

RECEIVED
DEC 03 2018
DEPARTMENT OF
WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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?
71-10994 ✓	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: The LAH-98 Trust, dated March 25, 1998
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Joseph A. Piva and Linda L. Piva
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 626 Piva Lane Challis ID 83226
Mailing address City State ZIP
208-589-8292
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: 07/09/2018
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.

8. Signature: Joseph A. Piva 11/28/18
Signature of new owner/claimant Title, if applicable Date
Signature: Linda L. Piva 11-28-18
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by [Signature] Date 12.3.18 Receipt No. C105931 Receipt Amt. 25
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 RD Date 2/2/19

255203

#

Custer County Req. of

Givens Pursley

Time 1:05 P M Date 8/20, 2018

Lura H. Baker, Clerk

Rust. Peterson \$15.00
Deputy

When recorded, please return to:

Givens Pursley LLP
Attn: L. Edward Miller
PO Box 2720
Boise, Idaho 83701-2720

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

GIFT DEED

Laura A. Hudson ("Grantor"), the owner of record of the real property described on Exhibit A attached hereto, hereby grants unto Joseph A. Piva and Linda L. Piva, joint tenants with right to survivorship, whose address is 626 Piva Lane, Challis, Idaho 83226 ("Grantees"), all of Grantor's right, title, and interest in and to that certain real property located in Custer County, Idaho, and legally described on Exhibit A, attached hereto and incorporated herein (the "Premises").

TOGETHER WITH all and singular hereditaments and appurtenances thereunto belonging, or in any way appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest claim and demand whatsoever of Grantor, either in law or equity, of, in, and to the Premises. Notwithstanding anything to the contrary herein, the conveyance under this Gift Deed shall include no water rights other than the decreed domestic water right currently numbered 71-10994 in the records of the Idaho Department of Water Resources.

TO HAVE AND TO HOLD the above-described Premises and appurtenances unto Grantees, their successors and assigns, forever;

SUBJECT TO the following:

1. That certain Scenic Easement by and between Tom J. Ocamica and Marie L. Ocamica, as Grantors, and the United States of America, as Grantee, dated November 22, 1976, recorded in the real property records of Custer County, Idaho, on November 22, 1976, as Instrument No. 143240, covering certain real property described therein; as amended by that certain Amendment to Scenic Easement by and between Stanley Ranch LLC and the United States of America, dated April 3, 2018, recorded in the real property records of Custer County, Idaho, on April 23, 2018, as Instrument No. 254598; and as may be further amended from time to time (collectively, "Scenic Easement");
2. All matters encumbering the Premises, including, without limitation, all matters of record, or which would be disclosed by an accurate survey or visible upon inspection of the Premises, and all general taxes and assessments;

GIFT DEED - 1

14135155_4.docx

3. The easement and right-of-way reserved and retained by Grantor in that certain Grant Deed recorded as Instrument No. 254599 in the real property records of Custer County, Idaho, to access, use, and maintain the water source and facilities located on the Premises that are or may be used to divert and deliver the decreed irrigation water right currently numbered 71-10059 to its authorized place of use, which is the property benefitted by such easement and right-of-way ("Irrigation Easement"); and
4. Grantee acknowledges and understands that Grantee is accepting the Premises from Grantor in an "As-Is" condition with all encumbrances thereon and all faults therein, including both latent and patent defects.

FURTHER SUBJECT TO the following express conditions and covenants, which are accepted and agreed to by Grantees as evidenced by Grantees' execution of the Acceptance attached to this Gift Deed (collectively, "Grantees' Covenants"):

1. Grantees agree and accept conveyance of the Premises subject to the Scenic Easement and Irrigation Easement.
2. Grantees agree to hold and keep the Premises in strict agreement with the Scenic Easement and Irrigation Easement.
3. Grantees agree to hold Grantor, and the fee simple owner of the balance of the real property encumbered by the Scenic Easement, harmless from any and all loss, liability, obligation, or expense incurred as a result of any action, or failure of action, by Grantees that is contrary to the terms of the Scenic Easement or Irrigation Easement.

By their acceptance hereto, Grantees are deemed to have accepted and agreed to comply with the Grantees' Covenants set forth in this Gift Deed.

[signature page follows]

255203

IN WITNESS WHEREOF, the undersigned has caused her name to be hereunto subscribed, effective as of the 9 day of July, 2018.

GRANTOR:


Laura A. Hudson

STATE OF IDAHO)
 : ss.
County of Ada)

On this 9 day of July, 2018, before me, a Notary Public in and for said State, personally appeared Laura A. Hudson, 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 for Idaho
Residing at: Boise, ID
My commission expires: 2/27/2022

ACCEPTANCE

Grantees Joseph A. Piva and Linda L. Piva, by their execution below, hereby accept the terms of the foregoing Gift Deed and agree to accept conveyance of the Premises subject to the Grantees' Conditions set forth herein, and agree to comply with the same.

IN WITNESS WHEREOF, the undersigned have caused their names to be hereunto subscribed, effective as of the 16th day of July, 2018.

GRANTEES:

Joseph A. Piva
Joseph A. Piva

Linda L. Piva
Linda L. Piva

STATE OF IDAHO)
: SS.
County of Custer

On this 16th day of July, 2018, before me, a Notary Public in and for said State, personally appeared Joseph A. Piva, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.



Ryan E. Millick
Notary Public for Idaho
Residing at: CHALLIS
My commission expires: 9-21-23

STATE OF IDAHO)
: SS.
County of Custer

On this 16th day of July, 2018, before me, a Notary Public in and for said State, personally appeared Linda L. Piva, 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.



Ryan E. Millick
Notary Public for Idaho
Residing at: CHALLIS
My commission expires: 9-21-23

Exhibit A**Legal Description****Parcel A**

A parcel of land being a portion of the SE1/4 NE1/4 of Section 6, Township 10 North, Range 13 East, Boise Meridian, Custer County, Idaho. Said parcel being more particularly described as follows:

COMMENCING at a G.L.O. Brass Cap which marks the East ¼ corner of said Section 6 as shown on Record of Survey Instrument #247569, records of Custer County, Idaho;
THENCE N 89°25'16" W along the south boundary of said SE1/4 NE1/4, 1315.14 feet to a U.S.F.S. Aluminum Cap which marks the southwest corner of said SE1/4 NE1/4. Said Aluminum Cap being the REAL POINT OF BEGINNING;

THENCE N 00°53'17" E along the west boundary said SE1/4 NE1/4 of 662.64 feet to a point on a line that is 66.00 feet southwesterly of and parallel to the centerline of State Highway No. 21 as shown on the plans thereof (Project #25-6(2)) on file at the Idaho Transportation Department office;

THENCE S 49°36'31" E along said parallel line 1034.90 feet to the south boundary of said SE1/4 NE1/4;

THENCE N 89°25'16" W along said south boundary 798.53 feet, to the REAL POINT OF BEGINNING;

Said parcel contains 6.07 acres more or less.

255202

Custer County Reg. of
Givens Pursley LLP
Time 1:05P M Date 8/20 2018
Lura H. Baker, Clerk
Lura H. Baker \$15⁰⁰
Deputy

When recorded, please return to:

Givens Pursley LLP
Attn: L. Edward Miller
PO Box 2720
Boise, Idaho 83701-2720

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

TRUSTEE'S DEED

FOR VALUE RECEIVED, The LAH-98 Trust, dated March 25, 1998 ("Grantor"), the owner of record of the real property described on Exhibit A attached hereto, hereby grants unto Laura A. Hudson, whose address is 2070 S. Springbrook Lane, Boise, Idaho 83706 ("Grantee"), all of Grantor's right, title, and interest in and to that certain real property located in Custer County, Idaho, and legally described on Exhibit A, attached hereto and incorporated herein (the "Premises").

TOGETHER WITH all and singular hereditaments and appurtenances thereunto belonging, or in any way appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest claim and demand whatsoever of Grantor, either in law or equity, of, in, and to the Premises. Notwithstanding anything to the contrary herein, the conveyance under this Trustee's Deed shall include no water rights other than the decreed domestic water right currently numbered 71-10994 in the records of the Idaho Department of Water Resources.

TO HAVE AND TO HOLD the above-described Premises and appurtenances unto the Grantee, its successors and assigns, forever;

SUBJECT TO the following:

1. All matters encumbering the Premises, including, without limitation, all matters of record, or which would be disclosed by an accurate survey or visible upon inspection of the Premises, and all general taxes and assessments;
2. The easement and right-of-way reserved and retained by Grantor in that certain Grant Deed recorded as Instrument No. 254599 in the real property records of Custer County, Idaho, to access, use, and maintain the water source and facilities located on the Premises that are or may be used to divert and deliver the decreed irrigation water right currently numbered 71-10059 to its authorized place of use, which is the property benefitted by such easement and right-of-way; and
3. Grantee acknowledges and understands that Grantee is accepting the Premises from Grantor in an "As-Is" condition with all encumbrances thereon and all faults therein, including both latent and patent defects.

TRUSTEE'S DEED - 1

14129167_3.docx

255202

IN WITNESS WHEREOF, the undersigned has caused its name to be hereunto subscribed, effective as of the 9 day of July, 2018.

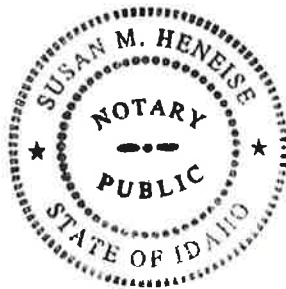
GRANTOR:

The LAH-98 Trust, dated March 25, 1998

By: Laura A. Hudson
Laura A. Hudson, Trustee

STATE OF IDAHO)
 : ss.
County of Ada)

On this 9 day of July, 2018, before me, a Notary Public in and for the State of Idaho, personally appeared Laura A. Hudson, known or identified to me to be the Trustee of The LAH-98 Trust, dated March 25, 1998, and acknowledged to me that by said Trustee's signature on the foregoing instrument, the foregoing named Trust executed the same.



Susan M. Heneise
Notary Public for Idaho
Residing at: Boise, ID
My commission expires: 2/27/2022

255202

Exhibit A

Legal Description

Parcel A

A parcel of land being a portion of the SE1/4 NE1/4 of Section 6, Township 10 North, Range 13 East, Boise Meridian, Custer County, Idaho. Said parcel being more particularly described as follows:

COMMENCING at a G.L.O. Brass Cap which marks the East ¼ corner of said Section 6 as shown on Record of Survey Instrument #247569, records of Custer County, Idaho;
THENCE N 89°25'16" W along the south boundary of said SE1/4 NE1/4, 1315.14 feet to a U.S.F.S. Aluminum Cap which marks the southwest corner of said SE1/4 NE1/4. Said Aluminum Cap being the REAL POINT OF BEGINNING;

THENCE N 00°53'17" E along the west boundary said SE1/4 NE1/4 of 662.64 feet to a point on a line that is 66.00 feet southwesterly of and parallel to the centerline of State Highway No. 21 as shown on the plans thereof (Project #25-6(2)) on file at the Idaho Transportation Department office;

THENCE S 49°36'31" E along said parallel line 1034.90 feet to the south boundary of said SE1/4 NE1/4;

THENCE N 89°25'16" W along said south boundary 798.53 feet, to the REAL POINT OF BEGINNING;

Said parcel contains 6.07 acres more or less.

I was Not Sure
if I was Suppose
to return every thing
or Keep - Say
on Safe Side - Returning
All -
But would like to
have Copies if
Possible -

Thank You

RECEIVED

DEC 13 2018

DEPT OF WATER RESOURCES

State of Idaho
Department of Water Resources

Water Right
71-10994

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





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 12, 2019

JOSEPH A PIVA
626 PIVA LN
CHALLIS ID 83226-4773

LINDA L PIVA
626 PIVA LN
CHALLIS ID 83226-4773

Re: Change in Ownership for Water Right No(s): 71-10994

Dear Water Right Holder(s):

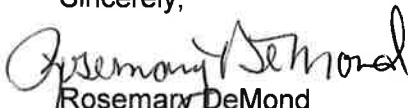
The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records and has enclosed a computer-generated report for you.

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) 287-4803.

Sincerely,


Rosemary DeMond
Administrative Assistant 2

Enclosure(s)