

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
MAR 16 2020
DEPARTMENT OF
WATER RESOURCES
AUG 21 2019
WATER RESOURCES
WESTERN 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. 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?
65-92A	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
65-92 - not updated	Yes <input checked="" 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: Larry Swanson
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): The Cherokee Acres #3 Homeowners Association
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 2749 N. Greenbelt Place Meridian ID 83646
Mailing address City State ZIP
- 208-866-2848 beckyhanks0912@msn.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: 12/23/2014
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.

8. Signature: The Cherokee Acres #3 Homeowners Association Secretary 8.21.2019
 Signature of new owner/claimant Title, if applicable Date

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

For IDWR Office Use Only:

Received by KI Date 8/21/19 Receipt No. W0471684 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 X Approved by _____ Processed by John Date 5-26-2020

AFTER RECORDING RETURN TO:
THE LARRY SWANSON TRUST
c/o LAURA TRIBBLE
PO BOX 874059
VANCOUVER, WA. 98687

Instrument # 390884
VALLEY COUNTY, CASCADE, IDAHO
4-16-2015 10:54 PM No. of Pages: 2
Recorded for : DAVISON COPPLE COPPLE & COPPLE
DOUGLAS A. MILLER Fee: 13.00
Ex-Officio Recorder Deputy *[Signature]*
Index to: QUITCLAIM DEED

QUITCLAIM DEED

GRANTOR:

LAURA K TRIBBLE AS TRUSTEE OF THE LARRY SWANSON TRUST AGREEMENT DATED MARCH 14, 2011.

GRANTEE:

THE CHEROKEE ACRES #3 HOMEOWNERS ASSOCIATION

GRANTEE ADDRESS:

Cherokee No. 3 Subdivision
High Valley, Idaho

DESCRIPTION OF REAL PROPERTY CONVEYED BY THIS DEED:

Situated in the County of Valley, State of IDAHO

The real estate more particularly described upon Exhibit "A" attached hereto and by this reference incorporated herein and made a part hereof.

FOR VALUE RECEIVED, the above name Grantor does hereby convey, release, remise, and forever QUITCLAIM unto the above named Grantee, the real property above described.

STATE OF Idaho)

County of Canyon)

ss.

Laura K. Tribble, trustee

On this 23 day of December 2014, before me, the undersigned, a Notary Public in and for the state of Idaho, personally appeared LAURA K. TRIBBLE known or identified to me, or proven to me on oath, to be the Trustee of The Larry Swanson Trust that executed the instrument or the person who executed the instrument on behalf of said Trust, and acknowledged to me that such Trust executed the same.



[Signature]
NOTARY PUBLIC FOR Idaho

Residing *Calhoun, Idaho*

My Commission expires: Dec. 5, 2015

"EXHIBIT A"

Lots 13 and 14 of Cherokee Acres No. 3 Subdivision, according to the official plat in the office of the Recorder, Valley County, Idaho, recorded April 9, 1984 as Instrument No. 134991, Book 7 of Plats, at page 95, **SAVE AND EXCEPT** a parcel of land being a portion of Lot 14, Cherokee Acres No. 3 Subdivision, Book 7, page 95, plat records of Valley County, Idaho, located in Section 31, T. 11 N., R. 3 E1, B.M., being more particularly described as follows:

Commencing at the northern most corner of said Lot 14, a found ½ inch rebar being the TRUE POINT OF BEGINNING. Thence a bearing of S 7 degree 30' 00" W, a distance of 109.65 feet on the easterly right-of-way boundary of Cherokee court to a found ½ inch rebar; Thence a bearing of N 58 degree 30' 00" E, a distance of 115.35 feet to a set 5/8 inch rebar on the northerly boundary of said Lot 14; Thence a bearing N 60 degree 02' 16" W, a distance of 97.00 feet on said northerly boundary of Lot 14 to the POINT OF BEGINNING. Said described parcel of land contains 0.11 acres, more-or-less, together with and subject to rights-of-way and easements of record and/or use.

AFTER RECORDING RETURN TO:
LARRY SWANSON
2320 BROGAN ROAD
EMMETT, IDAHO 83617

QUITCLAIM DEED**GRANTOR:**

LARRY WILLIAM SWANSON

GRANTEE:

LARRY WILLIAM SWANSON AS TRUSTEE OF THE LARRY SWANSON TRUST UNDER TRUST AGREEMENT DATED MARCH 14, 2011 AND HIS SUBSTITUTES AND SUCCESSORS AS TRUSTEE THEREUNDER.

GRANTEE ADDRESS:

2320 BROGAN ROAD, EMMETT, IDAHO 83617

DESCRIPTION OF REAL PROPERTY CONVEYED BY THIS DEED:

Situating in the County of VALLEY, State of IDAHO

The real estate more particularly described upon Exhibit "A" attached hereto and by this reference incorporated herein and made a part hereof.

Subject to any encumbrances thereon.

FOR VALUE RECEIVED, the above name Grantor does hereby convey, release, remise, and forever QUITCLAIM unto the above named Grantee, the real property above described together with the appurtenances.

This deed is given for estate planning purposes to vest title to the property in a living trust established by Grantor, There is no value consideration in cash or property.

Dated: MARCH 14, 2011


LARRY WILLIAM SWANSON

STATE OF IDAHO

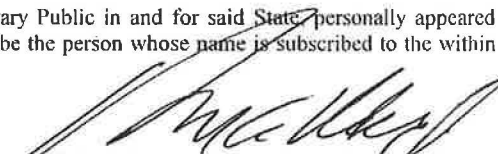
) ss

COUNTY OF GEM

)

On this date of MARCH 14, 2011, before me, a Notary Public in and for said State, personally appeared LARRY WILLIAM SWANSON, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.



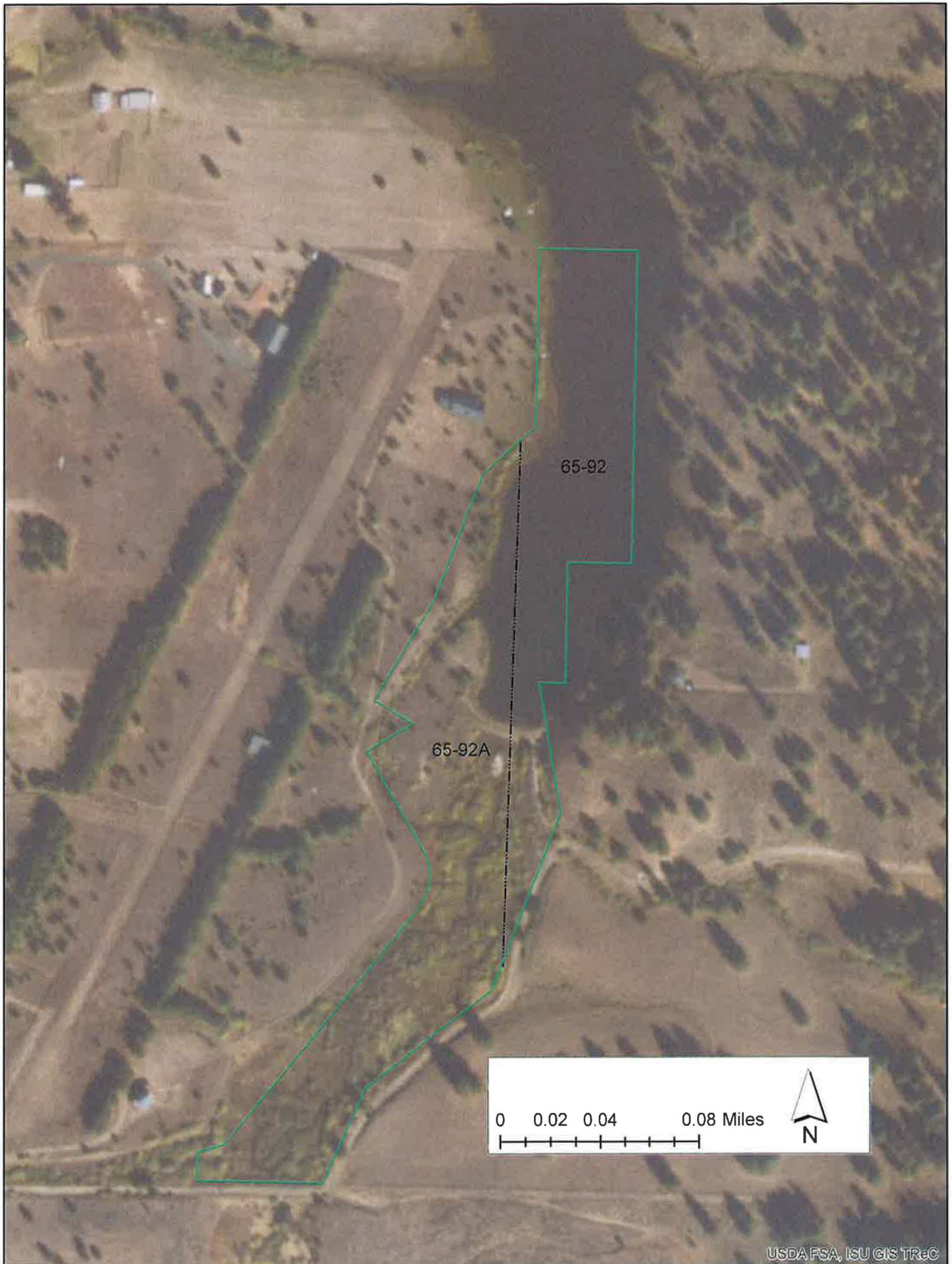

Notary Public for State of Idaho
Comm. Expires: DECEMBER 5, 2015

"EXHIBIT A"

Lots 13 and 14 of Cherokee Acres No. 3 Subdivision, according to the official plat in the office of the Recorder, Valley County, Idaho, recorded April 9, 1984 as Instrument No. 134991, Book 7 of Plats, at page 95, LESS A parcel of land being a portion of Lot 14, Cherokee Acres No. 3 Subdivision, Book 7, page 95, plat records of Valley County, Idaho, located in Section 31, T. 11 N., R. 3 E1, B.M., being more particularly described as follows:

Commencing at the northern most corner of said Lot 14, a found $\frac{1}{2}$ inch rebar being the TRUE POINT OF BEGINNING. Thence a bearing of S 7 degree 30' 00" W, a distance of 109.65 feet on the easterly right-of-way boundary of Cherokee court to a found $\frac{1}{2}$ inch rebar; Thence a bearing of N 58 degree 30' 00" E, a distance of 115.35 feet to a set $\frac{5}{8}$ inch rebar on the northerly boundary of said Lot 14; Thence a bearing N 60 degree 02' 16" W, a distance of 97.00 feet on said northerly boundary of Lot 14 to the POINT OF BEGINNING. Said described parcel of land contains 0.11 acres, more-or-less, together with and subject to rights-of-way and easements of record and/or use.

Cherokee Acres Ownership Change



RECEIVED

AUG 21 2019

WATER RESOURCES
WESTERN REGION

August 21, 2019

State of Idaho
Department of Water Resources
Hand Delivered

RE: Application
The Cherokee Acres #3 Homeowners Association

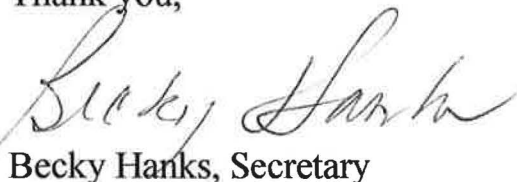
To Whom it May Concern:

Attached please find the following:

- Notice of Change in Water Right Ownership
- Cherokee Acres Ownership Change Map
- Quitclaim Deed from Larry William Swanson to Larry William Swanson as Trustee of the Larry Swanson Trust
- Quitclaim deed from Laura K. Tribble as Trustee of the Larry Swanson Trust to The Cherokee Acres #3 Homeowners Association
- Filing fee of \$125.00

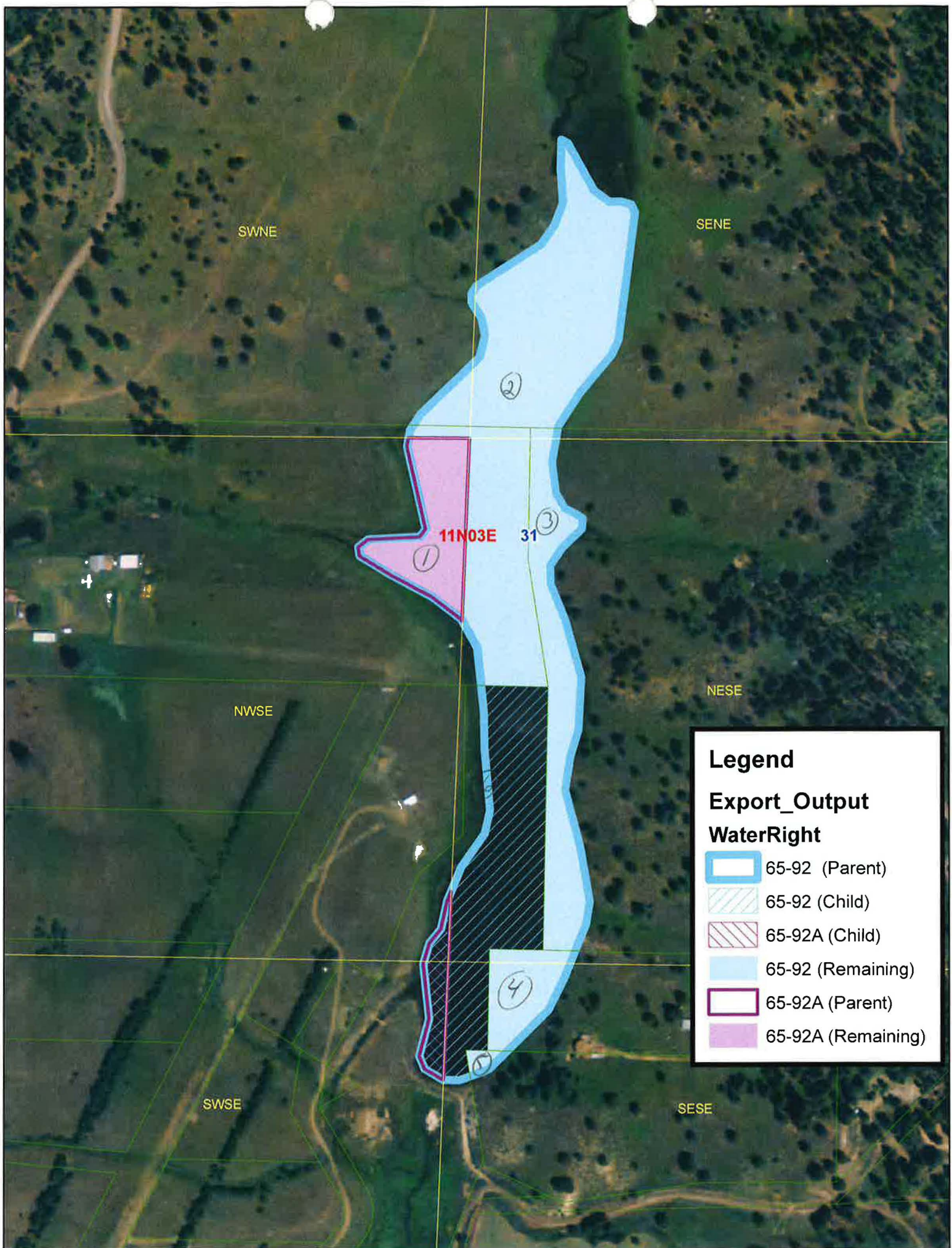
If you have any questions, please contact Becky Hanks, representative/secretary for The Cherokee Acres #3 Homeowners Association (contact information below).

Thank you,



Becky Hanks, Secretary
The Cherokee Acres #3 Homeowners Association

2749 N. Greenbelt Place
Meridian, ID 83646
(208) 866-2848
beckyhanks0912@msn.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

May 26, 2020

CHEROKEE ACRES #3 HOMEOWNERS ASSOCIATION
2749 N GREENBELT PL
MERIDIAN ID 83646-9061

Re: Change in Ownership for Water Right No(s): 65-92A and 65-92 (refunded)

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.

Also note, water right 65-92 was not updated. A refund of \$100 has been requested and will be sent to you under separate cover 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,

A handwritten signature in cursive script that reads 'Jean Hersley'.

Jean Hersley
Technical Records Specialist 2

Enclosure(s)

c: Water District No. 65A

Hersley, Jean

From: BECKY HANKS <beckyhanks0912@msn.com>
Sent: Thursday, May 7, 2020 8:20 AM
To: Hersley, Jean
Subject: Ownership change for 65-92A

Good morning, Jean,

I am just following up on the Ownership Change for 65-92A. I have not yet received any documentation from you that I can pass along to the other property owners of Cherokee Acres #3 HOA regarding the change in ownership.

I apologize for pestering, but I have a few property owners asking me for it.

Thank you,

Becky Hanks, Secretary
Cherokee Acres #3 Homeowners Association

My address is: 2749 N. Greenbelt Place
Meridian, ID 83646

Sent from [Mail](#) for Windows 10

From: Hersley, Jean <Jean.Hersley@idwr.idaho.gov>
Sent: Wednesday, April 8, 2020 2:39:37 PM
To: beckyhanks0912@msn.com <beckyhanks0912@msn.com>
Subject: ownership change for 65-92A

After further review, the Department will be able to update the ownership of 65-92A into the name of Cherokee Acres #3 HOA. Sorry for the confusion. Let me know if you have any questions. I will finish processing the ownership request and send acknowledgement shortly.

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

MEMORANDUM

TO: Sascha Marston
FROM: Jean Hersley
DATE: May 26, 2020
RE: **Refund: one water right not updated**

Please refund \$100.

NAME: CHEROKEE ACRES HOA
2749 N GREENBELT PL
MERIDIAN ID 83646-961

RECEIPT #: W047684

Thank you.

Jean

Hersley, Jean

From: Hersley, Jean
Sent: Tuesday, May 26, 2020 11:20 AM
To: IdwrPayable
Subject: Cherokee Acres HOA.doc
Attachments: Cherokee Acres HOA.doc

Please process the attached refund. Thank you.

Jean



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 02, 2020

CHEROKEE ACRES #3 HOMEOWNERS ASSOCIATION
2749 N GREENBELT PL
MERIDIAN ID 83646-9061

RE: Change in Ownership Water Right No(s): 65-92

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 for water right 65-92. The current owner of water right 65-92 is Billy W. Jeffs & Maxine R. Jeffs. The Department will need documentation that conveys a portion of water right 65-92 to Cherokee Acres #3 HOA.

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)