

Form 42-248/42-1409(6) Rev. 03/13

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAR 23 2018

APR 02 2018

DEPARTMENT OF
WATER RESOURCESDepartment of Water Resources
Eastern 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.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
73-10077	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name:

DAVID R ELLIS Jr.
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s):

JERRY L Wellard / Judy A. Wellard
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or195 Lansing
Mailing addressBlackfoot
CityId
State83201
ZIP208 313 9714
TelephoneNA
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: _____

6. If the water right described herein has been rented from the Water Supply Bank, rental proceeds will be disbursed in the following manner regardless of any arrangements between the buyer(s) and seller(s) to the contrary:

- Rental payments will go to the lessor(s) of record at the beginning of the rental season.
- If a change in ownership is processed by the Department during a rental season, rental payment will be made to the person or entity who is the lessor of record at the beginning of that rental season.
- New lessor(s) of record will receive payment after the following rental season.

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.

8. Signature:

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

Approved by

Date

Processed by

Date

Receipt No.

Receipt Amt.

3-23-2018

E043825

\$25.00

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right 73-10077

9/12/2014

Owner Type **Name and Address**
 Current Owner DAVID R ELLIS
 159 PAHSIMEROI RD
 ELLIS, ID 83235
 (208)876-4465

Original Owner CLYDE A STOUT
 PO BOX 132
 LEMHI, ID 83465
 (208) 756-3776

Original Owner LEE E JUDKINS
 27 W BANNOCK RD
 SALMON, ID 83467-5259
 (208)756-3140

Previous Owner STEPHEN R PENCE
 63 MAIN ST
 MAY, ID 83253

Priority Date: 8/23/1951**Basis:** Decreed**Status:** Active

Source
 GROUND WATER

Tributary

Beneficial Use
 DOMESTIC

<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
1/01	12/31	0.040 CFS
<u>Total Diversion</u>		0.040 CFS

Volume**Source and Point(s) of Diversion**

GROUND WATER

SENE

Sec. 25, Twp 15N, Rge 21E, LEMHI County

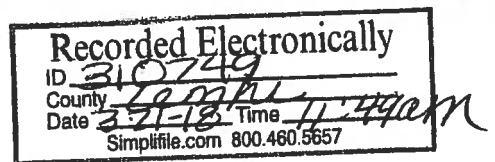
Place Of Use

DOMESTIC within LEMHI County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15N	21E	25				X													

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
3. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A



WARRANTY DEED

Alliance Title & Escrow Corp. Order No.:388564

FOR VALUE RECEIVED

David R. Ellis Jr., a single man

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

Jerry L. Wellard and Judy A. Wellard, husband and wife

whose current address is

**195 Lansing St.
Blackfoot, ID 83221**

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

The 12th and 13th Lots South from the Northeast Corner of the Southeast Quarter of the Northeast Quarter of Section 25, Township 15 North, Range 21 East of the Boise Meridian; the 12th Lot beginning 50 feet South of the Southeast Corner of the Lot formerly owned by Mamie L. Morphey and Mrs. Monk, then run West 125 feet; thence South at right angles 100 feet; thence East at right angles 125 feet; thence North along the West side of the main Valley Road 100 feet to the place of beginning, which description includes both Lots 12 and 13;

AND ALSO:

The following described tract of land located in May, Idaho;

A tract of land on the West side of Main Street in May, Idaho, and joining the property formerly owned by Beatrice O'Neal on the North side. Said tract of land is 120 feet on the North and South side of said tract and 125 feet on the East and West side of said tract.

This tract of land includes all of that lot acquired by E. E. McGraw and Eva McGraw from F. L. Cochran and Marie Cochran by deed dated August 22, 1951, and recorded in the Office of the Lemhi County Recorder in Book 43 of Deeds at Page 364. AND, also includes part of the land acquired by Everett McGraw and Eva McGraw from George Wayman by deed dated September 13, 1947, and recorded in the Office of the Lemhi County Recorder in Book 40 of Deeds at Page 495.

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.

WARRANTY DEED

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

Dated: 3/21/18

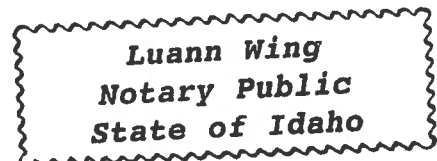
David R Ellis Jr.
David R. Ellis Jr.

State of Idaho } ss
County of Lemhi }

On this 21st day of March, 2018, before me, Luann Wing, a Notary Public in and for said state, personally appeared David R. Ellis, 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.

Luann Wing
Luann Wing
Notary Public for the State of Idaho
Residing at: Salmon
Commission Expires: March 25, 2023





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 30, 2018

JERRY L WELLARD
JUDY A WELLARD
195 LANSING ST
BLACKFOOT ID 83221-1947

Re: Change in Ownership for Water Right No(s): 73-10077

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,

A handwritten signature in cursive script that reads "Jean Hersley".

Jean Hersley
Technical Records Specialist II

Enclosure(s)

c: Water District No. 73 & 170



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 11, 2018

JERRY L WELLARD
JUDY A WELLARD
195 LANSING ST
BLACKFOOT ID 83221-1947

RE: Change in Ownership Water Right No(s): 73-10077

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 conveyance document- Warranty Deed, Title Policy, Contract of Sale, or other legal document indicating your ownership of the property and/or water rights in question. The conveyance document must include the legal description of the property.

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. You can email the documents to: jean.hersley@idwr.idaho.gov.

Also, please note that water right/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) 287-4942.

Sincerely,

A handwritten signature in black ink that reads "Jean Hersley". The signature is written in a cursive, flowing style.

Jean Hersley
Technical Records Specialist II

Enclosure(s)