

RECEIVED

MAR 31 2021

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

DEPT. OF WATER RESOURCES

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.

splits:

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
72-16990	Yes ☒	Yes ☐		Yes ☐	Yes ☐
72-16991	Yes ☒	Yes ☐		Yes ☐	Yes ☐
72-16992	Yes ☒	Yes ☐		Yes ☐	Yes ☐
72-10152	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Beth N Stephens, Beth N and Leeroy Stephens

Name of current water right holder/claimant

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

Chad W. Malcolm & Shawn D. Malcolm

New owner(s) as listed on the conveyance document

Name connector

☒ and

☐ or

☐ and/or

25150 Hwy 93

Mailing address

Challis

City

10

State

83221

ZIP

(208) 993-1326

Telephone

chadmalcolm48@yahoo.com

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: Feb. 27th 2019

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: Chad W. Malcolm

Signature of new owner/claimant

Title, if applicable

10-30-2020

Date

Signature: Shawn Malcolm

Signature of new owner/claimant

Title, if applicable

10-30-2020

Date

For IDWR Office Use Only:

Received by SC Date 3/31/21

Receipt No. S038495

Receipt Amt. \$325.00

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 5-6-2021

0222459

WARRANTY DEED

For Value Received ELIZABETH N. STEPHENS, now known as ELIZABETH N. STEPHENS SMITH AND RAY SMITH, WIFE AND HUSBAND,

Grantors do hereby grant, bargain, sell and convey unto ROBERT A. CARRAWAY AND SHAWN CARRAWAY, husband and wife, the Grantees, whose current address is HC 61, BOX 3028, 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 Grantors do hereby covenant to and with the said Grantees, that they are the owners of said premises; that they are free from all incumbrances

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

Dated: 3/9/01

Elizabeth N. Stephens Smith
ELIZABETH N. STEPHENS SMITH

Ray Smith
RAY SMITH

STATE OF Idaho) ss.
COUNTY OF CUSTER)

On this 9th day of MARCH In the year 2001, before me, a Notary Public
in and for said State, personally appeared Elizabeth N. Stephens Smith & Ray Smith
known 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.



Patricia Kuntz
Notary Public for the State of Idaho
Residing at: Challis
Commission Expires: 3/12/04

STATE OF IDAHO, COUNTY OF CUSTER

I hereby Certify that this instrument was filed for record at the request of Custer County Title, at 30 minutes past 10 o'clock A M, this 12th day of March, 2001, in my office, and duly recorded in Book _____ of Satisfaction, at Page _____

Ethel M. Peck
Ex-Officio Recorder

BY: Janet Jangis

Fees: \$ 6.00

Mail to:

EXHIBIT "A"

A tract of land generally described as being a portion of the NE¼SE¼ of Section 3, Township 14 North, Range 19 East, Boise Meridian, Custer County, State of Idaho, said tract lying along and Westerly of Highway No. 93, being more particularly described as follows:

Commencing at a rebar with aluminum cap (P.L.S. #3577) marking the Northeast corner of the SE¼ Section 3, Township 14 North, Range 19 East, Boise Meridian, Custer County, State of Idaho; from which a 5/8" rebar with aluminum cap (P.L.S. #3577) marking the Southeast corner of said Section 3 bears South 0°11'07" West, 2639.56 feet, thence South 33°00'42" West, 292.67 feet to a set 5/8" rebar with plastic cap (P.L.S. #3577), lying on or along the Westerly right of way of Highway No. 93, the Point of Beginning; from which a concrete right of way monument bears North 12°13'01" West, 75.05 feet; thence 408.84 feet along a right of way curve to the right to a set 5/8" rebar with plastic cap (P.L.S. #3577), said curve having a radius of 1382.50 feet, a central angle of 16°56'38", and a chord of 407.35 feet which bears South 2°11'23" East, from which a concrete right of way monument bears South 9°23'33" West, 150.02 feet; thence leaving said right of way North 85°48'48" West, 93.63 feet on or along a fence to a set 5/8" rebar with plastic cap (P.L.S. #3577); thence North 2°41'27" West, 143.32 feet on or along a fence to a set 5/8" rebar with plastic cap (P.L.S. #3577); thence North 88°36'59" West, 168.00 feet on or along a fence to a set 5/8" rebar with plastic cap (P.L.S. #3577); thence North 15°48'23" West, 79.96 feet on or along a fence to a set 5/8" rebar with plastic cap (P.L.S. #3577); thence North 14°40'26" East, 90.85 feet on or along a fence to a set 5/8" rebar with plastic cap (P.L.S. #3577); thence North 70°39'49" East, 266.29 feet on or along a fence to the Point of Beginning.

256202

QUITCLAIM DEED

For Value Received, I/WE Shawn Carraway AKA Shawn Malcolm the Grantor(s),
do(es), hereby convey, release, remise and forever quitclaim unto Chad Wayne Malcolm and
, Grantee, whose address is: 25150 Hwy 93 Challis, ID 83226
Shawn D. Malcolm

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

Sec 3 T14N R19E

See Exhibit "A" Attached

RP14N19E037210

Dated:

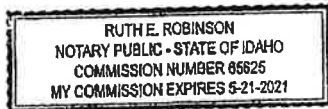
2-27-2019

Shawn Malcolm

STATE OF)
COUNTY OF Custer) ss.

On this 27 day of February in the year 2019, before me, a
Notary Public in and for said State, personally appeared Shawn Malcolm
known or identified to me to be the person(s) who(se) name is/are subscribed to the within
instrument, and acknowledged to me that he/she/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.



Ruth E. Robinson
Notary Public for the State of Idaho
Residing at: Challis
Commission Expires: 05-21-2021

STATE OF IDAHO, COUNTY OF CUSTER

I hereby Certify that this instrument was filed for record at the request of Shawn Malcolm
at 1:14 P.M., this 27th day of Feb., 2019
, in my office, and duly recorded.

Lura H. Baker
Ex-Officio Recorder

Fees: \$ 15.00

Mail to:

BY: Lyndee Kaufman

Deputy

EXHIBT "A"

256202

TRACT DESCRIPTION

Tract 01-67

Parcel Number: RP 14N19E037210 A

A tract of land generally described as being a portion of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 3, Township 14 North, Range 19 East, Boise Meridian, Custer County, State of Idaho, said tract lying along and Westerly of Highway No. 93, being more particularly described as follows:

Commencing at a rebar with aluminum cap (P.L.S. #3577) marking the Northeast corner of the SE $\frac{1}{4}$ Section 3, Township 14 North, Range 19 East, Boise Meridian, Custer County, State of Idaho; from which a 5/8" rebar with aluminum cap (P.L.S. #3577) marking the Southeast corner of said Section 3 bears South 0°11'07" West, 2639.56 feet, thence South 33°00'42" West, 292.67 feet to a set 5/8" rebar with plastic cap (P.L.S. #3577), lying on or along the Westerly right of way of Highway No. 93, the Point of Beginning; from which a concrete right of way monument bears North 12°13'01" West, 75.05 feet; thence 408.84 feet along a right of way curve to the right to a set 5/8" rebar with plastic cap (P.L.S. #3577), said curve having a radius of 1382.50 feet, a central angle of 16°56'38", and a chord of 407.35 feet which bears South 2°11'23" East, from which a concrete right of way monument bears South 9°23'33" West, 150.02 feet; thence leaving said right of way North 85°48'48" West, 93.63 feet on or along a fence to a set 5/8" rebar with plastic cap (P.L.S. #3577); thence North 2°41'27" West, 143.32 feet on or along a fence to a set 5/8" rebar with plastic cap (P.L.S. #3577); thence North 88°36'59" West, 168.00 feet on or along a fence to a set 5/8" rebar with plastic cap (P.L.S. #3577); thence North 15°48'23" West, 79.96 feet on or along a fence to a set 5/8" rebar with plastic cap (P.L.S. #3577); thence North 14°40'26" East, 90.85 feet on or along a fence to a set 5/8" rebar with plastic cap (P.L.S. #3577); thence North 70°39'49" East, 266.29 feet on or along a fence to the Point of Beginning.

This parcel contains 1.7 Ac M/L

This Tract is Part of Tract 607

4/05/21

PMO100 - PARCEL MASTER INQUIRY

11:58:13

PARCEL: RP 14N19E037210 A F1=SL

F9=MS F10=SW

F14=HO

F17=DD F19=SP

LEGAL DESCRIPTION

MALCOLM, CHAD WAYNE
& MALCOLM, SHAWN D
& CARRAWAY, ROBERT ATRACT 01-67
SEC 3 T14N R19E

ProVal Area Number 1

CODE AREA 11-0000 OWNER CD

PARC TYPE RL LOC CODE 341

EFFDATE 1012007 EXPDATE

PREV PARCEL RP14N19E037210T

25150 HIGHWAY 93

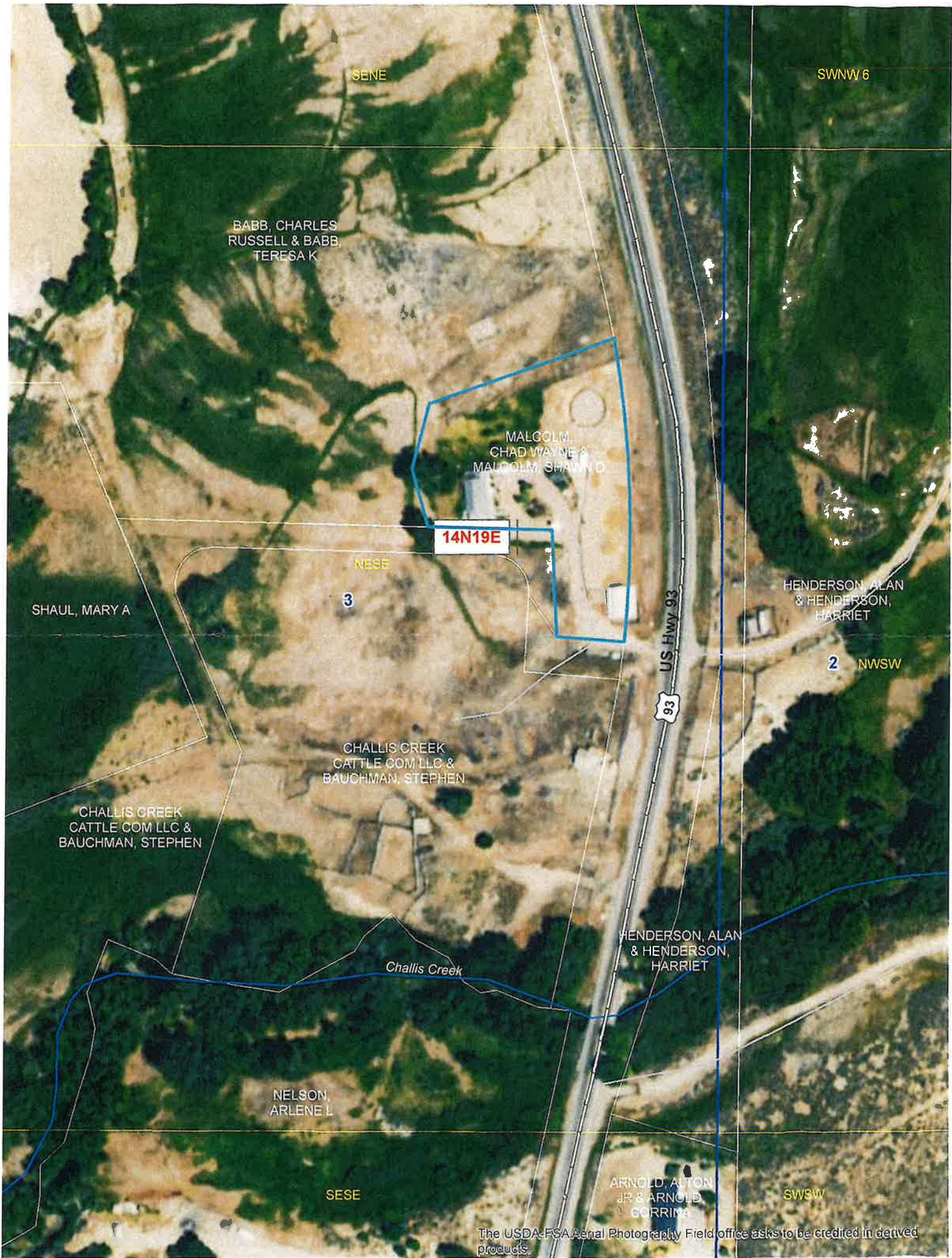
CHALLIS ID 83226

25150 HIGHWAY 93 83226

CAT/ST#	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
12 1	2017	1700	AC	20560	20560	10280		
12 2	2017			3500				
32 1	2017			3310				
34 1	2017			138470	138470	69235		
TOTALS		1700		165840	159030	79515		

ENTER NEXT PARCEL NUMBER RP A

FKeys: F2=TX F3=Exit F5=SS F6=Nm F7=LG
F8=CT F13=TM F18=HS F20=Srch F22=EU



SENE

SSWW 6

BABB, CHARLES
RUSSELL & BABB,
TERESA K

MALCOLM,
CHAD WAYNE &
MALCOLM, SHAWN D

14N19E

NENE

3

SHAUL, MARY A

HENDERSON, ALAN
& HENDERSON,
HARRIET

2 NWSW

CHALLIS CREEK
CATTLE COM LLC &
BAUCHMAN, STEPHEN

CHALLIS CREEK
CATTLE COM LLC &
BAUCHMAN, STEPHEN

US Hwy 93
93

HENDERSON, ALAN
& HENDERSON,
HARRIET

Challis Creek

NELSON,
ARLENE L

SESE

ARNOLD, ALTON
JR & ARNOLD,
CORRINA

SWSW

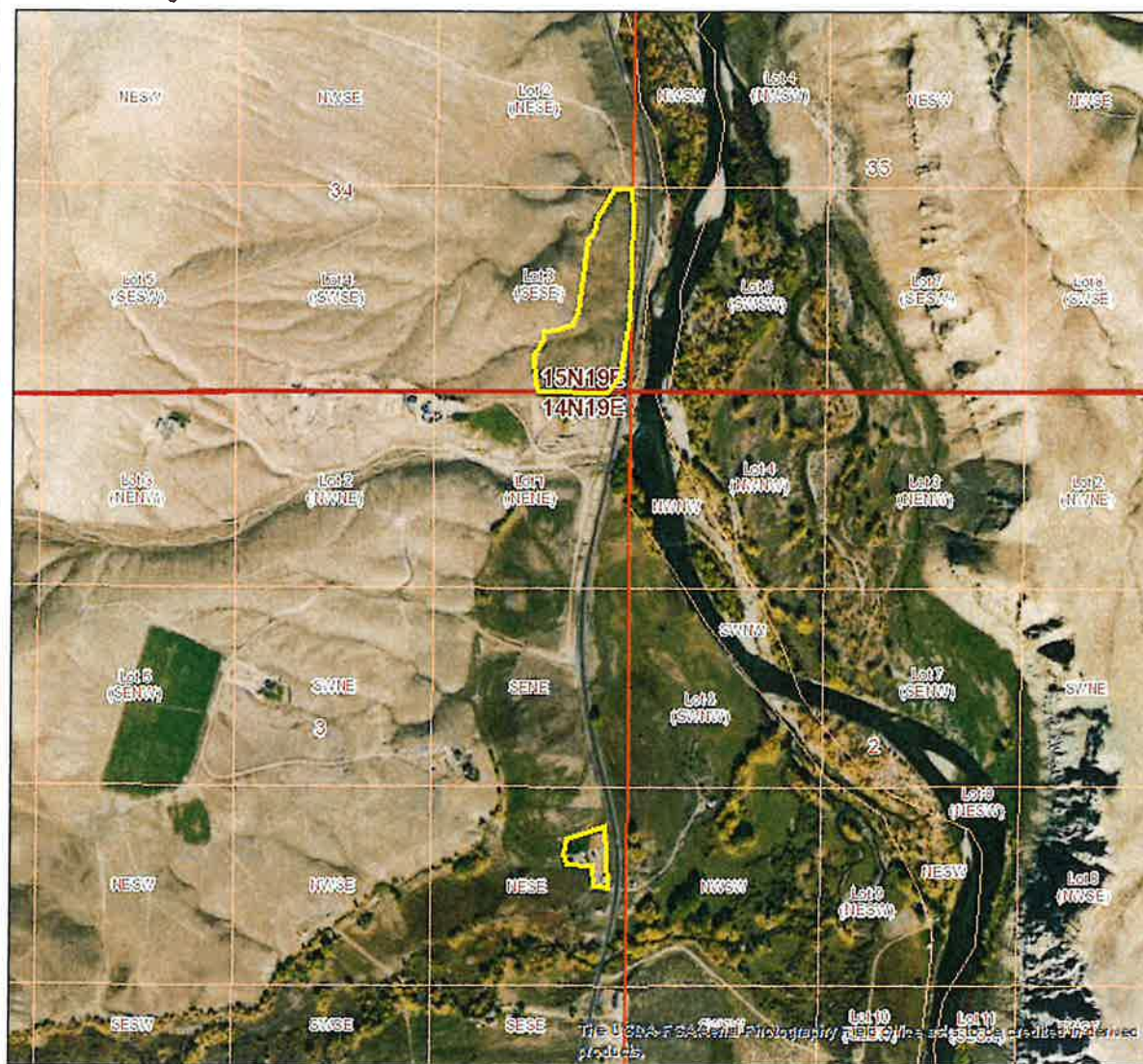
State of Idaho
Department of Water Resources

Water Right

72-16721

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Date created: 9/23/2020



Legend

- Place of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters





State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 ADDISON AVE W STE 500 • TWIN FALLS, ID 83301-5858
Phone: (208)736-3033 • Fax: (208)736-3037 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

May 06, 2021

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

Re: Change in Water Right Ownership: 72-16721 (Split into 72-16721 and 72-16990); 72-16723 (Split into 72-16723 and 72-16991); 72-16725 (Split into 72-16725 and 72-16992)

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

c: Beth N Stephens; Water District 72A & Water District 170