

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

## Notice of Change in Water Right Ownership

**RECEIVED**  
**OCT 01 2018**  
**WATER RESOURCES**  
**WESTERN 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? |
|-----------------------|------------------------------|------------------------------|-----------------------|------------------------------|------------------------------|
| 78-12339              | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |

2. Previous Owner's Name: LaVar Murdock and Lila Rae Murdock  
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Elk Mountain LLC  
New owner(s) as listed on the conveyance document  
Mailing address: 1612 Riverview Blvd. City: Osceola State: IN ZIP: 46061  
Telephone: 574-274-5605 Email: smithxjohnm@gmail.com

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: 9-24-18
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.

8. Signature: [Signature] Member 9/21/2018  
Signature of new owner/claimant  
Title, if applicable  
Member  
Date 9/21/2018

Signature: [Signature] Member 9/21/2018  
Signature of new owner/claimant  
Title, if applicable  
Member  
Date 9/21/2018

**For IDWR Office Use Only:**

Received by AK Date 10/1/2018 Receipt No. W046816 Receipt Amt. 25.00  
Active in the Water Supply Bank? Yes ☐ No ☒ If yes, forward to the State Office for processing  
Name on W-9 N/A Approved by AK Processed by AK W-9 received? Yes ☐ No ☒  
Date 10/2/2018

**RECORDING REQUESTED BY**  
First American Title Company

**AND WHEN RECORDED MAIL TO:**  
First American Title Company  
616 North 3rd Street Suite 101  
McCall, ID 83638

**Instrument # 515762**  
IDAHO COUNTY, IDAHO  
09-24-2018 04:46:02 PM No. of Pages: 3  
Recorded for: FIRST AMERICAN TITLE - MCCALL  
Kathy M Ackerman Fee: \$15.00  
Ex-Officio Recorder Deputy: DST

Space Above This Line for Recorder's Use Only

**WARRANTY DEED**

File No.: **694357-MC (kt)**

Date: **September 19, 2018**

For Value Received, **Mindy Rae Murdock, as Trustee of the Murdock Family Revocable Trust who took title also as Murdock Family Revocable Trust**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Elk Mountain LLC**, hereinafter called the Grantee, whose current address is **1612 Riverview Blvd, Osceola, IN 46561**, the following described premises, situated in **Idaho County, Idaho**, to-wit:

**Parcel I:**

**Lot 9 of Chukar Point Estates, Idaho County, State of Idaho, according to the recorded plat thereof.**

**Parcel II: See exhibit "A" Attached**

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

**READ & APPROVED:**

\_\_\_\_\_  
\_\_\_\_\_

**RECORDING REQUESTED BY**  
First American Title Company

**AND WHEN RECORDED MAIL TO:**  
First American Title Company  
616 North 3rd Street Suite 101  
McCall, ID 83638

|                                |                      |
|--------------------------------|----------------------|
| <b>Recorded Electronically</b> |                      |
| ID                             | 515762               |
| County                         | Idaho                |
| Date                           | 9/24/18 Time 4:45 PM |
| Simplifile.com 800.480.5657    |                      |

Space Above This Line for Recorder's Use Only

**WARRANTY DEED**

File No.: **694357-MC (kt)**

Date: **September 19, 2018**

For Value Received, **Mindy Rae Murdock, as Trustee of the Murdock Family Revocable Trust who took title also as Murdock Family Revocable Trust**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Elk Mountain LLC**, hereinafter called the Grantee, whose current address is **1612 Riverview Blvd, Osceola, IN 46561**, the following described premises, situated in **Idaho** County, **Idaho**, to-wit:

**Parcel I:**

**Lot 9 of Chukar Point Estates, Idaho County, State of Idaho, according to the recorded plat thereof.**

**Parcel II: See exhibit "A" Attached**

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

**READ & APPROVED:**

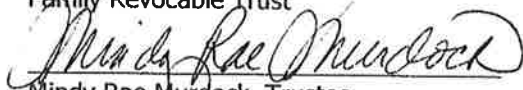
\_\_\_\_\_  
\_\_\_\_\_

Date: 09/19/2018

Warranty Deed  
- continued

File No.: 694357-MC (kt)

Mindy Rae Murdock, as Trustee of the Murdock  
Family Revocable Trust

  
Mindy Rae Murdock, Trustee

STATE OF Idaho )  
COUNTY OF Valley )  
SS.

On this 09/21/18, before me, a Notary Public in and for said State, personally appeared **Mindy Rae Murdock**, known or identified to me to be the person(s) whose name(s) is subscribed to the within instrument as Trustee of the **Murdock Family Revocable Trust** Trust, and acknowledged to me that she executed the same as such Trustee.



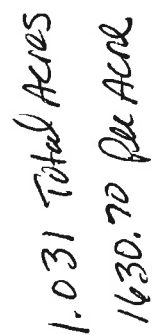
  
Notary Public of Idaho  
Residing at: \_\_\_\_\_ Residing: McCall, ID  
Commission Expires: \_\_\_\_\_ Exp: 07/05/2019

PARCEL II

All that certain real property lying in the Chukar Point Estates Subdivision, City of Riggins, County of Idaho, State of Idaho, being a portion of Lot 10 as shown on the certain subdivision map, filed for record May 25, 2000, under Instrument No. 411953, records of Idaho County, Idaho, also being a portion of the Northwest 1/4 of Section 22, Township 24 North, Range 1 East, Boise Meridian, Idaho County, Idaho, and further described as follows:

Commencing at the most southerly corner of Lot 10, per the aforementioned subdivision map, said corner being a 5/8" capped rebar, LS 9166;  
thence, N 46°19'42" E, a distance of 100.21 feet, and N 37°38'54" E, a distance of 55.10 feet, to the True Point of Beginning;  
thence N 52°45'42" W, a distance of 104.26 feet;  
thence N 37°14'08" E, a distance of 49.27 feet, to a 5/8" capped rebar, LS 9166;  
thence N 29°04'04" E, a distance of 30.73 feet, to a 5/8" capped rebar, LS 9166;  
thence S 57°03'45" E, a distance of 109.57 feet to a 5/8" capped rebar, LS 9166;  
thence S 37°38'54" W, a distance of 87.90 feet, to the True Point of Beginning.

(end schedule c)







State of Idaho

## DEPARTMENT OF WATER RESOURCES

Western Region • 2735 W AIRPORT WAY • BOISE, ID 83705-5082

Phone: (208)334-2190 • Fax: (208)334-2348 • Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

C.L. "Butch" Otter  
Governor

Gary Spackman  
Director

October 02, 2018

ELK MOUNTAIN LLC  
1612 RIVERVIEW BLVD  
OSCEOLA IN 46561-3529

Re: Change in Ownership for Water Right No(s): 78-12339

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) 334-2190.

Sincerely,

A handwritten signature in cursive script that reads "Anna Kaiser".

Anna Kaiser  
Office Specialist II

Enclosure(s)