

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED

MAY 06 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?
75-10061C	Yes ☐	Yes ☐	75-14389	Yes ☐	Yes ☐
75-10091	Yes ☐	Yes ☐	75-14393	Yes ☐	Yes ☐
75-14225	Yes ☐	Yes ☐		Yes ☐	Yes ☐
75-14387	Yes ☐	Yes ☐		Yes ☐	Yes ☐
75-14388	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Michael Jagd
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Lisa Loughran
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- PO Box 383 Salmon ID 83467
Mailing address City State ZIP
707-849-9257 llkkorghn@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: 03/28/2019
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 # 75-10061C

8. Signature: [Signature] Title, if applicable: _____ Date: 5/3/19
Signature of new owner/claimant
- Signature: _____ Title, if applicable: _____ Date: _____
Signature of new owner/claimant

For IDWR Office Use Only:

Received by: [Signature] Date: 5-6-19 Receipt No. C106750 Receipt Amt. \$175.00
Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing [Signature] W-9 received? Yes ☐ No ☐
Name on W-9: _____ Approved by: _____ Processed by: [Signature] Date: 5-7-19

WARRANTY DEED

Alliance Title & Escrow Corp. Order No.: 426316

FOR VALUE RECEIVED

Michael Jagd, an unmarried man

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

 **Lisa K. Loughran, an unmarried woman**

whose current address is

**10 Bluebell Lane
Salmon, ID 83467**

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

Lot 20 of Ajax Peak Subdivision, according to the official plat thereof, filed in Book 5 of Plats at Page 28 Official Records of Lemhi County, Idaho.

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.

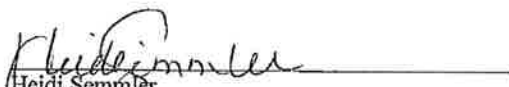
Dated: 3 / 17 / 19

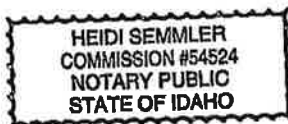

Michael Jagd

State of Idaho } ss
County of Lemhi }

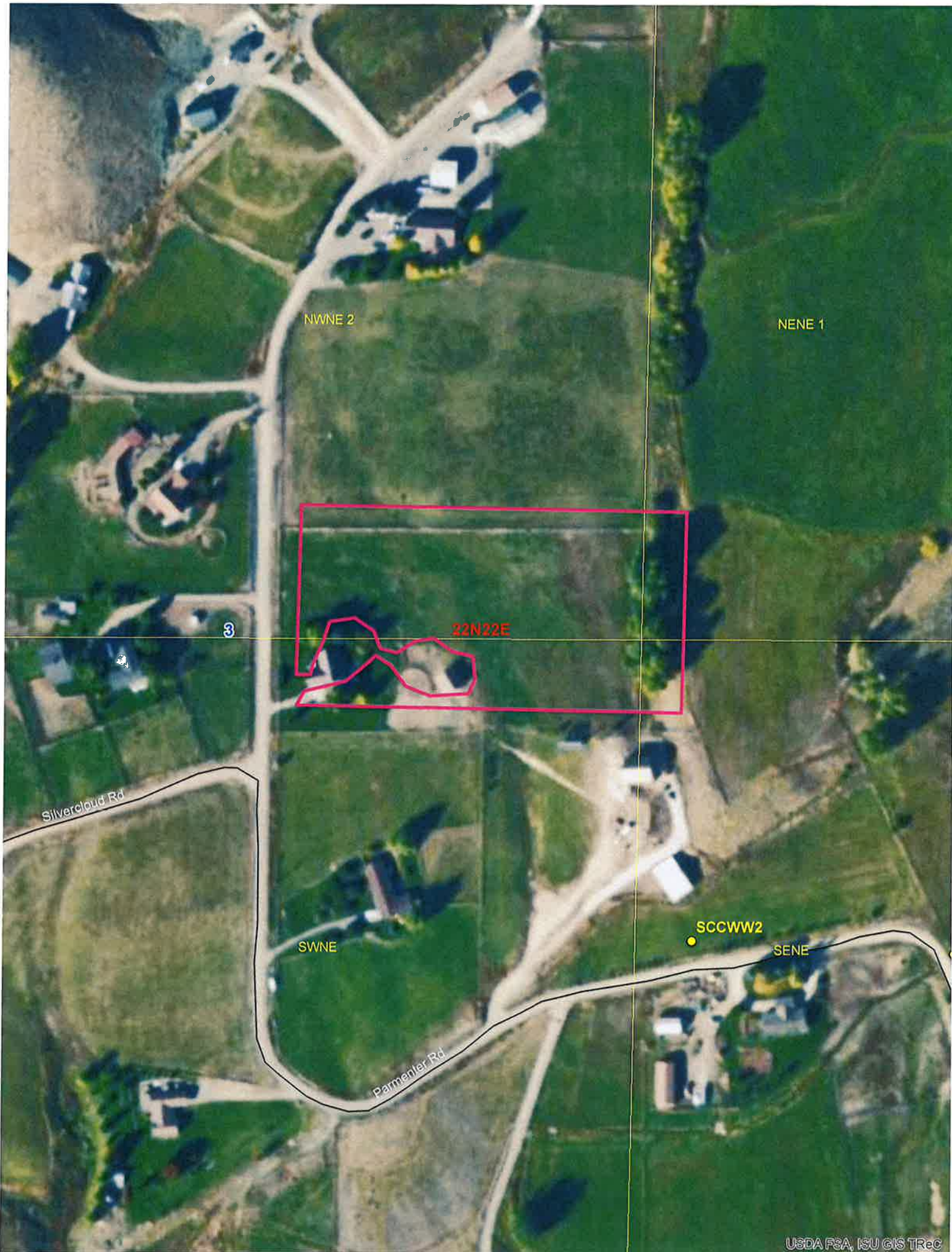
On this 14th day of March, 2019, before me, Heidi Semmler, a Notary Public in and for said state, personally appeared Michael Jagd, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within Instrument and acknowledged to me that he/she/they executed same.

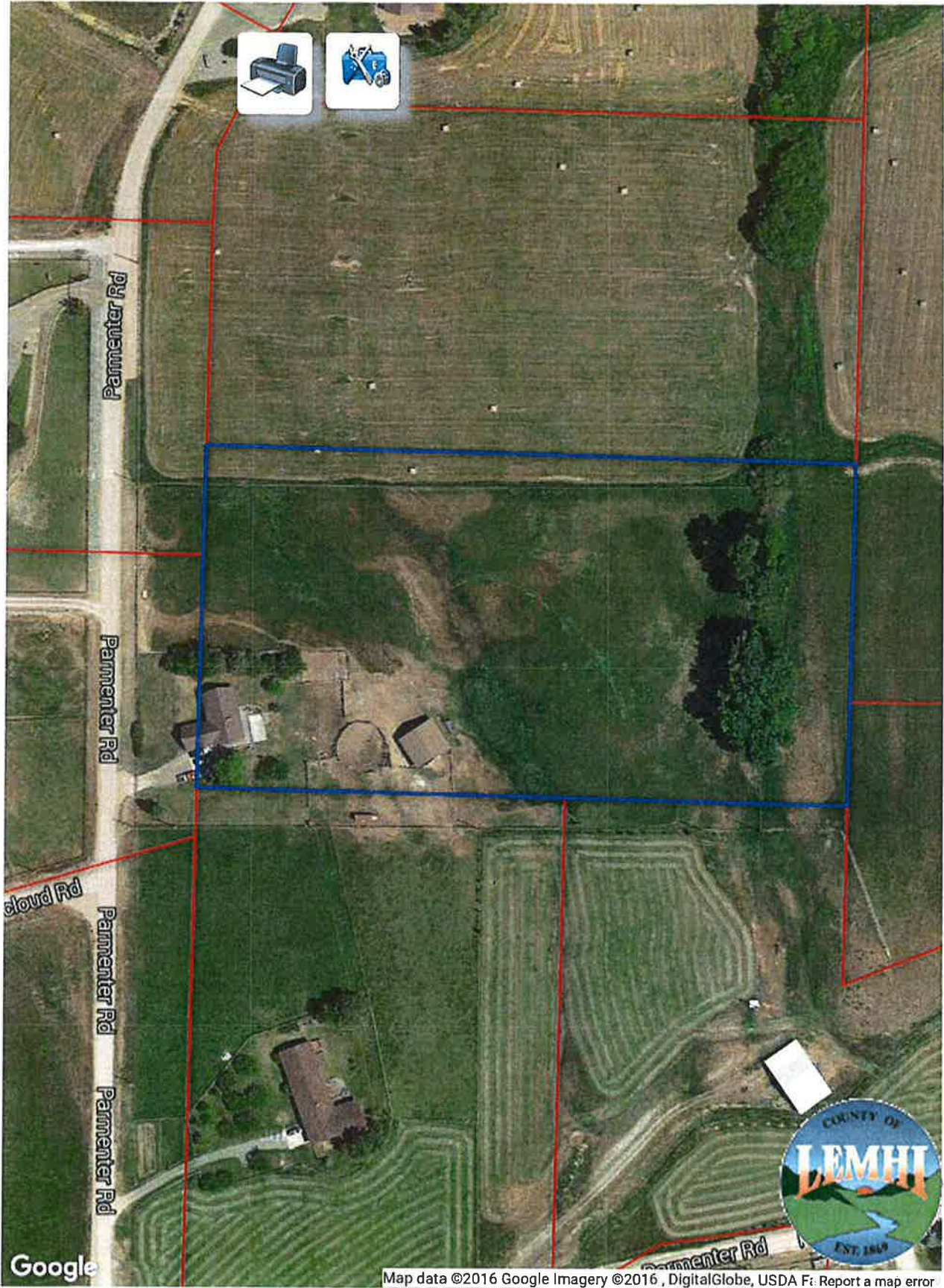
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

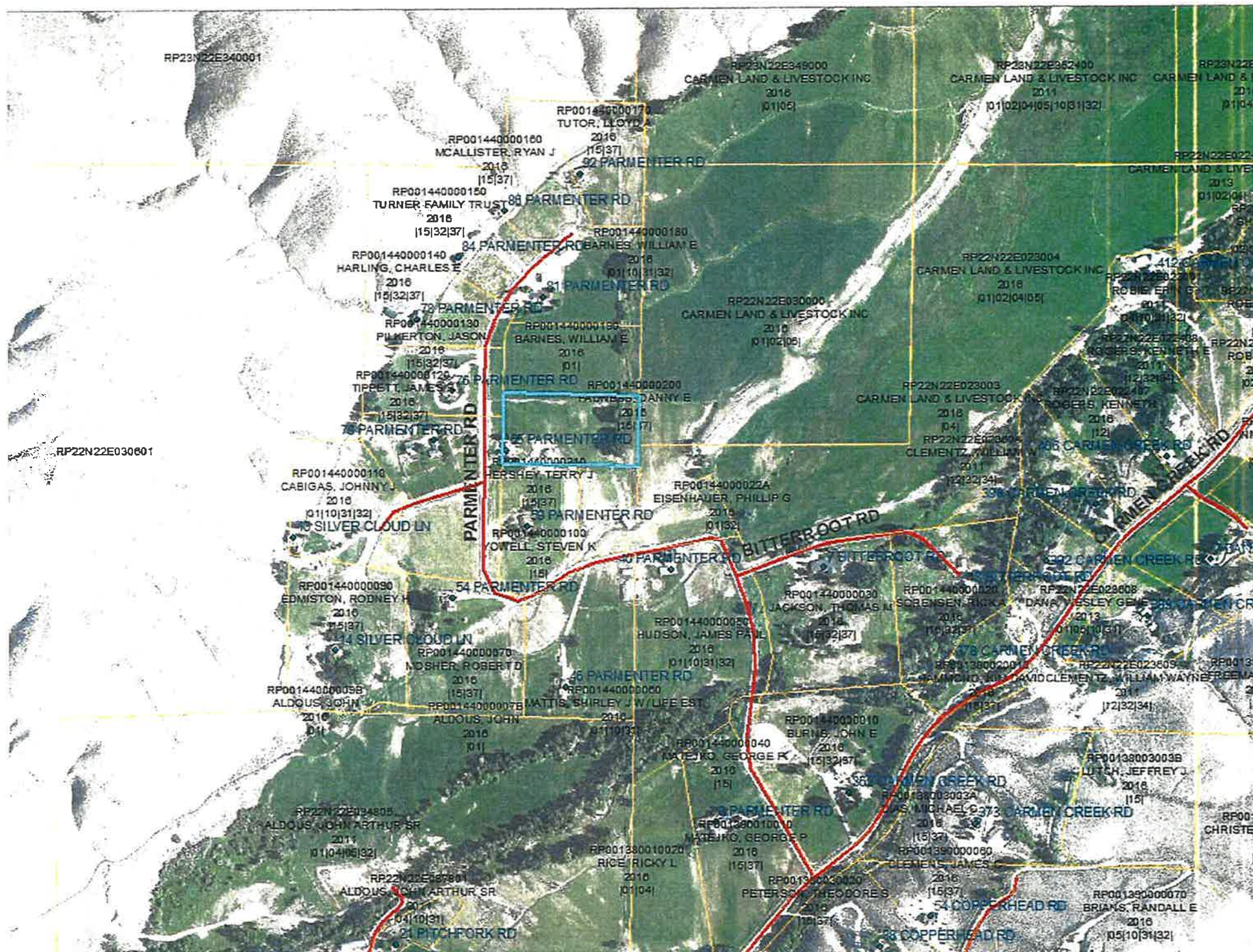

Heidi Semmler
Notary Public for the State of Idaho
Residing at: Salmon
Commission Expires: May 19, 2021

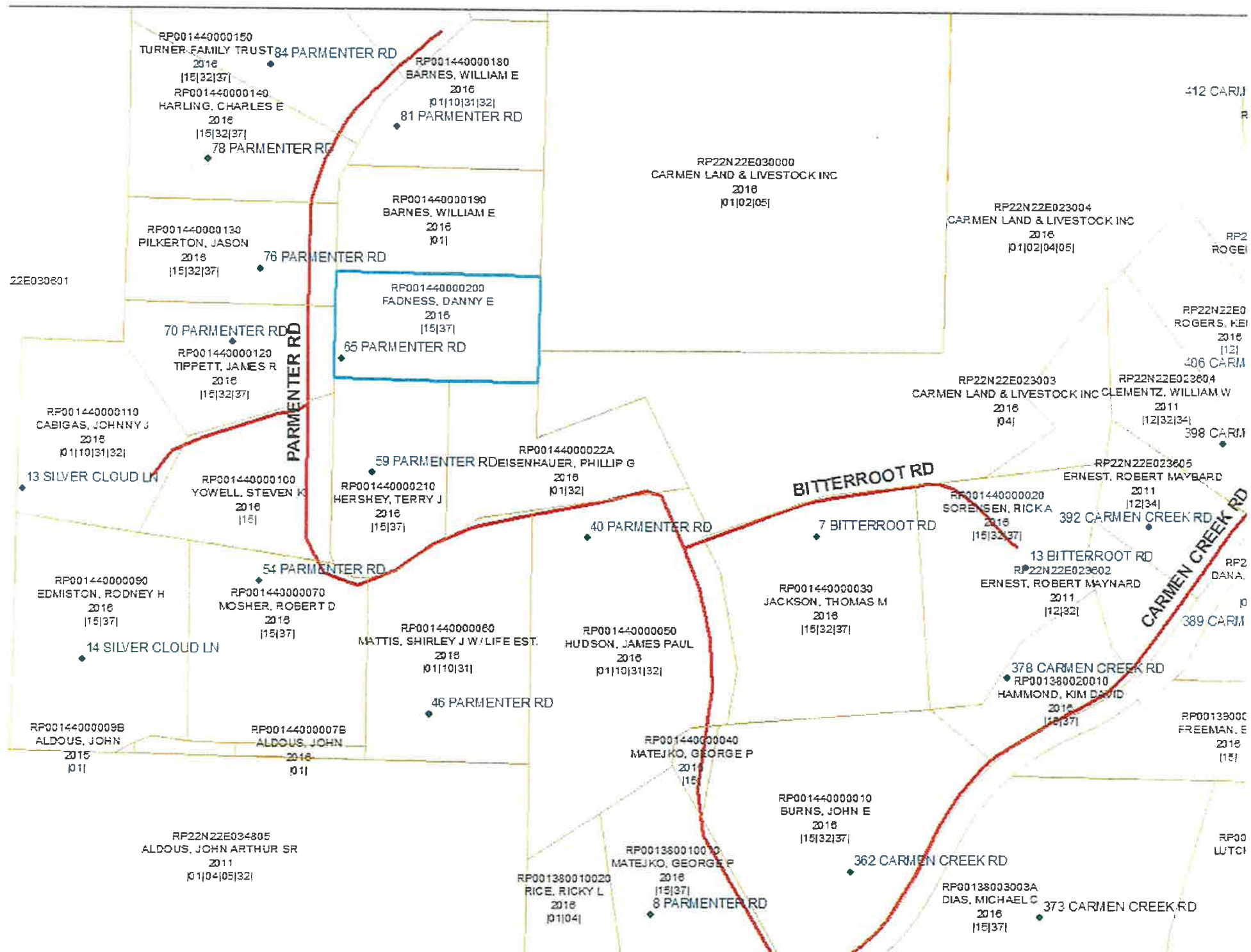












RP001440000140
RLING, CHARLES E
2016
[15|32|37]

RP001440000120
LKERTON, JASON
2016
[15|32|37]
NTER RD

17 W
12

100120
AMES R
37]

LOUD LN
N 73-30-25 E
480.012

RP001440000103
WELL, STEVEN K
2016
[15]

S 2-44-22 W
70.346

N 1-14-13 E
218.403

N 1-14-21 E
108.367

N 1-14-13 E
227.974

S 1-14-10 W
489.005

RP001440000190
BARNES, WILLIAM E
2016
[01]

S 89-45-47 E
647.56

RP001440000200
FADNESS, DANNY E
2016
[15|37]

N 88-45-47 W
368.244

N 88-45-47 W
281.32

RP001440000210
HERSHEY, TERRY J
2016
[15|37]

S 1-14-13 W
505.785

N 1-14-13 E
337.27

N 1-14-13 E
234.08

N 1-14-13 E
101.06

N 1-14-13 E
175.93

RP22N22E030000
CARMEN LAND & LIVESTOCK INC
2016
[01|02|05]

S 89-53-9 E
1282.327

RP22N22E023004
CARMEN LAND & LIVESTOCK INC
2016
[01|02|04|05]

S 68-58-17 W
366.48

RP00144000022A
EISENHAEUER, PHILLIP G
2016
[01|32]

N 25-20-4
327.785

59 PARMENTER RD

65 PARMENTER RD

PARMENTER LATERAL DITCH ASSOCIATION

PO Box 213 Carmen, Idaho 83467

18 March 2019

Dear Parmenter Lateral Ditch User,

The annual meeting of the Parmenter Lateral Ditch Users was held in the Carmen Heritage Hall on 14 March 2019.

The Meeting minutes are (Attachment 1) included for your information.

The preponderance of the meeting was devoted to a review of the proposed bylaws submitted by the Interim Chair. Three general corrections to verbiage were accepted without discussion. The remainder of the discussion centered around framing the conditions that would trigger the implementation of a water rotation schedule. The consensus was that in most cases all that should be necessary was a common sense approach by each user to ensure that all users had access to water. With this precept as guidance the attendees accepted the addition of Section 7 to Article IV which delineates the conditions in which the board would implement a schedule. With this addition the bylaws for the Association were unanimously adopted. The Bylaws (Attachment 2) are included for your reference.

A budget for the 2019 water year was presented and accepted. Attachment 3 is a breakout of the proportional cost for each water user. Idaho law requires that each water user pay their assessment prior to 1 May. Failure to do so will result in loss of irrigation rights until the debt is satisfied. Please forward your payment to me at your earliest convenience.

Sincerely yours,

Bob Mosher

Chairman

Vote Talley/Cost Worksheet

Name	Weight	Yes	No	Share/Unit	Cost Share	
Tutor	5.8			16.978	98.4724	
Barnes	22.8			16.978	387.0984	
Mcallister	4.1			16.978	69.6098	
Hecker	3.9			16.978	66.2142	
Healy	4.6			16.978	78.0988	
Pilkerton	4.2			16.978	71.3076	
Tippett	8.2			16.978	139.2196	
Jagd	8.1			16.978	137.5218	
Cabigas	6			16.978	101.868	
Edmiston	14.2			16.978	241.0876	
Yowell	8.9			16.978	151.1042	
Hershey	8.9			16.978	151.1042	
Mosher	11.9			16.978	202.0382	
Eisenhauer	6.2			16.978	105.2636	
Total Vote	117.8	0	0		2000.0084	

**BY-LAWS
of the
PARMENTER LATERAL WATER USERS ASSOCIATION
CARMEN, IDAHO**

ARTICLE I

NAME, PURPOSE, AND MEMBERS

Section 1. The name of the association is Parmenter Lateral Water Users Association. This is a not for profit association formed pursuant to Idaho Code Title 42 Chapter 13.

Section 2. The Association is formed to facilitate equitable delivery of privately held water rights in a common conveyance ditch from Carmen Creek with point of diversion at 23N 22E Sec 35 NENE, more commonly known as SCC-10-11. (see map, Attachment A).

Section 3. The Association, through assessments of member water users, shall provide for shared expenses of ditch maintenance and other costs related to the diversion of irrigation water in Idaho.

Section 4. Association members are those water users holding the attached water rights (Attachment B).

ARTICLE II

ANNUAL MEETING, OFFICERS, VOTING AND ASSESSMENTS

Section 1. A meeting of water users will be held each year, at a date to be determined annually, for the purpose of approving a budget and electing officers and a lateral manager.

Section 2. The officers shall be President, Vice Chair, and Secretary. A Lateral Manager will be elected to supervise distribution of water from the shared ditch. These 3 officers will comprise the Board of Directors.

Section 3. At such annual meetings each water user shall be entitled to one (1) vote in person, for each inch and a fractional vote for each fraction of an inch of water which such water user is entitled to receive from such laterals. A majority vote will be required to pass a motion. (Attachment C)

Section 4. Assessments shall be apportioned based to right holders based upon the number of inches and fractional inches of water in each property's right.

ARTICLE III

POWERS AND DUTIES OF OFFICERS AND DIRECTORS

Section 1. The Board of Directors is authorized to hire contractors to repair or clean the ditch(es), construct check dams at the river diversion or complete any necessary maintenance, repair or installation of diversion works, control structures or measuring devices.

Section 2. The Chairman shall prepare assessments as soon as practicable after the annual budget is adopted. The Chairman shall collect the funds and disburse them as necessary to satisfy any expenses. Any excess funding at the end of the water year will be retained and applied to reduce land owner assessments in the following year.

Section 3. All spending decisions must be approved by an adopted motion.

Section 4. Officers shall serve for a term of one year. Such term will be extended without any action until the outgoing officers are relieved.

ARTICLE IV

RULES AND REGULATIONS FOR THE DISTRIBUTION OF WATER

Section 1. The only water rights eligible for delivery are those rights identified by records of the water users in the Association.

Section 2. No water user shall be entitled to receive water whenever their assessment remains unpaid after May 1 of each year.

Section 3. The Lateral Manager shall make the best effort to ensure that each water user receives a share of water according to the recorded rights, and shall perform the duties as required by these by-laws, in accordance with Idaho Statutes.

The Lateral Manager shall have power to require of each user of such lateral: such user's proportion of the amount of labor, material or money reasonably necessary for the proper repair and maintenance of such lateral, and to require measuring weirs, head-gates and checks to be installed for distributing the water equitably among the users. Every effort will be made to minimize the cost to the users.

Section 4. All water must be beneficially used.

Section 5. Water delivery problems shall be referred to the Directors and will be resolved by discussion and consensus of users.

Section 6. Shared ditch maintenance needs shall be evaluated annually. All other ditch maintenance on water user property including any required installation of water measuring devices is the responsibility of the water user.

Section 7. The Board will direct the Lateral Manager to implement a water use rotation schedule on the inception of low water, or upon the degradation of junior rights when such degradation impacts an equitable distribution of available water.

ARTICLE V

GENERAL PROVISIONS

Section 1. These by-laws may be altered, amended or repealed at any annual meeting or at a special meeting called for that purpose.

ADOPTED: 14 March 2019

AMENDED:



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 7, 2019

Gary Spackman
Director

LISA K LOUGHRAN
PO BOX 383
SALMON ID 83467-0383

Re: Change in Ownership for Water Right Nos: 75-10061C, 75-10091, 75-14225, 75-14387,
75-14388, 75-14389, and 75-14393

Dear Water Right Holder:

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water rights 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) 287-4920.

Sincerely,

Debbi Judd
Technical Records Specialist

Enclosures

c. Water District 75D