

RECEIVED

MAR 02 2020

DEPT OF WATER RESOURCES
SOUTHERN REGIONSTATE 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?
72-4P	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Hammond Family Corporation; William and Bessie Hammond
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): John L. Gibbs
New owner(s) as listed on the conveyance document
- PO Box 551
Mailing address
208-879-82819
Telephone
- Challis
City
n/a
Email
- Name connector ☐ and ☐ or ☐ and/or
ID 83226
State ZIP
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: November 3, 2011
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: [Signature] n/a Title, if applicable Date 2-27-20
 Signature of new owner/claimant

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

For IDWR Office Use Only:

Received by SG Date 3/2/20 Receipt No. 5037794 Receipt Amt. \$25.00
 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 JB Processed by JB Date 3-10-20

244825

Custer County Rec. of

Time 4:12 PM Date 11-3-2011
Barbara C. Tierney, Clerk
Deputy #162**WARRANTY DEED**

This warranty deed is made on the 3rd day of November, 2011, between Hammond Family Corporation, an Idaho corporation, ATTN: Jack Hammond, of 23020 Penny Lane, Juliaetta, Idaho, 83535, referred to as Grantor, and John L. And Vicki L. Gibbs, husband and wife, of P.O. Box 551, Challis, Idaho, 83226, referred to as Grantee:

Grantor, for and in consideration of the sum of \$275,000.00, the receipt of which is acknowledged, has granted, bargained, and sold, and, by this deed, grants, bargains, sells, conveys, and confirms to Grantee, and Grantee's heirs and assigns forever, all of the real estate situated in Custer County, Idaho, commonly known as 2656 Challis Creek Road, Challis, Custer County, Idaho, 83226, and identified by the Custer County, Idaho Assessor as Parcel No. RP14N19E16602A, and more accurately and legally described on the attached Exhibit A.

Together with all and singular the tenements, hereditaments, and appurtenances belonging to the described property or in any manner appertaining to the property, the reversion and reversions, remainder and remainders, rents, issues, and profits of the property; and all estate, right, title, and interest in and to the property, as well in law as in equity.

To have and to hold, all and singular, the described property together with the appurtenances to Grantee and Grantee's heirs and assigns forever.

And Grantor and Grantor's heirs shall and will warrant and, by these presents, forever defend the described property in the quiet and peaceable possession of Grantee, Grantee's heirs, and assigns against Grantor and Grantor's heirs and against all and every person and persons whomever, lawfully claiming the same.

In witness of the above, Grantor has set Grantor's hand on the date first written above.

GRANTEE:

John L. Gibbs JR
John L. Gibbs
Vicki L. Gibbs
Vicki L. Gibbs

GRANTOR:

Jack Hammond
Hammond Family Corporation
by Jack Hammond, its agent

ACKNOWLEDGMENT

STATE OF IDAHO)
COUNTY OF CUSTER) ss.

On this ____ day of November, 2011, before me, a notary public for the State of Idaho, personally appeared before me the above-named Grantor(s), who is (or are) personally known to me to be the person(s) named as Grantor(s), or proven to me on the basis of satisfactory evidence to be the person(s) named as Grantor(s), whose name(s) is (or are) subscribed to the within instrument, and acknowledged to me that he/she (or they) executed the same.

Notary Public for the State of Idaho
Residing in _____, Idaho
My Commission Expires: _____

"Exhibit A"

A parcel of land in the Southwest Quarter and the Southeast Quarter of Section Sixteen (16), Township Fourteen (14) North, Range Nineteen (19) East, Boise Meridian located in Custer County, Idaho, more particularly described as follows:

Commencing at the Southwest Corner of Section 16, T. 14 N., R. 19 E., B.M. and running thence S89°23'30"E 1355.84 feet to a point on the easterly Right-of-way Line of the County Road; thence N 2°49'40"E 1184.93 feet along said County Road Right-of-way Line; thence S89°16'15"E 212.17 feet; thence N73°51'25"E 132.63 feet to the TRUE POINT OF BEGINNING for this parcel description:

thence S89°26'36"E 309.16 feet;

thence S 0°00'50"E 59.00 feet;

thence S89°05'41"E 546.06 feet;

thence N 0°00'50"W 18.00 feet;

thence S89°26'18"E 401.01 feet;

thence N 0°00'50"W 286.00 feet;

thence N89°43'27"W 1594.22 feet to a point on the easterly Right-of-way Line of the County Road;

thence S 2°18'44"E 98.67 feet along said County Road Right-of-way Line;

thence S87°39'40"E 337.18 feet;

thence S 1°16'43"W 124.59 feet to the TRUE POINT OF BEGINNING.

This Parcel contains 8.85 acres.

STATE OF IDAHO)

ss

COUNTY OF CUSTER)

I, Patsy Kindt, a notary public, do hereby certify that on this 3rd day of November, 2011, personally appeared before me, Jack Hammond, who, being by me first duly sworn, declared that he is the agent for the Hammond Family Corporation, that he signed the foregoing document as said agent, of the corporation, and that the statements therein contained are true.

Patsy Kindt
Notary Public
My Commission Expires: 3-24-16



DISTRICT COURT
CUSTER COUNTY
IDAHO

2018 FEB 12 AM 7:51

254340

Custer County Reg. of

Sawtooth Law Offices PLLC

Time *9:10 A* M Date *2-20-2018*

Lara H. Baker, Clerk

Cecilia C. Baker 16 ⁹³
Deputy

DAVID P. CLAIBORNE
[Idaho State Bar No. 6579]
SAWTOOTH LAW OFFICES, PLLC
Golden Eagle Building
1101 W. River St., Ste. 110
P. O. Box 7985
Boise, Idaho 83707
Telephone: (208) 629-7447
Facsimile: (208) 629-7559
E-mail: david@sawtoothlaw.com

Attorneys for Applicant

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF CUSTER

IN THE MATTER OF THE ESTATE OF:

VICTORIA LARUE GIBBS;

Deceased.

Case No. CV-2016-73

AMENDED DECREE VESTING ESTATE
IN SURVIVING SPOUSE
(I.C. 15-3-1205)

Upon consideration of the Petition for Summary Administration of Estate of Which Surviving Spouse is Sole Beneficiary filed by John L. Gibbs on August 1, 2016 the Court finds that:

1. The facts set forth in the petition are true.
2. The required notice has been given or waived.
3. The decedent, Victoria Larue Gibbs, died on July 23, 2014, domiciled in Custer County.
4. Venue is proper.
5. The decedent and John L. Gibbs were duly married at Pocatello, Idaho, on January 15, 1971, and remained married until the date of decedent's death.
6. The surviving spouse, John L. Gibbs, is the sole heir or devisee of the decedent.
7. The decedent died intestate.
8. The schedule of property attached to this Decree is a full and complete inventory of the

754340

property owned by the decedent and properly characterizes the property as community or separate property.

THEREFORE, it is ordered, adjudged and decreed as follows:

1. John L. Gibbs is the surviving spouse of the decedent and is the sole heir or devisee of the decedent.
2. The property of the decedent described on the schedule attached to this Decree is hereby vested in and distributed to John L. Gibbs free and clear of all right, title, claim or demand of any person or persons claiming or attempting to claim under the estate of the decedent as heir, devisee, or otherwise, except as a proper creditor.
3. The surviving spouse shall assume and be liable for any and all indebtedness that might be a claim against the estate of the decedent.
4. There shall be no administration of the estate of the decedent.

DATED: 2-11-18


Magistrate

STATE OF IDAHO
COUNTY OF CUSTER 188

I hereby certify that the foregoing is a true and correct copy of the original as filed in my office.

2/20/18


2543110

INVENTORY OF THE ESTATE OF VICTORIA LARUE GIBBS

DECEASED JULY 23, 2014

[All property is community property of the deceased and the deceased's surviving spouse, unless otherwise indicated]

1. Real estate located in Custer County, Idaho, commonly identified as TRACT 12-11, SEC 16 T14N R19E, with FMV of \$250,000, Challis, Idaho, 83226.
2. All cash of the decedent, if any.
3. All bank accounts and security deposits owned or controlled by the decedent, if any, including accounts at East Idaho Credit Union with approximate balance of \$200.00.
4. All capital credits associated with Salmon River Electric and/or Custer Telephone Cooperative. FMV of approx. \$1,100.
5. All household goods, collectibles, clothing, luxury items, sports and hobby equipment, office equipment, machinery and tools, inventory, animals, crops, farm equipment, farm supplies, and all other personal property owned or controlled by the decedent. FMV of approx. \$6,900; and
6. All life insurance policies and benefits, annuities, profit sharing plans, stocks, bonds, investments, ownership interests, accounts receivable, tax refunds owing, and debts owing to or for the benefit of the decedent, if any.
7. Motor vehicle identified as a and 2004 ARCA MV ATV 500 VIN # 4UF04ATV14T238356 with FMV of \$350; 2001 TRLR UT TL SIEMS VIN# 1S951202311481185 with FMV of \$500; 1995 DODG VN DVN GRAND VIN# 1B4GH44R8SX640648 with FMV of \$200; and 1986 CHEV CB TK VIN# 1GBHK34WBGJ153909 with FMV of \$400; and
8. All other motor vehicles owned or controlled by the decedent, if any.
9. All inland marine vessels owned or controlled by the decedent, if any.
10. All recreational and off-highway vehicles owned or controlled by the decedent, if any.
11. All encumbrances, if any.
12. Together with all other real property, personal property, or any right or interest in property of whatever nature or kind wherever situate held by the decedent.

RP14N19E166602 Property Detail

Taxes, Levies and Assessments for 2019	
Land and Property Ownership - Physical Address: 2656 CHALLIS CREEK RD	
Mailing Address: GIBBS, JOHN L PO BOX 551 CHALLIS, ID 83226 Legal Description: TRACT 12-11 SEC 16 T14N R19E Tax Code Area: 011000 Classes (Last appraised in 2017) RURAL RES TR 1.000 AC \$ 14,750 RURAL RES TR 7.850 AC \$ 31,910 RURAL IMP ON AG \$ 12,440 BLDG RES TR \$ 124,700	Taxes for 2019 ASSESSED VALUE : \$ 183,800 TAX AND SPECIAL CHARGES: \$ 482.74 Taxing Districts Levy STATE 0.000000000 COUNTY 0.002351898 SCHL 181 LEVY 0.000000000 SCHL 181 TORT 0.000011493 SCHL 181 BOND 0.000000000 SCHL 181 PLANT 0.000081404 SCHL 181 SPLMT 0.000651231 CHALLIS CEM 0.000162214 NO. CUSTER FIRE 0.000486277 N. C. HOSP 0.000268616 This information is provided as a courtesy to our taxpayers. If this parcel has changed code areas, or been split or combined with another parcel, the tax and assessment data shown may not apply or be current. For more information, please contact the appropriate county office.
Improvement R01 Residential Dwelling	
Year Built : 1980 Total : 3024 sq. ft. Last Appraised : 2017 Stories : 2 Bedrooms : 4 Bathrooms : 2 (Click on photo to enlarge)	
Other Improvements	
R02 01 MACHINE 1500 sq. ft. R02 02 SHEDGP 900 sq. ft.	

State of Idaho
Department of Water Resources
Water Right License

72-4P

Water Service Area Boundary for Bessie I Hammond
January 17, 2020



- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters
- Taxlots

0 0.045 0.09 0.18 Miles





State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 ADDISON AVE W STE 500 • TWIN FALLS, ID 83301-5858

Phone: (208)736-3033 • Fax: (208)736-3037 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

March 10, 2020

JOHN L GIBBS
PO BOX 551
CHALLIS ID 83226-0551

Re: Change in Ownership for Water Right No(s): 72-4P

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.

If you have any questions concerning the enclosed information, please contact me at (208) 293-9909.

Sincerely,

Jim Bitzenburg
Senior Water Resource Agent

Enclosure(s)

CC: David Claiborne, Sawtooth Law Offices, PLLC; WD-72A , WD170

Boise Office

1101 W. River St., Ste. 110
P.O. Box 7985
Boise, Idaho 83707
Tel. (208) 629-7447

Challis Office

1301 E. Main Ave.
P.O. Box 36
Challis, Idaho 83226
Tel. (208) 879-4488

Twin Falls Office

236 River Vista Place
Suite 301
Twin Falls, Idaho 83301
Tel. (208) 969-9585

Fax (all offices)
(208) 629-7559



**SAWTOOTH LAW
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*Attorneys licensed in Idaho
* Also licensed in Washington
** Also licensed in Oregon*

Thursday, February 27, 2020

Idaho Department of Water Resources
Manager, Southern Regional Office
650 Addison Ave W, Suite 500
Twin Falls, ID 93301-5858

RECEIVED

MAR 02 2020

DEPT OF WATER RESOURCES
SOUTHERN REGION

Re: Notice of Change in Water Right Ownership for 72-4P

Dear Southern Regional Manager,

Enclosed for filing in the above-referenced matter is the following original document:

1. Notice of Change in Water Right Ownership

Also enclosed is the \$25.00 filing fee. Please conform the copy of this document and return it via the enclosed self-addressed, postage prepaid envelope.

Thank you for your assistance.

Very truly yours,

David P. Claiborne

DPC/dll
Enclosures