

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

MAY 27 2021

Notice of Change in Water Right Ownership Department of Water Resource
Eastern Region

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?
15-4170	Yes ☐	Yes ☐		Yes ☐	Yes ☐
<i>Returned</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
<i>Unprocessed</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Lorenzo Dives
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Dogpatch LLC and/or Tamara Williams
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
220 N 70 E Malad Idaho 83252
Mailing address City State ZIP
208-705-4968 tamiw@atcnet.net
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: August 30, 2004
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: Tamara Williams Dogpatch LLC Manager 5/26/2021
Signature of new owner/claimant Title, if applicable Date

Signature: _____ Title, if applicable _____ Date _____
Signature of new owner/claimant

For IDWR Office Use Only:

Received by JB Date 5/27/2021 Requested Refund 8/3/2021 Receipt No. E047004 Receipt Amt. \$25. -
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 _____

WARRANTY DEED

Notation No 136600
21 day September 2004
9:15 0 clock 2 M
David Sorenson
Notary Public
300
Patriot & Little LLC

For Value Received

KLEA MAE CHRISTOFFERSEN BROWN
the grantor, does hereby grant, bargain, sell and convey unto
DOGPATCH, LLC

whose current address is 150 North 3050 East, Trailer 6, St. George, Utah 84790
the grantee, the following described premises, in Oneida County Idaho, to wit:

TOWNSHIP 12 SOUTH, RANGE 35 EAST BOISE MERIDIAN
SECTION 8: SW $\frac{1}{4}$ SW $\frac{1}{4}$
SECTION 17: N $\frac{1}{2}$ NW $\frac{1}{4}$; SW $\frac{1}{4}$
SECTION 18: NE $\frac{1}{4}$ NE $\frac{1}{4}$; S $\frac{1}{2}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$

AN UNDIVIDED ONE-HALF INTEREST IN 4 CFS. OF WATER RIGHTS AS SHOWN
DESCRIBED IN IDAHO WATER CLAIMS NO. 15 4170 AND 15 4172 RESPECTIVELY.
U. S. FOREST SERVICE GRAZING PERMIT FOR NINE (9) HEAD OF STOCK ON
DANIELS RANGE.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, its heirs
and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that she is the
owner in fee simple of said premises; that they are free from all incumbrances, and that she will warrant and
defend the same from all lawful claims whatsoever.

Dated: August 30, 2004.

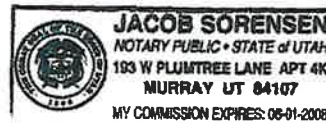
Klea Mae Christoffersen Brown

State of Utah, County of Salt Lake
On this 30th day of August, 2004 before me, a notary public in
and for said State, personally appeared

KLEA MAE CHRISTOFFERSEN BROWN

Known to me to be the person whose name is subscribed to the
within instrument, and acknowledged to me that she executed the
same.

[Signature]
Notary Public
Residing at Salt Lake City, UT
Commission expires



127457

COMMUNITY PROPERTY AFFIDAVIT

STATE OF IDAHO

COUNTY OF ONEIDA, SS

11-20-16
Klea Mae Christofferson

KLEA MAE CHRISTOFFERSON BROWN, FKA: KLEA MAE CHRISTOFFERSON, being first duly sworn deposes and says:

1. That she and LAVAR CHRISTOFFERSON were married October 31, 1945, and were husband and wife at all times thereafter until March 18, 1992, when the said LAVAR CHRISTOFFERSON died intestate at Salt Lake City, Utah, being a resident of Oneida County, State of Idaho at the time of his death.

2. That after their marriage aforesaid, the said Lavar Christofferson and this affiant acquired title to the following described real property situated in the County of Oneida, State of Idaho, by their joint efforts and earnings, and the same became and was their community property.

3. That upon the death as aforesaid of the said Lavar Christofferson, title to all community property acquired by the parties, including the following, descended to affiant KLEA MAE CHRISTOFFERSON BROWN, FKA: KLEA MAE CHRISTOFFERSON, surviving wife, under the community property laws of the State of Idaho.

4. That this affidavit is given to affect the title to the following described real property situated in the County of Oneida, State of Idaho, to-wit:

Township 12 South, Range 35 East Boise Meridian
Section 8: SW1/4SW1/4
Section 17: N1/2NW1/4; SW1/4
Section 18: NE1/4NE1/4; S1/2NE1/4; SE1/4NW1/4
Section 10: NE1/4SW1/4

An undivided one-half interest in 4 cfs. of water rights as shown described in Idaho Water Claims No. 15 4170 and 15 4172 respectively. U.S. Forest Service Grazing Permit for nine (9) head of stock on Daniels Range.

Dated this 1st day of April, 1999.

Klea Mae Christofferson Brown
KLEA MAE CHRISTOFFERSON BROWN

Subscribed and sworn to before me this 1st day of April,
1999.



[Signature]
Notary Public at:

My Commission expires: July 25, 2004

WARRANTY DEED

For Value Received

JOHN C. GIBBS and MARY GIBBS, husband and wife
the grantors, do hereby grant, bargain, sell and convey unto
JAMES GIBBS, husband and wife
of the County of Madison, Idaho

the grantees, the following described premises, in Oneida County Idaho, to wit:

Township 12 South, Range 35 East Boise Meridian
Section 34: 36.000
Section 35: 36.000
Section 36: 36.000
Section 37: 36.000

An undivided one-half interest in 4 cfs. of water rights as shown
described in Idaho Water Claims No. 15 4170 and 15 4172 respectively.
U. S. Forest Service Grazing Permit for nine (9) head of stock on
Daniels Range.

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 Grantees, that they are the owners in fee simple of said premises; that they are free
from all incumbrances

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

Dated: December

CALIFORNIA
STATE OF CALIFORNIA, COUNTY OF Los Angeles
On this 21st day of December, 1911,
before me, a Notary Public and for said State, personally
appeared

John C. Gibbs, husband and wife

proved to me
known to me
and all the other persons who appeared before me
as witnesses to the execution of the foregoing instrument

Notary Public
JAMES GIBBS



108-772
JAMES GIBBS
Notary Public
State of California
Commission Expires 1912

WARRANTY DEED

RERECORDED TO CORRECT LEGAL DESCRIPTION

122233
122195

For Value Received, **LORENZO DIVES**, Personal Representative of the Estate of **RUTH DIVES**, Deceased, the Grantor, does hereby grant, bargain, sell and convey unto **RONALD T. BLAISDELL** and **SHIRLEE BLAISDELL**, husband and wife, whose current address is 338 West 300 North, Malad City, Idaho, 83252, the Grantees, the following described premises in Oneida County, Idaho, to-wit:

AN UNDIVIDED ONE-HALF INTEREST IN AND TO:

Township 12 South, Range 35 East, Boise Meridian:

Section 9: E $\frac{1}{2}$ SE $\frac{1}{4}$

Section 10: S $\frac{1}{2}$ SW $\frac{1}{4}$; NW $\frac{1}{4}$ SW $\frac{1}{4}$ EXCEPTING the following described roadway: Commencing at the NE Corner of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 10; thence running South 80 rods; thence West 2 rods; thence North 80 rods; thence East 2 rods to the place of beginning.

Section 15: W $\frac{1}{4}$; W $\frac{1}{2}$ E $\frac{1}{4}$; S $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ NE $\frac{1}{4}$; NE $\frac{1}{2}$ SE $\frac{1}{4}$; NW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$, EXCEPTING the following described tract of land: T-243: Commencing at the SE Corner of said Section 16; thence running East 1 rod; thence North 9 rods; thence East 3 rods; thence North 38 rods; thence West 4 rods; thence South 47 rods to the place of beginning.

Section 16: SE $\frac{1}{4}$; S $\frac{1}{2}$ SW $\frac{1}{4}$; NW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 17: S $\frac{1}{2}$ N $\frac{1}{4}$; N $\frac{1}{2}$ SE $\frac{1}{4}$; SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 21: E $\frac{1}{2}$ W $\frac{1}{4}$

~~Section 22: Commencing at the NW Corner of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 22; thence running South 168 feet; thence East 230 feet; thence South 99 feet; thence South 81 $^{\circ}$ 38' East 434.78 feet, more or less; thence North 331.27 feet, more or less; thence West 660 feet to the point of beginning~~

EXCEPTING roadways and existing easements. TOGETHER WITH ALL WATER RIGHTS APPURTENANT THERETO.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees that said TRUST is the owner in fee simple of said premises; that they are free from all encumbrances and that he will Warrant and Defend the same from all lawful claims

122233

Recorded by Dated October 25, 1995

03 Day November 95

At 10:45 P.M. 2

Shirlee Blaisdell

300

Recorded at Section 1 of

602 Scott

STATE OF IDAHO
COUNTY OF ONEIDA.

ESTATE OF RUTH DIVES, Deceased

Lorenzo Dives
LORENZO DIVES, Personal Representative

Lorenzo Dives
LORENZO DIVES, Personal Representative

On this 25th day of ~~August~~ ^{Oct}, 1995, before me, a Notary Public in and for said State personally appeared Lorenzo Dives, known to me to be the persons whose names are subscribed to the within instrument as Personal Representative of the Estate of Ruth Dives, Deceased, and acknowledged to me that he executed the same as such Personal Representative

122195

Recorded by 25 Day October 95

At 3:00 P.M. 2

Shirlee Blaisdell

300

Recorded at Section 1 of

602 Scott

Notary Public
Residing at Malad City, Idaho

Comm. Expires 5-6-97

STATE OF IDAHO, COUNTY OF ONEIDA:

On this 3rd day of Nov. 1995, personally appeared before me, LORENZO DIVES, known to me to be the Per. Rep. of the Estate of Ruth Dives, Deceased, and acknowledged that he executed the same as such Per. Rep.

Notary Public at Malad City, Id
Comm. Expires: 5-6-97

122234

122197

WARRANTY DEED RERECORDED TO CORRECT LEGAL DESCRIPTION

For Value Received, **LORENZO DIVES**, Trustee of the RUTH DIVES TRUST, the Grantor, does hereby grant, bargain, sell and convey unto **RONALD T. BLAISDELL** and **SHIRLEE BLAISDELL**, husband and wife, whose current address is 338 West 300 North, Malad City, Idaho, 83252, the Grantees, the following described premises in Oneida County, Idaho, to-wit:

AN UNDIVIDED ONE-HALF INTEREST IN AND TO:

Township 12 South, Range 35 East, Boise Meridian:

Section 9: E $\frac{1}{2}$ SE $\frac{1}{4}$

Section 10: S $\frac{1}{4}$ SW $\frac{1}{4}$; NW $\frac{1}{4}$ SW $\frac{1}{4}$ EXCEPTING the following described roadway: Commencing at the NE Corner of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 10; thence running South 80 rods; thence West 2 rods; thence North 80 rods; thence East 2 rods to the place of beginning.

Section 15: W $\frac{1}{2}$; W $\frac{1}{2}$ E $\frac{1}{2}$; S $\frac{1}{2}$ N $\frac{1}{2}$ E $\frac{1}{2}$; SE $\frac{1}{4}$ NE $\frac{1}{4}$; NE $\frac{1}{4}$ SE $\frac{1}{4}$; NW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$, EXCEPTING the following described tract of land: T-243: Commencing at the SE Corner of said Section 16; thence running East 1 rod; thence North 9 rods; thence East 3 rods; thence North 38 rods; thence West 4 rods; thence South 47 rods to the place of beginning.

Section 16: SE $\frac{1}{4}$; S $\frac{1}{4}$ SW $\frac{1}{4}$; NW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 17: S $\frac{1}{4}$ N $\frac{1}{2}$; N $\frac{1}{2}$ SE $\frac{1}{4}$; SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 21: E $\frac{1}{2}$ W $\frac{1}{2}$

Section 22: Commencing at the NW Corner of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 22; thence running South 468 feet; thence East 230 feet; thence South 99 feet; thence South 84 $\frac{1}{2}$ feet; thence East 434 $\frac{1}{2}$ feet; thence North 99 feet; thence North 33 $\frac{1}{2}$ feet; thence West 660 feet to the point of beginning.

EXCEPTING roadways and existing easements.

TOGETHER WITH ALL WATER RIGHTS APPURTENANT THERETO.

TO HAVE AND TO HOLD the said premises, with their appurtenance, unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees that said TRUST is the owner in fee simple of said premises, that they are free from all encumbrances and that he will Warrant and Defend the same from all lawful claims.

Dated October 25, 1995

122234

Microfilm to

03 Nov 95

At 10:50

Shirlee Blaisdell

Oneida Co. Record

Fee \$ 3.00

Recorded at Request of

STATE OF IDAHO

COUNTY OF ONEIDA

RUTH DIVES TRUST

By Lorenzo Dives

LORENZO DIVES

LORENZO DIVES

LORENZO DIVES

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122197

Microfilm to

25 Oct 95

At 3:10

Shirlee Blaisdell

Oneida Co. Record

Fee \$ 3.00

Recorded at Request of

STATE OF IDAHO

COUNTY OF ONEIDA

Notary Public

Residing at Malad City, Idaho

Commission Expires 5-6-97

STATE OF IDAHO, COUNTY OF ONEIDA:

On this 3rd day of Nov. 1995, personally appeared before me, LORENZO DIVES, known to me be the Trustee of the Ruth Dives Trust and acknowledged to me that he executed the same as such Trustee.

[Home](#) / [Water Rights](#) / [Research](#) / [Search Water Rights](#)

WATER RIGHT NO. 15-4170

Status: Active

Source

TOM PERRY CANYON CREEK	WRIGHT CREEK
1	1
2	2
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99	99
100	100

Location of Point(s) of Diversion:

TOM PERRY CANYON CREEK|NWNE|Sec. 15|Township 12S|Range 35E|ONEIDA County

Place(s) of use:

Place of Use Legal Description: IRRIGATION ONEIDA County

[illegible]

Conditions of Approval:

1. CLAIM IN TRUST FOR RUTH DIVES

Dates:

Licensed Date:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number: NWD

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

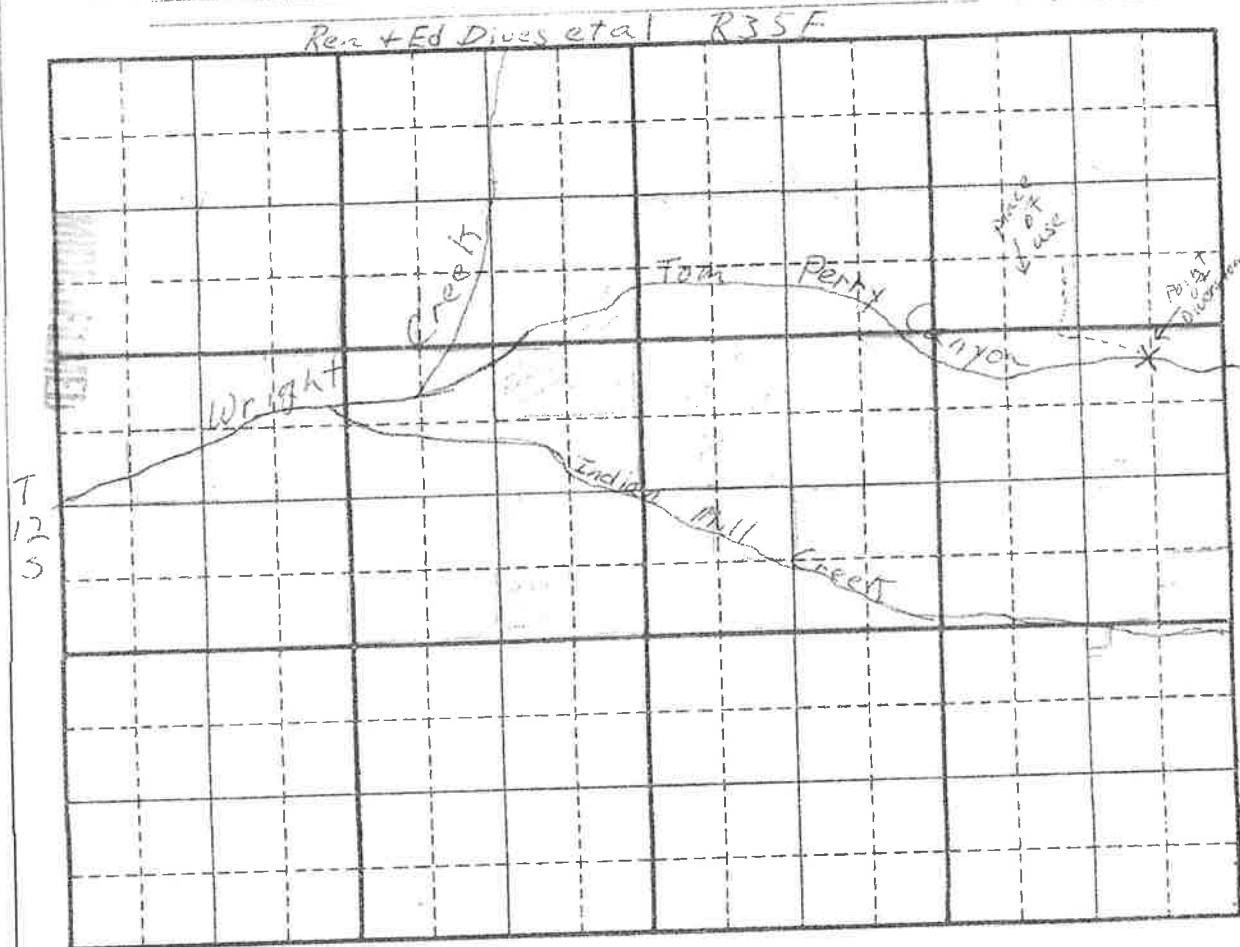
Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

18) Remarks Water from Tom Parry Canyon is diverted at the NW 1/4 of the NW 1/4 of Section 15, T 12S, R 35 EBM and conveyed by private ditch to the SE 1/4 of SW 1/4 Sec 10, T 12S, R 35 EBM for use on 30 acres.



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho

County of Quada

ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this

28th day of June

Ren Dives
(Claimant)

Notary Public
Residing at Malad

My commission expires

Sept 1983

Received by

Prelim. check by

\$30.00 fee received by

Published in

Dates

FOR DEPARTMENT USE ONLY

Date

Date

Date

Date

Date

Date

Exception filed by:

Forwarded to

claimant by:

Date

RECEIVED

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**



JUN 24 1983

CLAIM TO A WATER RIGHT

Department of Water Resources
Eastern District Office

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that LORENZO DIVES, in Trust for RUTH DIVES, and EDWIN C. DIVES,
OWNERS IN COMMON (Name of Claimant) 766-4140
17 Bannock St. and 137 E. 50 S. Malad, ID 83252 Telephone No. 766-2201
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows: July, 1886

(1) Date of priority: (When was the water first applied to a beneficial use) July, 1886

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
Tom Parry Canyon tributary to Wright Creek

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
(Both dates inclusive)

Claimed:	(cfs. af)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity	2.0 cfs	Use Irrigation	Period of Use From May 1	To Oct 1
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
(4)	2.0	TOTAL QUANTITY USED.		

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NW % NE %, Sec. 15 Twp. 12 S Rge. 35E B.M., County of Oneida
 Additional points of diversion: _____

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change.

Private ditch from point of diversion to place of use -
gravity flood irrigation

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

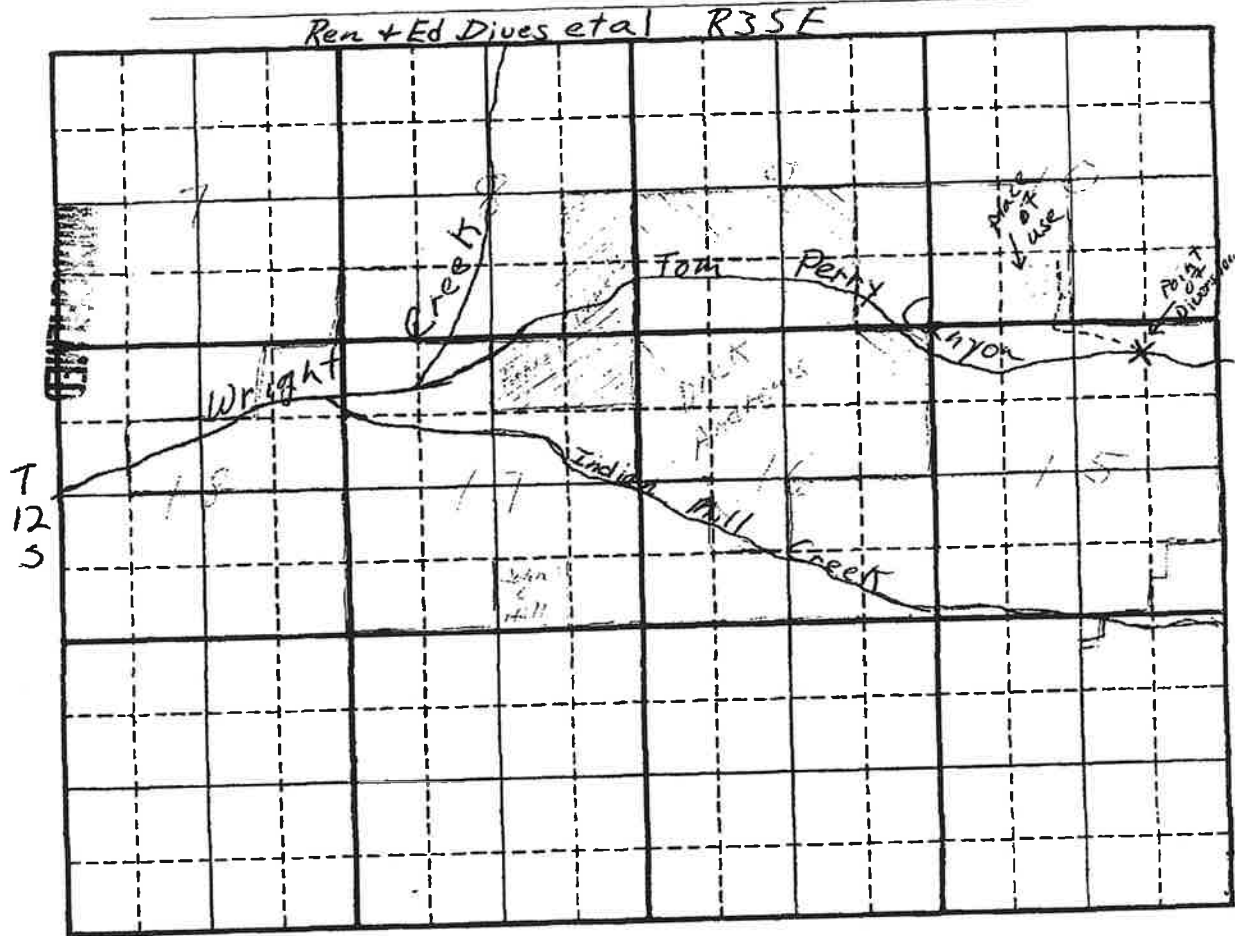
No. of acres 30

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:
Stock water for 100 to 200 head of cows.

NOTE: Include here the type and number of stock watered:

(7) If you are claiming water as a member of an organization, list name of organization:

(8) Remarks Water from Tom Parry Canyon is diverted at the NW 1/4 of the NW 1/4 Section 15, T 12S, R 35 EBM and conveyed by private ditch to the SE 1/4 of SW 1/4 Sec 10, T 12S, R 35 EBM for use on 30 acres.



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)

County of Cheside) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 28th day of June

Ren Dives
(Claimant)

Notary Public
Residing at Mald

My commission expires Life

Received by CW Date 6-20-83 Exception filed by: _____ Date _____
Prelim. check by AW Date 6-25-83
\$30.00 fee received by CW Date 7-06-83
Published in Idaho Engineering # 911-91883
Dates _____

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

County of Oneida

Department of Water Resources
Eastern District Office

Jessie H. Daniels
being duly sworn,

deposes and says: That she is the Secretary of THE IDAHO ENTERPRISE, a weekly newspaper published at Malad, in the County of Oneida and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Malad; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for 2 consecutive weeks in the regular and entire issue of said paper during the period of time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

August 31, 19 83, and ending
with the issue of Sept 7, 19 83

Jessie H. Daniels
Fee \$ 40.30

Subscribed and sworn to before me this 12th day
of Sept, 19 83.

Kenn Dunn
Notary Public, Residing at Malad, Idaho

My Commission Expires Sept 1984, 19 84

NOTICE OF CLAIMS TO WATER RIGHTS

The following claim(s) have been
filed on water right(s) created by
diversion and beneficial use:

15-4169

DIVES, LORENZO &-or EDWIN C.
17 BANNOCK, MALAD, ID 83252
Source: BILL MORGAN CANYON trib.

to WRIGHT CREEK

Priority Date: 04-13-1935

Diversion Pt: NWN Sec 33 T 12S R 35E

Use: IRRIGATION (3.00 CFS)

In: SWSW Sec 32 T 12S R 35E NWNW

Sec 05 T 13S R 35E FOR 60 ACRES

(15-4170)

DIVES, LORENZO &-or EDWIN C.

17 BANNOCK ST., MALAD, ID 83252

Source: TOM PARRY CANYON

CREEK trib. to WRIGHT CREEK

Priority Date: 07-01-1886

Diversion Pt: NWN Sec 15 T 12S R 35E

Use: IRRIGATION (2.00 CFS)

In: SESW Sec 10 T 12S R 35E FOR 30

ACRES

15-4171

DAVIS, SAMUEL J.

RT. 1, BOX 169, MALAD, ID 83252

Source: SPRINGS trib. to MALAD

RIVER

Priority Date: 07-12-1903

Diversion Pt: NWN Sec 30 T 14S R 36E

Use: IRRIGATION (0.60 CFS)

STOCKWATER (0.20 CFS)

In: SWNE Sec 30 T 14 S R 36E FOR 30

ACRES

15-4172

DIVES, LORENZO &-or EDWIN C.

17 BANNOCK ST., MALAD, ID 83252

Source: CLIFF CANYON trib. to

WRIGHT CREEK

PERRY CANYON trib. to

WRIGHT CREEK

INDIAN MILL trib. to

WRIGHT CREEK

REED CANYON trib. to

WRIGHT CREEK

Priority Date: 07-01-1886

Diversion Pt: NENE Sec 18 T 12S R 35E

NWNW Sec 17 T 12S R 35E

Use: IRRIGATION (2.00 CFS)

In: NENE SWNE SENE Sec 18 T 12S R

35E FOR 50 ACRES

Exceptions to a claim may be filed

with the Director, Dept. of Water

Resources, 150 Shoup Ave., Suite 15,

Idaho Falls, Idaho 83402.

KENN DUNN, Dir.

Published 8-31 & 9-7-83.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

SEPTEMBER 19, 1983

LORENZO DIVES
EDWIN C. DIVES
17 BANNOCK ST.
MALAD

ID 83252

RE: Claim No. 15-4170

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

RONALD D. CARLSON
Eastern Region Supervisor

Enclosure

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: Steve McCormick

Right Number 15 4170

Applicant Lorenzo Dues

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☐ Exceptions processed.

By Ernest Carlson Date Sept. 20, 1983.

Sept 19, 1983

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By gry Date 9-28-83

RECEIVED
SEP 28 1983
Department of Water Resources

aw

15-4170

DIVES. LORENZO &/or EDWIN C.

17 BANNOCK ST. MALAD. ID 83252

Source: TOM PARRY CANYON CREEK trib. to WRIGHT CREEK

Priority Date: 07/01/1886

Diversion Pt: NWNE Sec 15 T 12S R 35E

Use: IRRIGATION (2.00 CFS)

In: SESW Sec 10 T 12S R 35E FOR 30 ACRES

RECORDED



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls ID 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177

Website: idwr.idaho.gov • Email: easterninfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

August 2, 2021

Dogpatch LLC
Tamara Williams
220 N 70 E
Malad, ID 83252

RE: Ownership Change for Water Right 15-4170

Dear Ms. Williams:

Thank you for providing the additional deeds so quickly. I have reviewed the deeds and the water right records and have decided to return your Notice of Change in Water Right Ownership for water right 15-4170 and refund the associated filing fee. This letter is meant to summarize the basis for declining to update ownership of the water right.

In June 1983, Edwin and Ruth Dives filed two beneficial use claims pursuant to Idaho Code § 42-243. One claim, numbered 15-4170, described the diversion of 2.0 cubic feet per second (cfs) from Tom Perry Canyon Creek for the irrigation of 30 acres in the SESW of Section 10, T12S, R35E. The other claim, numbered 15-4172, described the diversion of 2.0 cfs from Wright Creek for the irrigation of 50 acres in the NENE, SWNE and SENW of Section 18, T12S, R35E.

In December 1984, Edwin and (Nadean?) Dives conveyed the acres in Section 18 to Lavar and Klea Mae Christofferson. The Warranty Deed from Dives to Christofferson included the following paragraph:

An undivided one-half interest in 4 cfs of water rights as shown described in Idaho Water Claims No. 15-4170 and 15-4172 respectively. U.S. Forest Service Grazing Permit for nine (9) head of stock on Daniels Range.

In November 1995, the Ruth Dives Trust conveyed the acres in Section 10 to Ronald and Shirlee Blaisdell. The Warranty Deed from the Ruth Dives Trust to Blaisdell included "all water rights appurtenant thereto."

In August 2004, Klea Mae Christofferson (Brown) conveyed the acres in Section 18 to Dogpatch LLC. The Warranty Deed from Christofferson to Dogpatch LLC included the same paragraph about water rights set forth above.

The two claims filed by Dives in 1983 (15-4170 and 15-4172), in combination, described the diversion of 4.0 cfs. The claims bear the exact same priority date (July 1, 1886). The 1984 Warranty Deed from Dives to Christofferson included a one-half interest in the

water rights. A one-half interest would equate to 2.0 cfs of the 4.0 cfs described under the water rights. It would make sense that the 2.0 cfs conveyed to Christofferson would be the 2.0 cfs water right appurtenant to the ground conveyed to Christofferson. In other words, the one-half interest conveyed to Christofferson was likely all of water right 15-4172.

In July 2021, we processed a Notice of Change in Water Right Ownership for water right 15-4172, listing Dogpatch LLC as the current owner of all of water right 15-4172. Therefore, Dogpatch, LLC now holds a water right for 2.0 cfs, representing exactly half of the 4.0 cfs of water rights claimed by Edwin and Ruth Dives in 1983. According to the Warranty Deed from Christofferson to Dogpatch LLC, Dogpatch LLC is the owner of one-half of the 4.0 cfs of water rights once owned by Dives. Therefore, updating the ownership of water right 15-4172 is consistent with the warranty deeds. Water right 15-4170 is associated with the irrigated acres in Section 10. Dogpatch LLC does not own the irrigated acres in the SESW of Section 10. There is not persuasive evidence that Dogpatch LLC is also the owner of any portion of water right 15-4170.

Enclosed is your Notice of Change in Water Right Ownership for water right 15-4170 and the associated deeds. I have requested a refund of your \$25 filing fee. A check from the state of Idaho should arrive in a couple of weeks. Please feel free to contact me directly if you have any questions.

Sincerely,



James Cefalo
208-525-7161

Barg, Jonie

From: Barg, Jonie
Sent: Tuesday, August 3, 2021 1:07 PM
To: IdwrPayable
Subject: Refund Request
Attachments: Receipt

Good afternoon!!

I have a refund request as follows:

Receipt number: E047004
Amount: \$25.00
Payable to: Zachery Beutler
Trisha Beutler
13979 Hollow Rd
Caldwell ID 83607

Reason: Ownership Change was submitted for 1 water right. It was determined the department could not update the water right. Therefore the applicant is entitled to a full refund.

Thank you so much for your time. Let me know if you have any questions.

Have a great day!!!

Jonie Barg

Jonie Barg
Technical Records Specialist
Idaho Department of Water Resources
900 N Skyline Dr Ste A
Idaho Falls ID 83402
Phone number: (208)525-7161
Fax number: (208)525-7177
Email address: jonie.barg@idwr.idaho.gov

Cefalo, James

From: tamiw@atcnet.net
Sent: Monday, July 26, 2021 12:03 PM
To: Cefalo, James
Subject: RE: Ownership Change Request for WR 15-4170
Attachments: Scan_0001.jpg; Scan_0002.jpg

Mr. Cefalo,

Thank you for your and work on our behalf. I went to the county offices today and pulled the two deeds associated with section 10 that your requested. The Ruth Dives family homesteaded this ground and these deeds are the only ones on record. They are from 1995.

Please let us know if you need anything else to get these transferred.

Thank you,

Tami

From: Cefalo, James <James.Cefalo@idwr.idaho.gov>
Sent: Friday, July 16, 2021 11:15 AM
To: tamiw@atcnet.net
Subject: Ownership Change Request for WR 15-4170

Ms. Williams:

In May, you filed a Notice of Change in Water Right Ownership, seeking to update the ownership records for water right 15-4170. Water right 15-4170 is a beneficial use claim that was filed by Ruth and Edwin Dives in June 1983. The claim filed by Dives described a 30-acre irrigation place of use in the SESW, Section 10, T12S, R35E.

You provided a copy of a 1983 Warranty Deed from Edwin and Nadean Dives to Lavar and Klea Mae Christofferson. The 1983 deed included the NESW of Section 10, but did not include the SESW. The 1983 deed specifically identified water right 15-4170. You also provided a copy of a Community Property Affidavit, wherein Klea Christofferson (Brown) stated that she and Lavar owned the NESW of Section 10 and water right 15-4170 at the time of Lavar's death in 1992. You also provided a copy of a 2004 Warranty Deed from Klea Chrisofferson Brown to Dogpatch LLC. The deed did not include any acres in Section 10, but did specifically include water right 15-4170.

Before I can update the ownership records for water right 15-4170, I need more information. Please provide a copy of all recorded deeds for the NESW and SESW of Section 10, T12S, R35E between 1980 and today. These documents will help me determine whether Dives ever owned the SESW of Section 10. If the documents show that you are the current owner of water right 15-4170, you should file a transfer application to move the water right to your property. Please provide the additional documents supporting your ownership change within 60 days. If the additional deeds are not provided by September 17, 2021, I will return the notice and refund the associated filing fee. Feel free to contact me if you have any questions.

James Cefalo
Regional Manager
IDWR Eastern Region

Cefalo, James

From: Cefalo, James
Sent: Friday, July 16, 2021 11:15 AM
To: 'tamiw@atcnet.net'
Subject: Ownership Change Request for WR 15-4170

Ms. Williams:

In May, you filed a Notice of Change in Water Right Ownership, seeking to update the ownership records for water right 15-4170. Water right 15-4170 is a beneficial use claim that was filed by Ruth and Edwin Dives in June 1983. The claim filed by Dives described a 30-acre irrigation place of use in the SESW, Section 10, T12S, R35E.

You provided a copy of a 1983 Warranty Deed from Edwin and Nadean Dives to Lavar and Klea Mae Christofferson. The 1983 deed included the NESW of Section 10, but did not include the SESW. The 1983 deed specifically identified water right 15-4170. You also provided a copy of a Community Property Affidavit, wherein Klea Christofferson (Brown) stated that she and Lavar owned the NESW of Section 10 and water right 15-4170 at the time of Lavar's death in 1992. You also provided a copy of a 2004 Warranty Deed from Klea Christofferson Brown to Dogpatch LLC. The deed did not include any acres in Section 10, but did specifically include water right 15-4170.

Before I can update the ownership records for water right 15-4170, I need more information. Please provide a copy of all recorded deeds for the NESW and SESW of Section 10, T12S, R35E between 1980 and today. These documents will help me determine whether Dives ever owned the SESW of Section 10. If the documents show that you are the current owner of water right 15-4170, you should file a transfer application to move the water right to your property. Please provide the additional documents supporting your ownership change within 60 days. If the additional deeds are not provided by September 17, 2021, I will return the notice and refund the associated filing fee. Feel free to contact me if you have any questions.

James Cefalo
Regional Manager
IDWR Eastern Region
(208) 525-7161