

RECEIVED

SEP 25 2017

DEPARTMENT OF
WATER RESOURCESSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

SEP 15 2017

Department of Water Resources
Eastern Region

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?
75-14125	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Power, Gary D and Tamara
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Lukens, James R. and Sherri K.
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or ☐ and/or
- P.O. Box 1051 Salmon ID 83467
Mailing address City State ZIP
- (208) 940-1055 or (208) 993-0912 wharfrat051@gmail.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: 8/10/17
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: James R. Lukens owner 9-12-17
Signature of new owner/claimant Title, if applicable Date
- Signature: Sherri K. Lukens owner 9-12-17
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by JB Date 9/15/2017 Receipt No. E043383 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 dj Date 9-28-17

Warranty Deed

For Value Received GARY D. POWER AND TAMARA L. POWER, husband and wife,

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

JAMES R. LUKENS AND SHERRI K. LUKENS
husband and wife,

Whose address is: PO Box 1051, Salmon, ID 83467

Instrument # 0000306698 # Pages: 1
LEMHI COUNTY, Idaho
Aug 10, 2017 02:58 PM Fee: \$ 15.00
For: Alliance Title - Pocatello Office
TERRI J. MORTON, Recorder

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

A parcel of land located in the Southeast Quarter Southeast Quarter, Section 36, T. 22 N., R. 21 E., B.M., Lemhi County, Idaho, more particularly described as follows:
Commencing at the southeast corner of said Section 36, a distance of 1320.35 feet on a bearing of N. 0° 05' 02" E., along the section line to the northeast corner of the Southeast Quarter Southeast Quarter; Thence N. 89° 59' 55" W., 695.48 feet along the north line of the Southeast Quarter Southeast Quarter; thence S. 0° 00' 05" W., 9.14 feet to a point on the an existing fence line; thence S. 17° 47' 22" E., 340.00 feet to the real point of beginning; Thence S. 40° 03' 32" E., 163.37 feet;
Thence S. 59° 17' 00" W., 1018.17 feet to a rebar with the cap marked LS 5085;
Thence N. 7° 44' 20" E., 474.21 feet to an existing corner along a fence line;
Thence N. 90° 00' 00" E., 281.01 feet along the south boundary of the Powers parcel;
Thence N. 67° 36' 33" E., 460.00 feet along said parcel to the real point of beginning.

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: August 10, 2017

GARY D. POWER

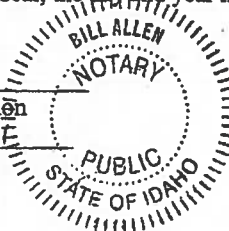
TAMARA L. POWER

STATE OF IDAHO
County of Lemhi—ss

On this 10th day of August, 2017 before me, the undersigned a Notary Public in and for said state, personally appeared GARY D. POWER AND TAMARA L. POWER known to me to be the person(s) whose name(s) are subscribed to the within instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have set my hand and affixed my official seal, the day and year in this certificate first above written.

Notary Public for Idaho, residing at Salmon
My commission expires: 2/19/2022 E

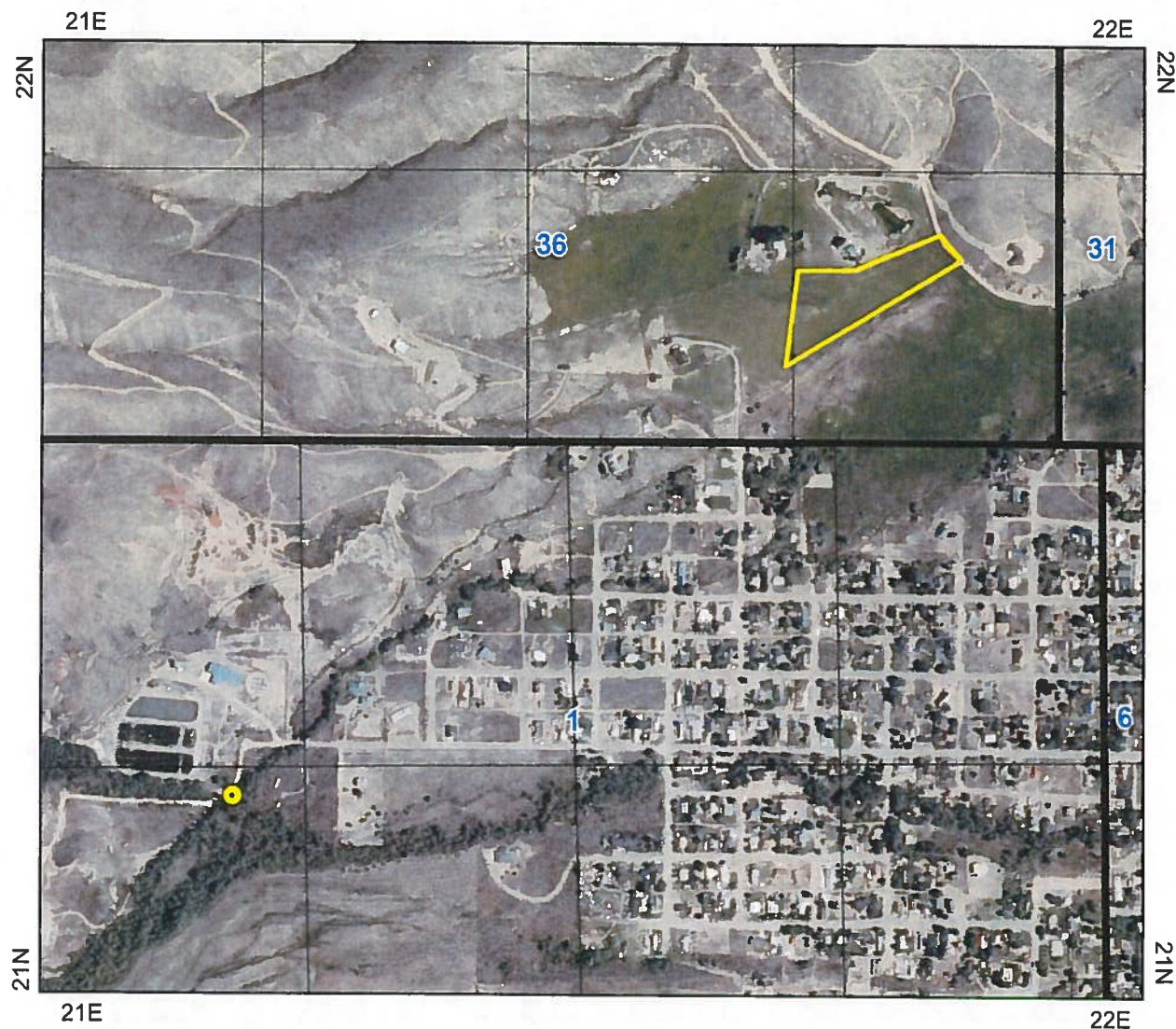


State of Idaho
Department of Water Resources

Water Right
75-14125

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.



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

0 0.1 0.2 0.4 Miles



Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

4/11/2016

WATER RIGHT NO. 75-14125

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	GARY D POWER
Current Owner	TAMARA POWER 1503 OLD LEESBURG RD SALMON, ID 83467-5035 (208)756-3850

Priority Date: 05/01/1884

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
JESSE CREEK	SALMON RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	11/01	0.03 CFS	
Total Diversion			0.03 CFS	

Location of Point(s) of Diversion:

JESSE CREEK NESWNW Sec. 01 Township 21N Range 21E LEMHI County

Place(s) of use:

Place of Use Legal Description: IRRIGATION 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	21E	36		SESE	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: 02/02/2010

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

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

Close



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

September 29, 2017

JAMES R LUKENS
SHERRI K LUKENS
PO BOX 1051
SALMON ID 83467

Re: Change of Ownership for Water Right No: 75-14125

Dear Water Right Holder:

The Department acknowledges the receipt of correspondence changing ownership of the above referenced water right 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 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. Change reporting forms are available from any office of the Department, or at www.idwr.idaho.gov.

Thank you for your patience. If you have any questions concerning the enclosed information, please feel free to contact me at (208) 287-4920.

Sincerely,

Debbi Judd
Technical Records Specialist

Enclosures