

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED

AUG 17 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?
67-7714	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: David and Joy Rittersbacher
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): David J Rittersbacher, Personal Representative for the David & Joy Rittersbacher Estate
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 703 Maroon Peak Circle Superior CO 80027
Mailing address City State ZIP
- 303-570-8948 drittersbacher@cimarex.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: 6/21/2017
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: David J. Rittersbacher Personal Representative 7/30/2017
Signature of new owner/claimant Title, if applicable Date

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

For IDWR Office Use Only:

Received by aj Date 8/17/17 Receipt No. W045598 Receipt Amt. \$25⁰⁰

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 aj Approved by aj Processed by aj Date 9/19/17

FILED

JUL 26 2017 8:20am

SHERRY WARD, CLERK

CHARLES R. KROLL
ATTORNEY AT LAW
P. O. Box 367
Weiser, Idaho 83672
(208) 414-1652
chuck.kroll@gmail.com
ISB #1981

STATE OF IDAHO }
COUNTY OF ADAMS } SS
I, SHERRY WARD, Clerk of the District
Court of the Third Judicial District of the
State of Idaho, in and for the County of
Adams, do hereby certify that the foregoing is
a true and correct copy of the original on file
in this office. In witness whereof, I have here-
unto set my hand and affixed my official seal
this 26th day of July, 2017.
SHERRY WARD, Clerk
By [Signature]



IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADAMS

MAGISTRATE DIVISION

In the Matter of the Estate of

DAVID RITTERSBACHER and
JOY RITTERSBACHER,
Deceased.

) Case No. CV2017 - 3735
)
)
) LETTERS TESTAMENTARY
)
)

The Will of DAVID RITTERSBACHER and JOY RITTERSBACHER having been admitted to informal probate, DAVID JON RITTERSBACHER is hereby appointed Personal Representative of the estate.

WITNESS: John Kleinhofer, Magistrate of the District Court, Magistrate Division, County of Adams, State of Idaho, with the seal of the Court affixed the 26th day of July, 2017.

Seal

John Kleinhofer
Magistrate

1 ** LETTERS TESTAMENTARY

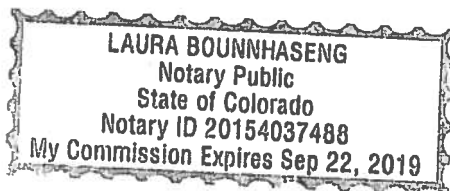
COPY

STATE OF COLORADO)
)ss.
County of Boulder)

I, DAVID JON RITTERSBACHER, hereby accept the duties of Personal Representative of the estate of DAVID RITTERSBACHER and JOY RITTERSBACHER, deceased, and do solemnly swear that I will perform, according to law, the duties of Personal Representative of the estate of DAVID RITTERSBACHER and JOY RITTERSBACHER, deceased.

David Jon Rittersbacher
David Jon Rittersbacher

SUBSCRIBED AND SWORN to before me this 15th day of July, 2017.



[Signature]
Notary Public for said State
Residing at: 578 S Mebasin Blvd Louisville, CO
Comm. Expires: 9/22/2019

WARRANTY DEED

INSTRUMENT NO 88815

For Value Received CARLTON W. KENNEDY and BARBARA A. KENNEDY, husband and wife
the grantors, do hereby grant, bargain, sell and convey unto
DAVID RITTERSBACHER and JOY RITTERSBACHER, husband and wife

the grantees, whose current address is, *2338 W. Hwy 95, Council, ID 83612*

the following described premises, in Adams County, Idaho, to-wit:

SEE ATTACHED EXHIBIT "A" MADE A PART HEREOF.

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 incumbrances excepting for all easements of record, rights of
way, matters visible, and all matters of record and title.

and that they will warranty and defend the same from all lawful claims whatsoever.

Date: September 21, 1995

Carlton W. Kennedy
CARLTON W. KENNEDY

Barbara A. Kennedy
BARBARA A. KENNEDY

STATE OF *Idaho*)
COUNTY OF *Adams*) ss

On this *20th* day of *Sept*, in the year of 1995, before me
a Notary Public, personally appeared
CARLTON W. KENNEDY & BARBARA A. KENNEDY
known or identified to me to be the persons whose names are
subscribed to the within instrument, and acknowledged to me
that they executed the same

STATE OF IDAHO, COUNTY OF ADAMS
I hereby certify that this instrument was filed for record
at the request of Timberline Title & Escrow

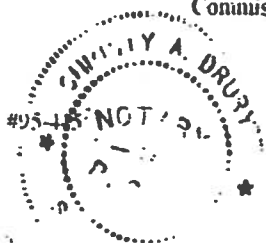
at 31 minutes past 11 o'clock AM.
this 25th day of Sept, 19 95, in my
office, and duly recorded in Book
of Deeds at page

Christy A. Busby
Notary Public
Residing at *Frederick, Idaho*
Commission expires: *8/4/98*

MICHAEL FISK
Ex-Officio Recorder

By: *Peggy Linkal*
Deputy

Fees \$ 6.00
Mail to Timberline Title & Escrow



Township 17 North, Range 1 West, Boise Meridian, Adams County, Idaho

Section 26: A tract of land described as being the N1/2S1/2NW1/4SW1/4

AND a parcel of land described as follows:

Commencing at the SW corner of the NW1/4SW1/4;

Thence North 00 degrees 02'54" East along the Westerly boundary of said S1/2S1/2NW1/4SW1/4 a distance of 309.97 feet to the TRUE POINT OF BEGINNING;

Thence continuing North 00 degrees 02'54" East a distance of 18.0 feet to the NW corner of said S1/2S1/2NW1/4SW1/4;

Thence South 89 degrees 52'04" East along the Northerly boundary of said S1/2S1/2NW1/4SW1/4 a distance of 1321.45 feet to the NE corner of said S1/2S1/2NW1/4SW1/4;

Thence South 00 degrees 05'51" West along the Easterly boundary of said S1/2S1/2NW1/4SW1/4 a distance of 18.00 feet;

Thence North 89 degrees 52'04" West parallel with said Northerly boundary a distance of 1321.43 feet to the TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM a parcel of land described as follows:

Beginning at the SW corner of the NW1/4SW1/4 of said township, range and section;

Thence North 00 degrees 02'54" East 625.85 feet to the TRUE POINT OF BEGINNING;

Thence North 00 degrees 02'54" East 30.09 feet;

Thence South 89 degrees 52'37" East 1321.73 feet;

Thence South 00 degrees 05'52" West 30 feet;

Thence North 89 degrees 52'51" West 1321.70 feet to the TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM the right-of-way of U.S. Highway 95 off of and along the entire West side of said premises.

SUBJECT TO THE FOLLOWING:

GENERAL TAXES AND ASSESSMENTS for the year 1995 which are a lien but not yet due or payable.

POWER LINE EASEMENT over and across W1/2SW1/4 granted to IDAHO POWER COMPANY, recorded June 29, 1949 in Book 5 Misc. page 49.

POWER LINE EASEMENT granted to IDAHO POWER COMPANY recorded January 9, 1984 as Instr. No. 67406.

EXCEPTIONS in Warranty Deeds recorded January 26, 1978 and June 14, 1985 as Instr. Nos. 57073 and 70495 respectively.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
APR 15 1992
Department of Water Resources

A. GENERAL INFORMATION

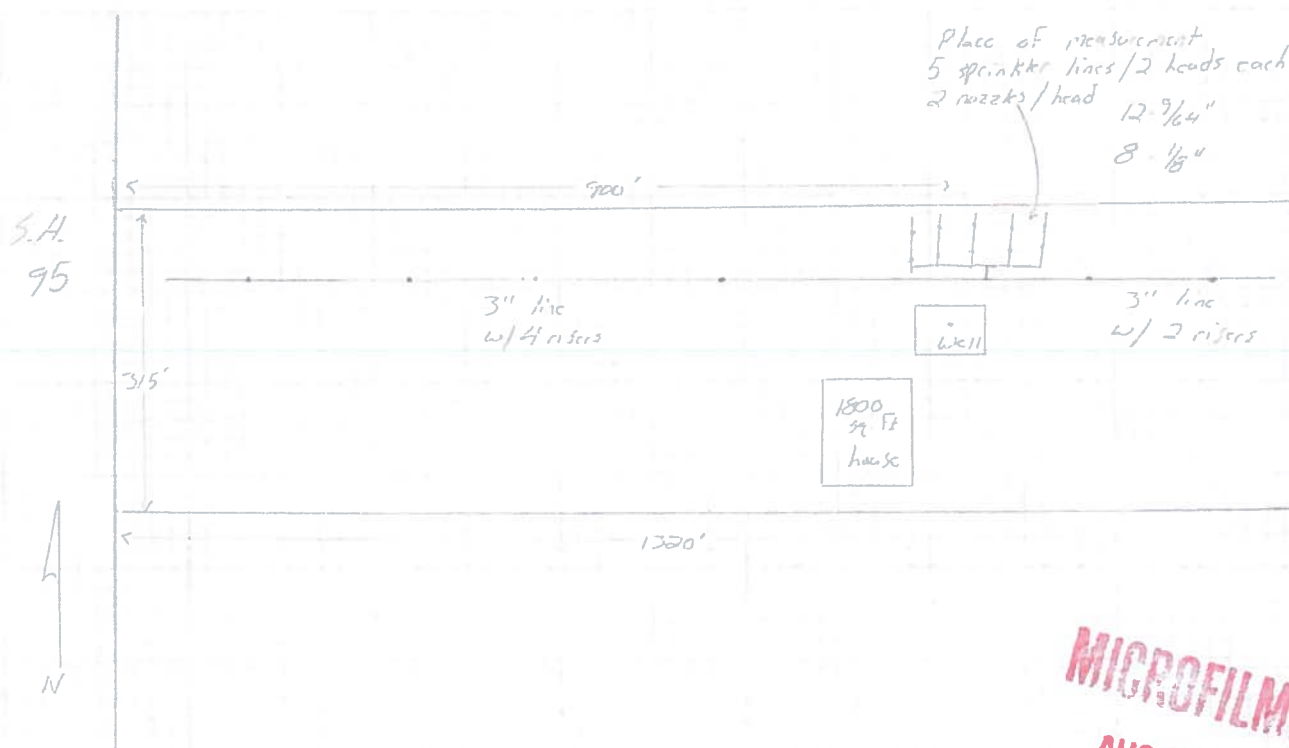
Permit No. 67-07714
Phone No. 293-4703
1. Owner: Carlton W. & Barbara A. Kennedy
Current Address: P.O. Box 121, Council ID 83612
2. Accompanied by: Carlton Kennedy EXAM. DATE: 6-21-91
Address: Same Phone No. _____
Relationship to Permit Holder: _____
3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: 67-00279 67-00278 67-01239 ☐ Copies Attached
2. Other water rights with same point of diversion: 67-07739 ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

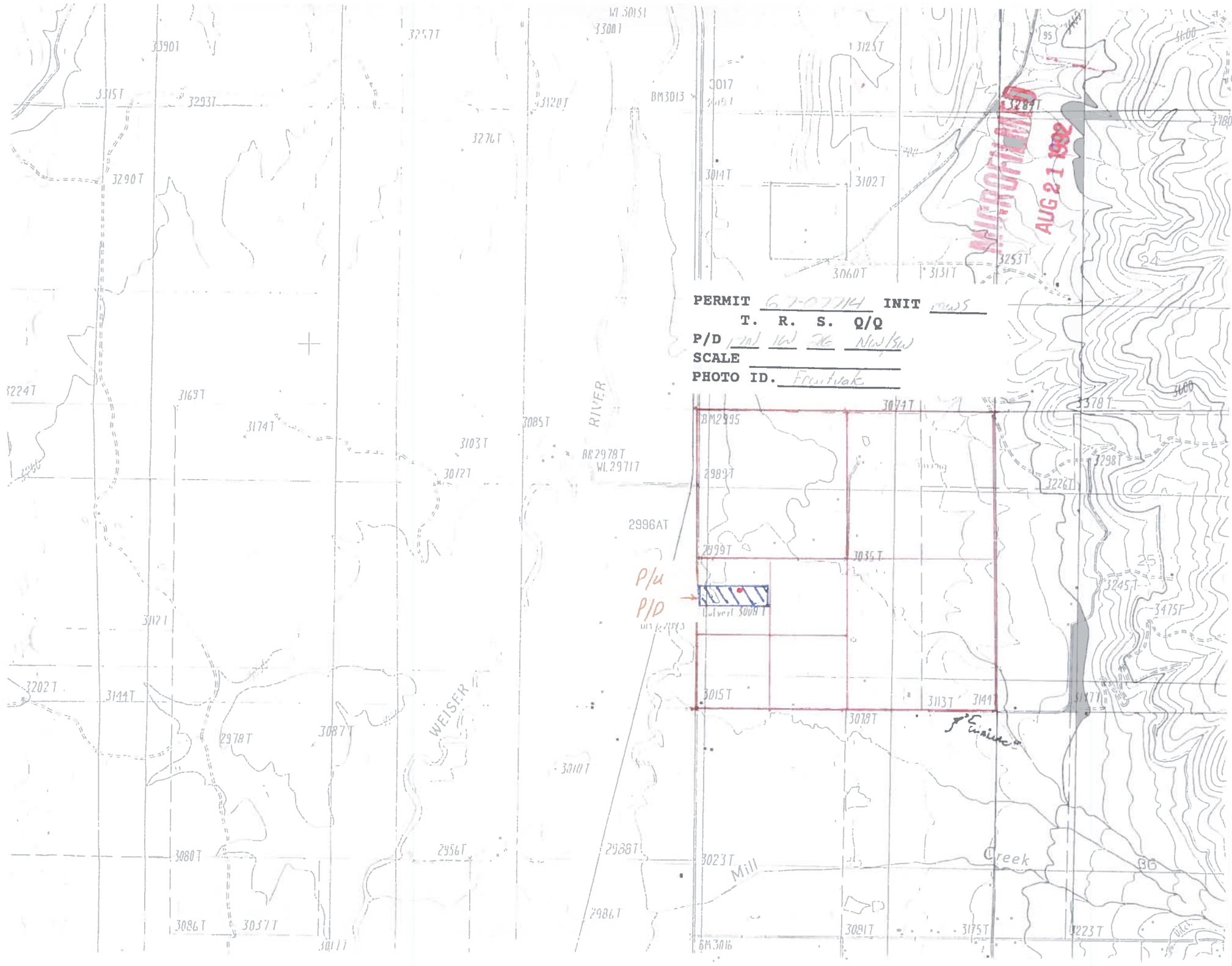
1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = 200'

2. ☒ Copy of U.S.G.S. Quadrangle Attached ☐ Aerial Photo Attached
Showing location(s) of point(s) of diversion and place(s) of use (required). (required for irrigation of 10 acres or more).
☐ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).

MICROFILMED
AUG 21 1992



2338 Hwy 95, Council 9.39 AC



This map is for visual use only. The accuracy is not guaranteed by the agent.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

September 19, 2017

DAVID J RITTERSBACHER
703 MAROON PEAK CIR
SUPERIOR CO 80027

RE: Notice of Ownership Change in Water Right No. 67-7714

Dear Applicants,

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

Please 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.

If you have any questions concerning the enclosed information, please feel free to contact this office at 208-334-2190.

Sincerely,

Chad Jones
Office Specialist II
Western Regional Office

Enclosures