

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

AUG 07 2018

Department of Water Resources
Eastern Region

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.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
34-61012 OK	Yes ☒		Yes ☐		Yes ☐
34-2276B OK	Yes ☒		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Don Spengler

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): NICOLAS WILKIE LENIE WILKIE

New owner(s) as listed on the conveyance document

Name connector ☒ and ☐ or ☐ and/orMailing address 3919 W. 4300 N.City MACKAYState ID ZIP 83251Telephone 208-390-4065 LENIE
208-317-1656 COLGEmail NWWILKIE@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: _____

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.

SUPPORT DATA

IN FILE # 34-61012

8. Signature: [Signature]
Signature of new owner/claimant

Title, if applicable

8/7/18
Date

Signature: [Signature]
Signature of new owner/claimant

Title, if applicable

8/7/18
Date

For IDWR Office Use Only:

Received by JB Date 8/7/2018 Receipt No. E044273 Receipt Amt. \$50.-
 Approved by JB Processed by JB Date 8/20/2018

TRACT DESCRIPTION

Tract 06-51

Parcel Number: RP 07N25E330603 A

Buyer: Wilkie, Nicolas & Lenie
Seller: Spengler, Donald E Trust

Instrument Number: 232243
Date: 9-01-2005

PARCEL 1:

A PORTION OF THE NW $\frac{1}{4}$ NE $\frac{1}{4}$ OF SECTION 33, TOWNSHIP 7 NORTH, RANGE 25 E.B.M., CUSTER COUNTY, IDAHO, DESCRIBED AS: COMMENCING N. 89°20'10" W. 1337.16 FEET, SAID POINT BEING THE NE CORNER OF SAID NW $\frac{1}{4}$ NE $\frac{1}{4}$, AND S. 0°15'19" E. 660.00 FEET FROM THE NE CORNER OF SAID SECTION 33, AND RUNNING THENCE S. 89°35'02" W. 848.94 FEET, MORE OR LESS, TO THE CORNER OF AN EXISTING FENCE LINE; THENCE ALONG AN EXISTING FENCE LINE S. 76°39'10" W. 448.51 FEET; THENCE N. 87°49'47" W. 52.05 FEET TO THE WEST LINE OF THE NW $\frac{1}{4}$ NE $\frac{1}{4}$, SAID POINT BEING N. 0°14'27" W. 3146.23 FEET FROM THE SW CORNER OF THE N $\frac{1}{2}$ SE $\frac{1}{4}$ OF SAID SECTION 33; THENCE S. 0°14'27" E. TO THE SW CORNER OF SAID NW $\frac{1}{4}$ NE $\frac{1}{4}$; THENCE EAST ALONG THE SOUTH LINE OF SAID NW $\frac{1}{4}$ NE $\frac{1}{4}$ TO THE SE CORNER OF SAID NW $\frac{1}{4}$ NE $\frac{1}{4}$, SAID CORNER BEING S 0°15'19" E. 1319.53 FROM THE NE CORNER OF SAID NW $\frac{1}{4}$ NE $\frac{1}{4}$; THENCE NORTH TO THE POINT OF BEGINNING.

PARCEL 2:

AN EASEMENT FOR INGRESS AND EGRESS DESCRIBED AS: COMMENCING AT THE NE CORNER OF SECTION 33, TOWNSHIP 7 NORTH, RANGE 25 E.B.M., CUSTER COUNTY, IDAHO, AND RUNNING THENCE N. 89°20'10" W. 2627.14 FEET ALONG THE NORTH BOUNDARY OF SAID SECTION 33 TO THE CENTERLINE POINT OF BEGINNING OF A THIRTY (30) FOOT WIDE ACCESS EASEMENT; THENCE S. 4°19'47" E. 265.51 FEET ALONG THE CENTERLINE OF SAID ACCESS EASEMENT; THENCE S. 3°12'57" W. 549.64 FEET TO THE SOUTHERN END OF SAID EASEMENT.

This parcel contains 21.3 Ac M/L

This Tract Replaces T83-95
Refer to that Tract for Further Deed References

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
168 West Pacific/P.O. Box 868
Blackfoot, ID 83221

232243
Custer County Req. of
First American Title
Time 1:20 P M Date 9/1 2005
Ethel M. Peck, Clerk
Kathy Brunkes 600
Deputy

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **124193-B (Id)**

Date: **August 30, 2005**

For Value Received, **Donald E. Spengler, DDSMSPC, Profit Sharing Trust, Donald E. Spengler and Barbara J. Spengler, Trustees**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Nicolas Wilkie and Lenie Wilkie, husband and wife**, hereinafter called the Grantee, whose current address is **3340 West 3700 North, Moore, Idaho 83255**, the following described premises, situated in **Custer County, Idaho**, to-wit:

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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.

232243

Date: 08/30/2005

Warranty Deed
- continued

File No.: 124193-B (Id)

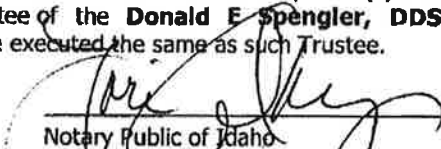
Donald E. Spengler, DDSMSPC, Profit
Sharing Trust, Donald E Spengler and
Barbara J Spengler, Trustees


Donald E Spengler, Trustee

STATE OF Idaho)
ss.
COUNTY OF Bingham)

On this 31st day of August, 2005, before me, a Notary Public in and for said State, personally appeared **Donald E Spengler**, known or identified to me to be the person(s) whose name(s) is subscribed to the within instrument as Trustee of the **Donald E Spengler, DDSMSPC, Profit Sharing** Trust, and acknowledged to me that he executed the same as such Trustee.




Notary Public of Idaho
Residing at: Blackfoot, Idaho
Commission Expires: 10/21/2009



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

August 24, 2018

NICOLAS WILKIE
LENIE WILKIE
3919 W 4300 N
MACKAY ID 83251-4522

Re: Change in Ownership for Water Right No(s): 34-610D & 34-2276B

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,

Jonie Barg
Technical Records Spec I

Enclosure(s)

cc: WATER DISTRICT 34