

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

**Notice of Change in Water Right Ownership**

**RECEIVED**

**JAN 27 2020**

DEPT OF WATER RESOURCES  
SOUTHERN REGION

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? |
|-----------------------|-----------------------------------------|------------------------------|-----------------------|------------------------------|------------------------------|
| 72-16633              | Yes <input checked="" type="checkbox"/> | Yes <input type="checkbox"/> | 72-16981              | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
| 72-16635              | Yes <input checked="" type="checkbox"/> | Yes <input type="checkbox"/> | 72-16982              | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
| 72-16637              | Yes <input checked="" type="checkbox"/> | Yes <input type="checkbox"/> | 72-16983              | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
| 72-16639              | Yes <input checked="" type="checkbox"/> | Yes <input type="checkbox"/> | 72-16984              | 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: Challis Creek Cattle Company, LLC  
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Robert A. Piva and Kay A. Piva  
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or ☐ and/or
- 699 Chivers Ln. Challis ID 83226  
Mailing address City State ZIP
- 208 993 1548 piva2@custerel.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: 03-01-2018
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.
- SUPPORT DATA**  
**IN FILE # 72-16633**
8. Signature: Robert A. Piva 1/21/2020  
Signature of new owner/claimant Title, if applicable Date
- Signature: Kay A. Piva 1/21/2020  
Signature of new owner/claimant Title, if applicable Date

**For IDWR Office Use Only:**

Received by SG Date 1/30/20 Receipt No. 5037733 Receipt Amt. 11425.00

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 HA Date 2-4-2020

Instrument # 254401

CHALLIS, CUSTER, IDAHO  
03-01-2018 03:42:54 No. of Pages: 3  
Recorded for: ALLIANCE TITLE - SALMON OFFICE  
Lura H. Baker Fee: \$15.00  
Ex-Officio Recorder Deputy: rr

**WARRANTY DEED**

Alliance Title & Escrow Corp. Order No.:380292

**FOR VALUE RECEIVED**

Challis Creek Cattle Company, L.L.C., an Idaho Limited Liability Company

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

Robert A. Piva and Kay A. Piva, husband and wife

whose current address is

699 Chivers Lane  
Challis, ID 83226

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

**Parcel 2:**

A parcel of land located in the Northwest Quarter, Section 15 and the North half and the Southeast Quarter Section 16, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho, more particularly described as follows:

Commencing at the Northwest corner of said Section 16 from which the Northeast corner of said section bears

South 89°29'25" East, 5295.24 feet, the Basis of Bearing of this description, run thence

South 89°29'25" East along the Northerly boundary of said Section 16 a distance of 977.87 feet to the POINT OF BEGINNING; thence continuing

South 89°29'25" East along said boundary a distance 4317.37 feet to the Northwest corner of said Section 15; thence

North 89°55'18" East along the Northerly boundary of said section a distance of 217.37 feet to a point on an existing fence extended; thence the following courses and distances along said fence:

South 04°45'54" West, 2642.46 feet;

North 89°23'03" West, 492.37 feet; thence

South 48°25'28" West a distance of 664.02 feet to a point on an existing fence extended, said fence being the Northerly fence of an existing hay yard; thence

South 88°37'35" West along said fence line a distance of 358.80 feet to an intersection with an existing fence, running in a North and South direction; thence

North 04°59'35" West along said fence a distance of 160.93 feet; thence

North 87°53'06" West a distance of 957.53 feet to the Southeast corner of the lands described in the deed recorded April 8, 1981, as Instrument No. 157781, records of Custer County, Idaho, thence the following courses and distances:

North 00°06'17" East, 261.65 feet;

North 89°27'15" West 874.56 feet to the Southeast corner of the lands described in the deed recorded December 13, 1994, as Instrument No. 207914, records of Custer County, Idaho; thence

North 03°36'34" West along the Easterly boundary on said property a distance of 882.73 feet to a point on the Southerly boundary of the property shown on Record of Survey Inst. No. 171029; recorded June 4, 1984, records of Custer County, Idaho, thence the following courses and distances along said South and East line of the above Record of Survey:

South 89°30'29" East, 50.60 feet;

North 20°47'53" West, 158.89 feet;



## WARRANTY DEED

Alliance Title & Escrow Corp. Order No.:380292

### FOR VALUE RECEIVED

**Challis Creek Cattle Company, L.L.C., an Idaho Limited Liability Company**

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

**Robert A. Piva and Kay A. Piva, husband and wife**

whose current address is

**699 Chivers Lane  
Challis, ID 83226**

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

#### Parcel 2:

**A parcel of land located in the Northwest Quarter, Section 15 and the North half and the Southeast Quarter Section 16, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho, more particularly described as follows:**

**Commencing at the Northwest corner of said Section 16 from which the Northeast corner of said section bears**

**South 89°29'25" East, 5295.24 feet, the Basis of Bearing of this description, run thence**

**South 89°29'25" East along the Northerly boundary of said Section 16 a distance of 977.87 feet to the POINT OF BEGINNING; thence continuing**

**South 89°29'25" East along said boundary a distance 4317.37 feet to the Northwest corner of said Section 15; thence**

**North 89°55'18" East along the Northerly boundary of said section a distance of 217.37 feet to a point on an existing fence extended; thence the following courses and distances along said fence:**

**South 04°45'54" West, 2642.46 feet;**

**North 89°23'03" West, 492.37 feet; thence**

**South 48°25'28" West a distance of 664.02 feet to a point on an existing fence extended, said fence being the Northerly fence of an existing hay yard; thence**

**South 88°37'35" West along said fence line a distance of 358.80 feet to an intersection with an existing fence, running in a North and South direction; thence**

**North 04°59'35" West along said fence a distance of 160.93 feet; thence**

**North 87°53'06" West a distance of 957.53 feet to the Southeast corner of the lands described in the deed recorded April 8, 1981, as Instrument No. 157781, records of Custer County, Idaho, thence the following courses and distances:**

**North 00°06'17" East, 261.65 feet;**

**North 89°27'15" West 874.56 feet to the Southeast corner of the lands described in the deed recorded December 13, 1994, as Instrument No. 207914, records of Custer County, Idaho; thence**

**North 03°36'34" West along the Easterly boundary on said property a distance of 882.73 feet to a point on the Southerly boundary of the property shown on Record of Survey Inst. No. 171029; recorded June 4, 1984, records of Custer County, Idaho, thence the following courses and distances along said South and East line of the above Record of Survey:**

**South 89°30'29" East, 50.60 feet;**

**North 20°47'53" West, 158.89 feet;**

North 04°18'38" West, 291.53 feet;  
North 89°29'26" West, 853.80 feet to a point on the Easterly right of way of Challis Creek Road; thence  
North 07°58'35" West along said right of way a distance of 1335.31 feet to the Point of Beginning.

**EXCEPTING THEREFROM:**

A parcel of land located in the North half Section 16, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho, more particularly described as follows:

Commencing at the Northwest corner of said Section 16, from which the Northeast corner of said section bears

South 89°29'25" East a distance of 5295.24 feet, the Basis of Bearing of this description, run thence

South 89°29'25" East along the Northerly boundary of said section a distance of 997.87 feet to the POINT OF BEGINNING; thence continuing

South 89°29'25" East along said boundary a distance of 1689.81 feet; thence

South 00°30'35" West a distance of 530.69 feet; thence

North 89°29'25" West a distance of 165.63 feet; thence

South a distance of 385.00 feet; thence

North 89°29'25" West a distance of 130.36 feet; thence

South a distance of 1105.03 feet; thence

South 89°29'25" East a distance of 45.59 feet;

702.81 feet along a curve to the left having a central angle of 25°23'26", a radius of 1585.95 feet and a chord bearing of South 31°32'39" East for a distance of 697.08 feet; thence

South a distance of 28.62 feet; thence

North 89°27'15" West a distance of 676.98 feet; thence

North 03°36'34" West a distance of 882.72 feet; thence

South 89°30'29" East a distance of 50.60 feet; thence

North 20°47'53" West a distance of 158.89 feet; thence

North 04°18'38" West a distance of 291.53 feet; thence

North 89°29'25" West a distance of 853.80 feet to a point on the Easterly right of way of Challis Creek Road; thence

North 07°58'35" West along said right of way a distance of 1335.31 feet to the POINT OF BEGINNING.

**ALSO EXCEPTING THEREFROM:**

A parcel of land located in the Northwest Quarter, Section 15, the Northeast Quarter, Section 16, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho, more particularly described as follows:

Beginning at the Northeast corner of said Section 16, from which the Northwest corner of said section bears

North 89°29'25" West a distance of 5295.24 feet, the Basis of Bearing on this description, run thence

North 89°55'18" East along the Northerly boundary of said Section 15, a distance of 217.37 feet; thence

South 04°45'54" West, a distance of 847.96 feet; thence

North 46°51'08" West, a distance of 1245 .11 feet to a point on the Northerly boundary of said Section 16; thence

South 89°29'25" East along said boundary a distance of 761.52 feet 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.

Dated: March 1, 2018

Challis Creek Cattle Company, L.L.C.

By Bauchman Family Trust, dated September 27, 2000, Member

Stephen G. Bauchman  
Stephen G. Bauchman, Trustee

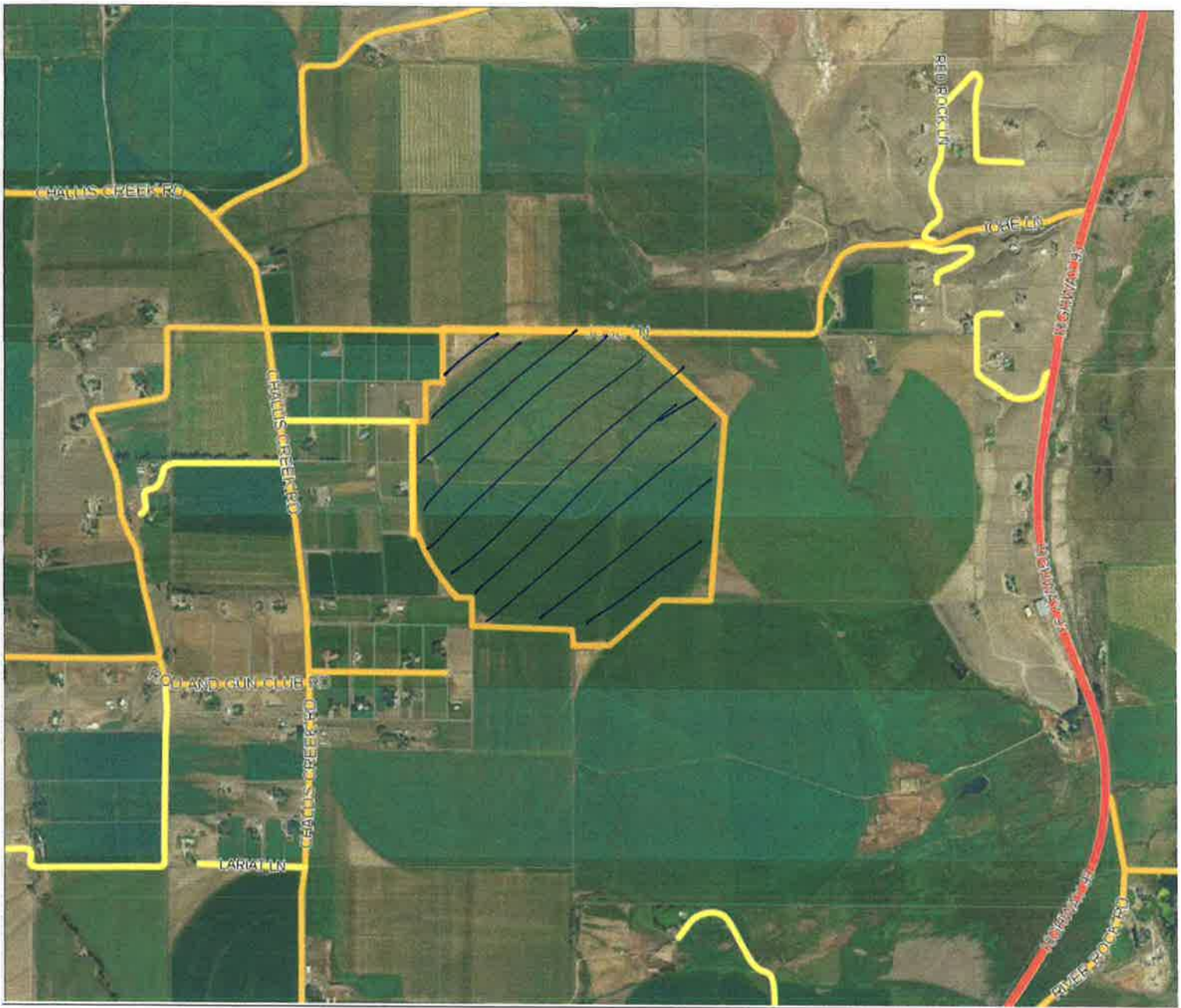
State of ID } ss.

County of Lemhi } March 1, 2018 TB

On this 1st day of June, 2017, before me, the undersigned, a Notary Public in and for said state, personally appeared Stephen G. Bauchman known or identified to me to be the person whose name is subscribed to the foregoing instrument as trustee of the Bauchman Family Trust, and acknowledged to me that he executed the same as Trustee.

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 Simmler  
Notary Public for the State of ID  
Residing at: Salmon  
Commission Expires: 5/19/21



**Attachment to Change in Ownership from Challis Creek Cattle to Robert & Kay Piva**



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

Brad Little  
Governor

Gary Spackman  
Director

February 04, 2020

ROBERT A PIVA  
699 CHIVERS LN  
CHALLIS ID 83226-2800

Re: Change in Water Right Ownership: 72-16633 (Split into 72-16633 and **72-16981**), 72-16635 (Split into 72-16635 and **72-16982**), 72-16637 (Split into 72-16637 and **72-16983**) & 72-16639 (Split into 72-16639 and **72-16984**)

Dear Water Right Holders:

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of a portion of the above referenced water rights 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 rights 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.

It should be noted that Wells Fargo Bank Held security interests on these water rights prior to the ownership change notice splitting the rights. The security interest is retained on the new portions until the bank notifies us that we can release them from the water rights.

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) 736-3033.

Sincerely,

Bill Mills

Water Resource Agent, Senior

Enclosures

c: CHALLIS CREEK CATTLE CO LLC; WELLS FARGO BANK NA; WATER DISTRICT 72A