

RECEIVED

AUG 30 2018

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

IDWR / NORTH

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?
86-10402	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Judy D. Green
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Sylvia A., Gale A. Carpenter
New owner(s) as listed on the conveyance document
- Name connector ☐ and ☐ or ☒ and/or
- P.O. Bx 365 (709 State St.) Tulietta ID 83535
Mailing address City State ZIP
- 541-990-4480
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: 7-13-18
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: Sylvia A. Carpenter Title, if applicable: _____ Date: 8-3-18
Signature of new owner/claimant
- Signature: Gale A. Carpenter Title, if applicable: _____ Date: 8/3/18
Signature of new owner/claimant

For IDWR Office Use Only:

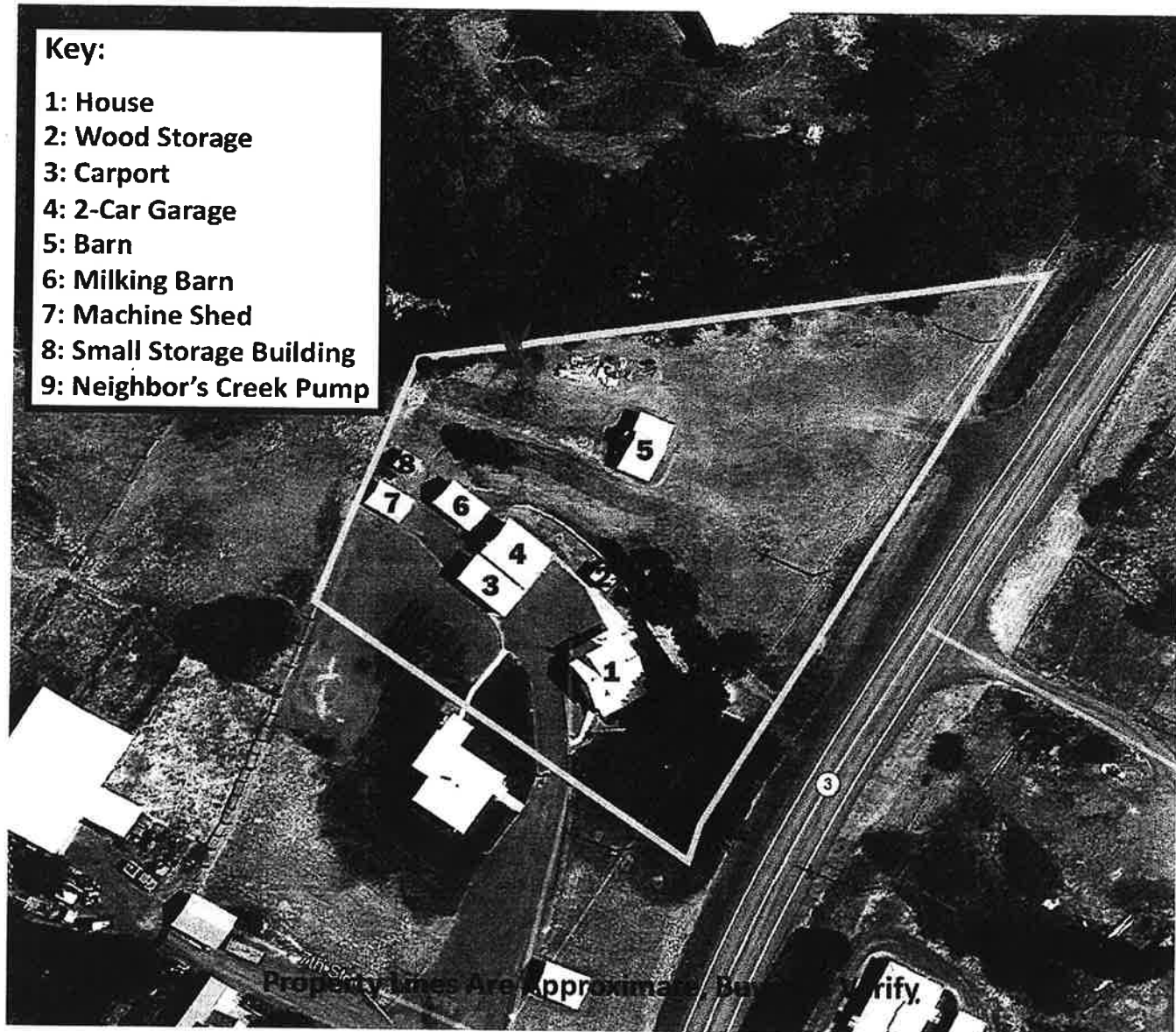
Received by NS Date 8-30-18 Receipt No. N033730 Receipt Amt. \$25⁰⁰

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 NS Date 5-10-19

Key:

- 1: House
- 2: Wood Storage
- 3: Carport
- 4: 2-Car Garage
- 5: Barn
- 6: Milking Barn
- 7: Machine Shed
- 8: Small Storage Building
- 9: Neighbor's Creek Pump



SEC 33

SEC 34

T38NR03W

NE 1/4 SEC. 4

6501

#3389

22

19

18

15

14

022A
HOMES ADDITION (OUTSIDE)
01780

019A

#3474

MIDDLE POTLATCH CREEK
3.72 AC

018B
#3620

018A
#3620

018C

2.26 AC

T37NR03W

020A

26

23

021A

20

HOMES ADDITION (INSIDE)
415 021A

24

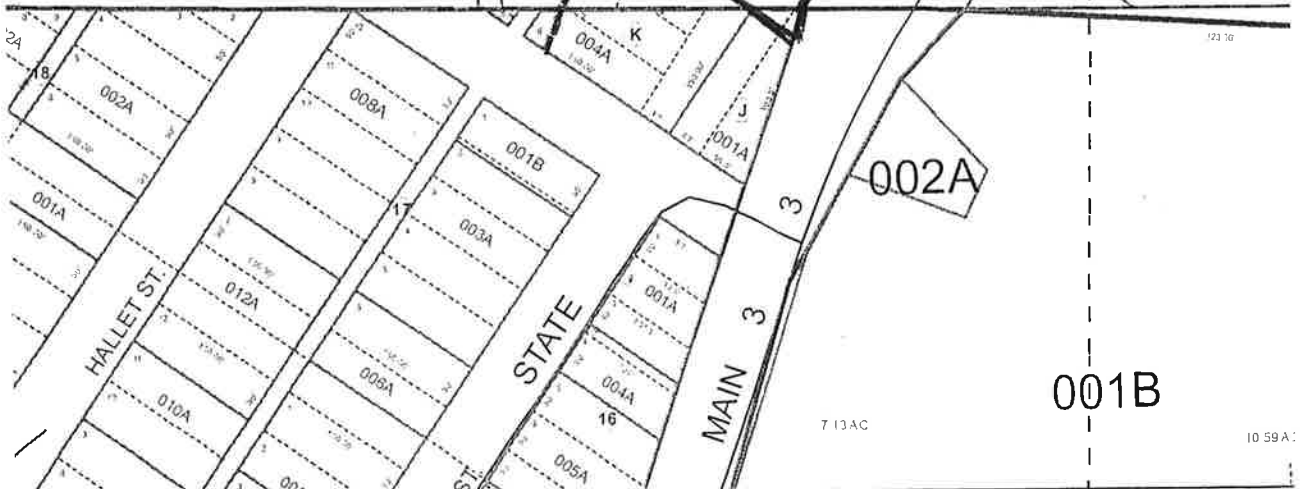
21

021A

017B

017A

017
#1399



This map/plat may or may not be a survey of the land depicted hereon. You should not rely upon it for any purpose other than orientation to the general location of the parcel or parcels depicted. The company expressly disclaims any liability for alleged loss or damage which may result from reliance upon this map.

This map is provided by Latah County Assessor. Due to the variability of sources used, Latah County makes no claims or warranties regarding the data contained herein.

1 inch = 200 feet

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 86-10402

NAME AND ADDRESS: JUDY D GREEN
PO BOX 275
JULIAETTA, ID 83535

SOURCE: MIDDLE POTLATCH CREEK TRIBUTARY: POTLATCH RIVER

QUANTITY: 0.02 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 05/01/1969

POINT OF DIVERSION: T37N R03W S03 SENWNW Within Latah County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic 1 LAWN AND GARDEN	01-01 TO 12-31	0.02 CFS

PLACE OF USE: Domestic T37N R03W S03 SNNW Within Latah County

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

EXHIBIT "A"

LEGAL DESCRIPTION

File No.: 59817

The land referred to herein is situated in the State of Idaho, County of Latah and is described as follows:

A parcel of land located in Government Lot 4 (NW1/4NW1/4) and the SW1/4NW1/4 of Section 3, Township 37 North, Range 3 West, B.M., and also part of Lot 21, Pleasant Home Addition to the City of Juliaetta and a portion of vacated State Street that attaches by operation of law, being more fully described as follows:

COMMENCING at the north one-quarter corner of Section 3 and marked by a 1 1/8" dia. iron rod; thence North 89°07'04" West, a distance of 1300.40 feet to a 2" dia. brass capped iron pipe; thence South 00°52'01" West, a distance of 1275.70 feet to a 1 1/2" dia. iron pipe; thence North 88°50'49" West, a distance of 277.19 feet to the northwesterly right of way line of Idaho State Highway 3, marked by a rebar being the TRUE POINT OF BEGINNING; thence South 34°20'42" West, along said right of way line, a distance of 48.07 feet to a rebar; thence South 19°06'49" West, along said right of way line, a distance of 20.25 feet to a rebar; thence North 52°05'15" West, a distance of 99.40 feet to a rebar; thence North 55°16'39" West, a distance of 153.42 feet to a rebar; thence North 21°25'11" East, a distance of 172.35 feet; thence North 74°17'11" East, a distance of 445.26 feet to the northwesterly right of way line of Idaho State Highway No. 3; thence South 34°20'42" West, along said right of way line, a distance of 448.95 feet to the TRUE POINT OF BEGINNING.

WARRANTY DEED

Judy D. Green, a single person, Grantor, for good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto Gale Carpenter and Sylvia A. Carpenter, husband and wife, Grantees, whose current address is 709 State Street, Juliaetta, Idaho 83535, and to Grantees' heirs and assigns forever, all of the following described real property situated in Latah County, State of Idaho, to-wit:

A parcel of land located in Government Lot 4 (NW1/4NW1/4) and the SW1/4NW1/4 of Section 3, Township 37 North, Range 3 West, B.M., and also part of Lot 21, Pleasant Home Addition to the City of Juliaetta and a portion of vacated State Street that attaches by operation of law, being more fully described as follows:

COMMENCING at the north one-quarter corner of Section 3 and marked by a 1 1/8" dia. iron rod; thence North 89°07'04" West, a distance of 1300.40 feet to a 2" dia. brass capped iron pipe; thence South 00°52'01" West, a distance of 1275.70 feet to a 1 1/2" dia. iron pipe; thence North 88°50'49" West, a distance of 277.19 feet to the northwesterly right of way line of Idaho State Highway 3, marked by a rebar being the TRUE POINT OF BEGINNING; thence South 34°20'42" West, along said right of way line, a distance of 48.07 feet to a rebar; thence South 19°06'49" West, along said right of way line, a distance of 20.25 feet to a rebar; thence North 52°05'15" West, a distance of 99.40 feet to a rebar; thence North 55°16'39" West, a distance of 153.42 feet to a rebar; thence North 21°25'11" East, a distance of 172.35 feet; thence North 74°17'11" East, a distance of 445.26 feet to the northwesterly right of way line of Idaho State Highway No. 3; thence South 34°20'42" West, along said right of way line, a distance of 448.95 feet to the TRUE POINT OF BEGINNING;

SUBJECT TO any claim arising from the difference in the mean high water line of the Middle Potlatch Creek and the meander line as shown by the Original Government Survey;

ALSO SUBJECT TO existing rights of way, easements and franchise rights of any lot owner or public utility in place at time of vacation as referenced in that certain Ordinance No. 2016-03 recorded under Recorder's Fee No. 580733;

ALSO SUBJECT TO Restrictions, reservations, and easement, as more fully set out in that certain Right of Way Deed to the State of Idaho recorded under Recorder's Fee No. 183394 in Book 127 of Deeds at Page 199;

ALSO SUBJECT TO Easement reserved by the City of Juliaetta, as more fully set out in that certain Ordinance No. 2016-03 recorded under Recorder's Fee No. 580733;

ALSO SUBJECT TO All matters, covenants, conditions, restrictions, easements and any rights, interests or claims which may exist by reason thereof, disclosed by Record of Survey recorded under Recorder's Fee Nos. 490833 and 591496, but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604(c);

ALSO SUBJECT TO Terms and provisions, as more fully set out in that certain Corrected Boundary Line Agreement recorded under Recorder's Fee No. 593069;

ALSO SUBJECT TO Terms, conditions and provisions, as more fully set out in that certain Shared Driveway Agreement with Easement recorded under Recorder's Fee No. 593074;

ALSO SUBJECT TO Terms, conditions and provisions, of the Easement recorded under Recorder's Fee No. _____.

Together with all and singular the tenements, hereditaments, and appurtenances thereto and subject to general property taxes for 2018 not yet due and payable.

Grantors for himself/themselves, their heirs and assigns, hereby covenant that they are the owners in fee simple of said premises and that they do warrant and will defend the quiet and peaceable possession of said premises by Grantees, their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, Grantors have hereunto subscribed his name to this instrument this 12 day of July, 2018.

GRANTOR:



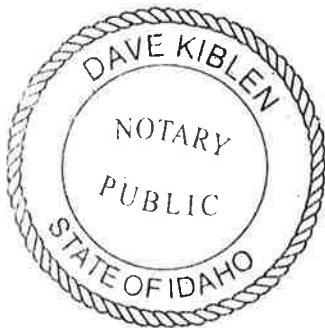
JUDY D. GREEN

STATE OF IDAHO)
) ss.
County of Latah)

On this 12 day of July, 2018, before me the undersigned a Notary Public in and for the State of Idaho, personally appeared Judy D. Green, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same as her free and voluntary act and deed for the uses and purposes therein mentioned.

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

(seal)



Dave Kiblen
Notary Public in and for the State of
Idaho, residing at Moscow, ID.
My commission expires: 7/18/18



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region • 7600 N MINERAL DR STE 100 • COEUR D ALENE, ID 83815-7763

Phone: (208)762-2800 • Fax: (208)769-2819 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

May 06, 2019

SYLVIA A CARPENTER
GALE CARPENTER
PO BOX 365
JULIAETTA ID 83535-0365

Re: Change in Ownership for Water Right No(s): 86-10402

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.

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.

Because this water right was decreed in the SW/NW quarter south of where your property is located, you will need to file a transfer in order to correct the location of the Place of Use with the Department.

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) 762-2813.

Sincerely,

Natalie Steading
Tech Records Specialist 1

Enclosure(s)