

\$ 50

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

NOV 09 2020

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?
75-37D	Yes ☐	Yes ☐		Yes ☐	Yes ☐
75-10482	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Sharon Dutton, Dale L Dutton
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Joe F Kolman, Alice C Kolman
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 188 S St. Charles Rd Salmon ID 83467
Mailing address City State ZIP
208-756-6494
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: Sept 21, 2021
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):
 ☐ \$25 per undivided water right.
 ☐ \$100 per split water right.
 ☐ 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: Joe F Kolman Title, if applicable _____ Date 10-26-2020
Signature: Alice C Kolman Title, if applicable _____ Date 10-26-2020

For IDWR Office Use Only:

Received by KM Date 11.9.2020 Receipt No. C107457 Receipt Amt. \$ 50.00
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 dj Date 12/24/2020

Woolf, Andrew Robert

Filed: 07/01/2020 12:46:22
Seventh Judicial District, Bonneville County
Penny Manning, Clerk of the Court
By: Deputy Clerk - Corona, Tawnya

Steven R. Parry (#4006)
NELSON HALL PARRY TUCKER, PLLC
490 Memorial Drive
Post Office Box 51630
Idaho Falls, Idaho 83405-1630
Telephone (208) 522-3001
Fax (208) 523-7254
srparry@nhptlaw.net

Instrument # 0000320865 # Pages: 2
LEMHI COUNTY, Idaho
Aug 27, 2020 08:18 AM Fee: \$ 13.00
For: Alliance Title - Salmon Office
BRENDA ARMSTRONG, Recorder

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNEVILLE

IN THE MATTER OF THE ESTATE OF:

Case No. CV10-20-3857

SHARON KAY DUTTON,

LETTERS TESTAMENTARY

Deceased.

1. KATHERINE MARIE SWANSON was duly appointed and qualified as General Personal Representative of the estate of the above-named decedent by the Court with all authority pertaining thereto.

2. Administration of the estate is unsupervised.

3. These letters are issued to evidence the appointment, qualification, and authority of the said personal representative or special administrator.

WITNESS, my signature and the Seal of this Court, this ____ day of _____, 2020.

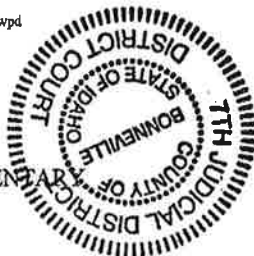
Signed: 6/30/2020 03:25 PM


MAGISTRATE



L:\Legal\SRP\10508Swanson\Letters.wpd

LETTERS TESTAMENTARY



STATE OF IDAHO } ss
County of Bonneville
I HEREBY CERTIFY that above and foregoing
is a full and correct copy of the original
thereof, on file in my office.

Dated _____ 20

PENNY MANNING
Clerk of the District Court

By _____
Deputy Clerk

PAGE - 1

Instrument # 0000320865

CLERK'S CERTIFICATE OF SERVICE

Signed: 7/1/2020 12:48 PM

I hereby certify that on this ____ day of _____, 2020, I served a true and correct copy of the foregoing document upon the following:

Steven R. Parry
NELSON HALL PARRY TUCKER, PLLC
490 Memorial Drive
P.O. Box 51630
Idaho Falls, Idaho 83405-1630

[] iCourt
[x] Email srparry@nhptlaw.net
kricket@nhptlaw.net

Penny Manning

CLERK OF THE COURT

By: *Penny Manning*
Deputy Clerk

PERSONAL REPRESENTATIVE'S DEED

THIS DEED is made by KATHERINE MARIE SWANSON, as personal representative of the estate of SHARON KAY DUTTON also known as SHARON DUTTON, deceased, Grantor, to JOE F. KOLMAN and ALICE C. KOLMAN, Grantees, whose current address is 188 S. Saint Charles Road, Salmon, ID 83467. * HUSBAND AND WIFE

WHEREAS, Grantor is the qualified personal representative of said estate, filed as Case No. CV10-20-3857 in Bonneville County, Idaho, as evidenced by the Letters Testamentary attached hereto and incorporated herein by this reference;

THEREFORE, for valuable consideration received, Grantor quit claims, transfers, and conveys to Grantee the following described real property in Lemhi County, Idaho:

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN BY THIS REFERENCE.

This conveyance shall include any and all appurtenances, tenements, hereditaments, reversions, remainders, easements, rights-of-way, and water rights anywise appertaining to the property herein described.

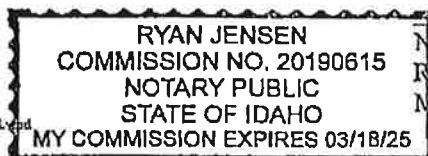
EXECUTED this 17 day of Sept, 2020.

Katherine Marie Swanson
Katherine Marie Swanson, Personal Representative
of the estate of SHARON KAY DUTTON a/k/a
SHARON DUTTON, deceased.

STATE OF IDAHO)
County of Bonneville) ss.

On this 17 day of September, 2020, before me the undersigned, a Notary Public in and for said state, personally appeared, KATHERINE MARIE SWANSON, known or identified to me to be the person whose name is subscribed to the within instrument, as Personal Representative of the Estate of SHARON KAY DUTTON, deceased, and acknowledged to me that he or she executed the same as such Personal Representative.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.



[Signature]
Notary Public for Idaho
Residing at: Idaho Falls
My Commission Expires: 3/18/25

L:\SRP\105085\Swanson\PR.Deed.pdf

Recorded Electronically			
ID	071744		
County	Lemhi		
Date	2/11/20	Time	4:20 PM
Simplifile.com 800.460.5657			

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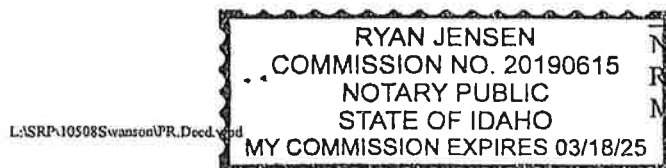
EXECUTED this 17 day of Sept, 2020.

Katherine Marie Swanson
Katherine Marie Swanson, Personal Representative
of the estate of SHARON KAY DUTTON a/k/a
SHARON DUTTON, deceased.

STATE OF IDAHO)
County of Bonneville)ss.

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IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.



File No. 507930

Exhibit 'A'

A PORTION OF THE SOUTHWEST QUARTER SOUTHEAST QUARTER OF SECTION 18, TOWNSHIP 21 NORTH, RANGE 22 EAST, BOISE MERIDIAN, LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS TO WIT:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 21 NORTH, RANGE 22 EAST, BOISE MERIDIAN, RUN THENCE NORTH 132.00 FEET; RUN THENCE EAST 660.0 FEET; RUN THENCE SOUTH 132.0 FEET; RUN THENCE WEST 660.0 FEET TO THE PLACE OF BEGINNING.

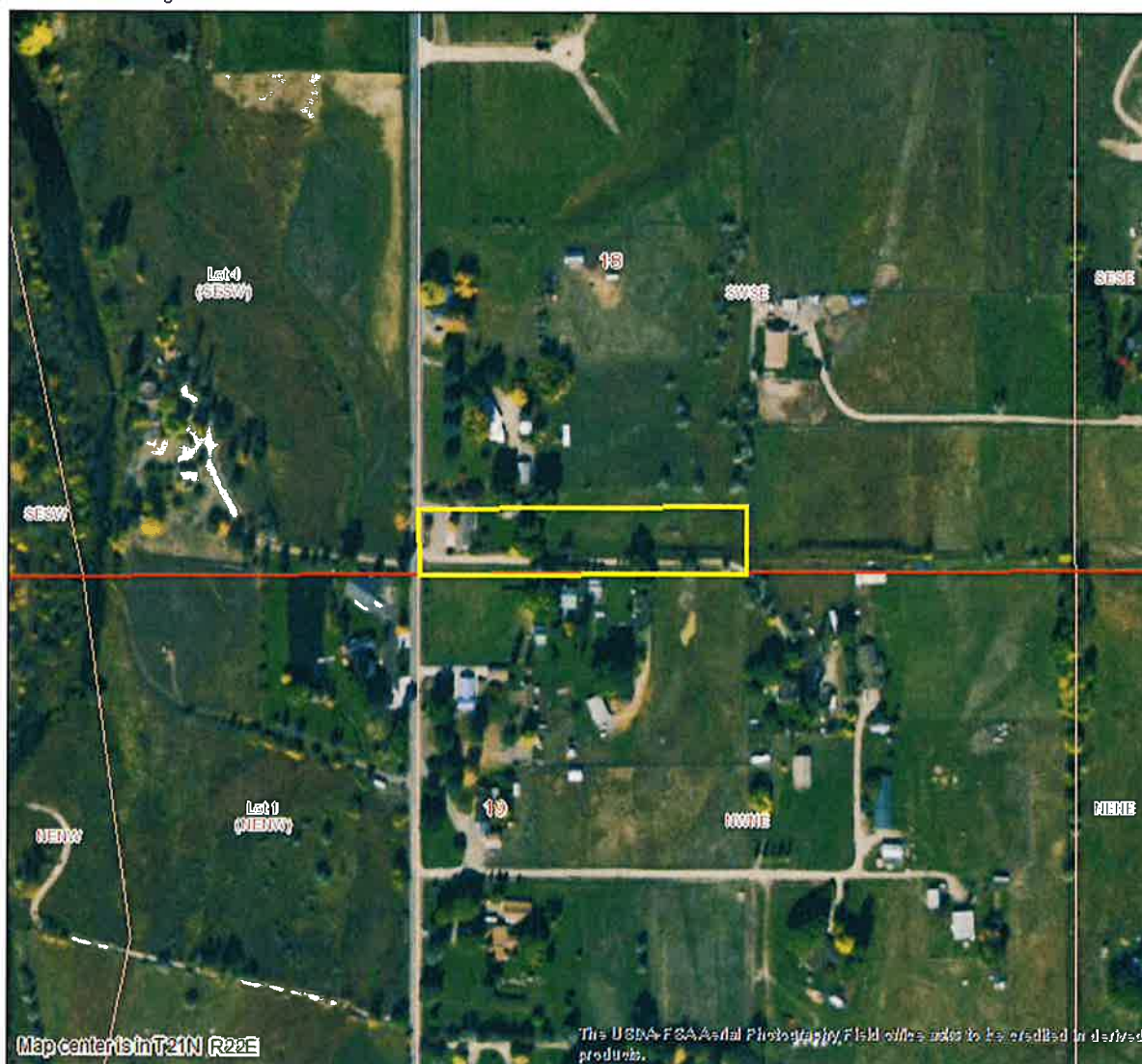
State of Idaho
Department of Water Resources

Water Right

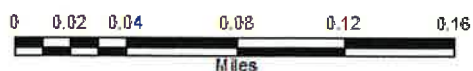
75-37D

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: 10/5/2020



Legend

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



SS No 247927

This instrument was filed for record at the request

John S. McKenney
8:57 o'clock a.m. 8-14 2001

and duly filmed and indexed in the records of Lamhl

County **Terri J. Morton**
Ex-Officio Recorder

By Wanda L. L. L. L. Deputy

Fee 9.00

Return to:

CORRECTED AFFIDAVIT OF SURVIVING SPOUSE

#247865 recorded August 7, 2001

STATE OF IDAHO }
County of Lemhi } ss

Sharon K. Dutton, of Salmon, Idaho, being first duly sworn upon oath, deposes and says:

That Dale Leroy Dutton, died on May 31, 2001, in Salmon, Idaho, as evidenced by a copy of the death certificate attached hereto;

That said decedent and affiant were married on September 22, 1961, and were continuously married until the time of death, and that during such marriage said decedent and affiant purchased the following described property:

A portion of the SW1/4 SE1/4 of Section 18, Township 21 North, Range 22 East, Boise Meridian, Lemhi County, Idaho, more particularly described as follows to-wit:

Commencing at the Southwest corner of the SE1/4 of Section 18, Township 21 North, Range 22 East, Boise Meridian, run thence North 132 feet; run thence East 660 feet; run thence South 132 feet; run then west 660 feet, to the point of beginning.

That the above described property was purchased from community funds, or funds acquired during affiant's coverture with the said decedent;

That Dale Leroy Dutton died testate leaving a will dated March 8, 1996, validly executed and naming Sharon K. Dutton as his sole heir.

That the estate of Dale Leroy Dutton has not been probated but if such estate is probated, the affiant as the surviving spouse would pursuant to the laws of the State of Idaho be entitled to the sole and exclusive ownership, custody and control of all the community property of the community of Dale Leroy Dutton, deceased, including the real property described above.

That the surviving spouse shall assume and be liable for any and all indebtedness that might be a claim against the above described property.

247927

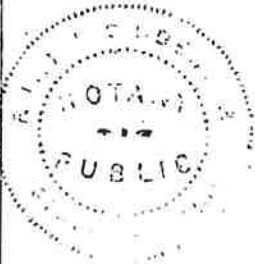
That as a result of the foregoing facts and Sections 15-3-101 and 15-3-901 Idaho Code, all right, title, and interest in the real property above described should now be vested in this affiant.

Dated this 7th day of August, 2001.


SHARON K. DUTTON

SUBSCRIBED AND SWORN to before me this 7th day of August, 2001.

(SEAL)




Notary Public for Idaho
Residing at Salmon, Idaho
Commission Expires: 3-12-04



Office of the Clerk of the District Court

Lemhi County, Idaho

COURTHOUSE

260 COURTHOUSE DR.

Salmon, ID 83467

Terri J. Morton

Clerk of the District Court

Ex Officio Auditor/Recorder

Email: clerk@lemhicountyidaho.org

Phone: (208) 756-2815 x 1738

Fax: (208) 756-8424

Affidavit of Certified Death Certificate For Recording Purposes

INFORMATION AS PRESENTED ON CERTIFIED DEATH CERTIFICATE:

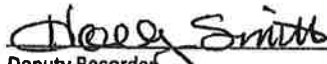
NAME OF DECEASED:	Dale Leroy Dutton
DATE OF DEATH:	5/31/2001
PLACE OF DEATH:	Salmon
ISSUING AGENCY:	Idaho
STATE FILE NUMBER:	2001-04690
DATE REGISTERED:	
DATE ISSUED:	6/12/2001

The recording of this affidavit in and of itself does not constitute proof of death. It verifies that the Recorder's office has confirmed receipt of a death certificate as presented by an entity or individual in conjunction with or as a part of a desired recording. This affidavit is solely for the purpose of NOT recording private information that is part of the certified death certificate, the copy of which will be retained by the Lemhi County Recorder's office.

Terri J. Morton

Lemhi County Recorder

By:


Deputy Recorder



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 E FRONT ST STE 648 PO BOX 83720 • BOISE, ID 83720-0098

Phone: (208)287-4800 • Fax: (208)287-6700 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

December 28, 2020

JOE F KOLMAN
ALICE C KOLMAN
188 S SAINT CHARLES RD
SALMON ID 83467-5224

Re: Change in Ownership for Water Right Nos: 75-37D and 75-10482

Dear Water Right Holders:

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water rights to you. 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.

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) 287-4920.

Sincerely,

Debbi Judd
Technical Records Specialist

Enclosures

c. Water District 75C