

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
OCT 04 2021
WATER RESOURCES
WESTERN 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 #6 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
~~65-22995~~	Yes ☒	Yes ☐		Yes ☐	Yes ☐
~~65-115~~	Yes ☒	Yes ☐		Yes ☐	Yes ☐
~~Cancelled 11/22/21~~	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Amy English
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Adam Defur
New owner(s) as listed on the conveyance document
- 3421 Butte Rd Emmett ID 83617
Mailing address City State ZIP
- (208) 761-0145 design@sonbyrd.com
Telephone Email
- Name connector ☐ and ☐ or ☐ and/or

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. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed IRS Form W-9 for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed Lessor Designation form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).
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. \$75.00
 - ☐ \$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 # 65-115

8. Signature: Adam Defur Title, if applicable: _____ Date: 9-30-21
Signature of new owner/claimant
- Signature: _____ Title, if applicable: _____ Date: _____
Signature of new owner/claimant

For IDWR Office Use Only:

Received by LE Date 10/04/2021 Receipt No. W049841 Receipt Amt. \$75.00

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 _____

COPY

Instrument # 337247

EMMETT, GEM, IDAHO
2021-10-01 11:08:30 AM No. of Pages: 4
Recorded for: PIONEER TITLE COMPANY OF GEM C
SHELLY TILTON Fee: \$15.00
Ex-Officio Recorder Deputy SStewart
Index To: WARRANTY DEED
Electronically Recorded by Simplifile



2020 South Johns Avenue, Suite A
Emmett, ID 83617

ELECTRONICALLY RECORDED-DO NOT
REMOVE THE COUNTY STAMPED FIRST
PAGE AS IT IS NOW INCORPORATED AS
PART OF THE ORIGINAL DOCUMENT

File No. 783442 PG/KS

WARRANTY DEED

For Value Received Amy E. English-Lanham, a married woman as her sole and separate property,
~~married woman as her sole and separate property~~

hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

Adam Defur, an unmarried man

hereinafter referred to as Grantee, whose current address is 3421 Butte Rd, Emmett, ID 83617

The following described premises, 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 Grantees(s) heirs and assigns forever. And the said Grantor(s) does (do) hereby covenant to and with the said Grantee(s), the Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to U.S. Patent reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and current years taxes, levies, and assessments, includes irrigation and utility assessments, (if any) which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: August 20, 2021

Amy E. English-Lanham
Amy E. English-Lanham
State of Idaho, County of GEM

This record was acknowledged before me on Sept. 23rd by Amy E. English-Lanham

Emily Tullis
Signature of notary public

Commission Expires:



337247

EXHIBIT A

Parcel I

A tract of land situated in a portion of the NW 1/4 of Section 10, Township 7 North, Range 1 West, B.M., Gem County, Idaho, more particularly described as follows:

Commencing at the Northwest corner of the NW 1/4 of Section 10 T. 7N., R. 1 W., B.M., Gem County, Idaho;
Thence South 86°54'18" East, 185.16 feet, along the North line of the NW 1/4 to the REAL POINT OF BEGINNING;
Thence continuing South 86°54'18" East, 380.16 feet;
Thence South 04°35'33" West, 220.08 feet;
Thence South 86°54'18" East, 316.58 feet;
Thence South 04°35'33" West, 176.65 feet;
Thence South 41°04'33" East, 600.72 feet;
Thence North 89°58'10" West, 365.36 feet to a point referred herein after as Point "A";
Thence North 13°20'19" West, 103.81 feet;
Thence North 41°04'32" West, 489.31 feet;
Thence North 04°35'33" East, 110.71 feet;
Thence South 85°59'33" West, 318.44 feet;
Thence North 06°47'46" West, 330.07 feet to the REAL POINT OF BEGINNING.

Together with an ingress, egress and utility easement lying 40.00 feet Easterly of the following described line:

Beginning at Point "A" described above;
Thence South 13°20'19" East, 276.61 feet to a point on the Northerly right of way of Butte Road and the terminus of this easement.

Parcel II

A tract of land situated in a portion of the NW 1/4 of Section 10, Township 7 North, Range 1 West, B.M., Gem County, Idaho, more particularly described as follows:

Commencing at the Northwest corner of the NW 1/4 of Section 10, T. 7N., R. 1 W., B.M., Gem County, Idaho;
Thence South 86°54'18" East, 565.32 feet, along the North line of said NW 1/4;
Thence South 04°35'33" West, 220.08 feet;
Thence South 86°54'18" East, 316.58 feet to the REAL POINT OF BEGINNING;
Thence continuing South 86°54'18" East, 476.28 feet;
Thence South 26°52'58" East, 563.27 feet to a Point referred to hereinafter as Point "C";
Thence North 89°58'10" West, 437.79 feet;
Thence North 41°04'33" West, 466.68 feet;
Thence North 04°35'33" East, 176.65 feet to the REAL POINT OF BEGINNING.

Together with an ingress, egress and utility easement lying 40.00 feet Westerly of the following described line;

Beginning at Point "C" described above;
Thence South 89°58'10" East, 40.16 feet to the REAL POINT OF BEGINNING;
Thence South 05°12'42" East, 251.23 feet to a point on the Northerly right of way of Butte Road and the terminus of this easement.

Parcel III

A tract of land situated in a portion of the NW 1/4 of Section 10, Township 7 North, Range 1 West, Boise Meridian, Gem County, Idaho, more particularly described as follows:

Commencing at the Northwest corner of the NW 1/4 of Section 10, T. 7N., R. 1 W., B.M., Gem County, Idaho;
Thence South 86°54'18" East 565.32 feet along the North line of said NW 1/4 to the REAL POINT OF BEGINNING;

Thence continuing South $86^{\circ}54'18''$ East, 1105.02 feet;
Thence South $23^{\circ}49'27''$ West, 135.12 feet;
Thence South $01^{\circ}40'15''$ West, 273.52 feet;
Thence South $05^{\circ}12'42''$ East, 309.20 feet to a point referred to hereinafter as Point "B";
Thence North $89^{\circ}58'10''$ West, 40.16 feet;
Thence North $26^{\circ}52'58''$ West, 563.27 feet;
Thence North $86^{\circ}54'18''$ West, 792.86 feet;
Thence North $04^{\circ}35'33''$ East, 220.08 feet to the REAL POINT OF BEGINNING.

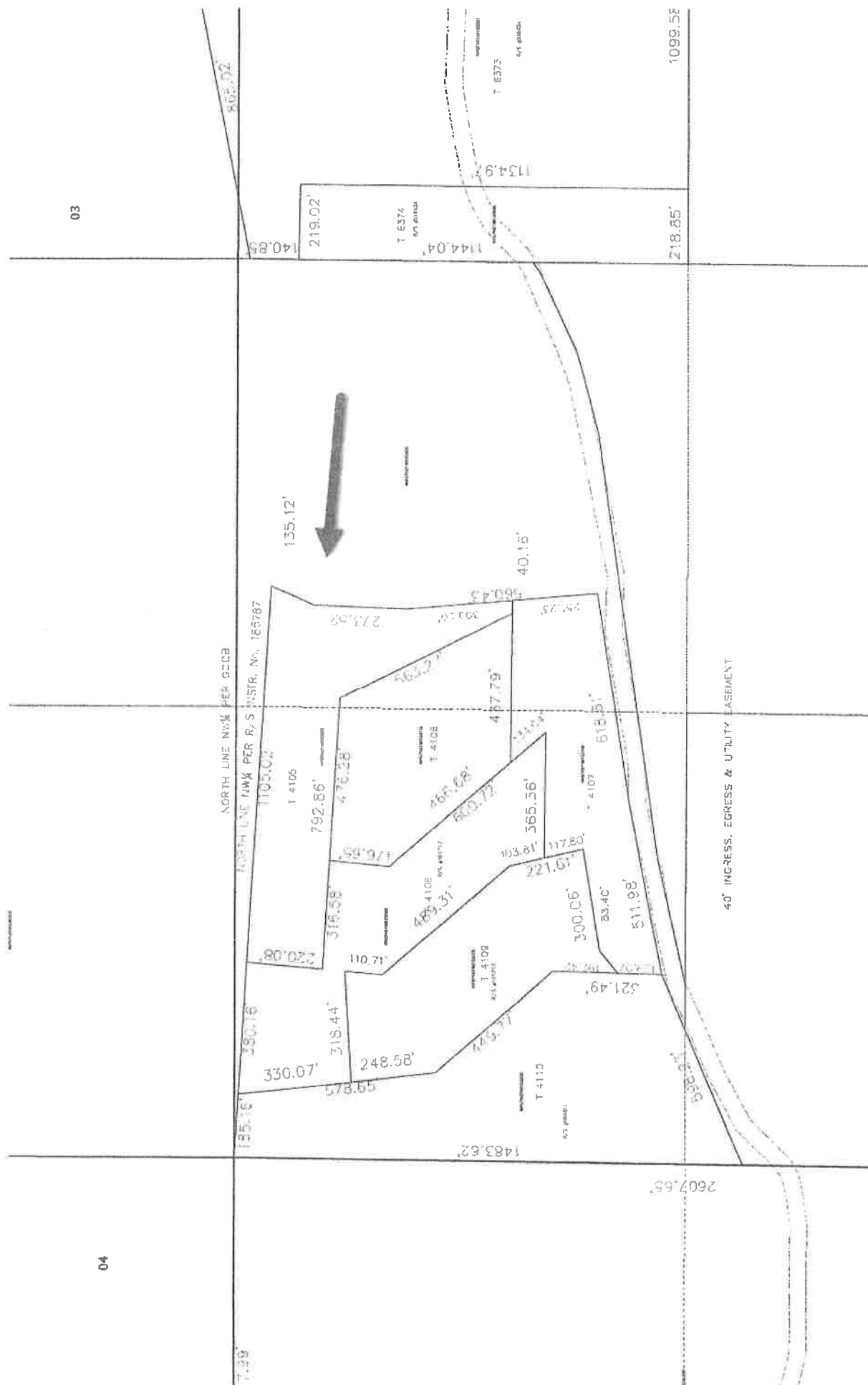
Together with an ingress, egress and utility easement lying 40.00 feet Westerly of the following described line:

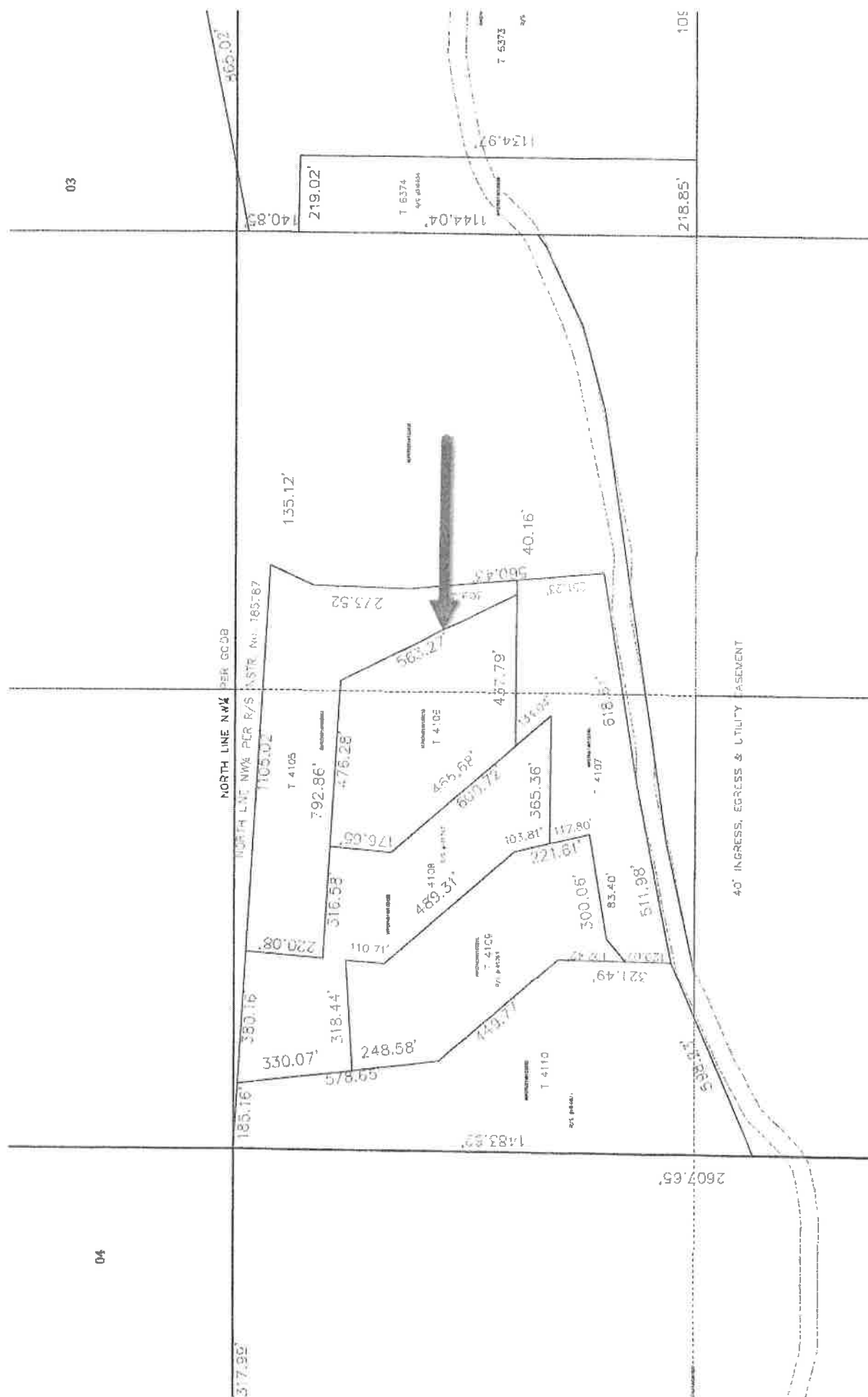
Beginning at Point "B" described above;
Thence South $05^{\circ}12'42''$ East, 251.23 feet to a point on the Northerly right of way of Butte Road and the terminus of this easement.

Exhibit "B"

Legal Description of Easement

TOGETHER WITH the use of a ½" stub line from the 2" main water line from an existing artesian well as described in Warranty Deed, Instrument No. 99618, records of Gem County, Idaho. Also including any easements or rights of ways appurtenant to or used for the benefit of or dedicated to said described premises.







IDAHO DEPARTMENT OF
WATER RESOURCES

Western Region • 2735 W Airport Way • Boise, ID 83705-5082

Phone: 208-334-2190 • Fax: 208-334-2348 • Email: westerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

November 22, 2021

ADAM DEFUR
3421 BUTTE RD
EMMETT ID 83617-9507

RE: Change in Ownership for Water Right No(s): 65-115, 65-22995

Dear Interested Parties:

The Idaho Department of Water Resources (Department) received a Notice of Change in Water Right Ownership (Notice) from you on October 4, 2021 for the above referenced water rights. The Notice could not be processed because the water rights apply to other properties than those included in your submitted deed.

On October 20, the Department requested additional evidence of water right ownership, or an additional fee to process the change by dividing the water rights. As of the date of this letter, the Department has not received the additional documentation or filing fee.

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 Pioneer Title Company of Gem County 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) 334-2190.

Sincerely,

Lynne Evans
Office Specialist II

Enclosure(s)

Evans, Lynne

From: Evans, Lynne
Sent: Monday, November 22, 2021 10:20 AM
To: IdwrPayable
Subject: Refund Request - Defur

TO: Sascha Marston, Brenda Corbett

FROM: Lynne Evans

DATE: November 22, 2021

RE: Refund: Ownership Change

Adam Defur submitted a change in ownership for two water rights, but it could not be processed with the provided documentation.

Please issue a refund of \$75 to:

PIONEER TITLE CO OF GEM COUNTY
1500 S WASHINGTON AVE STE B
EMMETT, ID 83617

RECEIPT #

W049841

Lynne Evans | Office Specialist II
IDWR - Western Region
2735 W Airport Way, Boise ID 83705
(208) 334-2190 | lynne.evans@idwr.idaho.gov



IDAHO DEPARTMENT OF
WATER RESOURCES

Western Region • 2735 W Airport Way • Boise, ID 83705-5082

Phone: 208-334-2190 • Fax: 208-334-2348 • Email: westerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

October 20, 2021

ADAM DEFUR
3421 BUTTE RD
EMMETT ID 83617-9507

RE: Change in Ownership for Water Right No(s): 65-115, 65-22995

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:

- Filing Fee of \$100 per water right for changes resulting from division of a water right
- OR
- Evidence of Water Right Ownership: copy of Deed, Title Policy, Contract of Sale, or other legal document indicating your ownership of the property and/or water rights in question

The Warranty Deed submitted with your Notice does not cover the entire place of use (POU) for the above referenced water rights. Based on the information provided to the Department, the rights may need to be split. A computer-generated report and a map are enclosed for your reference.

If you own the entirety of the water rights, please submit additional documentation showing your ownership of the land not included in your submitted deed, or of the water rights themselves.

If you do not own the entirety of the water rights, an additional fee will be required to process the split change in ownership. The filing fee for a Notice of Change in Water Right Ownership is **\$100 per split** water right. The \$75 you have already submitted will be applied towards the balance.

Because the Department cannot process the Notice without proper documentation and fees, we will hold any action on your Notice pending receipt of the necessary information or fees. If we do not receive the necessary information or fees within 30 days we will return your Notice and all attachments 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) 334-2190.

Sincerely,

A handwritten signature in black ink, appearing to read "Lynne Evans", with a stylized flourish at the end.

Lynne Evans
Office Specialist II

Enclosure(s)

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

10/20/2021

Water Right 65-115

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	AMY E ENGLISH 3421 BUTTE RD EMMETT, ID 83617 (208) 365-0930
Original Owner	LEO RADANDT BOX 391 EMMETT, ID 83617
Original Owner	BESSIE RADANDT BOX 391 EMMETT, ID 83617
Original Owner	JERRY L RADANDT 2848 S BOISE AVE EMMETT, ID 83617 (208) 365-5081
Previous Owner	ROBERT M ENGLISH 4337B HWY 90 PACE, FL 32571 (850) 994-7497

Priority Date: 4/1/1915

Basis: Decreed

Status: Active

Source
SPRING

Tributary
PAYETTE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	3/15	11/15	0.060 CFS	
STOCKWATER	1/01	12/31	0.020 CFS	0.7 AF
	<u>Total Diversion</u>		0.060 CFS	

Source and Point(s) of Diversion

SPRING NESW Sec. 3, Twp 07N, Rge 01W, GEM County

Place Of Use

IRRIGATION within GEM County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N	01W	10						7.0											7.0

POU Total Acres: 7.0

STOCKWATER Same as IRRIGATION

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

10/20/2021

Conditions of Approval:

1. N05 THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
3. N08 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

Dates and Other Information

Decreed Date: 7/3/2002
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: 65
Mitigation Plan: False

Combined Use Limits

N/A

SubCase:

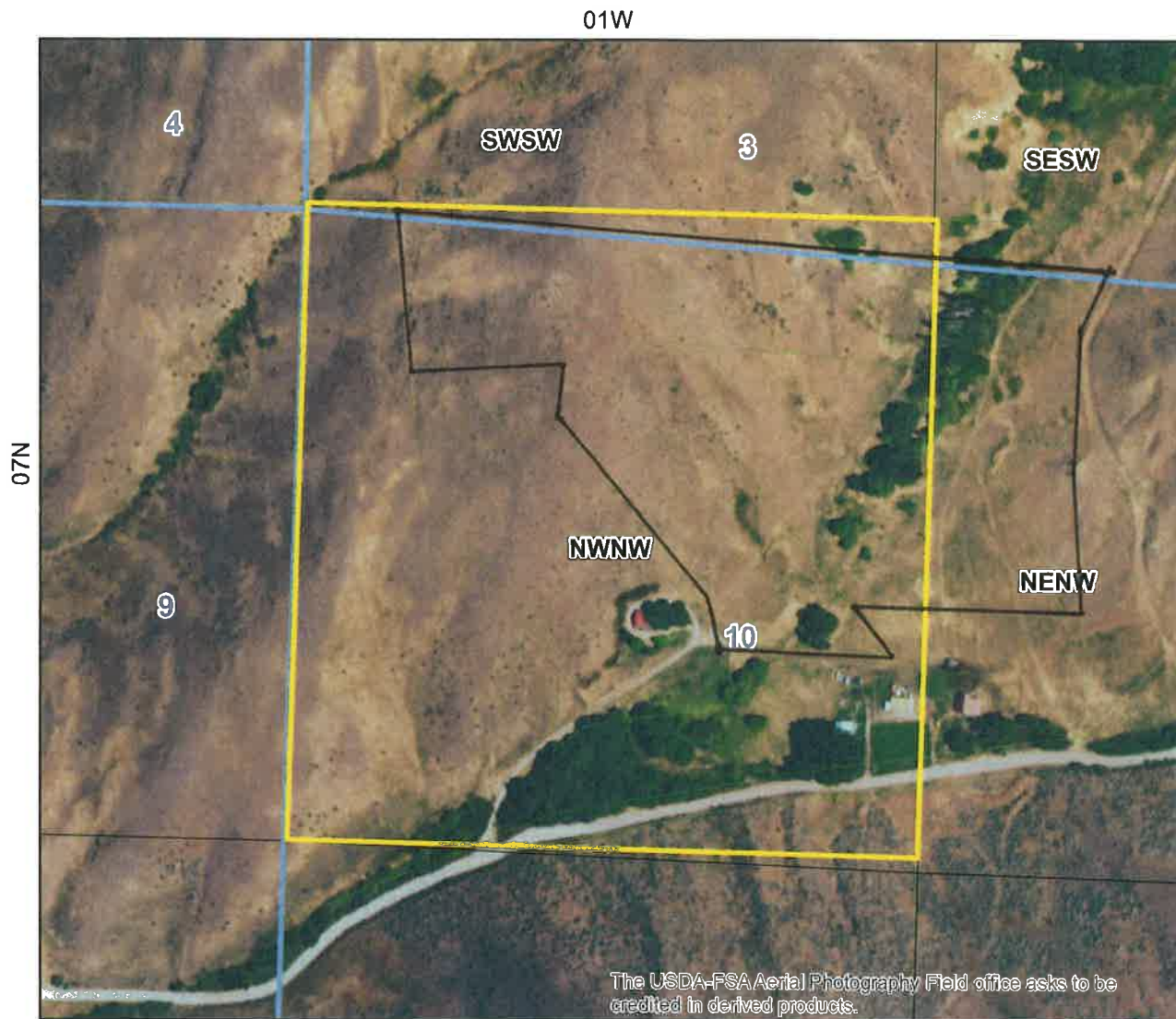
N/A

Water Supply Bank:

N/A

State of Idaho
Department of Water Resources
Attachment to Water Right License
65-115

This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters
- Taxlots

0 0.045 0.09 0.18 Miles



IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

10/20/2021

Water Right 65-22995

Owner Type **Name and Address**
Current Owner AMY E ENGLISH
3421 BUTTE RD
EMMETT, ID 83617
(208) 365-0930

Priority Date: 11/18/2005

Basis: License

Status: Active

<u>Source</u> SPRING UNNAMED STREAM	<u>Tributary</u> BRISTOL CREEK BRISTOL CREEK
--	---

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER STORAGE	01/01	12/31		5.4 AF
WILDLIFE STORAGE	01/01	12/31		5.4 AF
AESTHETIC STORAGE	01/01	12/31		5.4 AF
DIVERSION TO STORAGE	01/01	12/31	0.020 CFS	
	<u>Total Diversion</u>		0.020 CFS	5.4 AF

Source and Point(s) of Diversion

SPRING	NENESW	Sec. 3, Twp 07N, Rge 01W, GEM County
UNNAMED STREAM	NWNW	Sec. 10, Twp 07N, Rge 01W, GEM County
SPRING	SENWNW	Sec. 10, Twp 07N, Rge 01W, GEM County

Place Of Use

AESTHETIC STORAGE within GEM County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N	01W	10						X											

WILDLIFE STORAGE within GEM County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N	01W	10						X											

STOCKWATER STORAGE within GEM County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N	01W	10						X											

Conditions of Approval:

1. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

10/20/2021

2. 185 approval, this water right is within State Water District No. 65. The right holder shall contact the watermaster by June 15 each year for authorization to continue diverting and using water. The right holder shall not divert water after June 15 each year unless the watermaster authorizes continued diversion and use of water under this water right. When the watermaster informs the right holder that water is not available to fill this right, the right holder shall cease diversion, shall rent water from the Payette River Rental Pool, or shall otherwise mitigate for the depletion of water caused by this water use. The department may amend the contact date listed in this administrative provision to more closely coincide with the date when water is not available to fill this water right.
3. Wildlife storage, aesthetic storage, and stockwater storage uses are for two reservoirs totaling 4.0 af in volume. This right authorizes the diversion of water to fill the reservoirs and the diversion of an additional 1.4 af of water to replace evaporation and seepage losses each year.
4. F06 The following rights are diverted through point of diversion in NENESW, S03, T07N, R01W: 65-115 & 65-22995.
5. 103 When ordered by the Director, the right holder shall provide mitigation acceptable to the Director to offset depletion of lower Snake River flows needed for migrating anadromous fish. The amount of water required for mitigation, which is to be released into the Snake River or a tributary for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this right. Any order of the Director issued in accordance with this paragraph shall be in conformance with applicable rules allowing the right holder due process as the need for mitigation and the amount of mitigation are determined.

Dates and Other Information

Licensed Date: 10/22/2013

Water District Number: 65

Mitigation Plan: False

Combined Use Limits

N/A

SubCase:

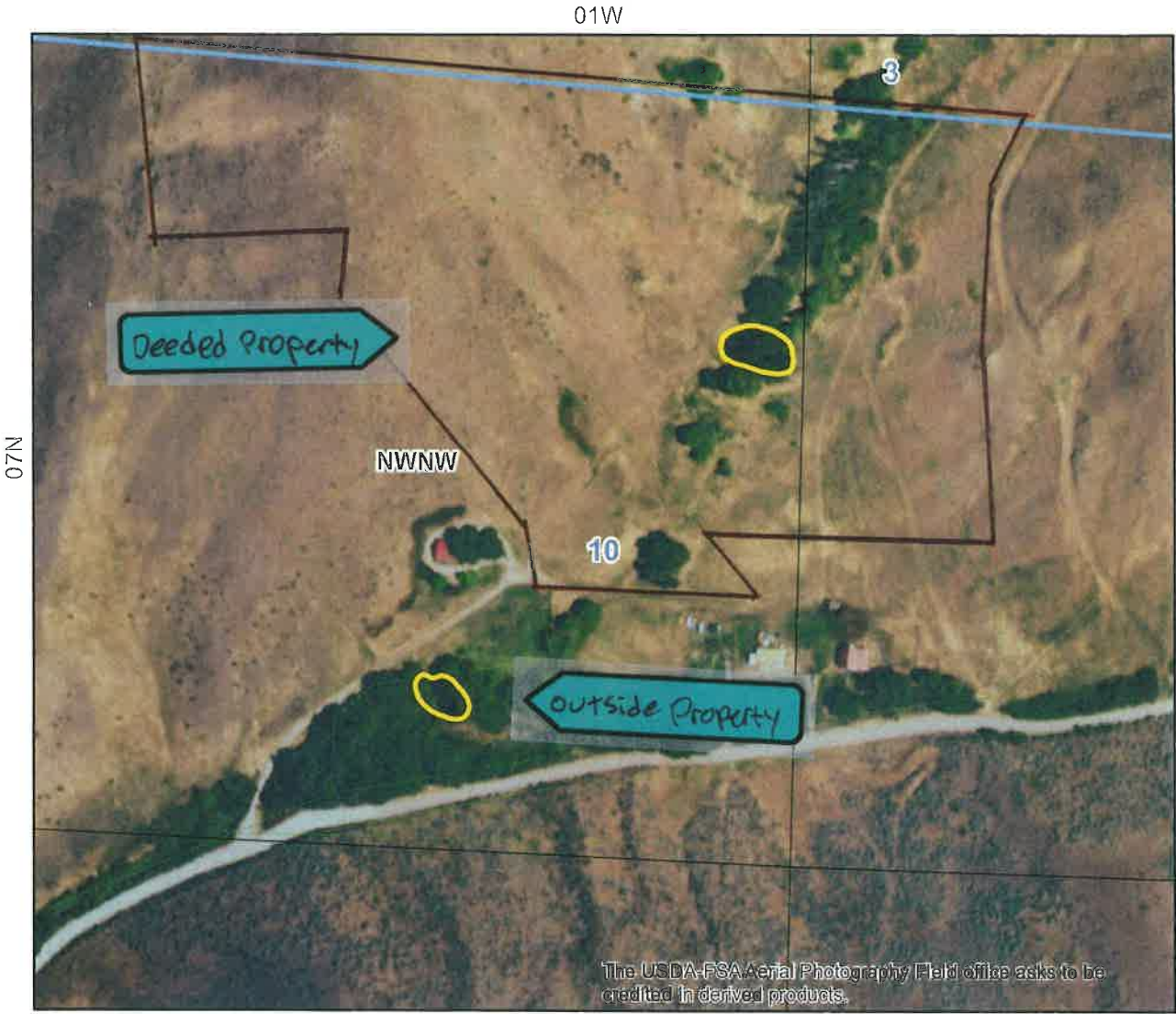
N/A

Water Supply Bank:

N/A

State of Idaho
Department of Water Resources
Attachment to Water Right License
65-22995

This map depicts the AESTHETIC STORAGE place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters
- Taxlots

