

DE ✓

RECEIVED
JUN 15 2018
Department of Water Resources
Eastern Region

STATE OF IDAHO
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?
73-4033B	Yes ☐	Yes ☐		Yes ☐	Yes ☐
73-11962	Yes ☒	Yes ☐		Yes ☐	Yes ☐
↓ 73-12261	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: JACK FUREY, PATRICIA & STANLEY DOWTON
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Brett, Chris Anderson
New owner(s) as listed on the conveyance document
- Name connector ☐ and ☐ or ☒ and/or
- 1467 Custer Rd. Ellis ID 83235
Mailing address City State ZIP
- 208-876-2036 chancey@custerid.net
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: 7-29-2010
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: Brett Anderson Title, if applicable: _____ Date: 6-13-18
Signature: Chris Anderson Title, if applicable: _____ Date: 6-13-18

For IDWR Office Use Only:

Received by JPS Date 6/15/2018 Receipt No. E044110 Receipt Amt. \$400.-
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 dj Date 7-10-18

Alliance Title & Escrow

Time 3:20 P M Date 7-29, 2010

Barbara C. Tierney, Clerk

Barbara C. Tierney
Deputy \$13.00

WARRANTY DEED

Order No.: 3071005484TD

FOR VALUE RECEIVED

Jack B. Furey and Nancy J. Furey, trustees of the Jack B. and Nancy J. Furey Family Trust

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Brett K. Anderson and Christina S. Anderson, Husband and Wife

whose current address is

HC 61 Box 3070 Challis, ID 83226

the grantee(s), the following described premises, in Custer County, Idaho, TO WIT:

A portion of Section 36, T. 16 N., R. 20 E., Boise Meridian, Custer County, Idaho, more particularly described as follows:

Commencing at the South $\frac{1}{4}$ Corner of said Section 36 from which the SE Corner of said Section 36 bears S89°59'20"E, 2639.68 feet, the Basis of Bearing of this description, run thence N00°17'45"E along the center of said Section 36, 2510.43 feet to a point on the boundary line as described and shown on the Record of Survey completed by Charlie Burns and recorded as instrument No. 188711, records of Custer County, said point being the Point of Beginning;

Thence along said boundary line as recorded Instrument No. 188711 the following courses:

N55°53'46"E, 253.29 feet; N36°06'06"E, 232.97 feet; N56°26'01"E, 191.78 feet;
N38°26'19"W, 136.39 feet; N25°11'31"W, 218.63 feet; S86°04'28"W, 241.48 feet;
N62°24'17"W, 71.73 feet;

Thence leaving said boundary line as recorded Instrument No. 188711 S77°22'10"W, 513.51 feet;

Thence S87°05'29"W, 118.95 feet;

Thence N76°52'51"W, 213.23 feet to a point on the centerline of the County Road known as Custer Road;

Thence following said centerline the following courses;

S08°50'50"E, 15.15 feet; S10°24'37"E, 266.14 feet; S09°21'00"E, 205.45 feet;
S11°39'00"E, 231.70 feet; along the arc of a curve to the right 159.98 feet having a central angle of 02°09'37", a radius of 4243.08 feet and a chord of S10°34'14"E, 159.97 feet; S09°29'28"E, 73.08 feet; along the arc of a curve to the right 164.29 feet having a central angle of 01°54'35", a radius of 4928.97 feet and a chord of S08°32'10"E, 164.29 feet;

Thence leaving said centerline N55°53'46"E, 732.66 feet to the point of Beginning.

Subject to a 25 foot road easement, said easement being 25.00 feet on the easterly side of the westerly line of the above described parcel.

242806

Together with all water and water rights and ditches and ditch rights and together with an undivided 1/3 (interest) in the privately owned servicing ditch reaching and adjacent to the premises and which ditch originates and is part of the servicing canal which in turn originates in the Pahsimeroi River, all appurtenant thereto and used in connection therewith said premises.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: July 29, 2010

Jack B. Furey and Nancy J. Furey, trustees of the
Jack B. and Nancy J. Furey Family Trust

Jack B. Furey
By: Jack B. Furey, Trustee

Nancy J. Furey
By: Nancy J. Furey, Trustee

State of Idaho

}
} ss.
}

County of Lemhi

On this 29th day of July, 2010 before me, a Notary Public in and for said state, personally appeared Jack B. Furey and Nancy J. Furey known or identified to me to be the persons whose name is subscribed to the foregoing instrument as trustees of the Jack B. and Nancy J. Furey Family Trust, and acknowledged to me that they executed the same as Trustee.

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



Heidi Semmler
Notary Public for the State of Idaho
Residing at: Salmon
Commission Expires: May 19, 2015

242806

Custer County Reg. of

Alliance Title & Escrow

Time 3:20 P M Date 7-29, 2010

Barbara C. Tiemey, Clerk

[Signature] \$ 13.00
Deputy

WARRANTY DEED

Order No.: 3071005484TD

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Jack B. Furey and Nancy J. Furey, trustees of the Jack B. and Nancy J. Furey Family Trust

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whose current address is

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Thence along said boundary line as recorded Instrument No. 188711 the following courses:
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Thence S87°05'29"W, 118.95 feet;

Thence N76°52'51"W, 213.23 feet to a point on the centerline of the County Road known as Custer Road;

Thence following said centerline the following courses;

S08°50'50"E, 15.15 feet; S10°24'37"E, 266.14 feet; S09°21'00"E, 205.45 feet;
S11°39'00"E, 231.70 feet; along the arc of a curve to the right 159.98 feet having a central angle of 02°09'37", a radius of 4243.08 feet and a chord of S10°34'14"E

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TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: July 29, 2010

Jack B. Furey and Nancy J. Furey, trustees of the
Jack B. and Nancy J. Furey Family Trust

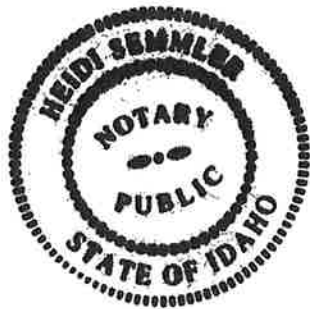
Jack B. Furey
By: Jack B. Furey, Trustee

Nancy J. Furey
By: Nancy J. Furey, Trustee

State of Idaho }
 } ss.
County of Lemhi }

On this 29th day of July, 2010 before me, a Notary Public in and for said state, personally appeared Jack B. Furey and Nancy J. Furey known or identified to me to be the persons whose name is subscribed to the foregoing instrument as trustees of the Jack B. and Nancy J. Furey Family Trust, and acknowledged to me that they executed the same as Trustee.

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



Heidi Semmler
Notary Public for the State of Idaho
Residing at: Salmon
Commission Expires: May 19, 2015





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 11, 2018

BRETT K ANDERSON
CHRISTINA S ANDERSON
1167 CUSTER RD
ELLIS ID 83235-4700

Re: Change in Water Right Ownership: 73-4033B and 73-11962 (Split into 73-11962 and **73-12261**)

Dear Water Right Holders:

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

Your portion of these water rights has a specified point of diversion, nature of use and place of use. If you plan on changing the nature of use, place of use, or point of diversion under these rights, including adding a new point of diversion, then an Application for Transfer on your portion of these rights is required. Please contact this office for further information on the Application for Transfer form or you can find the forms at www.idwr.idaho.gov. If you do not plan on changing any items on your water rights, then no further action is required at this time.

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.

Please feel free to contact me at 208-287-4920 if you have any questions concerning the enclosed information or this letter.

Sincerely,

Debbi Judd
Technical Records Specialist

Enclosures

C. Water Districts 73 & 170



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

July 11, 2018

STANLEY M DOWTON
PATRICIA DOWTON
700 BURSTEDT LN
ELLIS ID 83235

Re: Change in Water Right Ownership: 73-4033B and 73-11962 (Split into **73-11962** and 73-12261)

Dear Water Right Holders:

We have received and processed a Change of Ownership for a portion of your original Water Right as referenced above. This change of ownership resulted in a split of your original water right.

When a portion of the original water right has been conveyed to another and the original right has been split, a new water right number is issued to the new owner representing their portion of the original water right. Each water right contains only the portion of the original right for each separate owner. The original water right number reflects your remaining portion of the water right after the change of ownership. Enclosed is a copy of this water right for your records. Please refer to your water right number when corresponding with our office.

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.

If you have any questions concerning this ownership change or the enclosed information, please contact me at 208-287-4920.

Sincerely,

Debbi Judd
Technical Records Specialist

Enclosure

C. Water Districts 73 & 170



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 28, 2018

BRETT K ANDERSON
CHRISTINA S ANDERSON
1167 CUSTER RD
ELLIS ID 83235

RE: Change in Ownership of Water Right Nos. 73-4033B and 73-11962

Dear Interested Parties:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership. Our review of your notice indicates that additional information and fees are required before we can process the change. During our review of the documentation you submitted, we found that the warranty deed is cut off and missing the entire legal description. Also, a payment of \$100 was submitted, but there are two water rights listed on the notice. One requires a split, the other does not.

Effective July 1, 2000, the legislature enacted House Bill No. 545 requiring a filing fee for a change in water right ownership. The fee is \$25 per water right, except for ownership changes resulting in the division of a water right, which is \$100 per water right. All ownership change notices received after June 30, 2000 must include the appropriate filing fees in order to be processed. The Department has determined that the additional filing fee for your notice will be **\$25**.

Because the Department cannot process the ownership change without proper fees and documentation, we will hold any action on your notice pending receipt of the necessary fees and documentation. If we do not receive the necessary fees and documentation within 30 days we will return your notice and all attachments and your notice will not be processed. You can send the documents to the address above or email to debbi.judd@idwr.idaho.gov.

Please note that Idaho Code § 42-248, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.idaho.gov.

Please feel free to contact me at (208) 287-4290 if you have any questions.

Sincerely,

Debbi Judd
Technical Records Specialist

Please direct any Questions or
if additional information is needed
to Brett Anderson 208 833-5500
Chancey@custertel.net
Thank you -

We have been in contact with the
Regional person in Salmon -