

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED
JUL 11 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?
65-12936 (Split 1)	Yes ☒	Yes ☐		Yes ☐	Yes ☐
65-12936 (Split 2)	Yes ☒	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Klara K. and RV Hansberger
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Futura Corporation
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- PO Box 7968 Boise ID 83707
Mailing address City State ZIP
- 208-955-9616 blloyd@futura.com
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 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.

8. Signature: *Blloyd* *President* *6/27/18*
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 *CS* Date *7/11/18* Receipt No. *WD46536* Receipt Amt. *\$200⁰⁰*
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 *X* Approved by _____ Processed by *gmk* Date *8-22-18*

Water Right 65-12936 Split Analysis

Water right 65-12936 was licensed in 1990 for irrigation of 1.8 acres, which accounted for 2/3rds of the 2.67-acre total area encompassing Lots 59 through 62, Payette Lake Cottage Sites. Since then, the plat for Payette Lake Cottage Sites has been amended (see attached), resulting in the following redistribution of the total 2.67-acre area:

1. Lot 59 split with a 0.29-acre portion (aka tax lot 6) combined with Lot 58 and a 0.22-acre portion (aka tax lot 7) combined with Lot 60.
2. Lot 62 split, with a 0.01-acre portion combined with Lot 61 and the remaining described as tax lot 8 of Lot 62.

As a result, portions of the 1.8-acre place of use and associated 0.05 cfs flow rate authorized under water right 65-12936 now appear to cover the following areas based on the amended plat map and Valley County's on-line parcel information system:

Parcel RP00191000058C (not owned by Futura Corp)

Lots 58 + 59 (portion): 0.29-acre portion of Lot 59 (aka tax lot 6) = 0.29 acre

$$0.29/2.67 = 11\%$$

$$11\% \times 0.05 \text{ cfs} = 0.006 \text{ cfs portion}$$

$$11\% \times 1.8 \text{ acre} = 0.2\text{-acre portion}$$

Parcel RP00191000060D (owned by Futura Corp)

Lots 60 & 59 (portion): 0.22-acre portion of Lot 59 (aka tax lot 7) + 0.177-acre easement area + 0.547-acre original Lot 60 = 0.9438 acre

$$0.9438/2.67 = 35\%$$

$$35\% \times 0.05 \text{ cfs} = 0.02 \text{ cfs portion}$$

$$35\% \times 1.8 \text{ acre} = 0.6\text{-acre portion}$$

Parcel RP00191000061B (owned by Futura Corp)

Lots 61 + 62 (portion): 0.672 acre original lot area + 0.01 acre of original Lot 62 = 0.682 acre

$$0.682/2.67 = 26\%$$

$$26\% \times 0.05 \text{ cfs} = 0.013 \text{ cfs}$$

$$26\% \times 1.8 \text{ acre} = 0.5\text{-acre portion}$$

Parcel RP00191000062A (not owned by Futura Corp)

Lot 62 (portion): 0.743 acre original lot area – 0.01 acre to Lot 61 = 0.733 acre aka tax lot 8

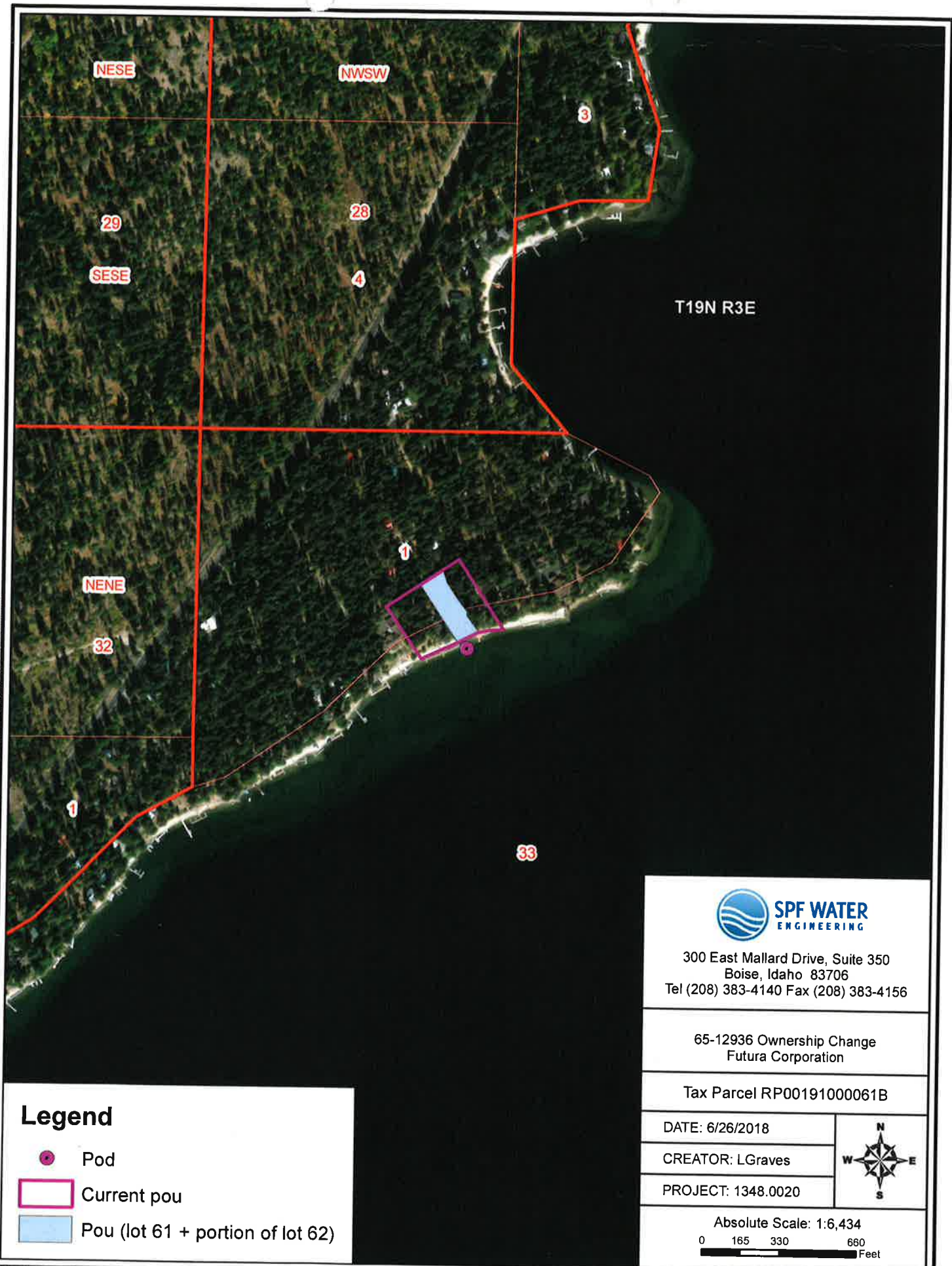
$$0.733/2.67 = 27\%$$

$$27\% \times 0.05 \text{ cfs} = 0.014 \text{ cfs portion}$$

$$27\% \times 1.8 \text{ acre} = 0.5\text{-acre portion}$$

Futura Corporation has purchased Parcels RP00191000060D & RP00191000061B described above. Enclosed is a *Notice of Change in Water Right Ownership*, including a split table, maps and warranty deeds describing each parcel's portion of water right 65-12936. The owner requests a separate water right for each parcel.

Path: S:\PROJECTS\IM Projects\Miller, Pittenger & Pemberton_13480020_Futura Corp Water Rights\PROJECT\GIS\ArcMap_Projects\OWNSHIP Map LI 61.mxd



Legend

-  Pod
-  Current pou
-  Pou (lot 61 + portion of lot 62)



300 East Mallard Drive, Suite 350
Boise, Idaho 83706
Tel (208) 383-4140 Fax (208) 383-4156

65-12936 Ownership Change
Futura Corporation

Tax Parcel RP00191000061B

DATE: 6/26/2018

CREATOR: LGraves

PROJECT: 1348.0020



Absolute Scale: 1:6,434

0 165 330 660
Feet

COORDINATE REFERENCE SYSTEM: NAD 1983 2011 StatePlane Idaho West FIPS 1103 Ft US

Water Right Number: 65-12936

Division Rate: 0.05 CFS

Reviewer Name: Lori Graves

Date: 6/26/2018

[illegible]

65-12936

0.05	CFS
------	-----

Lori Graves

6/26/2018

Futura portion of lot 59 + lot 60
(0.6 ac & 0.02 cfs)

[illegible]

Summary

Instrument # 414033

VALLEY COUNTY, CASCADE, IDAHO

06-14-2018 14:54:26 No. of Pages: 3

Recorded for: AMERITITLE - CASCADE

DOUGLAS A. MILLER Fee: \$16.00

Ex-Officio Recorder Deputy: RRA

Electronically Recorded by Simplifile

WARRANTY DEED

FOR VALUE RECEIVED, Anne Enterprises, LLC, an Idaho limited liability company, ("**Grantor**"), hereby conveys to **Futura Corporation**, an Idaho corporation, whose address is PO Box 7968, Boise, ID. 83707 ("**Grantee**") the following described real property situated in Valley County, Idaho, to-wit:

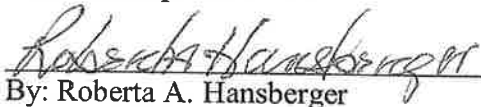
SEE ATTACHED EXHIBIT A

To have and to hold the said premises, together with improvements and appurtenances unto the said Grantee, its successors and assigns forever. And the said Grantor does hereby covenant to and with said Grantee that Grantor is the owner in fee simple of said premises; that the said premises are free from all encumbrances except current year taxes, conditions, covenants, restrictions, reservations, easements, rights of ways, apparent or of record; and, that Grantor will warrant and defend the same from all lawful claims whatsoever.

DATED this 13 day of JUNE, 2018.

GRANTOR:

Anne Enterprises LLC



By: Roberta A. Hansberger

Its: Managing Member

STATE OF IDAHO,)
) ss.
County of Ada.)

On this 13 day of June, 2018, before me, HOPE DARLAND a
Notary Public in and for said State, personally appeared Roberta A. Hansberger, known or
identified to me to be the Managing Member of said limited liability company and acknowledged
to me that she executed the same on behalf of said limited liability company.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the
day and year in this certificate first above written.





NOTARY PUBLIC FOR IDAHO
Residing at: _____
My Commission Expires: _____

Residing in: Meridian, Idaho
My commission expires: 2-26-20

EXHIBIT "A"

A parcel of land situate in Government Lot 1 of Section 33, Township 19 North, Range 3 East, Boise Meridian, Valley County, Idaho, being a portion of Lot 59, the former 30 foot wide access and Lot 60, Amended Payette Lake Cottage Sites, as shown on the official plat thereof on file in the office of the Recorder of Valley County, Idaho, in Book 1, Page 19 of Plats, more particularly described as follows:

Commencing at an aluminum cap marking the north east corner of Lot 65, Amended Payette Lake Cottage Sites, as shown on the official plat thereof on file in the office of the Recorder of Valley County, Idaho in Book 1 on Page 19 of Plats; thence, S. $56^{\circ} 14' 45''$ W., a distance of 509.00 feet along the southeast boundary of Payette Drive to a 1/2 inch diameter rebar on the northeast boundary of Lot 60, said Amended Payette Lake Cottage Sites, the REAL POINT OF BEGINNING:

Thence, S. $33^{\circ} 58' 00''$ E., a distance of 282.83 feet along the line common to lots 60 and 61 to the high water mark of Payette Lake,

Thence, S. $61^{\circ} 11' 38''$ W., a distance of 85.64 feet along said high water mark,

Thence, S. $67^{\circ} 15' 05''$ W., a distance of 64.45 feet along said high water mark,

Thence, leaving said high water mark, N. $34^{\circ} 00' 08''$ W., a distance of 262.95 feet to a 1/2 inch diameter rebar on the southeast boundary of Payette Drive,

Thence, N. $56^{\circ} 14' 45''$ E., a distance of 149.65 feet to the Point of Beginning.

Instrument # 414034
VALLEY COUNTY, CASCADE, IDAHO
06-14-2018 14:54:41 No. of Pages: 3
Recorded for: AMERITITLE - CASCADE
DOUGLAS A. MILLER Fee: \$16.00
Ex-Officio Recorder Deputy: RRA
Electronically Recorded by Simplifile

WARRANTY DEED

FOR VALUE RECEIVED, Hansberger Enterprises, LLC, an Idaho limited liability company, ("Grantor"), hereby conveys to **Futura Corporation**, an Idaho corporation, whose address is PO Box 7968, Boise, ID. 83707 ("Grantee") the following described real property situated in Valley County, Idaho, to-wit:

SEE: ATTACHED EXHIBIT A

To have and to hold the said premises, together with improvements and appurtenances unto the said Grantee, its successors and assigns forever. And the said Grantor does hereby covenant to and with said Grantee that Grantor is the owner in fee simple of said premises; that the said premises are free from all encumbrances except current year taxes, conditions, covenants, restrictions, reservations, easements, rights of ways, apparent or of record; and, that Grantor will warrant and defend the same from all lawful claims whatsoever.

DATED this 13 day of June, 2018.

GRANTOR:

Hansberger Enterprises LLC


By: Carol H. Lloyd

Its: Managing Member

STATE OF IDAHO,)
) ss.
County of Ada.)

On this 13 day of June, 2018, before me, HOPE DARLAND a
Notary Public in and for said State, personally appeared Carol H. Lloyd, known or identified to
me to be the Managing Member of said limited liability company and acknowledged to me that
she executed the same on behalf of said limited liability company.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the
day and year in this certificate first above written.





NOTARY PUBLIC FOR IDAHO
Residing at: _____
My Commission Expires: _____

Residing in: Meridian, Idaho
My commission expires: 2-26-20

EXHIBIT "A"

Lots 61 and 62 of Amended Payette Lakes Cottage Sites, a plat of which is of record in the office of the Recorder of Valley County, Idaho

Save and Except:

A parcel of land situate in Government Lot 1 of Section 33, Township 19 North, Range 3 East Boise Meridian, Valley County, Idaho, being a portion of Lots 61 and 62, Amended Payette Lake Cottage Sites, as shown on the official plat thereof on file in the Office of the Recorder of Valley County, Idaho, in Book 1 on Page 19 of Plats, more particularly described as follows:

Commencing at an aluminum cap marking the north east corner of Lot 65, Amended Payette Lake Cottage Sites, as shown on the official plat thereof on file in the Office of the Recorder of Valley County, Idaho, in Book 1 on Page 19 of Plats; thence, S. $56^{\circ} 14' 45''$ W., a distance of 309.23 feet along the southeast boundary of Payette Drive to a 1/2 inch diameter rebar marking the north corner common to Lots 62 and 63, said Amended Payette Lake Cottage Sites, the REAL POINT OF BEGINNING:

Thence, S. $33^{\circ} 43' 54''$ E., a distance of 341.46 feet along the east boundary of said Lot 62 to the high water mark of Payette Lake,
Thence, S. $81^{\circ} 39' 27''$ W., a distance of 57.80 feet along said high water mark
Thence, S. $76^{\circ} 08' 28''$ W., a distance of 42.74 feet along said high water mark,
Thence, S. $68^{\circ} 31' 15''$ W, a distance of 7.66 feet along said high water mark,
Thence, leaving said high water mark, N. $38^{\circ} 06' 55''$ W., a distance of 76.43 feet to a 1/2 inch diameter rebar with a plastic cap,
Thence, N. $24^{\circ} 14' 37''$ W., a distance of 35.20 feet to a 1/2 inch diameter rebar with a plastic cap on the west boundary of said Lot 62,
Thence, N. $33^{\circ} 45' 09''$ W., a distance of 135.76 feet along said west boundary to a 1/2 inch diameter rebar with a plastic cap,
Thence, leaving said west boundary, N. $21^{\circ} 10' 45''$ W., a distance of 55.12 feet to a 1/2 inch diameter rebar with a plastic cap on the north boundary of said Lot 62,
Thence, N. $56^{\circ} 14' 45''$ E., a distance of 88.00 feet to the Point of Beginning. Bearings are based on State Plane Grid.

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

6/15/2018

WATER RIGHT NO. 65-12936

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	KLARA K HANSBERGER
Current Owner	R V HANSBERGER PO BOX 7968 BOISE, ID 83707 2083360150

Priority Date: 12/01/1988

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
PAYETTE LAKE	NORTH FORK PAYETTE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/15	10/15	0.05 CFS	5.4 AFA
Total Diversion			0.05 CFS	

Location of Point(s) of Diversion:

PAYETTE LAKE|NWNW Lt 1|Sec. 33|Township 19N|Range 03E|VALLEY County

Licensed Diversion Capacity: 0.06

Place(s) of use:

Place of Use Legal Description: IRRIGATION VALLEY County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
19N	03E	33	1	NWNW	1.8									

Total Acres: 1.8

Conditions of Approval:

1. 047 The availability of water for this right is subject to all prior water rights of Lake Reservoir Co.
2. Place of use is also known as Lots 59-62, Payette Lakes Cottage Sites.
3. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. 65 .
4. R49 This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 3.0 afa per acre for irrigation of the lands above.

Dates:

Licensed Date: 07/16/1992

Decreed Date:

Permit Proof Due Date: 6/1/1990

Permit Proof Made Date: 5/30/1989

Permit Approved Date: 5/22/1989

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date: 12/01/1988

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number: 65

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

State of Idaho
Department of Water Resources

Water Right
65-12936

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.



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.05 0.1 0.2 Miles





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

C.L. "Butch" Otter
Governor

Gary Spackman
Director

August 22, 2018

FUTURA CORP
PO BOX 7968
BOISE ID 83707-1968

Re: Change in Water Right Ownership: 65-12936 (Split into 65-12936, **65-23794 & 65-23795**)

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of a portion of the above referenced water right(s) 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(s) 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.

Also note, a refund of \$100 has been requested and will be sent to you under separate cover from the State Controller's Office. The filing fee for a Notice of Change in Water Right Ownership resulting in a split is \$100.

If you have any questions concerning the enclosed information, please contact me at (208) 287-4942.

Sincerely,

Jean Hersley
Technical Records Specialist II

Enclosure(s)

c: RV & KLARA K HANSBERGER
SPF WATER ENGINEERING LLC
WATER DISTRICT NO. 65

MEMORANDUM

TO: Sascha Marston
FROM: Jean Hersley
DATE: August 22, 2018
RE: **Refund: Ownership Split overpayment**

Please refund \$100.

NAME: FUTURA CORP
PO BOX 7968
BOISE ID 83707-1968

RECEIPT #: W046536

Thank you.

Jean

Hersley, Jean

From: Hersley, Jean
Sent: Wednesday, August 22, 2018 11:13 AM
To: Pline, Treva; Marston, Sascha
Subject: Futura Corp refund
Attachments: Futura Corp.doc

Please process the attached refund. Thank you.