

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUL 28 2020

WATER RESOURCES
WESTERN REGION

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?
65-23320	Yes <input checked="" type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
65-23322	Yes <input checked="" type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
65-23031	Yes <input checked="" 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"/>
	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>

2. Previous Owner's Name: James Youren
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Kevin & Karen Viehweg and Karen Viehweg
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or ☒ and/or
- Mailing address: P.O. Box 525 City: Garden Valley State: ID ZIP: 83622
208 462 1986 Email: KVVIEH@Frontier.net.net

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: 21 July 1998

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.

SUPPORT DATA

IN FILE # 65-23031

- ☐ 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] Title, if applicable: _____ Date: 7-28-2020
Signature: [Signature] Title, if applicable: _____ Date: 7-28-2020

For IDWR Office Use Only:

Received by LE Date 07/28/2020 Receipt No. W048566/W048567 Receipt Amt. \$200/\$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 KH Processed by KH Date 10/28/2020

*Two fee payments made same day.

Form No. 1402.92
(10/17/92)
ALTA Owner's Policy



POLICY OF TITLE INSURANCE



ISSUED BY

First American Title Insurance Company

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE B AND THE CONDITIONS AND STIPULATIONS, FIRST AMERICAN TITLE INSURANCE COMPANY, a California corporation, herein called the Company, insures, as of Date of Policy shown in Schedule A, against loss or damage, not exceeding the Amount of Insurance stated in Schedule A, sustained or incurred by the insured by reason of:

1. Title to the estate or interest described in Schedule A being vested other than as stated therein;
2. Any defect in or lien or encumbrance on the title;
3. Unmarketability of the title;
4. Lack of a right of access to and from the land.

The Company will also pay the costs, attorneys' fees and expenses incurred in defense of the title, as insured, but only to the extent provided in the Conditions and Stipulations.



Mountain View Title, Inc.
P.O. Box AD
235 Main Street
Idaho City, ID 83631
(208) 392-4303
Fax: (208) 392-6634
Agent For:

First American Title Insurance Company

First American Title Insurance Company

BY

Parker S. Kennedy

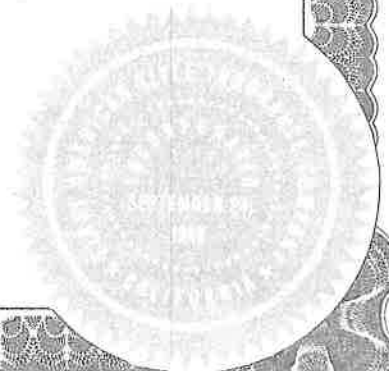
PRESIDENT

ATTEST

Mark R. Arnesen

SECRETARY

J 665068





SCHEDULE A

File No. 98-03-3421

Policy No. J-665068

Amount of insurance \$202,000.00

Premium \$861.00

Date of policy:

July 21, 1998 at 3:43 P.M.

1. **Name of insured:**

Kevin V. Viehweg and Karen B. Viehweg,
husband and wife

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

Fee simple

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

Kevin V. Viehweg and Karen B. Viehweg,
husband and wife

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

See Exhibit A



SCHEDULE B

File No. 98-03-3421

Policy No. J 665068

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 I

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, right, 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 easements 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 the 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 or 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 II

1. The effect of the provisions of Request for acknowledgment and assertion of Right of way, recorded September 16, 1994, as Instrument No. 153346, amendment filed November 21, 1994, Instrument No. 154136, amendment filed March 17, 1997, Instrument No. 163840.
2. Taxes for 1998 are an accruing lien and not yet due or payable.
3. Easement for road purposes granted by Harry T. Youren and Mary D. Youren to Boise County, Idaho, as designated May 14, 1951 in Book 12 of Miscellaneous at Page 178.
4. Power line easement as granted by James E. Youren and Carole G. Youren, his wife, to Idaho Power Company, a corporation, by instrument recorded February 16, 1977 as Instrument No. 85773.
5. Easement as shown in Warranty Deed from James E. Youren et al to Nathan J. Grosvenor et ux recorded September 7, 1976 in Book 72 of Deeds at Page 248.

Continued



SCHEDULE B - SECTION 2

Continued

6. A deed of trust dated July 17, 1998 to secure an indebtedness in the principal sum of \$201,600.00, and any other amounts and/or obligations secured thereby.

Recorded: July 21, 1998, Instrument No. 169466

Grantor: Kevin V. Viehweg and Karen B. Viehweg, husband and wife

Trustee: Transnation Title & Escrow

Beneficiary: Washington Mutual Bank fsb



EXHIBIT A

A parcel of land being a portion of the Southeast $\frac{1}{4}$ of Section 15, Township 9 North, Range 4 East, Boise Meridian, Boise County, Idaho and more particularly described as follows:

Beginning at an iron pin marking the Northeast corner of said Southeast $\frac{1}{4}$ of section 15, thence along the Easterly boundary of said Southeast $\frac{1}{4}$ of section 15, South $00^{\circ}10'19''$ East 25.00 feet to an iron pin on the Southerly right of way line of a county road also said iron pin being the REAL POINT OF BEGINNING; thence along said right of way line, along a line parallel to and 25.00 southerly of the Northerly boundary of said Southeast $\frac{1}{4}$ of Section 15, North $89^{\circ}57'58''$ West 323.26 feet to an iron pin; thence leaving said right of way line along a line parallel to and 323.26 feet westerly of said easterly boundary of the Southeast $\frac{1}{4}$ of Section 15, South $00^{\circ}10'19''$ East 1156.19 feet to a point on the centerline of Anderson Creek; thence along said centerline of Anderson Creek the following courses and distances; South $35^{\circ}21'12''$ East 129.14 feet to a point; thence South $79^{\circ}58'17''$ East 41.20 feet to a point, thence South $56^{\circ}49'11''$ East 91.27 feet to a point; thence South $30^{\circ}13'20''$ East 80.70 feet to a point; thence South $18^{\circ}35'52''$ East 94.35 feet to a point; thence South $07^{\circ}58'11''$ East 109.06 feet to a point; thence South $29^{\circ}49'52''$ East 29.63 feet to a point; thence South $83^{\circ}51'56''$ East 32.56 feet to a point on said easterly boundary of the Southeast $\frac{1}{4}$ of Section 15; thence leaving said centerline of Anderson Creek along said easterly boundary of the Southeast $\frac{1}{4}$ of Section 15, North $00^{\circ}10'19''$ West 1614.80 feet to the REAL POINT OF BEGINNING.

EXHIBIT A

A parcel of land being a portion of the Southeast quarter of Section 15, Township 9 North, Range 4 East, Boise Meridian, Boise County, Idaho and more particularly described as follows:

Beginning at an iron pin marking the Northeast corner of said Southeast quarter of Section 15, thence along the Easterly boundary of said Southeast quarter of Section 15, South 00 degree 10'19" East, 25.00 feet to an iron pin on the Southerly right of way line of a county road also said iron pin being the REAL POINT OF BEGINNING;
Thence along said right of way line along a line parallel to and 25.00 feet Southerly of the Northerly boundary of said Southeast quarter of Section 15, North 89 degrees 57'58" West, 323.26 feet to an iron pin;
Thence leaving said right of way line along a line parallel to and 323.26 feet Westerly of said Easterly boundary of Southeast quarter of Section 15, South 00 degrees 10'19" East, 1156.19 feet to a point on the centerline of Anderson Creek;
Thence along said centerline of Anderson Creek the following courses and distances; South 35 degrees 21'12" East, 129.14 feet to a point;
Thence South 79 degrees 58'17" East, 41.20 to a point;
Thence South 56 degrees 49'11" East, 91.27 to a point;
Thence South 30 degrees 13'20" East, 80.70 to a point;
Thence South 18 degrees 35'52" East, 94.35 to a point;
Thence South 7 degrees 58'11" East, 109.06 to a point;
Thence South 29 degrees 49'52" East, 29.63 to a point;
Thence South 83 degrees 51'56" East, 32.56 to a point on said Easterly boundary of the Southeast quarter of Section 15;
Thence leaving said centerline of Anderson Creek along said Easterly boundary of the Southeast quarter of Section 15, North 00 degree 10'19" West, 1614.80 feet to the REAL POINT OF BEGINNING.

parcel number

RP09N04E157352

Recorder 2

MAPPER

PLAT MAP

File No. 99-0313-0143
Case No.

Borrower Kevin V. & Karen B. Viehweg

Property Address 55 Anderson Creek Rd

City Garden Valley

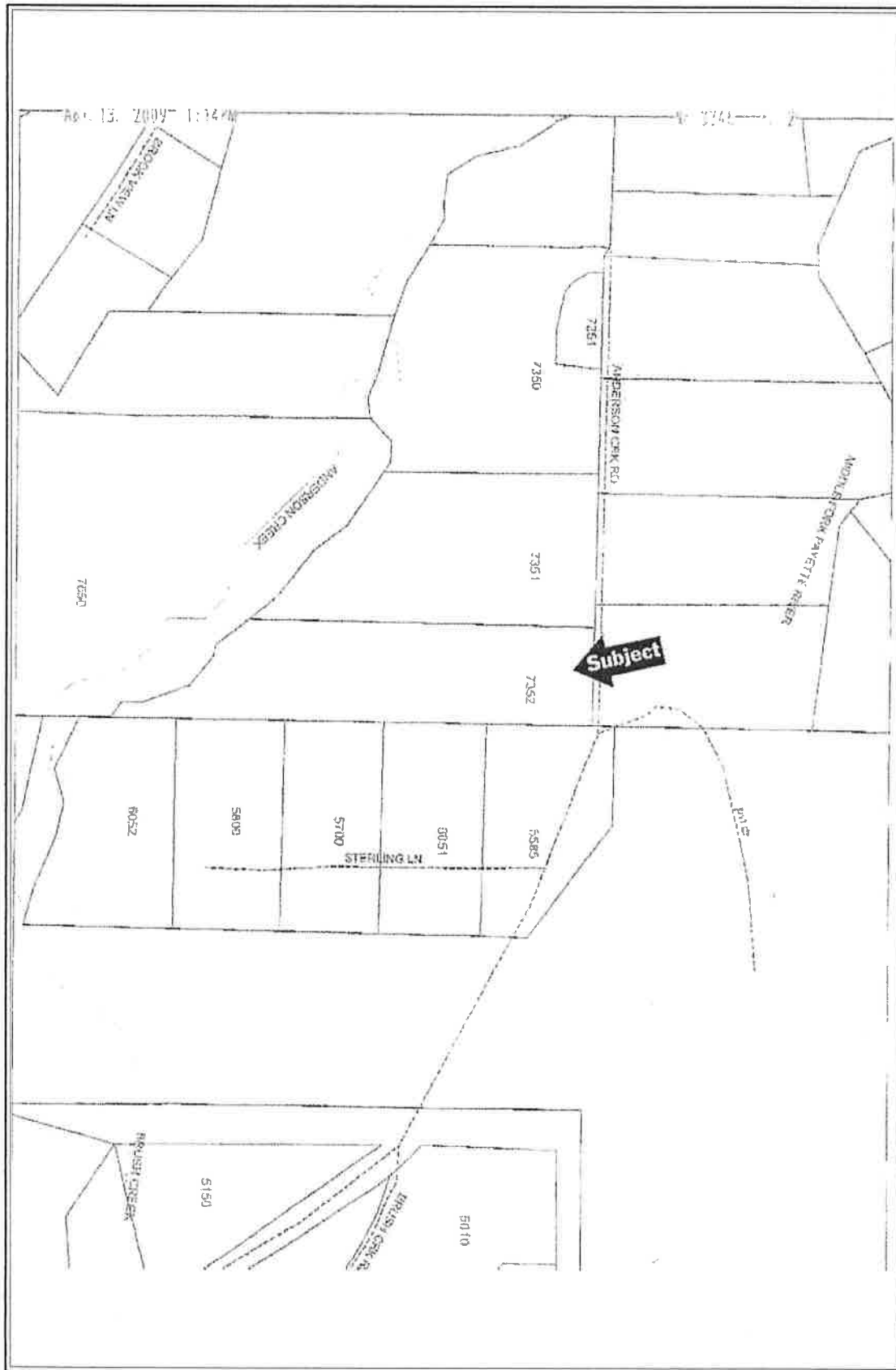
County Boise

State ID

Zip Code 83622

Lender/Client Les Bois Federal Credit Union

Address P.O. Box 140809, Garden City, ID 83714





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

November 06, 2020

KEVIN V VIEHWEG
KAREN B VIEHWEG
PO BOX 525
GARDEN VALLEY ID 83622-0525

Re: Change in Water Right Ownership:

65-23031 (split into 65-23392), 65-23320 (split into 65-23997), 65-23322 (split into 65-23996)

Dear Water Right Holders:

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of a portion of the above referenced water rights 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 this matter, please contact our office at (208) 334-2190.

Sincerely,

Lynne Evans
Office Specialist II

Enclosure(s)

c: JAMES E YOUREN
c: STERLING ALLEY