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OCT 22 2018

DEPT OF WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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OCT 15 2018

WATER RESOURCES
WESTERN REGION

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?
78-7294	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: Loretta Herman
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Lowell Lull and LouAnn McCune
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- PO Box 344 Riggins ID 83549
Mailing address City State ZIP
208-628-4221 idalou7@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: 04/04/2015
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.

8. Signature: [Signature] Title, if applicable 10-1-2018
Signature of new owner/claimant Date

Signature: [Signature] Title, if applicable 10-1-2018
Signature of new owner/claimant Date

For IDWR Office Use Only:

Received by Ak Date 10/15/2018 Receipt No. _____ Receipt Amt. 100.00

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 [Signature] Date 12-20-18

Water Rights Herman 78-7294 split 0.5 AC to Lull Property

Legend

T32N R1E S223 SW 44 NE 4



This map is not to exact scale and is not an actual survey. This map was made for information purposes only.

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

5/8/2018

WATER RIGHT NO. 78-7294

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LORETTA J HERMAN
Current Owner	ROBERT C HERMAN
	PO BOX 253
	POLLOCK, ID 83547
	2086283486

Total 2 AC

- Herman keeps 1.5 AC
- Lull acquires 0.5 AC with the split

Priority Date: 06/02/1988

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
LITTLE SALMON RIVER	SALMON RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	3/01	11/30	0.04 CFS	8 AFA
Total Diversion			0.04 CFS	

Location of Point(s) of Diversion:

LITTLE SALMON RIVER|SWNE|Sec. 32|Township 23N|Range 01E|IDAHO County

Licensed Diversion Capacity: 0.05

Place(s) of use:

498154

WARRANTY DEED

Instrument # 498154

IDAHO COUNTY, IDAHO,

2-5-2015 10:09:53 AM No. of Pages: 4

Recorded for : IDAHO COUNTY TITLE

KATHY M. ACKERMAN

Fee: 19.00

Ex-Officio Recorder Deputy

R. Polak

GRANTOR, LORETTA J. HERMAN, also known as LORETTA HERMAN, a single woman, of 126 Barn Road, Pollock, ID 83547, for good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey to LOWELL E. LULL, a married man, of P.O. Box 344, Riggins, ID 83549, as GRANTEE, and the Grantee's heirs and assigns forever, all of the following described real estate located in the County of Idaho, State of Idaho, to wit:

See Schedule C, attached hereto and hereby incorporated by this reference.

TOGETHER WITH, all improvements, water, water rights, ditches, ditch rights, easements, hereditaments, and appurtenances thereto.

SUBJECT TO:

- 1) General taxes for the year 2015, which are a lien, not yet due and payable.
- 2) Easement, including the terms and provisions thereof, by and between Henry Talbott, unmarried and J. N. Brown, trustee, recorded May 22, 1908 under Instrument No. 6467, Book 27 page 313, records of Idaho County, Idaho.
- 3) Right of Way Easement, including the terms and provisions thereof, by and between M.E. Damon and Anna Damon and The Mountain States Telephone and Telegraph Co., recorded August 25, 1932 under Instrument No. 99201, Book 60 page 435, records of Idaho County, Idaho.
- 4) Reserving unto The United States, its permittee or licensee the right to enter upon, occupy and use any part or all of said land, for the purposes provided in the Act of June 10, 1920, (41 Stat. 1063), and subject to the conditions and limitations of Section 24 of said Act, set forth in Patent, recorded April 1, 1942 under Instrument No. 137824, Book 71 page 484, records of Idaho County, Idaho.
- 5) Right of Way Easement, including the terms and provisions thereof, by and between Elgie B. Bratland, a widow, to The Mountain States Telephone and Telegraph Company, recorded June 30, 1956 under Instrument No. 1879787, Book 89 page 611, records of Idaho County, Idaho.
- 6) Terms and provisions as contained in Warranty Deed, by and between John Bratland, a widower; John Bratland, Administrator for the Estate of Elgie B. Bratland; Firmin Gotzinger and LaVon Gotzinger, his wife, and State of Idaho,

L. Lull

recorded July 20, 1961 under Instrument No. 205804, Book 95 page 373, records of Idaho County, Idaho.

7) Power Line Easement, including the terms and provisions thereof, by and between John Bratland to Idaho Power Company, a corporation, recorded August 7, 1961 under Instrument No. 205955, Book 95 page 418, records of Idaho County, Idaho.

8) Terms and provisions contained in Agreement, by and between Robert C. Herman and Loretta J. Herman, husband and wife, parties of the first part, and Theodore W. Thomas and Edith G. Thomas, husband and wife, parties of the second part, recorded April 2, 1974 under Instrument No. 253418, records of Idaho County, Idaho.

9) Matters as shown on Survey No. S-456, recorded December 11, 1986 under Instrument No. 332291; Survey No. S-1357, recorded June 18, 1997 under Instrument No. 393674; Survey No. S-1758, recorded May 15, 2000 under Instrument No. 0411808; Survey No. S-1827, recorded November 28, 2000, under Instrument No. 0414475; Survey No. S-2448, recorded June 8, 2006 under Instrument No. 448897; and, Survey No. S-2698, recorded April 3, 2008 under Instrument No. 460311, all records of Idaho County, Idaho.

10) Terms and provisions contained in Water Pipeline Easement, by and between Firmin Gotzinger and LaVon Gotzinger, husband and wife, first parties, and Robert Herman, second party, recorded February 20, 1990 under Instrument No. 350275, records of Idaho County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said Grantee, his heirs and assigns, forever. And the said Grantor does hereby covenant to and with the said Grantee that she is the owner in fee simple of said premises; that it is free from all encumbrances, and that she will warrant and defend the same from all lawful claims whatsoever, EXCEPT General taxes for the year 2015 and easements, reservations, restrictions, and rights of way 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

File No.: 26204

SCHEDULE C

Township 23 North, Range 1 East, Boise Meridian, Idaho County, Idaho
Section 32:

A parcel of land located in the NE $\frac{1}{4}$, more particularly described as follows:

Commencing at the Section corner common to Sections 28, 29, 32 and 33 a 1985 brass cap by PE/LS 2098 Instrument No. 384665;
thence S 00°01'59" E, 2,651.019 feet along the Section line between said Sections 32 and 33 to the 1/4 corner common to Sections 32 and 33 a 1975 brass cap by PE/LS Instrument No. 384667;
thence S 89°56'57" W, 1,321.947 feet along the southerly side of said NE $\frac{1}{4}$ to the CE 1/16 corner of Section 32 a 1985 brass cap by PE/LS 2098;
thence N 00°01'50" W, 975.038 feet along the westerly side of the E $\frac{1}{2}$ of the NE $\frac{1}{4}$ of said Section 32 to a 5/8" rebar by PE/LS 2098, the Point of Beginning;
thence N 00°01'50" W, 96.722 feet continuing along said westerly side to a 5/8" rebar by PE/LS 2098 at the Intersection with the westerly right of way of U.S. Highway 95 (F.A.P. #F-4113 (12));
thence S 18°51'54" E, 396.737 feet along said westerly right of way to a 5/8" rebar by PLS 9166
thence S 75°58'41" W, 168.444 feet leaving said westerly right of way to a 5/8" rebar by PLS 9166 on the easterly right of way of Barn Road (old U.S. Highway 95 F.A.P. 9E);
thence N 09°20'18" W, 161.359 feet along said easterly right of way to a 5/8" rebar by PE/LS 2098;
thence N 05°23'20" W, 160.806 feet continuing along said easterly right of way to a 5/8" rebar by PE/LS 2098;
thence N 89°50'57" E, 76.481 feet leaving said easterly right of way back to the Point of Beginning.
Sometimes known as a portion of Assessor's Tax No.'s 65 and Tax No. 170.

(end schedule c)