



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

February 5, 2019

GARY SPACKMAN

Director

Michel Anderson
Karen Anderson
PO Box 117
Arco ID 83213

RE: Notice of Change in Water Right Ownership
Water Rights: 34-10110

Dear Sir/Madam:

On December 14, 2018, you filed a Notice of Change in Water Right Ownership (ownership change) with the Idaho Department of Water Resources (IDWR), seeking to update the ownership records for the water rights listed above. After an initial review, we determined that you needed to provide an additional filing fee, specifically \$75.00 additional for a division of the water right. On December 20, 2018 we sent a letter requesting the additional information. The additional information was to be provided within 30 days.

IDWR has never received a response to the request for additional information. Without the requested documents, we cannot verify ownership of the water right and cannot complete the ownership change. We are therefore returning your original ownership change and have initiated a refund of your filing fee (\$25.00). The refund from the state of Idaho will arrive at the address listed above within a couple of weeks.

Please feel free to re-file your ownership change any time in the future when you have collected the requested documentation of ownership. Because your filing fee is being refunded, you will need to determine and provide the proper filing fee at the time you re-file the ownership change.

If you have any questions, feel free to contact me at (208) 525-7161.

Respectfully submitted,

Jonie Barg
Technical Records Specialist
Enclosure(s)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED
DEC 14 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?
34-10110	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Lloyd Mastast

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Michael D + Karen Anderson

New owner(s) as listed on the conveyance document

Name connector ☐ and ☒ or ☐ and/or

P.O. Box 117

Mailing address

Arco

City

ID

State

83213

ZIP

208-527-7000

Telephone

andersonfamilyfh@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: November 2014

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: Michael D Anderson

Signature of new owner/claimant

Title, if applicable

Date

11-30-18

Signature: [Signature]

Signature of new owner/claimant

Title, if applicable

Date

Nov 30, 2018

For IDWR Office Use Only

Received by JB

Date

12/14/2018

Receipt No.

E044581

Receipt Amt.

\$25-

Approved by

Processed by

Returned Unprocessed

Refund Request sent 2/5/2019



NO. 0052118
RECORDED
NOV 19 2014
A.M. 3:22 P.M.
BUTTE COUNTY RECORDER
[Signature]

Order Number: 4886LRT

WARRANTY DEED

For Value Received,

Kent Cummins and Margaret Janet Cummins, husband and wife, as community property with right of survivorship, the Grantor, does hereby grant, bargain sell and convey unto, **Michael David Anderson and Karen C. Anderson, husband and wife**, whose current address is **349 S. Blaine Street, Arco, ID 83213**, the Grantee, the following described premises, in **Butte County, Idaho**, To Wit:

See attached Exhibit A

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

Dated: 11-18-14

[Signature: Kent Cummins]
Kent Cummins

[Signature: Margaret Janet Cummins]
Margaret Janet Cummins

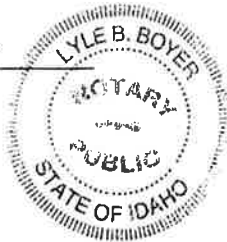
State of Idaho

ss.

County of Butte

On this 18th day of November in the year of 2014, before me, the undersigned, a Notary Public in and for said State, personally appeared Kent Cummins and Margaret Janet Cummins, known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

[Signature: Lyle B. Boyer]
Notary Public
Residing at: Arco, Idaho
My Commission Expires: 6-5-2015
(seal)



PARCEL I:

That portion of the SW1/4 of Section 25, Township 4 North, Range 26 East of the Boise Meridian, Butte County, Idaho, described as follows:

Beginning at a point that is South 280 feet and East 788 feet from the Northwest corner of said SW1/4; thence North 144 feet; thence East 758 feet, more or less, to the public highway; thence along said public highway, Southeasterly 180 feet, more or less, to a point due East of the Point of Beginning; thence West 845 feet, more or less, to the Point of Beginning.
EXCEPTING therefrom that portion conveyed to the State of Idaho by deed recorded June 9, 1961, in Book 18 of Deeds, at Page 438, records of Butte County, Idaho.

PARCEL II:

That portion of the SW1/4, Section 25, Township 4 North, Range 26 East of the Boise Meridian, Butte County, Idaho, described as follows:

Beginning at the Northwest corner of said SW1/4; thence South 280 feet; thence East 788 feet; thence North 144 feet; thence East 758 feet, more or less, to the public highway; thence along said public highway, Northwesterly 180 feet, more or less, to the North line of said SW1/4; thence along said North line, West 1,459 feet to the Point of Beginning.
EXCEPTING therefrom that portion conveyed to the State of Idaho by deed recorded June 9, 1961, in Book 18 of Deeds, at Page 438, records of Butte County, Idaho.

ALSO EXCEPTING:

A parcel of land generally described as being a portion of the SW1/4NW1/4 and a portion of the NW1/4SW1/4 of Section 25, Township 4 North, Range 26 East of the Boise Meridian, Butte County, Idaho being more particularly described as follows:

Beginning at the W1/4 Corner of said Section 25, (recorded under Instrument No. 029916, records of Butte County, Idaho) from which the Southwest corner of said Section 25 (Recorded under Instrument No. 029917, records of Butte County, Idaho) bearing S. 00°05'07" E., 2648.24 feet; thence from said Point of Beginning, N. 00°43'11" E., along the West boundary of the NW1/4 of said Section 25, a distance of 0.96 feet to an existing fence corner; thence on or along an existing fence line the following five courses and distances:
N. 89°19'27" E., 150.91 feet;
N. 89°17'50" E., 728.81 feet;
S. 03°27'06" E., 268.84 feet;
S. 88°41'36" W., 413.84 feet;
S. 88°43'54" W., 481.81 feet to the West boundary of the SW1/4 of said Section 25;
thence N. 00°05'07" W., along the West boundary of the SW1/4 of said Section 25, a distance of 276.78 feet to the W1/4 Corner of said Section 25 and the Point of Beginning.

ALSO LESS AND EXCEPTING: A parcel of land generally described as being a portion of the SW1/4 of Section 25, Township 4 North, Range 26 East of the Boise Meridian, Butte County, Idaho, and being more particularly described as follows:

Commencing at the W1/4 Corner of said Section 25, from which the Southwest of said Section 25 bears S. 00°05'07" E., 2648.24 feet; thence from the W1/4 Corner of said Section 25, S. 00°05'07" E., along the West boundary of the SW1/4 of said Section 25, a distance of 280.00 feet to the Point of Beginning. Thence N. 89°54'53" E., perpendicular to the West boundary of the SW1/4 of said Section 25, a distance of 1582.39 feet to the Westerly boundary of U.S. Highway 93A right-of-way; thence N. 41°28'05"W., along the Westerly boundary of said highway right-of-way, a distance of 47.39 feet; thence leaving said highway right-of-way, S. 88°16'15" W., along an existing fence line, a distance of 100.33 feet; thence continuing along said fence line the following four courses:
S. 88°41'26" W., 281.35 feet;
S. 88°56'15" W., 275.58 feet;
S. 88°41'32" W., 412.34 feet;
S. 88°43'54" W., 479.81 feet to an existing fence corner; thence S. 88°43'54" W., a distance of 2.00 feet to the West boundary of the SW1/4 of said Section 25;
thence S. 00°05'07" E., along the West boundary of the SW1/4 of said Section 25, a distance of 3.22 feet to the Point of Beginning.

PARCEL III:

A portion of land generally described as being a portion of the NW1/4 of Section 25, Township 4 North, Range 26 East of the Boise Meridian, Butte County, Idaho; lying Westerly of the Westerly right-of-way of U.S. Highway 93A; being more particularly described as follows:

Beginning at the W1/4 Corner of said Section 25, from which the Southwest corner of said Section 25 bears S. 0°05'07" E., 2648.24 feet; thence from said W1/4 Corner, Section 25, N. 0°43'11" E., along the West boundary of the NW1/4 of said Section 25, a distance of 0.96 feet to an existing fence corner; thence along an existing fence line the following courses and distances:
N. 89°19'27" E., 150.91 feet;
N. 89°17'50" E., 728.81 feet; to the Point of Beginning;
thence N. 89°26'32" E., 214.39 feet;
thence N. 89°22'10" E., 229.08 feet to the Westerly right-of-way of U.S. Highway 93A;
thence S. 41°27'38" E., along the Westerly right-of-way of U.S. Highway 93A, a distance of 25.12 feet to the South boundary of the NW1/4 of said Section 25;
thence N. 89°53'32" W., along the South boundary of the NW1/4 of said Section 25, a distance of 459.28 feet to an existing fence line;
thence N. 03°27'06" W., a distance of 13.36 feet to the Point of Beginning.

PARCEL IV:

A parcel of land generally described as being a portion of the SW1/4NW1/4 of Section 25, Township 4 North, Range 26 East of the Boise Meridian, Butte County Idaho, lying Westerly of the Westerly right-of-way of U.S. Highway 93A, being more particularly described as follows:

Commencing at the W1/4 Corner of said Section 25, (Recorded Instrument No. 29916, Butte County records), from which the Southwest corner of said Section 25, (Recorded Instrument No. 29917, Butte County records), bears S. 00°05'07" E., 2648.24 feet; thence from said W1/4 Corner of said Section 25, N. 00°43'11" E., along the West boundary of the NW1/4 of said Section 25, a distance of 0.96 feet to an existing fence corner; thence along an existing fence line the following two courses and distances:
N. 89°19'27" E., 150.90 feet;
N. 89°17'50" E., 728.81 feet to a fence line intersection and the POINT OF BEGINNING of this land description;
Thence continuing along an existing fence line the following two courses and distances:
N. 89°26'32" E., 214.39 feet;
N. 89°22'10" E., 229.08 feet to the Westerly right-of-way of U.S. Highway 93A; thence N. 41°27'31" W., along the Westerly right-of-way of U.S. Highway 93A, a distance of 935.00 feet; thence leaving said highway right-of-way, S. 15°31'33" E., a distance of 273.98 feet; thence S. 12°59'20" E., a distance of 322.77 feet; thence S. 13°11'07" E., a distance of 130.27 feet to the POINT OF BEGINNING.

The above described parcel of land may be subject to a prescriptive irrigation ditch maintenance Easement for an existing irrigation ditch located along the Westerly boundary thereof.

11/30/18

PM0100 - PARCEL MASTER INQUIRY

13:27:05

PARCEL: RP 04N26E254229 A

F9=MS
F17=DD

F24=LD

ANDERSON, MICHAEL DAVID
& ANDERSON, KAREN C

LEGAL DESCRIPTION
FR SW4NW4 T#31335
SEC 25

PO BOX 117

CODE AREA 4-0000 OWNER CD
PARC TYPE LOC CODE
EFFDATE 3072018 EXPDATE
PREV PARCEL RP04N26E254229T

ARCO ID 83213

X for parcel comments

CAT/ST#	RY	QUANTITY	UN	VALUE	HO	MRKT	HO	EXMP	CB	MRKT	OTHER
12	1	2018	3540	AC	14160						

TOTALS

3540

14160

ENTER NEXT PARCEL NUMBER RP A

FKeys: F2=TX F3=Exit F5=SS F6=Nm F7=LG
F8=CT F13=TM F18=HS F20=SrcH F22=EU

11/30/18

PM0100 - PARCEL MASTER INQUIRY

13:27:29

PARCEL: RP 04N26E254991 A
*** I *** PARCEL EXISTS

ANDERSON, MICHAEL DAVID
& ANDERSON, KAREN C

PO BOX 117

ARCO ID 83213

F9=MS

F17=DD F19=SP

LEGAL DESCRIPTION

FR NW4SW4 T#27150 & T#29087
LESS T#31291 & T#42093
SEC 25

+

CODE AREA 4-0000 OWNER CD
PARC TYPE LOC CODE
EFFDATE 1012003 EXPDATE 1012019
PREV PARCEL RP04N26E254991T

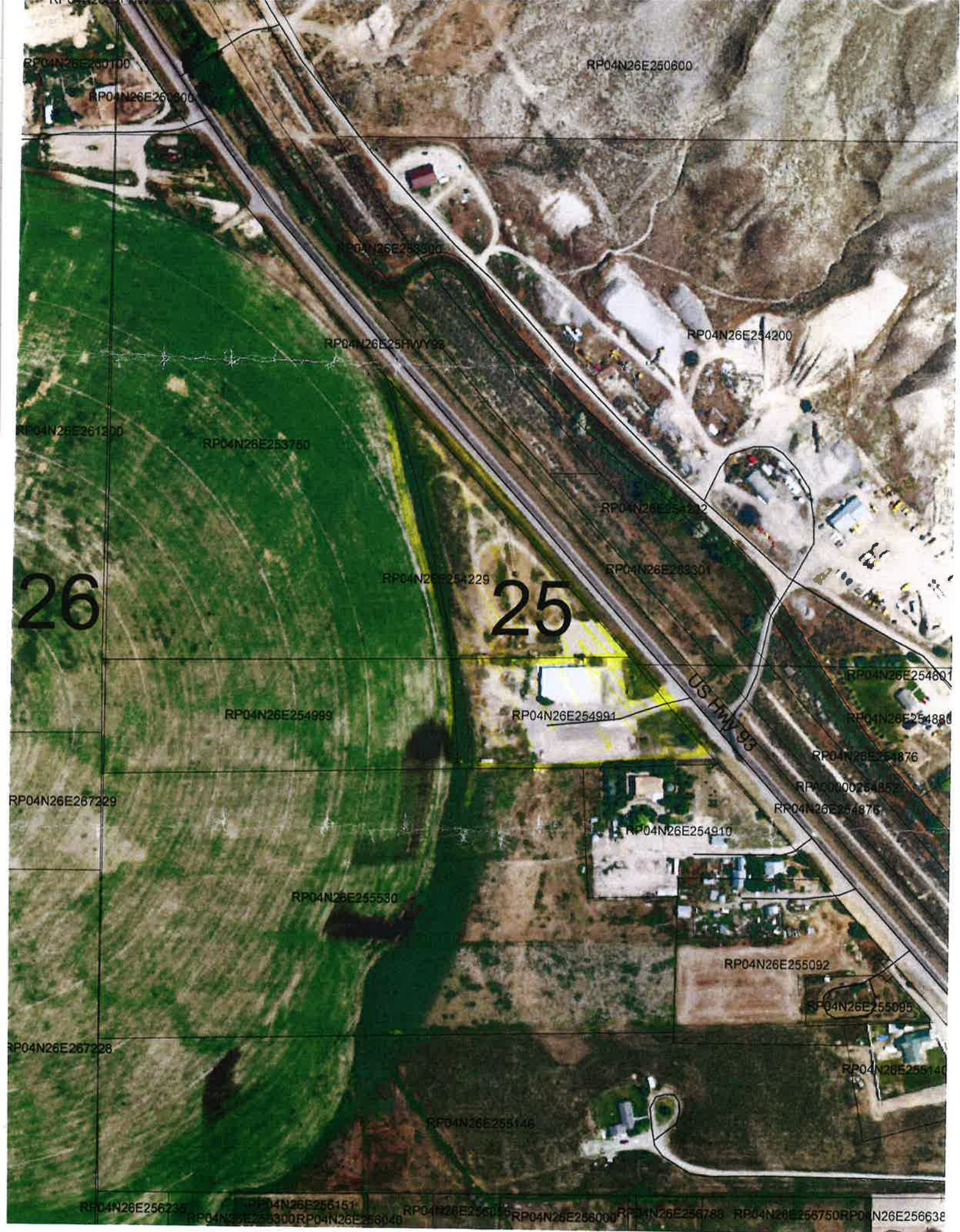
X for parcel comments

CAT/ST#	RY	QUANTITY	UN	VALUE	HO	MRKT	HO	EXMP	CB	MRKT	OTHER
13	1	2018	2750	AC	21290						
35	1	2018			163630						

TOTALS 2750 184920

ENTER NEXT PARCEL NUMBER RP A

FKeys: F2=TX F3=Exit F5=SS F6=NM F7=LG
F8=CT F13=TM F18=HS F20=SrcH F22=EU



Barg, Jonie

From: Barg, Jonie
Sent: Tuesday, February 05, 2019 2:16 PM
To: Steed, Susan; Pline, Treva
Subject: Refund Request
Attachments: Receipt(2)

Treva & Susan,

Good afternoon!!

I have a refund request as follows:

Receipt number: E044581
Amount: \$25.00
Payable to: Anderson Family Funeral Home
PO Box 117
Arco ID 83213

Reason: Total filing fee received \$25.00 for an ownership change. During review the department determined a split is required and an additional filing fee is required. The fee was requested but not received. Therefore the application is being returned unprocessed and full refund is required.

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
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phone: (208) 525-7161
fax: (208) 525-7177
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