

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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DEC 10 2018

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?
74-700	Yes ☒	Yes ☐		Yes ☐	Yes ☐
74-16211	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Teresa and Donald Wade

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): William + Cynthia Aden

New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or ☒ and/orP.O. Box 875

Mailing address

Salmon

City

ID

State

83467

ZIP

208-993-1525

Telephone

wjraden@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: 11-13-2018

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 # 74-700

8. Signature: William J. Aden

Signature of new owner/claimant

Title, if applicable

Date

12-1-18

- Signature: Cynthia R. Aden

Signature of new owner/claimant

Title, if applicable

Date

12-1-18

For IDWR Office Use Only:

Received by AW

Date

12.10.18

Receipt No.

C105956

Receipt Amt.

100Active 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 di

Date

1-18-19

Warranty Deed

For Value Received

Donald J Wade and Teresa G Wade, husband and wife

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

William Aden and Cynthia Aden, husband and wife

Whose current address is:

**PO Box 875
Salmon, ID 83467**

the grantee, the following described premises, to-wit:

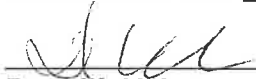
See Attached Legal Description shown as Exhibit 'A'

See Attached Deed Restrictions shown as Exhibit 'B'

Appurtenant water right to include an apportionment not to exceed seven (7) acres of water right #A74-00700.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees that they are the owners in fee simple of said premises; that they are free from all encumbrances EXCEPT: Subject to all existing patent reservations and state deeds, easements, right(s) of way, protective covenants, building and zoning ordinances and regulations, and applicable building codes, ordinances of any governmental unit whether of sight or of record, laws and regulations, general taxes, assessments, including irrigation and utility easements (if any) for the current year, which are not due and payable, other restrictions of record, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: November 5, 2018



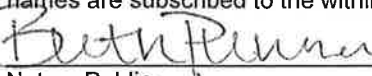
Donald J Wade



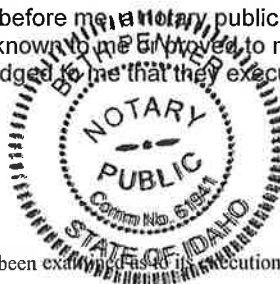
Teresa G Wade

STATE OF Idaho)
COUNTY OF LEMHI) ss

On this 5th day of November, 2018, before me, a Notary Public in and for said State, personally appeared **Donald J Wade and Teresa G Wade** known to me and proved to me to be the person whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

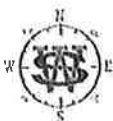


Notary Public
Residing at: Salmon, ID
Comm. Expires: July 24, 2019



This instrument has been filed as an accommodation only. It has not been examined as to its execution, insurability or effect on title.

Exhibit 'A'
Legal Description



WADE SURVEYING
Global Positioning Service
Land Surveying and Planning
104 S. Warpath St.
Salmon, Idaho 83467

Phone: (208)-756-3070

November 5, 2018

PARCEL "A"

A parcel of land located in the SE1/4, Section 31, T. 20 N., R. 24 E., Boise Meridian, Lemhi County, Idaho, more particularly described as follows:

Commencing at the SE Corner of Section 31, from which the SW Corner of said section bears N 89°19'59"W a distance of 5082.24 ft. the Basis Of Bearing of this description, run thence N 89°19'59"W along the southerly boundary of said section a distance of 2241.41 ft. to a point on the easterly right-of-way of State Highway 28 and the POINT OF BEGINNING;

Thence N 10°39'12"W along said right-of-way a distance of 1443.05 ft.;

Thence N 76°04'38"E a distance of 608.51 ft. to a point on the centerline of the Lemhi River;

Thence the following courses and distances along said centerline;

S 09°31'06"W	107.84 ft.;	S 15°15'33"W	117.38 ft.;
S 21°41'40"W	116.87 ft.;	S 31°56'50"W	174.72 ft.;
S 05°43'39"W	124.31 ft.;	S 09°39'14"E	80.45 ft.;
S 17°44'53"E	392.41 ft.;	S 14°11'19"W	326.00 ft.;
S 24°13'49"W	215.42 ft.	to a point on the southerly boundary of said	

section;

Thence N 89°19'59"W along said boundary a distance of 91.87 ft. to the POINT OF BEGINNING.

PARCEL CONTAINS 11.59+/- ACRES

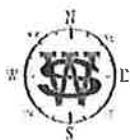
SUBJECT TO and TOGETHER WITH: Any easements of record and/or usage.

Subject To: Easement Agreement dated November 5, 2018 and recorded on November 14, 2018 as Instrument No. 314272.

Exhibit 'B'
Deed Restrictions

1. No trailer, mobile home, modular home or other prefab structure or improvement shall be used for any purpose, including, but not limited to, use of such structure or improvement for animal or human habitation or storage unless expressly approved in written form by Grantors, or Grantors' successor in interest.
2. Grantees, their successors and/ or assigns shall not subdivide parcel.
3. An easement for the benefit of Grantor, and Grantors' successors in interest, across the above-described property for purposes of maintaining and or improving existing irrigation ditches appurtenant thereto.
4. Rights of ways and easements, reservations contained in the Federal patents and state deeds, other restrictions of record, building and zoning regulations and ordinances of any governmental unit whether of sight or of record.

Exhibit 'A'
Easement Property



WADE SURVEYING
Global Positioning Service
Land Surveying and Planning
104 S. Warpath St.
Salmon, Idaho 83467

Phone: (208)-756-3070

November 5, 2018

PARCEL "A"

A parcel of land located in the SE1/4, Section 31, T. 20 N., R. 24 E., Boise Meridian, Lemhi County, Idaho, more particularly described as follows:

Commencing at the SE Corner of Section 31, from which the SW Corner of said section bears N 89°19'59"W a distance of 5082.24 ft. the Basis Of Bearing of this description, run thence N 89°19'59"W along the southerly boundary of said section a distance of 2241.41 ft. to a point on the easterly right-of-way of State Highway 28 and the POINT OF BEGINNING;

Thence N 10°39'12"W along said right-of-way a distance of 1443.05 ft.;

Thence N 76°04'38"E a distance of 608.51 ft. to a point on the centerline of the Lemhi River;

Thence the following courses and distances along said centerline;

S 09°31'06"W 107.84 ft.; S 15°15'33"W 117.38 ft.;

S 21°41'40"W 116.87 ft.; S 31°56'50"W 174.72 ft.;

S 05°43'39"W 124.31 ft.; S 09°39'14"E 80.45 ft.;

S 17°44'53"E 392.41 ft.; S 14°11'19"W 326.00 ft.;

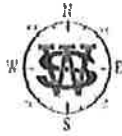
S 24°13'49"W 215.42 ft. to a point on the southerly boundary of said section;

Thence N 89°19'59"W along said boundary a distance of 91.87 ft. to the POINT OF BEGINNING.

PARCEL CONTAINS 11.59+/- ACRES

SUBJECT TO and TOGETHER WITH: Any easements of record and/or usage.

Exhibit 'B'
Grantee's Property



WADE SURVEYING
Global Positioning Service

Land Surveying and Planning

104 S. Warpath St.
Salmon, Idaho 83467

Phone: (208)-756-3070

November 5, 2018

Parcel "B"

A parcel of land located in the SE1/4, Section 31, T. 20 N., R. 24 E., Boise Meridian, Lemhi County, Idaho, more particularly described as follows:

Commencing at the SE Corner of Section 31, from which the SW Corner of said section bears N 89°19'59"W a distance of 5082.24 ft. the Basis Of Bearing of this description, run thence N 89°19'59"W along the southerly boundary of said section a distance of 2241.41 ft. to a point on the easterly right-of-way of State Highway 28;

Thence N 10°39'12"W along said right-of-way a distance of 1443.05 ft. to the POINT OF BEGINNING;

Thence continuing N 10°39'12"W along said right-of-way a distance of 270.60 ft.;

Thence N 00°12'41"E a distance of 957.48 ft.;

Thence S 89°18'03"E a distance of 294.00 ft. to a point on the centerline of the Lemhi River;

Thence the following courses and distances along said centerline;

S 58°36'20"E 98.35 ft.; S 56°24'07"E 116.26 ft.;

S 32°58'57"E 125.31 ft.; S 40°01'44"E 85.32 ft.;

S 14°35'22"E 72.75 ft.; S 04°00'14"E 595.42 ft.;

S 09°31'06"W 124.74 ft.;

Thence S 76°04'38"W a distance of 608.51 ft. to the POINT OF BEGINNING.

PARCEL CONTAINS 15.67+/- ACRES

SUBJECT TO and TOGETHER WITH: Any easements of record and/or usage.

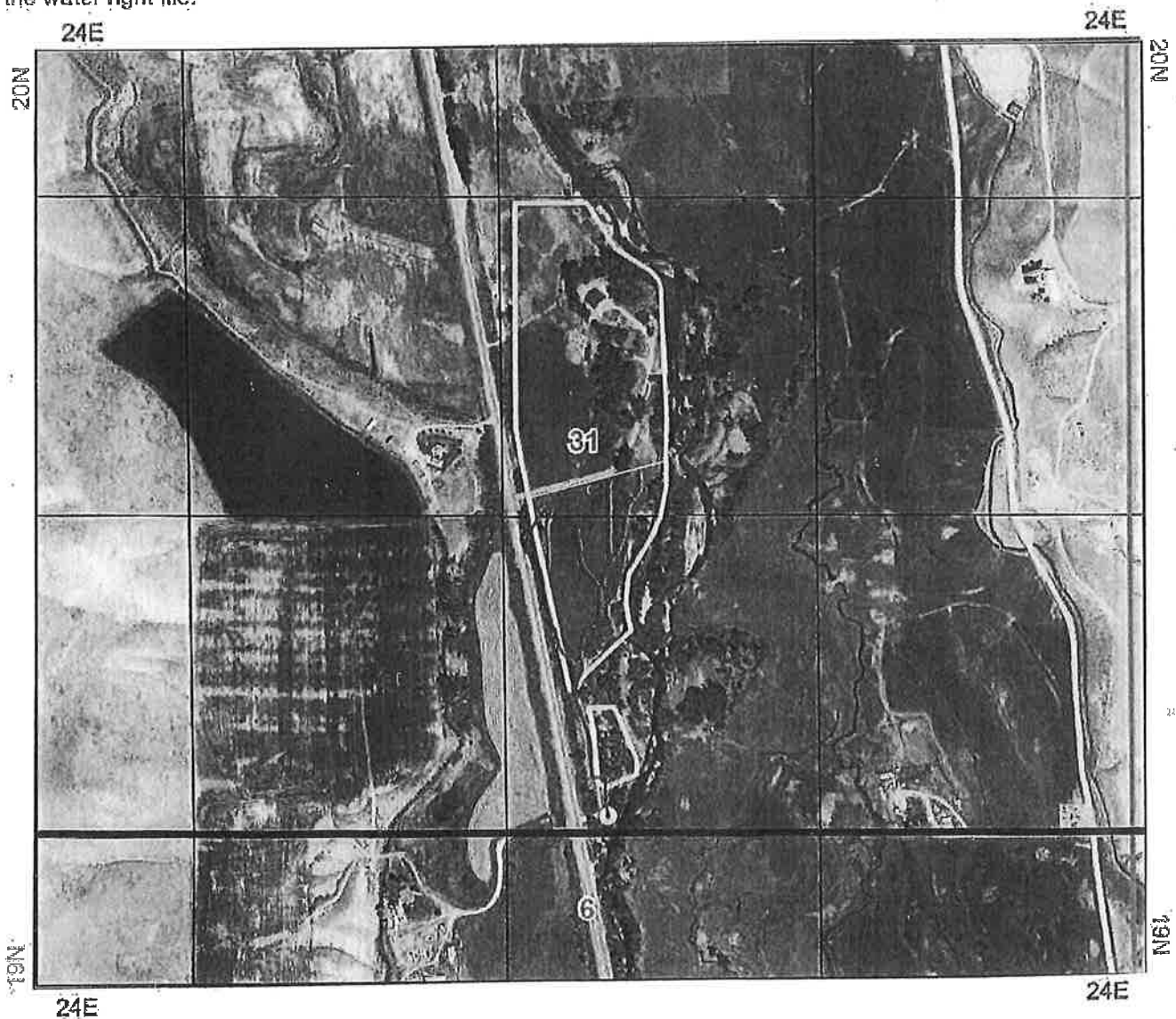
Exhibit 'C'
Ditches shown in Red

State of Idaho
Department of Water Resources

Water Right
74-700

IRRIGATION

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.



- ① Point of Diversion
- Place Of Use Boundary

- Townships
- PLS Sections
- Quarter Quarters





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

January 18, 2019

WILLIAM ADEN
CYNTHIA ADEN
PO BOX 875
SALMON ID 83467-0875

Re: Change in Water Right Ownership: 74-700 (Split into 74-700 and **74-16211**)

Dear Water Right Holders:

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of a portion of the above referenced water rights to you. The Department has modified its records based on the information received and has enclosed a computer-generated report for you.

Your portion of each water right has a specified point of diversion, nature of use and place of use. If you plan to change the authorized point of diversion, nature of use, or place of use, including adding a new point of diversion, you must file an Application for Transfer of Water Right. If you do not plan to change any elements of your water right, then no further action is required at this time.

The portion of the water right retained by the original right holder retains the original water right number. The Department is sending the original right holder a copy of this letter and a computer-generated report showing the changes to the original water right.

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: DONALD WADE
TERESA WADE
Water District 74