



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

May 18, 2018

TIMOTHY J FULTON
ANNETTE FULTON
413 BENCH RD
BONNERS FERRY ID 83805

RE: Change in Ownership Water Right: 98-7373 D

Dear Interested Parties:

The Idaho Department of Water Resources (Department) received a Notice of Change in Water Ownership (Notice) from you on October 2, 2017 for the above referenced water rights. The Notice could not be processed because of a discrepancy between the documentation and the legal description of the place of use for the water right indicated in your notice.

On April 16, 2018, the Department requested any documentation showing ownership of the parcel of property on which the place of use is legally designated. As of the date of this letter, the Department has not received the required information.

The Department is returning your Notice of Change in Water Right Ownership and the attachments. A refund of \$25 has been requested and will be mailed to Timothy J Fulton and Annette Fulton under separate cover from the Idaho State Controller's Office. You may re-submit your request with the appropriate documents and fees.

If you have any questions regarding this matter, please contact me at (208) 287-4803.

Sincerely,

Rosemary DeMond
Administrative Assistant II

Enclosure(s)

SCANNED

MAY 18 2018

RECEIVED

OCT 02 2017

IDWR / NORTH

RECEIVED

MAR 29 2018

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

DEPT OF WATER RESOURCES

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?
98-7373D	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: Lyle Unruh and Rosemary Unruh
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Timothy J Fulton and Annette Fulton
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 413 Bench Rd. Bonnars Ferry Id. 83805
Mailing address City State ZIP
- 208-610-3644 afulton413@yahoo.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: 8/15/2017

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.

8. Signature: Timothy J Fulton 9/27/2017
Signature of new owner/claimant Title, if applicable Date
- Signature: Annette Fulton 9/27/2017
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by NS Date 10-2-17 Receipt No. N032963 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 _____ Approved by _____ Processed by _____ Date _____

EXHIBIT "A"

Government Lot 3 and the Northeast Quarter of the Southwest Quarter of Section 18, Township 62 North, Range 2 East, Boise Meridian, Boundary County, Idaho:

LESS a part of Government Lot 3 in Section 18, Township 62 North, Range 2 East, Boise Meridian, Boundary County, Idaho, described as follows:

Commencing at the Northwest corner of said Government Lot 3, thence East along the north line 990 feet; thence South 286 feet to a point; thence West 990 feet to a point; thence North 286 feet to the Point of Beginning.

ALSO LESS a tract of land in the North Half of the Southwest Quarter of Section 18, Township 62 North, Range 2 East of the Boise Meridian, Boundary County, Idaho; more particularly described as follows:

Beginning at a point on the north line of Government Lot 3 which is N89°27'22"E, 1260.00 feet from the West Quarter corner of Section 18; thence continuing along said north line N89°27'22"E, 390.00 feet; thence S0°00'07"E, 420.00 feet; thence S89°27'22"W, 277.51 feet; thence N0°00'07"W, 46.95 feet; thence S89°27'22"W, 26.73 feet; thence S0°00'07"E, 46.95 feet; thence S89°27'22"W, 155.76 feet; thence N0°00'07"W, 220.00 feet; thence N89°27'22"E, 70.00 feet; thence N0°00'07"W, 200.00 feet to the True Point of Beginning.

ALSO LESS a tract of land in the North Half of the Southwest Quarter of Section 18, Township 62 North, Range 2 East of the Boise Meridian, Boundary County, Idaho; more particularly described as follows:

Beginning at a point on the north line of Government Lot 3 which is N89°27'22"E, 990.00 feet from the West Quarter corner of Section 18; thence continuing along said north line, N89°27'22"E, 270.00 feet; thence parallel with the west line of said North Half of the Southwest Quarter, S0°00'07"E, 200.00 feet; thence S89°27'22"W, 70.00 feet; thence S0°00'07"E, 220.00 feet; thence S89°27'22"W, 200.00 feet; thence N0°00'07"W, 420.00 feet to the True Point of Beginning.

ALSO LESS a tract of land in the North Half of the Southwest Quarter of Section 18, Township 62 North, Range 2 East of the Boise Meridian, Boundary County, Idaho; more particularly described as follows:

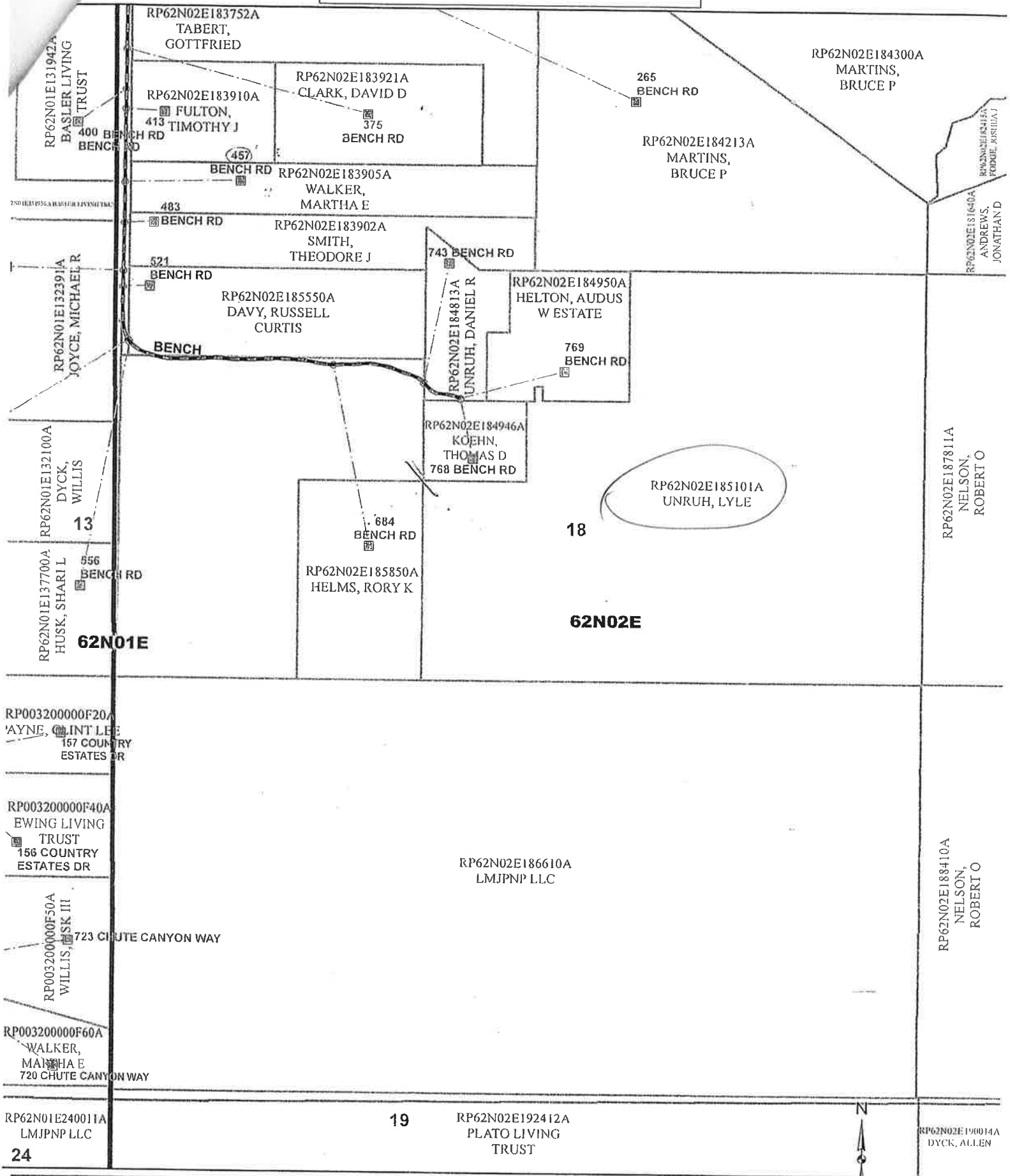
Commencing at a point on the north line of Government Lot 3 which is N89°27'22"E, 990.00 feet from the West Quarter corner of Section 18; thence parallel with the west line of said North Half of the Southwest Quarter, S0°00'07"E, 420.00 feet to the True Point of Beginning; thence North 89°27'22"E, 330.00 feet; thence S0°00'07"E, 260.00 feet; thence S80°27'22"W, 330.00 feet; thence N0°00'07"W, 260.00 feet to the True Point of Beginning.

ALSO LESS a tract of land situated in Government Lot 3 of Section 17, Township 62 North, Range 2 East of the Boise Meridian, Boundary County, Idaho; more particularly described as follows:

Beginning at a 5/8" rebar and plastic cap stamped PLS 7877, on the south line of said Government Lot 3, which is N89°29'18"E, 585.20 feet from the southwest corner of Government Lot 3; thence, leaving said south line N00°00'57"E, 646.04 feet to a 5/8" rebar and plastic cap stamped PLS 7877; thence N89°28'58"E, 404.59 feet to a 5/8" rebar and plastic cap stamped PLS 3628; thence, S00°00'07"E, 646.08 feet to the intersection with the south line of Government Lot 3, which is marked on the ground by a 5/8" rebar and plastic cap stamped PLS 7877; thence, along said south line S89°29'18"W, 404.79 feet to the POINT OF BEGINNING.

5

Boundary County Asses



This map is provided for informational purposes only. Every effort has been made to ensure accuracy and completeness. This county will in no way be held responsible for any errors or omissions and assumes no responsibility for providing updates or corrections.

MEMORANDUM

TO: Sascha Marston
FROM: Rosemary DeMond
DATE: May 18, 2018
RE: **Refund: Ownership change returned**

Please refund \$25.

NAME: TIMOTHY J FULTON
AMMETTE FULTON
413 BENCH RD
BONNERS FERRY ID 83805

RECEIPT #: N032963

Thank you.

Rosemary



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

April 16, 2018

TIMOTHY J FULTON
ANNETTE FULTON
413 BENCH RD
BONNERS FERRY ID 83805

RE: Change in Ownership Deficiency, Water Right No(s): 98-7373 D

Dear Interested Parties:

The Department of Water Resources (Department) acknowledges receipt of your Notice of Change in Water Right Ownership (Notice).

Our review of your Notice indicates that additional information is required before the Department can process the change. The information required is indicated below:

Evidence of Water Right Ownership: copy of Deed, Title Policy, Contract of Sale, or other legal document indicating your ownership of the property and/or water rights in question

During our review of the documentation you submitted we found discrepancies between that documentation and the legal description of the place of use for the water right(s) indicated in your notice. Our records show the place of use is not on the parcel of property deeded to you under the deeds submitted with the Notice. I have enclosed a copy of the water right(s) for your reference. I have also included copies of photos of the structure (home) that the water right was assigned to originally. The home can be replaced, but the place of use must be on the same parcel of land the water right is assigned to.

Because the Department cannot process the Notice without proper documentation, we will hold any action on your notice pending receipt of the necessary information. If we do not receive the necessary information within 30 days we will return your notice and all attachments and your notice will not be processed.

Also, please note that permit holders are required to report any change of ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Forms to assign ownership or update your address are available from any office of the Department or on the Department's website.

If you have any questions regarding this matter, please contact me at (208) 287-4803.

Sincerely,


Rosemary DeMond
Administrative Assistant II

Enclosure(s)

SCANNED

MAY 18 2018

SCANNED

APR 16 2018