

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

FEB 08 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?
78-7065	Yes ☐	Yes ☐		Yes ☐	Yes ☐
~~78-7133~~	Yes ☐	Yes ☐		Yes ☐	Yes ☐
cancelled 11/17/2021	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Rex and Maret Philpott
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Levi and Abigail Tucker
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- PO Box 1435 Riggins ID 83549
Mailing address City State ZIP
- 208 921-0634 myrealtorabbey@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: 12/4/2020
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):
 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: Levi J. Tucker [Signature] 11/24/2020 2:10 PM MST
Signature of new owner/claimant Title, if applicable Date
- Signature: Abigail S. Tucker [Signature] 11/24/2020 2:11 PM MST
Signature of new owner/claimant Title, if applicable Date

SUPPORT DATA

IN FILE # 78-7065**For IDWR Office Use Only:**

Received by DL Date 02.08.2021 Receipt No. W049079 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 LE Processed by LE Date 09/15/21

Instrument # 527315

IDAHO COUNTY, IDAHO,

12-4-2020 03:14:19 PM No. of Pages: 3

Recorded for : IDAHO COUNTY TITLE

KATHY M. ACKERMAN

Fee: 15.00

Ex-Officio Recorder Deputy

(Space Above For Recorder's Use)

WARRANTY DEED

For value received, REX W. PHILPOTT and MARET A. PHILPOTT, husband and wife, ("Grantors"), do hereby grant, bargain, sell and convey to LEVI J. TUCKER and ABIGAIL S. TUCKER, husband and wife, as community property with right of survivorship, ("Grantees"), whose mailing address is: PO Box 1435, Riggins, ID 83549, and Grantees' heirs, successors and assigns forever, the following described real property situate in Idaho County, State of Idaho, (hereafter the "subject premises"):

Township 23 North, Range 1 East, Boise Meridian, Idaho County, Idaho
Section 32:

A parcel of located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, more particularly described as follows:

Beginning at the East 1/4 section corner for said Section 32, corner marked with found recorded G.L.O. Stone accessories;

thence 2635.61 feet on a bearing of S 89°34'23" W, to the True Point of Beginning, being the center of said Section 32 and Corner No. 1, a monument;

thence 821.90 feet on a bearing of N 00°00'59" E to Corner No. 2, a monument;

thence 711.85 feet on a bearing of N 89°33'41" E, to Corner No. 3, a monument;

thence 125.52 feet on a bearing of S 42°27'52" E, more or less, along the East edge of the county road to Corner No. 4, a monument;

thence 70.00 feet on a bearing of N 75°00'00" E, to Corner No. 5, a monument;

thence 489.94 feet on a bearing of S 24°45'32" E, more or less, along the West side of the Little Salmon River to Corner No. 6, a monument;

thence 150.00 feet on a bearing of S 89°34'23" W, to Corner No. 7, a monument (a cross chiseled on the top of a 6' high rock outcrop showing 20 feet across along West edge county road bears South 30.43 feet)

thence 300.00 feet on a bearing of South to Corner No. 8, a monument;

thence 919.64 feet on a bearing of S 89°34'23" W, to Corner No. 1 and the True Point of Beginning.

Sometimes known as Assessor's Tax No. 103.

SUBJECT TO taxes and assessments for the current year, and all subsequent years, together with any and all existing easements, rights-of-way, reservations, covenants, restrictions and encumbrances of record, and the following matters:

1. Any adverse claims based on the assertion that the location of the LITTLE SALMON RIVER has moved subsequent to its adoption as a title boundary.
2. Rights and easements in favor of the public for recreational uses of the LITTLE SALMON RIVER.
3. Easement, including the terms and provisions thereof, by and between M.E. DAMON and ANNA DAMON, and MOUNTAIN STATES TELEPHONE and TELEGRAPH CO., recorded August 25, 1932, under Instrument No. 99201, Book 60 page 435, records of Idaho County, Idaho.
4. Reservations as set forth in Patent by and between THE UNITED STATES OF AMERICAN and ANNA MARIE DAMON, a widow, recorded April 1, 1942, Book 71 page 484, under Instrument No. 137824, records of Idaho County, Idaho.
5. Terms and provisions in Warranty Deed, by and between LAWRENCE P. R. REGELLO and RANDOLPH F. LAWWILL and THELMA F. LAWWILL, husband and wife, recorded May 9, 1974, under Instrument No. 253804, records of Idaho County, Idaho.
6. Matters as shown on Survey No. S-10, recorded September 9, 1974, under Instrument No. 255542; Survey No. S-13, recorded January 9, 1976, under Instrument No. 261761; Survey No. S-405, recorded April 22, 1986, under Instrument No. 326512; Survey No. S-456, recorded December 11, 1986, under Instrument No. 332291; Survey No. S-1020, recorded June 5, 1995, under Instrument No. 380471; Survey No. S-1357, recorded June 18, 1997, under Instrument No. 393674; Survey No. S-1758, recorded May 15, 2000, under Instrument No. 411808; Survey No. S-1827, recorded November 28, 2000, under Instrument No. 414475; Survey No. S-2448, recorded June 8, 2006, under Instrument No. 448897; Survey No. S-2698, recorded April 3, 2008, under Instrument No. 460311; and Survey No. S-3484, recorded September 18, 2017, under Instrument No. 510650, all records of Idaho County, Idaho.
7. Power Line Easement, including the terms and provisions thereof, by and between R. F. LAWWILL and MRS. R.F. LAWWILL, his wife, Grantors, and IDAHO POWER COMPANY, a corporation, Grantee, recorded September 8, 1971, under Instrument No. 269983, records of Idaho County, Idaho.

TOGETHER WITH any and all estate, right, title, interest, appurtenances, tenements, hereditaments, reversions, remainders, easements, rights-of-way and water rights in anywise appertaining to the real property herein described.

The Grantors covenant to the Grantees that Grantors are the owners of the subject premises in fee simple; that the subject premises is free from all encumbrances, excepting those as may be herein set forth, and excepting those of record, and that Grantors will warrant and defend the same from all lawful claims.



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 17, 2021

LEVI J TUCKER
ABIGAIL S TUCKER
PO BOX 1435
RIGGINS ID 83549-1435

Re: Change in Ownership for Water Right No(s): 78-7065, 78-7133

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.

Regarding water right no. 78-7065:

This water right was successfully changed to your ownership. 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.

Regarding water right no. 78-7133:

Your request for this water right could not be processed because the filing fee you submitted was insufficient for two water rights. On September 15 and October 15, 2020, the Department contacted you to request the required filing fee. As of the date of this letter, we have not received the required filing fee.

A copy of your submitted documentation is enclosed. You may re-submit your request for water right no. 78-7133 with the appropriate documents and fees at any time.

If you have any questions concerning the enclosed information, please contact me at (208) 334-2190.

Sincerely,

Lynne Evans
Office Specialist II

Enclosure(s)

11/17/2021

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

11/17/2021

Dates and Other Information

Decreed Date: 6/10/2009
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: AND
Water District Number: NWD
Mitigation Plan: False

Combined Use Limits

N/A

SubCase:

N/A

Water Supply Bank:

N/A