

RECEIVED

MAY 31 2018

DEPT OF WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESRECEIVED
MAY 23 2018

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?
74-379	Yes ☐	Yes ☐		Yes ☐	Yes ☐
74-49	Yes ☐	Yes ☐		Yes ☐	Yes ☐
74-1856	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Calvin J Whittaker, Carol L Whittaker
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): David L. Udy
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- PO Box 87 Leadore ID 83464
Mailing address City State ZIP
208-940-0807 ludy ranches@gmail.com
Telephone Email
4. If the water rights and/or adjudication claims were split, how did the division occur?
☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
5. Date you acquired the water rights and/or claims listed above: 4/25/2018
6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed IRS Form W-9 for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed Lessor Designation form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).
7. This form must be signed and submitted with the following **REQUIRED** items:
- ☒ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
 - ☒ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
 - ☒ Filing fee (see instructions for further explanation):
 - o \$25 per undivided water right.
 - o \$100 per split water right.
 - o No fee is required for pending adjudication claims.
 - ☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
 - ☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

SUPPORT DATA

IN FILE #

74-49

8. Signature: David L. Udy owner 4/25/2018
Signature of new owner/claimant Title, if applicable Date
- Signature: _____ _____ _____
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by [Signature] Date 5/23/2018 Receipt No. E044037 Receipt Amt. \$75.-

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 [Signature] Date 6-6-18

SPACE ABOVE RESERVED FOR RECORDER'S USE

Personal Representatives Deed

This Deed, made by SANDY UDY, as personal representative of The ESTATE OF THOMAS CARL UDY A/K/A THOMAS C UDY, deceased, Grantor, to DAVID L UDY, A MARRIED MAN AS HIS SOLE AND SEPARATE PROPERTY, whose address is PO Box 87, Leadore, ID 83464, Grantees;

Whereas, pursuant to an Order of the Magistrate's Court of Lemhi County, Idaho, in the estate of the above-named deceased, filed as Lemhi County Case No. CV 2018-74, confirming on the Grantor the powers and authority granted to Personal Representatives under the Uniform Probate Code of the State of Idaho;

Therefore, for valuable consideration received, Grantor quitclaims, transfers, and conveys to Grantees DAVID L UDY, A MARRIED MAN AS HIS SOLE AND SEPARATE PROPERTY, the following parcel of land lying in Salmon, County of Lemhi, State of Idaho, more particularly described as:

See Attached Exhibit 'A'

with all thereto appurtenances and subject to all easements and restrictions of record.

EXECUTED this 24th day of April, 2018.

Sandy Udy P.R.
Sandy Udy as Personal Representative of
The Estate of Thomas Carl Udy

STATE OF Idaho)
COUNTY OF Lemhi) ss

On this 24th day of April, 2018, before me, the undersigned, a notary public in and for said state, personally appeared, SANDY UDY, known or identified to me to be the person whose name is subscribed to the within instrument, as Personal Representative of the Estate of Thomas Carl Udy, deceased, and acknowledged to me that she executed the same as Personal Representative.

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



Beth Penner
NOTARY PUBLIC
Residing at: Salmon, ID
Commission Expires: July 24, 2019

Exhibit 'A'
Legal Description

RP15N25E118400A

SW1/4SE1/4 of Section 11, T.15 N., R. 25 E., B.M.

RP15N25E140600A

N1/2NW1/4, NW1/4NE1/4 of Section 14, T.15 N., R. 25 E., B.M.

DEED OF DISTRIBUTION BY
PERSONAL REPRESENTATIVE'S

THIS DEED, made by **Rosalie Ericsson**, as Personal Representative of **The Estates of Calvin John Whittaker and Carol Lorraine Whittaker**, deceased, Grantor, to **The Estate of Thomas Carl Udy**, as to an undivided $\frac{1}{2}$ interest, whose address is PO Box 215, Leadore, Idaho 83464 Grantee;

WHEREAS, pursuant to an Order of the Magistrate's Court of Jefferson County, Idaho, in the estate of the above-named deceased, filed as Jefferson County Case No CV-2017-0282, confirming on the Grantor the powers and authority granted to Personal Representatives under the Uniform Probate Code of the State of Idaho;

THEREFORE, for valuable consideration received, Grantor quitclaims, transfers, and conveys to Grantee the following parcel of land lying in Leadore, County of Lemhi, State of Idaho, more particularly described as:

The Southwest Quarter of the Southeast Quarter (SW1/4SE1/4) of section Eleven (11); The Northwest of the Northeast (NW1/4NE1/4), and the North half of the Northwest Quarter (N $\frac{1}{2}$ NW1/4) of Section Fourteen (14), all in Township Fifteen (15) North, Range Twenty-five (25) East, Boise Meridian, Lemhi County, Idaho.

with all thereto appurtenances and subject to all easements and restrictions of record.

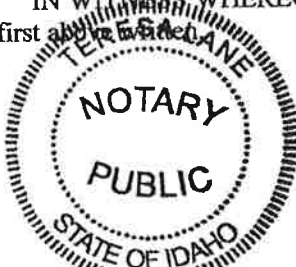
EXECUTED this 14 day of March, 2018.

Rosalie Ericsson
Rosalie Ericsson
Personal Representative of the Estates
of Calvin John Whittaker and Carol
Lorraine Whittaker

STATE OF Idaho)
)ss
County of Bonneville)

On this 14th day of March, 2018, before me, the undersigned, a notary public in and for said state, personally appeared, **Rosalie Ericsson**, known or identified to me to be the person whose name is subscribed to the within instrument, as Personal Representative of the Estates of Calvin John Whittaker and Carol Lorraine Whittaker, deceased, and acknowledged to me that she executed the same as Personal Representative.

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



Teresa Lane
Notary Public for State of Idaho
Residing at: Idaho Falls
My Commission Expires: 11-1-18

This Deed is being re recorded to correct the legal description.

Instrument # 310379 # Pages: 1
LEMHI COUNTY, Idaho
Apr 03, 2018 3:07:10 pm Fee: \$ 15.00
For: LEMHI TITLE
TERRI J. MORTON, Recorder
JEDWARDS, Deputy

Instrument # 310313 # Pages: 1
LEMHI COUNTY, Idaho
Mar 30, 2018 2:15:26 pm Fee: \$ 15.00
For: LEMHI TITLE
TERRI J. MORTON, Recorder
HSMITH, Deputy

**DEED OF DISTRIBUTION BY
PERSONAL REPRESENTATIVE'S**

THIS DEED, made by Rosalie Ericsson, as Personal Representative of The Estates of Calvin John Whittaker and Carol Lorraine Whittaker, deceased, Grantor, to David Leslie Udy, a married man dealing with his sole and separate property, as to an undivided 1/2 interest, whose address is PO Box 87, Leadore, Idaho 83464 Grantee;

WHEREAS, pursuant to an Order of the Magistrate's Court of Jefferson County, Idaho, in the estate of the above-named deceased, filed as Jefferson County Case No CV-2017-0282, confirming on the Grantor the powers and authority granted to Personal Representatives under the Uniform Probate Code of the State of Idaho;

THEREFORE, for valuable consideration received, Grantor quitclaims, transfers, and conveys to Grantee the following parcel of land lying in Leadore, County of Lemhi, State of Idaho, more particularly described as:

The Southwest Quarter of the Southeast Quarter (SW1/4SE1/4) of section Eleven (11);
The Northwest of the Northeast (NW1/4NE1/4), and the North half of the Northwest Quarter (N 1/2NW1/4) of Section Fourteen (14), all in Township Fifteen (15) North, Range Twenty-five (25) East, Boise Meridian, Lemhi County, Idaho.

with all thereto appurtenances and subject to all easements and restrictions of record.

EXECUTED this 14 day of March, 2018.

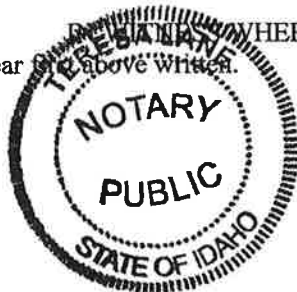
Rosalie Ericsson

Rosalie Ericsson
Personal Representative of the Estates
of Calvin John Whittaker and Carol
Lorraine Whittaker

STATE OF Idaho)
)ss
County of Bonneville)

On this 14th day of March, 2018, before me, the undersigned, a notary public in and for said state, personally appeared, Rosalie Ericsson, known or identified to me to be the person whose name is subscribed to the within instrument, as Personal Representative of the Estates of Calvin John Whittaker and Carol Lorraine Whittaker, deceased, and acknowledged to me that she executed the same as Personal Representative.

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



Teresa Lane
Notary Public for the State of Idaho
Residing at: Idaho Falls
My Commission Expires: 11-1-18

Release of Interest in Water Rights

We, **Jordan J Whittaker and Susan M Whittaker**, as President and Vice President of **Eight Mile Hydro Corporation**, an Idaho Corporation, hereby convey, release, and remise all of the right, title, and interest to the water rights known as 74-1006 and 74-1016 that may be located on lands currently owned by Eight Mile Hydro Corporation and described in attached Exhibit 'A' to **David L Udy, a married man as his sole and separate property**.

Eight Mile Hydro Corporation, an Idaho Corporation


By: **Jordan J Whittaker, President**


By: **Susan M Whittaker, Vice President**

STATE OF Idaho)
) ss
COUNTY OF Lemhi)

On this 14th day of May, 2018, before me, a notary public in and for said State, personally appeared **Jordan J Whittaker and Susan M Whittaker**, known or identified to me to be the President and Vice President for **Eight Mile Hydro Corporation**, and the member who subscribed Corporation name to the foregoing instrument, and acknowledged to me that such members executed the same in said Corporation name.

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

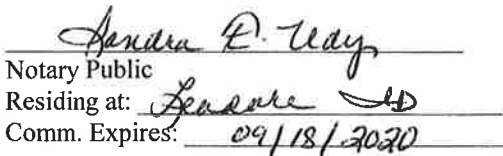

Notary Public
Residing at: Leasdale ID
Comm. Expires: 09/18/2020



Exhibit 'A'

NE1/4 NE1/4 of Section 5, Township 15 N, Range 25 E, Boise Meridian, Lemhi County, Idaho.

AND

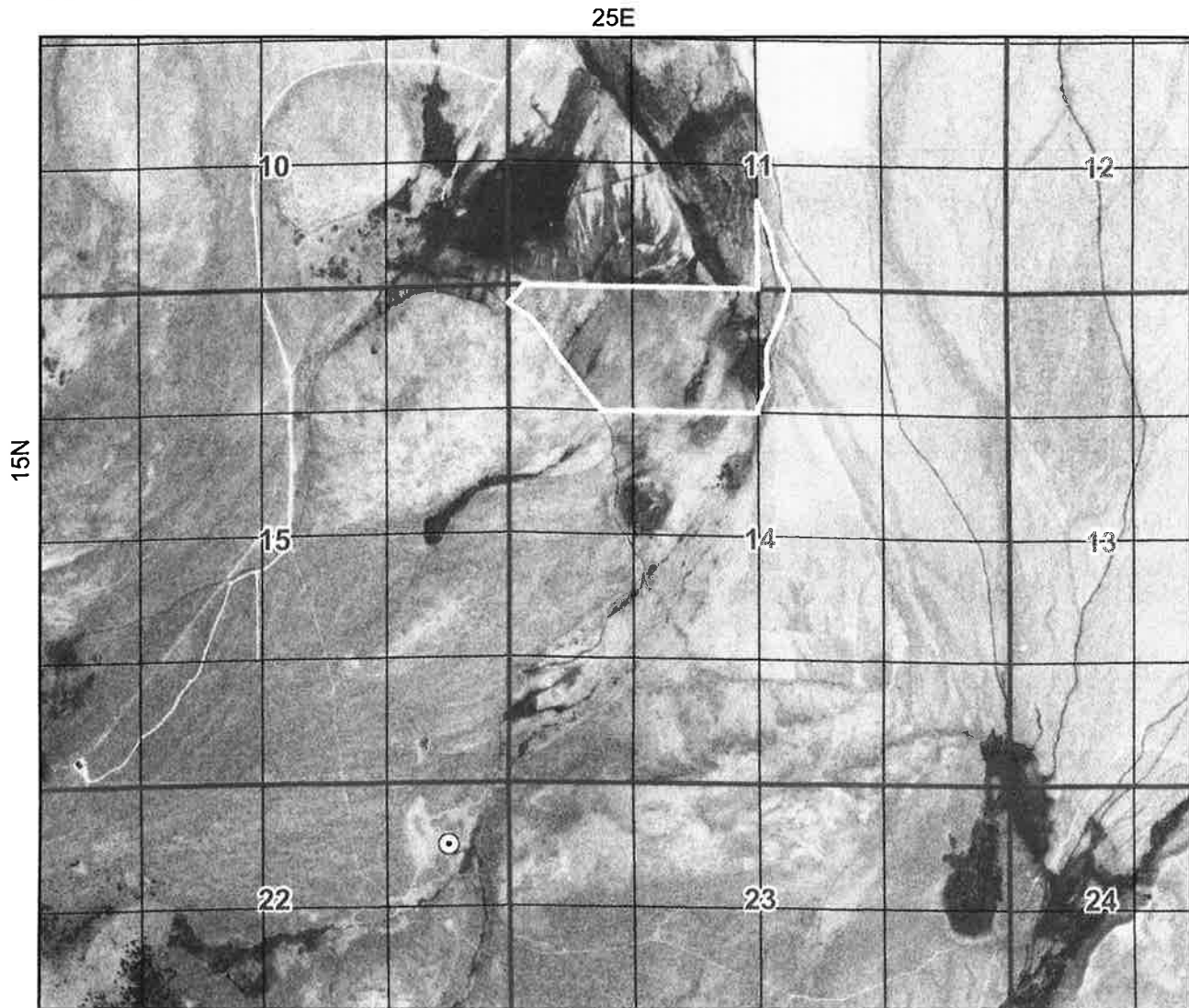
NW1/4 NW1/4 of Section 4, Township 15 N, Range 25 E, Boise Meridian, Lemhi County, Idaho.

State of Idaho
Department of Water Resources

Water Right
74-379

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



- ⊙ Point of Diversion
Place Of Use Boundary

- Townships
 PLS Sections
 Quarter Quarters

0 0.225 0.45 0.9 Miles

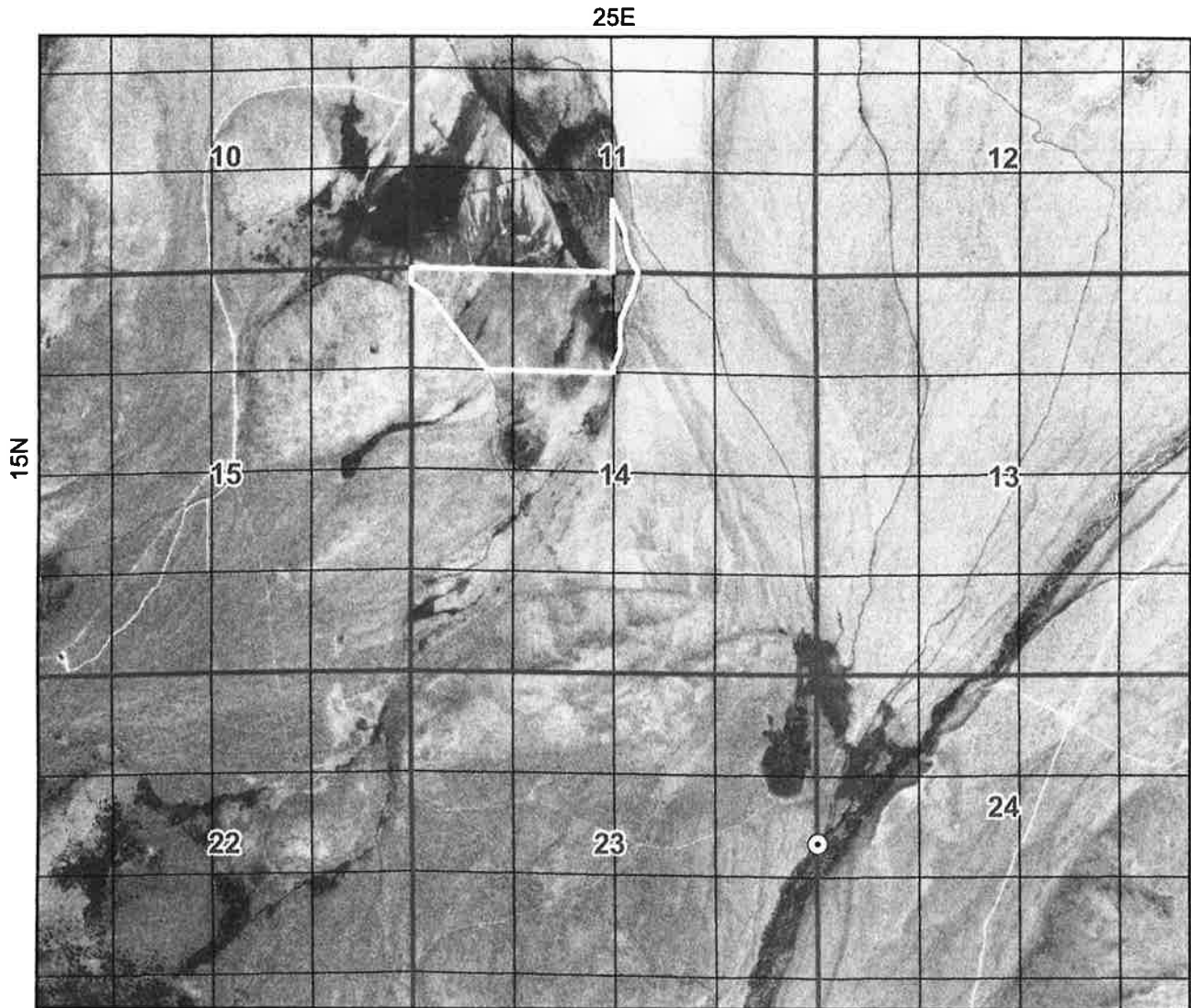


State of Idaho
Department of Water Resources

Water Right
74-49

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



- ⊙ Point of Diversion
Place Of Use Boundary

-  Townships
 PLS Sections
 Quarter Quarters

0 0.275 0.55 1.1 Miles

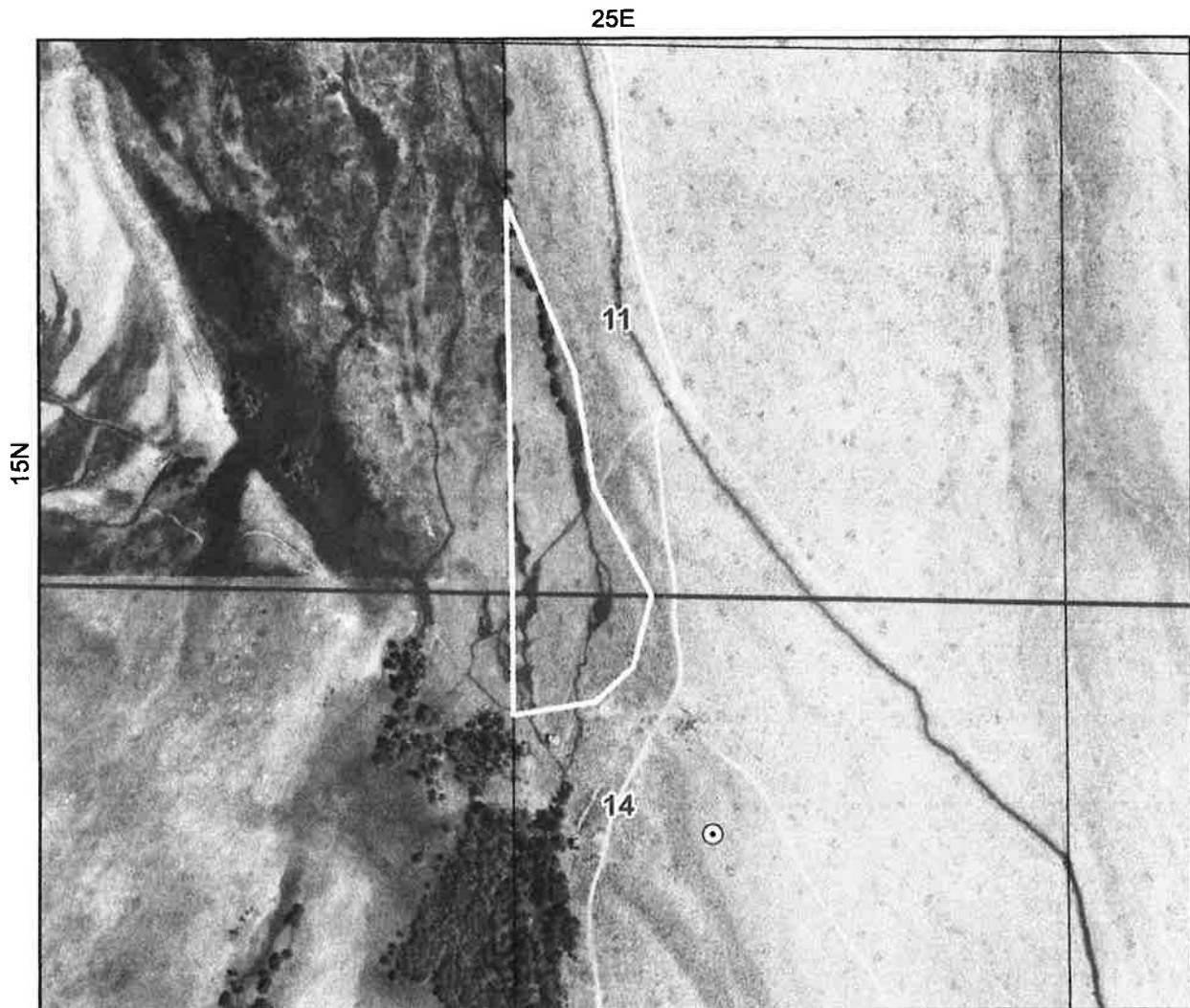


State of Idaho
Department of Water Resources

Water Right
74-1856

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



- ⊙ Point of Diversion
- Place Of Use Boundary

- Townships
- PLS Sections
- Quarter Quarters

0 0.05 0.1 0.2 Miles





State of Idaho

DEPARTMENT OF WATER RESOURCES

322 E FRONT ST STE 648 PO BOX 83720 • BOISE, ID 83720-0098

Phone: (208)287-4800 • Fax: (208)287-6700 • Website: www.idwr.idaho.gov

C.L. "Butch" Otter
Governor

Gary Spackman
Director

June 06, 2018

DAVID L UDY
PO BOX 87
LEADORE ID 83464-0087

Re: Change in Ownership for Water Right No(s): 74-49, 74-379 & 74-1856

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records and has enclosed a computer-generated report for you.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Idaho Code §§ 42-222 and 42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department, or from the Department's website.

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

Sincerely,

Jean Hersley
Technical Records Specialist II

Enclosure(s)

c: Water District No. 74 & 74W

Hersley, Jean

From: Hersley, Jean
Sent: Wednesday, June 06, 2018 2:18 PM
To: 'RICK375@CENTURYTEL.NET'; 'beyelerd@yahoo.com'
Subject: Change in ownership for water rights 74-49, 74-379 & 74-1856
Attachments: 20180606141420

For your records and information. If you have any questions, please contact me.

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