Form #2-248/42-1409(6) Rev. 1/15

RECEIVED
NOV 06 2017
DEPARTMENT OF WATER RESOURCES

RECEIVED
OCT 30 2017
Department of Water Resources
Eastern Region

STATE OF IDAHO
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?
74-16162 74-15491	Yes ☐	Yes ☐		Yes ☐	Yes ☐
74-725	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Chester or Lucille Bowman
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Emil or Aubree Herbst
New owner(s) as listed on the conveyance document — Name connector ☐ and ☒ or ☐ and/or

PO Box 44 — Mailing address
Tendoy — City
ID — State
83468 — ZIP

756-8151 — 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: 3/5/15.

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.

SUPPORT DATA
IN FILE # 74-725

8. Signature: Emil Herbst — Signature of new owner/claimant; Owner — Title, if applicable; 10/23/17 — Date

Signature: Aubree Herbst — Signature of new owner/claimant; Title, if applicable; 10-23-17 — Date

For IDWR Office Use Only:

Receipted by JBS Date 10/30/2017 Receipt No. E043524 Receipt Amt. $50.-

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 dj Date 12-4-17

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

4/6/2016

WATER RIGHT NO. 74-725

Owner Type	Name and Address
Current Owner	JAY BOWMAN
Current Owner	LOIS BOWMAN 24 BOWMAN LN SALMON, ID 83467 (208)303-7476
Directors Report Owner	ARTHUR MARC WHISLER
Directors Report Owner	MICHELLE R WHISLER 50 BOWMAN LN SALMON, ID 83467 (208)756-8672
Original Owner	CHESTER BOWMAN
Original Owner	LUCILLE BOWMAN 144 HWY 28 SALMON, ID 83467 (208)756-2898

Priority Date: 06/06/1912
Basis: Decreed
Status: Active

Source	Tributary
WASTE WATER	SANDY CREEK

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	3/15	11/15	0.15 CFS	
Total Diversion			0.15 CFS	

Location of Point(s) of Diversion:

WASTE WATER|NWSE|Sec. 24|Township 20N|Range 23E|LEMHI County

Place(s) of use:

Place of Use Legal Description: IRRIGATION LEMHI County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
20N	23E	24		SWNE	5									

Total Acres: 5

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.

Dates:
Licensed Date:
Decreed Date: 11/05/2007
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: AND/OR
Water District Number:
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plantiff:

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

6/30/2015

WATER RIGHT NO. 74-15491

Owner Type	Name and Address
Current Owner	CHESTER BOWMAN
Current Owner	LUCILLE BOWMAN 144 HWY 28 SALMON, ID 83467 (208)756-2898

Priority Date: 06/06/1912
Basis: Decreed
Status: Active

Source	Tributary
LEMHI RIVER	SALMON RIVER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	03/15	11/15	1.49 CFS	
Total Diversion			1.49 CFS	

Location of Point(s) of Diversion:

LEMHI RIVER | SWSE | Sec. 24 | Township 20N | Range 23E | LEMHI County

Place(s) of use:

Place of Use Legal Description: IRRIGATION LEMHI County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
20N	23E	13		SESW	14									
				SWSE	1									
		24		NWNE	7		SWNE	7						
				NENW	20									

Total Acres: 49

Conditions of Approval:

1.	E64	This right authorizes the irrigation of 49.4 total acres.
2.	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.

Dates:
Licensed Date:
Decreed Date: 07/09/2007
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 Plantiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:

State of Idaho
Department of Water Resources

Water Right
74-15491

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.

0 0.175 0.35 0.7 Miles

- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections

N

Instrument # 298781 # Pages: 2
LEMHI COUNTY, Idaho
Mar 10, 2015 2:39:08 pm Fee: $ 13.00
For: BILL ALLEN ESCROW
TERRI J. MORTON, Recorder
JEDWARDS, Deputy

Warranty Deed

For Value Received **JAY D. BOWMAN AND KAREN HILL,** both married persons dealing with their sole and separate property,

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

EMIL HERBST AND AUBREE HERBST, husband and wife,

Whose address is: PO Box 44, Tendoy Id 83468

the grantee, the following described premises, in Lemhi County Idaho, to wit:

SEE EXHIBIT "A" ATTACHED HERETO: PARCEL "A"

COPY

The above conveyance is made free and clear of all other encumbrances except: Rights-of-way and easements, reservation in Federal patents and State deeds, or other restrictions imposed by law, building and zoning regulations and ordinances of any governmental unit, whether of sight or of record.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), his/her/their heirs and assigns forever. And the said Grantor(s) do hereby covenant to and with the said Grantee(s), that he/she/they is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances and that he/she/they will warrant and defend the same from all lawful claims whatsoever.

Dated: March 5, 2015

Jay D. Bowman
JAY D. BOWMAN

Karen M. Hill
KAREN HILL

STATE OF IDAHO, County of Lemhi--ss

On this 4th day of March, 2015, before me, a notary public in and for said State, personally appeared

JAY D. BOWMAN

known or proved to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he has executed the same.

Bill Allen

Notary Public for Idaho
Residing at Salmon
Comm. Expires 1-16-2017

BILL ALLEN NOTARY PUBLIC STATE OF IDAHO

STATE OF WA County of Benton ss

On this 27 day of ~~March~~ Feb, 2015, before me, a notary public in and for said State, personally appeared

KAREN HILL

known or proved to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she has executed the same.

Victoria K Percifield

Notary Public for Washington
Residing at 1007 Knight St Richland WA 99352
Comm. Expires: 8-17-16

VICTORIA K PERCIFIELD COMM. EXP. NOTARY PUBLIC AUGUST 17, 2016 STATE OF WASHINGTON

ALLIANCE TITLE & ESCROW CORP.

WADE SURVEYING

Global Positioning Service

Land Surveying and Planning

402 Van Dreff St.

Salmon, Idaho 83467

Phone: (208)-756-3070

February 10, 2015

PARCEL "A"

A parcel of land located in the E1/2SE1/4SW1/4 of Section 13 and the E1/2NE1/4NW1/4, W1/2NE1/4, Section 24, T. 20 N., R. 23 E., Boise Meridian, Lemhi County, Idaho, more particularly described as follows;

Beginning at the N1/4 Corner of said Section 24 from which the NW Corner of said section bears N 89°58'02"W a distance of 2638.27 ft. the Basis of Bearing of this description;

Thence S 64°16'48"E a distance of 213.89 ft.;

Thence S 39°44'15"E a distance of 226.70 ft.;

Thence S 10°45'36"E a distance of 468.48 ft.;

Thence S 21°03'00"E a distance of 1439.42 ft.;

Thence S 33°46'52"E a distance of 671.79 ft. to the SE Corner of said W1/2NE1/4;

Thence S 89°58'19"W along the southerly boundary of said W1/2NE1/4 a distance of 1319.20 ft. to the SW Corner of said W1/2NE1/4;

Thence N 00°04'40"E along the westerly boundary of said W1/2NE1/4 a distance of 1314.89 ft. to the SE Corner of said E1/2NE1/4NW1/4;

Thence N 89°59'51"W along the southerly boundary of said E1/2NE1/4NW1/4 a distance of 659.61 ft. to the SW Corner of said E1/2NE1/4NW1/4;

Thence N 00°04'47"E along the westerly boundary of said E1/2NE1/4NW1/4 a distance of 1315.24 ft. to the SW Corner of the E1/2SE1/4SW1/4 of said Section 13;

Thence N 00°06'57"E along the westerly boundary of said E1/2SE1/4SW1/4 a distance of 1309.11 ft. to the NW Corner of said E1/2SE1/4SW1/4;

Thence N 89°55'17"E along the northerly boundary of said E1/2SE1/4SW1/4 a distance of 660.82 ft. to the NE Corner of said E1/2SE1/4SW1/4;

Thence S 00°10'13"W along the easterly boundary of said E1/2SE1/4SW1/4 a distance of 1310.40 ft. to the POINT OF BEGINNING.

PARCEL CONTAINS 80.73 ACRES.

Y:\projects\T20NR23E\BOWMAN, JAY\BOWMAN.doc

EXHIBIT A

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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

December 4, 2017

CHESTER BOWMAN
LUCILLE BOWMAN
144 HWY 28
SALMON ID 83467

Re: Change in Water Right Ownership: 74-15491 (Split into **74-15491** and 74-16162)

Dear Water Right Holders:

We have received and processed a Change of Ownership for a portion of your original Water Right as referenced above. This change of ownership resulted in a split of your original water right.

When a portion of the original water right has been conveyed to another and the original right has been split, a new water right number is issued to the new owner representing their portion of the original water right. Each water right contains only the portion of the original right for each separate owner. The original water right number reflects your remaining portion of the water right after the change of ownership. Enclosed is a copy of this water right for your records. Please refer to your water right number when corresponding with our office.

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 Idaho Code §§ 42-222 and 42-223.

If you have any questions concerning this ownership change or the enclosed information, please contact me at 208-287-4920.

Sincerely,

Debbi Judd
Technical Records Specialist

Enclosure

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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

December 4, 2017

EMIL HERBST
AUBREE HERBST
PO BOX 44
TENDOY ID 83468

Re: Change in Water Right Ownership: 74-725 and 74-15491 (Split into 74-15491 and **74-16162**)

Dear Water Right Holders:

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

Your portion of these water rights has a specified point of diversion, nature of use and place of use. If you plan on changing the nature of use, place of use, or point of diversion under these rights, including adding a new point of diversion, then an Application for Transfer on your portion of these rights is required. Please contact this office for further information on the Application for Transfer form or you can find the forms at www.idwr.idaho.gov. If you do not plan on changing any items on your water rights, then no further action is required at this time.

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 Idaho Code §§ 42-222 and 42-223.

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.

Please feel free to contact me at 208-287-4920 if you have any questions concerning the enclosed information or this letter.

Sincerely,

Debbi Judd
Technical Records Specialist

Enclosures