	Yes ☐		Yes ☐	Yes ☐
72-4231A	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Arthur Lusher &/or Betty Rustin Lusher
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): DONNIE and Susan Armstrong
New owner(s) as listed on the conveyance document Name connector ☐ and ☒ or
- 2931 Channing Way Los Alamitos CA 90720
Mailing address City State Zip
- 562 619-2536 DL Demmon C Hotmail.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: 12-15-2021
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.

SUPPORT DATA

IN FILE # 72-24A

8. Signature: Donnie Armstrong OWNER 1-26-2022
 Signature of new owner/claimant Title, if applicable Date
DONNIE ARMSTRONG
 Print name
- Signature: Susan Armstrong owner 1-26-2022
 Signature of new owner/claimant Title, if applicable Date
Susan Armstrong
 Print name

Received by SG Date 1/31/22 For IDWR Office Use Only: Receipt No. 5039058 Receipt Amt. \$25.00
 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 JB Date 2-18-2022

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED ✓

FEB 14 2022

DEPT OF WATER RESOURCES
SOUTHERN REGION

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72-24A	Yes ☐	Yes ☐		Yes ☐	Yes ☐
72-4231A	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Arthur Lusher &/or Betty Rustin Lusher
Name of current water right holder/claimant
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☐ \$100 per *split* water right.
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☐ 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: Donnie Armstrong OWNER 1-26-2022
Signature of new owner/claimant Title, if applicable Date

DONNIE ARMSTRONG
Print name

Signature: Susan Armstrong OWNER 1-26-2022
Signature of new owner/claimant Title, if applicable Date

Susan Armstrong
Print name

Received by SG Date 2/14/22 For IDWR Office Use Only: Receipt No. 5039085 Receipt Amt. \$25.00

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 _____ Date _____

261878

Custer County Reg. of

Hopkins Roden PLLC

Time *11:55 AM* Date *12/22/21*

Lura H. Baker, Clerk

Justin Walker \$15.00
Deputy

SPECIAL WARRANTY DEED

THIS INDENTURE, made this 6th day of December, 2021, between DONNIE P. ARMSTRONG as Successor Trustee of the ARTHUR & BETTY LUSHER TRUST dated April 9, 1991, the Grantors, and the DONNIE P ARMSTRONG 1993 FAMILY TRUST, c/o Donnie P. and Susan Armstrong, 2931 Channing Way, Los Alamitos, California 90720, the Grantees,

WITNESSETH:

That the Grantor, for and in consideration of the mutual terms, covenants and conditions of that certain Declaration of Trust of ARTHUR & BETTY LUSHER TRUST dated April 9, 1991, does by these presents grant, convey, and assign unto the Grantee, in trust, in accordance with the terms of the above-described Declaration of Trust, all of the following described real estate situated in the County of Custer, State of Idaho, to-wit:

AN UNDIVIDED FIFTY PERCENT (50%) INTEREST IN AND TO THE FOLLOWING DESCRIBED PROPERTY, TO-WIT"

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF;

SUBJECT TO: All existing liens, encumbrances, covenants, restrictions, and reservations of record; all existing easements, claims of easement, and rights-of-way; all applicable building and zoning ordinances, use regulations and restrictions; all encroachments, overlaps, boundary line disputes and other matters which would be disclosed by an accurate survey, inspection of the premises or environmental assessment; and all accruing taxes and assessments.

TO HAVE AND TO HOLD, all and singular the said premises, together with their appurtenances, unto the said Grantee and to the Grantees' successors and assigns forever. In construing this deed and where the context so requires, the singular includes the plural.

261878

IN WITNESS WHEREOF, the said Grantors have executed this instrument
the day and year first above written.


Donnie P. Armstrong, as successor trustee of
the Arthur and Betty Lusher Trust

STATE OF _____)
County of _____) ss.

ON THIS _____ day of _____, 2021, before me,
_____, a Notary Public in and for said State, personally
appeared _____, known or identified to me to be the person who
executed this instrument, and acknowledged to me that he executed the same.

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

S
E
A
L

See Attached
Notary Public for _____
Residing at: _____

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

261878

STATE OF CALIFORNIA)

COUNTY OF Orange)

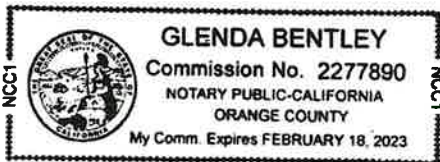
On 12-6, 2021, before me, Glenda Bentley, a
Notary Public in and for said State, personally appeared

Donnie P. Armstrong

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same
in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument
the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.



Glenda Bentley
Notary Public in and for said County and State

(SEAL)

EXHIBIT "A"

The following described parcel of land situated in the NW1/4 of Section 7, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho, more particularly described as follows;

Commencing at a Brass Cap marking the Northwest 1/16th Corner of Section 7; thence North 89°08'00" East a distance of 466.50 feet to a 5/8 inch iron pin; thence continuing North 89°08'00" East a distance of 50.94 feet to an aluminum cap marking the Southwest Corner of Government Lot 8 and the Northwest Corner of the Piotrowski parcel; thence continuing North 89°08'00" East a distance of 262.62 feet to an aluminum cap marking the Southwest corner of Government Lot 7 and the Northeast Corner of the Piotrowski parcel, the Real Point of Beginning; thence continuing along the 1/16th line North 89°08'00" East a distance of 397.52 feet to a point 25.00 feet Southerly of the centerline of the existing county road; thence South 81°58'59" East a distance of 141.86 feet to a 5/8 inch iron pin which bears South 27°55'58" West a distance of 25.00 feet from an aluminum cap marking the East Corner of said Government Lot 7; thence South 27°55'58" West a distance of 464.94 feet to a 1/2 inch iron pin in a existing fence line and being North 27°55'58" East a distance of 35.00 feet from the center of Challis Creek and the true corner position; thence along the meanders of said Challis Creek North 65°57'06" West a distance of 36.52 feet to a point; thence North 24°42'14" West a distance of 163.78 feet to a point; thence North 36°39'22" West a distance of 90.20 feet to a point; thence North 83°16'23" West a distance of 148.73 feet to a point in the Center-South portion of said Challis Creek and the Southeast corner of the Piotrowski parcel, said point being referenced by a 1/2 inch iron which bears North 00°07'05" West a distance of 54.00 feet; thence North 00°07'05" West a distance of 202.02 feet to the Real Point of Beginning.

WARRANTY DEED

0204996

For Value Received ARTHUR J. LUSHER AND BETTY L. LUSHER, INDIVIDUALLY, AND AS TRUSTEES OF THE ARTHUR AND BETTY LUSHER TRUST DATED APRIL 9, 1991,

the grantor(s), do hereby grant, bargain, sell and convey unto DONNIE P. AND SUSAN M. ARMSTRONG, AS TRUSTEES OF DONNIE P. ARMSTRONG 1993 FAMILY TRUST AS OF MAY 25, 1993,

the grantee(s), whose current address is PO Box 349, Challis, ID 83226,

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

AN UNDIVIDED FIFTY PERCENT (50%) INTEREST AS TENANTS IN COMMON WITH GRANTORS IN AND TO THE FOLLOWING DESCRIBED PROPERTY, TO-WIT:

SEE EXHIBIT "A," ATTACHED HERETO AND MADE A PART HEREOF.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and it or their heirs and assigns forever. And the said Grantor(s) do hereby covenant to and with the said Grantee(s), that it/the yard owner(s) in fee simple of said premises, that they are free from all incumbrances

and that it/the y will warrant and defend the same from all lawful claims whatsoever.

Dated: September 15, 1993.

Arthur J. Lusher, individually,
and as Trustee

Betty L. Lusher, individually,
and as Trustee

STATE OF IDAHO
COUNTY OF CUSTER

On this 15 day of September, in the year 19 93, before me, a Notary Public, personally appeared ARTHUR J. LUSHER & BETTY L. LUSHER, known or identified to me to be the person whose name(s) are subscribed to the within instrument, and acknowledged to me that they executed the same.

Notary Public
Residing at Challis, Idaho
My Comm. Expires: 8-5-94
OF IDAHO

STATE OF IDAHO, COUNTY OF CUSTER

I hereby certify that this instrument was filed for record at the request of Custer County Title

at 35 minutes past 2:00 o'clock PM, this 21 day of September 19 93, in my office, and duly recorded in Book of Deeds at page

By

Fees \$ 6.00
Mail to: C&T

INSTRUMENT NO

Chicago Title Insurance
Company of Idaho



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The following described parcel of land situated in the NW $\frac{1}{4}$ of Section 7, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho, more particularly described as follows:

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IDAHO DEPARTMENT OF
WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858

Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

February 18, 2022

DONNIE P ARMSTRONG 1993 FAMILY TRUST
C/O DONNIE P ARMSTRONG
2931 CHANNING WAY
LOS ALAMITOS CA 90720-4050

Re: Change in Ownership for Water Right No(s): 72-4231A and 72-24A

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) 293-9909.

Sincerely,

Jim Bitzenburg
Senior Water Resource Agent

Enclosure(s)

CC: WD-72A