

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED
AUG 29 2017
WATER RESOURCES
WESTERN REGION

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?
PD 78-2072	Yes ☒	Yes ☐		Yes ☐	Yes ☐
78-10206	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Albert Givens / Muriel R Givens
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Ralph M Jones / Laura A Thomas
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☒ and/or

Mailing address: PO Box 1 City: New Meadows State: ID ZIP: 83654
Telephone: (208) 628-3328 Email: lauraa.thomas@gmail.com

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: Sept. 23, 2013

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.

SUPPORT DATA

IN FILE # 78-2072

8. Signature: Laura A. Thomas Title, if applicable: _____ Date: 8-29-2017
Signature of new owner/claimant

Signature: _____ Title, if applicable: _____ Date: _____
Signature of new owner/claimant

For IDWR Office Use Only:

Received by: CS Date: 8/29/17 Receipt No. W045629 Receipt Amt. \$125⁰⁰
 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: X Approved by: _____ Processed by: [Signature] Date: 10-12-17

491889

Instrument # 491889

IDAHO COUNTY, IDAHO,
9-23-2013 03:19:08 No. of Pages: 8
Recorded for: IDAHO COUNTY TITLE
KATHY M. ACKERMAN Fee: 25.00
Ex-Officio Recorder Deputy *[Signature]*

WARRANTY DEED

For good and valuable consideration, ELIZABETH R. TONINI, an unmarried woman, and JOHN D. McDERMOTT and MONICA FRANK McDERMOTT, husband and wife, as GRANTORS, do hereby grant and convey unto RALPH M. JONES, a single man, whose address is: 10233 Payette Heights Road, Payette, ID 83661, and unto LAURA A. THOMASON, a single woman, whose address is: 10233 Payette Heights Road, Payette, ID 83661, as GRANTEES, with each being conveyed an undivided one-half (1/2) interest as tenants in common as their respective sole and separate property, the following described real property situate in Idaho County, State of Idaho, to wit:

Township 22 North, Range 1 East, Boise Meridian, Idaho County, Idaho
Section 26:

A parcel of land located in the E $\frac{1}{2}$ NW $\frac{1}{4}$ and the W $\frac{1}{2}$ NE $\frac{1}{4}$, more particularly described as follows:

Commencing at the North 1/4 corner of said Section 26, a found brass cap monument, C.P.F., Instrument No. 290267, corner records of said Idaho County;
thence S 00°13'27" E, 526.41 feet to a found 1/2" rebar being the True Point of Beginning;

thence S 60°39'45" E, 796.42 feet to a found iron pipe being the Northwest corner of Assessor's Tax No. 48;

thence S 41°49'07" W, 143.73 feet on the westerly boundary of said Assessor's Tax No. 48, to a found iron pipe;

thence S 78°33'43" W, 274.01 feet to a found iron pipe;

thence S 00°55'42" E, 61.04 feet to a point;

thence on a non-tangent curve to the right, having a length of 70.37 feet, a radius of 137.00 feet and a chord which bears N 69°37'04" W, 69.60 feet to a point;

thence on a curve to the left, having a length of 48.32 feet, a radius of 35.00 feet and a chord which bears S 85°33'00" W, 44.57 feet to a point;

thence on a curve to the left, having a length of 53.52 feet, a radius of 115.00 feet and a chord which bears S 32°40'15" W, 53.04 feet to a point;

thence S 19°20'18" W, 148.41 feet to a point;

thence on a curve to the right, having a length of 196.87 feet, a radius of 185.00 feet and a chord which bears S 49°49'29" W, 187.71 feet to a point;

thence S 80°18'40" W, 32.03 feet to a point;

thence on a curve to the right, having a length of 131.00 feet, a radius of 80.00 feet and a chord which bears N 52°46'39" W, 116.85 feet to a point;

thence N 05°51'58" W, 43.33 feet to a point;
thence on a curve to the left, having a length of 79.35 feet, a radius of 80.00 feet and a chord which bears N 34°16'55" W, 76.14 feet to a point;
thence N 62°41'51" W, 120.12 feet to a point;
thence on a curve to the right, having a length of 157.51 feet, a radius of 175.00 feet and a chord which bears N 36°54'44" W, 152.25 feet to a point;
thence S 90°00'00" W, 42.26 feet to a found 1/2" rebar on the easterly boundary of Assessor's Tax No. 114;
thence N 14°50'31" W, 418.16 feet, on said easterly boundary of Assessor's Tax No. 114, to a found 1/2" rebar being the Northeast corner of Assessor's Tax No. 114;
thence N 86°45'34" E, 82.72 feet to a found 5/8" rebar on the South boundary of Assessor's Tax No. 21;
thence N 72°09'05" E, 458.99 feet, on said South boundary of Assessor's Tax No. 21, to the Point of Beginning.

SUBJECT TO all encumbrances and interests of record or in use, including but not limited to:

1. Taxes for 2013 which are an accruing lien and not yet due and payable; and
2. Right of Way Easement, including the terms and conditions thereof, by and between THEODORE STILLMAN and IDAHO POWER COMPANY, recorded April 24, 1948, under Instrument No. 159349, records of Idaho County, Idaho; and
3. Easement in Correction Warranty Deed, including the terms and conditions thereof, by and between OREL RADER and EVELYN RADER, husband and wife and C.L. WILSON and GRACE WILSON, husband and wife, recorded November 7, 1963, under Instrument No. 213842, Book 99 page 590, records of Idaho County, Idaho; and
4. Easement in Warranty Deed, including the terms and conditions thereof, by and between ALBERT D. GIVENS and MADONNA L. GIVENS, husband and wife and RAYMOND L. WARREN and LEAH E. WARREN, husband and wife, recorded August 26, 1971, under Instrument No. 242150; and in Warranty Deed, recorded October 28, 2003, under Instrument No. 0432313; all records of Idaho County, Idaho; and
5. Power Line Easement, including the terms and conditions thereof, by and between ALBERT D. GIVENS, Trustee of ALIMUR TRUST and IDAHO POWER COMPANY, a corporation, recorded December 14, 1979, under Instrument No. 282827, records of Idaho County, Idaho; and
6. Matters as shown on Survey No. S-1634, recorded April 20, 1999, under Instrument No. 405615; Survey No. S-1780, recorded June 23, 2000, under Instrument No. 412336; Survey No. S-2258, recorded February 9, 2005, under Instrument No.

440009; and Survey No. S-3000, recorded November 15, 2010, under Instrument No. 475791; all records of Idaho County, Idaho; and

7. Road Right-of-Way Easement, including the terms and conditions thereof, by and between ALBERT D. GIVENS, a married man, joined by his wife MADONNA L. GIVENS and LEAH WARREN, recorded October 28, 2003, under Instrument No. 0432311, records of Idaho County, Idaho; and

8. Grant of Easement, including the terms and conditions thereof, by and between ELIZABETH R. TONINI, an unmarried woman, as to a 70% undivided interest and JOHN D. McDERMOTT and MONICA McDERMOTT, husband and wife, as to a 30% undivided interest, and PFPC McCALL INVESTMENT, LLC, a Delaware Limited Liability Company, recorded November 25, 2009, under Instrument No. 469855, records of Idaho County, Idaho; and

9. Grant of Easement, including the terms and conditions thereof, by and between ELIZABETH R. TONINI, an unmarried woman, as to a 70% undivided interest and JOHN D. McDERMOTT and MONICA FRANK McDERMOTT, husband and wife, as to a 30% undivided interest, and HERBERT PAUL DAVIS, recorded September 10, 2010, under Instrument No. 474218, records of Idaho County, Idaho; and

10. Grant of Easement, by and between HERBERT PAUL DAVIS, and ELIZABETH R. TONINI, an unmarried woman, as to a 70% undivided interest and JOHN D. McDERMOTT and MONICA FRANK McDERMOTT, husband and wife, as to a 30% undivided interest, recorded September 10, 2010, under Instrument No. 474219, records of Idaho County, Idaho; and

11. Order Granting Variance, including the terms and conditions thereof, recorded August 20, 2013, as Instrument No. 491340, records of Idaho County, State of Idaho.

TO HAVE AND HOLD the premises, with all appurtenances, including but not limited to appurtenant easements, mineral, water and timber rights, to GRANTEES, and GRANTEE'S heirs, successors and assigns forever. GRANTORS do by this grant covenant and warrant only that GRANTORS are the owners of said property in fee simple and that the premises is free from encumbrances done, made or suffered by GRANTORS, or those claiming through GRANTORS, except as may be set forth herein-above.

Except as otherwise expressly provided in this instrument, GRANTORS hereby declare

pursuant to Title 5, Chapter 2 of the Idaho Code, that in the event GRANTORS shall have permitted or suffered at any time prior to the making of this instrument, any person or entity to possess, use or occupy the above-described premises, or any portion thereof, for any purpose, with or without the knowledge of GRANTORS, it was not the intent of GRANTORS, by permitting or suffering such possession, use or occupation, to thereby define property boundaries or ownership thereof.

DATED this 19th day of SEPTEMBER 2013.

GRANTORS:

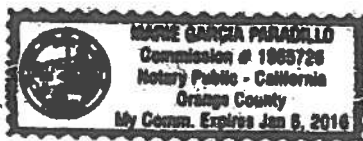
JOHN D. McDERMOTT

MONICA FRANK McDERMOTT

STATE OF CA)
County Of ORANGE) : ss.

On this 19th day of SEPTEMBER, 2013, before me personally appeared JOHN D. McDERMOTT and ~~MONICA FRANK McDERMOTT~~, known or identified to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same.

In Witness Whereof, I have hereunto set my hand and affixed my official seal the day and year first written above.



Maria Paradelo
Notary Public, in and for the
State of CALIFORNIA, residing at
ORANGE COUNTY therein.
My Commission Expires: JAN. 8, 2016

Monica Frank McDermott

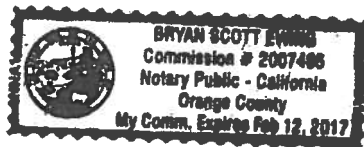
MONICA FRANK McDERMOTT

STATE OF CALIFORNIA

COUNTY OF ORANGE

On this 20th day of SEPTEMBER, 2013, before me personally appeared Monica Frank McDermott, known or identified to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same.

In Witness Whereof, I have hereunto set my hand and affixed my official seal the day and year first written above.



[Signature]

Notary Public, in and for the

State of CALIFORNIA, residing at

ORANGE COUNTY therein.

My commission expires: FEB 12, 2017

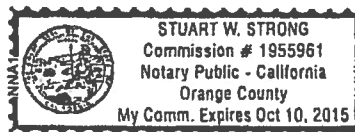
Elizabeth R. Tonini
ELIZABETH R. TONINI

STATE OF CALIFORNIA
County Of ORANGE : ss.

On this 18TH day of SEPTEMBER, 2013, before me personally appeared ELIZABETH R. TONINI, known or identified to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same.

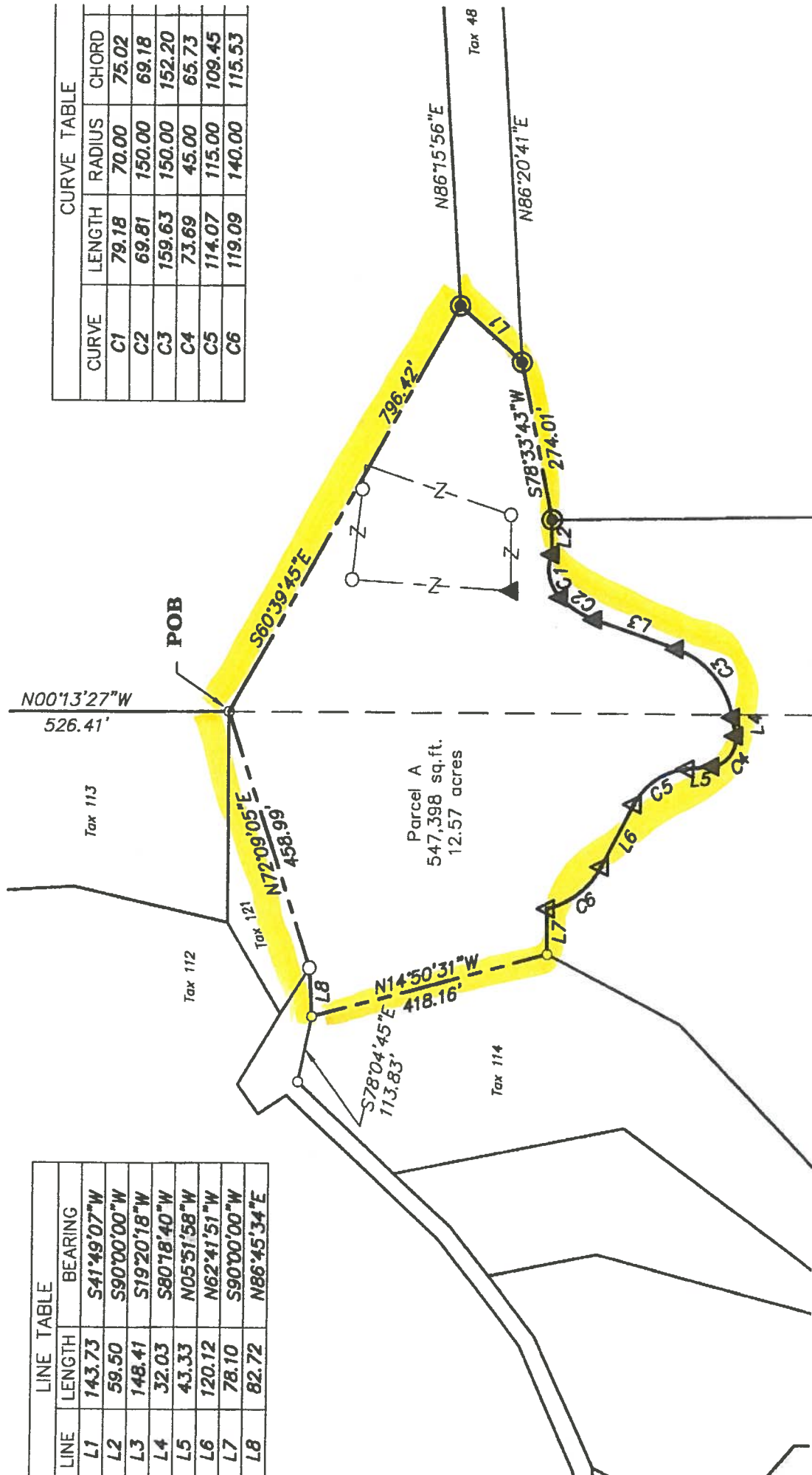
In Witness Whereof, I have hereunto set my hand and affixed my official seal the day and year first written above.

Stuart W. Strong
Notary Public, in and for the
State of CALIFORNIA, residing at
SAN CLEMENTE CA therein.
My Commission Expires: 10.10.2015



LINE TABLE		
LINE	LENGTH	BEARING
L1	143.73	S41°49'07"W
L2	59.50	S90°00'00"W
L3	148.41	S19°20'18"W
L4	32.03	S80°18'40"W
L5	43.33	N05°51'58"W
L6	120.12	N62°41'51"W
L7	78.10	S90°00'00"W
L8	82.72	N86°45'34"E

CURVE TABLE			
CURVE	LENGTH	RADIUS	CHORD
C1	79.18	70.00	75.02
C2	69.81	150.00	69.18
C3	159.63	150.00	152.20
C4	73.69	45.00	65.73
C5	114.07	115.00	109.45
C6	119.09	140.00	115.53





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 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

October 12, 2017

RALPH M JONES
LAURA A THOMASON
PO BOX P
NEW MEADOWS, ID 83654

Re: Change in Water Right Ownership: 78-2072 (Split into 78-2072 and **78-12473**) and 78-10206

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 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 this right, including adding a new point of diversion, then an Application for Transfer on your portion of this right 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 right, 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 Sections 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.

Please feel free to contact me at 208-287-4942 if you have any questions concerning the enclosed information or this letter.

Sincerely,

Jean Hersley
Technical Records Specialist II

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 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

October 12, 2017

ALBERT GIVENS
MURIEL R GIVENS
ELK LAKE RD
HC 75 BOX 3553
NEW MEADOWS ID 83654

Re: Change in Water Right Ownership: 78-2072 (Split into **78-2072** and 78-12473)

Dear Water Right Holder(s):

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

If you have any questions concerning this ownership change, or the enclosed information, please contact me at 208-287-4942.

Sincerely,

Jean Hersley
Technical Records Specialist II

Enclosure