

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED
DEC 17 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. 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?
34-633 OK	Yes ☐	Yes ☐		Yes ☐	Yes ☐
34-2356 OK	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: G. David Nelson
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Heather M. Nelson, Trustee of the G. David and Heather M. Nelson Family Trust
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- | | | | |
|---------------------|---------------|-----------|--------------|
| <u>P.O. Box 360</u> | <u>Mackay</u> | <u>ID</u> | <u>83251</u> |
| Mailing address | City | State | ZIP |
| <u>208-589-3805</u> | | | |
| 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: 02/14/2005.
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):
- ☐ \$25 per *undivided* water right.
 - ☐ \$100 per *split* water right.
 - ☐ 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 # 34-633

SUPPORT DATA

IN FILE # 34-633

- | | | |
|--|----------------------|-------------------|
| 8. Signature: <u></u> | <u>Trustee</u> | <u>12/12/2018</u> |
| Signature of new owner/claimant | Title, if applicable | Date |
| Signature: _____ | _____ | _____ |
| Signature of new owner/claimant | Title, if applicable | Date |

For IDWR Office Use Only:

Received by JB Date 12/17/2018 Receipt No. E044587 Receipt Amt. \$50.-
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 JB Processed by CR Date 12/20/2018

DEC 20 2018

238144

Custer County Reg. of
Rae, Olson, Nye, Budget Bille
Time 10:48 AM Date 1-9-2005
Barbara C. Breedlove, Clerk
Deputy Betsy Doughty \$9.00

WARRANTY DEED

G. DAVID NELSON and HEATHER M. NELSON, husband and wife, hereby warrant and convey to **G. DAVID NELSON or HEATHER M. NELSON, trustees of the G. DAVID AND HEATHER M. NELSON FAMILY TRUST**, 5688 Chilly Road, Mackay, Idaho 83251 (hereinafter referred to as "Assignees"), the following described real estate in Custer County, State of Idaho:

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED BY REFERENCE.

Dated this 14th day of February, 2005.

G. David Nelson
G. DAVID NELSON

Heather M. Nelson
HEATHER M. NELSON

STATE OF IDAHO)

) SS:

COUNTY OF BANNOCK)

ACKNOWLEDGMENT

Personally came before me this 14th day of February, 2005, the above named G. DAVID NELSON and HEATHER M. NELSON, to me known to be the persons who executed the foregoing instrument and acknowledged the same.



R. Budge
NOTARY PUBLIC FOR IDAHO,
Residing at Pocatello.
My Commission Expires 10/11/2006.

This instrument was drafted by
Randall C. Budge, Attorney-at-Law
PO Box 1391, Pocatello, Idaho 83204

EXHIBIT "A"**LEGAL DESCRIPTIONS****G. DAVID AND HEATHER M. NELSON FAMILY TRUST**

1. Common Name: "Phillippi South - 85.6 Acres:

Township 6 North, Range 25 East, Boise Meridian, Custer County, Idaho:
Section 4: Lots 3 and 4.

Township 7 North, Range 25 East, Boise Meridian, Custer County, Idaho:
Section 33: E1/2 SW1/4
2. Common Name: "Barton Flat West" - 180 Acres:

Township 8 North Range 22, East Boise Meridian, Custer County, Idaho:
Section 8: NE1/4, E1/2 SE1/4 NW1/4.
3. Common Name: "Mine Hill" - 20 Acres:

Township 7 North, Range 24 East, Boise Meridian, Custer County, Idaho:
Section 32: W1/2 SE1/4 NE1/4.
4. Common Name: "Copper Basin" - 39 Acres:

Cooper Basin Mining District Mineral Survey Nos. 2918A and 2918B as surveyed
by Stewart Campbell, August 4 to August 8, 1919, Tax Parcel Nos.
RP9906N22E3402A and RP9906N22E3536A
5. Common Name: "Mt. View Homes"

An undivided one-half interest in Lots 4, 5, 6, 7, 8, 9, 10, Block C, Greenes
Second Addition, Tract 93-27, Mackay Annex to the City of Mackay, Custer
County, Idaho.

House Trailers: 1964 Schult 10 x 50, 1970 Marlette 12 x 65, 1984 Fleetwood,
14 x 52.
6. Common Name: "Post Office"

South one-half of Lot 6, Lot 7 and Lot 8, Block 11, City of Mackay, Custer
County, Idaho.

7. Common Name: "Miller Parcel"

NW1/4 NW1/4, Section 20, Township 7 North, Range 24 East, Boise Meridian, Custer County, Idaho.

SAVE AND EXCEPT, a parcel of land in the Southeast Corner of said NW1/4 NW1/4, described as follows:

Commencing at the Southeast Corner of the described NW1/4 NW1/4, the Point of Beginning hereof, thence North along the East boundary thereof, 220 feet, thence West 325 feet, thence South 220 feet, thence East 325 feet to the Point of Beginning.

8. Cemetery Deed:

Block 17 Mount McCaleb Cemetery, as platted and recorded in the office of the Recorder of Custer County.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region • 900 N SKYLINE DR STE A • IDAHO FALLS, ID 83402-1718

Phone: (208)525-7161 • Fax: (208)525-7177 • Website: www.idwr.idaho.gov

C.L. "Butch" Otter
Governor

Gary Spackman
Director

December 21, 2018

HEATHER M NELSON
PO BOX 360
MACKAY ID 83251-0360

Re: Change in Ownership for Water Right No(s): 34-633, 34-2356

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) 525-7161.

Sincerely,

Cher Ramos
Technical Records Specialist I

Enclosure(s)

cc: Big Lost River GWD
Water District 34



RANDALL C. BUDGE
rcb@racinelaw.net

December 13, 2018

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DEC 17 2018
Department of Water Resources
Eastern Region

Sharla Cox
Idaho Department of Water Resources
900 North Skyline Drive, Suite A
Idaho Falls, Idaho 83402-1718

Re: Notice of Change of Water Right Ownership

Dear Sharla:

Attached please find a Notice of Change of Water Right Ownership, together with a check in the amount of \$50.00 for the filing fees.

Thank you for your assistance. Please do not hesitate to contact us if you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Tessa Sparrow', is written over the typed name.

TESSA SPARROW
Legal Assistant to
RANDALL C. BUDGE

RCB:ts
Enclosures