

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESRECEIVED
APR 17 2018
WATER RESOURCES
WESTERN 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. 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?
2-10458	Yes ☒	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Vance Van Hall

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Phillip M. / Susan H. Warner

New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or ☒ and/orMailing address 7582 River Front DriveCity MarsingState IDZIP 83639Telephone 303-478-2774Email pnwarner11@msn.comshwarner11@msn.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: 8/3/17

6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed IRS Form W-9 for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed Lessor Designation form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).

7. This form must be signed and submitted with the following **REQUIRED** items:

☒ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.

☒ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).

☒ Filing fee (see instructions for further explanation):

☒ \$25 per undivided water right.

☐ \$100 per split water right.

☐ No fee is required for pending adjudication claims.

split for 1.85 acres - 26 2N 4W
Lot 20 - Block 1 - Hidden Valley Estates

- NA ☐ 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: Phillip M. Warner

Signature of new owner/claimant

Title, if applicable

Date 4/13/18

- Signature: Susan H. Warner

Signature of new owner/claimant

Title, if applicable

Date 4/13/18

For IDWR Office Use Only:

Received by AS Date 4/17/18

Receipt No. W046243

Receipt Amt. \$25.00

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 X

Processed by X

Date X



PioneerTitleCo.
GOING BEYOND

8151 W. Rifleman Street
Boise, ID 83704

**ELECTRONICALLY RECORDED-DO NOT
REMOVE THE COUNTY STAMPED FIRST
PAGE AS IT IS NOW INCORPORATED AS
PART OF THE ORIGINAL DOCUMENT**

File No. 629200 GB/TG

QUITCLAIM DEED

For Value Received

Phillip M. Warner and Susan H Warner, husband and wife
do hereby convey, release, remise and forever quit claim unto

7582
Phillip M. Warner and Susan H Warner, husband and wife
whose address is 7548 Riverfront Dr., Marsing, ID 83639

the following described premises, to-wit:

Lot 20, Block 1, HIDDEN VALLEY ESTATES SUBDIVISION, Owyhee County, Idaho,
according to the plat thereof recorded February 16, 1995 as Instrument No. 214934, records of
said County.

together with their appurtenances.

Dated: August 3, 2017

Phillip M. Warner

Susan H Warner

State of IDAHO, County of Ada

On this 3rd day of August in the year of 2017, before me, the undersigned, a Notary Public in and
for said State, personally appeared Phillip M Warner and Susan H Warner known or identified to
me to be the person/persons whose name(s) is/are subscribed to the within instrument, and
acknowledged to me that he/she/they executed the same.

Glen V Bennett
Residing at: Star, Idaho
Commission Expires: 03/17/2021

SALES VERIFICATION

Parcel # ~~RP008400010190A~~ & RP008400010200A

Instrument # 293446

9/7/2017

SELLER: Nancee Gerber
BUYER: Phillip & Susan Warner

LEGAL DESCRIPTION
Lot 20, Block 1 Hidden Valley Estates Sub
~~Lot 19, Block 1 Hidden Valley Estates Sub~~
26 2N 4W

ADDRESS: 7870 River Front Dr, Marsing, ID 83639 & bare lot

PROPERTY ADDRESS _____

TOTAL SALE PRICE \$ _____ DATE OF SALE: _____

DOWN PAYMENTS \$ _____ LOAN AMOUNT \$ _____ INTEREST RATE _____ YEARS _____
FINANCING _____ CONVENTIONAL _____ VA _____ FHA _____ CASH _____ PRIVATE _____ IHA _____ OTHER _____

IF FURNITURE, FIXTURES, ETC. WERE INCLUDED IN TOTAL SALE PRICE, PLEASE ESTIMATE THE VALUE AND LIST
THE ITEMS VALUE \$ _____ ITEMS _____

THIS SALE WAS: _____ AN ORDINARY TRANSACTION _____ A TRADE _____ AN ESTATE SALE _____ A FORCLOSURE
_____ BETWEEN FAMILY _____ AN EASEMENT _____ A CONDEMNATION _____ OTHER _____

THE TYPE OF PROPERTY WAS: _____ COMMERCIAL _____ RESIDENTIAL _____ AGRICULTURAL _____ OTHER _____

WAS THIS BARE LAND? _____ YES _____ NO

WAS A MANUFACTURED HOME INCLUDED AS PART OF THE SALE? _____ YES _____ NO

IF THE PROPERTY WAS RENTED AT THE TIME OF SALE, WHAT WAS THE RENTAL AMOUNT? _____ MO _____ YR

REMARKS AND CONDITIONS OF THE SALE _____

SIGNATURE: _____ DATE _____

WORK PHONE: _____ HOME PHONE: _____

State of Idaho
Department of Water Resources

Water Right

2-10458

— original water right
Vance Van Hall

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.

04W



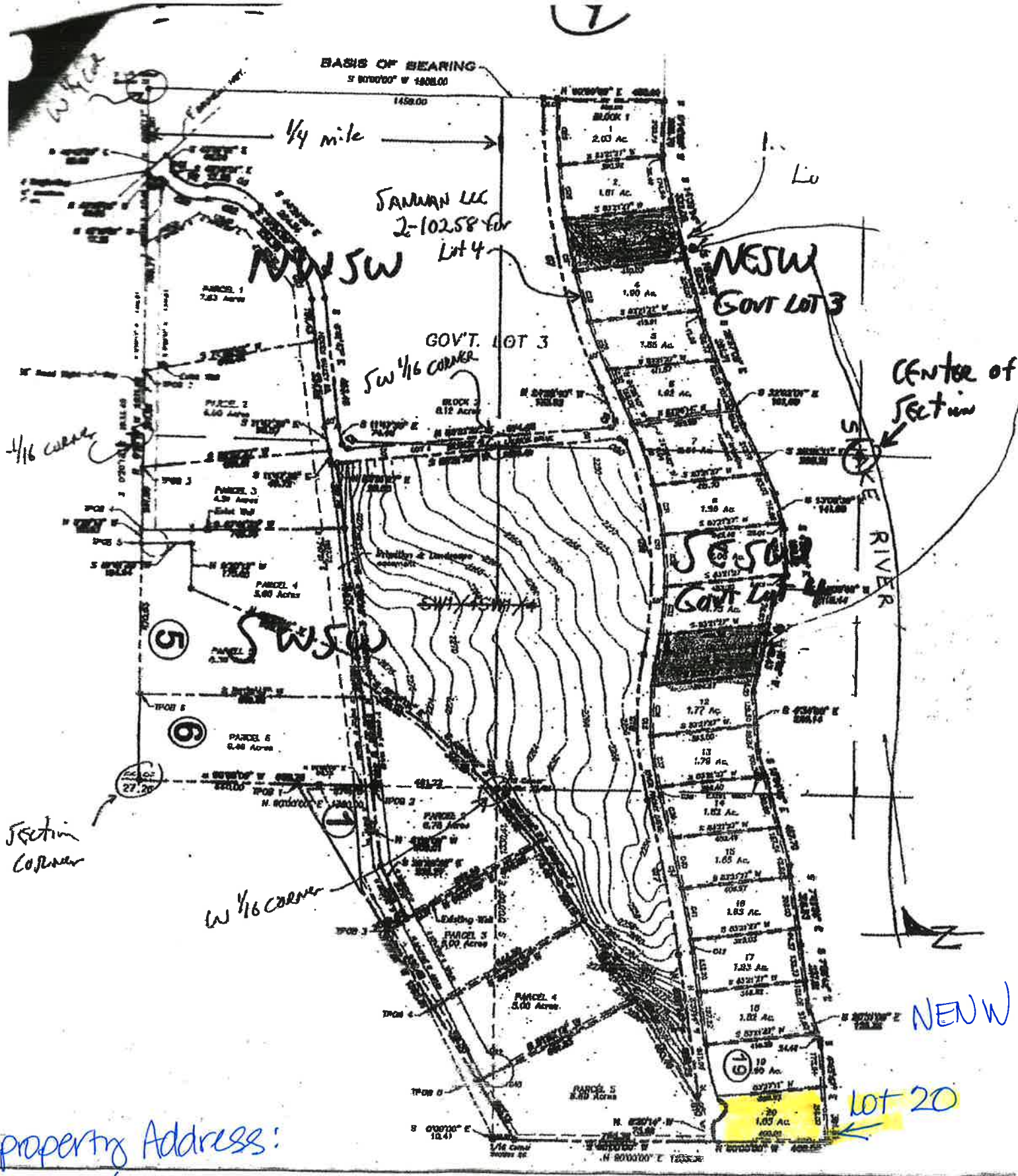
- ⊙ Point of Diversion
- Place Of Use Boundary
- ▭ Townships
- ▭ PLS Sections
- ▭ Quarter Quarters

0 0.125 0.25 0.5 Miles

Hidden Valley Estates
LOT 20 - Block 1
7870 River Front Dr.
Marsing, ID 83639
parcel # RP008400010200A

26 2N 4W
1.85 acres





property Address:

Susan/Phil Warner
 7870 River Front Drive
 Marsing, ID 83639
 Hidden Valley Estates
 Lot 20 - Block 1

Twp: 02N
 Range: 04W
 Section: 26
 Govt Lot: 05
 NENW
 1.85 Acres

Hidden Valley Estates
7870 River Front Drive
Marsing, ID 83639
Lot 20 - Block 1

Location of P.O.D.:
Twp: 02N
Range: 04W
Section: 26
Govt. Lot: 05
NENW

Original Water Right No. 2-10458 -
Vance Van Hall

Acres to be divided / split from
Water Right No. 2-10458, similar to
the properties listed below, also in
Hidden Valley Estates, Block 1, Water Right Nos:

2-10351
2-10347
57-11714

2-10246
2-10532
2-10264

2-10258
2-20730
2-10459

2-10330

2-10534

2-10349

2-10259

2-10240

* (see attached for chain-of-ownership proof)

*original owner proof doc.
(chain of ownership)

Page 2 of 4

WATER RIGHT NO. 2-10458

As Modified by Transfer No. 81147

In accordance with the approval of Transfer No. 81147, Water Right No. 2-10458 is now described as follows:

* **Right Holder:** VANCE VAN HALL
5552 WILLOW LN
NAMPA, ID 83687-8424

Priority Date: 1/19/1949

Source: SNAKE RIVER

Tributary: COLUMBIA RIVER

BENEFICIAL USE
IRRIGATION

From
03/15

To
to 11/15

Diversion Rate
1,630 cfs
1,630 cfs

Diversion Volume
366.8 af
366.8 af

LOCATION OF POINT(S) OF DIVERSION

SNAKE RIVER

L4 (NESESW)

Sec 23 Twp 02N Rge 04W Owyhee County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	04W	23									15.0	38.2	33.0	14.9					99.1
02N	04W	26					17.6				L4	L3		L4					17.6
							L1												

Right Acre Limit: 81.5

POU Total Acres: 116.1

CONDITIONS OF APPROVAL

1. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
2. This right is limited to the irrigation of 81.5 acres within the place of use described above in a single irrigation season.
3. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 6/23/2009.
4. Pursuant to Section 42-1412(8), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Transfer No. 81147

* split from 2-10458
Hidden Valley Estates

Page 1 of 4

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 81147

This is to certify that:

* FRANKLIN FLETCHER AND
SHIRLEY FLETCHER
7682 RIVER FRONT DR
MARSING, ID 83639

Example
← This is a lot
in same subdivision

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acres Limit</u>	<u>Total Acres</u>	<u>Source</u>
2-10458	WR/DECREED	1/19/1949	1.690 cfs	380.3 af	84.5	120.4	SNAKE RIVER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>FOU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
2-10458	YES	YES	NO	NO	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acres Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acres Limit</u>	<u>Remaining Total Acres</u>
2-10458	2-10534	0.060 cfs	13.5 af	N/A	3.0	2-10458	1.630 cfs	366.8 af	81.5	116.1
COMBINED TOTALS		0.060 cfs	13.5 af	0.0	3.0		1.630 cfs	366.8 af	81.5	N/A

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 7th day of JULY, 2017.


for Chief, Water Allocation Bureau

SUPPORT DATA

IN FILE # 2-10458

Transfer No. 81147

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
**INSTRUCTIONS FOR FILING A
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

This form has been prepared to assist all claimants and owners of water rights to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. All persons owning or claiming ownership of a water right or claim are required to provide notice to the Department of Water Resources (IDWR) of any change in ownership of any part of the water right or claim or of any change in the owner's mailing address within 120 days of the change. Forms to report ownership changes and/or to update an address are available on IDWR's website at www.idwr.idaho.gov. In addition, all new owners of water rights within a pending general adjudication area must inquire whether a notice of claim has been filed and, if not, shall file a notice of claim if necessary.

A notice is required for changes in ownership from one individual to another, from an individual to a business entity (even if the business is owned by the individual), or from one business entity to another (even if both businesses are owned by the same individual). Adding or removing a name is considered an ownership change which requires the submission of evidence to support the change and the filing fee.

Separate brochures describing the adjudication of water rights and the ownership change notice requirement are available from IDWR. Please contact your nearest IDWR office if you would like more information or need help completing this form. A list of IDWR offices is on page 2 of these instructions, or you can call 1-800-451-4129. Water right information can be found on the department's website using the Water Right and Adjudication Search link at www.idwr.idaho.gov.

Please note:

- Unlike licensed or decreed water rights, which are real property, water right permits, applications for new water rights, and applications to transfer existing water rights are considered the personal property of the permit holders/applicants. Permit holders and applicants must assign their interest in a permit and/or application to the new owner. Assignment forms are available on the department's website at www.idwr.idaho.gov, or from any IDWR office. The fee for an assignment of permit is \$25. There is no charge for an assignment of application for permit or application for transfer.
- If you want to change or add a point of diversion, place of use, season of use, or purpose of use of a water right, you must file an Application for Transfer. The ownership of a water right can also be updated through the transfer process.
- The combined portions of a divided ("split") water right cannot exceed the total flow rate, volume, or period of use of the original right.
- IDWR has no jurisdiction concerning easements, rights-of-way, and zoning matters. The buyer and seller must make these provisions where necessary.

LINE INSTRUCTIONS:

- ✓ 1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). You may have purchased only a portion of the water right(s) held by the seller. If so, the water right(s) held by the seller may need to be divided ("split") to provide you your share of each right. Mark the box "Yes" if a division of the water right is required.

~~If you receive water from a municipal provider, an irrigation district or other water delivery organization, and the water rights are held by the organization, please do not use this form to record a change. Please contact the water delivery organization to determine if any action is necessary.~~

~~If you or the seller believes there are water rights for the property but you do not know the numbers, you may contact IDWR for assistance in identifying the water rights for the property in question. If adjudication claims for the rights are required and have not been filed, IDWR will so advise you.~~

- ✓ 2. Fill in the name of the current water right holder/claimant.

- ✓ 3. Fill in each name as listed on the conveyance document and complete the current contact information. For water rights, IDWR will update the ownership to the individual(s)/entities listed on the conveyance document. For active adjudication claims, IDWR will update the claimant information to match the conveyance document unless the new claimant provides good cause for the variance.

- ✓ 4. You may have acquired only a portion of the water right(s) held by the seller. If you did not acquire the entire water right/property, please check the appropriate box. Water rights are often conveyed as an appurtenance to the land where they are used, and the conveyance document for the land often does not have specific language regarding the water right. Please read your deed or other conveyance document carefully to be sure. When the conveyance document does not specifically address water rights, it will be assumed that the water rights are to be split proportionate to the amount of land acquired.

✓ Indicate the date the water rights and/or adjudication claims were conveyed to you. This may be the date of closing in the case of a real estate transaction, the date a contract was signed, or the date of a court order.

6. If you are unsure about the status of your water right in the Water Supply Bank, go to: www.idwr.idaho.gov/apps/ExtSearch/WSBSearch/WSBSearch.aspx, input your water right number and click "Search." If you find your water right is in the Water Supply Bank and you want to release it so you can use it, you can download the Request to Release form from the forms portion of our website: www.idwr.idaho.gov. Your water right may not be available for immediate release if rented by another water user.

7. **ATTACHMENTS:**

✓ IDWR cannot process this change without **documentation of ownership**. The documentation may be in the form of a deed, court decree or other conveyance document. If you are submitting a quitclaim deed and the grantor's name does not match the water right holder of record, you will need to provide a chain of title that goes back to the water right holder/claimant of record. You may obtain this information from the assessor's office in the county where the property is located. Items that are **not** conveyance documents are deeds of trust, mortgages, purchase and sales agreements, and property tax notices.

Submit a **plat map, survey map, or aerial photograph** of the place of use for each water right or claim listed in item #1 (if necessary to clarify division of water rights or complex property descriptions). If your right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency or equivalent aerial photograph with the irrigated acres outlined and point(s) of diversion clearly marked. You also have the option of printing a map using the map tool on IDWR's website at: www.idwr.idaho.gov. It is not necessary to obtain a new survey for purposes of this form before contacting IDWR.

The Idaho Legislature has waived the fee to file a Notice of Change in Water Right Ownership for any water right pending in a general water right adjudication such as the Snake River Basin Adjudication or the Northern Idaho Adjudication. This waiver ends when a partial decree is issued for the water right that has been claimed. For water rights not pending in a general adjudication, the **filing fee** is \$25 per water right, except for those water rights that will be divided as a result of the change in ownership. The filing fee for division of a water right is \$100 per water right.

If the water right is leased to the Water Supply Bank and there is more than one owner, a Lessor Designation form must be completed to specify who the designated lessor will be. Each of the owners must sign the Lessor Designation form.

An IRS Form W-9 is required for all ownership changes pertaining to water rights leased to the Water Supply Bank. Refer to instructions in section 6 above to determine if the water right undergoing an ownership change is leased to the Water Supply Bank. An IRS W9 form can be downloaded from the Department's website: www.idwr.idaho.gov.

8. One of the new owner(s) must sign the form in the space(s) provided. If someone other than the owner signs the notice, evidence of authority to sign for the owner must be attached. If the new owner is a corporation or other organization, the person signing the notice must be an officer of the corporation or otherwise have authority to sign for the organization and must include their title with the signature.

When you have completed the Notice of Change in Water Right Ownership, retain a copy and **file the original form, necessary attachments, and filing fee with the IDWR office nearest you. Ownership changes for water rights leased to the Water Supply Bank should be sent to the State Office.**

IDWR Northern Region
7600 N Mineral Dr, Ste 100
Coeur d'Alene, ID 83815-7763
(208) 762-2800

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190

IDWR Eastern Region
900 N Skyline Dr, Ste A
Idaho Falls, ID 83402-1718
(208) 525-7161

IDWR Southern Region
650 Addison Ave W, Ste 500
Twin Falls, ID 83301-5858
(208) 736-3033

~ OR ~

IDWR State Office
322 East Front St, 6th Floor
P.O. Box 83720
Boise, ID 83720-0098
(208) 287-4800



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

June 29, 2018

PHILLIP M & SUSAN H WARNER
7582 RIVER FRONT DR
MARSING ID 83639

RE: Ownership Change for Water Right No. 2-10458

Dear Applicant,

The Department of Water Resources acknowledges receipt of your request for an ownership change on the water right mentioned above. However, after reviewing the request, it was determined the form was not completed and additional documentation is needed to complete this request.

Please complete and submit the requested documentation listed below:

- The filing fee for a Notice of Change in Water Right Ownership is \$25.00 **per** undivided water right **or a fee of \$100.00 per split water right**. Only \$25.00 was received with your notice. An email and voicemail sent on April 17th, 2018 requesting the remaining balance did not receive a response.

Because the Department cannot process this request at this time, we are returning the application and all attachments. You may submit this form with the required documentation and fees at any time. A refund has been requested and will be sent to the payer under separate cover.

Thank you for your cooperation. If you have any questions please, contact this office at 208-334-2190.

Sincerely,

A handwritten signature in black ink, appearing to read 'Chad Jones'.

Chad Jones
Office Specialist II
Western Regional Office

Enclosures

Jones, Chad

From: Jones, Chad
Sent: Friday, June 29, 2018 8:51 AM
To: Marston, Sascha
Subject: Refund - PHILLIP & SUSAN WARNER

TO: Sascha Marston

FROM: Chad Jones

DATE: June 29, 2018

RE: Refund: Ownership Change 2-10458

Please refund \$25. WR 2-10458 was submitted as a split ownership change on April 17th, 2018. Only \$25.00 was received with the notice and an email and voicemail sent that same day requesting the remaining balance did not receive a response.

Please issue a refund of \$25 to:

PHILLIP & SUSAN WARNER
7582 RIVER FRONT DR
MARSING ID 83639

RECEIPT #

W046243

Jones, Chad

From: Jones, Chad
Sent: Tuesday, April 17, 2018 10:27 AM
To: 'pwarner11@msn.com'; 'shwarner11@msn.com'
Subject: Ownership Change / 2-10458

The Department of Water Resources acknowledges receipt of your request for an ownership change on the water right mentioned above. However, after reviewing the request, it was determined the form was not completed and additional documentation is needed to complete this request.

Please complete and submit the requested documentation listed below:

- The filing fee for a Notice of Change in Water Right Ownership is \$25.00 per undivided water right or a fee of \$100.00 per split water right.

Because the Department cannot process this request at this time, we will hold any action on your notice pending receipt of the necessary documentation. If we do not receive the required documentation within 30 days, the notice will be returned and will not be processed.

Please submit the remaining \$75.00 for the application to be processed to the Western Region office:

IDWR
2735 Airport Way
Boise, ID 83705

Thank you for your cooperation. If you have any questions please, contact this office at 208-334-2190.

Chad Jones
Idaho Dept. of Water Resources - Western Region
chad.jones@idwr.idaho.gov
(208)334-2190