

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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JAN 30 2018

DEPARTMENT OF
WATER RESOURCES

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?
74-805A	Yes ☐	Yes ☐		Yes ☐	Yes ☐
74-2075B	Yes ☐	Yes ☐		Yes ☐	Yes ☐
74-2047F	Yes ☐	Yes ☐		Yes ☐	Yes ☐
15 74 -10019 <i>see email</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: HELEN G SMITH
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Kelsey Helfrich + Kidd Youren
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or ☐ and/or
- 5520 Spring Lane Emmett ID 83617
Mailing address City State ZIP
- (541) 206-2631 kelsey@helfrichoutfitter.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: December 13, 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: [Signature] Owner 1/24/18
Signature of new owner/claimant Title, if applicable Date
- Signature: [Signature] Owner 1/24/18
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by [Signature] Date 1/30/2018 Receipt No. C104592 Receipt Amt. 100.00

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 PD Date 2/2/18

PERSONAL REPRESENTATIVE'S DEED

THIS DEED, made by JERROLD B. SMITH, as personal representative of the Estate of HELEN GRACE SMITH, deceased, Grantor, to KELSEY HELFRICH and KIDD YOUREN, husband and wife, whose address is 5520 Spring Lane, Emmett, Idaho 83617, 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 an informal probate in Lemhi County Case No. CV-11-52, 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 KELSEY HELFRICH and KIDD YOUREN, husband and wife, real property located in County of Lemhi, State of Idaho, and commonly referred to as 35 Boots Road, Salmon, Idaho, and more particularly described as:

SEE EXHIBIT "A" attached hereto and incorporated herein as if restated in full, along with all appurtenances located thereon and subject to all easements and restrictions of record.

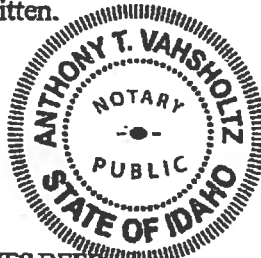
EXECUTED this 13 day of December, 2017.

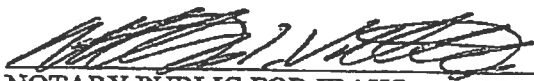

JERROLD B. SMITH
Personal Representative of the Estate
of Helen Grace Smith

STATE OF IDAHO)
)ss
County of ~~Lemhi~~ Canyon)

On this 13th day of December, 2017, before me, the undersigned, a notary public in and for said state, personally appeared, JERROLD B. SMITH, known or identified to me to be the person whose name is subscribed to the within instrument, as Personal Representative of the Estate of HELEN GRACE SMITH, deceased, and acknowledged to me that he 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.




NOTARY PUBLIC FOR IDAHO
My Commission Expires: 2-27-19

PERSONAL REPRESENTATIVES DEED

EXHIBIT "A"

377859

Parcel I

A parcel of land located in the Southeast Quarter, Section 11 and the Northwest Quarter Southwest Quarter, Section 12, T. 21 N., R. 22 E., Boise Meridian, Lemhi County, Idaho, more specifically described as follows:

Commencing at the Quarter corner which is common to Sections 11 and 12 and being the Real Point of Beginning, a distance of 1317.69 feet on a bearing of S. 89° 57' 50" W. along the North boundary of the Southeast Quarter of Section 11 to the Northwest corner of the Northeast Quarter Southeast Quarter;

Thence S. 28° 17' 00" W. 759.76 feet;

Thence S. 89° 58' 18" W., 957.32 feet to a point on the West boundary of said Southeast Quarter;

Thence S. 0° 01' 51" E., 1129.40 feet along said West boundary of the Southeast Quarter;

Thence S. 78° 17' 49" E., 459.27 feet;

Thence N. 82° 38' 43" E., 405.75 feet;

Thence N. 55° 42' 12" E. 1049.14 feet;

Thence N. 43° 27' 32" E., 1272.28 feet;

Thence N. 9° 15' 14" E. 330.62 feet to a point on the North boundary of the Northwest Quarter Southwest Quarter, Section 12;

Thence S. 89° 54' 48" W., 12.75 feet along said North boundary to the Real Point of Beginning.

Parcel II

A 30 foot wide easement being 15 feet on either side of the following described center line. Commencing at the Northeast corner of Boots Parcel and being the Real Point of Beginning.

Thence N. 83° 43' 39" W. 123.03 feet; Thence N. 76° 11' 33" W. 145.36 feet;

Thence N. 63° 57' 55" W. 186.42 feet; Thence N. 81° 23' 55" W. 70.56 feet;

Thence S. 62° 06' 10" W. 87.09 feet; Thence S. 38° 23' 05" W. 121.05 feet;

Thence S. 64° 30' 48" W. 66.24 feet; Thence S. 87° 12' 57" W. 54.96 feet;

Thence N. 85° 45' 25" W. 140.24 feet; Thence S. 76° 20' 27" W. 136.41 feet;

Thence S. 65° 46' 52" W. 295.14 feet to a point in the center of the County Road.

JULY 2017 EDITION

RE-24 VACANT LAND PURCHASE AND SALE AGREEMENT

PROPERTY ADDRESS: 35 Boots Road

SALMON

ID

83467

ID#

102520

14. MINERAL RIGHTS: Any and all mineral rights appurtenant to the PROPERTY are included in and are part of the sale of this PROPERTY, and are not leased or encumbered, unless otherwise agreed to by the parties in writing.

15. WATER RIGHTS: Any and all water rights including but not limited to water systems, wells, springs, lakes, streams, ponds, rivers, ditches, ditch rights, and the like, if any, appurtenant to the PROPERTY are included in and are a part of the sale of this PROPERTY, and are not leased or encumbered, unless otherwise agreed to by the parties in writing.

16. RISK OF LOSS OR NEGLECT: Prior to closing of this sale, all risk of loss shall remain with SELLER. In addition, should the PROPERTY be materially damaged by fire, neglect, or other destructive cause prior to closing, this agreement shall be voidable at the option of the BUYER.

17. BUSINESS DAYS: A business day is herein defined as Monday through Friday, 8:00 A.M. to 5:00 P.M. in the local time zone where the subject real PROPERTY is physically located. A business day shall not include any Saturday or Sunday, nor shall a business day include any legal holiday recognized by the state of Idaho as found in Idaho Code §73-108. If the time in which any act required under this agreement is to be performed is based upon a business day calculation, then it shall be computed by excluding the calendar day of execution and including the last business day. The first business day shall be the first business day after the date of execution. If the last day is a legal holiday, then the time for performance shall be the next subsequent business day.

18. CALENDAR DAYS: A calendar day is herein defined as Monday through Sunday, midnight to midnight, in the local time zone where the subject real PROPERTY is physically located. A calendar day shall include any legal holiday. The time in which any act required under this agreement is to be performed shall be computed by excluding the date of execution and including the last day, thus the first day shall be the day after the date of execution. Any reference to "day" or "days" in this agreement means the same as calendar day, unless specifically enumerated as a "business day."

19. SEVERABILITY: In the case that any one or more of the provisions contained in this Agreement or any application thereof, shall be invalid, illegal or unenforceable in any respect, the validity, legality or unenforceability of the remaining provisions shall not in any way be affected or impaired thereby.

20. TRANSMISSION OF DOCUMENTS: Facsimile or electronic transmission of any signed original document, and retransmission of any signed facsimile or electronic transmission shall be the same as delivery of an original. At the request of either the BUYER or SELLER, or the LENDER, or the Closing Agency, the BUYER and SELLER will confirm facsimile or electronic transmitted signatures by signing an original document.

21. COUNTERPARTS: This Agreement may be executed in counterparts. Executing an agreement in counterparts shall mean the signature of two identical copies of the same agreement. Each identical copy of an agreement signed in counterparts is deemed to be an original, and all identical copies shall together constitute one and the same instrument.

22. ENTIRE AGREEMENT: This Agreement contains the entire Agreement of the parties respecting the matters herein set forth and supersedes all prior Agreements between the parties respecting such matters.

23. SALES PRICE INFORMATION: Pursuant to Idaho Code §54-2083(6)(d), a "sold" price of real property is not confidential client information.

24. AUTHORITY OF SIGNATORY: If BUYER or SELLER is a corporation, partnership, trust, estate, or other entity, the person executing this agreement on its behalf warrants his or her authority to do so and to bind BUYER or SELLER.

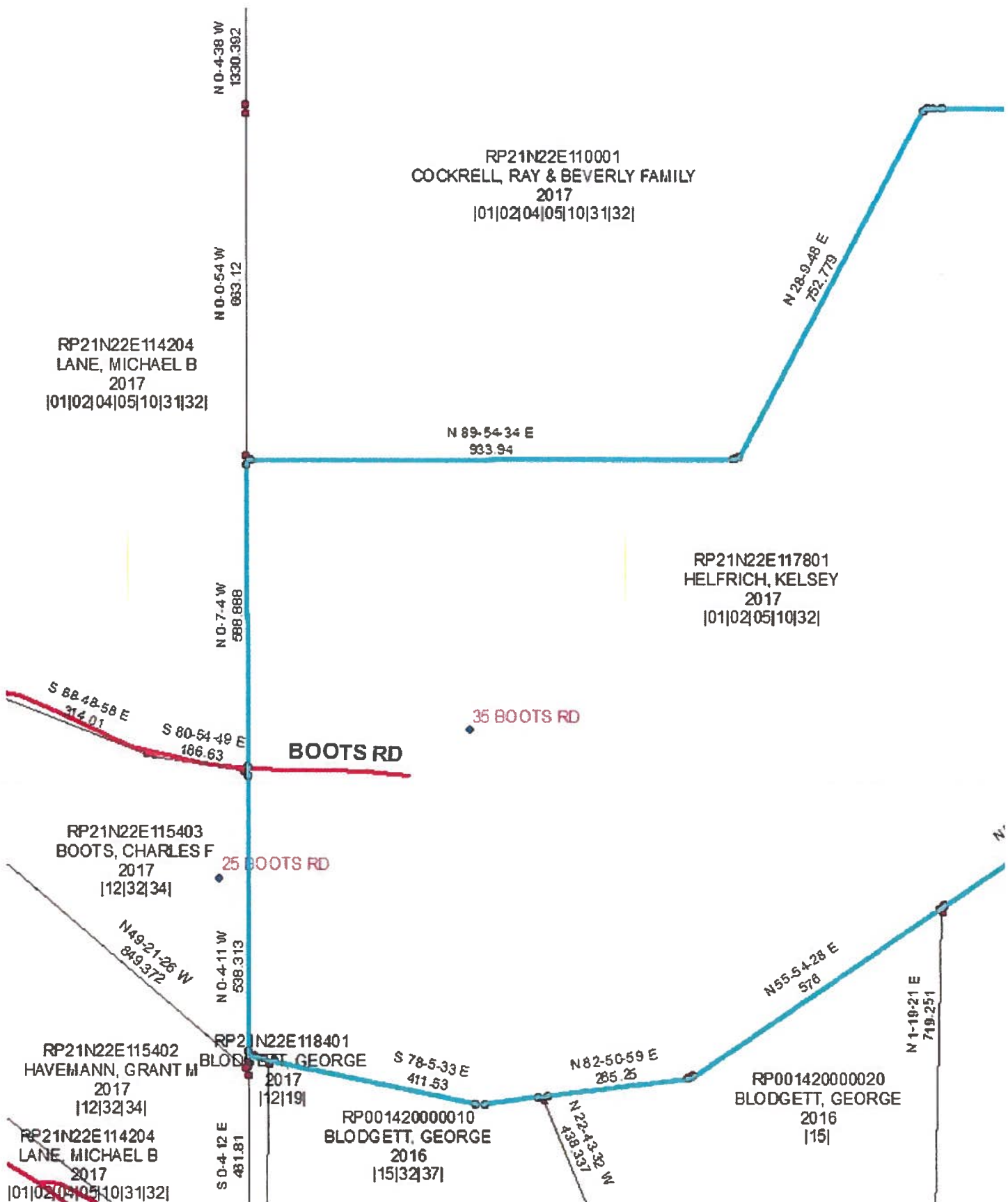
25. ADDITIONAL CONTINGENCIES AND COSTS: The closing of this transaction is contingent upon written satisfaction or waiver of the contingencies listed in the "contingencies" column below. In addition, the parties shall satisfy all contingencies set forth in this section by close of business (Date): 11/30/17 unless otherwise agreed to by the parties in writing. The parties agree to pay the following costs as indicated below. None of the costs to be paid by the parties in this section creates an inspection or performance obligation other than strictly for the payment of costs unless otherwise stated below. There may be other costs incurred in addition to those set forth below. Such costs may be required by the lender, by law, or by other such circumstances. Requested tests/inspection reports as indicated below shall be provided to the other party within 10 business days (ten [10] if left blank) prior to closing.

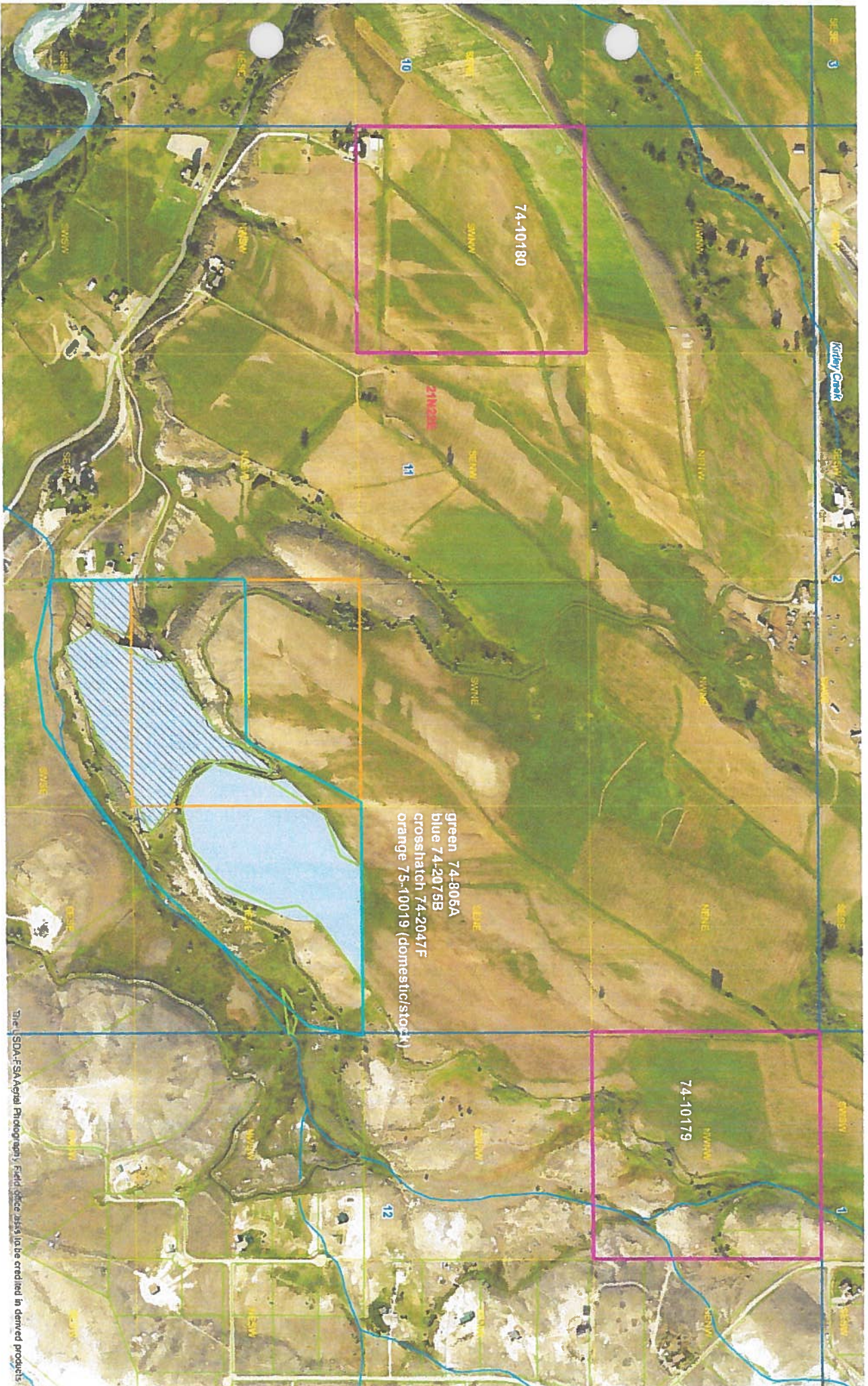
Upon closing SELLER agrees to pay ☐ 0 % of the purchase price OR ☐ \$ 0 (dollar amount) (N/A if left blank) of lender-approved BUYER'S closing costs, lender fees, and prepaid costs which include but are not limited to those items in BUYER columns marked below. This concession can also be used for any other expense not related to financing at the BUYER'S discretion.

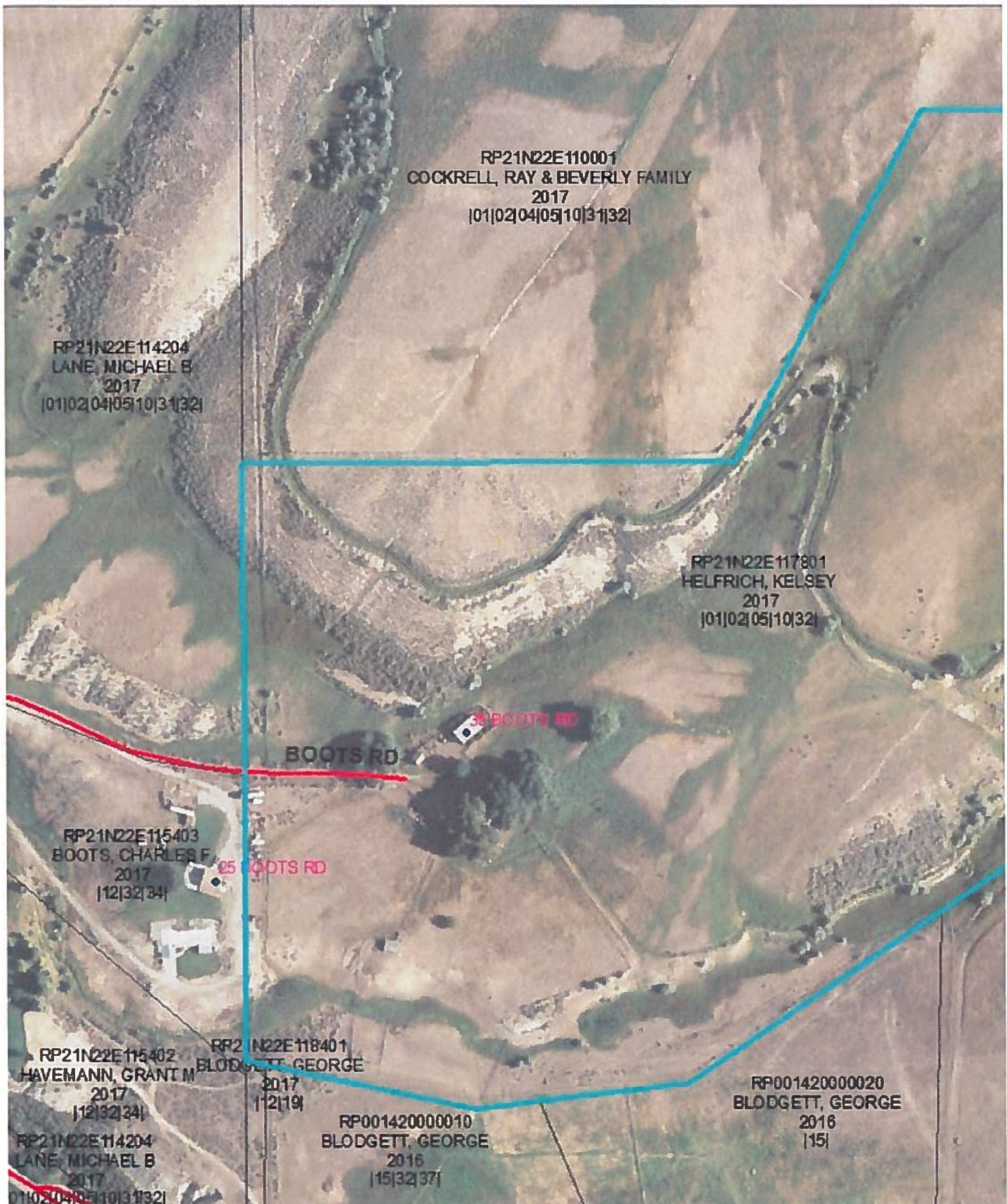
COSTS	BUYER	SELLER	Shared Equally	N/A	CONTINGENCIES	BUYER	SELLER	Shared Equally	N/A
Appraisal Fee	X				Environmental Inspection (Phase 1)	X			
Long Term Escrow Fees				X	Environmental Inspection (Phase 2)	X			
Closing Escrow Fee			X		Environmental Inspection (Phase 3)	X			
Survey				X	PERC Test	X			
Shall be ordered by: ☐ BUYER ☐ SELLER					Zoning Variance	X			
Flood Certification/Tracking Fee	X				Soil(s) Test(s)	X			
Title Ins. Standard Coverage Owner's Policy		X			Hazardous Waste Report(s)	X			
Title Ins. Extended Coverage Lender's Policy - Mortgagee Policy	X								
Additional Title Coverage				X					
Water Rights Transfer Fee	X								
Attorney Contract Preparation or Review Fee	X								

BUYER'S Initials (KH)(JCY) Date 10/25/2017

SELLER'S Initials ()() Date









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

February 09, 2018

KELSEY HELFRICH
KIDD YOUREN
5520 SPRING LN
EMMETT ID 83617-9181

Re: Change in Ownership for Water Right No(s): 74-805A, 74-2047F, 74-2075B & 75-10019

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 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,

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)

Hersley, Jean

From: Kelsey Helfrich <kelsey@helfrichoutfitter.com>
Sent: Friday, February 09, 2018 1:36 PM
To: Hersley, Jean
Subject: Re: ownership change
Attachments: 20180209122327741.pdf; PastedGraphic-2.tiff

Hi Jean,
Hopefully I got it right this time...
Thanks for being patient with us.
Kelsey Helfrich



Kelsey Helfrich

Outfitter & Guide, Helfrich River Outfitters Inc.
(541) 206-2631 | (800) 507-9889 | Kelsey@HelfrichOutfitter.com | www.HelfrichOutfitter.com | 5520 Spring Lane. Emmett, ID 83617



On Feb 8, 2018, at 11:33 AM, Hersley, Jean <Jean.Hersley@idwr.idaho.gov> wrote:

Thank you for the maps. However, what I need is the Exhibit "A" that is attached to the Personal Representatives Deed you provided. The Personal Representatives Deed is instrument # 0000309168, recorded in Lemhi County.

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

From: Kelsey Helfrich [<mailto:kelsey@helfrichoutfitter.com>]
Sent: Tuesday, February 06, 2018 10:41 AM
To: Hersley, Jean <Jean.Hersley@idwr.idaho.gov>
Subject: Re: ownership change

Good morning Jean,
Here is the property description that we had Lemhi County send over. Please let me know if this is the correct stuff that you need to complete our ownership change request.
Thanks,
Kelsey Helfrich

<image001.jpg>

<image002.jpg>

<image003.jpg>

Kelsey Helfrich

Outfitter & Guide, Helfrich River Outfitters Inc.

(541) 206-2631 | (800) 507-9889 | Kelsey@HelfrichOutfitter.com | www.HelfrichOutfitter.com | 5520 Spring Lane. Emmett, ID 83617

<image004.jpg> <image004.jpg> <image004.jpg>

On Feb 5, 2018, at 12:09 PM, Hersley, Jean <Jean.Hersley@idwr.idaho.gov> wrote:

The warranty deed you provided with your request to change ownership of water rights 74-805A, 74-2075B, 74-2047F and 75-10019 was missing the Exhibit A that contains the legal description of the property. This document is available from the county recorder's office. You may provide the requested information by replying to this email or mail the document to: IDWR, PO Box 83720, Boise, ID, 83720-0098.

A letter acknowledging the ownership change was sent on February, 2, 2018. However, the Department will reverse the ownership change until the documents requested are provided. We apologize for the confusion. If you have any questions, please contact me. Thank you.

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



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

February 02, 2018

KELSEY HELFRICH
KIDD YOUREN
5520 SPRING LN
EMMETT ID 83617-9181

Re: Change in Ownership for Water Right No(s): 74-2075B, 74-2047F, 74-805A, 75-10019

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 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) 287-4803.

Sincerely,

Rosemary DeMond
Administrative Asst II

Enclosure(s)

DeMond, Rosemary

From: Kelsey Helfrich <kelsey@helfrichoutfitter.com>
Sent: Friday, February 02, 2018 10:57 AM
To: DeMond, Rosemary
Subject: Re: Water Right Change of Ownership 74-10019

Good morning Rosemary,

Yes, I believe you're right. That must have been a typo. Here is what Cindy Yenter sent me previously:

"Kelsey, there are the 3 irrigation rights 74-805A, 74-2075B and 74-2047 plus the domestic spring under 75-10019 that are appurtenant to the property and will pass to you in the sale."

Thank you for your help. Please let me know if you need anything else from us.

Kelsey



Kelsey Helfrich

Outfitter & Guide,

Helfrich River Outfitters, Inc.

Ken, Sherill & Kelsey Helfrich & Kidd Youren

(541) 206-2631 | (800) 507-

9889 | Kelsey@HelfrichOutfitter.com | www.HelfrichOutfitter.com | 5520

Spring Lane, Emmett, ID 83617 | 46 Guth Road, Salmon, ID 83467



On Feb 2, 2018, at 8:45 AM, DeMond, Rosemary <Rosemary.DeMond@idwr.idaho.gov> wrote:

Ms. Helfrich and Mr. Youren

We have received your Notice in Change of Water Right Ownership for the below listed Water Rights:

74-805A

74-2075B

74-2047F

74-10019

However, there is no Water Right No. 74-10019. There is a Water Right No. 75-10019 owned by Mrs. Helen G. Smith. Could this be the Water Right you are purchasing? The map attached to your application does indeed indicate 75-10019 as one of the Water Rights but we do need confirmation that this is the correct water right.

Please email me at your earliest convenience. If I do not hear from you today we will delay this ownership change and send a letter via USPS to document the error.

Thank you,

Rosemary DeMond

Administrative Assistant to the Director

Idaho Dept. of Water Resources

208-287-4803