

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUN 13 2016

DEPT OF WATER RESOURCES  
SOUTHERN 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? |
|-----------------------|-----------------------------------------|------------------------------|-----------------------|------------------------------|------------------------------|
| 7216685               | Yes <input checked="" type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
| 72-16685              | Yes <input type="checkbox"/>            | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
| 72-16911              | Yes <input type="checkbox"/>            | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/>            | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/>            | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |

2. Previous Owner's Name: Paul Matulsky Ruth Matulsky  
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Joshua J Graham - Heather D Graham  
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or ☐ and/or
- PO box 1330 Challis ID 83226  
Mailing address City State ZIP
- (360) 580-6559 jhgraham10@hotmail.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: 11/20/2015

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.

SUPPORT DATA

IN FILE # 72-16685

- ☐ 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: Joshua J Graham 5/5/16  
Signature of new owner/claimant Title, if applicable Date
- Signature: Heather D Graham 5/5/16  
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by DM Date 6-30-2016 Receipt No. 5035556 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 DM Approved by 6-13-2016 Processed by 5035518 Date \$25-

**WARRANTY DEED**

**READ & APPROVED**



Alliance Title & Escrow Corp. Order No.:294460

**FOR VALUE RECEIVED**

**Paul WM Matusky and Ruth Naomi Matusky, husband and wife**

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

**Joshua J. Graham and Heather D. Graham, husband and wife**

whose current address is

**1185 Challis Creek Road  
Challis, ID 83226**

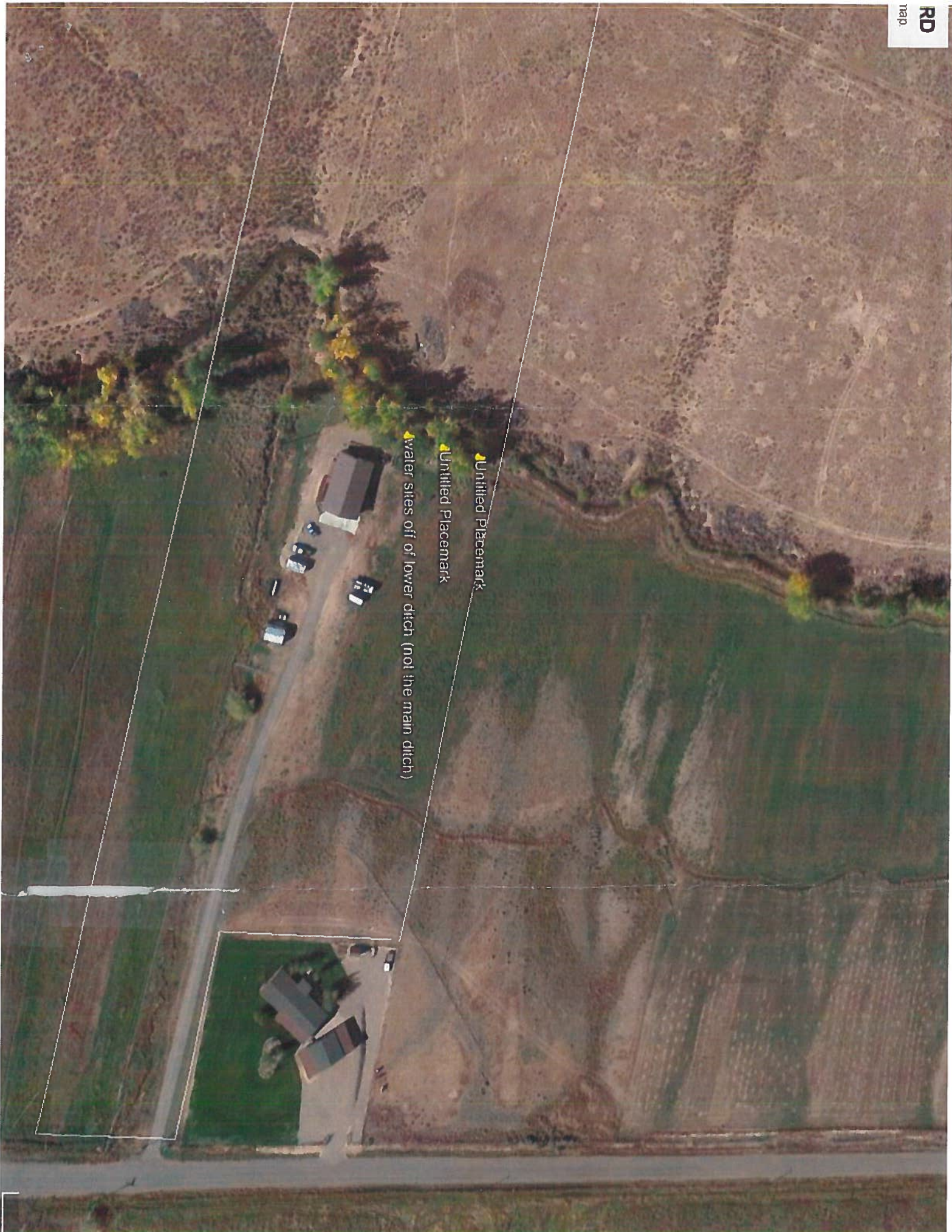
the grantee(s), the following described premises, in Custer County, Idaho, TO WIT:

**A parcel of land located in the SW¼, Section 21, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho, more particularly described as follows:**

**Beginning at the SW Corner of said Section 21, from which the S¼ corner of said section bears South 89°45'39" East a distance of 2648.02 feet, the Basis of Bearing of this description, run thence North 00°04'52" West along the westerly boundary of said section a distance of 332.70 feet; thence South 89°45'39" East, a distance of 978.30 feet; thence South 00°05'40" East a distance of 200.25 feet; thence South 89°45'39" East a distance of 326.42 feet to a point on the westerly right-of-way of Challis Creek Road, thence South 00°05'40" East along said right-of-way a distance of 132.45 feet to a point on the southerly boundary of said section; thence North 89°45'39" West along said boundary a distance of 1304.51 feet to the POINT OF BEGINNING.**

**As shown by the record of survey recorded February 20, 2015, as instrument no. 250009, records of Custer County, Idaho.**

- 📍Untitled Placemark
- 📍Untitled Placemark
- 📍water sites off of lower ditch (not the main ditch)



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**As shown by the record of survey recorded February 20, 2015, as instrument no. 250009, records of Custer County, Idaho.**

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: 11-19-2015

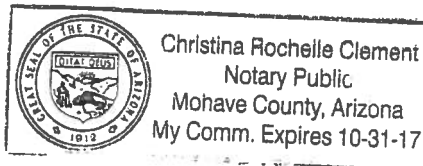
Paul WM Matusky  
Paul WM Matusky

Ruth Naomi Matusky  
Ruth Naomi Matusky

State of Arizona, ss  
County of Mohave

On this 19th day of November, 2015, before me, Christina Clement, a Notary Public in and for said state, personally appeared Paul WM Matusky and Ruth Naomi Matusky, 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.

Christina Clement  
Notary Public for the State of Arizona  
Residing at: Mohave  
Commission Expires: 10-31-2017





State of Idaho

## DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858  
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

July 8, 2016

JOSHUA GRAHAM  
HEATHER GRAHAM  
PO BOX 1330  
CHALLIS ID 83226

PAUL MATUSKY  
RUTH MATUSKY  
6 PARADISE CT  
HANOVER PA 17331

Re: Change of Ownership/Split of Water Right 72-16685  
Split into 72-16685 (Matusky) and 72-16911 (Graham)

Dear Water Right Holder(s):

The Department acknowledges receipt of correspondence splitting ownership of the above referenced water rights. The Department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records.

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 Sections 42-222 and 42-223, Idaho Code.

Also, please note that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: [www.idwr.idaho.gov](http://www.idwr.idaho.gov).

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,

Trish Fawcett  
Technical Records Specialist

Enclosure



State of Idaho

## DEPARTMENT OF WATER RESOURCES

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C.L. "BUTCH" OTTER

Governor

June 14, 2016

GARY SPACKMAN

Director

JOSHUA GRAHAM  
HEATHER GRAHAM  
PO BOX 1330  
CHALLIS ID 83226

Re: Change in Water Right Ownership for Water Right 72-16685

Dear Mr. and Mrs. Graham:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership. Our review of your notice indicates that additional information is required before we can process the change. The information required is indicated below:

- ☒ **Filing Fee** of \$100 per split water right. The water right is appurtenant to three lots; therefore a split of the water right is necessary. An additional \$75 fee is required to complete the change.
- ☒ **Evidence of Water Right Ownership:** complete copy of your warranty deed containing signatures of sellers.

Effective July 1, 2000, the legislature enacted House Bill No. 545 requiring a filing fee for a change in water right ownership. The fee is \$25 per water right, except for ownership changes resulting in the division of a water right, which is \$100 per water right. All ownership change notices received after June 30, 2000 must include the appropriate filing fees in order to be processed.

Because the Department cannot process the ownership change without proper documentation and fee, we will hold any action on your notice pending its receipt. If we do not receive it within 30 days, we will return your notice and all attachments and your notice will not be processed.

Please note that water right owners are required to report any change in water rights ownership and/or mailing address to the Department within 120 days of the change. Failing to report these changes could result in a \$100 late filing fee. Please feel free to contact this office if you have any questions.

Sincerely,

Trish Fawcett  
Technical Records Specialist

Enclosures