

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUL 29 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? |
|-----------------------|------------------------------|------------------------------|-----------------------|------------------------------|------------------------------|
| 75-14317              | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
| 75-10128-not updated  | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
| refund requested      | 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: Vared F. Ferrell

3. New Owner(s)/Claimant(s): Dana & Kathleen Van Waardenburg Trust est 2/15/07  
 Name of current water right holder/claimant  
 New owner(s) as listed on the conveyance document  
4080 Williams Road San Jose CA 95117  
 Mailing address City State ZIP  
(408) 219-2478 Kvanwaarde@yahoo.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: 7/10/2019

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.

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

7/22/2019  
 Date  
7/22/2019  
 Date

**For IDWR Office Use Only:**

Received by [Signature] Date 7/29/19 Receipt No. C107292 Receipt Amt. 50  
 Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing  
 Name on W-9 \_\_\_\_\_ Approved by \_\_\_\_\_ Processed by [Signature] Date 8-1-19  
 W-9 received? Yes ☐ No ☐

## WARRANTY DEED

Alliance Title & Escrow Corp. Order No.: 437186

### FOR VALUE RECEIVED

**Jared F. Ferrell, an unmarried man**

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

**David Van Waardenberg and Kathleen M Van Waardenberg as Trustees of The David and Kathleen Van Waardenberg Trust, dated February 15, 2007**

whose current address is

**4080 Williams Road  
San Jose, CA 95117**

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

**A parcel of land located in H.E.S. 95, unsurveyed Section 15, T. 25 N., R. 21 E., Boise Meridian, Lemhi County, Idaho, more particularly described as follows:**

**Commencing at Corner 4 of said H.E.S. from which Corner 5 of said H.E.S. bears S 05°22'40" E a distance of 777.57 ft., the Basis of Bearing of this description, run thence S 05°22'40" E between said corners a distance of 317.32 ft. to the southwesterly corner of Mountain Glen Estates Subdivision and the POINT OF BEGINNING;**

**Thence S 36°58'04" E along the southerly boundary of said subdivision a distance of 639.45 ft.;**

**Thence continuing S 36°58'04" E a distance of 295.22 ft. to a point on the westerly right-of-way of U.S. Highway 93;**

**Thence the following courses along said right-of-way:**

**73.43 ft. along curve to the left having a chord of S 33°06'24" W 73.43 ft., a delta of 00°43'40" and a radius of 5779.59 ft.; 311.35 ft. along a spiral curve to the left having a chord of S 31°42'38" W 311.34 ft. and a spiral delta of 01°33'00";**

**S 31°11'34" W 763.90 ft. to the northeasterly corner of Parcel "B" as shown on R.O.S. Inst. No. 255402;**

**Thence of following courses along the northerly boundary of said R.O.S.:**

**N 31°06'09" W 394.64 ft.; N 03°38'25" E 306.22 ft.;**

**N 15°59'01" W 301.45 ft. to a point on the westerly boundary of said**

**H.E.S. 95;**

**Thence N 46°06'55" W along said boundary a distance of 482.72 ft. to Corner 5 of said H.E.S.;**

**Thence continuing along said boundary N 05°22'40" W a distance of 460.70 ft. 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: 7/9/19

Jared F. Ferrell  
Jared F. Ferrell

State of Idaho } ss  
County of Ada )

On this 9 day of July, 2019, before me, the undersigned, a Notary Public in and for said state, personally appeared Jared F. Ferrell, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within Instrument and acknowledged to me that he/she/they executed same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

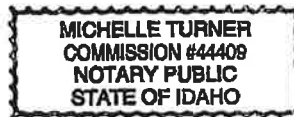
Michelle Turner

Notary Public for the State of Idaho

Residing at: \_\_\_\_\_

Commission Expires: \_\_\_\_\_

Commission Expires: 05/31/2023  
Residing in: Boise, Idaho



Close

IDAHO DEPARTMENT OF WATER RESOURCES  
Water Right Report

8/22/2018

WATER RIGHT NO. 75-14367

| Owner Type     | Name and Address          |
|----------------|---------------------------|
| Current Owner  | JARED F FERRELL           |
| Current Owner  | MIRIAM F FERRELL          |
|                | 2756 HWY 93 N             |
|                | NORTH FORK, ID 83466-5526 |
|                | 2088652402                |
| Original Owner | HAROLD HANSON             |
|                | RT 1 BOX 27               |
|                | NORTH FORK, ID 83466      |
|                | 2088652101                |

Priority Date: 05/15/1898  
Basis: Decreed  
Status: Active

| Source      | Tributary               |
|-------------|-------------------------|
| SHEEP CREEK | NORTH FORK SALMON RIVER |

| Beneficial Use  | From  | To    | Diversion Rate | Volume |
|-----------------|-------|-------|----------------|--------|
| IRRIGATION      | 04/01 | 10/31 | 0.42 CFS       |        |
| Total Diversion |       |       | 0.42 CFS       |        |

Location of Point(s) of Diversion:

SHEEP CREEK|NENW|Sec. 14|Township 25N|Range 21E|LEMHI County

Place(s) of use:

Place of Use Legal Description: IRRIGATION LEMHI County

| Township | Range | Section | Lot | Tract | Acres | Lot | Tract | Acres | Lot | Tract | Acres | Lot | Tract | Acres |
|----------|-------|---------|-----|-------|-------|-----|-------|-------|-----|-------|-------|-----|-------|-------|
| 25N      | 21E   | 15      |     | SWNE  | 7.2   |     |       |       |     |       |       |     |       |       |
|          |       |         |     | NWSE  | 7.1   |     |       |       |     |       |       |     |       |       |

Total Acres: 14.3

Conditions of Approval:

- 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.
- This right is a split from former right 75-4298B.

Dates:

Licensed Date:  
Decreed Date: 11/17/2008  
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: Or  
Water District Number:  
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

Close

Close

IDAHO DEPARTMENT OF WATER RESOURCES  
Water Right Report

8/22/2018

WATER RIGHT NO. 75-10128

| Owner Type    | Name and Address          |
|---------------|---------------------------|
| Current Owner | JARED F FERRELL           |
| Current Owner | MIRIAM F FERRELL          |
|               | 2756 HWY 93 N             |
|               | NORTH FORK, ID 83466-5526 |
|               | 2088652402                |

Priority Date: 06/01/1950  
Basis: Decreed  
Status: Active

| Source       | Tributary |
|--------------|-----------|
| GROUND WATER |           |

| Beneficial Use  | From | To    | Diversion Rate | Volume |
|-----------------|------|-------|----------------|--------|
| STOCKWATER      | 1/01 | 12/31 | 0.02 CFS       |        |
| DOMESTIC        | 1/01 | 12/31 | 0.04 CFS       |        |
| Total Diversion |      |       | 0.06 CFS       |        |

Location of Point(s) of Diversion:

GROUND WATER|SESENE|Sec. 15|Township 25N|Range 21E|LEMHI County

Place(s) of use:

Place of Use Legal Description: STOCKWATER LEMHI County

| Township | Range | Section | Lot | Tract | Acres | Lot | Tract | Acres | Lot | Tract | Acres | Lot | Tract | Acres |
|----------|-------|---------|-----|-------|-------|-----|-------|-------|-----|-------|-------|-----|-------|-------|
| 25N      | 21E   | 15      |     | SENE  |       |     |       |       |     |       |       |     |       |       |

Place of Use Legal Description: DOMESTIC LEMHI County

| Township | Range | Section | Lot | Tract | Acres | Lot | Tract | Acres | Lot | Tract | Acres | Lot | Tract | Acres |
|----------|-------|---------|-----|-------|-------|-----|-------|-------|-----|-------|-------|-----|-------|-------|
| 25N      | 21E   | 15      |     | SENE  |       |     |       |       |     |       |       |     |       |       |

Conditions of Approval:

1. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. STOCKWATER, 25 HD/MIXED RP 25N21E150018A

Dates:

Licensed Date:  
Decreed Date: 09/15/2000  
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: OR  
Water District Number:  
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

Close



## 7/19/2019

Current Owner JARED F FERRELL  
2756 HWY 93 N  
NORTH FORK, ID 83466-5526  
(208) 865-2402

**Status:** Active

**Tributary**  
NORTH FORK SALMON RIVER

**Source and Point(s) of Diversion**

SHEEP CREEK NENW Sec. 14, Twp 25N, Rge 21E, LEMHI County

## IRRIGATION within LEMHI County

|     |     |     | NE |    |     |    | NW |    |    |    | SW |    |    |    | SE |     |    |    |        |
|-----|-----|-----|----|----|-----|----|----|----|----|----|----|----|----|----|----|-----|----|----|--------|
| Twp | Rng | Sec | NE | NW | SW  | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW  | SW | SE | Totals |
| 25N | 21E | 15  |    |    | 7.2 |    |    |    |    |    |    |    |    |    |    | 7.1 |    |    | 14.3   |

**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. This right is a split from former right 75-4298B.

**Comments:**  
1. Ownership Change 9/24/2015 Split Right  
Split into 75-14367 and 75-14806 due to change in ownership.

2. jhersley 9/24/2015 POU  
Updated Shape

## Page 1 of 2

IDAHO DEPARTMENT OF WATER RESOURCES  
Water Right 75-14367

7/19/2019

Decreed Date: 11/17/2008  
Civil Case Number: 39576  
Judicial District: FIFTH  
State or Federal: S  
Owner Name Connector: Or  
Water District Number: NWD  
Mitigation Plan: False

**Combined Use Limits**

N/A

**SubCase:**

N/A

**Water Supply Bank:**

N/A

## 7/19/2019

Current Owner JARED F FERRELL  
2756 HWY 93 N  
NORTH FORK, ID 83466-5526  
(208) 865-2402

**Status:** Active

**Tributary**

| <u>Beneficial Use</u> | <u>From</u>            | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|------------------------|-----------|-----------------------|---------------|
| STOCKWATER            | 1/01                   | 12/31     | 0.020 CFS             |               |
| DOMESTIC              | 1/01                   | 12/31     | 0.040 CFS             |               |
|                       | <b>Total Diversion</b> |           | 0.060 CFS             |               |

Sec. 15, Twp 25N, Rge 21E, LEMHI County

### STOCKWATER within LEMHI County

**DOMESTIC within LEMHI County**

**Conditions of Approval:**

- 157803

**Comments:**

### Dates and Other Information

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**Water Right 75-10128**

7/19/2019

Decreed Date: 9/15/2000  
Civil Case Number: 39576  
Judicial District: FIFTH  
State or Federal: S  
Owner Name Connector: OR  
Water District Number: NWD  
Mitigation Plan: False

**Combined Use Limits**

N/A

**SubCase:**

N/A

**Water Supply Bank:**

N/A



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

Brad Little  
Governor

Gary Spackman  
Director

August 01, 2019

DAVID & KATHLEEN VAN WAARDENBERG TRUST  
4080 WILLIAMS RD  
SAN JOSE CA 95117-2751

Re: Change in Ownership for Water Right No(s): 75-14367

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.

Please note, the Department did not update the ownership of water right 75-10128 to the name of your trust. This is a stockwater/domestic right located in Township 25N, Range 21E, Section 15 SENE. The location of the property in the deed you provided is located in Township 25N, Range 21E, Section 15 SWNE & NWSE. Water right 75-10128 is not appurtenant to your property. A refund of \$25 has been requested and will be sent to you under separate cover from State Controller's office.

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.

Also 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) 287-4942.

Sincerely,

Jean Hersley

Technical Records Specialist 2

Enclosure(s)

## ***MEMORANDUM***

TO: Sascha Marston  
FROM: Jean Hersley  
DATE: August 1, 2019  
RE: **Refund: ownership change-one water right not updated**

Please refund \$25.

NAME: DAVID S VAN WAARDENBERG  
KATHLEEN M VAN WAARDENBERG  
4080 WILLIAMS RD  
SAN JOSE CA 95117

RECEIPT #: C107292

Thank you.

Jean

**Hersley, Jean**

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**From:** Hersley, Jean  
**Sent:** Thursday, August 01, 2019 10:26 AM  
**To:** Financial  
**Subject:** Refund  
**Attachments:** Van Waardenberg.doc

Please process the attached refund. Thank you.

Jean