

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAR 09 2020

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?
74-485	Yes <input checked="" type="checkbox"/>	<i>NO split</i> 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: James and Christine Webb  
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Luke D Schlabach  
New owner(s) as listed on the conveyance document      Name connector ☐ and ☐ or ☐ and/or
- 1136 Hwy 28      Salmon      ID 83467  
Mailing address      City      State      ZIP  
208.993.3493      luke@idahologhomes.net  
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: Nov 6, 2019
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.

8. Signature: *[Signature]*      Title, if applicable \_\_\_\_\_      Date 11-7-19  
Signature of new owner/claimant

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

### For IDWR Office Use Only:

Received by *ku*      Date 3-9-2020      Receipt No. C108423      Receipt Amt. \$75

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 5-29-2020

## WARRANTY DEED

Alliance Title & Escrow Corp. Order No.:459520

### FOR VALUE RECEIVED

James L. Webb and Christine L. Webb, husband and wife

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

Luke Schlabach, an unmarried man

whose current address is

1136 HWY 28  
Salmon, ID 83467

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

A parcel of land located in the North Half Northwest Quarter of Section 14, T. 20 N., R. 23 E., Boise Meridian, Lemhi County, Idaho, more particularly described as follows:

Commencing at the Northeast corner of said Section 14 from which the Northwest corner of said section bears N 89°43'35" W 5298.52 ft., the Basis of Bearing of this description, run thence S 82°44'07" W a distance of 3260.06 ft., to the POINT OF BEGINNING;

Thence West a distance of 1038.65 ft., to a point in the centerline of the Lemhi River;

Thence the following courses and distances along said centerline;

N 51°17'00" W	78.87 ft.;	N 05°04'27" W	88.26
ft.;			
N 24°18'10" W	130.00 ft.;	N 02°56'07" E	177.61

ft. to a Point on the northerly boundary of said Section 14;

Thence S 89°43'35" E a distance of 875.30 ft., to a point on the south-westerly right-of-way of Idaho State Highway 28;

Thence S 32°51'38" E along said right-of-way a distance of 510.72 ft., 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.

## WARRANTY DEED

Advance Title & Escrow Corp. Order No.:459520

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

Dated: 11-6-19

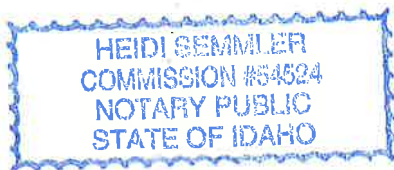
James L. Webb  
James L. Webb

Christine L. Webb  
Christine L. Webb

State of Idaho } ss  
County of Lemhi }

On this 6<sup>th</sup> day of November, 2019, before me, Heidi Semmler, a Notary Public in and for said state, personally appeared James L. Webb and Christine L. Webb, 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.



Heidi Semmler  
Notary Public for the State of Idaho  
Residing at: Salmon  
Commission Expires: 5/19/2021



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](http://www.idwr.idaho.gov)

Brad Little  
Governor

Gary Spackman  
Director

May 29, 2020

LUKE D SCHLABACH  
1136 HIGHWAY 28  
SALMON ID 83467-5331

Re: Change in Ownership for Water Right No(s): 74-485

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) 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.

The Department is requesting a refund of \$25 for this ownership change and the ownership change you filed on behalf of Lyndon & Margaret Helmuth. If a water right needs to be split and the ownership changes are filed together, the filing fee is \$100 total. The refund will be issued from the Idaho State Controller's Office within 10 days.

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: Water District No. 74 & 170

## ***MEMORANDUM***

TO: Sascha Marston  
FROM: Jean Hersley  
DATE: May 29, 2020  
RE: **Refund: ownership change overpayment**

Please refund \$25.

NAME: LUKE SCHLABACH  
1136 HWY 28  
SALMON ID 83467

RECEIPT #: C108423

Thank you.

Jean

## Hersley, Jean

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**From:** Hersley, Jean  
**Sent:** Friday, May 29, 2020 10:43 AM  
**To:** IdwrPayable  
**Subject:** refund  
**Attachments:** Schlabach.doc

Please process the attached refund.

Jean