

JUN 22 2021

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCESWATER 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? |
|-----------------------|-----------------------------------------|------------------------------|-----------------------|------------------------------|------------------------------|
| 65-32376              | Yes <input checked="" type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
| 65-30026              | Yes <input checked="" type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/>            | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/>            | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/>            | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |

2. Previous Owner's Name: David L & Janis K Nettleton  
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Frank E Powell  
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 7496 N. Matlock Boise ID 83714  
Mailing address City State ZIP
- 208-685-9897 frankpowell17@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: \_\_\_\_\_
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.

SUPPORT DATA

IN FILE #65-30026

8. Signature: [Signature] \_\_\_\_\_  
Signature of new owner/claimant Title, if applicable Date
- Signature: \_\_\_\_\_  
Signature of new owner/claimant Title, if applicable Date

## For IDWR Office Use Only:

Received by LE Date 06/22/2021 Receipt No. W049505 Receipt Amt. \$200.00  
 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 LM Processed by LM Date 10/18/2021



## Owner's Policy

Policy Issuing Agent For:  
Old Republic National Title Insurance Company  
400 Second Avenue South  
Minneapolis, MN 55401

File No.: 733400

Policy No.: OX-13025724

Date of Policy: August 14, 2020 at 10:02AM

Amount of Insurance: \$65,000.00

Address Reference: 00 Old Cougar Lane, Garden  
Valley, ID 83622

Premium: \$526.00

Endorsement Premium: \$0.00

### Schedule A

1. Name of Insured:

Frank Powell and Pioneer 1031 Company, Accommodator for Frank Powell

2. The estate or interest in the Land that is insured by this policy is:

FEE SIMPLE

3. Title is vested in:

Frank Powell, an unmarried man

4. The land referred to in the Policy is described as follows:

See Exhibit A attached hereto and made a part hereof.

EXHIBIT A

Parcel No. 4-1

Commencing at the North section corner to Sections 4 and 3, Township 9 North, Range 4 East, Boise-Meridian, Boise County, Idaho; thence

South 89°40'45" East 1047.99 feet to a point; thence

South 0°19'15" West 476.40 feet to a point; thence

North 87°45'42" West 453.05 feet to a point; thence

South 0°19'15" West 380.87 feet to a point; thence

South 89°40'45" East 559.70 feet to the Point of Beginning; thence

continuing South 89°40'45" East 583.04 feet to a point on a curve; thence

curve left on a curve whose central angle is 4°6'6", whose radius is 1000.00 feet; whose length is 71.58 feet and whose long chord bears South 14°3'19" West 71.57 feet to a point; thence

South 12°0'16" West 20.17 feet to a point of curvature; thence

curve left on a curve whose central angle is 9° 57'36", whose radius is 600.00 feet, whose length is 104.30 feet and whose long chord bears South 7°01'29" West 104.17 feet to a point; thence

North 89°52'10" West 549.81 feet to a point; thence

North 0°19'15" East 194.56 feet to the Point of Beginning.



1211 W Myrtle Street, Plaza II Suite 100  
Boise, ID 83702

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

File No. 733400 JS/CLM

**Instrument # 269150**

IDAHO CITY, BOISE COUNTY, IDAHO  
08-14-2020 10:02:10 AM No. of Pages: 2  
Recorded for: PIONEER TITLE COMPANY OF ADA  
MARY T. PRISCO Fee: \$15.00  
Ex-Officio Recorder Deputy Kristi Coffelt  
Index to: DEEDS  
Electronically Recorded by Simplifile

## WARRANTY DEED

For Value Received Scott L. Phillips, aka Scott Phillips, an unmarried man  
hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

Frank Powell, an unmarried man  
hereinafter referred to as Grantee, whose current address is 795 Riverchase Way Eagle, ID 83616  
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 6, 2020

  
\_\_\_\_\_  
Scott L Phillips

State of IDAHO, County of ADA

This record was acknowledged before me on August 13, 2020 by Scott L Phillips

  
\_\_\_\_\_  
Signature of notary public: Josh Stafford  
Commission Expires: 06/15/2023  
Residing at: Boise, Idaho

JOSH STAFFORD  
COMMISSION #32148  
NOTARY PUBLIC  
STATE OF IDAHO

EXHIBIT A

Parcel No, 4-1

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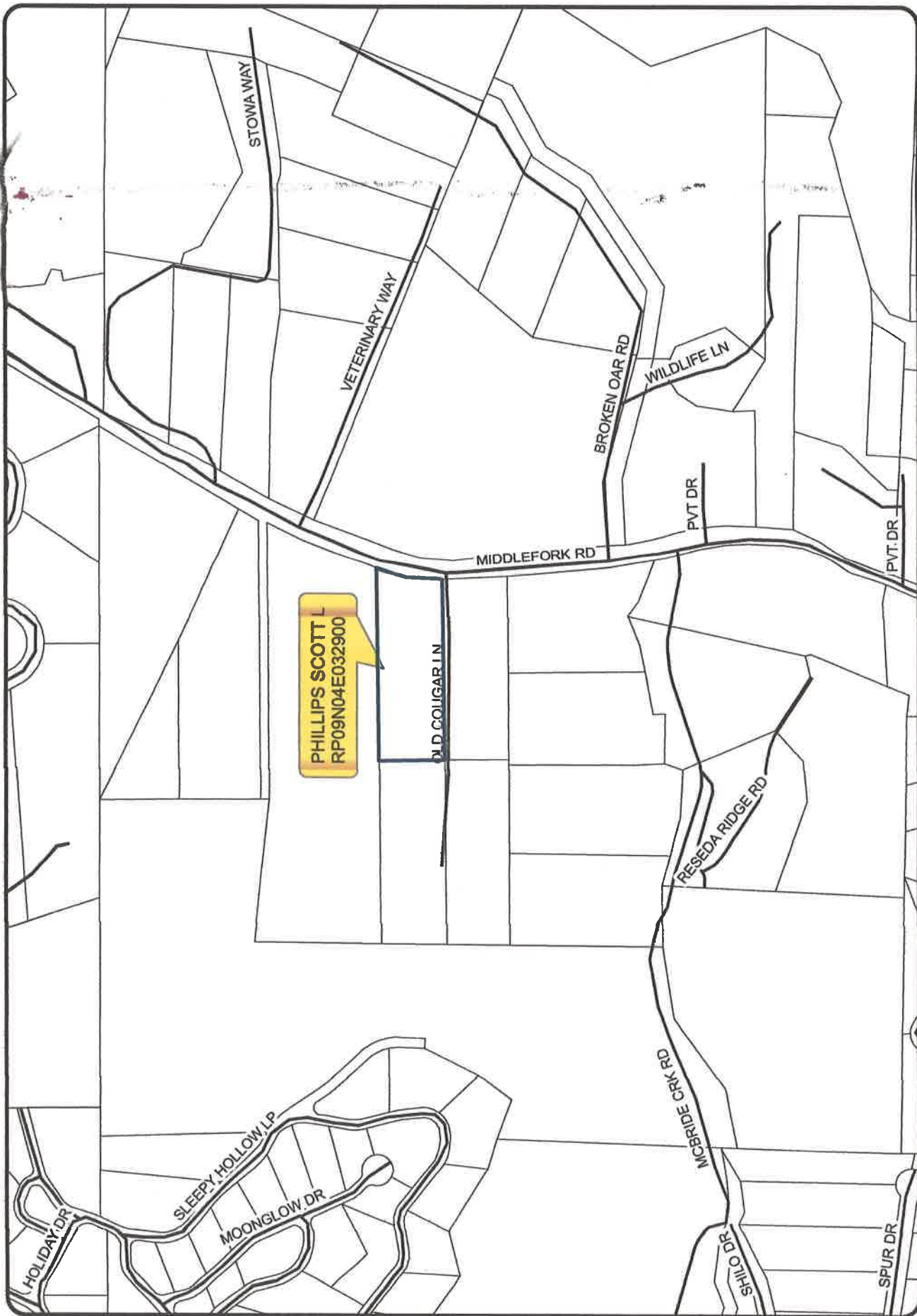
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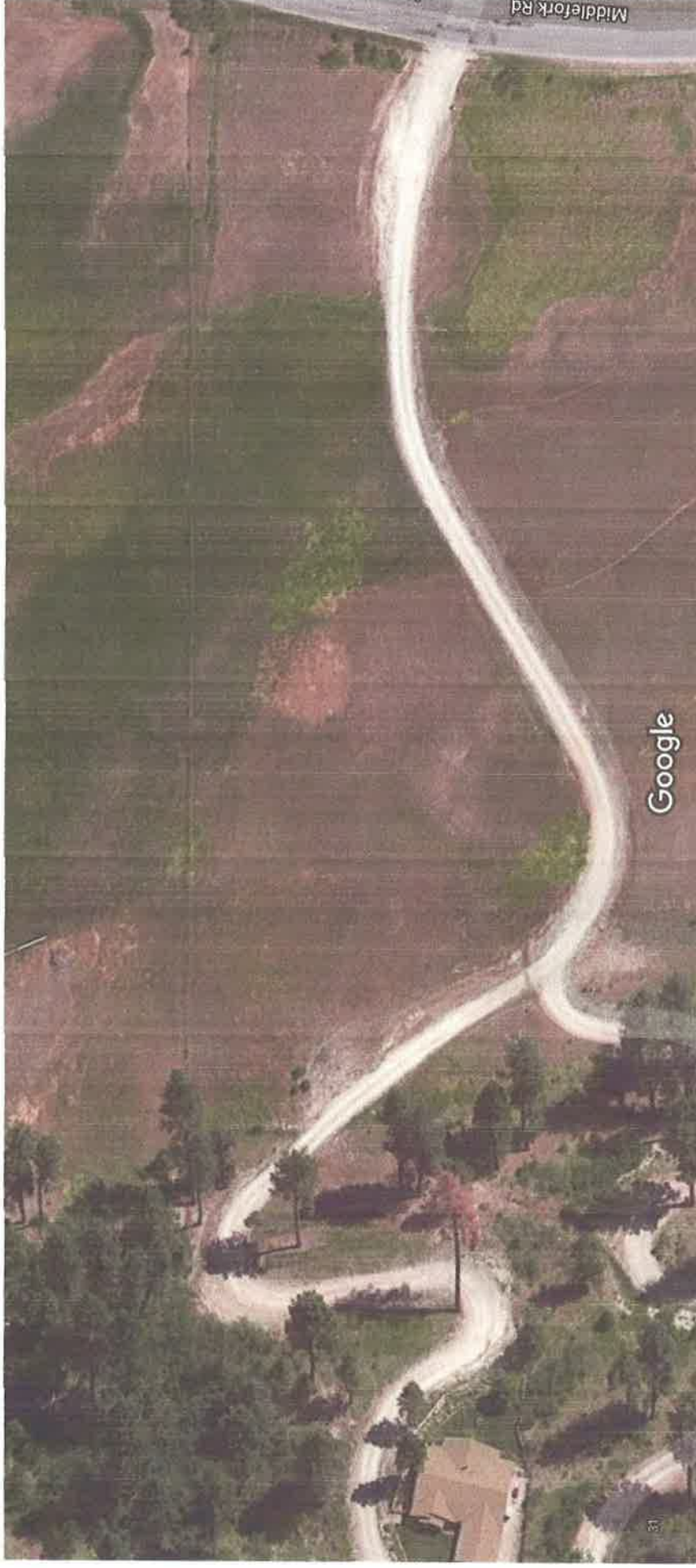
This Map and data displayed is a graphic representation derived from the Ada County Geographic Information System (GIS) data. It was designed and intended for staff use only.

This map is based on information available and was compiled from numerous sources which may not be accurate. Users are to field verify this information. Ada County and Single Point Solutions, LLC are not liable for errors or omissions resulting from the use of this product for any purpose.



**PTC** Pioneer Title Co.  
GOING BEYOND

1602 W. Hayes



Imagery ©2021 Maxar Technologies, Map data ©2021 50 ft



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](mailto:westerninfo@idwr.idaho.gov) • Web: [idwr.idaho.gov](http://idwr.idaho.gov)

Governor Brad Little

Director Gary Spackman

October 18, 2021

FRANK E POWELL  
7496 N MATLOCK AVE  
BOISE ID 83714-4047

Re: Change in Water Right Ownership: 65-3237 G (Split into 65-3237 G and **65-24075**)  
65-3002 G (Split into 65-3002 G and **65-24076**)

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) 605-4633.

Sincerely,

Laura McSherry  
Water Resource Agent  
Enclosure(s): Proof Reports, Maps  
Cc: David & Janis K Nettleton



State of Idaho

## DEPARTMENT OF WATER RESOURCES

Western Region • 2735 W AIRPORT WAY • BOISE, ID 83705-5082

Phone: (208)334-2190 • Fax: (208)334-2348 • Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

Brad Little  
Governor

Gary Spackman  
Director

August 30, 2021

FRANK E POWELL  
7496 N MATLOCK  
BOISE ID 83714-4047

RE: Water Right No(s): 65-3237G, 65-3002G

Dear Interested Parties:

The Department of Water Resources Western Office acknowledges receipt of your Notice of Change in Water Right Ownership.

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 \$25 per water right
- ☐ Filing Fee of \$100 per water right for changes resulting from division of a water right
- ☐ Signature
- ☐ Notarized Signature for Assignment of Permit
- ☒ 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
- ☐ Evidence of Security Interest: copy of Deed of Trust, Mortgage, Contract of Sale or other legal document indicating your interest in the property and water rights in question
- ☐ Security Interest Expiration Date
- ☐ Legal Description of Property
- ☐ Plat of Property or Survey Map usually on file with the county
- ☐ USDA Farm Service Agency (formerly ASCS) Aerial Photo with irrigated acres outlined and point(s) of diversion clearly marked
- ☐ Description of Portion of Water Right resulting from division of water right

Evidence of water right ownership is required. Please provide legal documentation showing ownership from the current water right holder (David and Janis Nettleton) to the new owner/claimant.

Because the Department cannot process the notice without the proper information, we will hold any action on your notice pending receipt of the necessary information. If we do not receive the necessary information within 30 days we will return your notice and all attachments and your notice will not be processed.

If you have any questions regarding this matter, please contact our office at (208) 334-2190.

Sincerely,

Western Regional Office  
Idaho Department of Water Resources