

RECEIVED

MAY 11 2020

DEPARTMENT OF
WATER RESOURCESSTATE OF IDAHO
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?
65-22863	Yes <input checked="" type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
65-22864	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: 65-22863: Richard A. Paulson; 65-22864: Barbara S. Kurpiewski
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): The Lutz Family Revocable Trust
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 1905 N. 11th St. Boise ID 83702
Mailing address City State ZIP
208.391.9476 larry.j.lutz@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: 65-22863: 8/5/2016; 65-22864: 3/24/2020
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.

SUPPORT DATA

IN FILE # 65-22843

8. Signature: [Signature] 5/4/20
Signature of new owner/claimant Title, if applicable Date
- Signature: [Signature] 5/4/20
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by Ku Date 5-11-2020 Receipt No. C108733 Receipt Amt. \$ 125.00

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 _____ Processed by RD Date 5/22/2020

WARRANTY DEED

Order No.: 119140AM

FOR VALUE RECEIVED

James L. Crawford and Margaret J. Crawford, husband and wife
the grantor(s), do(es) hereby grant, bargain, sell and convey unto

**Larry J. Lutz and Heather S. Lutz, Co-Trustees of The Lutz Family
Revocable Trust**

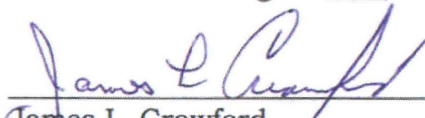
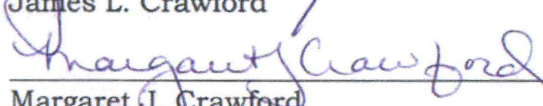
whose current address is:
1905 N. 11th Street
Boise, ID 83702

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

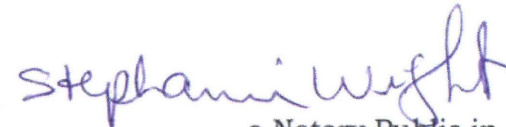
**Lot 7, Elk Haven Subdivision, according to the official plat thereof, filed in
the Office of the Recorder of Valley County, Idaho.**

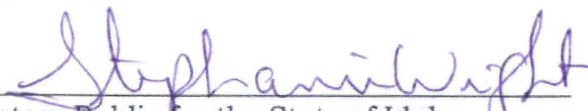
TO HAVE AND TO HOLD the said premises, with their appurtenances unto the
said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant
to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said
premises; that they are free from all encumbrances Except: 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.

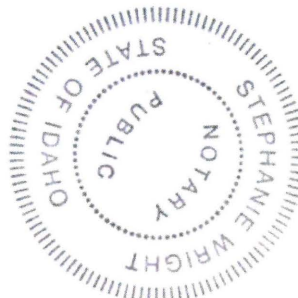
Dated: August 5, 2016


James L. Crawford

Margaret J. Crawford

State of Idaho } ss
County of Valley }

On this 5 day of August, 2016, before me,  a Notary Public in and
for said state, personally appeared James L. Crawford and Margaret J. Crawford,
known or identified to me to be the person(s) whose name(s) is/are subscribed to the
within Instrument and acknowledged to me that he/she/they executed same.
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the
day and year in this certificate first above written.


Notary Public for the State of Idaho
Residing at: Donnelly, ID
Commission Expires: 4-25-18



IDAHO Department of Water Resources



WATER RIGHT REPORT

4/27/2020

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 65-22863

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	RICHARD A PAULSON PO BOX 4126 MC CALL, ID 83638 2086348624
Original Owner	LEE C WRIGHT JR RT 1 BOX 254 FRUITLAND, ID 83619

Priority Date: 12/12/1903

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
LAKE FORK	NORTH FORK PAYETTE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	05/01	09/15	1.02 CFS	
Total Diversion			1.02 CFS	

Location of Point(s) of Diversion:

LAKE FORK | NESENE | Sec. 03 | Township 17N | Range 03E | VALLEY County

Place(s) of use:

Place of Use Legal Description: IRRIGATION VALLEY County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
17N	03E	14		NWNW	19		SWNW	21.7						
				NWSW	9.7									

Total Acres: 50.4

Conditions of Approval:

1. C20 Basin 65 General Provisions No. 3, the Separate Streams General Provision, does not apply to appropriations of water after October 18, 1977. This water right shall be administered as being from a separate source pursuant to Basin 65 General Provision No. 3. If the holder of this right seeks to change the right pursuant to Idaho Code § 42-222 or successor statute, nothing in this general provision shall preclude any other person or entity from demonstrating that such change in use would cause injury to its water right or from receiving any relief provided by law in the event of injury.
2. THIS RIGHT SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE WHEN MEASURED AT FIELD HEADGATE.
3. C18 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. SECTION 42-1412(6), IDAHO CODE.
4. W13 USE OF THIS RIGHT IS COMBINED WITH WATER FROM LAKE IRRIGATION DISTRICT.

Dates:

Licensed Date:

Decreed Date: 03/07/2003

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 65K

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

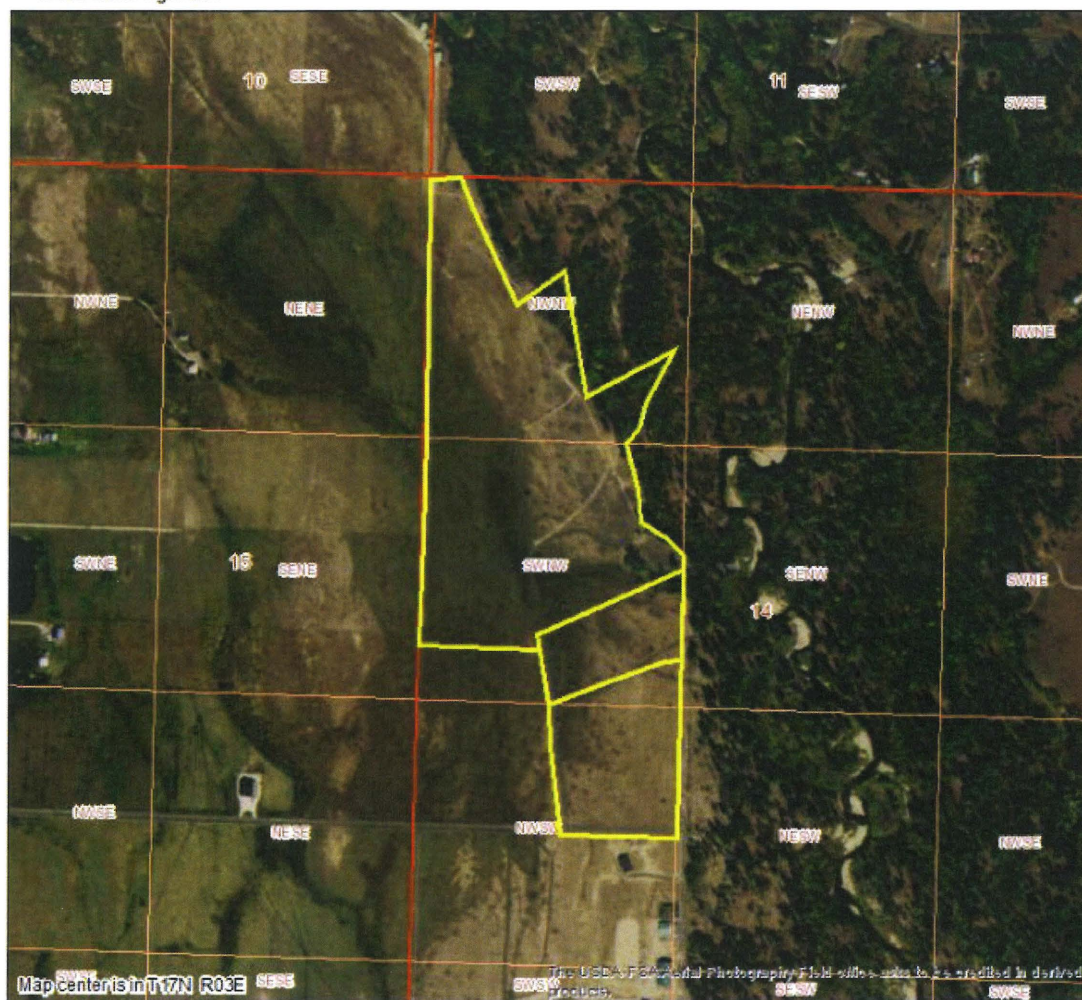
Decree Plaintiff:

Decree Defendant:

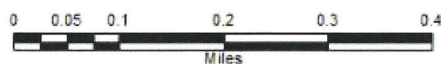
Swan Falls Trust or Nontrust:

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.



Date created: 4/27/2020



Legend

-  Place of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters



Note: Department's current pou shapefile for 65-22863 has not been updated to exclude pou for 65-3194C

10

11

15

14






17N 3E

Legend

 Water Right 65-3194 Original Place of Use

Water Right 65-3194 Splits (to date)

Water Right

-  65-3194C - 7 acres
-  65-22857 - 6.2 acres
-  65-22863 - 50.4 acres
-  65-22864 - 12.4 acres
-  65-22967 - 39 acres



300 East Mallard Drive, Suite 350
Boise, Idaho 83706
Tel (208) 383-4140 Fax (208) 383-4156

Elk Haven Subdivision Current Water Right Coverage

Map 1

DATE: 4/27/2020

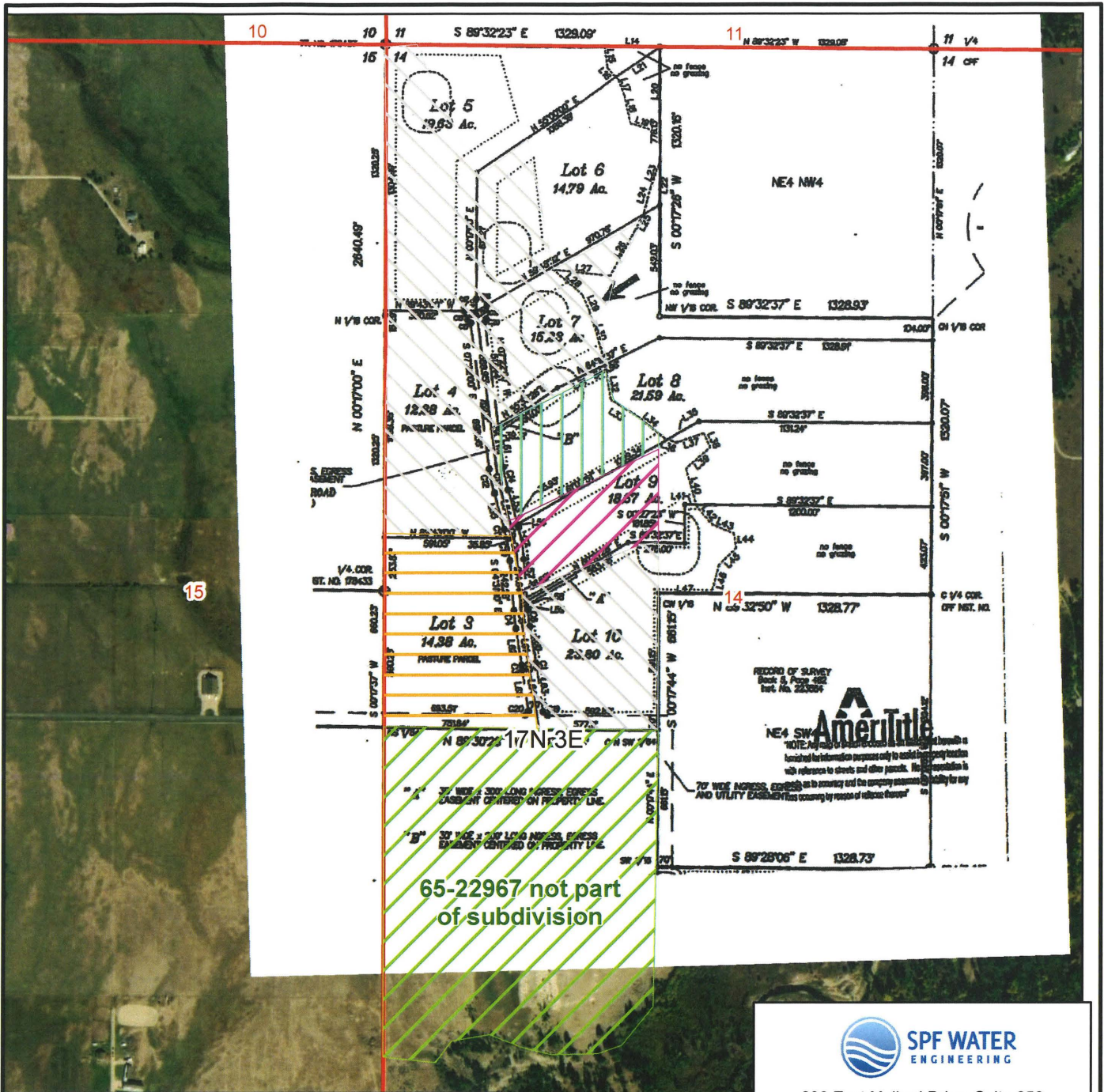
CREATOR: Igraves

PROJECT: 1457.0010



Absolute Scale: 1:8,500






0 300 600 1,200
Feet



Legend

Water Right 65-3194 Splits (to date)

Water Right

-  65-3194C - 7 acres
-  65-22857 - 6.2 acres
-  65-22863 - 50.4 acres
-  65-22864 - 12.4 acres
-  65-22967 - 39 acres



SPF WATER
ENGINEERING

300 East Mallard Drive, Suite 350
Boise, Idaho 83706
Tel (208) 383-4140 Fax (208) 383-4156

Elk Haven Subdivision Plat Map Overlay

Map 2

DATE: 4/27/2020

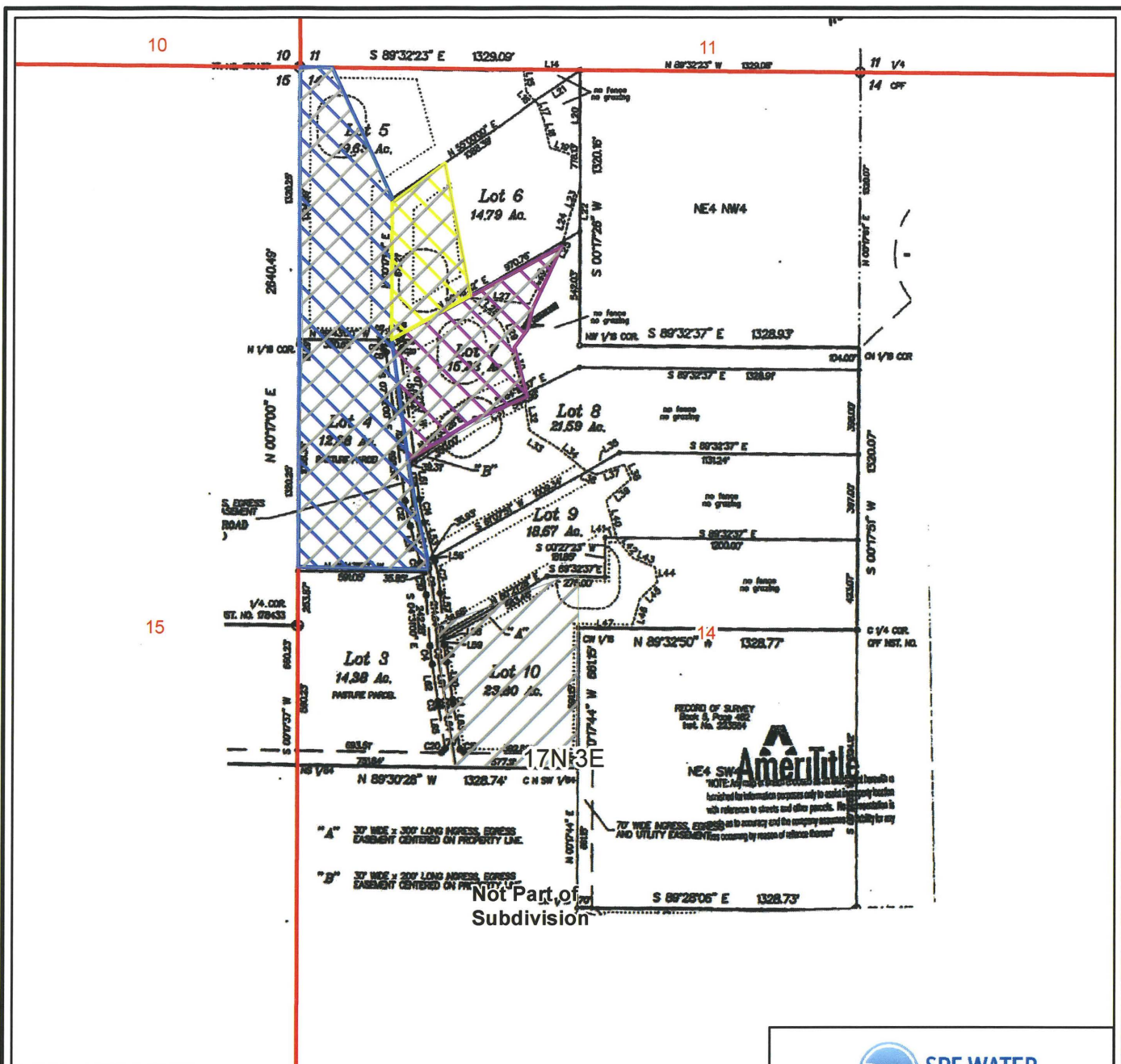
CREATOR: Igraves

PROJECT: 1457.0010







Absolute Scale: 1:8,500

0 300 600 1,200
Feet



Legend

-  65-22863 Place of Use (50.4 Acres)
-  Lots 4 & 5 Portion of 65-22863 (24 Acres)
-  Lot 6 Portion of 65-22863 (4.8 Acres)
-  Lot 7 Portion of 65-22863 (8.7 Acres)

Current Lot Owners:

Lots 4 & 5 - Kasey & Julie Lindsay
 Lot 6 - Richard Rezabek & Cheryl Boberg
 Lot 7 - Lutz Family Revocable Trust



300 East Mallard Drive, Suite 350
 Boise, Idaho 83706
 Tel (208) 383-4140 Fax (208) 383-4156

Water Right 65-22863 Proposed Splits

Map 3

DATE: 4/27/2020

CREATOR: Igraves

PROJECT: 1457.0010



Absolute Scale: 1:8,500

0 300 600 1,200 Feet

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
616 North 3rd Street Suite 101
McCall, ID 83638

Instrument # 427611

VALLEY COUNTY, CASCADE, IDAHO
03-30-2020 16:30:41 No. of Pages: 2
Recorded for: FIRST AMERICAN TITLE - MCCALL
DOUGLAS A. MILLER Fee: \$15.00
Ex-Officio Recorder Deputy: GK
Electronically Recorded by Simplifile

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **890313-MC (kt)**

Date: **March 24, 2020**

For Value Received, **Barbara S. Kurpiewski, an unmarried woman**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Larry J. Lutz and Heather S. Lutz, Co-Trustees of The Lutz Family Revocable Trust, dated October 13, 2014**, hereinafter called the Grantee, whose current address is **1905 North 11th Street, Boise, ID 83702**, the following described premises, situated in **Valley County, Idaho**, to-wit:

LOT 3 OF ELK HAVEN SUBDIVISION ACCORDING TO THE OFFICIAL PLAT IN THE OFFICE OF THE RECORDER, VALLEY COUNTY, IDAHO, RECORDED DECEMBER 16, 1998 AS INSTRUMENT NO. 237219 IN BOOK 9 OF PLATS AT PAGE 1.

TOGETHER WITH ANY AND ALL WATER RIGHTS THAT RUN WITH THE PROPERTY.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

READ & APPROVED:

Larry J. Lutz, Trustee

Heather S. Lutz, Trustee

Date: 03/24/2020

Warranty Deed
- continued

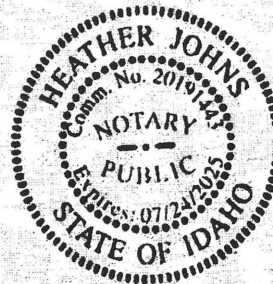
File No.: 890313-MC (kt)

Barbara S. Kurplewski
Barbara S. Kurplewski

STATE OF Idaho)
COUNTY OF Ada)
SS.

On this 03/26/2020 before me, a Notary Public in and for said State, personally appeared **Barbara S. Kurplewski**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

Heather Johns
Notary Public for the State of Idaho
Residing at: Ada County
My Commission Expires: 07/24/2025



IDAHO Department of Water Resources



WATER RIGHT REPORT

4/27/2020

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 65-22864

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BARBARA S KURPIEWSKI 3633 CAMBORNE ST BOISE, ID 83704 2088711973
Original Owner	LEE C WRIGHT JR RT 1 BOX 254 FRUITLAND, ID 83619

Priority Date: 12/12/1903

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
LAKE FORK	NORTH FORK PAYETTE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	05/01	09/15	0.25 CFS	
Total Diversion			0.25 CFS	

Location of Point(s) of Diversion:

LAKE FORK | NESENE | Sec. 03 | Township 17N | Range 03E | VALLEY County

Place(s) of use:

Place of Use Legal Description: IRRIGATION VALLEY County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
17N	03E	14		SWNW	2.1									
				NWSW	10.3									

Total Acres: 12.4

Conditions of Approval:

1. C20 Basin 65 General Provisions No. 3, the Separate Streams General Provision, does not apply to appropriations of water after October 18, 1977. This water right shall be administered as being from a separate source pursuant to Basin 65 General Provision No. 3. If the holder of this right seeks to change the right pursuant to Idaho Code § 42-222 or successor statute, nothing in this general provision shall preclude any other person or entity from demonstrating that such change in use would cause injury to its water right or from receiving any relief provided by law in the event of injury.
2. THIS RIGHT SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE WHEN MEASURED AT FIELD HEADGATE.
3. C18 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. SECTION 42-1412(6), IDAHO CODE.
4. W13 USE OF THIS RIGHT IS COMBINED WITH WATER FROM LAKE IRRIGATION DISTRICT.

Dates:

Licensed Date:

Decreed Date: 03/07/2003

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 65K

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

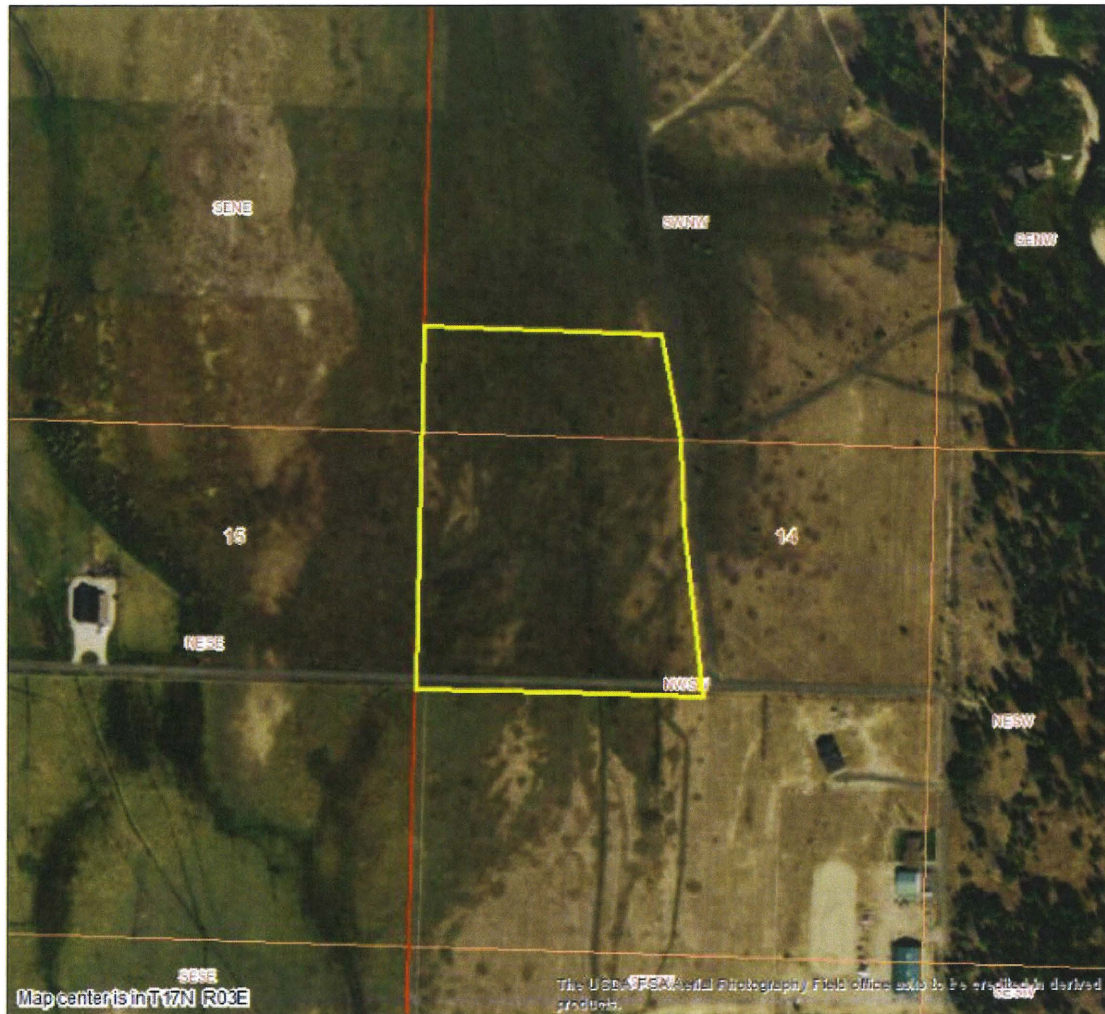
State of Idaho
Department of Water Resources

Water Right

65-22864

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.



Date created: 4/27/2020



Legend

- Place of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters





State of Idaho

DEPARTMENT OF WATER RESOURCES

322 E Front Street, Suite 648 • PO Box 83720 • Boise ID 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700

Website: idwr.idaho.gov • Email: idwrinfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

THE LUTZ FAMILY REVOCABLE TRUST
1905 N 11TH ST
BOISE, ID 83702-2712

May 26, 2020

RE: Change in Water Right Ownership: 65-22863 (Split into 65-22863 and **65-23930**) AND 65-22864

Dear Water Right Holder(s):

The Department acknowledges the receipt of correspondence changing ownership 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 these water rights has a specified point of diversion, nature of use and place of use. If you plan on changing the nature of use, place of use, or point of diversion under this right, including adding a new point of diversion, then an Application for Transfer on your portion of this right is required. Please contact this office for further information on the Application for Transfer form or you can find the forms at www.idwr.idaho.gov. If you do not plan on changing any items on your water right, then no further action is required at this time.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing an ownership change notice, 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 Sections 42-222 and 42-223, Idaho Code.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right, to the Department. Notice of the change must be provided to the Department within **120 days** of the change. Water right forms are available from any office of the Department, or at www.idwr.idaho.gov.

Please contact me at 208-287-4942 if you have any questions concerning the enclosed information or this letter.

Sincerely,

Rosemary DeMond
Administrative Assistant II

Enclosure

cc: Richard A. Paulson
Water District 65K

SCANNED
MAY 22 2020