

RECEIVED

APR 30 2018

WATER RESOURCES
WESTERN REGION

DE

JUN 13 2018

DEPARTMENT OF
WATER RESOURCESSTATE 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?
65-23297	Yes ☒	Yes ☐		Yes ☐	Yes ☐
65-23298	Yes ☒	Yes ☐		Yes ☐	Yes ☐
65-23297-65-23778	Yes ☐	Yes ☐		Yes ☐	Yes ☐
65-23298-65-23779	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: John D. and Crystal J. Cook
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Cliff M. Ohler and Summer C. Ohler
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- P.O. Box 215 Horseshoe Bend ID 83629
Mailing address City State ZIP

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: 4/23/18
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.
- ☐ 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.

SUPPORT DATA

IN FILE # 65-23297

8. Signature: [Signature] 4/25/18
Signature of new owner/claimant Title, if applicable Date
- Signature: [Signature] 4/25/18
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by [Signature] Date 4/30/18 Receipt No. W046282
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 [Signature] Processed by [Signature] Date 6-18-18

\$150.00
\$50.00
\$200.00 total

WARRANTY DEED

Alliance Title & Escrow Corp. Order No.:387353

FOR VALUE RECEIVED

John D. Cook and Crystal J. Cook, husband and wife

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

Cliff M. Ohler and Summer C. Ohler, spouses married to each other

whose current address is

P.O. Box 215, 200 Old Highway 55, Horseshoe Bend, ID 83629

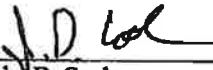
the grantee(s), the following described premises, in Gem County, Idaho, TO WIT:

See attached Exhibit 'A'

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: April 23, 2018



John D. Cook

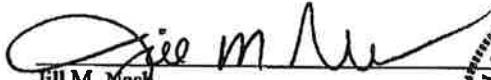


Crystal J. Cook

State of Idaho } ss
County of Gem }

On this 24 day of April, 2018, before me, Jill M. Nash, a Notary Public in and for said state, personally appeared John D. Cook and Crystal J. Cook, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within Instrument and acknowledged to me that he/she/they executed 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.



Jill M. Nash
Notary Public for the State of Idaho
Residing at: Emmett, Idaho
Commission Expires: 11-05-2020



Exhibit 'A'

Parcel I

Lot 5 in Block 1 of Riverview Manor Subdivision according to the official plat thereof, filed in Book 3 of Plats at Page(s) 46, official records of Gem County, Idaho.

Parcel II

The following describes a parcel of land being a portion of Lot 6, Block 1 of Riverview Manor Subdivision as filed for record in Book 3 of Plats at Page 46 in the Office of the Gem County Recorder lying in a portion of Government Lot 1 & 2 of Section 25, Township 7 North, Range 1 East, Boise Meridian, Gem County, Idaho and being more particularly described as follows:

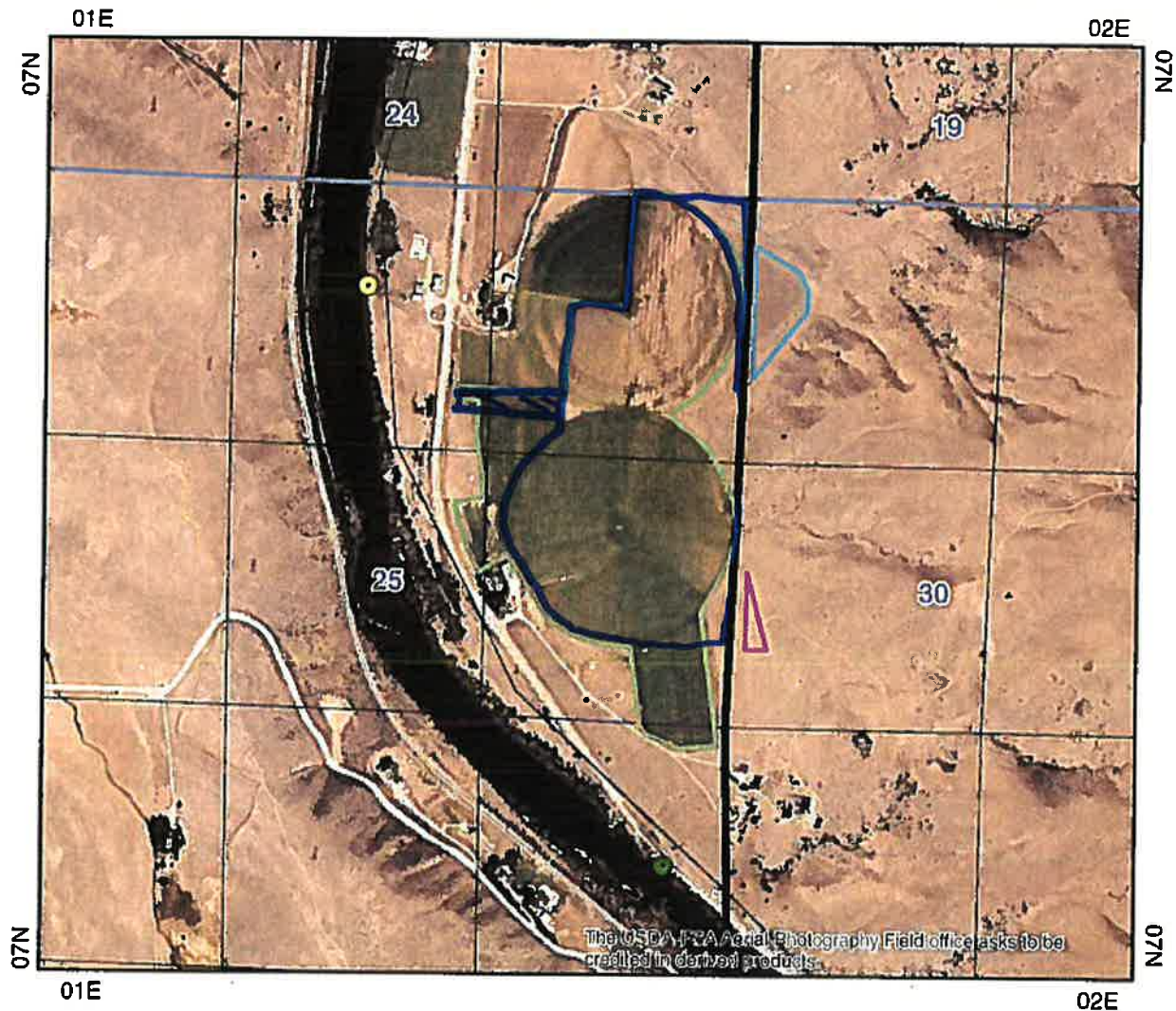
BASIS OF BEARINGS:

The East line of the Northeast Quarter of Section 25, Township 7 North, Range 1 East, Boise Meridian, taken as
South 00°48'15" West and distance between monuments found to be 2577.54 feet.

BEGINNING at a point on the Northerly right-of-way line of State Highway 52 from which the Northeast Section corner of said Section 25 bears
North 56°26'07" East a distance of 1,768.06 feet thence leaving said right-of-way and along a line common to Lots 5 and 6, Block 1 of Riverview Manor Subdivision as filed for record in Book 3 of Plats at Page 46 in the Office of the Gem County Recorder
South 89°26'13" East a distance of 705.80 feet; thence continuing along said common line
South 85°33'22" East to a point on the East line of the Northeast Quarter of said Section 25 a distance of 755.13 feet; thence leaving said common line and along said East line
South 00°48'15" West a distance of 1,166.96 feet thence leaving said East line
South 90°00'00" West a distance of 553.56 feet; thence along a curve to the right with a radius of 610.00 feet and a central angle of 51°23'19" an arc length of 547.11 feet with a chord bearing of
North 64°18'21" West, and a chord distance of 528.95 feet; thence
North 53°41'43" East a distance of 79.98 feet; thence
North 36°18'17" West a distance of 248.70 feet; thence
South 53°41'43" West a distance of 37.79 feet; thence from a tangent which bears
North 14°44'45" West, along a curve to the right with a radius of 610.00 feet and a central angle of 87°17'45" an arc length of 929.40 feet with a chord bearing of
North 28°54'08" East, and a chord distance of 842.07 feet; thence
North 89°26'13" West to a point on said right-of-way line a distance of 707.75 feet; thence along said right-of-way line
North 03°20'29" East a distance of 33.46 feet to the POINT OF BEGINNING.

State of Idaho
Department of Water Resources
Attachment to Transfer No. 81192
65-23295, 65-23296, 65-23297, & 65-23298

This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



- 65-23295 & 65-23296 POD
- 65-23297 & 65-23298 POD
- 65-23297 & 65-23298 PPU
- 65-23295 POU
- 65-23296 POU
- Townships
- PLS Sections

0 0.1 0.2 0.4 Miles



RIVERVIEW MANOR SUBDIVISION

IN GOVERNMENT LOTS 1 AND 2 OF SECTION 25 AND A PORTION OF GOVERNMENT LOT 1 OF SECTION 24, TOWNSHIP 7 NORTH, RANGE 1 EAST, BOISE MERIDIAN, BOISE COUNTY, IDAHO



This map/picture is being furnished as an aid in locating the herein described land in relation to adjoining streets, natural boundaries and other land, and is not a survey of the land depicted. Except to the extent a policy of the insurance is expressly modified by endorsement, if any, the Company does not insure dimensions, distances, location of easements, acreage or other matters shown thereon.

LEGEND:

- ① ROAD STATE HIGHWAY BRASS CAP BOUNDARY
- ② ROAD 5/8" IRON PIN W/ALUMINUM CAP PLS 6100 PER R. of S. No. 196284
- ③ SET 1/2" IRON PIN W/PLASTIC CAP PLS 6552
- ④ SET 5/8" IRON PIN W/PLASTIC CAP PLS 6552 UNLESS OTHERWISE NOTED
- BORAHAM BOUNDARY
- P.O.B. POINT OF BEGINNING

LINE TABLE		
LINE	BEARING	DISTANCE
1	N 2° 46' 28" W	274.80
2	N 87° 40' 09" W	194.88
3	N 62° 35' 41" W	191.00
4	N 62° 35' 41" W	251.77
5	N 62° 35' 41" W	233.66
6	N 62° 35' 41" W	194.12
7	N 62° 35' 41" W	178.88
8	N 62° 35' 41" W	178.88
9	N 62° 35' 41" W	244.87
10	N 62° 35' 41" W	244.87
11	N 62° 35' 41" W	244.87
12	N 62° 35' 41" W	244.87
13	N 62° 35' 41" W	244.87
14	N 62° 35' 41" W	244.87
15	N 62° 35' 41" W	244.87
16	N 62° 35' 41" W	244.87
17	N 62° 35' 41" W	244.87
18	N 62° 35' 41" W	244.87
19	N 62° 35' 41" W	244.87
20	N 62° 35' 41" W	244.87
21	N 62° 35' 41" W	244.87
22	N 62° 35' 41" W	244.87

NOTES

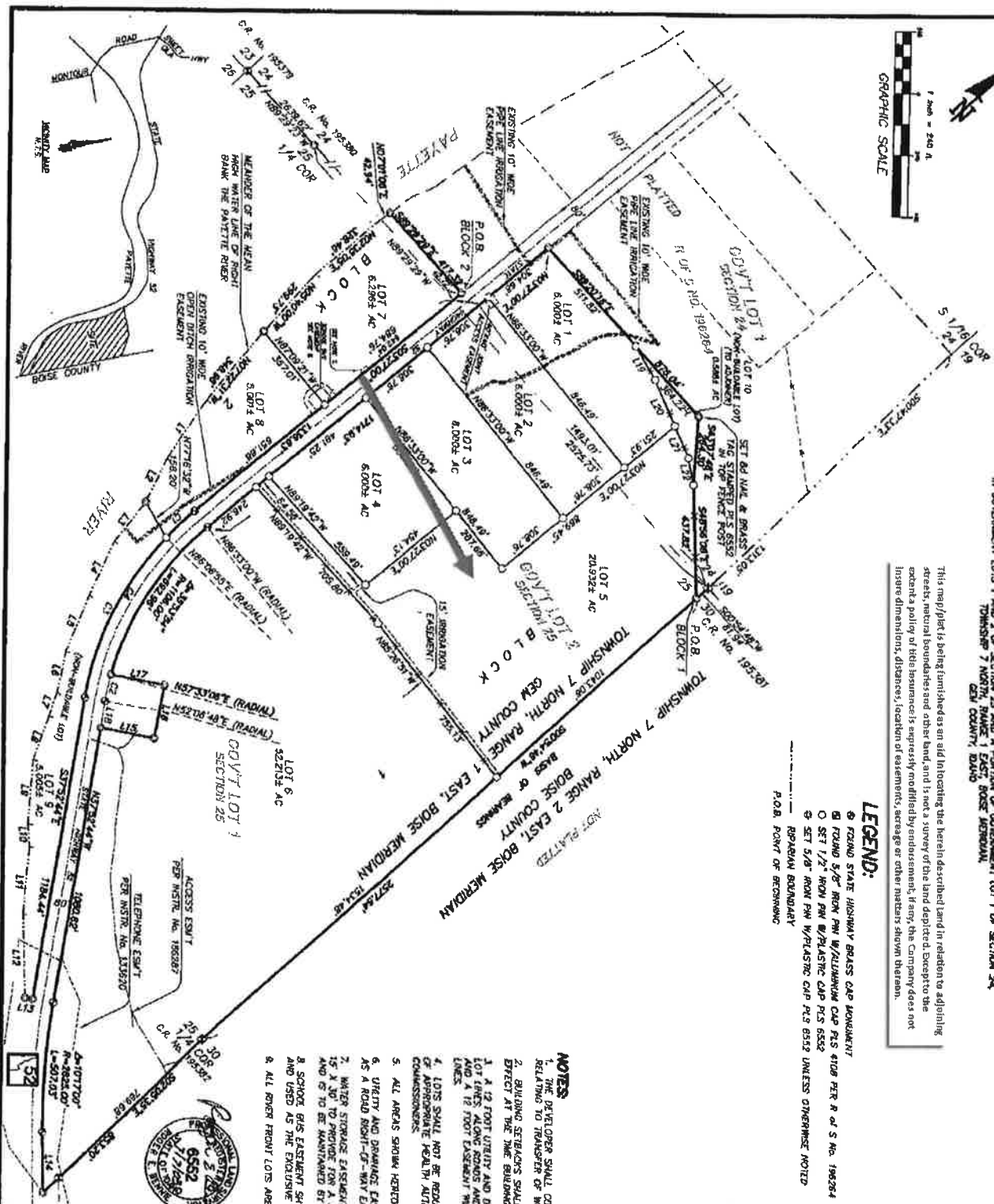
1. THE DEVELOPER SHALL COMPLY WITH 31-3805, IDAHO CODE, RELATING TO HOMESETHOLD WATER RIGHTS.
2. BUILDING SETBACKS SHALL BE PER COUNTY ZONING ORDINANCE IN EFFECT AT THE TIME BUILDING PERMITS ARE ISSUED.
3. A 12 FOOT UTILITY AND DRAINAGE EASEMENT EXISTS INSIDE ALL LOT LINES ALONG STREETS AND ALONG THE BORAHAM BOUNDARY, AND A 12 FOOT EASEMENT WILL BE CENTERED ON ALL INTERIOR LOT LINES.
4. LOTS SHALL NOT BE REZONED BY SIZE WITHOUT PRIOR APPROVAL OF APPROPRIATE HEALTH AUTHORITY AND THE BOISE COUNTY COMMISSIONERS.
5. ALL AREAS SHOWN HEREON ARE FOR TAX PURPOSES ONLY.
6. UTILITY AND DRAINAGE EASEMENTS ALONG ALLEYS MAY BE USED AS A ROAD RIGHT-OF-WAY EASEMENT AND FOR SHOW STORAGE.
7. WATER STORAGE EASEMENT SHOWN ON LOT 7 SHALL BE 15 X 30' TO PROVIDE FOR A 5000 GALLON TANK FOR FIRE DEPT. USE AND IS TO BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION.
8. SCHOOL BUS EASEMENT SHOWN ON LOTS 7 & 8 SHALL BE 20' WIDE AND USED AS THE EXCLUSIVE ACCESS TO LOTS 7 & 8.
9. ALL OTHER FRONT LOTS ARE BORAHAM.

DEVELOPER:

R.P. MONTGOMERY
11800 N. HIGHWAY 52
HORSESHOE BEND, ID. 83629
PHONE: (208) 584-3791

TR COUNTY SURVEYING, INC.

PROFESSIONAL LAND SURVEYORS
703 N. Washington Ave.
P.O. Box 574
Emmett, Idaho 83601-0574
Phone: (208) 365-7470







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 19, 2018

JOHN D COOK
CRYSTAL J COOK
11980 N HWY 52
HORSESHOE BEND ID 83629

Re: Change in Water Right Ownership: 65-23297 (Split into **65-23297** and 65-23778) and 65-23298
(Split into **65-23298** and 65-23779)

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 District 65



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 19, 2018

CLIFF M OHLER
SUMMER C OHLER
PO BOX 215
HORSESHOE BEND ID 83629

Re: Change in Water Right Ownership: 65-23297 (Split into 65-23297 and **65-23778**) and 65-23298 (Split into 65-23298 and **65-23779**)

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. Water right 65-10663 did not require a split, therefore I have requested a refund of \$75.00, which will arrive under separate cover from the Idaho State Controller's Office.

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 District 65