

RECEIVED
AUG 23 2021
WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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?
~~67-1034~~	Yes ☐	Yes ☐		Yes ☐	Yes ☐
67-299	Yes ☒	Yes ☐		Yes ☐	Yes ☐
67-7498	Yes ☒	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: PAUL & GAYLE POORMAN

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): RUSTY ANDERSON

New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or ☐ and/or

3202 Rush Crk. Rd.
Mailing address

Cambridge
City

IL
State

82610
ZIP

208-257-3590
Telephone

randerson@ctcweb.net
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. 200 → \$75⁰⁰ submitted. 08/23/2021 -CS
 o No fee is required for pending adjudication claims. \$125 owed.
☐ 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: Rusty Anderson
Signature of new owner/claimant

Title, if applicable

Date 8/9/21

Signature: _____
Signature of new owner/claimant

Title, if applicable

Date

For IDWR Office Use Only:

Received by CS Date 08/23/2021

Receipt No. W049722*

Receipt Amt. \$75⁰⁰*

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 X

Approved by AK

Processed by AK

Date 11/1/2021

* Additional \$125⁰⁰ Transferred from W049724 (See Memo to IDWR Payable) AK

230300

Instrument # 230300

STATE OF IDAHO, COUNTY OF WASHINGTON

3-1-2016 04:00:00 PM No. of Pages: 3

Recorded for : WASHINGTON COUNTY TITLE

BETTY J THOMAS

Fee: 18.00

Ex-Officio Recorder Deputy *Maria McConnell*

Index to: DEED

TRUSTEE DEED

THIS TRUSTEE DEED, made by Carroll P. Kemp and Barbara R. Kemp, as Trustees of the KEMP FAMILY TRUST dated November 13, 1991, the Grantor herein, for valuable consideration, does hereby sell and convey to RUSTY ANDERSON, the Grantee herein, whose address is: 3202 Rush Creek Rd., Cambridge, ID 83610, all their interest as Trustees in the following described real estate situated in Weiser, Washington County, Idaho, to-wit:

TOWNSHIP 15 NORTH, RANGE 3 WEST OF THE BOISE MERIDIAN:

See Attached Legal Description

EXECUTED this 27th day of February, 2006

Carroll P. Kemp
Carroll P. Kemp, Trustee of the
Kemp Family Trust

Barbara R. Kemp
Barbara R. Kemp, Trustee of the
Kemp Family Trust

STATE OF NEBRASKA)

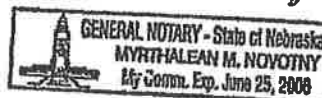
: ss

County of Stanton)

On this 27th day of February, 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared Carroll P. Kemp and Barbara R. Kemp, known to me, or proved to me on the oath of _____, to be the persons whose name is subscribed to the foregoing instrument as Trustees of the Kemp Family Trust dated November 13, 1991, and acknowledged to me that they executed the same for and on behalf of said trust. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Myrthalean M. Novotny
Notary Public for Nebraska
Residing at *Horton, NE*
Commission Expires: *June 25, 2006*



Legal Description to Trustee Deed

A parcel of land situated within the SW1/4SE1/4 of Section 22, Township 15 North, Range 3 West, Boise Meridian, Washington County, Idaho, which parcel of land is more particularly described as follows:

Beginning at the southwest corner of the SW1/4SE1/4 of Section 22, T.15N., R.3W., B.M.;

Thence N 0°24'20"E, a distance of 385.65 feet along the west line of said SW1/4SE1/4;

Thence S 89°38'16"E, parallel to the south line of said SW1/4SE1/4, a distance of 1082.20 feet to a point in the center of Rush Creek;

Thence S 18°15'47"E, a distance of 49.74 feet along the center of Rush Creek;

Thence S 39°07'59" E, a distance of 175.29 feet along the center of Rush Creek;

Thence S 4°10'10"W, a distance of 95.63 feet along the center of Rush Creek;

Thence S 82°54'47"W, a distance of 94.73 feet along the center of Rush Creek;

Thence N 74°38'23"W, a distance of 60.07 feet along the center of Rush Creek;

Thence S 19°55'36"W, a distance of 47.79 feet along the center of Rush Creek;

Thence S 4°55'20"E, a distance of 66.35 feet along the center of Rush Creek to a point on the south line of said SW1/4SE1/4;

Thence N 89°38'16"W, a distance of 1041.66 feet along the south line of said SW1/4SE1/4 to the point of beginning.

TOGETHER WITH AND SUBJECT TO a 60.00 foot wide ingress-egress easement within the SE1/4SW1/4 of Section 22, Township 15 North, Range 3 West, Boise Meridian, Washington County, Idaho, which easement is more particularly described as follows:

Beginning at the southeast corner of the SE1/4SW1/4 of Section 22, T.15N., R.3W., B.M.;

Thence N 0°24'20"E (North, of record Warranty Deed, Inst. No. 200382), a distance of 60.00 feet along the east line of said SE1/4SW1/4;

Thence N 89°13'09"W (West, of record Warranty Deed, Inst. No. 200382) along a line parallel to and 60.00 feet north of the south line of said SE1/4SW1/4, a distance of 1242.21 feet to a point in the center of Rush Creek Road;

continued ...

Page 2

Thence S 7°44'35"W (southerly, of record Warranty Deed, Inst. No. 200382), a distance of 60.44 feet along the centerline of said Rush Creek Road to a point on the south line of said SE1/4SW1/4;

Thence S 89°13'09"E (East of record Warranty Deed, Inst. No. 200382), a distance of 1249.93 feet along the south line of said SE1/4SW1/4 to the point of beginning.

Said easement being SUBJECT TO the right-of-way of said Rush Creek Road.

RECEIVED

NOV 6 1 2021

WATER RESOURCES
WESTERN REGION

Form No. 1402 (6/87)
ALTA Owner's Policy
Schedule A
(11599)

SCHEDULE A

File No.: 205-301

Policy No. J 2070138

Amount of Insurance \$62,000.00

Premium \$472.00

Date of Policy: July 28, 2005, at 2:24 p.m.

1. Name of Insured:

RUSTY ANDERSON

2. The estate or interest in the land which is covered by the policy is:

FEE SIMPLE and AN EQUITABLE ESTATE

3. Title to the estate or interest in the land is vested in:

CARROLL P. KEMP and BARBARA R. KEMP, Co-Trustees, KEMP FAMILY TRUST dated November 13, 1991, as to the legal title, AND RUSTY ANDERSON, as to the equitable title created by that certain unrecorded Installment Real Estate Contract, executed by Carroll P. Kemp and Barbara R. Kemp, Co-Trustees, Kemp Family Trust, dated November 1991, as seller, and Rusty Anderson, as buyer, as disclosed by a memorandum recorded July 28, 2005, as Instrument No. 198061.

4. The land referred to in this policy is described as follows:

IN WASHINGTON COUNTY, IDAHO:

TOWNSHIP 15 NORTH, RANGE 3 WEST OF THE BOISE MERIDIAN:

Section 22: The Westerly 430 feet of the Southerly 1,013 feet of the SW $\frac{1}{4}$ SE $\frac{1}{4}$.

SCHEDULE B

File No. 205-301

Policy No. J 2070138

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

PART 1 Section I

- 1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.**
- 2. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.**
- 3. Easements, claims of easement or encumbrances which are not shown by the public records.**
- 4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by public records.**
- 5. (a) Unpatented mining claims, (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water whether or not the matters excepted under (a), (b), or (c) are shown by the public records.**
- 6. Any lien, or right to a lien, for services, labor or material, theretofore or hereafter furnished, imposed by law and not shown by the public records.**

SECTION 2

- 7. 2005 taxes are an accruing lien, not yet due or payable.**
- 8. Easements for irrigation or drainage ditches, canals or roads; water rights, mineral rights, claims or title to water.**

Continued...

File No. 205-301

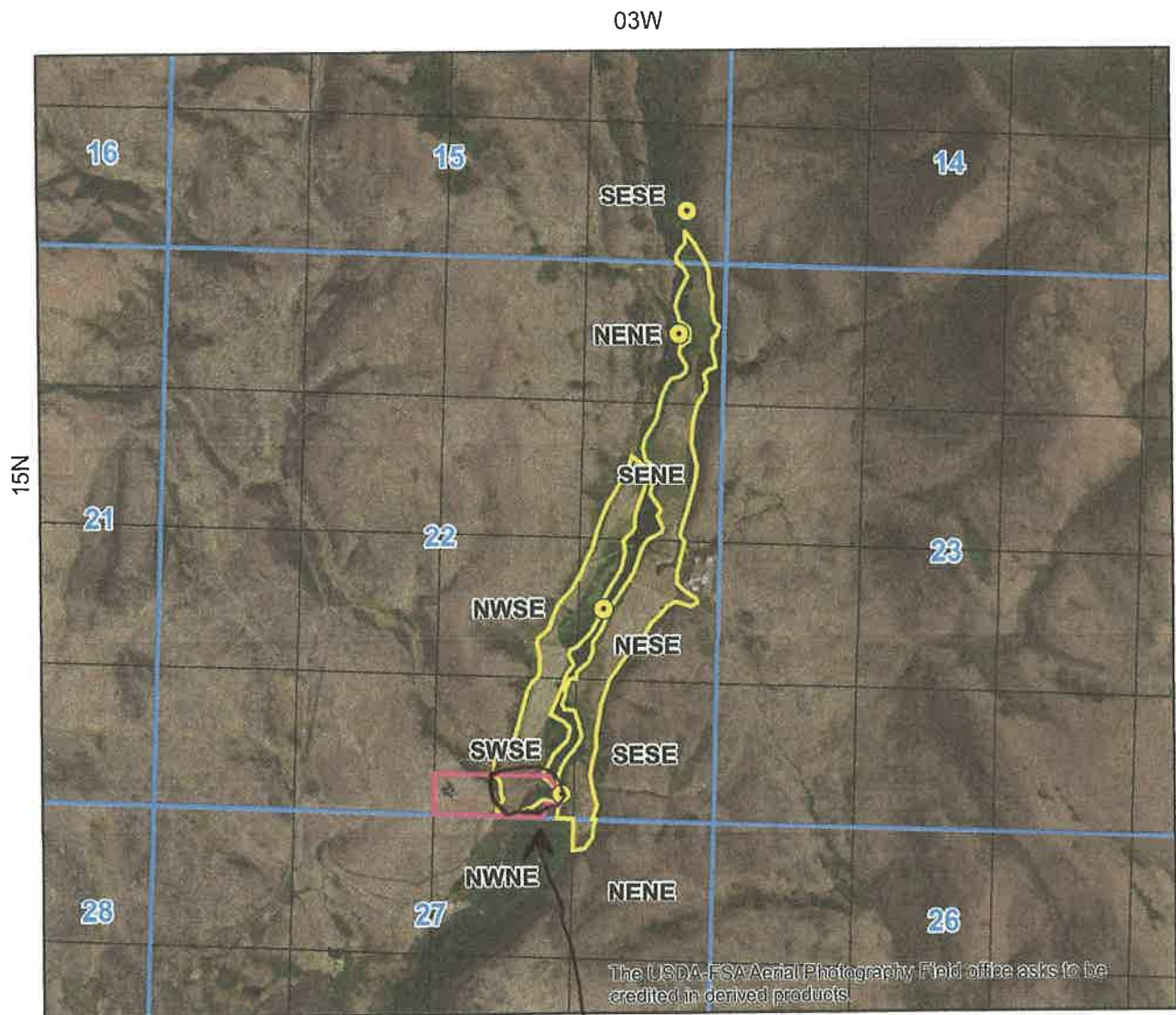
Policy No. J 2070138

9. Memorandum of Agreement recorded October 9, 1929 in Book 2 Contracts, Page 365.
10. Power line easement granted to Idaho Power Company, recorded April 8, 1948, in Book 69 Deeds, Page 118.
11. Power line easement granted to Idaho Power Company, recorded April 26, 1982, in Book 101 Deeds, Page 538.
12. Lack of a recorded easement to and from said land.
13. County assessor records disclose that a manufactured home is located on the land. If the manufactured home is not real property within the definition of land in the Conditions and Stipulations herein it is not within the insuring provisions of the policy.
14. The effect of any failure to comply with the terms, covenants or conditions of the agreement referred to in Paragraph 3 of Schedule A.

State of Idaho
Department of Water Resources

Water Rights 67-299 & 67-7498

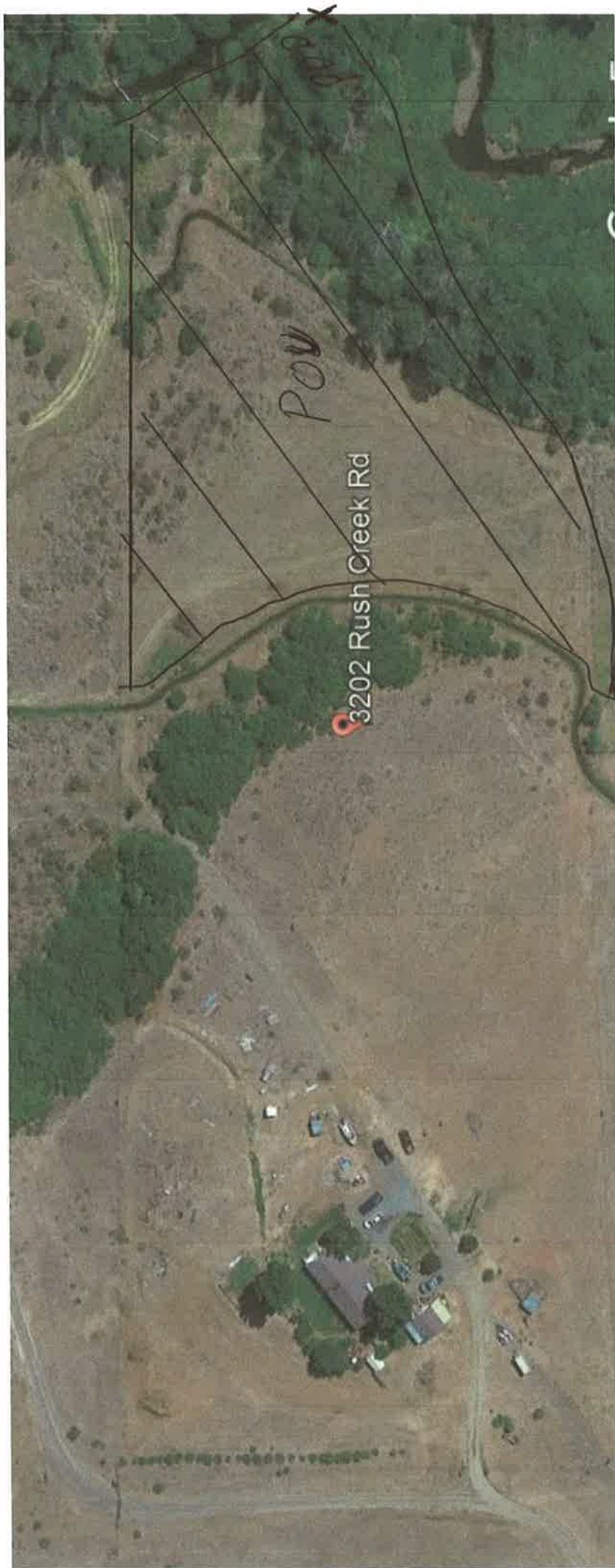
This map depicts the IRRIGATION place of use boundary for WR 67-299 and the
IRRIGATION + STOCKWATER place of use boundary for WR 67-7498



- Point of Diversion
- Property Boundary
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

0 0.2 0.4 0.8 Miles







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 03, 2021

RUSTY ANDERSON
3202 RUSH CREEK RD
CAMBRIDGE ID 83610-5106

Re: Change in Water Right Ownership: 67-299 (split into 67-15407), 67-7498 (split into 67-15408)

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 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) 334-2190.

Sincerely,

Lynne Evans
Office Specialist II

Enclosure(s)

c: Paul Poorman, Gayle Poorman

Kaiser, Anna

From: Kaiser, Anna
Sent: Monday, November 1, 2021 4:18 PM
To: IdwrPayable
Subject: Fee Transfer

TO: IDWR payable

FROM: Anna Kaiser

DATE: November 1, 2021

RE: Fee Transfer: Application for transfer and ownership change

On August 23, 2021, Rusty Anderson submitted a transfer application and a notice of change in water right ownership. The applicant overpaid for the transfer application by \$125.00 and underpaid for the ownership change by \$125.00.

Please transfer \$125.00 from W049724 to W049722



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

Brad Little
Governor

Gary Spackman
Director

August 30, 2021

RUSTY ANDERSON
3202 RUSH CREEK RD
CAMBRIDGE ID 83610-5106

RE: Water Right No(s): 67-299, 67-7498

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:

- ☐ Water Right Number
- ☐ 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

Effective July 1, 2000, the legislature enacted House Bill No. 545 requiring a filing fee for a change in water right ownership. The fee is \$25 per water right, except for ownership changes resulting in the division of a water right, which is \$100 per water right. All ownership change notices received after June 30, 2000 must include the appropriate filing fees in order to be processed. We have determined that the total filing fee for your notice will be \$200. Partial payment of \$75 was received and the remaining \$125 is due to process the notice.

Evidence of water right ownership is required. Please provide legal documentation showing ownership from the current water right holder to the new owner/claimant.

Because the Department cannot process the notice without proper information and fees, we will hold any action on your notice pending receipt of the necessary information and fees. If we do not receive the necessary information and fees 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