

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 27 2020

Department of Water Resources  
Eastern 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.

| Water Right/Claim No. | Split?                                  | Water Right/Claim No.                       | Split?                       | Water Right/Claim No. | Split?                       |
|-----------------------|-----------------------------------------|---------------------------------------------|------------------------------|-----------------------|------------------------------|
| 34-14258 OK           | Yes <input checked="" type="checkbox"/> | 34-14258 (Split into 34-14258 and 34-14809) |                              |                       | Yes <input type="checkbox"/> |
| 34-14260 OK           | Yes <input checked="" type="checkbox"/> | 34-14260 (Split into 34-14260 and 34-14810) |                              |                       | Yes <input type="checkbox"/> |
| 34-14262 OK           | Yes <input checked="" type="checkbox"/> | 34-14262 (Split into 34-14262 and 34-14811) |                              |                       | 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: Wendell Tew Hurst

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Shawn and Kandee Boice

New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or ☐ and/orMailing address PO Box 336City PemburgState ID ZIP 83440Telephone 208-716-4666Email kboice4@gmail.com

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: 6-17-06

6. If the water right described herein has been rented from the Water Supply Bank, rental proceeds will be disbursed in the following manner regardless of any arrangements between the buyer(s) and seller(s) to the contrary:

- Rental payments will go to the lessor(s) of record at the beginning of the rental season.
- If a change in ownership is processed by the Department during a rental season, rental payment will be made to the person or entity who is the lessor of record at the beginning of that rental season.
- New lessor(s) of record will receive payment after the following rental season.

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

FILE # 34-14258

8. Signature: Kandee Boice

Signature of new owner/claimant

owner

Title, if applicable

Date 4-24-2020

- Signature: [Signature]

Signature of new owner/claimant

owner

Title, if applicable

Date 4-24-2020

For IDWR Office Use Only:

Received by CA khDate 4/27/2020Receipt No. E045847Receipt Amt. \$300.00Approved by JBProcessed by JBDate 7/9/20

**WARRANTY DEED**

ATEC Order No.:161570

**FOR VALUE RECEIVED**

**The Wendell & Marjean Tew Revocable Living Trust, through Wendell Hurst Tew and Marjean Armstrong Tew, Trustees and their Successor Trustees in Trust**

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

**Shawn Boice and Kandee Boice, husband and wife**

whose current address is

**P.O. Box 336**

**Rexburg, ID 83440**

the grantee(s), the following described premises, in Custer County, Idaho, TO WIT:

**A tract of land lying in Custer County, State of Idaho, in the north half of Section 9, Township 6 North, Range 25 East, of the Boise Meridian and being more particularly described as follows:**

**Beginning at the northwest corner of Section 9; thence N. 89° 45' 33" E. along the north line of said section a distance of 2390.12 feet; thence S. 00° 07' 24" E. a distance of 2225.73 feet to the point of beginning; thence continuing S. 00° 07' 24" E. a distance of 260.00 feet; thence S. 89° 42' 23" W. a distance of 500.00 feet; thence N. 00° 07' 24" W. a distance of 261.49 feet; thence N. 89° 52' 36" E. a distance of 500.00 feet to the point of beginning.**

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: January 14, 2013

# **246822**  
Custer County Reg. of  
Alliance  
Time 12:00P M Date 1/22 2013  
Barbara C. Tierney, Clerk  
Wendell Boice \$13<sup>00</sup>  
Deputy

The Wendell & Marjean Tew Revocable Living Trust, through Wendell Hurst Tew and Marjean Armstrong Tew, Trustees and their Successor Trustees in Trust

Wendell Hurst Tew  
Wendell Hurst Tew

Marjean Armstrong Tew  
Marjean Armstrong Tew

State of Idaho} ss.  
County of Custer}

On this 15<sup>th</sup> day of January, 2013, before me, , a Notary Public in and for said state, personally appeared Wendell Hurst Tew and Marjean Armstrong Tew known or identified to me to be the person whose name is subscribed to the foregoing instrument as trustee of the The Wendell & Marjean Tew Revocable Living Trust, through Wendell Hurst Tew and Marjean Armstrong Tew, Trustees and their Successor Trustees in Trust, and acknowledged to me that he/she/they executed the same as Trustee.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Jane Hill

Notary Public for the State of Idaho»  
Residing at: Moskoy, ID  
Commission Expires: 8-1-2018



245907  
Custer County Reg. of  
*Alliance Title & Escrow*  
Time *11:04 A.M.* Date *7-30, 2012*  
Barbara C. Tierney, Clerk  
*Kenneth Crisp* 13.00  
Deputy

## WARRANTY DEED

ATEC Order No.: 146704

### FOR VALUE RECEIVED

**The Wendell & Marjean Tew Revocable Living Trust, through Wendell Hurst Tew and Marjean Armstrong Tew, Trustees and their Successor Trustees in Trust**

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

**Shawn Boice and Kandee Boice**

whose current address is

**P.O. Box 336  
Rexburg, ID 83440**

the grantee(s), the following described premises, in Custer County, Idaho, TO WIT:

### TRACT 2:

**A TRACT OF LAND SITUATED IN THE NW1/4 SECTION 9, T. 6 N., R. 25 E., B.M., CUSTER COUNTY, STATE OF IDAHO; SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**BEGINNING AT A 5/8" REBAR WITH NO CAP MARKING THE NORTH ¼ CORNER OF SECTION 9, T. 6 N., R. 25 E., B.M., CUSTER COUNTY, STATE OF IDAHO; FROM WHICH A 5/8" REBAR WITH NO CAP MARKING THE NW CORNER OF SECTION 9 BEARS N. 89° 53' 07" W., 2674.51 FT.; THENCE N. 89° 53' 07" W., 284.39 FT. ALONG THE NORTH LINE OF THE NW1/4 OF SAID SECTION 9 TO A POINT LYING ON OR ALONG THE CENTERLINE OF A COUNTY ROAD, SAID POINT BEING THE POINT OF BEGINNING; THENCE S. 00° 13' 54" W., 1625.75 FT. TO A SET 5/8" X 30" REBAR WITH PLASTIC CAP (P.L.S. #3577); THENCE N. 89° 47' 15" W., 100.00 FT. TO A SET 5/8" X 30" REBAR WITH PLASTIC CAP (P.L.S. #3577); THENCE S. 00° 19' 16" W., 260.00 FT. TO A SET 5/8" X 30" REBAR WITH PLASTIC CAP (P.L.S. #3577); THENCE N. 44° 44' 00" W., 367.35 FT. TO A SET 5/8" X 30" REBAR WITH PLASTIC CAP (P.L.S. #3577); THENCE S. 89° 47' 15" E., 160.00 FT. ON OR ALONG A FENCE TO A FOUND 5/8" REBAR WITH PLASTIC CAP (P.L.S. #3577); THENCE N. 00° 13' 54" E., 1625.41 FT. TO A POINT LYING ON OR ALONG THE CENTERLINE OF A COUNTY ROAD AND THE NORTH LINE OF THE NW1/4 SAID SECTION 9; THENCE S. 89° 53' 07" E., 200.00 FT. ON OR ALONG SAID LINE TO THE POINT OF BEGINNING.**

**SUBJECT TO A COUNTY ROAD EASEMENT ALONG THE NORTH LINE OF ABOVE DESCRIBED TRACT.**

245907

TRACT 3:

A TRACT OF LAND LYING IN CUSTER COUNTY, STATE OF IDAHO, IN THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 6 NORTH, RANGE 25 EAST OF THE BOISE MERIDIAN, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTH QUARTER SECTION CORNER SECTION 9; THENCE N. 89° 53' 07" W. ALONG THE NORTH LINE OF SAID SECTION A DISTANCE OF 284.39 FEET; THENCE S. 00° 13' 54" W. A DISTANCE OF 1625.75 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING S. 00° 13' 54" W. A DISTANCE OF 600.00 FEET; THENCE N. 89° 47' 15" W. A DISTANCE OF 500.00 FEET; THENCE N. 00° 13' 54" E. A DISTANCE OF 600.00 FEET; THENCE S. 89° 47' 15" E. A DISTANCE OF 140.00 FEET; THENCE S. 44° 44' 00" E. A DISTANCE OF 367.35 FEET; THENCE N. 00° 19' 16" E. A DISTANCE OF 260.00 FEET; THENCE S. 89° 47' 15" E. A DISTANCE OF 100.00 FEET TO THE POINT OF BEGINNING.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: July 12, 2012

The Wendell & Marjean Tew Revocable Living Trust, through Wendell Hurst Tew and Marjean Armstrong Tew, Trustees and their Successor Trustees in Trust

Wendell Hurst Tew  
Wendell Hurst Tew

Marjean Armstrong Tew  
Marjean Armstrong Tew

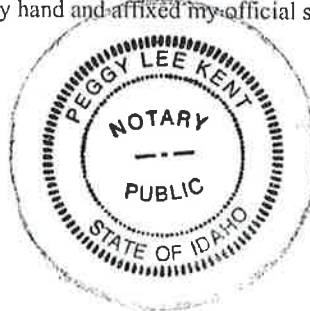
State of Idaho ss.  
County of Custer

On this 19th day of July, 2012, before me, Peggy Lee Kent, a Notary Public in and for said state, personally appeared Wendell Hurst Tew and Marjean Armstrong Tew known or identified to me to be the person whose name is subscribed to the foregoing instrument as trustee of the The Wendell & Marjean Tew Revocable Living Trust, and acknowledged to me that he/she/they executed the same as Trustee.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Peggy Lee Kent

Notary Public for the State of Idaho  
Residing at: MACKAY, ID 83251  
Commission Expires: 4-25-2017





State of Idaho

## DEPARTMENT OF WATER RESOURCES

Eastern Region • 900 N SKYLINE DR STE A • IDAHO FALLS, ID 83402-1718

Phone: (208)525-7161 • Fax: (208)525-7177 • Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

Brad Little  
Governor

Gary Spackman  
Director

July 09, 2020

SHAWN BOICE  
KANDEE BOICE  
PO BOX 336  
REXBURG ID 83440-0336

Re: Change in Water Right Ownership: 34-14258 (Split into 34-14258 and 34-14809), 34-14260 (Split into 34-14260 and 34-14810) and 34-14262 (Split into 34-14262 and 34-14811)

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) 497-3787.

Sincerely,

Jonie Barg  
Technical Records Specialist 1

Enclosure(s)

cc: WENDELL HURST TEW  
WATER DISTRICT 34