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MAR 27 2019

DEPARTMENT OF
WATER RESOURCESSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED

MAR 13 2019

WATER RESOURCES
WESTERN REGION

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.

Water Right Claim No.	Split?	Water Right Claim No.	Split?	Water Right Claim No.	Split?
78-7265	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name:

Glenn E Baum and Netta Baum

3. New Owner(s) Claimant(s):

Kathleen R. Herbert

Name of each new owner as listed on the conveyance document

Rochelle Bettis

New owner continued

Name connector

☒ and☐ or☐ and/or

414 Lower Ranch Drive

Mailing address

New meadows

City

502

State

ZIP

208-315-0073

Id

83654

Telephone

Email

RochelleAndmatt@yahoo.com

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:

9/4/2018

6. 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.

7. Signature:

Kathleen R. Herbert

Signature of new owner/claimant

Title, if applicable

Feb 13, 2019

Date

Signature:

Rochelle Bettis

Signature of new owner/claimant

Title, if applicable

2-20-2019

Date

For IDWR Office Use Only:

Received by

AK

Date

3/14/2019

Receipt No.

W047267

Receipt Amt.

25.00

Approved by

Processed by

Date

4-2-19

Instrument # 515472

IDAHO COUNTY, IDAHO,

9-6-2018 03:04:03 PM No. of Pages: 3

Recorded for : IDAHO COUNTY TITLE

KATHY M. ACKERMAN

Ex-Officio Recorder Deputy

Fee: 15.00

(Space Above For Recorder's Use)

WARRANTY DEED

For value received, HELLS CANYON HOLDINGS, LLC, an Idaho Limited Liability Company, ("Grantor"), does hereby convey, grant, bargain, and sell to KATHLEEN R. HERBERT, a married woman, whose mailing address is: ~~1077 Rambling Road, Simi Valley, CA 93065~~, an undivided two-thirds (2/3) interest, and to ROCHELLE BETTIS, a married woman, whose mailing address is: 414 Lower Ranch Drive, New Meadows, ID 83654, an undivided one third (1/3) interest, as tenants in common, (collectively as "Grantees"), and to Grantees' respective heirs, successors and assigns forever, in and to the following described real property situated in Idaho County, State of Idaho:

Township 22 North, Range 1 East, Boise Meridian, Idaho County, Idaho,
Section 26:

A parcel of land located in the NW¹/₄, more particularly described as follows:
Commencing at the 1/4 corner common to Sections 26 and 27, said Township and
Range;

thence N 44°28'42" E, 1753.30 feet to the True Point of Beginning;

thence S 44°51'04" W, 202.76 feet to a point;

thence S 29°29'20" W, 60.00 feet to a point;

thence S 18°29'09" W, 251.56 feet to a point;

thence N 90°00'00" E, 582.25 feet to a point;

thence N 00°00'00" E, 121.50 feet to a point;

thence S 90°00'00" W, 179.81 feet to a point;

thence N 00°00'00" E, 116.99 feet to a point;

thence N 37°26'45" W, 246.95 feet to the True Point of Beginning.

Sometimes known as Assessor's Tax No. 70.

SUBJECT TO taxes and assessments for the year 2018, and all subsequent years, together with any and all existing easements, rights-of-way, reservations, covenants, restrictions and encumbrances of record, and the following matters:

1. Power Line Easement, including the terms and provisions thereof, by and between THEODORE STILLMAN and MARY STILLMAN, his wife, and IDAHO POWER COMPANY, a corporation, recorded April 24, 1948, under Instrument No. 159349, Book 80 page 552, records of Idaho County, Idaho.

2. Power Line Easement, including the terms and provisions thereof, by and between FLOYD D. WEST and FLORENCE WEST, and GLENN BAUM and NETTA BAUM, and IDAHO POWER COMPANY, a corporation, recorded October 17, 1988, under Instrument No. 344349, records of Idaho County, Idaho.

3. Grant of Easement, including the terms and conditions thereof, by and between ALBERT D. GIVENS, Trustee of the ALIMUR TRUST, and GLENN BAUM and NETTA BAUM, recorded June 3, 1991, under Instrument No. 358523, records of Idaho County, Idaho.

4. Order, by and between GLENN E. BAUM and NETTA BAUM, husband and wife, and FLOYD D. WEST and FLORENCE WEST, husband and wife, Plaintiff, vs. DAVID G. PITTS and CAROLYN PITTS, husband and wife, Defendants, recorded March 25, 1992, under Instrument No. 362691, records of Idaho County, Idaho.

6. Matters as shown on Survey No. S-1780, recorded June 23, 2000, under Instrument No. 412336; Survey No. S-1821, recorded October 23, 2000, under Instrument No. 414048; and Survey No. S-2074, recorded August 19, 2003, under Instrument No. 430839; all records of Idaho County, Idaho.

7. Roadway Easement Agreement, by and between GLENN E. BAUM and NETTA BAUM, husband and wife, and PAUL F. ROSE and UNA L. ROSE, husband and wife, recorded November 22, 2010, under Instrument No. 475914, records of Idaho County, Idaho.

TOGETHER WITH any and all estate, right, title, interest, appurtenances, tenements, hereditaments, reversions, remainders, easements, rights-of-way and water rights in anywise appertaining to the real property herein described.

The Grantor covenants to the Grantees that Grantor is the owner in fee simple of said real property; that the real property is free from all encumbrances, excepting those as may be herein set forth, and excepting those of record, and that Grantor will warrant and defend the same from all lawful claims.

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 4th day of Sept, 2018.

HELLS CANYON HOLDINGS, LLC,
an Idaho Limited Liability Company

By: [Signature]

Jonathan Nichol
Managing Member

State of Idaho)
County of Idaho : ss.
)

This record was acknowledged before me on Sept 4, 2018, Jonathan Nichol,
as Managing Member of HELLS CANYON HOLDINGS, LLC, an Idaho Limited Liability
Company.



[Signature]
Signature of notary public

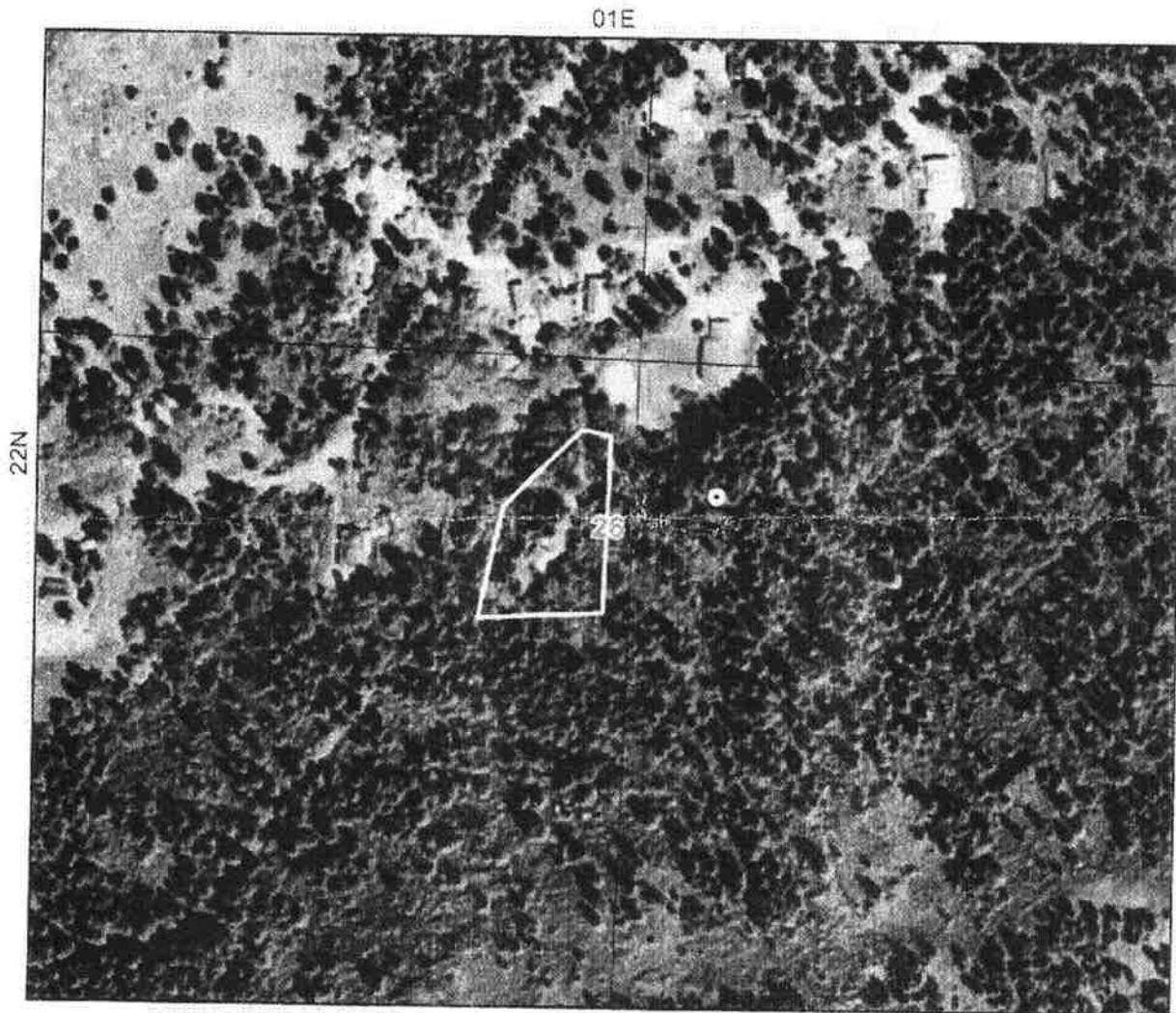
My commission expires: 6-24-2023

State of Idaho
Department of Water Resources

Water Right
78-7265

DOMESTIC

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.



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

0 0.035 0.07 0.14 Miles



A horizontal scale bar with tick marks at 0, 0.035, 0.07, and 0.14 miles.



WATER RIGHT NO. 78-7265

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	FLORENCE WEST
Current Owner	FLOYD D WEST 207 N 840 E DECLO, ID 83323 2086542147
Current Owner	GLENN E BAUM
Current Owner	NETTA BAUM 3661 N 3000 E TWIN FALLS, ID 83301 2087335254

Priority Date: 07/30/1985

Basis: Decreed

Status: Active

Source Tributary
SPRING ELK CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DOMESTIC	01/01	12/31	0.0111 CFS	0.6 AFA
Total Diversion			0.0111 CFS	

Location of Point(s) of Diversion:

SPRING | NWSEW | Sec. 26 | Township 22N | Range 01E | IDAHO County

Place(s) of use:

Place of Use Legal Description: DOMESTIC IDAHO County

[illegible]

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. Right 78-7109 is subordinated to this right.
3. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Dates:

Licensed Date:

Decreed Date: 11/06/2007

Permit Proof Due Date: 10/1/1986

Permit Proof Made Date:

Permit Approved Date: 9/26/1985

Permit Moratorium Expiration Date:

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: AND

Water District Number: TBD

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:



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

Gary Spackman
Director

April 02, 2019

KATHLEEN R HERBERT
ROCHELLE P BETTIS
414 LOWER RANCH DR
NEW MEADOWS ID 83654-5097

Re: Change in Ownership for Water Right No(s): 78-7265

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.

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) 287-4942.

Sincerely,

Jean Hersley

Technical Records Specialist II

Enclosure(s)