

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED
JUL 28 2017
Department of Water Resources
Eastern 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?
34-2481 OK	Yes ☐	Yes ☐		Yes ☐	Yes ☐
34-446B OK	Yes ☐	Yes ☐		Yes ☐	Yes ☐
34-10453 OK	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Patricia J. Clary
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Donald Nelson
New owner(s) as listed on the conveyance document
- Name connector ☐ and ☐ or ☐ and/or
- Mailing address: 2750 7th Street City: Arco State: IO ZIP: 83213
- Telephone: 208-2681-2677 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: 07/20/2017
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: [Signature] Title, if applicable: _____ Date: 07/28/2017
- Signature: _____ Title, if applicable: _____ Date: _____

For IDWR Office Use Only:

Received by: SC Date: 7/28/17 Receipt No. E043238 Receipt Amt. 75.06

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: JB Processed by: JB Date: 8/4/2017

NO. 1054797
RECORDED

JUL 21 2017

11:11 A.M.
BUTTE COUNTY RECORDER
*[Signature]*Warranty Deed

For value received, James B. Cates, Jr., as General Personal Representative of the Estate of Patricia J. Smith, deceased, Case No. CV-15-49,

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

Donald C. Nelson, an unmarried man,

whose current address is 649 N. 550 E., Firth, ID 83236

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

See 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.

Patricia J. Smith Estate

[Signature]
by James B. Cates, Jr., General Personal Representative

7/19/17
Date

State of California

SS.

County of Orange

On this 19th day of July in the year of 2017, before me, the undersigned, a notary public in and for said state, personally appeared James B. Cates, Jr., known or identified to me to be the person whose name is subscribed to the within instrument, as the general personal representative of the Estate of Patricia J. Smith, deceased, and acknowledged to me that he executed the same as such general personal representative of said estate.

[Signature]
Notary Public
Residing in:
My Commission Expires:
(seal)

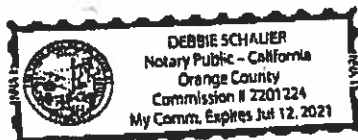


Exhibit A

Parcel 1:

Township 3 North, Range 27 East of the Boise Meridian, Butte County, Idaho

Section 9: SW1/4NE1/4; SE1/4NW1/4

Parcel 2:

Township 3 North, Range 27 East of the Boise Meridian, Butte County, Idaho

Section 9: That portion of the NE1/4NW1/4 described as follows:

Beginning at a point that is West 1098.76 feet from the Northeast corner of said NE1/4NW1/4,

thence South 626.1 feet to the True Point of Beginning;

thence South 626.1 feet;

thence West 208.7 feet;

thence North 626.1 feet;

thence East 208.7 feet to the True Point of Beginning.

Parcel 3:

Township 3 North, Range 27 East of the Boise Meridian, Butte County, Idaho

Section 9: That portion of the NE1/4NW1/4 described as follows:

Beginning at a point that is West 889.3 feet from the Northeast corner of said NE1/4NW1/4,

thence South 626.1 feet to the True Point of Beginning;

thence South 626.1 feet;

thence West 208.7 feet;

thence North 626.1 feet;

thence East 208.7 feet to the True Point of Beginning.

Parcel 4:

Uffen-Havis Subdivision

Block 7: All (Lots 1-8)

Block 8: Lots 1, 2, 3, 4, 5, 20, 21, 22, 23 and 24

Block 10: All (Lots 1-4)

Block 11: Lots 1, 2, 3, 4 and 5 of Uffen-Havis Subdivision, according to the Plat thereof, recorded in Book 1 of Plats, Page 22, records of Butte County, Idaho.

Tract A:

Township 3 North, Range 27 East of the Boise Meridian, Butte County, Idaho

Section 9: Part of the NE1/4NW1/4 described as:

Beginning at a point 681.36 feet West of the Northeast corner of the NW1/4 of Section 9, thence South 626.1 feet to the True Point of Beginning;

thence West 208.7 feet;

thence South 626.1 feet;

thence East 208.7 feet;

thence North 626.1 feet to the Point of Beginning.

Tract B:

Uffen-Havis Subdivision

Block 11: Lots 6, 7, 8, 9, 10, 11 and 12

Block 12: ALL (Lots 1-12)

Block 8: Lots 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 and 19

Block 9: ALL (Lots 1-24) of Uffen-Havis Subdivision, Butte County, Idaho, according to the recorded Plat thereof.



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N Skyline Dr., Ste A, Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 FAX: (208) 525-7177 www.idwr.idaho.gov

August 4, 2017

C.L. "BUTCH" OTTER
Governor

Donald Nelson
2750 7th St
Arco ID 83213

GARY SPACKMAN
Director

RE: Change of Ownership for Water Right No(s). 34-2481, 34-446B & 34-10453

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right(s) to you. 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 deliberately abandoned or 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,

Jonie Barg
Technical Records Specialist

Enclosure(s)

cc: Water District 34
Big Lost River Ground Water District