

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED
DEC 03 2018

Department of Water Resources
Eastern 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?
34-14175	Yes ☒		Yes ☐		Yes ☐
34-14173	Yes ☒		Yes ☐		Yes ☐
34-14177	Yes ☒		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Don Aikele

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Wesley L. Thomas Diana L. Thomas

New owner(s) as listed on the conveyance document

Name connector

☒ and ☐ or ☐ and/or

3478 W 2700 N

Mailing address

Moore

City

ID

State

83255

ZIP

575-200-8178

Telephone

diana.l.thomas@gmail.com

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: 11/01/2018

6. If the water right described herein has been rented from the Water Supply Bank, rental proceeds will be disbursed in the following manner regardless of any arrangements between the buyer(s) and seller(s) to the contrary:

- Rental payments will go to the lessor(s) of record at the beginning of the rental season.
- If a change in ownership is processed by the Department during a rental season, rental payment will be made to the person or entity who is the lessor of record at the beginning of that rental season.
- New lessor(s) of record will receive payment after the following rental season.

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.

8. Signature: Wesley L. Thomas

Signature of new owner/claimant

Title, if applicable

Date

11-28-2018

Signature: Diana L. Thomas

Signature of new owner/claimant

Title, if applicable

Date

11/29/2018

For IDWR Office Use Only:

Received by JB

Date

12/3/2018

Receipt No.

E044548

Receipt Amt.

\$300.-

Approved by

Processed by

Date

Return per applicant request. Refund Request sent 2/13/18

SUPPORT DATA

IN FILE # 34-14173

5. Indicate the date the water rights and/or adjudication claims were conveyed to you. This may be the date of closing in the case of a real estate transaction, the date a contract was signed, or the date of a court order.
6. If you are unsure about the status of your water right in the Water Supply Bank, go to: www.idwr.idaho.gov/apps/ExtSearch/WSBSearch/WSBSearch.aspx, input your water right number and click "Search." If you find your water right is in the Water Supply Bank and you want to release it so you can use it, you can download the Request to Release form from the forms portion of our website: www.idwr.idaho.gov. Your water right may not be available for immediate release if rented by another water user.

7. **ATTACHMENTS:**

IDWR cannot process this change without **documentation of ownership**. The documentation may be in the form of a deed, court decree or other conveyance document. If you are submitting a quitclaim deed and the grantor's name does not match the water right holder of record, you will need to provide a chain of title that goes back to the water right holder/claimant of record. You may obtain this information from the assessor's office in the county where the property is located. Items that are **not** conveyance documents are deeds of trust, mortgages, purchase and sales agreements, and property tax notices.

Submit a **plat map, survey map, or aerial photograph** of the place of use for each water right or claim listed in item #1 (if necessary to clarify division of water rights or complex property descriptions). If your right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency or equivalent aerial photograph with the irrigated acres outlined and point(s) of diversion clearly marked. You also have the option of printing a map using the Create a Map tool on IDWR's website at: maps.idwr.idaho.gov/mapall. It is not necessary to obtain a new survey for purposes of this form before contacting IDWR.

The Idaho Legislature has waived the fee to file a Notice of Change in Water Right Ownership for any water right pending in a general water right adjudication such as the Snake River Basin Adjudication or the Northern Idaho Adjudication. This waiver ends when a partial decree is issued for the water right that has been claimed. For water rights not pending in a general adjudication, the **filing fee** is \$25 per water right, except for those water rights that will be divided as a result of the change in ownership. The filing fee for division of a water right is \$100 per water right.

8. One of the new owner(s) must sign the form in the space(s) provided. If someone other than the owner signs the notice, evidence of authority to sign for the owner must be attached. If the new owner is a corporation or other organization, the person signing the notice must be an officer of the corporation or otherwise have authority to sign for the organization and must include their title with the signature.

When you have completed the Notice of Change in Water Right Ownership, retain a copy and **file the original form, necessary attachments, and filing fee with the IDWR office nearest you.**

IDWR Northern Region
7606 N. Mineral Dr., Suite 100
Coeur d'Alene, ID 83815-7763
(208) 762-2800

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190

Mail To:

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718
(208) 525-7161

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380
(208) 736-3033

~ OR ~

IDWR State Office
322 East Front St, 6th Floor
P.O. Box 83720
Boise, ID 83720-0098
(208) 287-4800

Quitclaim Deed

For value received, **Gina Woodbury, Teresa Aikele, Donna Aikele and Valerie Zwonitzer,,** surviving heirs of
The Estate of Don A. Aikele, deceased

Does hereby convey, release, remise, and forever quit claim unto

Wesley L. Thomas and Dianna L. Thomas, husband and wife,

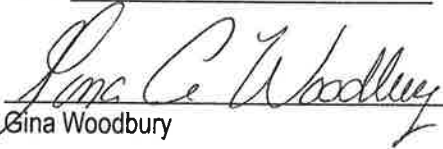
whose current address is 3478 W. 2700 N., Moore, ID 83255,

the following described premises in **Butte** County, Idaho:

See attached Exhibit 'A'

To have and to hold the said premises, unto the said grantees, heirs and assigns forever.

Date: 12-28-18


Gina Woodbury

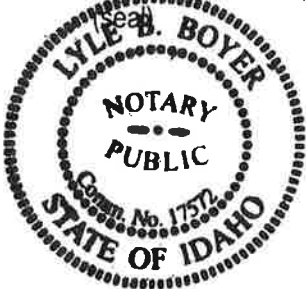
State of Idaho

ss.

County of Butte

On this 28th day of December in the year of 2018, before me, the undersigned, a Notary Public in and for said State, personally appeared Gina Woodbury, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.


_____, Notary Public
Residing at: Arvo, ID
My Commission Expires: 6-5-2021



Dec. 31, 2018
Date

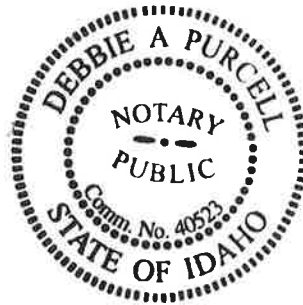
Teresa Aikele
Teresa Aikele

State of IDAHO

County of Bonneville SS.

On this 31st day of December in the year of 2018, before me, the undersigned, a notary public in and for said state, personally appeared Teresa Aikele, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.

Debbie A Purcell
Notary Public
Residing In:
My Commission Expires: 3/25/2023
(seal)



1-4-19

Date

Donna Aikele

Donna Aikele

State of IDAHO

County of Gem

ss.

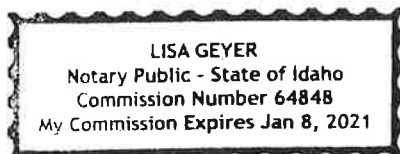
On this 4th day of January in the year of 2019, before me, the undersigned, a notary public in and for said state, personally appeared Donna Aikele, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.

Lisa Geier

Notary Public

Residing In: Emmett, ID

My Commission Expires: 01-08-21
(seal)



1-8-19

Date

Valerie Zwonitzer
Valerie Zwonitzer

State of UTAH

SS.

County of Dawson

On this 8 day of January 2019 in the year of 2018, before me, the undersigned, a notary public in and for said state, personally appeared Valerie Zwonitzer, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.

Matthew Prince
Notary Public

Residing In: Kaysville, UT

My Commission Expires: 11/29/2021

(seal)

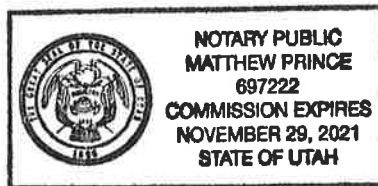


Exhibit 'A'

Parcel 1:

Township 4 North, Range 26 East of the Boise Meridian, Butte County, Idaho

Section 17: Part of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section, described as:

Commencing at the S1/4 Corner of Section 17, thence N. 90°00'00" W., 1301.24 feet, along the Section line to the Southeast corner of the SW $\frac{1}{4}$ SW $\frac{1}{4}$;
thence N. 90°00'00" W., continuing along the Section line, a distance of 90.45 feet, to the Point of Beginning;
thence N. 90°00'00" W., continuing along the Section line, a distance of 235.13 feet;
thence N. 00°00'00" E., 240.30 feet;
thence N. 90°00'00" E., 210.72 feet, to a point that is 10 feet Westerly from the center line of an existing gravel driveway;
thence S. 03°52'21" W., 240.30 feet, parallel with and 10 feet West of said center line of driveway to the Point of Beginning.

Parcel 2:

A 20 feet Easement for ingress and egress described as being 10 feet both sides of the following described center line;

Commencing at the S1/4 Corner of Section 17, Township 4 North, Range 26 East of the Boise Meridian, Butte County, Idaho;
thence N. 90°00'00" W., along the Section line, 1301.24 feet, to the Southeast corner of the SW $\frac{1}{4}$ SW $\frac{1}{4}$;
thence N. 90°00'00" W., continuing along the Section line, 80.42 feet, to the Point of Beginning;
thence N. 03°52'51" E. 240.83 feet, to the Point of Terminus of said center line.

BUTTE COUNTY
Recorded for:
GINA WOODBURY
4:40:22 PM 11-01-2018
0000-056574
No. Pages: 2 Fee: \$ 15.00
SHELLY BLACKNER
County Clerk
Deputy: KIM

Quitclaim Deed

For value received, **Gina Woodbury, Co-Personal Representative of the Estate of Caroline Reid Aikele, deceased, Second Judicial District Court, Davis County, State of Utah, Case No. 183700452,**

Does hereby convey, release, remise, and forever quit claim unto

Wesley L. Thomas and Diana L. Thomas, husband and wife

whose current address is **3478 W. 2700 N., Moore, ID 83255,**

the following described premises in **Butte** County, Idaho:

See attached Exhibit 'A'

To have and to hold the said premises, unto the said grantees, heirs and assigns forever.

Date: 1 November 2018

The Estate of Caroline Reid Aikele

Gina Woodbury
by Gina Woodbury, Co-Personal Representative

State of IDAHO

County of Butte ss.

On this 1st day of October in the year of 2018, before me, the undersigned, a notary public in and for said state, personally appeared **Gina Woodbury**, known or identified to me to be the person whose name is subscribed to the within instrument, as the Co-Personal Representative of the estate of Caroline Reid Aikele, deceased, and acknowledged to me that she executed the same as such co-personal representative of the said estate.

Lyle B. Boyer, Notary Public
Residing at: Arco, ID
My Commission Expires: 6-5-2021

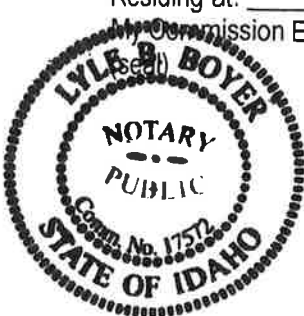


Exhibit 'A'

Parcel 1:

Township 4 North, Range 26 East of the Boise Meridian, Butte County, Idaho

Section 17: Part of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section, described as:

Commencing at the S1/4 Corner of Section 17, thence N. 90°00'00" W., 1301.24 feet, along the Section line to the Southeast corner of the SW $\frac{1}{4}$ SW $\frac{1}{4}$;
thence N. 90°00'00" W., continuing along the Section line, a distance of 90.45 feet, to the Point of Beginning;
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thence N. 00°00'00" E., 240.30 feet;
thence N. 90°00'00" E., 210.72 feet, to a point that is 10 feet Westerly from the center line of an existing gravel driveway;
thence S. 03°52'21" W., 240.30 feet, parallel with and 10 feet West of said center line of driveway to the Point of Beginning.

Parcel 2:

A 20 feet Easement for ingress and egress described as being 10 feet both sides of the following described center line;

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thence N. 90°00'00" W., along the Section line, 1301.24 feet, to the Southeast corner of the SW $\frac{1}{4}$ SW $\frac{1}{4}$;
thence N. 90°00'00" W., continuing along the Section line, 80.42 feet, to the Point of Beginning;
thence N. 03°52'51" E. 240.83 feet, to the Point of Terminus of said center line.

Quitclaim Deed

For value received, **Valerie Zwonitzer, Co-Personal Representative of the Estate of Caroline Reid Aikele, deceased, Second Judicial District Court, Davis County, State of Utah, Case No. 183700452,**

Does hereby convey, release, remise, and forever quit claim unto

Wesley L. Thomas and Diana L. Thomas, husband and wife

whose current address is **3478 W. 2700 N., Moore, ID 83255,**

the following described premises in **Butte** County, Idaho:

See attached Exhibit 'A'

To have and to hold the said premises, unto the said grantees, heirs and assigns forever.

Date: October 30, 2018

The Estate of Caroline Reid Aikele

Valerie Zwonitzer
by Valerie Zwonitzer Co-Personal Representative

State of UTAH

County of DAVIS SS.

On this 30th day of October in the year of 2018, before me, the undersigned, a notary public in and for said state, personally appeared **Valerie Zwonitzer**, known or identified to me to be the person whose name is subscribed to the within instrument, as the Co-Personal Representative of the estate of Caroline Reid Aikele, deceased, and acknowledged to me that she executed the same as such co-personal representative of the said estate.

April Mayer
Residing at: 325 S. Main Street, Kayville, UT 84037
My Commission Expires: 03/14/2022
(seal)

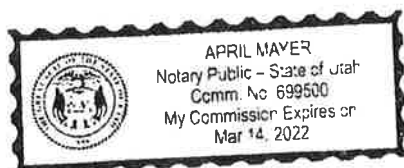


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thence N. 90°00'00" W., continuing along the Section line, 80.42 feet, to the Point of Beginning;
thence N. 03°52'51" E. 240.83 feet, to the Point of Terminus of said center line.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls ID 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177

Website: idwr.idaho.gov • Email: easterninfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

February 13, 2019

Wesley Thomas
Diane Thomas
3478 W 2700 N
Moore ID 83255

The "Notice of Change in Water Right Ownership" for 34-14173, 34-14175 and 34-14177 has been returned for the following reason:

**** **At your request:** As per your request on February 12, 2019 the department is returning your ownership change unprocessed. You submitted **Notice of Abandonment of Water Right** on the same day. The department will keep a copy of your ownership change application and evidence of ownership in our file for reference purposes only. The department has initiated a refund and it should arrive from the state office in a couple of weeks.

Please note that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department within 120 days of the change. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.idaho.gov.

If you have any questions please contact Jonie Barg at (208)525-7161.

Respectfully submitted,

Jonie Barg
Technical Records Specialist

Barg, Jonie

From: Barg, Jonie
Sent: Wednesday, February 13, 2019 11:58 AM
To: Steed, Susan; Pline, Treva
Subject: Refund Request
Attachments: Receipt(1)

Treva & Susan,

Good morning!!

I have a refund request as follows:

Receipt number: E044548
Amount: \$300.00
Payable to: Wesley Thomas
3478 W 2700 N
Moore ID 83255

Reason: \$300.00 received for a split ownership change. The applicant has asked that we return the ownership change unprocessed therefore they are entitled to a full refund.

Let me know if you need additional information.

Thank you so much for your time. Let me know if you have any questions.

Have a great day!!!

Jonie Barg

Jonie Barg
Technical Records Specialist
Idaho Department of Water Resources
900 N Skyline Ste A
Idaho Falls ID 83402
phone: (208) 525-7161
fax: (208) 525-7177
email: jonie.barg@idwr.idaho.gov