

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED

MAY 21 2019

DEPARTMENT OF
WATER RESOURCES

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?
78-12513-78-7356	Yes ☒	Yes ☐		Yes ☐	Yes ☐
78-12514-78-7363	Yes ☒	Yes ☐		Yes ☐	Yes ☐
78-7357	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Simpco Lands of CA LTD Partnership
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Bryan R. Davidson & Kathy J Davidson
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or ☐ and/or
- 1033 Triand Dr. Ontario OR 97914
Mailing address City State ZIP
- 208-739-0509 netimesepic@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: 02/15/2017
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 # 78-7356

8. Signature: [Signature] 05/15/19
Signature of new owner/claimant Title, if applicable Date
- Signature: [Signature] 05/15/19
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by [Signature] Date 5-21-19 Receipt No. C106860 Receipt Amt. 100

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 6-11-19

WARRANTY DEED

For good and valuable consideration, SIMPCO LANDS, a California limited partnership, who acquired title as SIMPCO LANDS, LLP, as GRANTOR, does hereby grant and convey unto BRYAN DAVIDSON and KATHY J. DAVIDSON, husband and wife, as GRANTEES, whose mailing address is: 1033 Triand Drive, Ontario, OR 97914, the following described real property situate in Idaho County, State of Idaho, to wit:

A parcel of property which is located within the West 1/2 of the SE 1/4 of Section 29, T23N, R1E, B.M., Idaho County, Idaho, which parcel is more particularly described from a survey as follows:

Beginning at the Southeast corner of Section 29,
thence S89°45'16"W 2643.690 feet to the South 1/4 corner of Section 29,
thence N00°02'58"W 1326.390 feet to the Center-South 1/16th corner,
thence N71°41'28"E 477.818 feet to a point on the Easterly Right of Way line of U.S. 95, FAS Project F-4113(12). This point is the initial point of beginning,
thence N73°00'10"E 427.667 feet to a point on the mean high water line on the Westerly bank of the Little Salmon River,
thence S19°02'58"E 244.873 feet following said mean high water line,
thence S11°49'43"E 101.482 feet along said line,
thence S28°22'19"W 157.915 feet along said line,
thence S04°39'57"W 487.329 feet along said line,
thence S03°04'13"E 311.901 feet along said line to an intersection with U.S. 95 Right of Way line, thence N61°38'45"W 30.426 feet leaving the high water line to a Right of Way monument at Sta 712+00, 80 feet Rt. of centerline,
thence N18°53'56"W 250.202 feet to a Right of Way monument at Station 714+50, 80 feet Rt. of centerline,
thence N18°50'24"W 941.145 feet along the U.S. 95 Easterly Right of Way line back to the initial point of beginning.

SUBJECT TO all encumbrances, interests and other matters appearing of record, and including but not limited to the following matters:

1. Real property taxes and assessments for the current tax year which are an accruing lien and not yet due and payable;

WARRANTY DEED - 1

23733 6581

Instrument # 507886

IDAHO COUNTY, IDAHO,

2-15-2017 01:09:26 PM No. of Pages: 4

Recorded for : INLAND TITLE COMPANY

KATHY M. ACKERMAN

Ex-Officio Recorder Deputy

Fee: 19.00

Mary Ann Jordan

2. Any claim arising from any difference or change in the mean high water line of the Little Salmon River and the meander line as shown by the Original Government Survey;
3. POWER LINE EASEMENT granted to IDAHO POWER COMPANY recorded April 24, 1948 as Instrument Number 159366, records of Idaho County, Idaho;
4. Matters as contained in AFFIDAVIT RE: TO USE OF WATER recorded May 20, 1948 as Instrument Number 159598, records of Idaho County, Idaho;
5. RIGHT OF WAY EASEMENT to MOUNTAIN STATES TELEPHONE AND TELEGRAPH COMPANY, recorded June 30, 1956 as Instrument Number 187976, records of Idaho County, Idaho;
6. EASEMENT DEED granted to STATE OF IDAHO for a parcel of land consisting of the bed of the Little Salmon River together with a strip 30 feet wide on each side thereof, recorded March 6, 1957, as Instrument Number 190392, records of Idaho County, Idaho;
7. EASEMENT in WARRANTY DEED granted to STATE OF IDAHO for a parcel of land being on both sides of the center line of U.S. Highway 95, recorded June 26, 1961 as Instrument Number 205575, records of Idaho County, Idaho;
8. POWER LINE EASEMENT to IDAHO POWER COMPANY, recorded August 7, 1961 as Instrument Number 205947, records of Idaho County, Idaho;
9. Matters as contained in AFFIDAVIT RE: EASEMENT, recorded May 30, 1985 as Instrument Number 320063, records of Idaho County, Idaho;
10. POWER LINE EASEMENT to IDAHO POWER COMPANY, recorded October 21, 1994 as Instrument Number 377052, records of Idaho County, Idaho;
11. All matters, covenants, conditions, restrictions, easements and any rights, interests or claims which may exist by reason of or disclosed by the Records of Survey referenced below, all records of Idaho County, Idaho:
recorded September 26, 2006 as Instrument Number 451115;
recorded December 22, 2003 as Instrument Number 0433241;
12. RESERVATION OF EASEMENT in QUITCLAIM DEED, recorded November 3, 2016 as Instrument Number 506559, records of Idaho County, Idaho; and
13. EASEMENTS in QUITCLAIM DEED, recorded January 12, 2017 as Instrument Number 507532, records of Idaho County, Idaho.

WARRANTY DEED - 2

23733 6581

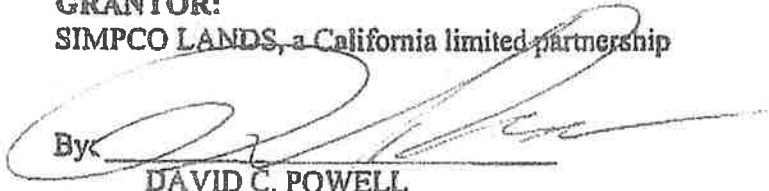
TO HAVE AND HOLD the premises, with all appurtenances, including but not limited to appurtenant easements, water rights, mineral rights and timber rights, to GRANTEES, and GRANTEES' heirs, successors and assigns forever.

GRANTOR does by this grant covenant and warrant that GRANTOR is the owner of the premises in fee simple and that the premises is free from encumbrances done, made or suffered by GRANTOR, or those claiming through GRANTOR, except encumbrances, interests and other matters as may be set forth above or otherwise of record or in use. GRANTOR will warrant and defend against all lawful claims except encumbrances, interests and other matters set forth above or otherwise of record or in use.

Except as otherwise expressly provided in this instrument, GRANTOR hereby declares pursuant to Title 5, Chapter 2 of the Idaho Code, that in the event GRANTOR shall have permitted or suffered at any time prior to the making of this instrument, any person or entity to possess, use or occupy the above-described premises, or any portion thereof, for any purpose, with or without the knowledge of GRANTOR, it was not the intent of GRANTOR, by permitting or suffering such possession, use or occupation, to thereby define property boundaries or ownership thereof.

DATED this 14 day of FEBRUARY 2017.

GRANTOR:
SIMPCO LANDS, a California limited partnership

By 

DAVID C. POWELL
General Partner

WARRANTY DEED - 3

23733 6581

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Del Norte

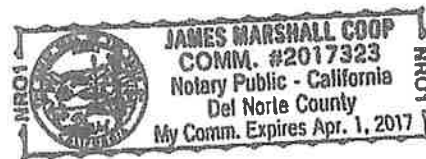
On 2-14-2017 before me, James Marshall Coop, Notary Public
(insert name and title of the officer)

personally appeared DAVID C. POWELL, general partner, of SIMPCO LANDS, a California limited partnership, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(ies), and that by his/~~her/their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature James Marshall Coop (Seal)



WARRANTY DEED - 4

23733 6581

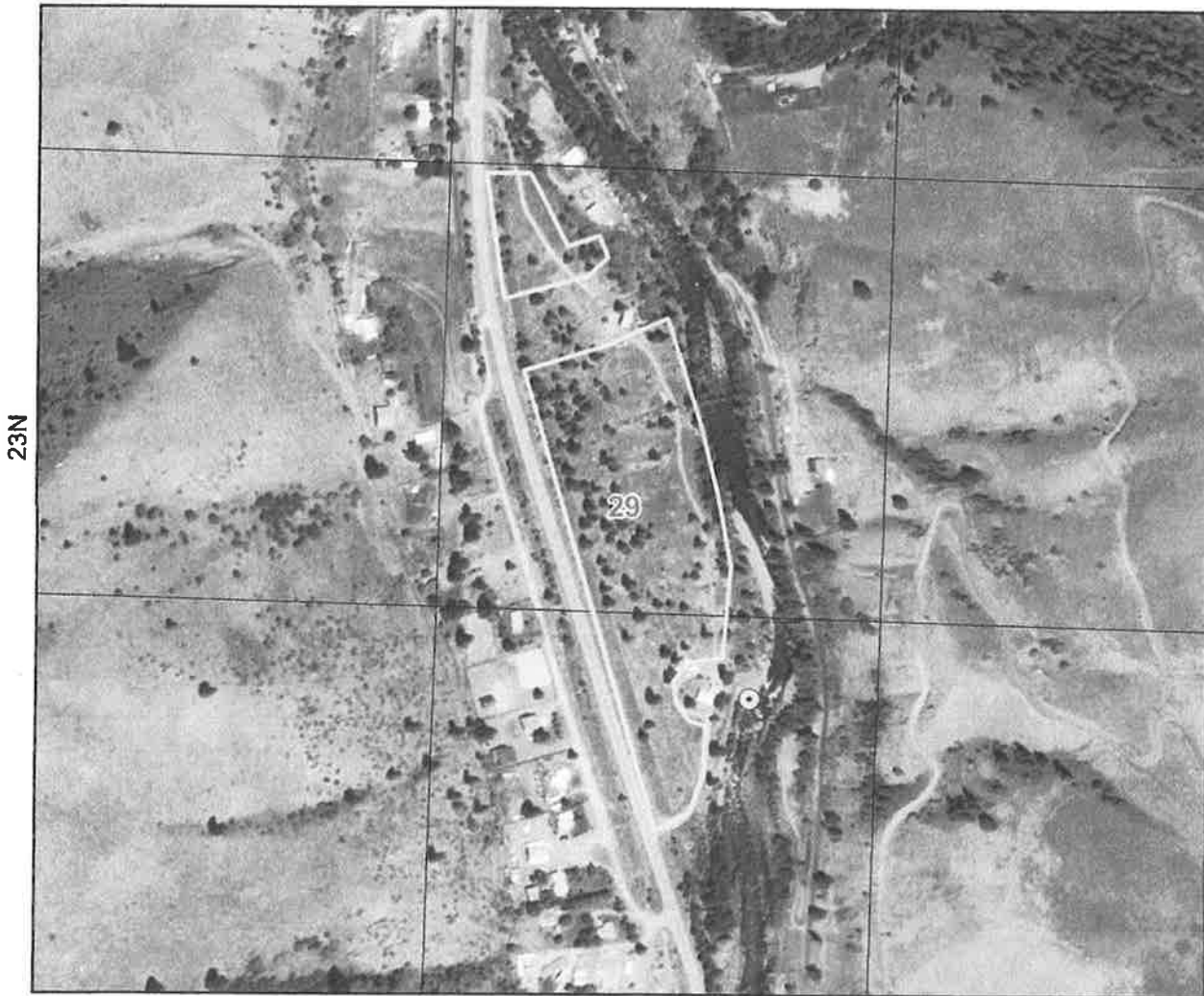
State of Idaho
Department of Water Resources

Water Right
78-7356

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.

01E



- Point of Diversion
- Place Of Use Boundary
- ▬ Townships
- ▬ PLS Sections
- ▬ Quarter Quarters

0 0.05 0.1 0.2 Miles



State of Idaho
Department of Water Resources

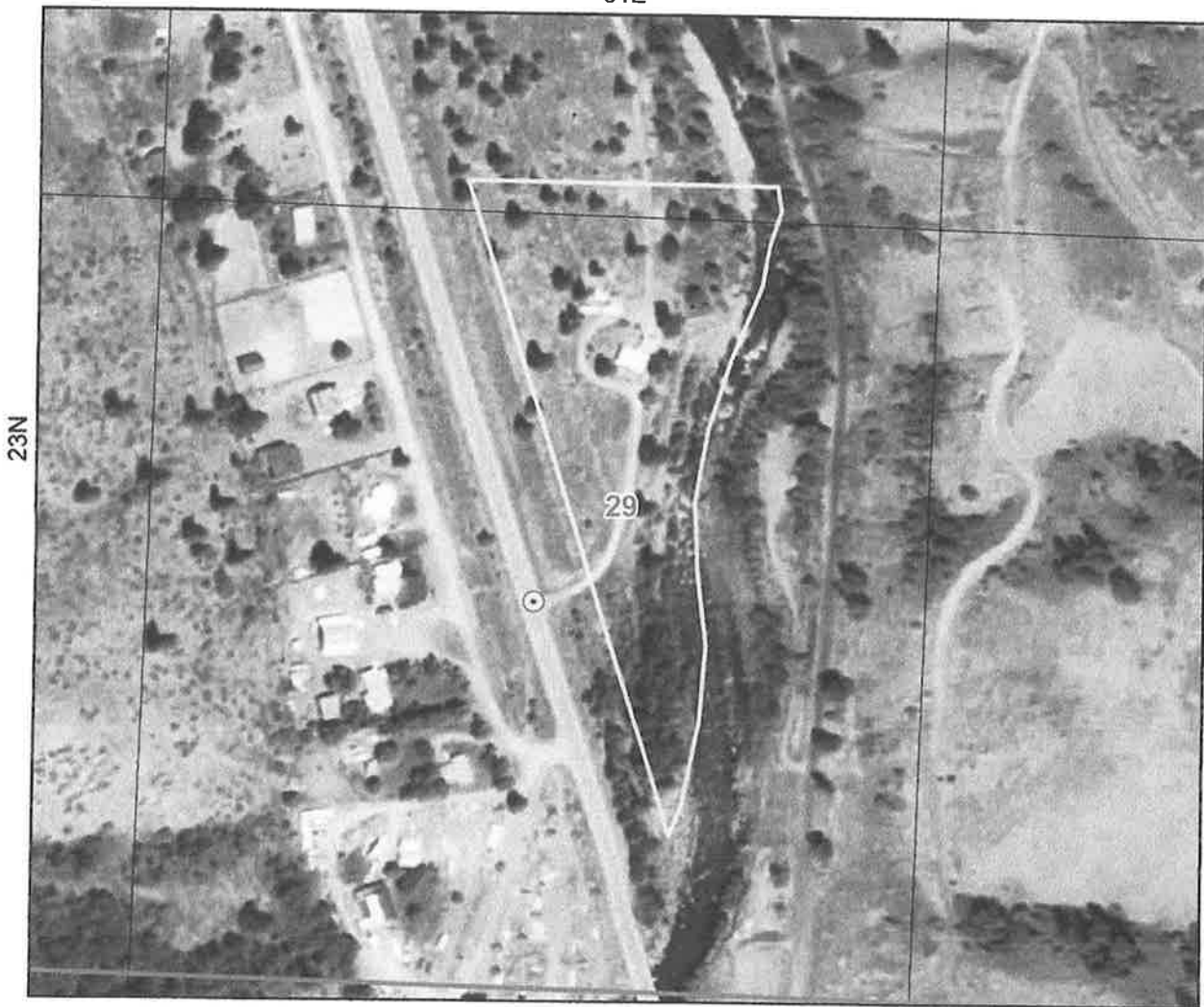
Water Right
78-7357

X

STOCKWATER

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.

01E



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

0 0.0375 0.075 0.15 Miles



125A

WELL
1219

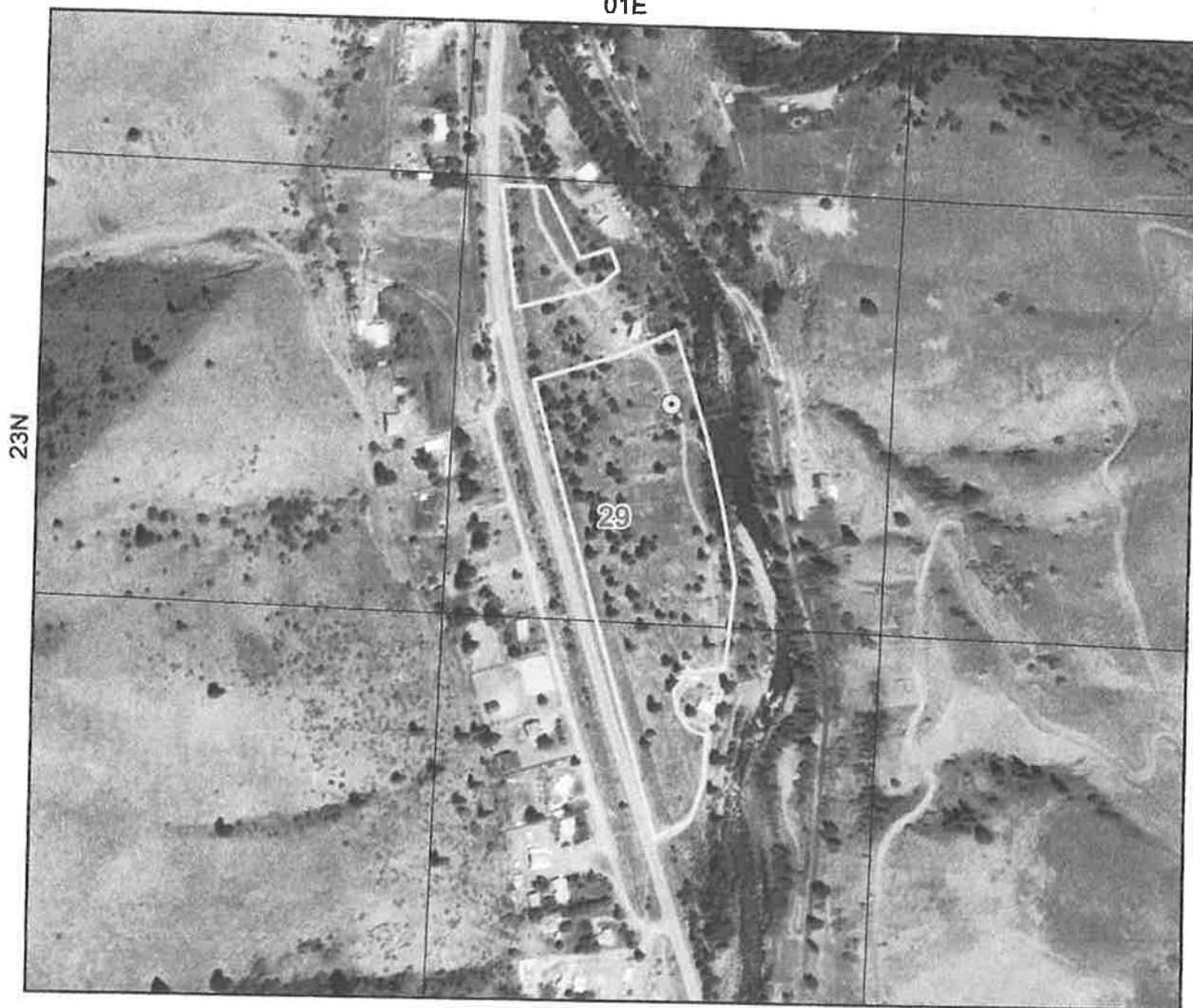
State of Idaho
Department of Water Resources

Water Right 78-7363

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.

01E



- ⊙ Point of Diversion
- Place Of Use Boundary
- ▬ Townships
- ▬ PLS Sections
- ▬ Quarter Quarters

0 0.05 0.1 0.2 Miles





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

June 12, 2019

Gary Spackman
Director

BRYAN R DAVIDSON
KATHY J DAVIDSON
1033 TRIAND DR
ONTARIO OR 97914-1473

Re: Change in Water Right Ownership: 78-7356 (Split into 78-73 and **78-12513**), 78-7363 (Split into 78-7363 and **78-12514**), and 78-7357 (no split)

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 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: SIMPCO LANDS OF CA LTD PARTNERSHIP



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

May 23, 2019

Gary Spackman
Director

BRYAN R DAVIDSON
KATHY J DAVIDSON
1033 TRIAND DR
ONTARIO OR 97914-1473

RE: Change in Ownership Water Right Nos: 78-7356, 78-7357, and 78-7363

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:

 X Filing Fee of \$100 per water right for changes resulting from division of a water right

Effective July 1, 2000, the legislature enacted House Bill No. 545 requiring a filing fee for a change in water right ownership. The fee is \$25 per water right, except for ownership changes resulting in the division of a water right, which is \$100 per water right. All ownership change notices received after June 30, 2000 must include the appropriate filing fees in order to be processed. We have determined that the filing fee for your notice will be \$225. Water rights 78-7356 and 78-7363 are appurtenant to property you do not own and will require a split. You submitted payment in the amount of \$100, therefore the additional fees required is **\$125**.

Because the Department cannot process the Notice without proper fees, we will hold any action on your notice pending receipt of the necessary fees. If we do not receive the necessary fees 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) 287-4920.

Sincerely,

Debbi Judd
Technical Records Specialist