

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

AUG 27 2020

Notice of Change in Water Right Ownership

WATER RESOURCES
WESTERN REGION

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?
63-4485	Yes ☒ No	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Clair H. Leavitt
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Kyle L. Dunning & Holly Dunning
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or ☐ and/or
- Mailing address PO Box 1163 City Donnelly State ID ZIP 83615
- Telephone 541-231-3628 Email dunvin@comcast.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: 7-31-2020
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] Title, if applicable _____ Date 8-20-2020
Signature: [Signature] Title, if applicable _____ Date 8-20-2020

For IDWR Office Use Only:

Received by LE Date 08/27/2020 Receipt No. W048661 Receipt Amt. \$25.00
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 LE Processed by LE Date 10/09/2020



610 S. Kimball Avenue
Caldwell, ID 83605

ELECTRONICALLY RECORDED-DO NOT
REMOVE THE COUNTY STAMPED FIRST
PAGE AS IT IS NOW INCORPORATED AS
PART OF THE ORIGINAL DOCUMENT

2020-043466

RECORDED

08/05/2020 03:56 PM

CHRIS YAMAMOTO
CANYON COUNTY RECORDER

Pgs=3 DLSTEPHENS

\$15.00

TYPE: DEED

PIONEER TITLE CANYON - CALDWELL

ELECTRONICALLY RECORDED

2020-042183

RECORDED

07/31/2020 09:18 AM

CHRIS YAMAMOTO
CANYON COUNTY RECORDER

Pgs=2 HCRETAL

\$15.00

TYPE: DEED

PIONEER TITLE CANYON - CALDWELL

ELECTRONICALLY RECORDED

File No. 704062 VH/

WARRANTY DEED

For Value Received Clair H. Leavitt, Trustee of The Clair and Joanne Leavitt Trust u/ta/ dated 2/10/1997

hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

Kyle L. Dunning and Holly J. Dunning, husband and wife

hereinafter referred to as Grantee, whose current address is P.O. Box 1163 Donnelly, ID 83615

The following described premises, to-wit:

See Exhibit A attached hereto and made a part hereof.

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantees(s) heirs and assigns forever. And the said Grantor(s) does (do) hereby covenant to and with the said Grantee(s), the Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to U.S. Patent reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and current years taxes, levies, and assessments, includes irrigation and utility assessments, (if any) which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: July 27, 2020

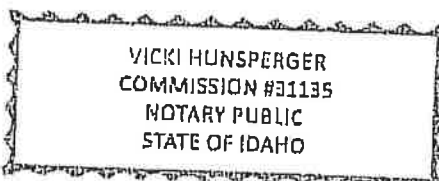
The Clair and Joanne Leavitt Trust u/ta/ dated 2/10/1997

By: Clair H. Leavitt
Clair H. Leavitt, Trustee

State of Idaho, County of Canyon

This record was acknowledged before me on July 30, 2020 by Clair H. Leavitt, as Trustee of The Clair and Joanne Leavitt Trust u/t/a dated February 10, 1997.

Vicki Hunsperger
Signature of notary public
Commission Expires: 12/2/2022



Re-Record to correct legal



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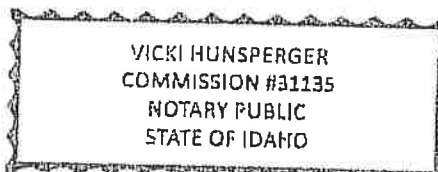
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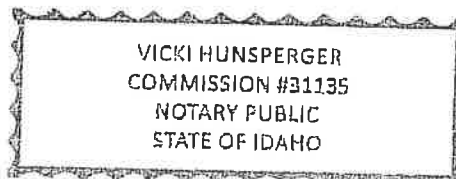


EXHIBIT A

Parcel 1:

North half

The Northwest quarter of the Southwest quarter, lying West of the Low Line Canal in Section 26, Township 3 North, Range 4 West of the Boise Meridian, Canyon County, Idaho.

EXCEPTING THEREFROM the following described land:

Commencing at the Northwest Corner of the NW1/4 of the SW1/4 of Section 26, Township 3 North, Range 4 West, Boise Meridian, Canyon County, Idaho, being the REAL POINT OF BEGINNING; thence East along the North boundary line of the said NW1/4 of the SW1/4 a distance of 400 feet; thence South on a line parallel with the West boundary line of the said NW1/4 of the SW1/4 a distance of 170 feet, thence West on a line parallel with the North boundary line of the said NW1/4 of the SW1/4 a distance of 400 feet, more or less to the west boundary line of the said NW1/4 of the SW1/4; and thence North along the West boundary line of the said NW1/4 of the SW1/4 a distance of 170 feet, more or less to the POINT OF BEGINNING.

Parcel 2:

Commencing at the NW corner of the NW1/4 SW1/4 of Section 26, Township 3 North, Range 4 West, Boise Meridian, Canyon County, Idaho, being the reference Point of Beginning; thence South along the West boundary line of the said NW1/4 SW1/4 a distance of 485 feet to the Real Point of Beginning; thence East on a parallel with the North boundary line of the said NW1/4 SW1/4 a distance of 232 feet; thence South on a line parallel with the West boundary line of the said NW1/4 SW1/4 a distance of 80 feet; thence West on a line parallel with the North boundary line of the said NW1/4 SW1/4 a distance of 232 feet to the West boundary line of the said NW1/4 SW1/4; thence North along the West boundary line of the said NW1/4 SW1/4 a distance of 80 feet to the Real Point of Beginning.

EXHIBIT A

Parcel 1:

The North half of the Southwest quarter, lying West of the Low Line Canal in Section 26, Township 3 North, Range 4 West of the Boise Meridian, Canyon County, Idaho.

EXCEPTING THEREFROM the following described land:

Commencing at the Northwest Corner of the NW1/4 of the SW1/4 of Section 26, Township 3 North, Range 4 West, Boise Meridian, Canyon County, Idaho, being the REAL POINT OF BEGINNING; thence

East along the North boundary line of the said NW1/4 of the SW1/4 a distance of 400 feet; thence South on a line parallel with the West boundary line of the said NW1/4 of the SW1/4 a distance of 170 feet, thence

West on a line parallel with the North boundary line of the said NW1/4 of the SW1/4 a distance of 400 feet, more or less to the west boundary line of the said NW1/4 of the SW1/4; and thence

North along the West boundary line of the said NW1/4 of the SW1/4 a distance of 170 feet, more or less to the POINT OF BEGINNING.

ALSO Excepting the following:

Commencing at the NW corner of the NW1/4 SW1/4 of Section 26, Township 3 North, Range 4 West, Boise Meridian, Canyon County, Idaho, being the reference Point of Beginning; thence

South along the West boundary line of the said NW1/4 SW1/4 a distance of 485 feet to the Real Point of Beginning; thence

East on a parallel with the North boundary line of the said NW1/4 SW1/4 a distance of 232 feet; thence South on a line parallel with the West boundary line of the said NW1/4 SW1/4 a distance of 80 feet; thence

West on a line parallel with the North boundary line of the said NW1/4 SW1/4 a distance of 232 feet to the West boundary line of the said NW1/4 SW1/4; thence

North along the West boundary line of the said NW1/4 SW1/4 a distance of 80 feet to the Real Point of Beginning.

Parcel 2:

Commencing at the NW corner of the NW1/4 SW1/4 of Section 26, Township 3 North, Range 4 West, Boise Meridian, Canyon County, Idaho, being the reference Point of Beginning; thence

South along the West boundary line of the said NW1/4 SW1/4 a distance of 485 feet to the Real Point of Beginning; thence

East on a parallel with the North boundary line of the said NW1/4 SW1/4 a distance of 232 feet; thence South on a line parallel with the West boundary line of the said NW1/4 SW1/4 a distance of 80 feet; thence

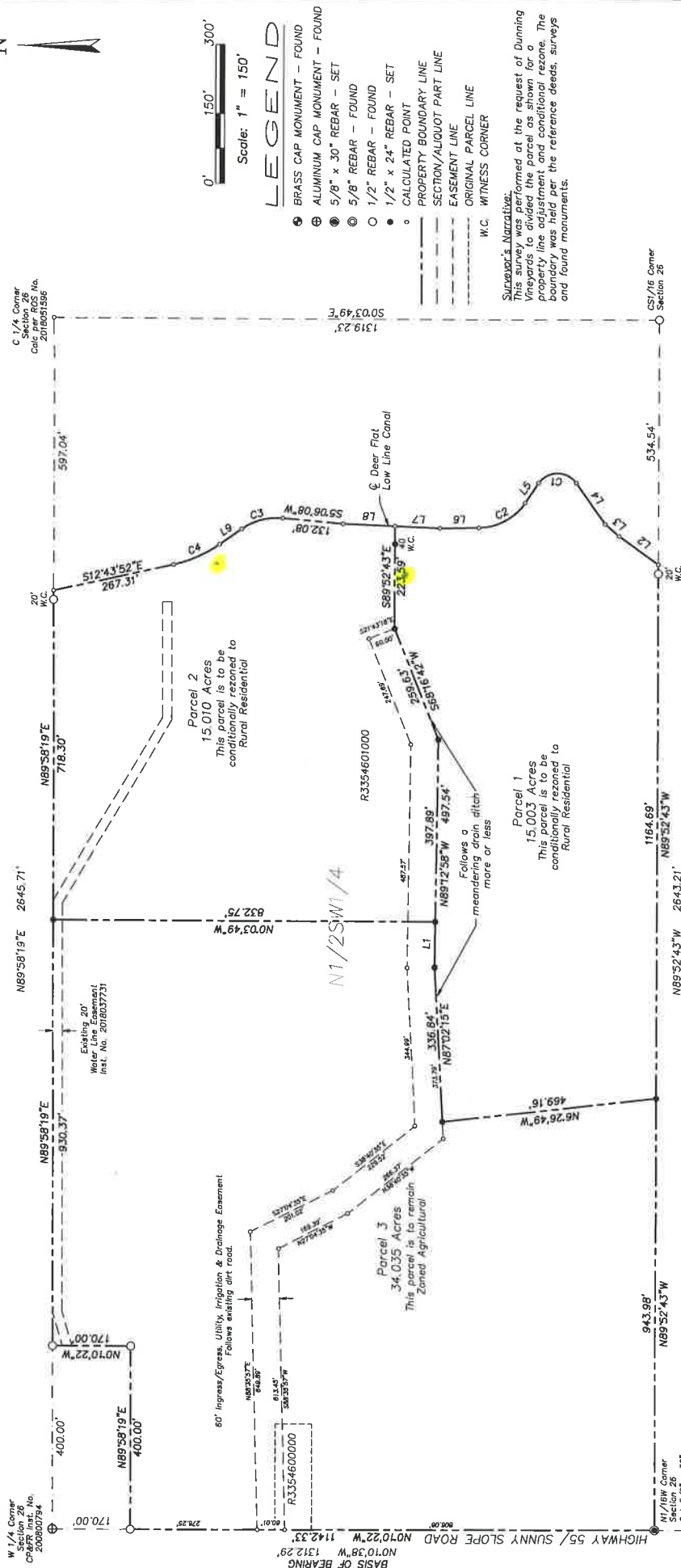
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RECORD OF SURVEY

A PORTION OF THE N 1/2 SW 1/4 SECTION 26,
TOWNSHIP 3 NORTH, RANGE 4 WEST, BOISE MERIDIAN,
CANYON COUNTY, IDAHO

Reference Surveys:
Inst. No. 2018051596
Inst. No. 2011048115
Inst. No. 200246589

Reference Deeds:
Inst. No. 9713781
Inst. No. 2020002574



CERTIFICATION

I, Thomas J. Weiland, do hereby certify that I am a Professional Land Surveyor, licensed by the State of Idaho, and that this map has been prepared from an actual survey made on the ground under my direct supervision, that this map is an accurate representation of said survey, and that it is in conformity with the corner perpetuation Act, Idaho Code 55-1601 through 55-1612.



CURVE TABLE

NO	RADIUS	CENTRAL ANGLE	LENGTH	CHD. BEARING	CHORD
C1	50.00'	110°41'31"	95.60'	S87°37'41"E	82.26'
C2	125.00'	54°41'30"	113.37'	S28°27'27"E	114.84'
C3	135.00'	40°22'36"	95.14'	S15°05'11"E	93.16'
C4	280.00'	22°32'37"	110.17'	S24°00'12"E	109.46'

LINE TABLE

NO	BEARING	LENGTH
L1	N89°12'58"W	95.55'
L2	S35°32'41"W	108.04'
L3	S40°48'36"W	39.98'
L4	S54°52'55"W	103.45'
L5	S55°45'12"E	51.86'
L6	S70°45'40"E	84.82'
L7	S71°17'34"W	96.29'
L8	S71°17'34"W	112.93'
L9	S35°16'30"E	96.59'

SW Section Corner
C286R Inst. No.
200807843

Point of Diversion

INDEX No. 344-28-3-0-0-00-00

SURVEY FOR:

DUNNING/LEAVITT

Drawn By: ZCL

Date: Feb. 10, 2020

Surveyed By: KPL

Job No. DE0319

Skinner
Land Survey

Precision Land Surveyors, P.C.
17842 Sand Hollow Road
Caldwell, Idaho 83407
(208)-454-0833
WWW.SKINNERLANDSURVEY.COM

Successor's Narrative:
This survey was performed at the request of Dunning/Leavitt. The survey was made on the ground under my direct supervision, and the boundary line adjustment and conditional rezoning. The boundary was held per the reference deeds, surveys and found monuments.

- LEGEND**
- BRASS CAP MONUMENT - FOUND
 - ⊕ ALUMINUM CAP MONUMENT - FOUND
 - ⊙ 5/8" x 30" REBAR - SET
 - ⊙ 5/8" REBAR - FOUND
 - 1/2" REBAR - SET
 - 1/2" x 24" REBAR - SET
 - CALCULATED POINT
 - PROPERTY BOUNDARY LINE
 - SECTION/ALLOT PART LINE
 - EASEMENT LINE
 - ORIGINAL PARCEL LINE
 - W.C. WITNESS CORNER

0' 150' 300'
Scale: 1" = 150'



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

October 09, 2020

KYLE & HOLLY DUNNING
PO BOX 1163
DONNELLY ID 83615-1100

Re: Change in Ownership for Water Right No: 63-4485

Dear Water Right Holders:

The Department of Water Resources (Western) acknowledges the receipt of correspondence changing ownership of the above referenced water right 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 our office at (208) 334-2190.

Sincerely,

Lynne Evans
Office Specialist II

Enclosure