

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUL 24 2017

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?
74-15884	Yes ☐	Yes ☐		Yes ☐	Yes ☐
74-15886	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Larry Mitchell and Tammy Mitchell
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Thomas Leiphart
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 17 S. Hawk Rd Salmon Id 83467
Mailing address City State ZIP
- 269-615-5979
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: June 27, 2017
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 # 74-15884

8. Signature: Thomas Leiphart Title, if applicable: _____ Date: 07/04/17
Signature of new owner/claimant
- Signature: _____ Title, if applicable: _____ Date: _____
Signature of new owner/claimant

For IDWR Office Use Only:

Received by YO Date 7/24/17 Receipt No. C103874 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 _____ Processed by dh Date 7-26-17

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JUL 26 2017

Water Right Report

<http://www.idwr.idaho.gov/apps/ExtSearch/RightReportAJ.asp?Basi...>

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

4/22/2016

WATER RIGHT NO. 74-15884

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LARRY MITCHELL
Current Owner	TAMMY MITCHELL
	BOX 452
	SALMON, ID 83467
	(208) 756-3203
Original Owner	ZACH A JOHNSON
	12660 W BERGHAN ST
	BOISE, ID 83709
	(208)954-4980
Original Owner	ESTHER J JOHNSON
	12660 W BERGHAN ST
	BOISE, ID 83709
	(208)954-4980

Priority Date: 06/01/1948

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
SPRINGS	SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	0.01 CFS	

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Water Right Report

<http://www.idwr.idaho.gov/apps/ExtSearch/RightReportAJ.asp?Basi...>

Total Diversion | | 0.01 CFS |

Location of Point(s) of Diversion:

SPRINGS|NWNW|Sec. 12|Township 21N|Range 22E|LEMHI County
 SPRINGS|NWNW|Sec. 12|Township 21N|Range 22E|LEMHI County
 SPRINGS|NWNW|Sec. 12|Township 21N|Range 22E|LEMHI County
 SPRINGS|NWNW|Sec. 12|Township 21N|Range 22E|LEMHI County

Place(s) of use:

Place of Use Legal Description: IRRIGATION LEMHI County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
21N	22E	12		NWSW	1.6		SWSW	0.9						

Total Acres: 2.5

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. E55 USE OF THIS RIGHT WITH RIGHT NO. 74-15886 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 2.5 ACRES IN A SINGLE IRRIGATION SEASON.

Dates:

Licensed Date:

Decreed Date: 07/09/2007

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

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Water Right Report

<http://www.idwr.idaho.gov/apps/ExtSearch/RightReportAJ.asp?Basi...>

Water Supply Bank Enrollment Date Removed:
Application Received Date:
Protest Deadline Date:
Number of Protests: 0

Other Information:

State or Federal:
Owner Name Connector: And
Water District Number:
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False
Close

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Water Right Report

<http://www.idwr.idaho.gov/apps/ExtSearch/RightReportAJ.asp?Basi...>

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

4/22/2016

WATER RIGHT NO. 74-15886

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LARRY MITCHELL
Current Owner	TAMMY MITCHELL
	BOX 452
	SALMON, ID 83467
	(208) 756-3203
Original Owner	RAYMOND W YOUNG
	RT 2 BOX 46
	SHELLEY, ID 83274

Priority Date: 01/18/1910

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
KIRTLEY CREEK	LEMHI RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	0.04 CFS	
Total Diversion			0.04 CFS	

Location of Point(s) of Diversion:

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Water Right Report

<http://www.idwr.idaho.gov/apps/ExtSearch/RightReportAJ.asp?Basi...>

KIRTLEY CREEK|NENW Lt 2|Sec. 01|Township 21N|Range 22E|LEMHI County

Place(s) of use:

Place of Use Legal Description: IRRIGATION LEMHI County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
21N	22E	12		NWSW	1.6		SWSW	0.9						

Total Acres: 2.5

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
USE OF THIS RIGHT WITH RIGHT NO. 74-15884 IS LIMITED TO THE
2. E55 IRRIGATION OF A COMBINED TOTAL OF 2.5 ACRES IN A SINGLE IRRIGATION SEASON.

Dates:

Licensed Date:

Decreed Date: 07/09/2007

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: And

Water District Number:

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Water Right Report

<http://www.idwr.idaho.gov/apps/ExtSearch/RightReportAJ.asp?Basi...>

Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False
Close

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AT 326669

Instrument # 0000303255 # Pages: 2
LEMHI COUNTY, Idaho
Sep 16, 2016 11:47 AM Fee: \$ 13.00
For: Alliance Title - Salmon Office
TERRI J. MORTON, Recorder

WARRANTY DEED

Larry Michael Mitchell, aka Mike Mitchell and Larry M. Mitchell,
an unmarried man whose mailing address is 17 South Hawk Road,
Salmon, Idaho 83467, does hereby grant and convey unto **Susan Lesley**
Yonkers, a married woman as her sole and separate property whose mailing
address is 516 Main St., # 335 Salmon, ID 83467 all of his interest in the
following described real estate located in Lemhi County, State of Idaho, to wit:

Lot 17 of Kirtley Creek Heights Subdivision Unit No. 3, according to the official plat
thereof, filed in Book 5 of Plats at Page 49 and Amended in Book 7 of Plats at Page No. 45,
Official Records of Lemhi County, Idaho.

And the said Grantor does hereby covenant to and with the said Grantee,
that said Larry Michael Mitchell is the owner in fee simple of said premises
subject to the community interest of Estate of Tammy Lillian Mitchell which is
being conveyed in the same sale and purchase by a separate Personal
Representative Warranty Deed.

Together with any & all improvements located on said property.

That said property is free from all other encumbrances excepting therefrom
all covenants, conditions and restrictions of record and all easements of sight and
of record as recorded in the records of Lemhi County, Idaho; that Larry Michael
Mitchell will warrant and defend the same from all lawful claims whatsoever.

DATED: This 16th day of September, 2016.

BY: Larry Michael Mitchell
Larry Michael Mitchell

STATE OF IDAHO)
 :SS
County of Lemhi)

On this 16th day of September, 2016 before me the undersigned Notary Public in and for said State and County, personally appeared **Larry Michael Mitchell**, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereto set my hand and seal the day, month and year first above written.

Seal



Laurie M Santee
Notary Public
Residing in Salmon
My Commission expires: 6-19-2019

Warranty Deed - p. 2

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Warranty Deed

For Value Received

Susan Lesley Yonkers, a married woman as her sole and separate property

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

Thomas M Leiphart, an unmarried man

Whose current address is:

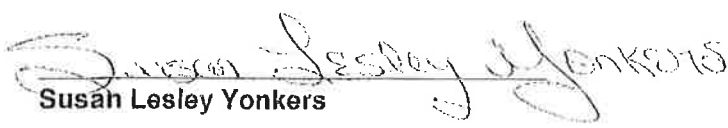
**17 S Hawk Rd.
Salmon, ID 83467**

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

Lot Seventeen (17) of Kirtley Creek Heights Subdivision Unit 3, according to the official plat thereof filed for record in Book 5 of Plats at Page 49 and amended in Book 7 of Plats at Page No. 45, official records of Lemhi County, Idaho.

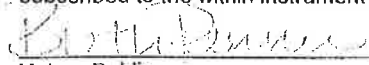
TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees that they are the owners in fee simple of said premises; that they are free from all encumbrances EXCEPT: Subject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

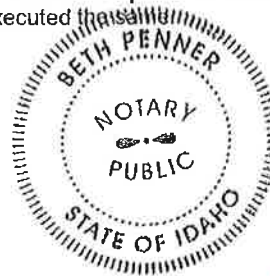
Dated: June 26, 2017


Susan Lesley Yonkers

STATE OF IDAHO)
) ss
COUNTY OF LEMHI)

On this 26th day of June, 2017, before me, a notary public in and for said State, personally appeared **Susan Lesley Yonkers** known to me or proved 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
Residing at: Salmon, ID
Comm. Expires: July 14, 2017



4232-17

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JUL 26 2017



ADDENDUM # 5 (All addendums shall be numbered sequentially.)

JULY 2016 EDITION
Page 1 of 1

RE-11 ADDENDUM

THIS IS A LEGALLY BINDING CONTRACT, READ THE ENTIRE DOCUMENT, INCLUDING ANY ATTACHMENTS.
IF YOU HAVE ANY QUESTIONS, CONSULT YOUR ATTORNEY AND/OR ACCOUNTANT BEFORE SIGNING.



1 Today's Date: 06/22/2017
 2
 3 This is an ADDENDUM to the ☒ Purchase and Sale Agreement ☐ Other
 4 ("Addendum" means that the information below is added material for the agreement (such as lists or descriptions) and/or means the form is
 5 being used to change, correct or revise the agreement (such as modification, addition or deletion of a term)).
 6
 7 AGREEMENT DATED: 06/02/2017 ID # 06022017
 8
 9 ADDRESS: 999 S. Hwy 93
 10
 11 BUYER(S): Jason Linger
 12
 13 SELLER(S): Ward Witte, Horse Cr. Inc.
 14

15 The undersigned parties hereby agree as follows:
 16 This is to change party to hold \$2000 funds per Addendum 1 from Responsible
 17 Broker to Lemhi Title Company. Funds to be released upon approval of both
 18 buyer and seller.
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48 To the extent the terms of this ADDENDUM modify or conflict with any provisions of the Purchase and Sale Agreement including all prior
 49 Addendums or Counter Offers, these terms shall control. All other terms of the Purchase and Sale Agreement including all prior
 50 Addendums or Counter Offers not modified by this ADDENDUM shall remain the same. Upon its execution by both parties, this agreement
 51 is made an integral part of the aforementioned Agreement.
 52

53 BUYER: [Signature] Date: 6-27-17
 54 BUYER: [Signature] Date: 6-27-17
 55
 56
 57
 58 SELLER: [Signature] Date: 6-27-17
 59
 60 SELLER: _____ Date: _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

July 26, 2017

THOMAS LEIPHART
17 S HAWK RD
SALMON ID 83467

Re: Change of Ownership for Water Right Nos: 74-15884 and 74-15886

Dear Water Right Holder:

The Department acknowledges the receipt of correspondence changing ownership of the above referenced water rights to you. The Department has modified its records to reflect this change in ownership and has enclosed a computer-generated report for your records.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing an ownership change notice, the department does not review the history of water use to determine if the right has been forfeited 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.

Also note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right, to the Department. Notice of the change must be provided to the Department within 120 days of the change. Change reporting forms are available from any office of the Department, or at www.idwr.idaho.gov.

Thank you for your patience. If you have any questions concerning the enclosed information, please feel free to contact me at (208) 287-4920.

Sincerely,

Debbi Judd
Technical Records Specialist

Enclosures

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JUL 26 2017