

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

SEP 30 2019

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?
75-4052A	Yes ☒	Yes ☐		Yes ☐	Yes ☐
75-14969	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Maurice L Usher
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): MWIRA FBO Christopher R Gaughan IRA
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 10096 W. Fairview Ave Ste. 160 Boise ID 83704
Mailing address City State ZIP
- 208-515-6484 gaughanc@gmail.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: 09/25/2019
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):
 - ☐ \$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.

SUPPORT DATA

IN FILE # 75-4052A

Please note: A check will be sent separate from "Mountain West IRA" in Boise

8. Signature: [Signature] 9/25/2019
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 DW Date 9-30-19 Receipt No. C107791 Receipt Amt. 100.00

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 di Date 10-3-19

Warranty Deed

For Value Received

William Walker and Donna Walker, Husband and Wife

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

Mountain West IRA, Inc., FBO Christopher R. Gaughan IRA

Whose current address is:

**10096 W. Fairview Ave. Ste.160
Boise, ID 83704**

the grantee, the following described premises, to-wit:

Lot Six (6) Pine Meadows Subdivision, according to the official plat thereof, filed for record in Book 5 of Plats, at Page 1, Official Records of Lemhi County, Idaho.

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.

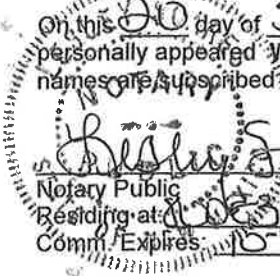
Dated: September ²⁰, 2019

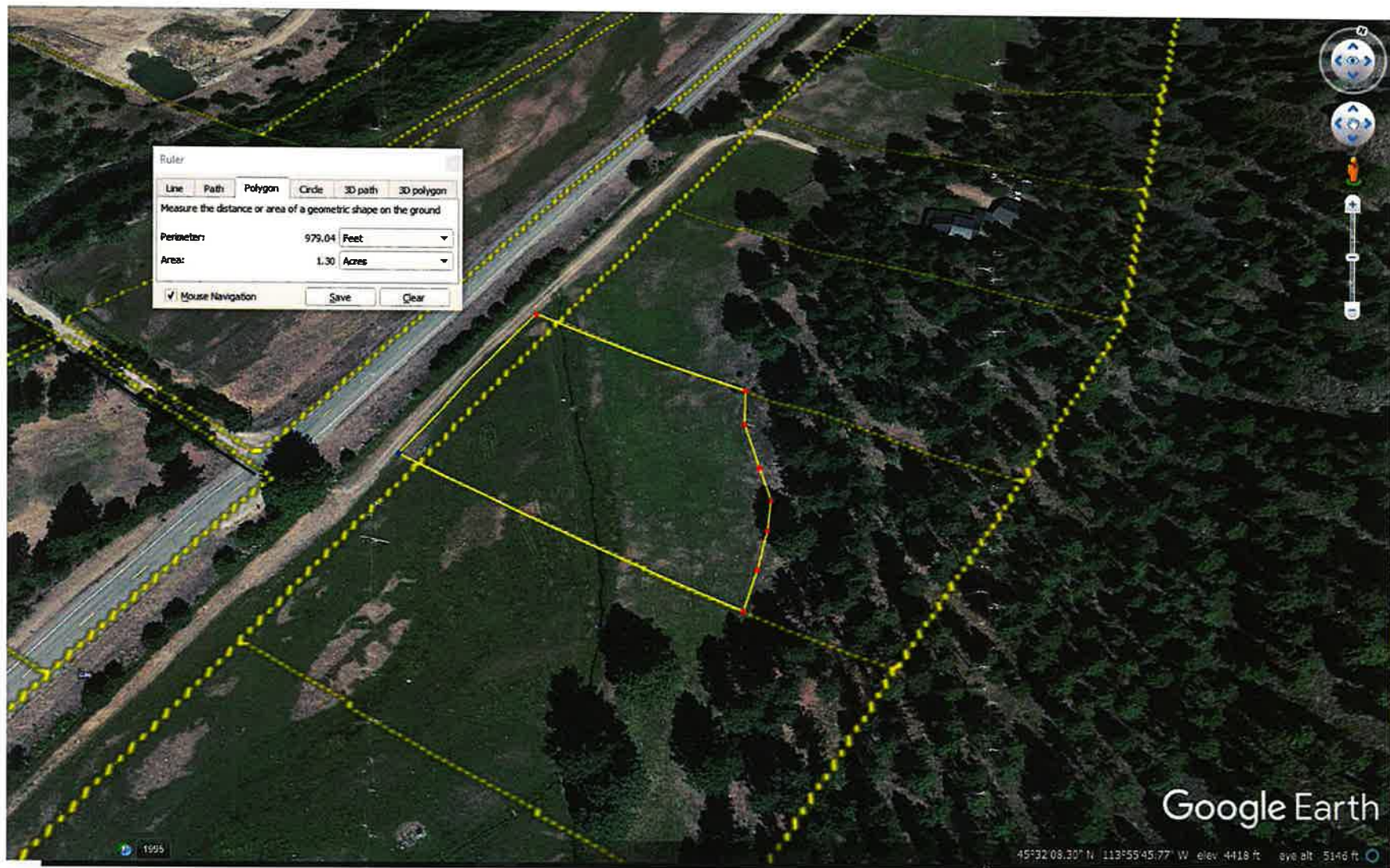

William Walker


Donna Walker

STATE OF New Mexico
COUNTY OF San Juan) ss

On this 20 day of September, 2019, before me, a notary public in and for said State, personally appeared William Walker and Donna Walker known to me or proved to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.


Notary Public
Residing at: 10000 St Blaise Farmington NM 87401
Comm. Expires: 10-01-19



POU = 1.3 acres (please note the Lemhi County property file is slightly shifted to the east).

WATER RIGHT REPORT

Close

9/25/2019

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 75-4052A

Owner Type Name and Address

Current Owner MAURICE L USHER

3107 HWY 93 N

GIBBONSVILLE, ID 83463

2088652235

Priority Date: 03/04/1909

Basis: Decreed

Status: Active

Source Tributary
NORTH FORK SALMON RIVER SALMON RIVER

Beneficial Use From To Diversion Rate Volume

IRRIGATION 04/01 10/31 0.9 CFS

STOCKWATER 01/01 12/31 0.02 CFS

Total Diversion 0.92 CFS

Location of Point(s) of Diversion:

SALMON RIVER SWSEW Sec. 36 Township 26N Range 21E LEMHI County

Place(s) of use:

Place of Use Legal Description: IRRIGATION LEMHI County

<u>Townshi</u>	<u>Rang</u>	<u>Sectio</u>	<u>Lo</u>	<u>Trac</u>	<u>Acre</u>	<u>Lo</u>	<u>Tract</u>	<u>Acre</u>	<u>Lo</u>	<u>Tract</u>	<u>Acre</u>	<u>Lo</u>	<u>Trac</u>	<u>Acre</u>
<u>p</u>	<u>e</u>	<u>n</u>	<u>t</u>	<u>t</u>	<u>s</u>	<u>t</u>		<u>s</u>	<u>t</u>		<u>s</u>	<u>t</u>	<u>t</u>	<u>s</u>
25N	21E	1		NEN	3		NWN	9		SWN	4			
				W			W			W				
26N		36		NES	8		SWSW	2		SESW	9			
				W										

Place of Use Legal Description: STOCKWATER same as IRRIGATION

Total Acres: 35

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. N09 The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
3. N14 The quantity of water under this right for stockwater uses shall not exceed 13,000 gallons per day.
4. J02 Property is within Homestead Entry Survey No. 54.

Dates:

Licensed Date:

Decreed Date: 04/26/2010

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: NWD

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

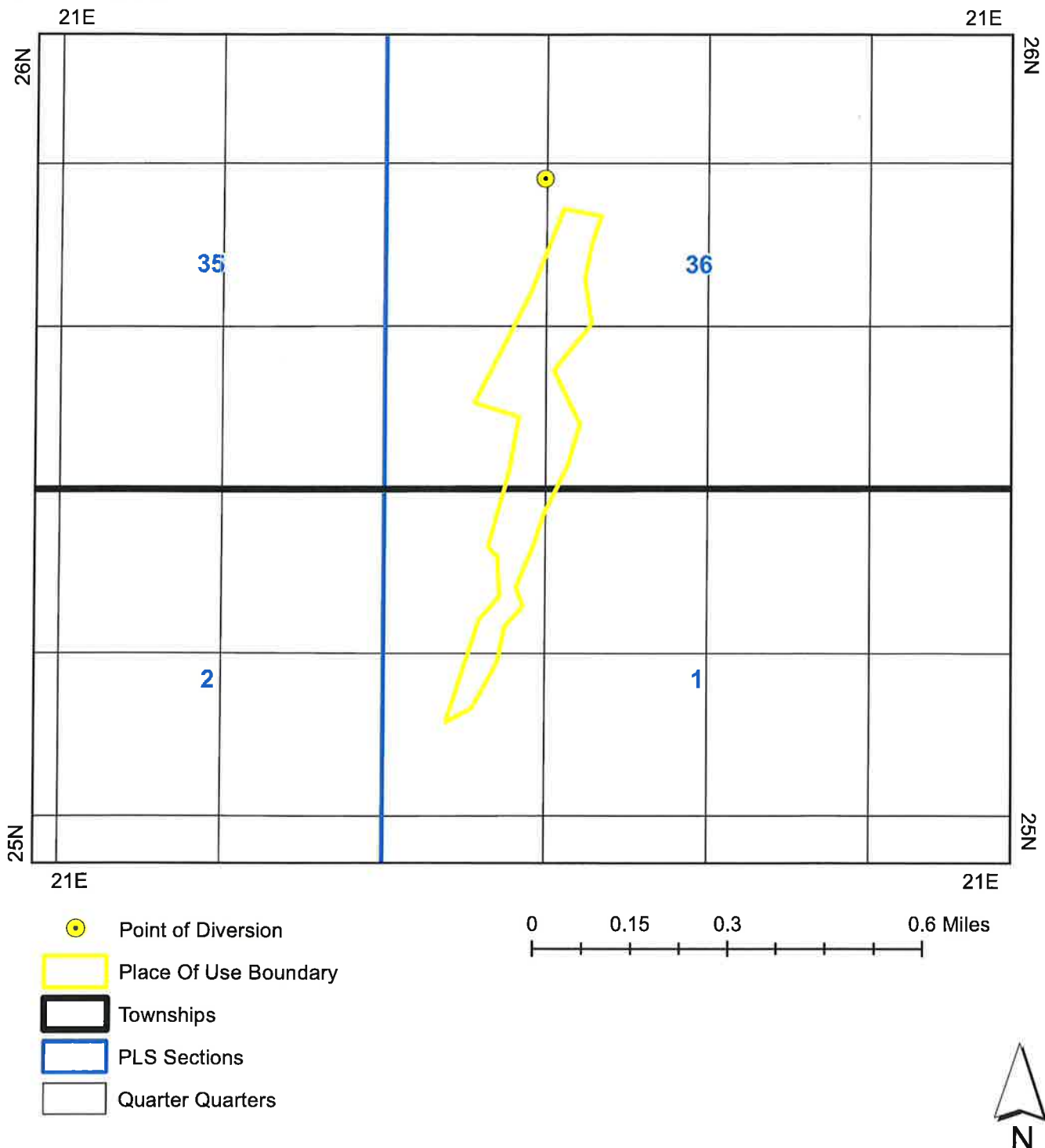
Mitigation Plan: False

State of Idaho
Department of Water Resources

Water Right
75-4052A

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.





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

October 3, 2019

Gary Spackman
Director

MOUNTAIN WEST IRA, INC
FBO CHRISTOPHER R GAUGHAN IRA
10096 W FAIRVIEW AVE STE 160
BOISE ID 83704-5004

Re: Change in Water Right Ownership: 75-4052A (Split into 75-4052A and **75-14969**)

Dear Water Right Holder:

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

If you have any questions concerning the enclosed information, please contact me at (208) 287-4920.

Sincerely,

Debbi Judd
Technical Records Specialist

Enclosures

c. Maurice L Usher