

\$75

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
FEB 25 2019
DEPARTMENT OF
WATER RESOURCES

DE ✓

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?
74-389	Yes ☐	Yes ☐		Yes ☐	Yes ☐
74-391	Yes ☐	Yes ☐		Yes ☐	Yes ☐
74-726	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Lois Bowman
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Emil Herbst, Aubree Herbst
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☒ and/or
PO BOX 44 Tendoy ID 83468
Mailing address City State ZIP
208.756.8151 emilherbst@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: Oct 11, 2018

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.

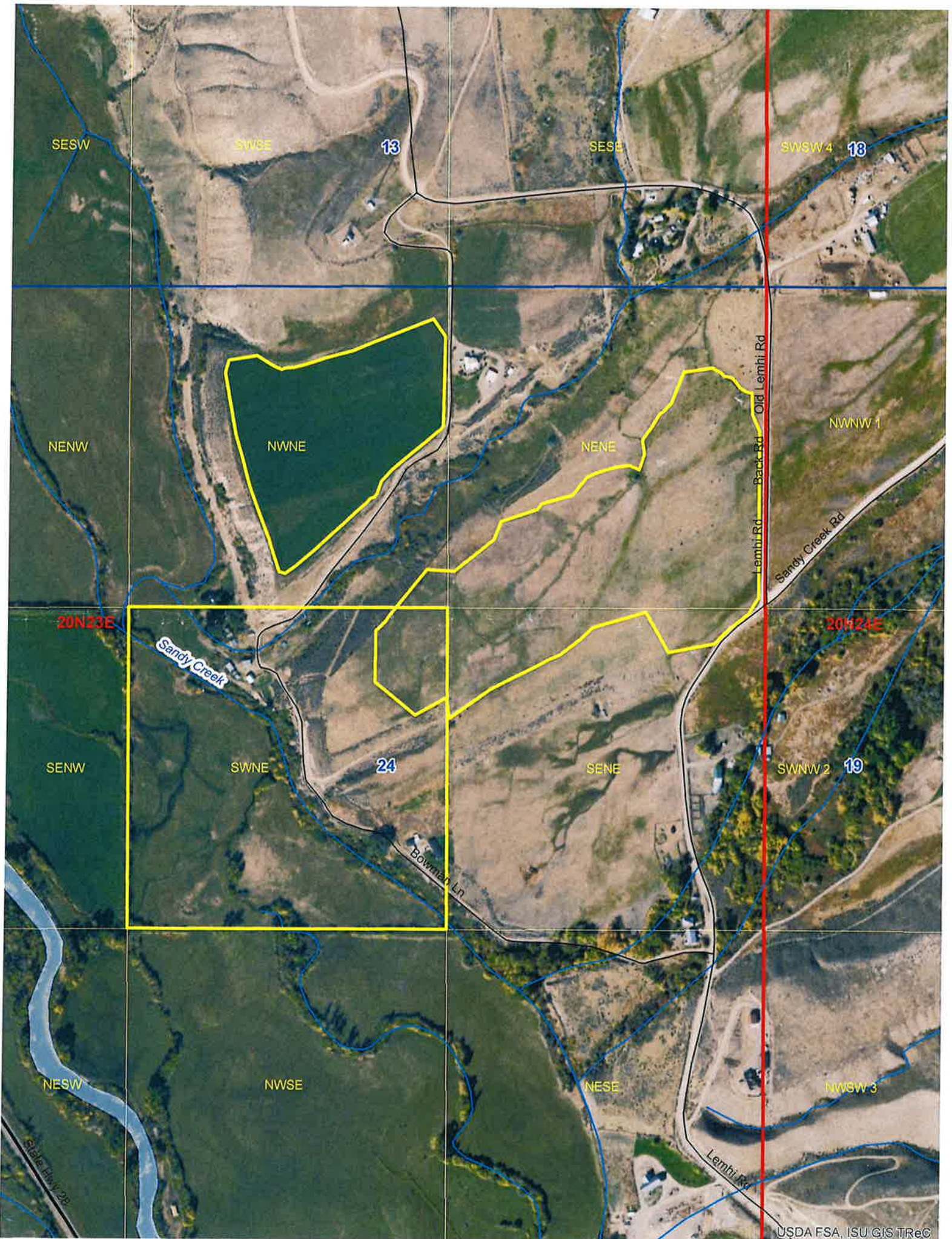
SUPPORT DATA

IN FILE # 74-389

8. Signature: Emil Herbst Owner 2/19/19
Signature of new owner/claimant Title, if applicable Date
Signature: Aubree Herbst 2-19-19
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by S. Shuman Date 2/25/2019 Receipt No. 6106289 Receipt Amt. \$75.00
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 dj Date 2-28-19



Warranty Deed

For Value Received **LOIS BOWMAN AKA LOIS V. BOWMAN**, an unmarried person,
the grantor, do hereby grant, bargain, sell and convey unto

EMIL HERBST AND AUBREE HERBST, husband and wife,

Whose address is: PO Box 44, Tendoy ID 83468

the grantee, the following described premises, in Lemhi County Idaho, to wit:

SEE EXHIBI ' A ' ATTACHED HERETO:

The above conveyance is made free and clear of all other encumbrances except: Rights-of-way and easements, reservation in Federal patents and State deeds, or other restrictions imposed by law, building and zoning regulations and ordinances of any governmental unit, whether of sight or of record.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), his/her/their heirs and assigns forever. And the said Grantor(s) do hereby covenant to and with the said Grantee(s), that he/she/they is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances and that he/she/they will warrant and defend the same from all lawful claims whatsoever.

Dated: October 11, 2018

Lois Bowman
LOIS BOWMAN

STATE OF IDAHO
County of Lemhi—ss

On this 11th day of October, 2018 before me, the undersigned a Notary Public in and for said state, personally appeared Lois Bowman known to me to be the person(s) whose name(s) are subscribed to the within instrument and acknowledged to me that she executed the same.

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

Bill Allen
Notary Public for Idaho, residing at Salmon
My commission expires: 2/19/2021

Instrument # 313784 # Pages: 2
LEMHI COUNTY, Idaho
Oct 15, 2018 3:31:55 pm Fee: \$ 15.00
For: BILL ALLEN ESCROW
TERRI J. MORTON, Recorder
HSMITH, Deputy

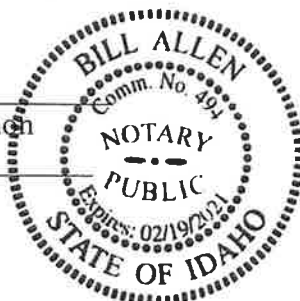


EXHIBIT A
Legal Description
For
Parcel "B"

A parcel of land located within the NE1/4 of Section 24, T.20 N., R. 23 E., B.M., Lemhi County Idaho.

BEGINNING at the northwest corner of E1/2NE1/4 of Section 24, marked by a 5/8-inch rebar with yellow plastic cap inscribed "PLS 5080";

Thence, S 00° 00' 09" W, 555.67 feet along the west line of the east half of the northeast quarter of said Section 24;

Thence, S 82° 18' 23" E, 44.68 feet along an existing fence line to a point;

Thence, S 31° 46' 32" E, 11.71 feet along said fence line to a point;

Thence, N 50° 29' 01" E, 561.92 feet along said fence line to a point;

Thence, N 25° 10' 27" E, 63.22 feet along said fence line to a point;

Thence, N 89° 19' 51" E, 135.86 feet to a point intersecting the west line of Parcel "A"
Instrument No. 299198;

Thence, S 08° 54' 17" E, 243.42 feet along said west line, to the southwest corner of said Parcel "A", marked by a 5/8-inch rebar with yellow plastic cap inscribed "PLS 5080";

Thence, N 81° 05' 41" E, 617.62 feet to a point intersecting the centerline of Lemhi Road;

Thence, S 00° 30' 25" W, 952.13 feet along said centerline to the beginning of a curve;

Thence, along said centerline, following a curve turning to the right, 99.24 feet, through an angle of 52° 57' 30", having a radius of 107.37 feet, and whose long chord bears S 26° 59' 10" W for a distance of 95.75 feet;

Thence S 53° 27' 55" W, 86.93 feet, along said centerline, to the beginning of a curve;

Thence, along said centerline, following a curve turning to the left, 88.05 feet, through an angle of 12° 20' 12", having a radius of 408.93 feet, and whose long chord bears S 47° 17' 49" W for a distance of 87.88 feet to a point of intersection with a non-tangential line;

Thence, S 74° 47' 07" W, 442.06 feet, departing said centerline, to a point marked by a 5/8-inch rebar with yellow plastic cap inscribed "PLS 5080";

Thence, S 63° 49' 47" W, 759.60 feet, to a point intersecting the west line of the east half of the northeast quarter of said Section 24, marked by a 5/8-inch rebar with yellow plastic cap inscribed "PLS 5080";

Thence S 00°10'49" W, 19.12 feet, to a point marked by a 1/2-inch rebar with red plastic cap inscribed "LS 8348";

Thence S 67°58'15" W, 403.76 feet, to a point marked by a 1/2-inch rebar with red plastic cap inscribed "LS 8348";

Thence N 21°07'18" W, 1439.42 feet, to a point marked by a 5/8-inch rebar with a yellow plastic cap inscribed "PLS 5080";

Thence N 10°49'55" W, 468.48 feet, to a point marked by a 5/8-inch rebar with a yellow plastic cap inscribed "PLS 5080";

Thence N 39°48'34" W, 226.70 feet, to a point marked by a 5/8-inch rebar with a yellow plastic cap inscribed "PLS 5080";

Thence N 64°21'13" W, 213.89 feet, to a point marked by a 5/8-inch rebar with a yellow plastic cap inscribed "PLS 5080";

Thence N 89°57'39" E, 1319.13 feet, to a point marked by a 5/8-inch rebar with a yellow plastic cap inscribed "PLS 5080";

Said Parcel "B" contains 72.95 acres more or less.

The Basis of Bearing is South along the Section Line common to said Section 24 and Section 19 between the northeast corner of Section 24 and the east one-quarter corner of said Section 24.

Warranty Deed

Instrument # 298781
LEMHI COUNTY, Idaho
Mar 10, 2015 2:39:08 pm Fee: \$ 13.00
For: BILL ALLEN ESCROW
TERRI J. MORTON, Recorder
JEDWARDS, Deputy

For Value Received **JAY D. BOWMAN AND KAREN HILL,**
both married persons dealing with their sole
and separate property,

the grantors, do hereby grant, bargain, sell and convey unto

EMIL HERBST AND AUBREE HERBST, husband and wife,

Whose address is: PO Box 44, Tendoy Id 83468

the grantee, the following described premises, in Lemhi County Idaho, to wit:

SEE EXHIBIT "A" ATTACHED HERETO: PARCEL "A"

The above conveyance is made free and clear of all other encumbrances except: Rights-of-way and easements, reservation in Federal patents and State deeds, or other restrictions imposed by law, building and zoning regulations and ordinances of any governmental unit, whether of sight or of record.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), his/her/their heirs and assigns forever. And the said Grantor(s) do hereby covenant to and with the said Grantee(s), that he/she/they is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances and that he/she/they will warrant and defend the same from all lawful claims whatsoever.

Dated: March 5, 2015

Jay D. Bowman
JAY D. BOWMAN

Karen M. Hill
KAREN HILL



STATE OF IDAHO, County of Lemhi--ss

On this 4th day of March, 2015,
before me, a notary public in and for said State, personally appeared

JAY D. BOWMAN

known or proved to me to be the person whose name is
subscribed to the within instrument, and acknowledged to me that
he has executed the same.

STATE OF WA County of Bentonss

On this 27 day of Feb March, 2015,
before me, a notary public in and for said State, personally
appeared

KAREN HILL

known or proved to me to be the person whose name is
subscribed to the within instrument, and acknowledged to me that
she has executed the same.

Bill Allen

Notary Public for Idaho
Residing at Salmon
Comm. Expires 1-16-2021

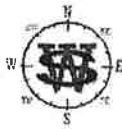


ALLIANCE
TITLE & ESTATE CORP.

Victoria K Percifield

Notary Public for Washington
Residing at 1007 Knight St Richland WA 99352
Comm. Expires: 8-17-16





WADE SURVEYING

Global Positioning Service

Land Surveying and Planning

402 Van Dreff St.

Salmon, Idaho 83467



Phone: (208)-756-3070

February 10, 2015

PARCEL "A"

A parcel of land located in the E1/2SE1/4SW1/4 of Section 13 and the E1/2NE1/4NW1/4, W1/2NE1/4, Section 24, T. 20 N., R. 23 E., Boise Meridian, Lemhi County, Idaho, more particularly described as follows;

Beginning at the N1/4 Corner of said Section 24 from which the NW Corner of said section bears N 89°58'02"W a distance of 2638.27 ft. the Basis of Bearing of this description;

Thence S 64°16'48"E a distance of 213.89 ft.;

Thence S 39°44'15"E a distance of 226.70 ft.;

Thence S 10°45'36"E a distance of 468.48 ft.;

Thence S 21°03'00"E a distance of 1439.42 ft.;

Thence S 33°46'52"E a distance of 671.79 ft. to the SE Corner of said W1/2NE1/4;

Thence S 89°58'19"W along the southerly boundary of said W1/2NE1/4 a distance of 1319.20 ft. to the SW Corner of said W1/2NE1/4;

Thence N 00°04'40"E along the westerly boundary of said W1/2NE1/4 a distance of 1314.89 ft. to the SE Corner of said E1/2NE1/4NW1/4;

Thence N 89°59'51"W along the southerly boundary of said E1/2NE1/4NW1/4 a distance of 659.61 ft. to the SW Corner of said E1/2NE1/4NW1/4;

Thence N 00°04'47"E along the westerly boundary of said E1/2NE1/4NW1/4 a distance of 1315.24 ft. to the SW Corner of the E1/2SE1/4SW1/4 of said Section 13;

Thence N 00°06'57"E along the westerly boundary of said E1/2SE1/4SW1/4 a distance of 1309.11 ft. to the NW Corner of said E1/2SE1/4SW1/4;

Thence N 89°55'17"E along the northerly boundary of said E1/2SE1/4SW1/4 a distance of 660.82 ft. to the NE Corner of said E1/2SE1/4SW1/4;

Thence S 00°10'13"W along the easterly boundary of said E1/2SE1/4SW1/4 a distance of 1310.40 ft. to the POINT OF BEGINNING.

PARCEL CONTAINS 80.73 ACRES.

EXHIBIT A



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

February 28, 2019

EMIL L HERBST
AUBREE B HERBST
PO BOX 44
TENDON ID 83468-0044

Re: Change in Ownership for Water Right Nos: 74-389, 74-391, and 74-726

Dear Water Right Holders:

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 74G