

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 06 2017

Notice of Change in Water Right Ownership

DEPT. 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?
No. 71-10158	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: Patricia Dean McGarran + Walter Davis Merritt
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Lee S. Melly Trustee of the Lee S. Melly 1996 Trust U/A/D as awarded
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- Mailing address: PO Box 7089 City: KETCHUM State: ID ZIP: 83340
Telephone: 208-727-9027 Email: l.melly@me.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: AUGUST 17, 2016
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: [Signature] Title, if applicable: TRUSTEE Date: 3/9/17
 Signature of new owner/claimant

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

For IDWR Office Use Only:

Received by IF Date 4-6-2017 Receipt No. 5036048 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 [Signature] Date 4-11-2017

RECORD OF SURVEY

DORWARD AND MELMON PARCELS : FISHER CREEK

SECTION 3, T8N, R14E, B.M., CUSTER COUNTY, IDAHO

SURVEY PERFORMED SEPTEMBER 23, 1994

COUNTY RECORDER'S CERTIFICATE

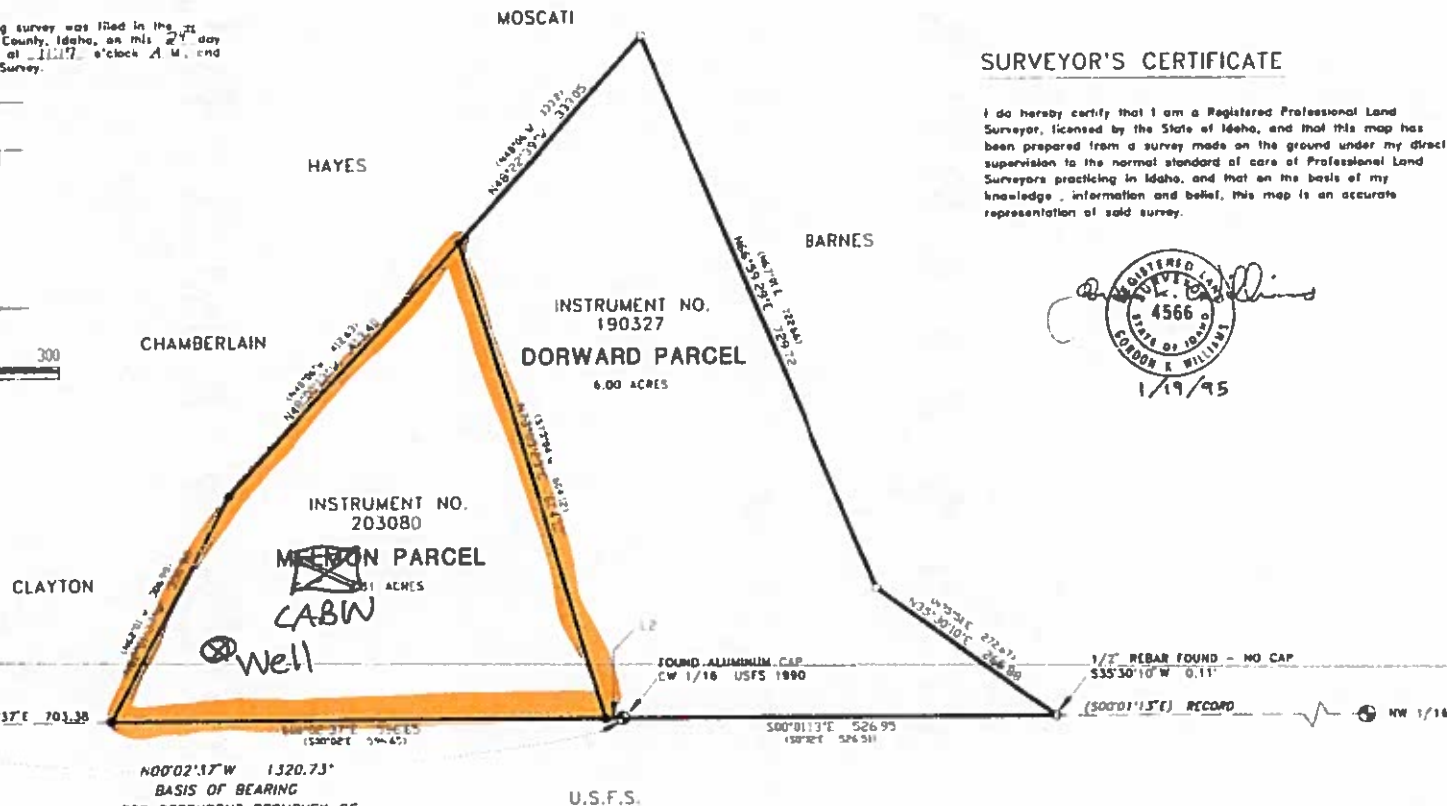
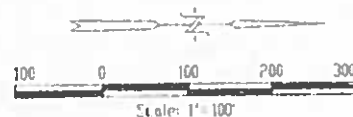
State of Idaho)
County of Custer)

Instrument No. 208170

This is to certify that the foregoing survey was filed in the Office of the Recorder of Custer County, Idaho, on this 24 day of September, 1994, at 11:17 o'clock A.M., and duly recorded in the Records of Survey.

Etzel H. Park
Ex-officio Recorder

Debra J. Murphy
Deputy



SURVEYOR'S CERTIFICATE

I do hereby certify that I am a Registered Professional Land Surveyor, licensed by the State of Idaho, and that this map has been prepared from a survey made on the ground under my direct supervision to the normal standard of care of Professional Land Surveyors practicing in Idaho, and that on the basis of my knowledge, information and belief, this map is an accurate representation of said survey.



LEGEND

- FOUND 1/2" REBAR - NO CAP
- SET 1/2" REBAR
- ⊙ ALUMINUM CAP - U.S.F.S.
- (---) RECORD BEARING & DISTANCE PER DEEDS

LINE TABLE

No.	Direction	Length
1	S89°37'11"W	65.00'
2	S00°02'37"E	20.70' (S00°02'37"E 20.7')

RECORD OF SURVEY



DORWARD PARCEL & MELMON PARCEL

T8N, R14E, SEC. 3, B.M.

CUSTER CO., IDAHO

SHEET 1 OF 2

PREPARED BY: BENCHMARK ASSOCIATES, KETCHUM, IDAHO

RECORD OF SURVEY

203190

DORWARD AND MELMON PARCELS : FISHER CREEK

SECTION 3, T8N, R14E, B.M., CUSTER COUNTY, IDAHO

DORWARD PARCEL : RECORD DESCRIPTION

A property description of the Dorward parcel as recorded October 1, 1988 as Instrument No. 190327, records of Custer County, Idaho.

Township 8 North, Range 14 East, B.M., Custer County, Idaho.

Section 3: A fraction of the NW1/4 SW1/4 and SW1/4 NW1/4, more particularly described as follows:

Commencing at the Northeast corner of the NW1/4 SW1/4 of Section 3; running thence South 0°02' East 20.7 feet to the Point of Beginning; and the Southeast corner of the tract of land herein described; thence South 73°04' West 604.12 feet; thence North 48°06' West 333.2 feet; thence North 67°01' East 722.66 feet; thence North 35°51' East 272.67 feet; more or less, to a point on the Easterly boundary of the SW1/4 NW1/4 of Section 3; thence South 0°02' East 547.21 feet to the Point of Beginning.

DORWARD PARCEL : DESCRIPTION FROM SURVEY

A property description of the Dorward parcel based on a September 23, 1994 survey of the above mentioned property.

A PARCEL OF LAND LOCATED IN SECTION 3, TOWNSHIP 8 NORTH, RANGE 14 EAST, BOISE MERIDIAN, CUSTER COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING at the Southwest 1/16th corner of Section 3; thence North 00°02'37" East, 1320.73 feet to an Aluminum Cap stamped "USFS 1990" marking the Center West 1/16th corner of Section 3; thence South 00°02'37" East, 20.70 feet to a 1/2" rebar marking the TRUE POINT OF BEGINNING; thence South 73°03'23" West, 604.12 feet to a 1/2" rebar; thence North 48°22'39" West, 333.05 feet to a 1/2" rebar; thence North 66°59'29" East, 729.72 feet to a 1/2" rebar; thence North 35°30'10" East, 266.88 feet; thence South 00°01'13" East, 526.95 feet to an aluminum cap marking the CW 1/16th corner of said Section 3; thence South 00°02'37" East, 20.70 feet to a 1/2" rebar, the TRUE POINT OF BEGINNING.

The above described parcel contains 6.00 acres.

MELMON PARCEL : RECORD DESCRIPTION

A property description of the Melmon parcel as recorded October 21, 1992 as Instrument No. 203050, records of Custer County, Idaho.

A fraction of the NW1/4 SW1/4 of Section 3, Township 8 North, Range 14 East, Boise Meridian, Custer County, Idaho, described as:

BEGINNING at the Northeast corner of the NW1/4 SW1/4 of Section 3; running thence South 0°02' East, 20.7 feet to the TRUE POINT OF BEGINNING; thence South 0°02' East, 596.65 feet to the most Southerly corner of the land described in the Deed to James W. Barnes, et ux, recorded April 2, 1971, as Instrument No. 110705, records of Custer County, Idaho; thence along the Southwesterly line of said land, North 62°01' West, 306.98 feet; thence North 48°06' West, 412.63 feet; thence North 73°04' East, 604.12 feet, more or less to THE POINT OF BEGINNING.

MELMON PARCEL : DESCRIPTION FROM SURVEY

A property description of the Melmon parcel based on a September 23, 1994 survey of the above mentioned property.

A PARCEL OF LAND LOCATED IN SECTION 3, TOWNSHIP 8 NORTH, RANGE 14 EAST, BOISE MERIDIAN, CUSTER COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING at the Southwest 1/16th corner of Section 3; thence North 00°02'37" East, 1320.73 feet to an Aluminum Cap stamped "USFS 1990" marking the Center West 1/16th corner of Section 3; thence South 00°02'37" East, 20.70 feet to a 1/2" rebar marking the TRUE POINT OF BEGINNING; thence South 00°02'37" East, 596.65 feet to a 1/2" rebar; thence North 62°01'37" West, 306.98 feet to a 1/2" rebar; thence North 48°00'13" West, 413.40 feet to a 1/2" rebar; thence North 73°03'23" East, 604.12 feet to a 1/2" rebar, the TRUE POINT OF BEGINNING.

The above described parcel contains 4.31 acres.

RECORD OF SURVEY



**DORWARD PARCEL &
MELMON PARCEL**

T8N, R14E, SEC. 3, B.M.

CUSTER CO., IDAHO

SHEET 2 OF 2

Sun Valley Title
A TitleOne Company

Instrument # 252209
CHALLIS, CUSTER, IDAHO
08-19-2016 02:29:12 No. of Pages: 2
Recorded for: TITLEONE - TWIN FALLS
Lura H. Baker Fee: \$13.00
Ex-Officio Recorder Deputy: rr

Order Number: 16276675

ORIGINAL

Warranty Deed

For value received,

Walter Davis Merritt, husband and wife, and Patricia Dean McGavran, husband and wife

the grantor, does hereby grant, bargain, sell, and convey unto

Lee Scott Melly, Trustee of the Lee S. Melly 1996 Trust U/A/D 12/23/96 as Amended

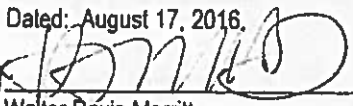
whose current address is PO Box 7089 Ketchum, ID 83340

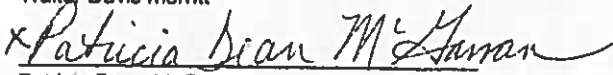
the grantee, the following described premises, in Custer County, Idaho, to wit:

A fraction of the Northwest Quarter Southwest Quarter of Section 3, Township 8 North, Range 14 East, Boise Meridian, Custer County, Idaho, described more fully in the attached Exhibit A

To have and to hold the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

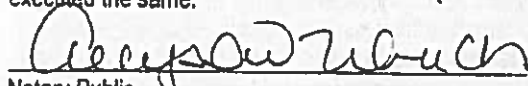
Dated: August 17, 2016.


Walter Davis Merritt

x 
Patricia Dean McGavran

State of Wyoming, County of Fremont, ss.

On this 17 day of August in the year of 2016, before me, the undersigned, a Notary Public in and for said State, personally appeared Walter Davis Merritt and Patricia Dean McGavran, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.


Notary Public
Residing In:
My Commission Expires:
(seal)

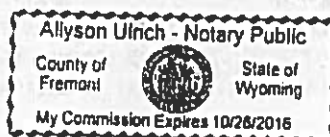


Exhibit A

A fraction of the Northwest Quarter Southwest Quarter of Section 3, Township 8 North, Range 14 East, Boise Meridian, Custer County, Idaho, described as:

Beginning at the Northeasterly corner of the Northwest Quarter Southwest Quarter of Section 3; running thence

South 00 degrees 02'37" East, 20.7 feet to the TRUE POINT OF BEGINNING; thence

South 00 degrees 02'37" East, 596.65 feet to the most Southerly corner of the land described in the Deed to James W. Barnes, et ux, recorded April 2, 1971, as Instrument No.

130705, records of Custer County, Idaho; thence along the Southwesterly line of said land, North 62 degrees 01'37" West, 306.98 feet; thence

North 48 degrees 00'13" West, 413.40 feet; thence

North 73 degrees 03'23" East, 604.12 feet, more or less, to the POINT OF BEGINNING, in accordance with record of survey recorded January 24, 1995 as Instrument No. 208190.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

April 11, 2017

Lee S. Melly 1996 Trust
PO Box 7089
Ketchum, ID 83340

RE: Change of Ownership for Water Right No. 71-10158

Dear Water Right Holder:

The department acknowledges receipt of correspondence changing ownership of the above referenced water right. The department has modified its records to reflect the change in ownership and has enclosed computer-generated reports 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.

Also, please note that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.idaho.gov.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Bill Mills".

Bill Mills
Senior Water Right Agent

Enclosure

Cc: