

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

DEC 30 2021

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?
72-16888	Yes ☒	Yes ☐		Yes ☐	Yes ☐
72-16889	Yes ☒	Yes ☐		Yes ☐	Yes ☐
72-16890	Yes ☒	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Stephens Gulch Homesteads Water Assn
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Chad W and Shawn D Malcolm - Malcolm
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or
- 25150 Highway 93 Challis Id 83226-4925
Mailing address City State Zip
(208) 993-1326
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: 04/13/2021
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 # 72-16888

8. Signature: Chad W. Malcolm 8-20-21
Signature of new owner/claimant Title, if applicable Date
Chad W. Malcolm
Print name
- Signature: Shawn Malcolm 8-20-21
Signature of new owner/claimant Title, if applicable Date
Shawn Malcolm
Print name

Received by SG Date 12/30/21 For IDWR Office Use Only: Receipt No. 5039008 Receipt Amt. \$300.00

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 KA Date 1-27-2022

RECEIVED

JAN 13 2022

DEPT OF WATER RESOURCES
SOUTHERN REGION

WARRANTY DEED

260269

Custer County Reg. of
Custer County Title
Time 11:41 AM Date 4/13/2021
Lura H. Baker, Clerk
Tina Hawkins \$1500
Deputy

For Value Received, WE, CHALLIS CREEK CATTLE COMPANY, an Idaho limited liability company, do hereby grant, bargain, sell and convey unto CHAD MALCOLM AND SHAWN D. MALCOLM, husband and wife, whose address is:
25150 Hwy 93, Challis, Idaho 83226

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

SEE ATTACHED EXHIBIT A

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 encumbrances and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: April 13 2021
Stephen Bauchman
CHALLIS CREEK CATTLE COMPANY, LLC.
BY: STEPHEN G. BAUCHMAN
ITS: MANAGER

State of Idaho
County of Custer

On this 13 day of April, 2021, before me, Ryan E. Millick a notary public for the State of Idaho personally appeared STEPHEN G. BAUCHMAN, known or identified to me be the manager or a member of the limited liability company that executed the instrument or the person who executed the instrument on behalf of said limited liability company, and acknowledged to me that such limited liability company executed the same.

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

R. E. Millick
Ryan E. Millick

(Seal) Signature of Notary Public

Printed Name of Notary Public Commission

Expiration Date: 9-21-23



260269

EXHIBIT A

A PORTION OF THE SOUTHEAST QUARTER OF TOWNSHIP 14 NORTH, RANGE 19 EAST, SECTION 3, BOISE MERIDIAN, CUSTER COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT EAST QUARTER CORNER OF SAID SECTION 3 MONUMENTED BY A 5/8" REBAR AND THENCE ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER NORTH 89°57'28" WEST 213.82 FEET TO A POINT ON THE WEST HIGHWAY 93 RIGHT-OF-WAY, THENCE ALONG SAID RIGHT-OF-WAY SOUTH 14°05'51" EAST 189.30 FEET TO A CONCRETE HIGHWAY RIGHT-OF-WAY MARKER 50 FEET LEFT OF CENTERLINE STATION 294+27.0 P.T; THENCE ALONG A CURVE TO THE RIGHT WITH RADIUS OF 1382.50 FEET, LENGTH OF 75.03 FEET, TANGENT OF 37.53 FEET, DELTA ANGLE OF 3°06'35", CHORD BEARING OF SOUTH 12°08'24" EAST AND CHORD OF 75.02 FEET TO A 1/2" REBAR AT THE NORTHEAST CORNER OF THE LANDS OF MALCOLM; THENCE CONTINUING ALONG SAID WEST HIGHWAY 93 RIGHT-OF-WAY AND THE EAST BOUNDARY OF THE LANDS OF MALCOLM ALONG A CURVE TO THE RIGHT WITH RADIUS OF 1382.50 FEET, LENGTH OF 408.88 FEET, TANGENT OF 205.95 FEET, DELTA ANGLE OF 16°56'44", CHORD BEARING OF SOUTH 2°06'45" EAST AND CHORD OF 407.40 FEET TO A 1/2" REBAR AT THE SOUTHEAST CORNER OF THE LANDS OF MALCOLM, THENCE ALONG THE SOUTH BOUNDARY OF LANDS OF MALCOLM NORTH 85°44'06" WEST 93.60 FEET TO A 1/2" REBAR AT THE SOUTHWEST CORNER THEREOF AND THE TRUE POINT OF BEGINNING.

THENCE NORTH 88°31'47" WEST 537.03 FEET TO A 1/2" REBAR AND LS CAP 7920 SET ON THE EXTERIOR BOUNDARY OF STEPHEN'S GULCH HOMESTEADS;

THENCE ALONG SAID EXTERIOR BOUNDARY NORTH 23°02'07" WEST 157.15 FEET TO A 1/2" REBAR AND LS CAP 7920 ON THE SOUTH BOUNDARY OF HOMESTEAD 8;

THENCE ALONG SAID SOUTH BOUNDARY SOUTH 88°31'47" EAST 423.99 FEET TO A 1/2" REBAR ON THE WEST BOUNDARY OF THE LANDS OF MALCOLM;

THENCE CONTINUING SOUTH 88°31'47" EAST ALONG THE SOUTH BOUNDARY OF THE LANDS OF MALCOLM 167.97 FEET TO A 1/2" REBAR;

THENCE ALONG THE WEST BOUNDARY OF MALCOLM SOUTH 2°38'05" EAST 143.36 FEET TO THE TRUE POINT OF BEGINNING.

MAY BE SUBJECT TO EASEMENTS OF RECORD OR THOSE LEGALLY ESTABLISHED.

AS SHOWN BY THE RECORD OF SURVEY RECORDED APRIL 5, 2021, AS INSTRUMENT NO. 260225, RECORDS OF CUSTER COUNTY, IDAHO.

260269

Custer County Reg. of
Custer County Title
Time: 11:41 AM Date: 4/13/2021
Lura H. Baker, Clerk
Ima Naukum \$15.00
Deputy

WARRANTY DEED

For Value Received, WE, CHALLIS CREEK CATTLE COMPANY, an Idaho limited liability company, do hereby grant, bargain, sell and convey unto CHAD MALCOLM AND SHAWN D. MALCOLM, husband and wife, whose address is:
25150 Hwy 93, Challis, Idaho 83226

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

SEE ATTACHED EXHIBIT A

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 encumbrances and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: April 13, 2021
Stephen Bauchman
CHALLIS CREEK CATTLE COMPANY, LLC.
BY: STEPHEN G. BAUCHMAN
ITS: MANAGER

State of Idaho
County of Custer

On this 13 day of April, 2021, before me, Ryan E. Millick a notary public for the State of Idaho personally appeared STEPHEN G. BAUCHMAN, known or identified to me be the manager or a member of the limited liability company that executed the instrument or the person who executed the instrument on behalf of said limited liability company, and acknowledged to me that such limited liability company executed the same.

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

R. E. Millick
Ryan E. Millick

(Seal) Signature of Notary Public

Printed Name of Notary Public Commission

Expiration Date: 9-21-23



EXHIBIT A

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THENCE NORTH 88°31'47" WEST 537.03 FEET TO A 1/2" REBAR AND LS CAP 7920 SET ON THE EXTERIOR BOUNDARY OF STEPHEN'S GULCH HOMESTEADS;

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MAY BE SUBJECT TO EASEMENTS OF RECORD OR THOSE LEGALLY ESTABLISHED.

AS SHOWN BY THE RECORD OF SURVEY RECORDED APRIL 5, 2021, AS INSTRUMENT NO. 260225, RECORDS OF CUSTER COUNTY, IDAHO.

THIS INSTRUMENT WAS FILED FOR RECORD
BY CUSTER COUNTY TITLE. AS AN
ACCOMMODATION ONLY. IT HAS NOT BEEN
EXAMINED AS TO ITS EXECUTION OR AS TO
ITS EFFECT UPON THE TITLE.

QUITCLAIM DEED

260270

Custer County, Rec. of
Custer County Title
Time 11:42 AM Date 4/13, 2021
Lura H. Baker, Clerk
Jana Hawkins \$15.00
Deputy

For Value Received, WE, CHAD WAYNE MALCOLM, ALSO KNOWN OF RECORD AS
CHAD MALCOLM AND SHAWN D. MALCOLM, husband and wife, the Grantors, do, hereby
convey, release, remise and forever quitclaim unto CHAD WAYNE MALCOLM AND SHAWN D.
MALCOLM, husband and wife, Grantee, whose address is:
25150 Hwy 93, Challis, Idaho 83226

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

SEE ATTACHED EXHIBIT A

Dated: 4-12-21

Chad Wayne Malcolm
CHAD WAYNE MALCOLM, also known of
record as CHAD MALCOLM

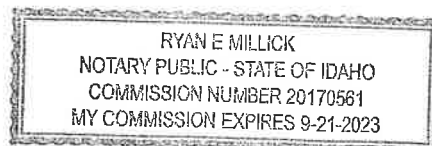
Shawn D. Malcolm
SHAWN D. MALCOLM

STATE OF IDAHO)ss:
COUNTY OF CUSTER)

On this 12th day of APRIL, in the year of 2021, before me, a Notary Public, in and for the said
State, personally appeared CHAD WAYNE MALCOLM, also known of record as CHAD
MALCOLM AND SHAWN D. MALCOLM, 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 seal the day and year in this
certificate first above written.

R. E. Millick
Notary Public for the State of IDAHO
Residing at: CHALLIS, IDAHO
Commission Expires: 9-21-23



260270

EXHIBIT A

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THENCE ALONG SAID SOUTH BOUNDARY SOUTH 88°31'47" EAST 423.99 FEET TO A 1/2" REBAR ON THE WEST BOUNDARY OF THE LANDS OF MALCOLM;

THENCE ALONG THE BOUNDARY OF MALCOM NORTH 16°03'55" WEST 80.15 FEET TO A 1/2" REBAR;

THENCE CONTINUING ALONG SAID BOUNDARY NORTH 15°04'50" EAST 90.90 FEET TO A 1/2" REBAR;

THENCE CONTINUING ALONG SAID BOUNDARY NORTH 70°44'08" EAST 266.26 FEET TO THE TRUE POINT OF BEGINNING.

SAID PROPERTY BENEFITS FROM A 15 FOOT ACCESS/EGRESS EASEMENT ALONG THE NORTH AND WEST BOUNDARIES OF THE AMENDED HOMESTEAD 9 AS DEPICTED ON THE RECORD OF SURVEY OF AN ADJUSTMENT OF THE BOUNDARY LINES BETWEEN HOMESTEADS 9 AND 10 OF THE STEPHENS GULCH HOMESTEADS AND MAY BE SUBJECT TO EASEMENTS OF RECORD OR THOSE LEGALLY ESTABLISHED.

AS SHOWN BY RECORD OF SURVEY RECORDED APRIL 5, 2021 AS INSTRUMENT NO. 260225, RECORDS OF CUSTER COUNTY, IDAHO.

TOWNSHIP 14 NORTH, RANGE 19 EAST, BOISE MERIDIAN,
- SECTION 3 -
A PART OF THE SOUTHEAST QUARTER
CUSTER COUNTY, IDAHO

260225

Custer County Rec. of

Moore & Associates

Time 11:25 A.M. Date 4/5/20

Lynn H. Baker, Clerk

Kristen Walker 5.00

SURVEYOR'S NARRATIVE

THE LOT LINES ESTABLISHED BY THIS RECORD OF SURVEY RELY UPON MONUMENTS FOUND AS NOTED IN THE REFERENCE DETAIL. THESE LOT LINE ADJUSTMENTS ARE SOLELY WITHIN THE STEPHEN'S GULCH HOMESTEADS SUBDIVISION AS PLATTED AND RECORDED, AND NOTED.

THIS PLAT WAS COMMISSIONED BY STEPHEN BAUCHMAN. REFERENCE MONUMENTS FOUND ARE IDENTIFIED BY REFERENCE SURVEYS AS LISTED.

LEGEND

- = 1/2" REBAR WITH L.S. CAP SET
- = 5/8" REBAR FOUND PER R-1
- = 1/2" REBAR FOUND PER R-1
- ⊕ = SECTION CORNER FOUND OR SET AS INDICATED
- C.C.R. = CUSTER COUNTY RECORDS
- = SUBJECT PROPERTY LINE
- = ADJOINING PROPERTY LINE
- = SECTION OR SECTION SUBDIVISION LINE
- - - = ACCESS EASEMENT LINE

LINE TABLE		
LINE	LENGTH	BEARING
L1	50.83	S66°32'51"E
L2	17.80	S84°12'47"E
L3	21.43	N81°08'46"E
L4	28.46	S57°40'10"E
L5	38.08	S32°38'43"E
L6	48.17	S43°29'16"E
L7	24.78	N34°01'53"E
L8	58.37	S79°58'12"E
L9	28.54	S48°45'54"E
L10	48.91	N13°05'16"W
L11	39.05	N69°18'49"E
L12	41.04	N15°37'47"E
L13	20.53	N15°37'47"E
L14	45.05	N46°37'30"E
L15	40.63	N00°17'00"W
L16	41.79	N07°20'19"E
L17	30.57	N89°44'30"E
L18	56.63	S54°28'47"E
L19	35.65	N84°05'27"E
L20	38.01	S59°13'51"E
L21	46.30	S80°45'55"E
L22	50.83	S66°32'51"E

BASIS OF BEARING

THE BASIS OF BEARINGS OF THIS MAP IS GRID NORTH ON THE IDAHO STATE PLANE COORDINATE SYSTEM OF 1983, CENTRAL ZONE, AS DETERMINED BY GLOBAL POSITIONING SYSTEM METHODS BASED ON N.G.S. POINT AC5226. ALL DISTANCES SHOWN ARE HORIZONTAL GROUND DISTANCES IN U.S. SURVEY DECIMAL FEET.

MOON & ASSOCIATES, INC.
ENGINEERING & LAND SURVEYING

525 F. STREET RUPERT, IDAHO 83350
PHONE (208) 436-3714

RECORD OF SURVEY
OF AN ADJUSTMENT OF THE BOUNDARY LINES BETWEEN
HOMESTEADS 9 AND 10
AS SHOWN ON
THE OFFICIAL MAP OF
STEPHENS GULCH HOMESTEADS
OF RECORD
INST. No. 236956, C.C.R.

DRAWN BY: DM DATE: 01APR21
CHECKED BY: D.E.M. JOB NO.: 20-071
DRAWING: BAUCHMAN2020-2 14191-3-2

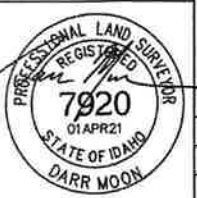
SURVEYOR'S CERTIFICATION

I, DARR MOON, A REGISTERED PROFESSIONAL ENGINEER AND LAND SURVEYOR, IDAHO LICENSE NO. 7920, DO HEREBY ATTEST THAT THE PLAT DEPICTED HEREON WAS SURVEYED BY ME OR UNDER MY DIRECT SUPERVISION AND IS A TRUE AND CORRECT REPRESENTATION THEREOF.

REFERENCE

R-1: THE OFFICIAL PLAT OF THE "STEPHENS GULCH HOMESTEADS" SUBDIVISION RECORDED JULY 3, 2007 AS INSTRUMENT NO. 236956, CUSTER COUNTY RECORDS.

SOUTHEAST CORNER,
SECTION 3,
FOUND 3" ALUM. CAP ON 2"
ALUM. PIPE STAMPED "LS970,
1981" PER R-1 AND C.P.R.
24JUN96, INST. NO. 215996,
C.C.R., IN NORTH-SOUTH
FENCE LINE.





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

January 27, 2022

CHAD W AND SHAWN D MALCOLM
25150 HIGHWAY 93
CHALLIS ID 83226-4925

Re: Change in Water Right Ownership: 72-16890 (Split into 72-16890 and **72-16998**), 72-16889 (Split into 72-16889 and **72-16997**), 72-16888 (Split into 72-16888 and **72-16996**),

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) 293-9916.

Sincerely,

Kent Aasa
Water Resource Agent, Senior

Enclosure(s)

c: STEPHENS GULCH HOMESTEADS WATER ASSN
Water District 170
Water District 72-A