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JAN 16 2018

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

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JAN 11 2018

Department of Water Resources  
Eastern Region

## 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? |
|-----------------------|------------------------------|------------------------------|-----------------------|------------------------------|------------------------------|
| 75-10855              | 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"/> |
|                       | 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: Dale Barsalou  
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Nancy Linell Bills  
New owner(s) as listed on the conveyance document      Name connector ☐ and ☐ or ☐ and/or
- P.O. Box 137      Carmen      ID      83462  
Mailing address      City      State      ZIP
- (208) 756-3147      \_\_\_\_\_  
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: May 26, 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):  
     o \$25 per *undivided* water right.  
     o \$100 per *split* water right.  
     o 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: *Nancy Linell Bills*      Attorney      January 4, 2018  
     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 *JB*      Date *1/11/2017*      Receipt No. *E04310102*      Receipt Amt. *\$25 -*

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 *PS*      Date *1-23-18*

LEMHI COUNTY DISTRICT COURT

FILED 7-25-2006

TIME 11:00 a

LEMHI COUNTY CLERK

BY Bmg DEPUTY

268292

**JOHN S. McKINNEY**

**Attorney at Law - Idaho State Bar #1427**

**1016 Main Street**

**Salmon, Idaho 83467**

**Telephone: 756-4287**

**IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF LEMHI**

|                                    |   |                                   |
|------------------------------------|---|-----------------------------------|
| <b>IN THE MATTER OF THE ESTATE</b> | ) | <b>CASE NO. CV-06-168</b>         |
| <b>OF:</b>                         | ) |                                   |
|                                    | ) | <b>AMENDED DECREE</b>             |
| <b>DALE BARSALOU,</b>              | ) | <b>DETERMINING SURVIVING</b>      |
|                                    | ) | <b>SPOUSE IS SOLE BENEFICIARY</b> |
| <u>Deceased.</u>                   | ) | <b>(Recording # 267520)</b>       |

The verified Petition of Dona Barsalou came on regularly to be heard by the Court, the

Court makes the following findings:

1. Notice of the time and place of hearing has been given as required by law.
2. No objections to the Petition have been filed and no persons appeared in opposition to the Petition.
3. Dale Barsalou died on April 16, 2006, testate, while domiciled in Lemhi County, Idaho State, and in accordance with the will, Dona Barsalou is the sole heir of the decedent.
4. Dale Barsalou and Dona Barsalou were married on September 23, 1955, at St. Anthony, Idaho, and were husband and wife on the date of the Decedent's death.
5. Dona Barsalou is the sole heir of the Decedent.
6. The Decedent at the time of death owned or had an interest in certain property described as:

**REAL PROPERTY:**

**PERSONAL PROPERTY:**

All personal property including, but not limited to, stock, cash, furniture, clothes, vehicles, and bank accounts.

7. The Petitioner is the surviving spouse of the Decedent.

**IT IS THEREFORE DECREED:**

1. Dale Barsalou and Dona Barsalou were married on September 23, 1955, at St Anthony, Idaho, and were husband and wife on the date of the Decedent's death.
2. Dona Barsalou was the sole heir of the Decedent and is entitled to the distribution of the following property:

**REAL PROPERTY:**

Lot 1, Broken Bones Subdivision, Lemhi County, Idaho

**PERSONAL PROPERTY:**

All personal property including, but not limited to, stock, cash, furniture, clothes, vehicles, and bank accounts.

3. Dona Barsalou shall assume and be liable for any indebtedness that might be a claim against the estate of decedent.

DATED this 25 day of July, 2006.

State of Idaho  
County of Lemhi

268292

SS No.

This instrument was filed for record at the request

of John S. McKinney  
at 2:07 o'clock PM 7-25-2006

and duly filed and indexed in the records of Lemhi  
County

Tam J. Monon  
Ex. Officio Recorder

By Bambi G. Tuttle Deputy

Fee

[Signature]  
Magistrate Judge

## Warranty Deed

*For Value Received*

**Barbara Kay Slavin and William George Slavin, husband and wife**

the grantors, do hereby grant, bargain, sell and convey unto

**Nancy Linell Bills, an unmarried woman**

Whose current address is:

**PO Box 137  
Carmen, ID 83462**

the grantee, the following described premises, to-wit:

**Lot One (1) of Broken Bones Subdivision, according to the official plat thereof filed for record in Book 7 of Plats, at Page No. 86, records of Lemhi County, Idaho.**

**Together with all water and water rights, ditch and ditch rights, appurtenant thereto and/ or used in connection there with.**

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees that they are the owners in fee simple of said premises; that they are free from all encumbrances EXCEPT: Subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes, assessments, including irrigation and utility easements (if any) for the current year, which are not due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: May 26, 2015

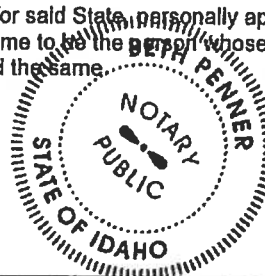
William George Slavin  
William George Slavin

Barbara Kay Slavin  
Barbara Kay Slavin

STATE OF IDAHO        )  
COUNTY OF LEMHI    ) ss

On this 26 day of May, 2015, before me, a notary public in and for said State, personally appeared William George Slavin and Barbara Kay Slavin known to me or proved to me to be the persons whose name is subscribed to the within instrument and acknowledged to me that they executed the same.

Beth Penner  
Notary Public  
Residing at: Salmon, ID  
Comm. Expires: July 24, 2019



**PERSONAL REPRESENTATIVE'S WARRANTY DEED**

As per legal distribution of said estate, **The Estate of Dona Barsalou, Deceased, by and through William G. Slavin, Personal Representative of said Estate**, whose mailing address is P.O. Box 255 Carmen, Id 83462 does hereby grant, bargain, and convey unto **Barbara Kay Slavin and William George Slavin, husband and wife of P.O. Box 255, Carmen, Idaho** as an inheritance from their Aunt, Dona Barsalou of P.O. Box 552, Salmon, ID 83462, all of the estate's interest in the following described real estate consisting of about 12.2 acres located near Carmen, Lemhi County, State of Idaho, to wit:

**Lot 1 of Broken Bones Subdivision to Lemhi County, Idaho as per the recorded land records of Lemhi County, Idaho.**

Together will the home and all other improvements located thereon, water and water rights appurtenant thereto, ditch and ditch rights used in connection therewith.

And the said Grantor does hereby covenant to and with the said Grantees, that said Estate is the owner in fee simple of said premises.

That said property is free from all other encumbrances excepting therefrom all covenants, conditions and restrictions of record and all easements of sight and of record as recorded in the records of Lemhi County, Idaho; that said Estate will warrant and defend the same from all lawful claims whatsoever.

DATED: This 21<sup>st</sup> day of May, 2015.

**ESTATE OF Dona Barsalou, deceased.**

BY:

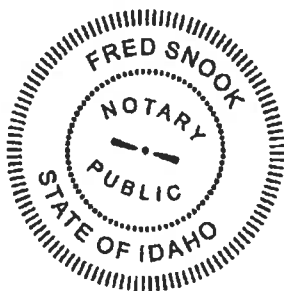
  
William G. Slavin, Personal Representative of Estate

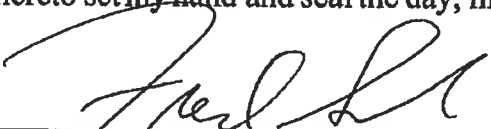
STATE OF IDAHO       )  
                                      :ss  
County of Lemhi       )

On this 21<sup>st</sup> day of May, 2015 before me the undersigned Notary Public in and for said State and County, personally appeared **William G. Slavin**, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same as Personal Representative of said Estate.

IN WITNESS WHEREOF, I have hereto set my hand and seal the day, month and year first above written.

Seal



  
\_\_\_\_\_  
Notary Public  
Residing in Salmon, Idaho  
My Commission expires: 08/10/2017

IDAHO DEPARTMENT OF WATER RESOURCES  
Water Right Report

12/26/2017

WATER RIGHT NO. 75-10855

| <u>Owner Type</u> | <u>Name and Address</u>                                       |
|-------------------|---------------------------------------------------------------|
| Current Owner     | DALE BARSALOU<br>PO BOX 552<br>SALMON, ID 83467<br>2087563377 |

Priority Date: 05/01/1869

Basis: Decreed

Status: Active

| <u>Source</u> | <u>Tributary</u> |
|---------------|------------------|
| GROUND WATER  |                  |

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| DOMESTIC              | 1/01        | 12/31     | 0.04 CFS              |               |
| Total Diversion       |             |           | 0.04 CFS              |               |

Location of Point(s) of Diversion:

GROUND WATER|NWNW|Sec. 17|Township 22N|Range 22E|LEMHI County

Place(s) of use:

Place of Use Legal Description: DOMESTIC LEMHI County

| <u>Township</u> | <u>Range</u> | <u>Section</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> |
|-----------------|--------------|----------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|
| 22N             | 22E          | 17             |            | NWNW         |              |            |              |              |            |              |              |            |              |              |

Conditions of Approval:

1. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. RP 22N22E173001 A

**Dates:**

Licensed Date:

Decreed Date: 11/10/2000

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

**Other Information:**

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False



State of Idaho

## DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

January 23, 2018

NANCY LINELL BILLS  
PO BOX 137  
CARMEN ID 83462

Re: Change of Ownership for Water Right/Permit No(s): 75-10855

Dear Water Right Holder(s):

The Department acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records to reflect this 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 § 42-222 and §42-223, Idaho Code.

Also note that as of July 1, 1996, 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](http://www.idwr.idaho.gov).

If you have any questions concerning the enclosed information, please feel free to contact me at (208) 287-4803.

Sincerely,

A handwritten signature in cursive script that reads "Rosemary DeMond". The signature is written in dark ink and is positioned above the printed name and title.

Rosemary DeMond  
Administrative Assistant

CC: Robert L Harris

Enclosure(s)



Holden Kidwell  
Hahn & Crapo P.L.L.C.  
LAW OFFICES

RECEIVED  
JAN 11 2018

Department of Water Resources  
Eastern Region

1000 Riverwalk Drive, Suite 200  
PO Box 50130  
Idaho Falls, Idaho 83405

Tel: (208) 523-0620  
Fax: (208) 523-9518  
www.holdenlegal.com

Email: [rharris@holdenlegal.com](mailto:rharris@holdenlegal.com)

January 8, 2018

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JAN 16 2018

DEPARTMENT OF  
WATER RESOURCES

Jonie Barg  
Idaho Department of Water Resources  
Eastern Idaho Regional Office  
900 N. Skyline Drive, Suite A  
Idaho Falls, ID 83402-1718

**RE: Notice of Change in Water Right Ownership for Water Right No. 75-10855.**

Dear Jonie:

We recently submitted a *Notice of Change of Water Right Ownership* for a split of Water Right Nos. 75-14709, 75-14711, and 75-14713, based on two deeds wherein Barbara Kay Slavin and William George Slavin conveyed Lot 1 of the Broken Bones Subdivision to Nancy Linell Bills. In addition to those irrigation rights, I have confirmed that Water Right No. 75-10855, which is a domestic water right currently in the name of Dale Barsalou, is associated with the original home built on this property before it was subdivided, and ownership needs to be updated to Ms. Bills' name accordingly. We have included an additional document consisting of a court decree that conveyed Dale's interest in the property to Dana, which completes the necessary chain of title to update ownership of 75-10855.

There are three lots in the Broken Bones Subdivision, which was originally an approximately 20-acre parcel. Lot 1, which Ms. Bills purchased, is 10 acres, and there are two other five (5) acre parcels. A review of aerial photography shows that the home on Lot 1 is the existing home that Water Right No. 75-10855 is associated with. On one of the other lots, a home was recently built, which presumably has its own domestic well that diverts and uses water under Idaho Code § 42-111(a) as an exempt water use. The third lot does not have a home constructed on it yet.

We have included a completed *Notice of Change in Water Right Ownership* form as well as the filing fee for \$25.00 as there is no split proposed. As for the conveyance documents, we have included once again the same deeds that we also included in the prior change of ownership submission for the irrigation water rights associated with Lot 1 and the court decree referenced above.

Jonie Barg  
January 8, 2018  
Page 2 of 2

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If you have any questions or concerns, please let me know.

Best regards,



Robert L. Harris  
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

Enclosures

g:\wpdata\rlh\16755 bills, nancy linell\2018-01-04, barg.docx