

RECEIVED

JUL 19 2019

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WATER RESOURCES
WESTERN REGION

MAR 16 2020

Notice of Change in Water Right Ownership

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?
02-7210	Yes <input checked="" type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
2-7210 + 2-10586	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: Steve & Janet Clapier and Sean M & Andrea S Burch
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): DeRuyter Properties, LP
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- PO Box 580 Marsing ID 83639
Mailing address City State ZIP
208-896-5402 deruyterdairyid@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: 5-13-2005 & 8-15-2005
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.

SUPPORT DATA

IN FILE # 2-7210

8. Signature: [Signature] Title, if applicable: operating manager Date: 7-9-19
Signature of new owner/claimant

Signature: _____ Title, if applicable: _____ Date: _____
Signature of new owner/claimant

For IDWR Office Use Only:

Received by KI Date 7/23/19 Receipt No. W047619 Receipt Amt. 100⁰⁰
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 8-12-2020


WATER RIGHT GRANT DEED

Janet and Steve Clapier ("Grantors") of 5113 Edison Rd, Marsing, Idaho 83639, do hereby GRANT, BARGAIN, SELL and CONVEY unto DeRuyter Properties LP ("Grantee") of PO Box 580, Marsing, Idaho 83639 62.5 acres of the following water right:

The Grantors' water right no. 02-7210 that is appurtenant to the NE $\frac{1}{4}$ NE $\frac{1}{4}$, and a portion of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ in Section 24, Township 3 North, Range 5 West, Owyhee County, as more particularly described in the attached deeds, Exhibits A and B, and illustrated on the attached map, Exhibit C, referred to herein as the "Water Right."

Grantor hereby further assigns to Grantee all of the Grantor's right, title, and interest in 62.5 acres of the Water Right as decreed by the Snake River Basin Adjudication, Fifth Judicial District, in the State of Idaho, in and for the County of Twin Falls, Case No. 39576, a copy of which is attached hereto as Exhibit D. The Water Right conveyed by this Deed is subject to all conditions and limitations specified on such decree of the SRBA Court.

TO HAVE AND TO HOLD the Water Right unto the said Grantee, heirs, and assigns forever.

By:  Dated: 7-24-2020
Janet Clapier

State of Idaho)
) s.s.
County of Owyhee)

I, Kimberly L Even, a notary public, do hereby certify that on this 24 day of July, in the year of 20 20, personally appeared before me Janet Clapier, who, being by me first duly sworn signed the foregoing document, and that the statements therein contained are true.

S
E
A
L




Notary Public
My Commission Expires on 05-13-2025

By: Steve P. Clapier
Steve Clapier

Dated: July 24 2020

State of Idaho)
) s.s.
County of Cassia)

I, Kimberly L Even, a notary public, do hereby certify that on this 24 day of July, in the year of 20 20, personally appeared before me Janet Clapier, who, being by me first duly sworn signed the foregoing document, and that the statements therein contained are true.

S
E
A
L



Kimberly L. Even
Notary Public
My Commission Expires on 05-13-2025

July 8, 2020


Mr. and Mrs. Steve Clapier
5113 Edison Rd.
Marsing, Idaho 83639

Dear Mr. and Mrs. Clapier:

Please find attached a "Water Right Grant Deed" we needed notarized to deed over a portion of the water right #2-7210 to DeRuyter Properties, LP., pertaining to the property we purchased in May 2005. I have attached a letter dated April 6, 2020 from IDWR explaining the issue. I am late getting this to you due to the fact that there was miscommunication between the water right firm we use and me.

Thank you and please feel free to call me at 208-697-4626 should you have any questions.

Sincerely,


Suzanne DeRuyter
DeRuyter Properties, LP

DeRuyter Properties LP Portion of Water Right 02-7210



Based on 2017 NAIP Photography

Prepared by ERO 6-2019

PC64819

WARRANTY DEED

ND

FOR VALUE RECEIVED Steve L. Clapier and Janet A. Clapier,
husband and wife

the Grantors, do hereby grant, bargain, sell and convey unto DeRuyter Properties, LP

the Grantee, whose address is P.O. Box 580, Marsing, Idaho 83639

the following described premises, to-wit:

See attached Exhibit "A", which by this reference is made a part
hereof and is comprised of three (3) pages.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their heirs and assigns
forever. And the said Grantors do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said
premises; that said premises are free from all encumbrances; except for general taxes and assessments for the year 2005 and
subsequent years, covenants, conditions, restrictions and easements of record; and that it will warrant and defend the same from
all lawful claims whatsoever.

DATED: May 13, 2005

Steve L. Clapier
Steve L. Clapier

Janet A. Clapier
Janet A. Clapier

STATE OF IDAHO

COUNTY OF CANYON

On this 16th day of May in the year 2005, before me, a Notary Public, personally
appeared Steve L. Clapier and Janet A. Clapier known or identified to me to be the
persons whose names are subscribed to the within instrument, and acknowledged to
me that they executed the same.

Tammy Kraatzberg
Notary Public
Residing at Caldwell
My Commission Expires 2/3/2010



Instrument # 251985

MURPHY, OWYHEE, IDAHO

2005-05-24

04:17:52 No. of Pages: 4

Recorded for : PIONEER TITLE CO

CHARLOTTE SHERBURN

Ex-Officio Recorder Deputy

Fee: 12.00

Index to: DEED, WARRANTY

100 10TH AVE SOUTH
NAMPA, IDAHO 83651

610 SOUTH KIMBALL
CALDWELL, ID 83605

No warranties of any kind are implied
nor representation made by Pioneer
Title Company regarding this document
or its affect on the land it involves.

PO6936

Exhibit "A"

TRACT I:

A part of the North Half of the Northeast Quarter, Section 24, Township 3 North, Range 5 West, Boise Meridian, Owyhee County, Idaho, more particularly described as follows:

BEGINNING at the Northwest corner of said North Half of the Northeast Quarter (North Quarter section corner), monumented with a rebar, 30 inches long, 5/8 inch diameter; thence

South 89° 32'00" East, 1104.53 feet along the North boundary of the Northwest Quarter of the Northeast Quarter; thence

South 1° 10'40" West, 498.56 feet; thence

South 89° 57'50" East, 225.30 feet; thence

North 0° 59'21" West 496.99 feet; thence

South 89° 32'00" East, 8.55 feet along the North boundary of said Northwest Quarter of the Northeast Quarter; thence continuing

South 89° 32'00" East, 1319.57 feet along the North boundary of the Northeast Quarter of the Northeast Quarter to the Northeast corner of Section 24; thence

South 0° 18'30" East, 1321.91 feet along the East boundary of said Northeast Quarter of the Northeast Quarter; thence

North 89° 35'20" West, 1319.23 feet along the South boundary of said Northeast Quarter of the Northeast Quarter to the Northeast Sixteenth corner; thence continuing

North 89° 35'20" West 626.10 feet along the South boundary of said Northwest Quarter of the Northeast Quarter; thence

North 63° 18'56" West, 778.00 feet along the Northeasterly boundary of the Union Pacific Railroad right-of-way; thence

North 0° 20'11" West, 980.08 feet along the West boundary of said Northwest Quarter of the Northeast Quarter to the REAL POINT OF BEGINNING.

EXCEPTING THEREFROM the following four parcels:

PARCEL I:

A parcel of land lying in the Northwest Quarter of the Northeast Quarter, Section 24, Township 3 North, Range 5 West, Boise Meridian, Owyhee County, Idaho, more particularly described as follows:

COMMENCING at the Northwest corner of the Northeast Quarter of Section 24, Township 3 North, Range 5 West, Boise Meridian, Owyhee County, Idaho; thence

South 89° 32'00" East 60.00 feet along the North line of the Northeast Quarter to the **REAL POINT OF BEGINNING** of this description; thence continuing

South 89° 32'00" East 259.59 feet along the North line of the Northeast Quarter to a point; thence

South 00° 28'00" West 498.52 feet to a point; thence

North 89° 32'00" West 259.59 feet parallel with the North line of the Northeast Quarter to a point; thence

North 00° 28'00" East 498.52 feet to the **REAL POINT OF BEGINNING** of this

description.

PARCEL 2:

A parcel of land lying in the Northwest Quarter of the Northeast Quarter, Section 24, Township 3 North, Range 5 West, Boise Meridian, Owyhee County, Idaho, more particularly described as follows:

COMMENCING at the Northwest corner of the Northeast Quarter of Section 24, Township 3 North, Range 5 West, Boise Meridian, Owyhee County, Idaho; thence
South 89° 32'00" East 319.59 feet along the North line of the Northeast Quarter to the REAL POINT OF BEGINNING of this description; thence continuing
South 89° 32'00" East 259.58 feet along the North line of the Northeast Quarter to a point; thence
South 00° 28'00" West 498.52 feet to a point; thence
North 89° 32'00" West 259.58 feet parallel with the North line of the Northeast Quarter to a point; thence
North 00° 28'00" East 498.52 feet to the REAL POINT OF BEGINNING of this description.

PARCEL 3:

A parcel of land lying in the Northwest Quarter of the Northeast Quarter, Section 24, Township 3 North, Range 5 West, Boise Meridian, Owyhee County, Idaho, more particularly described as follows:

COMMENCING at the Northwest corner of the Northeast Quarter of Section 24, Township 3 North, Range 5 West, Boise Meridian, Owyhee County, Idaho; thence
South 89° 32'00" East 579.17 feet along the North line of the Northeast Quarter to the REAL POINT OF BEGINNING of this description; thence continuing
South 89° 32'00" East 259.58 feet along the North line of the Northeast Quarter to a point; thence
South 00° 28'00" West 498.52 feet to a point; thence
North 89° 32'00" West 259.58 feet parallel with the North line of the Northeast Quarter to a point; thence
North 00° 28'00" East 498.52 feet to the REAL POINT OF BEGINNING of this description.

PARCEL 4:

A parcel of land lying in the Northwest Quarter of the Northeast Quarter, Section 24, Township 3 North, Range 5 West, Boise Meridian, Owyhee County, Idaho, more particularly described as follows:

COMMENCING at the Northwest corner of the Northeast Quarter of Section 24, Township 3 North, Range 5 West, Boise Meridian, Owyhee County, Idaho; thence
South 89° 32'00" East 838.75 feet along the North line of the Northeast Quarter to the REAL POINT OF BEGINNING of this description; thence continuing
South 89° 32'00" East 265.78 feet along the North line of the Northeast Quarter to a point; thence
South 01° 10'40" West 498.56 feet to a point; thence

North 89° 32'00" West 259.59 feet parallel with the North line of the Northeast Quarter to a point; thence

North 00° 28'00" East 498.52 feet to the REAL POINT OF BEGINNING of this description.

ALSO EXCEPTING THEREFROM any portion lying within the railroad right of way.

AND ALSO EXCEPTING THE FOLLOWING DESCRIBED PARCEL:

The Northeast Quarter of the Northeast Quarter of Section 24, Township 3 North, Range 5 West, Boise Meridian, Owyhee County, Idaho.

SE
Opc

ND

No warranties of any kind are implied
nor representation made by Pioneer
Title Company regarding this document
or its affect on the land it involves.

WARRANTY DEED

Burch
Property file

FOR VALUE RECEIVED Sean M. Burch and Andrea S. Burch, husband and wife

the Grantors, do hereby grant, bargain, sell and convey unto DeRuyter Properties, LP

the Grantee, whose address is ^{P.O. Box 580} ~~907 Riverview Drive~~, Marsing, ID, 83639

the following described premises, to-wit:

A part of the North Half of the Northeast Quarter, Section 24, Township 3 North, Range 5 West, Boise Meridian, Owyhee County, Idaho more particularly described as follows:

The Northeast Quarter of the Northeast Quarter of Section 24, Township 3 North, Range 5 West, Boise Meridian.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that said premises are free from all encumbrances; except for general taxes and assessments for the year 2005 and subsequent years, covenants, conditions, restrictions and easements of record; and that it will warrant and defend the same from all lawful claims whatsoever.

DATED: August 15, 2005


Sean M. Burch


Andrea S. Burch

STATE OF IDAHO

COUNTY OF CANYON

On this 15th day of August in the year 2005, before me, a Notary Public, personally appeared Sean M. Burch and Andrea S. Burch known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.


Notary Public
Residing at Caldwell
My Commission Expires 2/3/10

PIONEER TITLE COMPANY
OF CANYON COUNTY

100 10TH AVE SOUTH
NAMPA, IDAHO 83651

610 SOUTH KIMBALL
CALDWELL, ID 83605

BURCH

SCHEDULE A

Order No.: **PO7144**
Policy No.: **J2017251**
Form No. 1402.92 (10/17/92)
Amount of Insurance: **\$120,000.00**
Premium: **\$665.00**
Date of Policy: **August 19, 2005 @ 4:31 p.m.**

1. Name of Insured:
DERUYTER PROPERTIES, LP
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:
DERUYTER PROPERTIES, LP
4. The land referred to in this policy is described as follows:
A part of the North Half of the Northeast Quarter, Section 24, Township 3 North, Range 5 West, Boise Meridian, Owyhee County, Idaho more particularly described as follows:

The Northeast Quarter of the Northeast Quarter of Section 24, Township 3 North, Range 5 West, Boise Meridian.

SCHEDULE B

Order No.: **PO7144**

Policy No.: **J2017251**

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, rights, 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 or easement 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 water 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.

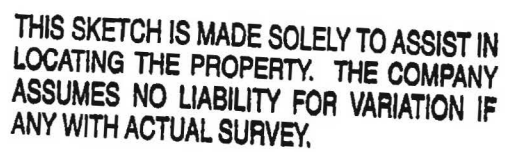
SECTION II

7. **General taxes for the year 2005 which are a lien, payable on or before December 20 of said year and not delinquent until after said date.**
8. **Liens and assessments of Gem Irrigation District, and the rights and powers of said district as by law provided. Paid current.**
9. **Ditch, road and public utility easements as the same may exist over said premises.**
10. **Right of the public in and to that portion of the premises lying within the right-of-way of Market Road.**

11. **Rights-of-way for ditches, tunnels and telephone and transmission lines constructed by authority of the United States, as granted to the United States under provisions of Section 58-604, Idaho Code.**
12. **Exceptions and reservations contained in Deed from the State of Idaho, wherein mineral rights are reserved to the State under provisions of Sections 47-701 and 47-701A, Idaho Code.**
13. **An easement for the purpose shown below and rights incidental thereto as reserved in a document.**
- Purpose:** Gem Irrigation District
Recorded: December 18, 1959 in Book 52 of Deeds, Page 151, and in Book 52 of Deeds, Page 153, Owyhee County Records.
14. **Agreement, and the terms and conditions contained therein:**
- Between:** Oregon Short Line Railroad Company, a Utah corporation, and its lessee, Union Pacific Railroad Company, a Utah corporation
AND: Kenneth E. Brown and Janice M. Brown, husband and wife
Purpose: Pipeline Crossing
Recorded: January 25, 1978 as Instrument No. 153491, Owyhee County Records.
15. **An easement for the purpose shown below and rights incidental thereto as set forth in document:**
- Granted to:** Idaho Power Company
Purpose: Public Utilities
Recorded: January 24, 1997 as Instrument No. 220829, Owyhee County Records.

"NOTHING FURTHER"

31.5W



IDAHO Department of Water Resources



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WATER RIGHT REPORT

5/20/2019

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 2-7210

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JANET CLAPIER
Current Owner	STEVE CLAPIER
	RT 1
	MARSING, ID 83639
	2088964186
Original Owner	KENNETH E BROWN
	RT 1
	HOMEDALE, ID 83628

Priority Date: 12/02/1975

Basis: Decreed

Status: Active

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

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	3/15	11/15	1.6 CFS	
Total Diversion			1.6 CFS	

Location of Point(s) of Diversion:

SNAKE RIVER|NWSE Lt 6|Sec. 13|Township 03N|Range 05W|OWYHEE County

Place(s) of use:

Place of Use Legal Description: IRRIGATION OWYHEE County

Combined Volume Limit:

Combined Rate Limit: 2.4

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False



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

August 12, 2020

DERUYTER PROPERTIES LP
PO BOX 580
MARSING ID 83639-0580

Re: Change in Water Right Ownership: 2-7210 (Split into 2-7210 and **2-10586**)

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: JANET CLAPIER
STEVE CLAPIER

DERUYTER PROPERTIES, LP
P. O. BOX 580
MARSING, IDAHO 83639

RECEIVED
AUG 03 2020
DEPARTMENT OF
WATER RESOURCES

July 31, 2020

Jean Hersley
Idaho Department of Water Resources
322 E. Front St. Ste 648
P. O. Box 83720
Boise, ID 83720

RE : Change in Ownership Water Right No(s): 2-7210

Dear Jean:

Finally, please find enclosed Water Right Grant Deed for 2-7210 that was assigned to us by Janet and Steve Clapier per your letter dated April 6, 2020.

Thank you for your patience in this matter and please contact us if you should need anything else.

Sincerely,


Suzanne DeRuyter
DeRuyter Properties, LP

Enclosures

Hersley, Jean

From: Dave Shaw <dshaw@eroresources.com>
Sent: Tuesday, July 14, 2020 1:12 PM
To: Hersley, Jean
Subject: RE: Change of Ownership of a Portion of Water Right 02-7210 for DeRuyter Properties, LP

Jean,

We are trying to educate the Clapiers as to why they need to deed the water from the property they sold long ago to the current owner. All of the necessary documents have been drafted for the Clapiers but since it is an unusual circumstance it is taking some time to get them comfortable with signing the deed. As recently as last week I provided more explanation of why we need to obtain a deed for the water instead of simply filing a change of ownership. I am sure we will get there, it is just a complex situation to explain to non-water right people.

Dave

David Shaw

ERO Resources Corporation

208.365.7684 dshaw@eroresources.com | www.eroresources.com

From: Hersley, Jean <Jean.Hersley@idwr.idaho.gov>
Sent: Tuesday, July 14, 2020 12:59 PM
To: Dave Shaw <dshaw@eroresources.com>
Subject: RE: Change of Ownership of a Portion of Water Right 02-7210 for DeRuyter Properties, LP

I am looking for an update on where we are on the additional information for the DeRuyter Properties, LP ownership change?

*Jean Hersley
Technical Records Specialist II
Idaho Dept Water Resources
(208) 287-4942*

From: Dave Shaw [<mailto:dshaw@eroresources.com>]
Sent: Thursday, April 16, 2020 10:52 AM
To: Hersley, Jean <Jean.Hersley@idwr.idaho.gov>
Subject: RE: Change of Ownership of a Portion of Water Right 02-7210 for DeRuyter Properties, LP

Thank you Jean,
Dave

David Shaw

ERO Resources Corporation

208.365.7684 dshaw@eroresources.com | www.eroresources.com

From: Hersley, Jean <Jean.Hersley@idwr.idaho.gov>

Sent: Thursday, April 16, 2020 10:20 AM

To: Dave Shaw <dshaw@eroresources.com>

Subject: RE: Change of Ownership of a Portion of Water Right 02-7210 for DeRuyter Properties, LP

I will put this on call up for July 1. Thank you.

Jean Hersley

Technical Records Specialist II

Idaho Dept Water Resources

(208) 287-4942

From: Dave Shaw [<mailto:dshaw@eroresources.com>]

Sent: Thursday, April 16, 2020 10:10 AM

To: Hersley, Jean <Jean.Hersley@idwr.idaho.gov>

Subject: RE: Change of Ownership of a Portion of Water Right 02-7210 for DeRuyter Properties, LP

Jean,

I need to find and contact the Clapiers and explain to them why we are asking they sign a quit claim deed 15 years after they sold the property. We also don't know how long the stay-at-home order, or some form of the order will be in place. I will have the quit claim deed or a progress report to you by July 1.

Thank you,

Dave

David Shaw

ERO Resources Corporation

208.365.7684 dshaw@eroresources.com | www.eroresources.com

From: Hersley, Jean <Jean.Hersley@idwr.idaho.gov>

Sent: Thursday, April 16, 2020 7:37 AM

To: Dave Shaw <dshaw@eroresources.com>

Cc: NSDeruyter@gmail.com

Subject: RE: Change of Ownership of a Portion of Water Right 02-7210 for DeRuyter Properties, LP

Certainly. When do you think you can have the information to the Department?

Jean Hersley

Technical Records Specialist II

Idaho Dept Water Resources

(208) 287-4942

From: Dave Shaw [<mailto:dshaw@eroresources.com>]

Sent: Wednesday, April 15, 2020 3:07 PM

To: Hersley, Jean <Jean.Hersley@idwr.idaho.gov>

Cc: NSDeruyter@gmail.com

Subject: Change of Ownership of a Portion of Water Right 02-7210 for DeRuyter Properties, LP

Jean,

I just received your April 6 letter to DeRuyter Properties, LP asking for additional information regarding their change of ownership. In your letter you state everything will be returned if you don't receive a response in 30 days. Given the current limited ability to gather information and make contact with people, and the fact it took IDWR over 8 months to respond to the ownership change, I am requesting a reasonable extension to provide the requested quit claim.

Thank you for your consideration,
Dave

David Shaw

ERO Resources Corporation

Consultants in Natural Resources and the Environment

4001 E Main Street | Emmett, ID 83617

208.365.7684 | dshaw@eroresources.com | www.eroresources.com



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

April 06, 2020

DERUYTER PROPERTIES LP
PO BOX 580
MARSING ID 83639-0580

RE: Change in Ownership Water Right No(s): 2-7210

Dear Interested Parties:

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

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

☒ Evidence of Water Right Ownership: Water right 2-7210 was decreed to Steve Clapier and Janet Clapier in 2010. The property was conveyed to DeRuyter Properties in 2005. When the SRBA Court decreed the water right to the Clapier's, it severed ownership of the water right from ownership of the place of use. Based on a recent court case, the Department will need a quit claim deed or other conveyance document that conveys a portion of the water right to DeRuyter Properties.

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) 287-4942.

Sincerely,

Jean Hersley
Technical Records Specialist 2

Enclosure(s)



RECEIVED

JUL 19 2019

WATER RESOURCES
WESTERN REGION

July 15, 2019

Idaho Department of Water Resources
Western Region Office
2735 Airport Way
Boise, ID 83705-5082

RE: Change of Ownership for a Portion of Water Right No. 02-7210

Gentlemen:

Attached is a Notice of Change in Water Right Ownership for a portion of water right no. 02-7210. The new owner, DeRuyter Properties, LP, purchased 62.5 acres of this 80 acre water right as shown on the included map. Also included is a check in the amount of \$100 for a split water right ownership change.

Please let me know if you have questions or need any additional information.

Yours truly,

A handwritten signature in blue ink that reads "Dave".

Dave Shaw

Denver
1842 Clarkson St.
Denver, CO 80218
303.830.1188

Enc.

Durango
1015 1/2 Main Avenue
Durango, CO 81301
970.422.2136

cc: DeRuyter Properties, LP w/o Enc.

Hotchkiss
P.O. Box 932
161 South 2nd St.
Hotchkiss, CO 81419
970.872.3020

Idaho
4001 East Main Street
Emmett, ID 83617
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Consultants in
Natural Resources
and the Environment