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MAY 20 2020

Department of Water Resources
Eastern Region

RECEIVED

MAY 26 2020

STATE 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?
75-7033	Yes ☒	Yes ☐		Yes ☐	Yes ☐
75-7038	Yes ☐	Yes ☐		Yes ☐	Yes ☐
75-10001	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Daniel F Rufe

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Brent Facer

New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or ☐ and/orMailing address 829 E Oak StCity PortatelloState IDZIP 83201Telephone 208-251-2305Email bfacer08@yahoo.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: 11-14-2017

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]

Signature of new owner/claimant

Title, if applicable

Date 5-14-2020

Signature: _____

Signature of new owner/claimant

Title, if applicable

Date

For IDWR Office Use Only:

Received by M. PettesDate 5-20-20Receipt No. E045930Receipt Amt. 150.00Active 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 5-27-2020

AFFIDAVIT TO CORRECT GRANTEE NAME

M. CHACE SLAVIN, CERTIFIES THAT HE IS THE PRESIDENT OF LEMHI TITLE COMPANY, INC., AN IDAHO CORPORATION UNDER WHOSE SUPERVISION AN **AFFIDAVIT TO CORRECT GRANTEE NAME** WAS PREPARED BETWEEN:

Brent E Facer, Grantor

And

Brent S Facer, Grantee

AND RECORDED, UNDER INSTRUMENT NUMBER **315818**, RECORDS OF LEMHI COUNTY, IDAHO.

WHEREAS THE GRANTEE NAME CONTAINED IN SAID DOCUMENTS CONTAINED AN ERROR WHICH IS THE PURPOSE OF THIS AFFIDAVIT TO REFORM AND CORRECT; AND

WHEREAS, IDAHO CODE SECTION 55-816 PERMITS THE RECORDING OF AFFIDAVITS AFFECTING THE GRANTEE NAME AS PART OF THE RECORDED TITLE OF SAID PROPERTY;

NOW THEREFORE, ON THE AFORE MENTIONED INSTRUMENTS, THE GRANTEE NAME IS AMENDED TO READ AS FOLLOWS:

Brent F Facer


M. CHACE SLAVIN, PRESIDENT
LEMHI TITLE & ABSTRACT CO., INC.



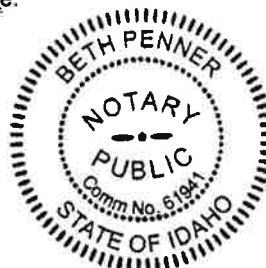
STATE OF IDAHO)
COUNTY OF LEMHI) ss

On this 17th Day of April, 2019, before me, a notary public in and for said State, personally appeared

M.CHACE SLAVIN

Known to me to be the President of said Corporation and the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.


Notary Public
Residing at: Salmon, Idaho
Comm. Expires: July 24, 2019



Warranty Deed

For Value Received

Daniel F Rufe, a married man as his sole and separate property

the grantors, do hereby grant, bargain, sell and convey unto

Brent E Facer, an unmarried man

Whose current address is:

**829 E Oak St
Pocatello, ID 83201**

the following described parcels located in Lemhi County, Idaho to-wit:

See Attached Legal Description as Exhibit 'A'

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees that they are the owners in fee simple of said premises; that they are free from all encumbrances EXCEPT: Subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes, assessments, including irrigation and utility easements (if any) for the current year, which are not due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: November 14, 2017


Daniel F Rufe

STATE OF Idaho)
COUNTY OF lemhi) ss

On this 14th day of November, 2017, before me, a notary public in and for said State, personally appeared **Daniel F Rufe** known to me or proved to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.


Notary Public
Residing at: Salmon, ID
Comm. Expires: July 24, 2019

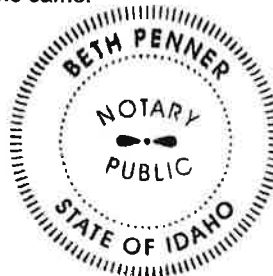


Exhibit 'A'
Legal Description

RUFE SUBDIVISION LOT 3 ADDITION

A PARCEL OF LAND SITUATED IN A FRACTION OF H.E.S. 239, LOCATED IN UNSURVEYED SECTION 33, TOWNSHIP 23 NORTH, RANGE 18 EAST, BOISE MERIDIAN, COUNTY OF LEMHI, STATE OF IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

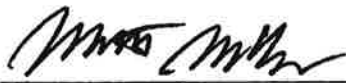
COMMENCING at Corner #1 of said H.E.S. 239; thence along the southerly line of said H.E.S. 239 S 69°18'28" W a distance of 171.27 feet to a point on the centerline of Panther Creek Road, thence leaving said southerly line and along said centerline the following courses:

N 30°24'24" W a distance of 409.68 feet;
N 32°03'44" W a distance of 293.02 feet;
thence curving to the right with an arc length of 86.71 feet, a radius of 460.52 feet, a chord bearing N 26°40'06" W, and a distance of 86.58 feet to the POINT OF BEGINNING; thence curving to the right with an arc length of 86.71 feet, a radius of 460.52 feet, a chord bearing N 15°52'50" W, and a distance of 86.58 feet;
N 10°29'48" W a distance of 277.15 feet;

thence leaving said centerline N 10°18'16" W a distance of 15.04 feet; thence N 79°50'51" E a distance of 16.50 feet to a point on the easterly right of way line of Panther Creek Road; thence leaving said right of way line N 83°54'59" E a distance of 175.97 feet to a point on the easterly line of said H.E.S. 239; thence along said easterly line S 16°37'50" E a distance of 334.78 feet; thence leaving said easterly line S 71°26'51" W a distance of 205.47 feet to a point on the easterly right of way line of Panther Creek Road; thence leaving said easterly right of way line S 68°43'32" W a distance of 16.50 feet to the POINT OF BEGINNING.

The above described parcel contains an area of 1.715 acres, more or less, and is subject to Panther Creek Road (FDR #60055) right-of-way per Rufe Subdivision Plat.

Prepared by:



Matthew J. McKeegan, PLS

10/27/17



Instrument # 308053 # Pages: 2
LEMHI COUNTY, Idaho
Nov 17, 2017 2:40:28 pm Fee: \$ 15.00
For: LEMHI TITLE
TERRI J. MORTON, Recorder
JEDWARDS, Deputy

Quitclaim Deed

For Value Received

Brent E Facer, an unmarried man

do hereby convey, release, remise and forever quit claim unto:

Brent E Facer, an unmarried man

Whose current address is:

**829 E Oak St
Pocatello, ID 83201**

the following described parcels located in Lemhi County, Idaho to-wit:

See Attached Legal Description as Exhibit 'A'

Dated: November 1, 2017


Brent E Facer

STATE OF IDAHO)
COUNTY OF Lemhi) ss

On this 1st day of November, 2017, before me, a notary public in and for said State, personally appeared **Brent E Facer** known to me or proved to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

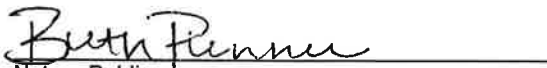

Notary Public
Residing at: Salmon, ID
Comm. Expires: July 24, 2019



Exhibit 'A'
Legal Description

RUFE SUBDIVISION AMENDED LOT 3 DESCRIPTION

Rufe Subdivision Amended Lot 3.

Prepared by Matthew Jason McKeegan, PLS
October 23, 2017



Warranty Deed

For Value Received

Daniel F Rufe, a married man as his sole and separate property

the grantors, do hereby grant, bargain, sell and convey unto

Brent E Facer, an unmarried man

Whose current address is:

**829 E Oak St
Pocatello, ID 83201**

the following described parcels located in Lemhi County, Idaho to-wit:

See Attached Legal Description as Exhibit 'A'

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees that they are the owners in fee simple of said premises; that they are free from all encumbrances EXCEPT: Subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes, assessments, including irrigation and utility easements (if any) for the current year, which are not due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: November 14, 2017



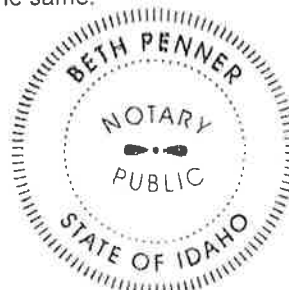
Daniel F Rufe

STATE OF Idaho)
COUNTY OF Lemhi) ss

On this 14th day of November, 2017, before me, a notary public in and for said State, personally appeared **Daniel F Rufe** known to me or proved to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.



Notary Public
Residing at: Salmon, ID
Comm. Expires: July 24, 2019





PANTHER
CREEK ROAD
FDR #60055

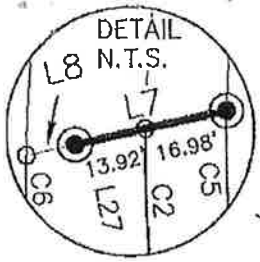
COR. NO. 9
H.E.S. 239
CP&F INST. NO. 253064

SALMON NATIONAL FOREST

**AMENDED
LOT 3
3.045 Acres**

CL PANTHER
CREEK ROAD
33' R.O.W.

COR. N
H.E.S. :
CP&F II



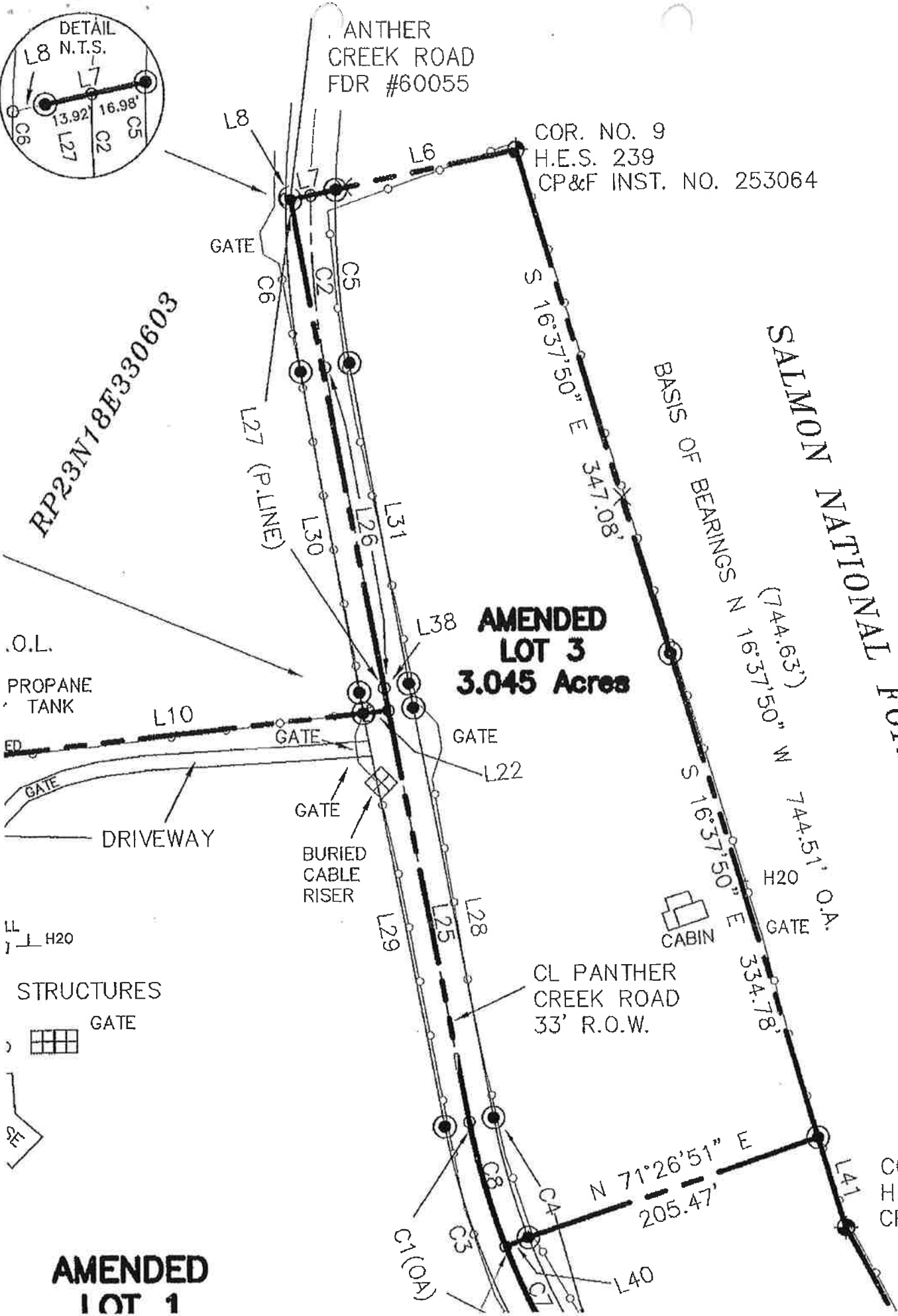
RP23N18E330603

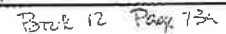
O.L.
PROPANE
TANK
ED
GATE
DRIVEWAY

LL
H20

STRUCTURES
GATE

**AMENDED
LOT 1**







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

May 27, 2020

BRENT F FACER
829 E OAK ST
POCATELLO ID 83201-3901

Re: Change in Water Right Ownership: 75-7033 (Split into 75-7033 and **75-14984**)

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.

Also note, water rights 75-7038 & 75-10001 were not updated. These water rights are not appurtenant to your property. A refund of \$50 has been requested and will be sent to you from the 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: DANIEL F RUFE

MEMORANDUM

TO: Sascha Marston
FROM: Jean Hersley
DATE: May 27, 2020
RE: **Refund: two waters right not updated**

Please refund \$50.

NAME: BRENT FACER
829 E OAK ST
POCATELLO ID 83201

RECEIPT #: E045930

Thank you.

Jean

Hersley, Jean

From: Hersley, Jean
Sent: Wednesday, May 27, 2020 2:52 PM
To: IdwrPayable
Subject: refund
Attachments: Facer.doc

Please process the attached refund. Thank you.

Jean

Hersley, Jean

From: Gould, Debbie - Reg6 <Debbie.Gould@dhw.idaho.gov>
Sent: Wednesday, May 27, 2020 1:40 PM
To: Hersley, Jean
Cc: 'bfacer08@yahoo.com'
Subject: RE: Notice of change in water right ownership [External Email]
Attachments: affidavit to correct name.pdf; quitclaim deed.pdf; warranty deed with exhibit.pdf

Good afternoon Jean,

Attached is the deed with exhibit attached as well as a quitclaim deed and affidavit of name correction for water rights application for Brent Facer. I got all the information from Lemhi Title and thought I should send it all. Brent didn't include his middle initial on the application as it was wrong on the deed. I talked to Beth Penner at the title company and she thought it would be best to make sure you have all this information. Please let us know if you need anything else to complete this application to change water rights.

Thanks!

From: "Hersley, Jean" <Jean.Hersley@idwr.idaho.gov>
Date: May 26, 2020 at 3:31:18 PM MDT
To: "bfacer08@yahoo.com" <bfacer08@yahoo.com>
Subject: Notice of change in water right ownership

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: you sent the warranty deed that conveyed the land from Daniel F Rufe to Brent E Facer but the Exhibit 'A' was missing. Please provide the Exhibit 'A'.

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. You can provide the requested information by responding to this email, mail to: IDWR, PO Box 83720, Boise, ID, 83720-0098 or fax to (208) 287-6700.

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.

Jean Hersley

Technical Records Specialist II

Idaho Dept Water Resources

(208) 287-4942

NOTICE: THIS ELECTRONIC MESSAGE TRANSMISSION CONTAINS INFORMATION WHICH MAY BE CONFIDENTIAL OR PRIVILEGED. THE INFORMATION IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL(S) OR ENTITY(IES) NAMED ABOVE. IF YOU ARE NOT THE INTENDED RECIPIENT, PLEASE BE AWARE THAT ANY DISCLOSURE, COPYING, DISTRIBUTION, OR USE OF THE CONTENTS OF THIS INFORMATION IS PROHIBITED. IF YOU HAVE RECEIVED THIS ELECTRONIC TRANSMISSION IN ERROR, PLEASE IMMEDIATELY NOTIFY THE SENDER AND DELETE THE COPY YOU RECEIVED.

Hersley, Jean

From: Hersley, Jean
Sent: Tuesday, May 26, 2020 3:31 PM
To: 'bfacer08@yahoo.com'
Subject: Notice of change in water right ownership

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: you sent the warranty deed that conveyed the land from Daniel F Rufe to Brent E Facer but the Exhibit 'A' was missing. Please provide the Exhibit 'A'.

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. You can provide the requested information by responding to this email, mail to: IDWR, PO Box 83720, Boise, ID, 83720-0098 or fax to (208) 287-6700.

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.

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