

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED

NOV 03 2020

DEPARTMENT 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.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
65-23075	Yes <input checked="" type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
Other?	Yes <input checked="" type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
65-23075 +	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
65-24005	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: Mae B. Hunter / Robert J Hunter --> Cheehaole Trust
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Grundy Family Trust (Kevin Grundy and Ann Grundy Trustees)
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 492 N Marathon Circle Salt Lake City UT 84108
Mailing address City State ZIP
- 408 (718) 5061 kpgrundy@yahoo.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: October 14, 2020
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: [Signature] Trustee Grundy Family Trust October 29, 2020
Signature of new owner/claimant Title, if applicable Date

Signature: [Signature] Trustee Grundy Family Trust October 29, 2020
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by KM Date 11.3.2020 Receipt No. C109443 Receipt Amt. \$100-

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 [Signature] Date 11-24-2020

Instrument # 329693

EMMETT, GEM, IDAHO

2020-10-14 03:19:38 PM No. of Pages: 3

Recorded for: ALLIANCE TITLE - BOISE PRODUCT

SHELLY TILTON Fee: \$15.00

Ex-Officio Recorder Deputy SStewart

Index To: WARRANTY DEED

Electronically Recorded by Simplifile



WARRANTY DEED

Alliance Title & Escrow, LLC Order No.:511948

FOR VALUE RECEIVED

Scott Hunter, Successor Trustee of The Cheehaole Trust, dated April 15, 1987

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

**Kevin Grundy, Trustee and Ann Grundy, Trustee of the Grundy Family Trust DTD
12/14/1993**

whose current address is

**429 N. Marathon Circle
Salt Lake City, UT 84108**

the grantee(s), the following described premises, in Gem County, Idaho, TO WIT:

Parcel I:

A parcel of land as shown on Record of Survey for Scott Hunter and Cheehaole Trust being Parcel A 2 situated in a portion of the West half of Section 16, Township 7 North, Range 1 East, Boise Meridian, Gem County, Idaho and more described as follows:

Commencing at a 5/8 inch rebar marking the North 1/16 corner common to Sections 16 and 17;

Thence along the North line of Southwest Quarter of the Northwest Quarter of said Section 16 South 89°58'06" East, a distance of 684.69 feet to a 1/2 rebar marking the Point of Beginning;

Thence continuing South 89°58'06" East, a distance of 571.63 feet to a point from which the Northwest 1/16 corner bears South 89°58'06" East, a distance of 50.01 feet;

Thence South 00°25'59" West, a distance of 755.12 feet to a 1/2 rebar;

Thence South 89°55'41" East, a distance of 50.03 feet to a 1/2 rebar;

Thence South 01°06'35" West, a distance of 554.70 feet to a 1/2 rebar;

Thence North 22°30'24" West, a distance of 762.48 feet to a 1/2 rebar;

Thence North 86°29'14" West, a distance of 388.72 feet to a 1/2 rebar;

Thence North 07°18'43" East, a distance of 586.61 feet to the Point of Beginning.

Parcel II:

Easement for the benefit of Parcel I as created by instrument recorded November 28, 1995 as Instrument No. 187405, for ingress and egress, over and across the land described as follows:

A 60.00 foot wide ingress and egress easement lying Southerly of and adjoining the North line of the Southeast Quarter of the Northwest Quarter, a portion of the Southwest Quarter of the Northwest Quarter and a portion of the Southwest Quarter of the Northeast Quarter of Section 16, Township 7 North, Range 1 East, Boise Meridian, Gem County, Idaho, described as follows:

Commencing at the Northwest corner of the Southwest Quarter of the Northwest Quarter of Section 16, Township 7 North, Range 1 East, Boise Meridian, marked by a found 5/8" iron pin PLS 6552;

Thence North 89°34'38" East, 457.92 feet, along the North line of said Southwest Quarter of the Northwest Quarter to a found 5/8" iron pin with plastic cap PLS 6552, and the Real Point of Beginning;

Thence continuing North 89°34'38" East, 848.27 feet, along the North line of the Southwest Quarter of the Northwest Quarter;

Thence North 89°34'35" East, 1312.20 feet along the North line of the Southeast Quarter of the Northwest Quarter and North 89°35'06" East, 723.26 feet along the North line of the Southwest Quarter of the Northeast Quarter, to a point on the Westerly right of way of State Highway 52, said point being on the arc of a 5°24' spiral curve 360 feet long;

Thence along said Westerly right of way of said State Highway 52 (the long chord bears South 40°02'20" East, 225.91 feet), to the most Northerly corner of Lot 5 of Montour Heights Subdivision and the terminus of this easement.

Parcel III:

Easement for the benefit of Parcel I as created by instrument recorded November 14, 2019 as Instrument No. 324059, for ingress and egress, over and across the land described as follows:

A 40 foot wide ingress and egress easement located in a portion of the West Half of Section 16, Township 7 North, Range 1 East, Boise Meridian, Gem County, Idaho being 20 feet on each side of the following described line:

Commencing at a 5/8 inch rebar marking the North 1/16 corner common to Sections 16 and 17;

Thence along the North line of the South Half of the said Northwest Quarter South 89°58'06" East, a distance of 684.69 feet to a 1/2 inch rebar from which a 5/8 inch rebar marking the Northwest 1/16 corner bears South 89°58'06" East a distance of 621.64 feet;

Thence leaving said North line South 7°18'43" West a distance of 73.57 feet to the Point of Beginning;

Thence continuing South 7°18'43" West a distance of 513.04 feet to a 1/2 inch rebar;

Thence South 6°53'06" West a distance of 254.56 feet to a 1/2 inch rebar;

Thence South 22°29'36" West a distance of 122.68 feet to a 1/2 inch rebar;

Thence South 51°05'36" West a distance of 143.92 feet to a 1/2 inch rebar;

Thence South 2°35'46" West a distance of 203.42 feet to a 1/2 inch rebar;

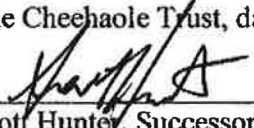
Thence South 0°38'40" East a distance of 194.78 feet to the Point of Terminus.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: October 12, 2020

The Cheehaole Trust, dated April 15, 1987

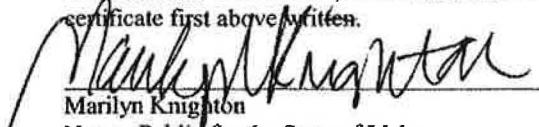


Scott Hunter, Successor Trustee

State of Idaho} ss.
County of Gem}

On this 14th day of October, 2020, before me, Marilyn Knighton, a Notary Public in and for said state, personally appeared Scott Hunter known or identified to me to be the person whose name is subscribed to the foregoing instrument as successor trustee of The Cheehaole Trust, dated April 15, 1987,

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



Marilyn Knighton
Notary Public for the State of Idaho
Residing at: Emmett
Commission Expires: April 4, 2023

MARILYN KNIGHTON
COMMISSION #44165
NOTARY PUBLIC
STATE OF IDAHO

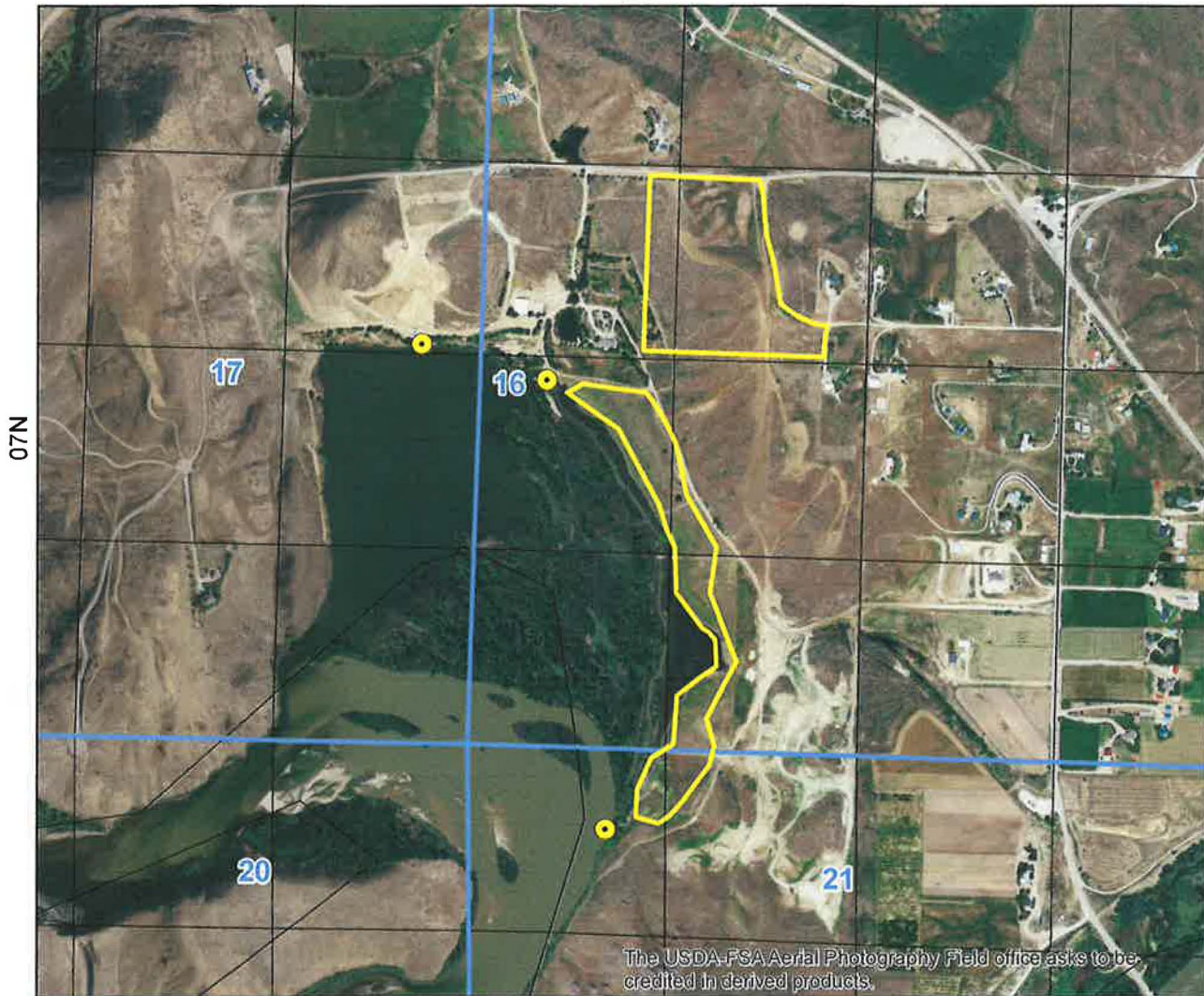
State of Idaho
Department of Water Resources

Water Right 65-23075

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.

01E



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

0 0.15 0.3 0.6 Miles



IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

11/18/2019

Water Right 65-23075

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MAE B HUNTER PO BOX 98 EMMETT, ID 83617 (208) 584-3579
Current Owner	ROBERT J HUNTER HC 78 BOX 1132 EMMETT, ID 83617 (208) 584-3579
Original Owner	CLEOTA M NEWELL MONTOUR STAR RT EMMETT, ID 83617
Original Owner	EMMETT L NEWELL MONTOUR STAR RT EMMETT, ID 83617

Priority Date: 6/15/1966

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
PAYETTE RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	11/01	0.840 CFS	
	<u>Total Diversion</u>		0.840 CFS	

Source and Point(s) of Diversion

PAYETTE RIVER	L1(SENE)	Sec. 17, Twp 07N, Rge 01E, GEM County
PAYETTE RIVER	NWSW	Sec. 16, Twp 07N, Rge 01E, GEM County
PAYETTE RIVER	NWNW	Sec. 21, Twp 07N, Rge 01E, GEM County

Place Of Use

IRRIGATION within GEM County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N	01E	16							6.0	19.0	2.0	6.0		5.0					38.0
07N	01E	21					2.0	2.0											4.0

POU Total Acres: 42.0

Conditions of Approval:

1. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

11/18/2019

provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Dates and Other Information

Decreed Date: 6/28/2002
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: And
Water District Number: 65
Mitigation Plan: False

Combined Use Limits

N/A

Verification Log

SubCase:

N/A

Water Supply Bank:

N/A



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

November 24, 2020

GRUNDY FAMILY TRUST
492 N MARATHON CIR
SALT LAKE CTY UT 84108-1643

Re: Change in Water Right Ownership: 65-23075 (Split into 65-23075 and **65-24005**)

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) 287-4942.

Sincerely,

Jean Hersley
Technical Records Specialist 2

Enclosure(s)

c: Mae B Hunter
Robert J Hunter
Water District No. 65

Idaho Department of Water Resources
322 East Front Street 6th Floor
PO BOX 83720
Boise, ID 83720-0098
(208) 287-4800

RECEIVED

NOV 03 2020

DEPARTMENT OF
WATER RESOURCES

Kevin and Ann Grundy
492 N Marathon Circle
Salt Lake City, UT 84108
(408) 718-5061
kpgrundy@yahoo.com
anngrundy@yahoo.com

October 31, 2020

To whom it may concern,

My name is Kevin Grundy and along with my wife Ann, we are trustees of the Grundy Family Trust which previously purchased these parcels and obtained the transfer of water rights from 65-23075:

First Parcel --	RP07N01E164238 (New water rights – 65-23983 – 0.340 CFS)
Second Parcel --	RP07N01E164650 (New water right – 65-23983 – 0.340 CFS)

In the previous transfer, I included title transfer information from the Cheehaole Trust for which the main water rights derive from. We have been dealing with Scott Hunter (scott@3dvisualize.com, 208-771-0389). Scott is the trustee of the Cheehaole Trust. We have purchased an adjoining parcel to those above and would further request to transfer water rights to this third parcel:

Third Parcel --	RP07N01E163650 (Warranty Deed - #329693 -- attached)
------------------------	-------------------------------------------------------------

This new parcel overlaps the original water rights 65-23075 as show below:



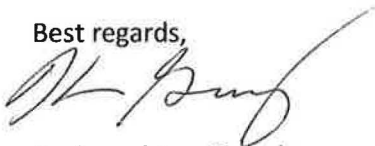
I believe this new (Third parcel) overlaps the 6 acre portion of the original water rights (65-23075) by about 4 acres. Using the same basis of division for the first two parcels, I think this new parcel would derive about 0.08 CFM from 65-23075. However, I there may be other water rights for the 10.6 acre parcel that I am not aware of. If there are other, additional water rights from the Cheeahole Trust (or other owners) I would like to transfer those water rights onto RP07N01E163650 as well.

I have assembled a package of documents for the water rights transfer. There are 6 documents included in this transmittal. They are outlined and numbered below. The numbers correspond to circled red numbers at the bottom of the first pages of the documents:

- 1) Notice of Change in Water Rights Ownership— Water Right 65-23983
 - a. I'm not sure of other water rights included for this parcel but would like to include those as well.
- 2) Idaho Department of Water Resources Proof Report – Water Right 65-23075
- 3) State of Idaho Department of Water Resources Map – Water Right 65-23075
- 4) Parcel Map showing the parcel identified for water rights transfer (see IDs above)
- 5) Boundary adjustment Survey covering relevant parcel – Nov, 19, 2019
- 6) **Warranty Deed transferring Parcel A2 (10.623 acres) to Grundy Family Trust – 10/14/20 (#329693)**

Hopefully, we have assembled the requisite documents needed for your office to transfer the water rights. If not, please do not hesitate to email or call us. We have also included a check for \$100 to cover the transfer.

Best regards,



Kevin and Ann Grundy

