

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

NOV 16 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?
75-14927	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Montgomery Properties, LLC
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Western Rivers Conservancy
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 71 SW Oak Street, Suite 100 Portland OR 97204
Mailing address City State ZIP
- 503-241-0151 sdooroff@westernrivers.org
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 8, 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):
 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: [Signature] President 11/13/2020
Signature of new owner/claimant Title, if applicable Date
- Signature: _____
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by Jmh Date 11-16-2020 Receipt No. C109482 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 Western Rivers Conservancy Approved by _____ Processed by Jmh Date 11-16-2020

Instrument No. 321654
 County Lemhi Co ID
 Date: 10/19/2020
 Time: 8:45am

Warranty Deed

For Value Received

Montgomery Properties LLC, a Washington Limited Liability Company

the grantor, does hereby grant, bargain, sell and convey unto

Western Rivers Conservancy, a nonprofit Oregon public benefit corporation

Whose current address is:

**71 SW Oak St., Suite 100
 Portland, OR 97204**

the grantee, the following described premises, to-wit:

See Attached legal Description as Exhibit 'A'

TO HAVE AND TO HOLD, the said premises, together with any interests, rights and appurtenances thereto, along with any and all water rights or shares appurtenant or used in connection with the Subject Property, including but not limited to Idaho State Water Right No. 75-14927, unto the said Grantees, their heirs, successors and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees that they are the owners in fee simple of said premises; that they are free from all encumbrances EXCEPT: *Subject to all current year's real property taxes which are not due and payable and present easements or encumbrances of record or visible on the Property, including but not limited to those shown as Exceptions 1 – 18 in Schedule B, Section II of that certain Preliminary Title Commitment issued on October 7, 2020 by First American Title Insurance Company (Commitment No. 4782), and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.*

Dated: October 8, 2020

Montgomery Properties LLC, a Washington Limited Liability Company

Robert A Bonuccelli
 By: Robert A Bonuccelli, Managing Member

STATE OF WA)
) ss
 COUNTY OF Spokane)

On this 8th day of October, 2020, before me, a notary public in and for said State, personally appeared **Robert A Bonuccelli** known to me or proved to me to be the person(s) whose name is subscribed to the within instrument to be the Managing Member executing on behalf of **Montgomery Properties LLC** and acknowledged to me that he/ she/ they executed the same as the free act and deed of such individual(s)/ Entity.

Robert K Amodeo
 Notary Public
 Residing at: Greenacres WA 99016
 Comm. Expires: 10-1-2021

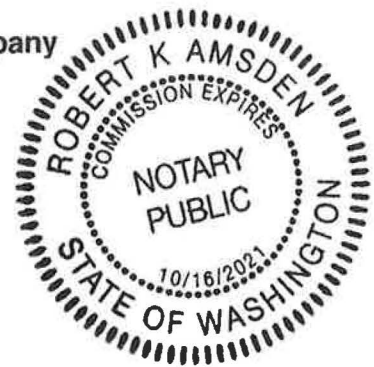


Exhibit 'A'
Legal Description

TURNING POINT SURVEYING INC.

P.O. BOX 772
SALMON, IDAHO 83467
(208)756-1494

PARCEL "A"

A parcel of land located in H.E.S. 173, Unsurveyed Sections 9 and 10, T. 19 N., R. 18 E., Boise Meridian, Lemhi County, Idaho, more particularly described as follows:
BEGINNING at Corner Number 4 of said H.E.S. 173 from which Corner Number 3 of H.E.S. 173 bears N 47°30'50" E, 2633.50 ft., the Basis Of Bearing of this description, run thence N 63°34'52" W along the southerly boundary of said H.E.S. a distance of 1169.01 ft.;

Thence N 45°24'58" E leaving said southerly boundary a distance of 391.51 ft.;

Thence S 63°34'52" E a distance of 1184.37 ft. to a point on said easterly boundary of H.E.S. 137;

Thence S 47°30'50" W along said easterly boundary a distance of 396.78 ft. to the POINT OF BEGINNING.

PARCEL CONTAINS 10.0 ACRES
ZERO SPLITS REMAIN

SUBJECT TO: The part of the following described easement appurtenant to the above described parcel:

A 50.00 ft. wide easement for ingress and egress 25.00 ft. on each side of the following described centerline:

Commencing at Corner Number 4 of said H.E.S. 173 from which Corner Number 3 of H.E.S. 173 bears N 47°30'50" E, the Basis Of Bearing of this description, run thence N 63°34'52" W along the southerly boundary of said H.E.S. a distance of 1101.26 ft. to a point on the easterly right-of-way of Panther Creek Road;

Thence N 45°31'44" E along said right-of-way a distance of 205.86 ft. to the POINT OF BEGINNING OF said easement;

Thence along the centerline of said ingress/egress easement the following courses:

S 74°20'47" E, 14.14 ft.; N 84°15'20" E, 71.46 ft.;

N 61°45'13" E, 73.24 ft.; N 74°06'08" E, 123.46 ft.;

N 51°17'33" E, 137.54 ft.; S 66°10'21" E, 164.49 ft.;

S 78°45'17" E, 68.76 ft.; N 70°23'26" E, 115.32 ft.;

N 50°16'10" E, 91.09 ft.; N 54°37'19" E, 45.61 ft.;

N 75°50'29" E, 70.59 ft. to the center of a cul-de-sac with a radius of 50.00 ft. said point being the POINT OF TERMINUS.

SUBJECT TO: A 66.00 ft. wide easement for Panther Creek Road as described in a Right-of-Way Deed filed as Instrument Number 54529 in Lemhi County, Idaho.

ALSO:

TURNING POINT SURVEYING INC.

**P.O. BOX 772
SALMON, IDAHO 83467
(208)756-1494**

PARCEL "B"

A parcel of land located in H.E.S. 173, Unsurveyed Sections 9 and 10, T. 19 N., R. 18 E., Boise Meridian, Lemhi County, Idaho, more particularly described as follows:

Commencing at Corner Number 4 of said H.E.S. 173 from which Corner Number 3 of H.E.S. 173 bears N 47°30'50" E, 2633.50 ft., the Basis Of Bearing of this description, run thence N 47°30'50" E along the easterly boundary of said H.E.S. 173 a distance of 787.56 ft. to the POINT OF BEGINNING;

Thence N 63°34'52" W leaving said easterly boundary a distance of 1214.66 ft.;

Thence N 39°37'00" E a distance of 56.86 ft.;

Thence N 33°49'00" E a distance of 163.00 ft.;

Thence N 63°35'00" W a distance of 141.35 ft. to a point on the westerly boundary of said H.E.S. 173;

Thence N 47°30'01" E along said westerly boundary a distance of 1831.26 ft.;

Thence S 42°32'57" E leaving said westerly H.E.S boundary a distance of 99.94 ft.;

Thence N 31°37'30" E a distance of 1057.57 ft.;

Thence S 62°39'33" E a distance of 1244.06 ft. to a point on said easterly boundary of H.E.S. 173;

Thence S 31°26'10" W along said easterly boundary a distance of 1205.39 ft. to said Corner Number 3 of H.E.S. 173;

Thence S 47°30'50" W along said easterly boundary a distance of 1845.94 ft. to the POINT OF BEGINNING.

**PARCEL CONTAINS 90.0 ACRES
ZERO SPLITS REMAIN**

SUBJECT TO AND TOGETHER WITH: The part of the following described easement appurtenant to the above described parcel:

A 50.00 ft. wide easement for ingress and egress 25.00 ft. on each side of the following described centerline:

Commencing at Corner Number 4 of said H.E.S. 173 from which Corner Number 3 of H.E.S. 173 bears N 47°30'50" E, the Basis Of Bearing of this description, run thence N 63°34'52" W along the southerly boundary of said H.E.S. a distance of 1101.26 ft. to a point on the easterly right-of-way of Panther Creek Road;

Thence N 45°31'44" E along said right-of-way a distance of 205.86 ft. to the

Parcel "B" Page 2 of 2

POINT OF BEGINNING OF said easement;

Thence along the centerline of said ingress/egress easement the following courses:

S 74°20'47" E, 14.14 ft.; N 84°15'20" E, 71.46 ft.;

N 61°45'13" E, 73.24 ft.; N 74°06'08" E, 123.46 ft.;

N 51°17'33" E, 137.54 ft.; S 66°10'21" E, 164.49 ft.;

S 78°45'17" E, 68.76 ft.; N 70°23'26" E, 115.32 ft.;

N 50°16'10" E, 91.09 ft.; N 54°37'19" E, 45.61 ft.;

N 75°50'29" E, 70.59 ft. to the center of a cul-de-sac with a radius of 50.00 ft.
said point being the POINT OF TERMINUS.

SUBJECT TO: A 66.00 ft. wide easement for Panther Creek Road as described in a Right-of-Way Deed filed as Instrument Number 54529 in Lemhi County, Idaho.

ALSO:

TURNING POINT SURVEYING INC.

**P.O. BOX 772
SALMON, IDAHO 83467
(208)756-1494**

PARCEL "D"

A parcel of land located in H.E.S. 173, Unsurveyed Sections 9 and 10, T. 19 N., R. 18 E., Boise Meridian, Lemhi County, Idaho, more particularly described as follows:

Commencing at Corner Number 4 of said H.E.S. 173 from which Corner Number 3 of H.E.S. 173 bears N 47°30'50" E, 2633.50 ft., the Basis Of Bearing of this description, run thence N 47°30'50" E along the easterly boundary of said H.E.S. 173 a distance of 396.78 ft. to the POINT OF BEGINNING;

Thence N 63°34'52" W leaving said easterly boundary a distance of 1184.37 ft.;

Thence N 45°25'00" E a distance of 239.49 ft.;

Thence N 39°37'00" E a distance of 141.89 ft.;

Thence S 63°34'52" E a distance of 1214.66 ft. to a point on said easterly boundary of H.E.S. 173;

Thence S 47°30'50" W along said easterly boundary a distance of 390.78 ft. to the POINT OF BEGINNING.

**PARCEL CONTAINS 10.00 ACRES
ZERO SPLITS REMAIN**

SUBJECT TO: The part of the following described easement appurtenant to the above described parcel:

A 50.00 ft. wide easement for ingress and egress 25.00 ft. on each side of the following described centerline:

Commencing at Corner Number 4 of said H.E.S. 173 from which Corner Number 3 of H.E.S. 173 bears N 47°30'50" E, the Basis Of Bearing of this description, run thence N 63°34'52" W along the southerly boundary of said H.E.S. a distance of 1101.26 ft. to a point on the easterly right-of-way of Panther Creek Road;

Thence N 45°31'44" E along said right-of-way a distance of 205.86 ft. to the POINT OF BEGINNING OF said easement;

Thence along the centerline of said ingress/egress easement the following courses:

S 74°20'47" E, 14.14 ft.; N 84°15'20" E, 71.46 ft.;

N 61°45'13" E, 73.24 ft.; N 74°06'08" E, 123.46 ft.;

N 51°17'33" E, 137.54 ft.; S 66°10'21" E, 164.49 ft.;

S 78°45'17" E, 68.76 ft.; N 70°23'26" E, 115.32 ft.;

N 50°16'10" E, 91.09 ft.; N 54°37'19" E, 45.61 ft.;

N 75°50'29" E, 70.59 ft. to the center of a cul-de-sac with a radius of 50.00 ft. said point being the POINT OF TERMINUS.

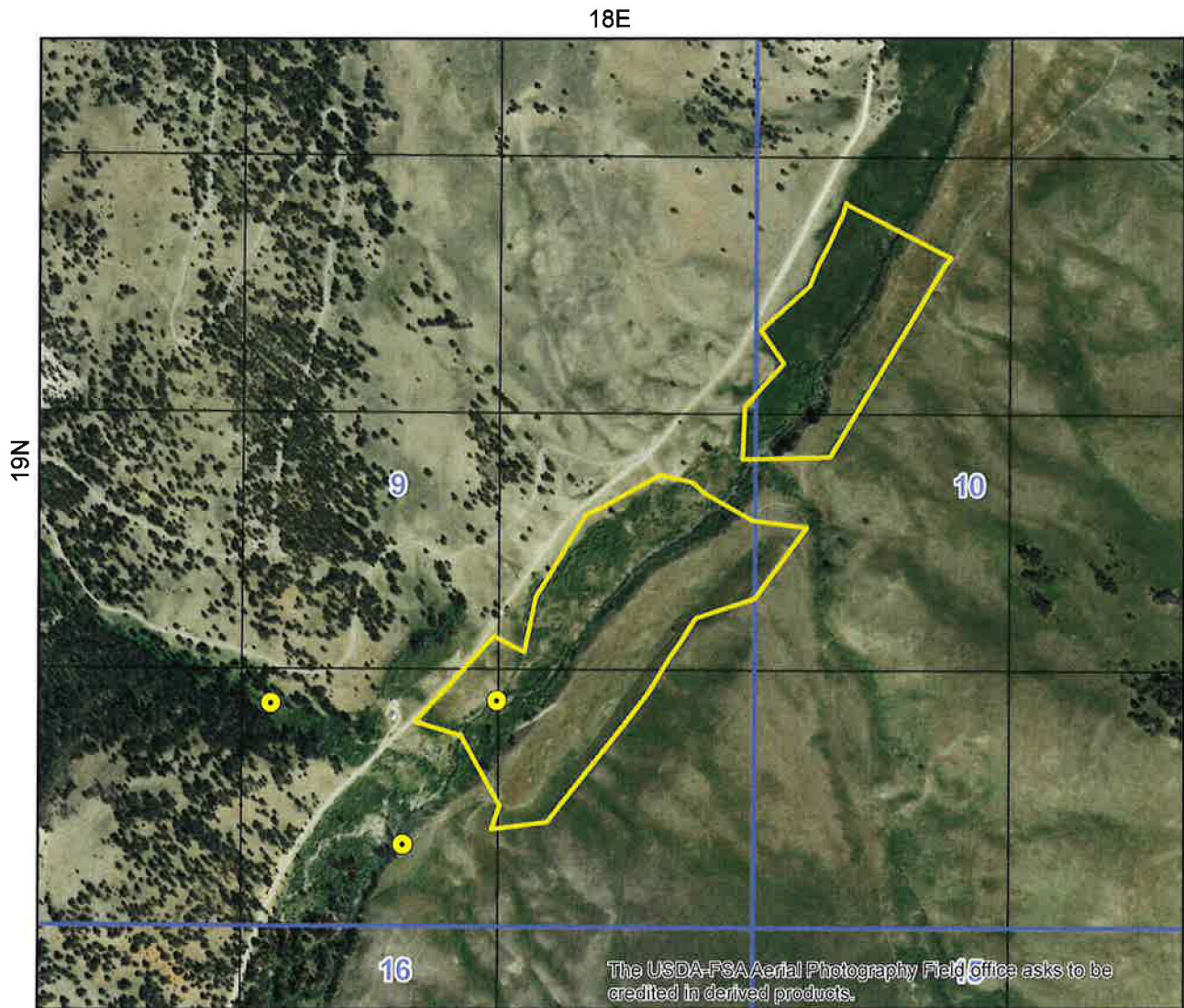
SUBJECT TO: A 66.00 ft. wide easement for Panther Creek Road as described in a Right-of-Way Deed filed as Instrument Number 54529 in Lemhi County, Idaho.

State of Idaho
Department of Water Resources

Water Right 75-14927

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.



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

0 0.1 0.2 0.4 Miles





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 16, 2020

WESTERN RIVERS CONSERVANCY
71 SW OAK ST STE 100
PORTLAND OR 97204-3419

Re: Change in Ownership for Water Right No(s): 75-14927

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) 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) 287-4942.

Sincerely,

Jean Hersley
Technical Records Specialist 2

Enclosure(s)

WESTERN RIVERS
CONSERVANCY

RECEIVED
NOV 16 2020
DEPARTMENT OF
WATER RESOURCES

November 13, 2020

IDWR State Office
Attn: Jean Hersley
322 East Front St, 6th Floor
P.O. Box 83720
Boise, ID 83720-0098

VIA FEDEX

Dear Ms. Hersley,

Enclosed please find the following documents from Western Rivers Conservancy:

1. Notice of Change in Water Right Ownership – reflecting the transfer of certain water rights from Montgomery Properties LLC to Western Rivers Conservancy, with accompanying:
 - a. Warranty Deed;
 - b. Map showing place of use and point of diversion for water right; and
 - c. Filing fee of \$25.00
2. Application to Sell or Lease Water Right to Water Supply Bank, with accompanying:
 - a. IRS Form W-9;
 - b. Map outlining specific location where beneficial use of water will be suspended; and
 - c. Evidence of authority of signatory to bind designated application (bylaws and certified board consent authorizing acquisition and sale of property and related water rights).

(We understand you are holding a WRC check in the amount of the \$250 application fee already.)

If you require anything further or have questions, please do not hesitate to let Dieter (derdmann@westernrivers.org) and me (ssandford@westernrivers.org) know.

Thank you,



Sara Sandford
Corporate Counsel

Cc: Dieter Erdmann