

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAR 30 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?
78-4002A	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"/>	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: Chuck + BARBARA Spence
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): William E + Deborah D. Helton
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☒ and/or
- 319 N ELK LAKE ROAD NEW Meadows ID 83654
Mailing address City State ZIP
- 208 628 3393 tdelb52@gmail.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: 10-16-2014
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: William E. Helton MA. 3-25-2020
Signature of new owner/claimant Title, if applicable Date
- Signature: Deborah D. Helton MRS 3-25-2020
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by KT Date 3/30/2020 Receipt No. W048150 Receipt Amt. \$75.00 funded

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 _____

496808

/aka WILLIAM EUGENE HELTON and DEBORAH DENISE HELTON

IDAHO COUNTY, IDAHO,
10-22-2014 12:06:44 No. of Pages: 2
Recorded for : IDAHO COUNTY TITLE
KATHY M. ACKERMAN Fee: 13.00
Ex-Officio Recorder Deputy

LEGAL DESCRIPTION
Parcel "2"

A parcel of property located within Tax Lot #72 in the SW1/4 of the SW1/4 of Section 23 and the NW1/4 of the NW1/4 of Section 26, T 22 N, R 1 E, B.M., Idaho County, Idaho.

This parcel is more particularly described from a survey as follows:

Commencing at the Section Corner common to Sections 22, 23, 26 & 27 a 1981 Brass Cap monument by PE/LS 2098 Instrument #290266, thence **S89°52'46"E – 159.46'** along the section line between said Sections 23 & 26 to a point on the Westerly side of said Tax Lot #72. This is the **Initial Point of Beginning**.

Thence	S01°42'31"W	82.51'	along said Westerly side to a 5/8"x30" rebar with survey cap by PLS 9166,						
Thence	S86°20'36"E	375.13'	leaving said Westerly side to a 5/8"x30" rebar with survey cap by PLS 9166,						
Thence	N14°00'03"E	71.44'	along said Westerly side to a 5/8"x30" rebar with survey cap by PLS 9166,						
Thence	N43°19'34"E	65.04'	to a point on a curve of the westerly county road Right-of-Way (R.O.W.) monumented with a 5/8"x30" rebar with survey cap by PLS 9166,						
Thence along a non-tangent curve of the said westerly R.O.W. to the right with the following dimensions: <table border="0" style="margin-left: 40px;"><tr><td>Radius = 55.00'</td><td>Tangent = 49.83'</td><td>Chord Direction = N04°44'20"E</td></tr><tr><td>Arc Length = 80.97'</td><td>Delta = 84°21'17"</td><td>Chord = 73.86'</td></tr></table> to a point on a curve on the county road R.O.W. monumented with a 5/8"x30" rebar with survey cap by PLS 9166, this point is the Initial Point of beginning for the Easement reserved here from,				Radius = 55.00'	Tangent = 49.83'	Chord Direction = N04°44'20"E	Arc Length = 80.97'	Delta = 84°21'17"	Chord = 73.86'
Radius = 55.00'	Tangent = 49.83'	Chord Direction = N04°44'20"E							
Arc Length = 80.97'	Delta = 84°21'17"	Chord = 73.86'							
Thence	N50°05'10"W	167.18'	leaving said westerly R.O.W. to a 5/8"x30" rebar with survey cap by PLS 9166, this point is N58°29'10"E – 365.62' from the Initial Point of beginning,						
Thence	N02°55'09"W	337.19'	to a 5/8"x30" rebar with survey cap by PLS 9166 on the northerly side of said Tax Lot #72,						
Thence	S87°37'51"W	118.03'	along said northerly side to a 5/8"x30" rebar with survey cap by PLS 9166,						
Thence	S00°55'28"W	261.00'	along the said westerly side to a 5/8"x30" rebar with survey cap by PLS 9166,						
Thence	N88°41'27"W	164.50'	along the said westerly side to a 5/8"x30" rebar with survey cap by PLS 9166,						
Thence	S01°42'31"W	265.89'	along the said westerly side back to the Initial Point of Beginning .						

This said parcel contains some 3.8556 Acres, more or less.

RESERVATIONS:

Reserved here from is an ingress/egress easement the boundary of which is described from a survey as follows:
Beginning at the above described point on the R.O.W. that is the Initial Point of Beginning for the Easement,
thence **N50°05'10"W – 45.69'** along the easterly boundary of the above described parcel to a point,
thence **S16°25'29"E – 64.27'** leaving said easterly boundary to a point on the above described R.O.W. curve,
thence along said R.O.W. curve to the right with the following dimensions:

Radius = 55.00'	Tangent = 19.33'	Chord Direction = N27°33'21"E
Arc Length = 37.17'	Delta = 38°43'16"	Chord = 36.47'

back to the Initial Point of Beginning for this Easement.

This said Easement contains some 0.0169 Acres, more or less.



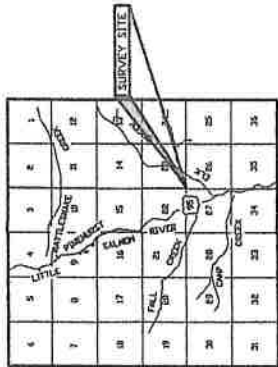
CERTIFICATE OF RECORDER

PRELIMINARY CHECK PLOT

NOT FOR USE

VICINITY MAP

1" = 2 MILES



NOTES:

1. IN PROVIDING THE BOUNDARY SURVEY, NO ATTEMPT HAS BEEN MADE TO OBTAIN OR SHOW DATA CONCERNING EXISTING, BUT UNRECORDED, EASEMENTS, RIGHTS OF WAY, OR OTHER INTERESTS IN THE SURVEYED LANDS, WHETHER PRIVATE, HORIZONTAL OR PUBLIC.
2. NO ATTEMPT OF TITLE, NOR THIS COGNITION, OR RESURVEYING, HAS BEEN MADE TO DETERMINE THE EXISTENCE OF ANY UNRECORDED EASEMENTS, RIGHTS OF WAY, OR OTHER INTERESTS IN THE SURVEYED LANDS, WHETHER PRIVATE, HORIZONTAL OR PUBLIC.
3. THE SURVEYED LANDS ARE SHOWN HEREIN, FULLY RECORDED, IN THE PUBLIC RECORDS OF THE STATE OF IDAHO, IN THE COUNTY OF IDAHO, IN THE DISTRICT OF THE SOUTHERN, IN THE SECTION 26, T. 22 N., R. 1 E., S. 100.
4. THE SURVEYED LANDS ARE SHOWN HEREIN, FULLY RECORDED, IN THE PUBLIC RECORDS OF THE STATE OF IDAHO, IN THE COUNTY OF IDAHO, IN THE DISTRICT OF THE SOUTHERN, IN THE SECTION 26, T. 22 N., R. 1 E., S. 100.
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9. THE SURVEYED LANDS ARE SHOWN HEREIN, FULLY RECORDED, IN THE PUBLIC RECORDS OF THE STATE OF IDAHO, IN THE COUNTY OF IDAHO, IN THE DISTRICT OF THE SOUTHERN, IN THE SECTION 26, T. 22 N., R. 1 E., S. 100.
10. THE SURVEYED LANDS ARE SHOWN HEREIN, FULLY RECORDED, IN THE PUBLIC RECORDS OF THE STATE OF IDAHO, IN THE COUNTY OF IDAHO, IN THE DISTRICT OF THE SOUTHERN, IN THE SECTION 26, T. 22 N., R. 1 E., S. 100.

CERTIFICATION

THIS IS TO CERTIFY THAT I, HUNTER J. EDWARDS, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF IDAHO, FLS #9166 AND CERTIFIED FEDERAL SURVEYOR, CFEAS #1026, HAD RESPONSIBLE CHARGE FOR THIS SURVEY OF THE LANDS AND CORNERS AS INDICATED ON THIS "RECORD OF SURVEY" AND THAT THIS IS A TRUE REPRESENTATION OF SAID SURVEY. USE OF THE CFEAS SEAL DOES NOT IMPLY ANY FEDERAL ENDORSEMENT.



GEOMATIC PROFESSIONAL SERVICES, PLLC
228 E. South Street
GRANGEVILLE, IDAHO 83530-2264
Phone (208) 983-2666
surveyor@geomatic.us

DATE:	10/08/2012
DRAWN BY:	CLYNSKI, DMC
FILE NO.:	CPS-008-12
SCALE:	1" = 100'

RECORD OF SURVEY
FOR MIKE & SHERIL GIZINSKI
SECTIONS 23, 26 & 27, T. 22 N., R. 1 E., B.M.
IDAHO COUNTY, IDAHO

TANGENT TABLE

LINE LENGTH	BEARING
L1	11.39 181°57'28"V
L2	18.56 187°48'22"V
L3	24.24 187°35'01"V
L4	24.24 187°35'01"V
L5	24.24 187°35'01"V
L6	64.87 187°35'01"V
L7	45.69 187°35'01"V
L8	30.99 187°35'01"V

SCALE
1" = 100 FEET

REFERENCE SURVEYS

1. 1000 G.L.D. SURVEY BY ADRIAN OLIVER, INSTRUMENT #48467.
2. 1000 G.L.D. SURVEY BY ADRIAN OLIVER, INSTRUMENT #48467.
3. 1000 G.L.D. SURVEY BY ADRIAN OLIVER, INSTRUMENT #48467.
4. 1000 G.L.D. SURVEY BY ADRIAN OLIVER, INSTRUMENT #48467.
5. 1000 G.L.D. SURVEY BY ADRIAN OLIVER, INSTRUMENT #48467.
6. 1000 G.L.D. SURVEY BY ADRIAN OLIVER, INSTRUMENT #48467.

CURVE TABLE

CURVE	RAIUS	LENGTH	TANGENT	DELTA	CHORD	BEARING	CHORD
C1	55.00	37.97	20.91	41°29'20"	47.97	101°00'00"	37.97
C2	55.00	14.99	8.10	16°45'24"	14.97	145°47'04"	14.99
C3	55.00	49.81	23.14	45°28'01"	49.78	145°47'04"	49.81
C4	44.00	37.87	40.94	158°40'47"	107.70	157°35'01"	37.87
C5	55.00	76.63	45.31	72°05'24"	107.70	157°35'01"	76.63
C6	53.27	84.47	120.01	41°34'10"	107.70	157°35'01"	84.47

LEGEND

- SECTION CORNER, MONUMENTED AS NOTED ON CPF
- QUARTER CORNER, MONUMENTED AS NOTED ON CPF
- PROPERTY CORNER, MONUMENTED AS NOTED ON RDS INST. #439937
- PROPERTY CORNER, SET 5/8"x30" REBAR w/ PLASTIC SURVEY CAP
- PROPERTY CORNER, NOT MONUMENTED THIS SURVEY
- CONTROL POINT, SET 5/8"x30" REBAR w/ PLASTIC SURVEY CAP
- COMPUTER POINT NUMBER

- (xxx Ch.) ORIGINAL G.L.D. OR B.M. DISTANCE CALL IN CHAINS
- SECTION LINE
- ROAD CENTERLINE
- RIGHT-OF-WAY (ROW) LINE
- EASEMENT LINE
- PARCEL LINE
- TIE LINE

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 78-04002A

NAME AND ADDRESS: ELGIE BROTHERS
MICHAEL GIZINSKI
SHERRIL GIZINSKI
HC 75 BOX 3558 ELK LAKE RD
NEW MEADOWS, ID 83654

BARBARA SPENCE
CHARLES R SPENCE
HC 75 BOX 3550 ELK LAKE RD
NEW MEADOWS, ID 83654

SOURCE: BIG ELK CREEK TRIBUTARY: LITTLE SALMON RIVER

QUANTITY: 0.38 CFS

The quantity of water under this right for domestic and
stockwater uses shall not exceed 13,000 gallons per day.

PRIORITY DATE: 12/19/1907

POINT OF DIVERSION: T22N R01E S23 NESESW Within Idaho County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.28 CFS
	Stockwater	01-01 TO 12-31	0.02 CFS
	Domestic	01-01 TO 12-31	0.08 CFS

PLACE OF USE:	Irrigation		Within Idaho County
	T22N R01E S23	SWSW 5.0	
	S26	NWNW 9.0	
	14.0 Acres Total		
Stockwater			Within Idaho County
	T22N R01E S23	SWSW	
	S26	NWNW	
Domestic			Within Idaho County
	T22N R01E S23	SWSW	
	S26	NWNW	

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed for this water right for domestic
use and stockwater use is not a determination of historical
beneficial use.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).



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

June 19, 2020

WILLIAM E & DEBORAH D HELTON
319 N ELK LAKE RD
NEW MEADOWS ID 83654-5096

RE: Change in Ownership for Water Right No: 78-4002 A

Dear Interested Parties:

The Idaho Department of Water Resources (Western) received a Notice of Change in Water Right Ownership from you on March 30, 2020 for the above referenced water rights. The Notice could not be processed because there was insufficient evidence of ownership for the water right.

On April 15, 2020, the Department requested the complete warranty deed with Exhibit A from you. As of the date of this letter, the Department has not received the required information.

The Department is returning your Notice of Change in Water Right Ownership and the attachments. A refund of \$25 has been requested and will be mailed to William Helton and Barbara Helton under separate cover from the Idaho State Controller's Office. You may re-submit your request with the appropriate documents and fees.

If you have any questions regarding this matter, please contact our office at (208) 334-2190.

Sincerely,

Lynne Evans
Office Specialist II

Enclosure

Evans, Lynne

From: Evans, Lynne
Sent: Friday, June 19, 2020 4:23 PM
To: IdwrPayable
Subject: Refund Request - Helton

TO: Sascha Marston, Treva Pline

FROM: Lynne Evans

DATE: June 19, 2020

RE: Refund: Notice of Change in Ownership

Please refund \$25. William and Deborah Helton submitted a change in ownership, but we did not receive the required legal description.

Please issue a refund of \$25 to:

WILLIAM E HELTON & DEBORAH D HELTON
319 N ELK LAKE RD
NEW MEADOWS ID 83654-5096

RECEIPT #

W048150

Lynne Evans | Office Specialist II
IDWR-Western Region
2735 W Airport Way, Boise ID 83705
(208) 334-2190 | lynne.evans@idwr.idaho.gov



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

April 15, 2020

WILLIAM E & DEBORAH D HELTON
319 N ELK LAKE RD
NEW MEADOWS ID 83654-5096

RE: Change in Ownership for Water Right No: 78-4002 A

Dear Interested Parties:

The Department of Water Resources (Western) acknowledges receipt of your Notice of Change in Water Right Ownership.

Our review of your Notice indicates that additional information is required before the Department can process the change. The information required is indicated below:

 X Evidence of Water Right Ownership: copy of Deed, Title Policy, Contract of Sale, or other legal document indicating your ownership of the property and/or water rights in question

 X Legal Description of Property

The Warranty Deed document submitted references an Exhibit A which describes the property conveyed. You submitted a legal description with your Notice; however, this legal description is not part of the original Warranty Deed. Please submit the complete Warranty Deed with Exhibit A to the Department.

Because the Department cannot process the Notice without proper documentation, we will hold any action on your notice pending receipt of the necessary information. If we do not receive the necessary information within 30 days we will return your notice and all attachments and your notice will not be processed.

Also, please note that permit holders are required to report any change of ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Forms to assign ownership or update your address are available from any office of the Department or on the Department's website.

If you have any questions regarding this matter, please contact me at (208) 334-2190.

Sincerely,

Lynne Evans
Office Specialist II