

RECEIVED

JAN 09 2017

WATER RESOURCES
WESTERN REGION

RECEIVED

MAR 13 2018

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

DEPARTMENT 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?
65-22517	Yes ☐	Yes ☐		Yes ☐	Yes ☐
65-2568	Yes ☐	Yes ☐		Yes ☐	Yes ☐
45-23757	Yes ☐	Yes ☐		Yes ☐	Yes ☐
65-23758	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Mike & Heidi Butler
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Carlos H. & MaryAnn Nelson
New owner(s) as listed on the conveyance document. Name connector ☐ and ☐ or ☒ and/or

P.O. Box 104 Emmett Idaho 83617
Mailing address City State ZIP
(541) 216-1517 NONE
Telephone Email
(3344 Wilson Lane)

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: 12-12-2016

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: Carlos H. Nelson C104827 1-6-17
Signature of new owner/claimant Title, if applicable Date

Signature: MaryAnn Nelson W044982 1-6-17
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by (BS) / (A) Date 1/9/2018 Receipt No. W044982 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 Jaw Date 3-22-18



Pioneer Title Co.
GOING BEYOND

1500 S. Washington Ave., Ste. B
Emmett, ID 83617

ELECTRONICALLY RECORDED-DO NOT
REMOVE THE COUNTY STAMPED FIRST
PAGE AS IT IS NOW INCORPORATED AS
PART OF THE ORIGINAL DOCUMENT

RECEIVED
FEB 27 2017
WATER RESOURCES
WESTERN REGION

File No. 603436 PG/JO

WARRANTY DEED

For Value Received Michael G. Butler and Heidi J. Camp-Butler, husband and wife
hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

Carlos H. Nelson and Mary Ann Nelson
hereinafter referred to as Grantee, whose current address is *P.O. Box 104, Emmett, ID 83617*

The following described premises, to-wit:

See Exhibit A attached hereto and made a part hereof.

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantees(s) heirs and assigns forever. And the said Grantor(s) does (do) hereby covenant to and with the said Grantee(s), the Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to U.S. Patent reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and current years taxes, levies, and assessments, includes irrigation and utility assessments, (if any) which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: December 9, 2016

Michael G. Butler
Mike Butler
Heidi Butler
Heidi Butler

State of ID, County of GEM

On this 9TH day of DECEMBER in the year of 2016, before me, the undersigned, a Notary Public in and for said State, personally appeared Mike Butler and Heidi Butler known or identified to me to be the person/persons whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

Palla R. Garinger
Residing at: EMMETT, ID
Commission Expires: 12/04/2016

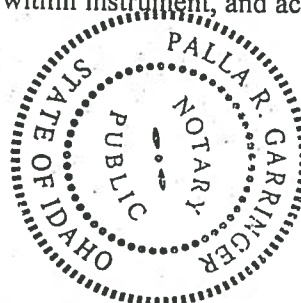


EXHIBIT A

Being a portion of the Northeast 1/4 of the Southwest 1/4 of Section 34, Township 7 North, Range 1 West, Boise-Meridian, Gem County, Idaho described as follows:

Beginning at the southwest corner of the Northeast 1/4 of the Southwest 1/4 of Section 34, Township 7 North, Range 1 West, Boise-Meridian, Gem County, Idaho, marked by a found 5/8 iron pin; thence North 00°13'56" East, 663.72 feet, along the west line of said Northeast 1/4 of the Southwest 1/4, to the prolongation of an existing irrigation line, marked by a set 1/2" iron pin with plastic cap PLS 6552 to a point referred to hereinafter as Point "A"; thence South 89°33'50" East, 663.35 feet along the centerline of said irrigation line, to a point on the centerline of an existing waste drain ditch; Thence South 00°25'00" West, 658.49 feet, along the centerline of said drain ditch, to a point on the south line of said Northeast 1/4 of the Southwest 1/4, marked by a set 1/2" iron pin with plastic cap PLS 6552 to a point referred to hereinafter as Point "B"; thence South 89°58'59" West 661.23 feet, along said south line, to the POINT OF BEGINNING.

TOGETHER WITH AND SUBJECT TO a 10.00 foot wide irrigation easement lying 5.00 feet on each side of the following described line:

Beginning, at Point "A" described above; thence South 89°33'50" East, 663.35 feet, along the centerline of said irrigation line, to a point on the centerline of a waste drain ditch and the terminus of this easement.

ALSO TOGETHER WITH AND SUBJECT TO a 40.00 foot wide ingress, egress and utility easement lying 25.00 feet north and 15.00 feet south of the following described line:

Beginning at the southwest corner of the Northeast 1/4 of the Southwest 1/4 of Section 34, Township 7 North, Range 1 West, Boise-Meridian, Gem County, Idaho, marked by a found 5/8" iron pin; thence North 89°58'59" East, 661.23 feet, along the south line of said Northeast 1/4 of the Southwest 1/4 to a point on the centerline of a waste drain ditch marked by a set 1/2" iron pin with plastic cap PLS 6552 and the terminus of this easement.

AND SUBJECT TO a 40.00 foot wide ingress, egress and utility easement lying east of the following described line:

Beginning at the southwest corner of the Northeast 1/4 of the Southwest 1/4 of Section 34, Township 7 North, Range 1 West, Boise-Meridian, Gem County, Idaho, marked by a found 5/8" iron pin; thence North 00°13'56" East, 663.72 feet, along the west line of said Northeast 1/4 of the Southwest 1/4, to the prolongation of an existing irrigation line marked by a set "A" iron pin with plastic cap PLS 6552 and the terminus of this easement.

ALSO SUBJECT TO a 10.00 foot wide irrigation easement lying 5.00 feet on each side of the following described line:

Commencing at Point "B" described above; thence South 89°58'59" West, 55.00 feet, along the south line of the Northeast 1/4 of the Southwest 1/4 to the True Point of Beginning; thence North 00°25'00" East, 658.92 feet to the terminus of this easement.

The limits of said easements shall be extended or shortened at each beginning and terminus so as to make for a continuous and uniform width of access throughout.



1500 S. Washington Ave., Ste. B
Emmett, ID 83617

ELECTRONICALLY RECORDED-DO NOT
REMOVE THE COUNTY STAMPED FIRST
PAGE AS IT IS NOW INCORPORATED AS
PART OF THE ORIGINAL DOCUMENT

File No. 603436 PG/JO

WARRANTY DEED

For Value Received Michael G. Butler and Heidi J. Camp-Butler, husband and wife

hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

Carlos H. Nelson and Mary Ann Nelson

hereinafter referred to as Grantee, whose current address is P.O. Box 104, Emmett, ID 83617

The following described premises, to-wit:

See Exhibit A attached hereto and made a part hereof.

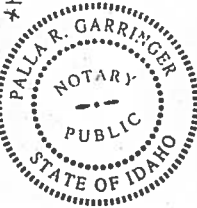
To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantee(s) heirs and assigns forever. And the said Grantor(s) does (do) hereby covenant to and with the said Grantee(s), the Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to U.S. Patent reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and current years taxes, levies, and assessments, includes irrigation and utility assessments, (if any) which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: December 9, 2016

Michael G. Butler
Michael G. Butler
Heidi J. Camp-Butler
Heidi J. Camp-Butler

State of ID, County of GEM

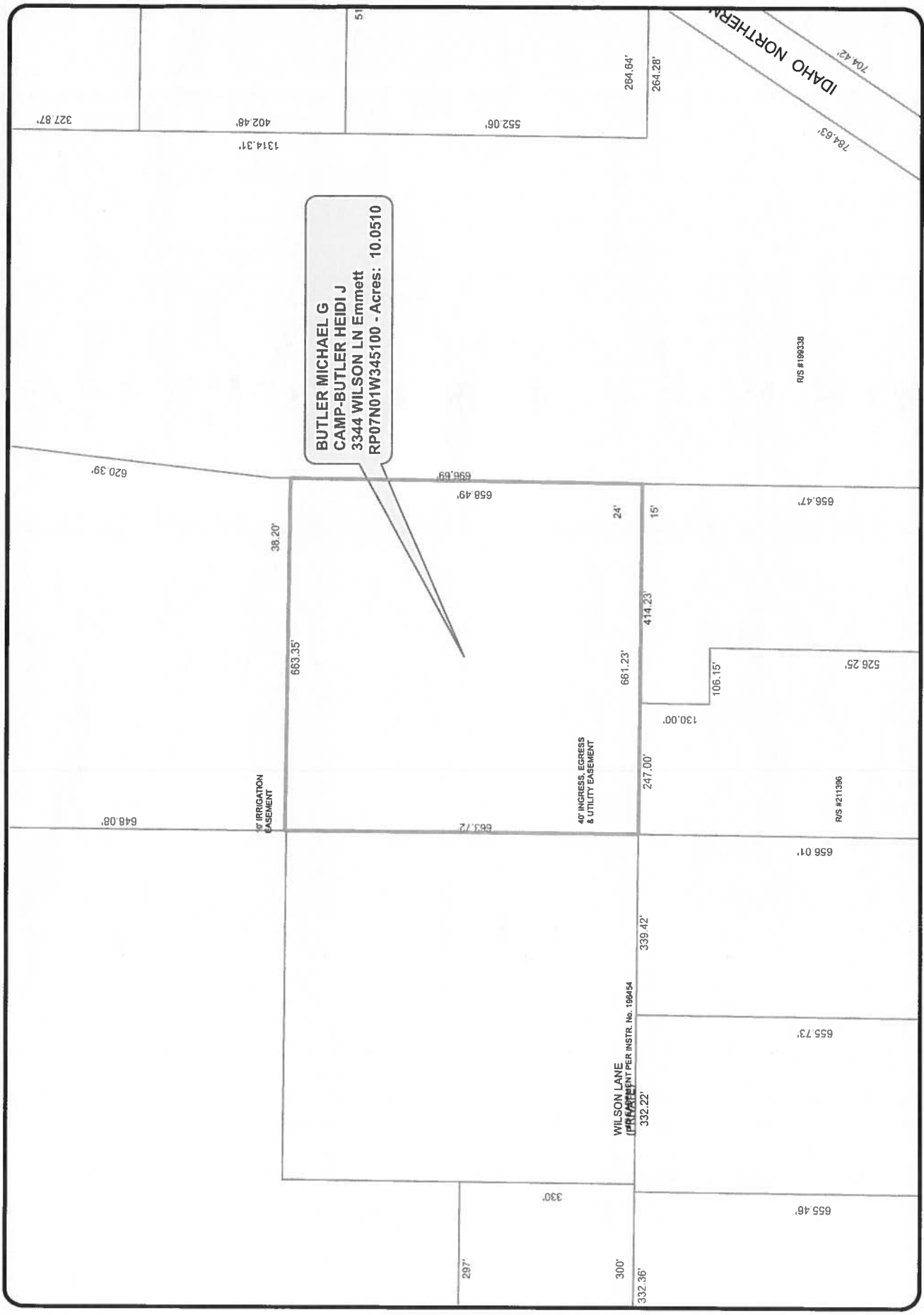
On this 9TH day of DECEMBER in the year of 2016, before me, the undersigned, a Notary Public in and for said State, personally appeared ~~Heidi J. Camp-Butler~~ Butler and ~~Heidi J. Camp-Butler~~ Heidi J. Camp-Butler and Michael G. Camp-Butler person/persons whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.



Palla R. Garringer
Residing at: EMMETT, ID
Commission Expires: 12/04/2016

Instrument # 309277
EMMETT, GEM, IDAHO
2016-12-12 10:41:10 AM No. of Pages 2
RECORDED BY PIONEER TITLE COMPANY OF GEM C
SHERBOURNE, ID
P.O. Box 104, Emmett, ID 83617
P.O. Box 104, Emmett, ID 83617
Index To: WARRANTY DEED
Electronically Recorded by Simplifile

BUTLER MICHAEL G
 CAMP-BUTLER HEIDI J
 3344 WILSON LN Emmett
 RP07N01W345100 - Acres: 10.0510



This Map and data displayed is a graphic representation derived from the Ada County Geographic Information System (GIS) data. It was designed and intended for staff use only. It is not guaranteed survey accuracy. This map is based on information available and was compiled from numerous sources which may not be accurate. Users are to field verify this information. Ada County and Single Point Solutions, LLC are not liable for errors or omissions resulting from the use of this product for any purpose.





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

March 22, 2018

CARLOS H NELSON
PO BOX 104
EMMETT ID 83617-0104

Re: Change in Water Right Ownership: 65-2568 (Split into 65-2568 and **65-23757**), 65-22517 (Split into 65-22517 and **65-23758**)

Dear Water Right Holder(s):

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

Your portion of each water right(s) has a specified point of diversion, nature of use and place of use. If you plan to change the authorized point of diversion, nature of use, or place of use, including adding a new point of diversion, you must file an Application for Transfer of Water Right. If you do not plan to change any elements of your water right, then no further action is required at this time.

The portion of the water right retained by the original right holder retains the original water right number. The Department is sending the original right holder a copy of this letter and a computer-generated report showing the changes to the original water right.

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 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. Water right forms are available from any office of the Department, or at www.idwr.idaho.gov.

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: MICHAEL G BUTLER
HEIDI J CAMP BUTLER
WATER DISTRICT NO. 65



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

March 15, 2018

CARLOS H NELSON
MARY ANN NELSON
PO BOX 104
EMMETT ID 83617-0104

RE: Water Right No(s): 65-22517 and 65-2568

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:

☒ Filing Fee of \$100 per water right for changes resulting from division of a water right

The land conveyed in the deed you submitted with your request is only a portion of these water rights. The water rights will need to be split. You only own 10 acres of the 20 acres of irrigation authorized on water right 65-2568. Water right 65-22517 is a stockwater right that matches the place of use for water right 65-2568 so it will need to be split also. I have enclosed water right reports and a map for your benefit.

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. We have determined that the additional filing fee for your notice will be **\$150**.

Because the Department cannot process the Notice without proper fees, we will hold any action on your notice pending receipt of the necessary fees. If we do not receive the necessary fees 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 right 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. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions regarding this matter, please contact me at (208) 287-4942.

Sincerely,

Jean Hersley
Technical Records Specialist II

Enclosure(s)