

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. **82360**
RECEIVED

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

APR 26 2018

**WATER RESOURCES
WESTERN REGION**

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable to the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at www.idwr.idaho.gov.

Name of Applicant(s) Mark D. And Christ A John

RECEIVED

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer. **MAY 01 2018**

Yes N/A * Means the item is always required and must be included with the application.

**DEPARTMENT OF
WATER RESOURCES**

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- ☐ ☒ Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application.
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☒ * Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☒ ☐ #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. **
- ☒ ☐ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). **
** Additional fee(s) required for water right ownership changes; see fee schedule.
- ☒ ☐ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☐ ☒ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. If some or all of any right is leased to the Water Supply Bank, you must also show the the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see fee schedule.
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. (Attachment WSB)
- ☐ ☒ #10 Other. Please describe: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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APR 26 2018

WATER RESOURCES
WESTERN REGION

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

Name of Applicant(s) Mark D and Christa A John Phone (208) 369-6266
Mailing address P.O. Box 53, Sweet Idaho 83670 Email _____

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☒ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☒ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☒ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☒ No Representative

Name of Representative _____ Phone _____
Mailing address _____ Email _____

- ☐ Send all correspondence for this application to the representative and not to the applicant.
OR
- ☐ Send original correspondence to the applicant and copies to the representative.
- ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
- ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Mark D John
Signature of Applicant or Authorized Representative

Mark D. John (Rancher)
Print Name and Title if applicable

04-23-18
Date

Christa A John
Signature of Applicant or Authorized Representative

Christa A John
Print Name and Title if applicable

04-23-18
Date

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other ownership
2. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**.

The water will be used for stock water and personal use at our home 8002 Kirkpatrick Rd. This water was being transferred, because previous owners life estate has expired and they no longer own the property.

82360

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☒ ☐	65-392	.04	Domestic / Stock	1/01 to 12/31	groundwater
☒ ☐	65-11267	.03	Domestic / Stock	1/01 to 12/31	spring
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights .07 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed .07 cubic feet per second and/or _____ acre-feet per year.

3. Point(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5**.

New ?	Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Source	Local name or tag #
			SW	SE	35	08N	01E	GEM	Springs	65-392
									no changes to POD	65-11267

4. Place of use: (If irrigation, identify with number of acres irrigated per 1/4 1/4 tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	01E	35											D						
07N	01E	2						S											
								LY											
Total Acres (for irrigation use)																			

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

The diversion system is a ^{sewer} Rock concert Box combination which is pretty much air tight with a 1 1/2" Poly pipe exiting the bottom of the Box delivering the water down hill to the house; a measuring device could be placed at end of Pipe.

- b. Who owns the property at the point(s) of diversion? *Dr. Robert Walker, I retained the water rights when I sold him the property and I have the easement to maintain the spring.*
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

when I sold the property where the diversion is I retained the water rights and the easement to maintain the spring.

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? *NO*
If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: _____

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank? *NO*

If yes, ☐ complete Attachment WSB.

- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

this water is for domestic use (not affected NO irrigated land involved)

- f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:

- g. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- ☐ ☒ undergone a period of five or more consecutive years of non-use,
☐ ☒ currently leased to the Water Supply Bank,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right, or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe:

82360

Attachment

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

1/24/2018

WATER RIGHT NO. 65-392

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BOYD M BUTLER 8000 KIRKPATRICK RD SWEET, ID 83670

Priority Date: 04/01/1945

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	1/01	12/31	0.03 CFS	2.7 AFA
DOMESTIC	1/01	12/31	0.04 CFS	1.2 AFA
Total Diversion			0.04 CFS	

Location of Point(s) of Diversion:

GROUND WATER	NWNW	Sec. 02	Township 07N	Range 01E	GEM County
GROUND WATER	NENE	Sec. 03	Township 07N	Range 01E	GEM County
GROUND WATER	NWNE	Sec. 03	Township 07N	Range 01E	GEM County

Place(s) of use:

Place of Use Legal Description: STOCKWATER GEM County

82360

<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>
07N	01E	2		NWNW										
		3		NENE			NWNE							

Place of Use Legal Description: DOMESTIC GEM 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>
07N	01E	3		NENE										

Conditions of Approval:

1. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. PARCEL NOS. 4000-00 4, 4002.00 4

Dates:

Licensed Date:

Decreed Date: 08/21/1998

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:

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

 82360

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

1/24/2018

WATER RIGHT NO. 65-11267

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MYRTLE E BUTLER SWEET, ID 83670
Current Owner	BOYD M BUTLER 8000 KIRKPATRICK RD SWEET, ID 83670

Priority Date: 07/01/1906

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
SPRING	SQUAW CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	1/01	12/31	0.03 CFS	1.4 AFA
DOMESTIC	1/01	12/31	0.03 CFS	1.2 AFA
Total Diversion			0.03 CFS	

Location of Point(s) of Diversion:

SPRING|NWNE Lt 2|Sec. 02|Township 07N|Range 01E|GEM County

Place(s) of use:

Place of Use Legal Description: STOCKWATER GEM 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>
07N	01E	2	4	NWNW										
		3	1	NENE										

Place of Use Legal Description: DOMESTIC GEM 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>
07N	01E	2	4	NWNW										

Conditions of Approval:

1. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. PARCEL NO. 4000-00 4 SEC. 3 PARCEL NO. 4002-00 4 SEC. 2

Dates:

Licensed Date:

Decreed Date: 11/20/1998

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:

Water District Number: 65A

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

 82360

Attachment 2a

Instrument # 220651

EMMETT, GEM, IDAHO

2002-01-30

11:06:00 No. of Pages: 3

Recorded for : ALLIANCE TITLE & ESCROW

SUSAN K. HOWARD

Fee: 9.00

Ex-Officio Recorder Deputy

Index to: DEED

WARRANTY DEED

GRANTORS, BOYD M. BUTLER and MYRTLE E. BUTLER, husband and wife, of Sweet, County of Gem, State of Idaho, for a good and valuable consideration, the receipt of which is hereby acknowledged, do hereby grant, bargain, sell and convey unto MARK D. JOHN and CHRISTA A. JOHN, husband and wife, whose current address is Sweet, County of Gem, State of Idaho, as GRANTEE, and to Grantee's heirs and assigns forever, all of the following described real estate located in Gem County, Idaho:

See Exhibit A which is attached hereto and incorporated herein by reference as if set out in full

TOGETHER WITH an easement which is more particularly described on Instrument # 179453, records of the Clerk, Gem County, Idaho.

SUBJECT TO an easement which is more particularly described on Instrument # 179454, records of the Clerk, Gem County, Idaho.

ALSO SUBJECT TO an easement for the duration of the lives of Boyd M. Butler and Myrtle E. Butler, that is, so long as either is alive, for use, maintenance, replacement and improvement of a pipe line and water rights from a spring located on the above-described property which is used for domestic purposes at 8000 Kirkpatrick Lane, Sweet, Idaho. This easement includes access and work space as well as use of the water for domestic purposes. Excess water from the spring may be used by buyers for livestock.

Said tract of land including all water and ditch rights appurtenant to or used in connection with the properties conveyed hereby.

Said tract of land subject to rights of way or easements of record or in use.

TOGETHER with all improvements and appurtenances thereto.

Subject to such rights of way, easements, covenants, restrictions and zoning regulations as appear of record or by use upon the premises.

Grantor, for itself, its heirs and assigns does hereby covenant, warrant and shall defend the quiet and peaceable possession of said premises by the Grantee, its heirs and assigns forever against the lawful claims of all persons.

INSTRU. NO. 220651
PAGES 1 OF 3

Mail to. Mr. & Mrs. Mark John
PO Box 69
Sweet, Id. 83670

ALLIANCE
TITLE & ESCROW CORP.

Please Reply To: 1022 South Washington Avenue
P.O. Box 622
Emmett, ID 83617
208-365-4486
FAX: 208-365-4541

Mr. and Mrs. Mark John
P.O. Box 69
Sweet, Idaho 83670

ESCROW NO. Courtesy Recording
RE: Butler to John
DATE: February 8, 2002

In connection with the above numbered Escrow, we enclose the following:

- ☐ Our check #
- ☒ Deed recorded 1-30-2002
- ☐ Deed of Trust recorded
- ☐ Note Dated
- ☐ Title Insurance Policy No.
- ☐ Title Insurance Binder
- ☐ Copy of Closing Statement
- ☐ Copy of Escrow Instructions
- ☐ Assignment of Trust Fund
- ☐ Change of ownership agreement
- ☐
- ☐
- ☐

In the sum of \$

Instrument No. 220651

Instrument No.

In the sum of \$

Any other documents to which you are entitled will be forwarded as soon as they are available.

Yours very truly,
ALLIANCE TITLE & ESCROW

By: _____

ALLIANCE
TITLE & ESCROW CORP.

82360

Instrument # 220651

EMMETT, GEM, IDAHO

2002-01-30

11:06:00 No. of Pages: 3

Recorded for : ALLIANCE TITLE & ESCROW

SUSAN K. HOWARD

Fee: 9.00

Ex-Officio Recorder Deputy

Index to: DEED

WARRANTY DEED

GRANTORS, BOYD M. BUTLER and MYRTLE E. BUTLER, husband and wife, of Sweet, County of Gem, State of Idaho, for a good and valuable consideration, the receipt of which is hereby acknowledged, do hereby grant, bargain, sell and convey unto MARK D. JOHN and CHRISTA A. JOHN, husband and wife, whose current address is Sweet, County of Gem, State of Idaho, as GRANTEE, and to Grantee's heirs and assigns forever, all of the following described real estate located in Gem County, Idaho:

See Exhibit A which is attached hereto and incorporated herein by reference as if set out in full

TOGETHER WITH an easement which is more particularly described on Instrument # 179453, records of the Clerk, Gem County, Idaho.

SUBJECT TO an easement which is more particularly described on Instrument # 179454, records of the Clerk, Gem County, Idaho.

ALSO SUBJECT TO an easement for the duration of the lives of Boyd M. Butler and Myrtle E. Butler, that is, so long as either is alive, for use, maintenance, replacement and improvement of a pipe line and water rights from a spring located on the above-described property which is used for domestic purposes at 8000 Kirkpatrick Lane, Sweet, Idaho. This easement includes access and work space as well as use of the water for domestic purposes. Excess water from the spring may be used by buyers for livestock.

Said tract of land including all water and ditch rights appurtenant to or used in connection with the properties conveyed hereby.

Said tract of land subject to rights of way or easements of record or in use.

TOGETHER with all improvements and appurtenances thereto.

Subject to such rights of way, easements, covenants, restrictions and zoning regulations as appear of record or by use upon the premises.

Grantor, for itself, its heirs and assigns does hereby covenant, warrant and shall defend the quiet and peaceable possession of said premises by the Grantee, its heirs and assigns forever against the lawful claims of all persons.

INSTRU. NO. 220651
PAGES 1 OF 3

Mail to. Mr. & Mrs. Mack John
PO Box 69
Sweet, ID. 83670

In construing this deed and where the context so requires, the singular includes the plural and the masculine, feminine and the neuter.

IN WITNESS WHEREOF, GRANTOR has hereunto subscribe its name to this instrument this 28 day of February, 1994.

Boyd M. Butler
BOYD M. BUTLER

Myrtle E. Butler
MYRTLE E. BUTLER

STATE OF IDAHO)
) ss.
County of Gem)

On this 28 day of February, 1994, before me, the undersigned, a Notary Public for Idaho, personally appeared BOYD M. BUTLER and MYRTLE E. BUTLER, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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



Linda M. Jensen
Notary Public for Idaho
Residing at Emmett, Idaho
My Commission Expires 10/30/94

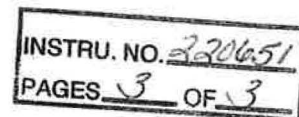
INSTRU. NO. 220651
PAGES 2 OF 3

Legal Description

TRACT I

TOWNSHIP 7 North, Range 1 East, B.M., Gem County, Idaho

Section 1: Government Lot 4;
Section 2: Government Lots 1 and 2, and
The S 1/2 of the NE 1/4



TRACT II

TOWNSHIP 7 North, Range 1 East, B.M., Gem County, Idaho

Section 2: Government Lot 4
Section 3: Government Lot 1

LESS the following described Tract:

BEGINNING at the Northwest corner of said Government Lot 1, the REAL POINT OF BEGINNING; thence
South 00°05'10" West, 344.00 feet along the West line of said Government Lot 1 to a point; thence
North 88°42'29" East, 416.62 feet to a point; thence
North 00°05'10" East, 334.00 feet, more or less, to the Section line; thence along the Section line
North 89°55'00" West, 416.50 feet, more or less, to the REAL POINT OF BEGINNING.

TRACT III

TOWNSHIP 8 North, Range 1 East, B.M., Gem County, Idaho

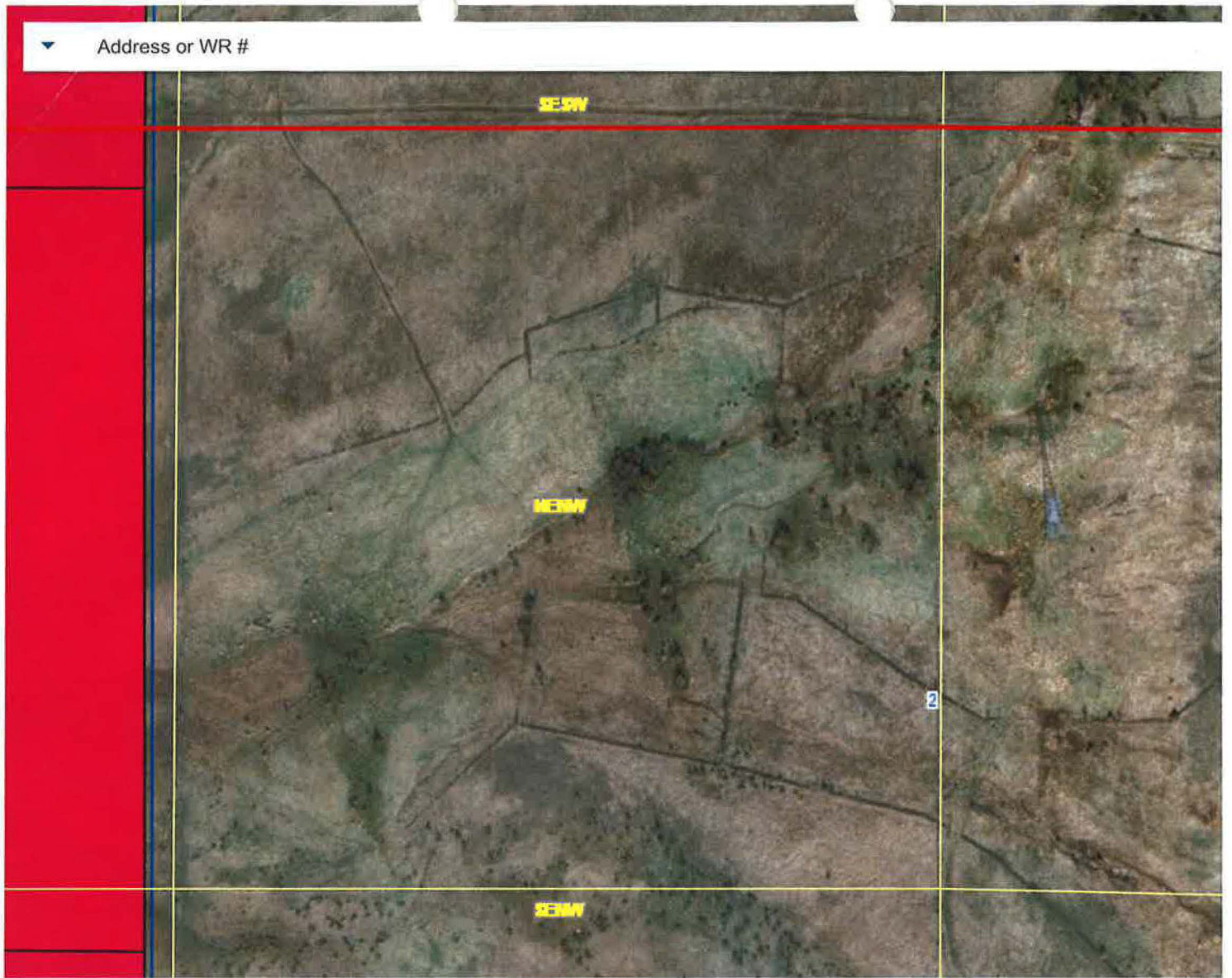
Section 35: The SW 1/4 of the SW 1/4

LESS the following described tract:

A tract of land situated in a portion of the SW 1/4 of Section 35, Township 8 North, Range 1 East, B.M., Gem County, Idaho, more particularly described as follows:

COMMENCING at the Southwest section corner of Section 35, said corner being common to the Southeast corner of Section 34, Township 8 North, Range 1 East and also common to Sections 2 and 3, Township 7 North, Range 1 East, marked by a found 1/2" iron pin; thence
North 00°00'00" East along the West line of the SW 1/4 of Section 35, a distance of 1032.95 feet to a set 1/2" iron pin L.S. 4108; the REAL POINT OF BEGINNING; thence continuing
North 00°00'00" East along said West line of the SW 1/4 of Section 35, a distance of 290.77 feet to a set 1/2" iron pin L.S. 4108; thence
North 89°26'27" East, a distance of 828.30 feet to a set 1/2" iron pin L.S. 4108; thence
South 11°53'36" West, a distance of 405.96 feet to a set 1/2" iron pin L.S. 4108; thence
North 84°36'17" West, a distance of 440.47 feet to a set 1/2" iron pin L.S. 4108; thence
North 06°43'43" West, a distance of 57.18 feet to a set 1/2" iron pin L.S. 4108; thence
North 89°57'52" West, a distance of 299.38 feet to a point on the West line of the SW 1/4 of Section 35 and the REAL POINT OF BEGINNING.

▼ Address or WR #



300ft



All Diversions

Print Map	More info
WR Report	More info
WR Docs	More info
Point Of Diversion ID	453962
Owner	MYRTLE E BUTLER
Priority Date	June 30, 1906
Basis	Decreed
Source	SPRING
Water District #	65A
Overall Max Diversion Rate	0.03
DiversionName	
MetalTagNumber	
Diversion Type	
Data Source	QQ

GENERAL WARRANTY DEED

Alliance Title & Escrow Corp. Order No.: 286795

FOR VALUE RECEIVED. A PORTION OF THE TRUE CONSIDERATION FOR THIS CONVEYANCE IS PURSUANT TO AN IRC 1031 TAX DEFERRED EXCHANGE ON BEHALF OF THE GRANTOR,

Mark D. John and Christa A. John, husband and wife ("Grantor"), hereby grants, bargains, sells, and conveys unto Robert N. Walker and Eloisa S. Walker, husband and wife, whose current address is 1873 E. Parkhurst Ct., Eagle, Idaho 83616 ("Grantee"), all of Grantor's right, title and interest in and to the following-described real property, located in Gem County, Idaho, to wit:

In Township 7 North, Range 1 East, Boise Meridian, Gem County, Idaho:

Section 1: Government Lots 3 and 4, and the Southeast quarter of the Northwest quarter

Section 2: Government Lots 1 and 2, and the South half of the Northeast quarter

(hereinafter the "Premises").

TOGETHER WITH all and singular tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues, and profits thereof, and all estate, right, title, and interest in and to the Premises, as well in law as in equity;

RESERVING UNTO Grantor nonexclusive easements for ingress, egress and access to a spring which is the source of water for decreed water right 65-11267, and for inspection, use, operation, maintenance, repair, replacement and removal of an existing waterline as more particularly described in Exhibit A attached hereto and incorporated herein, and subject to the terms contained in Exhibit B attached hereto and incorporated herein. Such easements and covenants shall run with the land, and shall be binding on Grantor's and Grantee's successors and assigns, forever.

TO HAVE AND TO HOLD the said premises, with is 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 building or use restrictions, building and zoning regulations and ordinances of any governmental unit, and those enumerated herein and that Grantor will warrant and defend the same from all claims whatsoever.

[end of text]

DATED effective as of the 17 day of September, 2015.

GRANTOR:

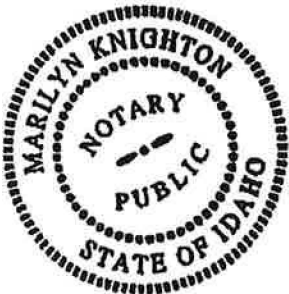
Mark D. John
Mark D. John

Christa A. John
Christa A. John

STATE OF IDAHO)
County of Ada) ss.

On this 17 day of September, 2015, before me, a notary public in and for said state, personally appeared Mark D. John and Christa A. John, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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



Marilyn Knighton
Notary Public for Idaho
Residing at: Smelt
My commission expires: 4-4-2017

**Exhibit A to General Warranty Deed
(Reserved Easements Descriptions)**

A nonexclusive easement for ingress, egress and access, twenty (20) feet in width, to a spring that is the source of water for decreed water right 65-11267, said easement described as follows: the northerly twenty (20) feet of Lot 2, Section 2, T7N, R1E, B.M., extending for a distance of approximately seven hundred (700) feet from the northwest corner of said Lot 2, Section 2 to the intersection of an existing road running north and south, thence south centered along the existing road approximately one thousand three hundred (1,300) feet to a spring that is the existing point of diversion for water right 65-11267 (the "Access Easement");

Together with a nonexclusive easement for the inspection, use, operation, maintenance, repair, replacement and removal of an existing waterline delivering water under water right 65-11267 for domestic use in Lot 4, Section 2 and for stockwater use in Lot 4, Section 2 and Lot 1, Section 3, T7N, R1E, which easement shall be twenty (20) feet wide centered upon the existing waterline as it extends generally westerly from the spring source to the west boundary of Lot 2, Section 2, T7N, R1 E, B.M. (the "Waterline Easement").

The above-described easements are appurtenant to Lot 4 (NW1/4NW1/4), Section 2, and Lot 1 (NE1/4NE1/4) Section 3, T7N, R1E, B.M., and burden Lot 2, Section 2, T7N, R1E, B.M.



**Exhibit B to General Warranty Deed
(Reserved Basements Covenants and Conditions)**

Uses of the Access Easement and the Waterline Easement are subject to the following covenants:

1. Ingress, egress and access to the spring source and the existing waterline shall be solely within the area described in Exhibit A hereto for the Access Easement and the Waterline Easement for use, inspection, and operation, maintenance, repair, replacement and removal of facilities used to divert or deliver water from the spring source to domestic and stockwater purposes authorized under water right 65-11267;
2. Before commencing any work within the Waterline Easement, the owner of Lot 2, Section 2, T7N, R1E shall be notified and permission obtained from said owner, such permission not to be unreasonably denied, and upon conclusion of such work the lands will be returned to a condition as good as or better than prior to the work having being performed; and
3. Unless and until the authorized place of use of water right 65-11267, or some portion thereof, has been transferred and changed to authorize use of water in Lot 2, Section 2, all repair or maintenance to the spring diversion facilities will be at the expense of the owner(s) of the above-described lands to which water right 65-11267 is appurtenant.



INSTRU. NO. 179454PAGES 1 of 2

EASEMENT

WE, BOYD M. BUTLER and MYRTLE E. BUTLER, husband and wife, hereinafter referred to as Grantor, for good and valuable consideration, the receipt whereof is hereby acknowledged, hereby grant, bargain, sell, and convey to STANLEY S. KIRKPATRICK and MARY ANN KIRKPATRICK, husband and wife, of Sweet, Idaho 83670, hereinafter referred to as Grantee, the following:

An easement for ingress and egress, and for trailing and moving livestock and for transporting farm machinery over the following described property:

In Gem County, Idaho:

The North 50 feet of Government Lot 1, Section 3, Township 7 North, Range 1 East, B.M., Gem County, Idaho, and

The North 50 feet of Government Lot 4, Section 2, Township 7 North, Range 1 East, B.M., Gem County, Idaho.

This easement is for the benefit of and appurtenant to that land, or any portion thereof, in the County of Gem, State of Idaho, described as follows:

E $\frac{1}{2}$ of SW $\frac{1}{4}$, Sec. 35, Twp. 8 N., R. 1 E.B.M. and Lot 3, Section 21, Twp. 7 N., R. 1 E.B.M.

This grant of easement shall run with the land and shall be binding on and shall inure to the benefit of the parties hereto, their heirs, successor, and assigns.

Except as herein granted, Grantor shall continue to have the full use and enjoyment of the property.

IN WITNESS WHEREOF, Grantor has signed this easement this 28 day of February, 1994.

Boyd M. Butler
BOYD M. BUTLER

Myrtle E. Butler
MYRTLE E. BUTLER

INSTRU. NO. 179454

PAGES 2 of 2

STATE OF IDAHO)

) ss.

County of Gem)

On this 28 day of February, 1994, before me, the undersigned, a Notary Public for Idaho, personally appeared BOYD M. BUTLER and MYRTLE E. BUTLER, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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



Thelma R. Kolodziej

Notary Public for Idaho

Residing at Emmett

My Commission Expires 6/30/94

179454

Gem County, IDAHO) ss.

Recorded at request of

Security Title Co.

Time 10:13 AM

Date March 7, 1994

Instru. No. 179454

Recorded as a Deed

Thelma R. Kolodziej, Clerk
Ex-officio Recorder

By: *Judy Bigham*
Deputy

Fees \$ 6.00

EASEMENT - Page 2

82360

EASEMENT

WE, STANLEY S. KIRKPATRICK and MARY ANN KIRKPATRICK, husband and wife, hereinafter referred to as Grantor, for good and valuable consideration, the receipt whereof is hereby acknowledged, hereby grant, bargain, sell, and convey to BOYD M. BUTLER and MYRTLE E. BUTLER, husband and wife, of Sweet, Idaho 83670, hereinafter referred to as Grantee, the following:

An easement for ingress and egress, and for trailing and moving livestock and for transporting farm machinery over the following described property:

In Gem County, Idaho:

The North 50 feet of Government Lot 3, Section 2, Township 7 North, Range 1 East, B.M., Gem County, Idaho.

This easement is for the benefit of and appurtenant to that land, or any portion thereof, in the County of Gem, State of Idaho, described as follows:

TOWNSHIP 7 North, Range 1 East, B.M., Gem County, Idaho.

Section 1: Government Lot 4
Section 2: Government Lots 1 and 2, and
The S $\frac{1}{2}$ of the NE $\frac{1}{4}$

This grant of easement shall run with the land and shall be binding on and shall inure to the benefit of the parties hereto, their heirs, successor, and assigns.

Except as herein granted, Grantor shall continue to have the full use and enjoyment of the property.

IN WITNESS WHEREOF, Grantor has signed this easement this 22nd day of FEBRUARY, 1994.

Stanley S. Kirkpatrick
STANLEY S. KIRKPATRICK

Mary Ann Kirkpatrick
MARY ANN KIRKPATRICK

INSTRU. NO. 179453

PAGES 2 of 2

STATE OF IDAHO)

) ss.

County of Gem)

On this 22ND day of FEBRUARY, 1994, before me, the undersigned, a Notary Public for Idaho, personally appeared STANLEY S. KIRKPATRICK and MARY ANN KIRKPATRICK, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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



Sharon Ann McConnell

Notary Public for Idaho

Residing at Emmett

My Commission Expires 1-5-96

179453

Gem County, IDAHO) ss.

Recorded at request of

Security Title Co.

Time 10:12 AM

Date March 7, 1994

Instru. No. 179453

Recorded as a Deed

Thelma R. Kolodziej, Clerk
Ex-officio Recorder

By: Judy L. [Signature]
Deputy

Fees \$ 6.00

Hersley, Jean

From: Hersley, Jean
Sent: Wednesday, July 11, 2018 8:41 AM
To: 'LEGALS@IDAHOPRESS.COM'
Subject: Legal Notice for your Paper
Attachments: LegalNoticeTransferMerged.doc

Enclosed you will find a legal notices which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office, PO Box 83720, Boise, Idaho, 83720-0098 before August 6, 2018. Your cooperation is appreciated. Thank you.

*Jean Hersley
Idaho Dept Water Resources
Technical Records Specialist II
208-287-4942*

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 82360**

CHRISTA A JOHN, PO BOX 53, SWEET, ID 83670; MARK D JOHN, PO BOX 53, SWEET, ID 83670-0053; has filed Application No. 82360 for changes to the following water rights within GEM County(s): Right No(s). 65-11267; The purpose of the transfer is to change a portion of the above rights as follows:

to change the place of use to SWSW of Sec 35 T8N, R1E and Lot 4(NWNW) of Section 2 T7N, R1E.

For additional information concerning the property location, contact IDWR State office at (208) 287-4800; or for a full description of the transfer, please see <http://www.idwr.idaho.gov/water-rights/transfers/search.html>

Protests may be submitted based on the criteria of Idaho Code Sec. 42-222.

Any protest against the proposed change must be filed with the Department of Water Resources, 322 E Front St, PO Box 83720, Boise ID 83720-0098 together with a protest fee of \$25.00 for each application on or before 8/6/2018. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 7/18/2018 and 7/25/2018



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 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

July 11, 2018

CHRISTA A JOHN
MARK D JOHN
PO BOX 53
SWEET, ID 83670

RE: Transfer No. 82360
Water Right No(s). 65-11267

Dear Applicant(s):

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the MESSENGER INDEX on 7/18/2018 and 7/25/2018. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

Please contact this office if you have any questions regarding the application.

Sincerely,

Jean Hersley
Technical Records Specialist



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 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

July 11, 2018

ERIC HERR
WATER DISTRICT #65A
8917 BUTTE RD
SWEET ID 83670

RE: Application for Transfer 82360
Water Right 65-11267

Dear Watermaster:

The Department of Water Resources is seeking written comment and/or recommendations from you regarding the above referenced water right application for permit. You can find a copy of the application at: <http://www.idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>. Please review the application, then complete the enclosed recommendation form and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR's offices can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

Jean Hersley
Technical Records Specialist

Enclosure(s)

State of Idaho
Department of Water Resources
Application for Permit

RECOMMENDATION FORM

Application No.: 82360

Applicant's Name: MARK D & CHRISTA A JOHN

Watermaster's Recommendation:

- a) _____ I do not oppose approval of this application.
- b) _____ I do not oppose approval of this application if it is conditioned as follows:
- c) _____ I oppose approval of this application for the following reasons:
- d) _____ Additional comments:

Dated this _____ day of _____, 2018

Water District No. 65A

Watermaster's Signature _____



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

June 13, 2018

MARK D JOHN
CHRIST A JOHN
PO BOX 53
SWEET ID 83670

RE: Transfer 82323 for right 65-11267

Dear Applicants:

This letter concerns the ownership of water right 65-11267. Water right places of use are appurtenant to the land. When there is a change of ownership or a transfer, the water right is split proportionally according to the amount land owned by the applicant. Currently, right 65-11267 includes two entire quarter quarters.

You own approximately 89 percent of the land within these quarter quarters. Cynthia Hall and Mario and Janette Cefalu own the rest. The entire domestic beneficial use will be transferred to your new place of use. Domestic uses are not typically split. However, the stockwater use of the right will be split proportionally based on land ownership. You could transfer the entire right. If the Cefalu and Ms. Hall are willing to quit claim their portion of the stockwater, we would be able to transfer the entire right to your property.

Without documentation granting you the entire right we will be required to split the right. The fee for straight change of ownership is \$25. If we split the right the fee is \$100. Based on what you have already paid, you owe \$50 dollars to complete this process.

Please let me know how you would like to proceed by July 5, 2018. If you require additional time or information regarding this matter, please call me directly at (208) 287-4881, e-mail me at sandra.thiel@idwr.idaho.gov or contact me by mail.

Sincerely,

Sandra Thiel

Sr. Water Resource Agent

Transfer 82323 Memorandum

Date: June 11, 2018
To: Transfer 82360 for Mark and Christa John for rights 65-392 and 65-11267
From: Sandra Thiel
Reason: Review & Evaluation of Sufficiency of Information

Purpose: According to page 2 of the transfer application, the Johns intend to change the place of use for both 65-392 and 65-11267. They also intended to change the point of diversion for ground water right 65-392. Ground water right 65-392 currently has three points of diversion in three separate quarter quarters. This right supplied water for domestic use at the house owned by Boyd and Myrtle Butler. The original house no longer exists; however, there is a new house on that property. Consequently, this right cannot be transferred to a new place of use. On June 11, 2018, I talked to Mr. John and explained the domestic use. He agreed to remove right 65-392 from the transfer.

On June 6 I send the Johns a letter requesting information and explaining that we would not be able to transfer right 63-392. During my June 11 conversation with Mr. John he explained that the spring water diversion for domestic use and stockwater would be delivered through the same system to the two places of use. Based upon that information we can allow them to file one transfer to change the place of use for right 65-11267.

Place of Use: The stockwater place of use will include two places of use identified on the application map. One in T7N R1E Section 2 Lot 4(NWNW) and the other around their house in T8N R1E Section 35 SWSW. They use the spring water for stock water in the southern place of use and for domestic and irrigation within the half acre around the house. They own 34 shares in Squaw Creek Irrigation.

Point of Diversion: The point of diversion for right 65-11267 will not change.

Authority to File: Mark and Christa John submitted the application on April 26, 2018. At the time of the transfer Boyd and Myrtle Butler owned right 65-11267. As part of the process the Johns are changing the ownership into their name. According to the January 2018 Gem County parcel data, the Johns own the proposed places of use of use for the domestic and stock water.

Water Right Validity: Right 65-11267 was decreed in 1998.

Injury to Other Water Rights: No apparent injury to other water rights.

Enlargement of Use: There are no enlargement concerns. No domestic use from the spring will take place at the pre-transfer place of use.

Local Public interest: There are no apparent issues with local public interest.

Beneficial Use/Conservation of Water Resources: This transfer appears to be consistent with the conservation of water resources in Idaho.

Effect on Economy the Local Area: No adverse impacts are anticipated.

Effect on Agricultural Base of the Local Area: The transfer shows no negative impacts on the local agriculture. *Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.*



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

June 6, 2018

MARK D JOHN
CHRIST A JOHN
PO BOX 53
SWEET ID 83670

RE: Transfer 82323 for rights 65-392 and 65-11267

Dear Applicants:

Initial review of your transfer application has been completed. We will be unable to transfer ground water right 65-392. We will require additional information to continue processing the transfer for right 65-11267. I will address the transfer of each right separately.

Ground Water Right 65-392:

According to the Gem County Assessors Office Boyd and Myrtle Butler's house was on the property now owned by Mario Cefalu. The domestic use under this 1930 priority right is associated with the home on this parcel. You have no authority to transfer this right without specific documentation conveying the ownership of this right to you from the original right holder or subsequent property owners. Also, Right 65-392 is for a total diversion rate of 0.04 cfs; 0.03 cfs for stockwater and 0.04 for domestic use. The domestic portion of the right remains with the exiting house on the Cefalu parcel and stock water use cannot be separated from the domestic use sharing the same rate. Right 65-392 will not be included in the transfer unless you can provide specific ownership documentation.

Spring Right 65-11267:

The stockwater portion of right 65-11267 includes two quarter-quarters as shown on the attached map. Your transfer application shows two places of use after the transfer. The domestic portion falls within T8N R1E Section 35 SWSW. You identified the stockwater place of use as being in T7N R1E Section 2 Lot 4(NWNW). Water rights are appurtenant to the land. When the stockwater right is split, your water right will be proportional to the ownership of the place of use.

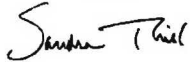
There are two issues that must be addressed before we continue processing the transfer of this right:

- Will both the domestic and stockwater be delivered through a common distribution system? If they are two separate systems, we will require a transfer application for each system.

- What is the existing domestic use from the spring? There are no apparent homes on the property. Will the existing domestic use continue to receive water after the transfer? If so, from what source?

Please respond within 30 days or by July 5, 2018, to avoid your application being voided. If you require additional time or information regarding this matter, please call me directly at (208) 287-4881, e-mail me at sandra.thiel@idwr.idaho.gov or contact me by mail.

Sincerely,



Sandra Thiel

Sr. Water Resource Agent

Enclosure: map

Thiel, Sandra

From: Hersley, Jean
Sent: Monday, June 04, 2018 12:21 PM
To: Thiel, Sandra
Subject: FW: old parcel numbers
Attachments: Former Burtler Property.pdf; 220651.tif

This is the response from Gem County. Hope it helps a little.

Jean Hersley
Idaho Dept Water Resources
Technical Records Specialist II
208-287-4942

From: John Henderson [mailto:jhenderson@co.gem.id.us]
Sent: Monday, June 04, 2018 12:19 PM
To: Hersley, Jean <Jean.Hersley@idwr.idaho.gov>
Subject: FW: old parcel numbers

Your request has been forwarded to me. I have attached a map of what I think is the property you are referring to in Sec's 2 & 3, T7N, R1W. The Butler home sat on what is now parcel RP00400004 (Owned by Mario P Cefalu). A portion of what they owned in Gov't Lot 1 was sold off as parcel RP00400013 (Cynthia Hall) with the rest going to Mark John as RP00400012 & 13. There is actually more land purchased by Mr. John so I have included their property description.

If I can be of further assistance, please don't hesitate to drop me an email.

John R. Henderson
Gem County Map Technician
Gem County Courthouse
415 E. Main Street, Ste. 201
Emmett, ID 83617
208-477-2005
mapper@co.gem.id.us
Monday through Thursday 7:15 AM to 6:15 PM

From: Danielle Linville
Sent: Monday, June 04, 2018 8:46 AM
To: John Henderson
Subject: FW: old parcel numbers

This sounds like it might be a match for your talents.....not mine. ☺ See below from Dept of Water Resources.

Danielle Linville

Gem County Deputy Assessor
415 E Main Street
Emmett, ID 83617
(208) 477-2001
Email: dlinville@co.gem.id.us

From: Richard Johnston
Sent: Monday, June 04, 2018 8:38 AM
To: Danielle Linville <dlinville@co.gem.id.us>
Subject: FW: old parcel numbers

Could you take care of this

Rick Johnston
Gem County Assessor
415 E. Main St.
Emmett, Idaho 83617
208-365-2982



From: Hersley, Jean [<mailto:Jean.Hersley@idwr.idaho.gov>]
Sent: Monday, June 04, 2018 7:57 AM
To: Richard Johnston <rjohnston@co.gem.id.us>
Subject: old parcel numbers

I have a couple of really old parcel numbers and I am trying to figure out what they are now. All I have is 4000-00 4 Sec 3 and 4002-00 4 Sec 2. These parcels were owned by Boyd and Myrtle Butler in 1998. If you have a map of these parcels in 1998 and what the new parcel numbers are, could you please send them to me. Thank you.

Jean Hersley
Idaho Dept Water Resources
Technical Records Specialist II
208-287-4942

SWSE

SESE

35

SWSW

Kirkpatrick Rd

34

T08NR01E

RP07N01E030188
RP00400004
8000 KIRKPATRICK RD
CEFALU MARIO P
8000 KIRKPATRICK RD
SWEET
ID
83670-5027
3.414

RP07N01E030226
RP00400013
7998 KIRKPATRICK RD
HALL CYNTHIA
7998 KIRKPATRICK RD
SWEET
ID
83670-5068
4.995

GOV'T LOT 1

RP07N01E030000
RP00400012
JOHN MARK D
PO BOX 53
SWEET
ID
83670-0053
31.164

GOV'T LOT 4
RP00400015

RP07N01E023000
RP00400202
JOHN MARK D
PO BOX 53
SWEET
ID
83670-0053
39.55

L 2

L 1

L 4

L 3

03

T07NR01E

02

SWNE

SENE

SWNW



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 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

May 1, 2018

CHRISTA A JOHN
MARK D JOHN
PO BOX 53
SWEET, ID 83670-0053

Re: Application for Transfer of Water Right

Dear Applicant(s):

The Department of Water Resources has received your Application for Transfer. Preliminary review of the application indicates that it is incomplete and cannot be accepted for processing. The required information is described below.

The filing fee was not submitted correctly. You submitted \$200, which covers the transfer fee. The Department will need an additional fee of \$50 to cover the ownership change. The filing fee for an ownership change is \$25 per water right. Please send the fees to the address above.

If the Department does not receive the additional fees within 30 days, your application will be returned unprocessed and a refund requested of the fees paid.

Please contact me at (208) 287-4942 if you have any questions regarding this matter. Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Jean Hersley".

Jean Hersley
Technical Records Specialist
Enclosure