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MAY 28 2015

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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JUN 01 2015

DEPARTMENT OF
WATER RESOURCES

Notice of Change in Water Right Ownership

IDWR / NORTH

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?
<u>98-07616</u>	Yes ☒	Yes ☐	<u>98-7876</u>	Yes ☐	Yes ☐
<u>98-4052</u>	Yes ☒	Yes ☐	<u>98-7977</u>	Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: William J. Emacio
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): THOMAS A. HOFER, DEBRA L. HOFER
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☒ and/or
- PO Box 325 PORTHILL ID 83853
Mailing address City State ZIP
- 208-267-1120 GEMCREEK RANCH @ 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: FEBRUARY 25, 2010
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.

SUPPORT DATA

IN FILE # 98-4052

8. Signature: Thomas A. Hofer 5/26/15
Signature of new owner/claimant Title, if applicable Date
- Signature: Debra L. Hofer 5/26/15
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by [Signature] Date 5/28/15 Receipt No. N031261 Receipt Amt. \$100.00

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 6-2-17



Community Title, LLC

WARRANTY DEED

Escrow No. 20440-SF

FOR VALUE RECEIVED

Michel R. Gagne', an unmarried man, who acquired title as Michael R. Gagne

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

Thomas A. Hofer and Debra L. Hofer, Husband and Wife, as community property, with right of survivorship

whose current address is 9930 DILLARD RD, WILKIN, OR 95693

the grantees, the following described premises, in Boundary County, Idaho, TO WIT:

That portion of the West Half of the Northeast Quarter, and that portion of the East Half of the Northwest Quarter, lying East of State Highway 1, in Section 23, Township 65 North, Range 1 West, Boise Meridian, Boundary County, Idaho.

LESS a tract of land situated in the West Half of the Northeast Quarter of Section 23, Township 65 North, Range 1 West of the Boise Meridian, Boundary County, Idaho; more particularly described as follows:

Beginning at the Southeast corner of the West Half of the Northeast Quarter of said Section 23;

Thence along the South line of said West Half of the Northeast Quarter, South $89^{\circ}24'49''$ West, 150.75 feet to the intersection with the Easterly right of way of U.S. Highway No. 1;

Thence leaving said South line and along said right of way North $33^{\circ}25'29''$ West, 1572.49 feet to the intersection with the South line of the Northwest Quarter of the Northeast Quarter of Section 23, leaving said right of way and along said South line North $89^{\circ}31'13''$ East, 684.79 feet;

Thence leaving said South line and parallel to the East line of the Northwest Quarter of the Northeast Quarter, North $00^{\circ}05'41''$ West, 1319.99 feet to the North line of the Northeast Quarter of Section 23;

Thence along said North line North $89^{\circ}37'36''$ East, 330.00 feet to the Northeast corner of the West Half of the Northeast Quarter of Section 23;

Thence leaving said North line and along the East line of said West Half of the Northeast Quarter, South $00^{\circ}05'41''$ East, 2638.74 feet to the True Point of Beginning.

ALSO LESS a tract of land situated in the Northwest Quarter of the Northeast Quarter of Section 23, Township 65 North, Range 1 West of the Boise Meridian, Boundary County, Idaho; more particularly described as follows:

Beginning at a point which is the intersection of the Easterly right of way of U.S. Highway No. 1 and the South line of said Northwest Quarter of the Northeast Quarter, said point being North $89^{\circ}31'13''$ East, 297.66 feet from the Southwest corner of the Northwest Quarter of the Northeast Quarter;

Thence leaving said South line and along said right of way, North $33^{\circ}25'29''$ West, 36.79 feet to Station 356+33.14 which is the beginning of a spiral curve (centerline length = 250.00 feet, $a = .8$, $d = 2^{\circ}30'$) chord = North $34^{\circ}15'39''$ West, 252.05 feet;

Thence on a circular curve to the left having a central angle of $03^{\circ}10'03''$ a radius of 2914.79 feet, for an arc length of 161.14 feet (chord = North $37^{\circ}30'22''$ West, 161.11 feet);

Thence leaving said right of way North $68^{\circ}25'25''$ East, 1014.92 feet to a point on the boundary of that parcel described in Instrument No. 204966;

Thence along said boundary the following 2 courses: South $00^{\circ}05'41''$ East, 734.34 feet;

Thence South $89^{\circ}31'13''$ West 684.79 feet to the TRUE POINT OF BEGINNING.

APPROVED & ACCEPTED

[Signature]

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MAY 28 2013
IDWR / NORTH

SCHEDULE A

OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

Name and Address of Title Insurance Company:

**Community Title, LLC
P.O. Box 1902, 6607 Main
Bonners Ferry, ID 83805**

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File No: **20440-SF**

Policy No.: **OX 401629**

Address Reference: **8169 Highway 1, Bonners Ferry, ID 83805**

Amount of Insurance: **\$195,000.00**

Premium: **\$890.00**

Premium Reflects Re-issue Credit ☐

Date of Policy:

February 25, 2010 at 3:00PM

1. Name of Insured:

Thomas A. Hofer and Debra L. Hofer

2. The estate or interest in the land which is covered by this policy is:

Fee Simple

3. Title is vested in:

Thomas A. Hofer and Debra L. Hofer, Husband and Wife, as community property, with right of survivorship

4. The land referred to in this policy is described as follows:

That portion of the West Half of the Northeast Quarter, and that portion of the East Half of the Northwest Quarter, lying East of State Highway 1, in Section 23, Township 65 North, Range 1 West, Boise Meridian, Boundary County, Idaho.

LESS a tract of land situated in the West Half of the Northeast Quarter of Section 23, Township 65 North, Range 1 West of the Boise Meridian, Boundary County, Idaho; more particularly described as follows:

Beginning at the Southeast corner of the West Half of the Northeast Quarter of said Section 23;

Thence along the South line of said West Half of the Northeast Quarter, South 89°24'49" West, 150.75 feet to the intersection with the Easterly right of way of U.S. Highway No. 1;

Thence leaving said South line and along said right of way North 33°25'29" West, 1572.49 feet to the intersection with the South line of the Northwest Quarter of the Northeast Quarter of Section 23, leaving said right of way and along said South line North 89°31'13" East, 684.79 feet;

Thence leaving said South line and parallel to the East line of the Northwest Quarter of the Northeast Quarter, North 00°05'41" West, 1319.99 feet to the North line of the Northeast Quarter of Section 23;

Thence along said North line North 89°37'36" East, 330.00 feet to the Northeast corner of the West Half of the Northeast Quarter of Section 23;

Thence leaving said North line and along the East line of said West Half of the Northeast Quarter, South $00^{\circ}05'41''$ East, 2638.74 feet to the True Point of Beginning.

ALSO LESS a tract of land situated in the Northwest Quarter of the Northeast Quarter of Section 23, Township 65 North, Range 1 West of the Boise Meridian, Boundary County, Idaho; more particularly described as follows:

Beginning at a point which is the intersection of the Easterly right of way of U.S. Highway No. 1 and the South line of said Northwest Quarter of the Northeast Quarter, said point being North $89^{\circ}31'13''$ East, 297.66 feet from the Southwest corner of the Northwest Quarter of the Northeast Quarter;

Thence leaving said South line and along said right of way, North $33^{\circ}25'29''$ West, 36.79 feet to Station 356+33.14 which is the beginning of a spiral curve (centerline length = 250.00 feet, $a = .8$, $d = 2^{\circ}$, $= 2^{\circ}30'$) chord = North $34^{\circ}15'39''$ West, 252.05 feet;

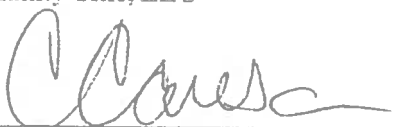
Thence on a circular curve to the left having a central angle of $03^{\circ}10'03''$ a radius of 2914.79 feet, for an arc length of 161.14 feet (chord = North $37^{\circ}30'22''$ West, 161.11 feet);

Thence leaving said right of way North $68^{\circ}25'25''$ East, 1014.92 feet to a point on the boundary of that parcel described in Instrument No. 204966;

Thence along said boundary the following 2 courses: South $00^{\circ}05'41''$ East, 734.34 feet;

Thence South $89^{\circ}31'13''$ West 684.79 feet to the TRUE POINT OF BEGINNING.

Community Title, LLC

By: 

Carolyn Carlson, Authorized Officer of Agent

Identify



Identify from:

Taxlots

☐ Taxlots

HOFFER, THOMAS A



Location:

2,322,150.731 1,977,988.986 Meters

Field	Value
ID	4264347
UPDATED	7/24/2014
PIN	RP65N01W230752
OWNER	HOFFER, THOMAS A
ADDRESS1	PO BOX 325 83853
ADDRESS2	
CITY	PORTHILL
STATE	ID
ZIPCODE	83853
P_ADDRESS	8169 HIGHWAY 1
P_ZIPCODE	83805
SUB_NAME	
LEGAL1	W2NE4, E2NW4, ALL E OF STATE
LEGAL2	HWY 1 LESS TAX 3 & 4
LEGAL3	SEC 23 T65N R1W
LEGAL4	
LEGAL5	
LEGAL6	<null>
ACRES	27.1
COUNTY	Boundary
SOURCE	
YEAR_BUILT	1987

Identified 1 feature

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IDWR / NORTH



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

June 2, 2017

THOMAS A HOFER
DEBRA L HOFER
PO BOX 325
PORTHILL ID 83853

Re: Change in Water Right Ownership: 98-4052 (Split into 98-4052 and 98-7977) & 98-7616 (Split into 98-7616 and 98-7976)

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.

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

Sincerely,

A handwritten signature in cursive script that reads "Jean Hersley".

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

June 2, 2017

WILLIAM J EMACIO
HCR 60 BOX 207-A
BONNERS FERRY ID 83805

Re: Change in Water Right Ownership: 98-4052 (Split into 98-4052 and 98-7977) & 98-7616 (Split into 98-7616 and 98-7976)

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,

A handwritten signature in black ink that reads "Jean Hersley".

Jean Hersley
Technical Records Specialist II

Enclosure

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DEPARTMENT OF
WATER RESOURCES

Gmail

COMPOSE

Inbox (23)

Starred

Sent Mail

Drafts (2)

More



elizabeth

Ownership Change forms Inbox x

Strange, Jennifer <Jennifer.Strange@idv> Jul 17 (4 days ago) ☆
to me, Jean

Attention Mr. and Mrs. Hofer,

The ownership change for wr#98-7616 has been located and entered into our tracking system. Please note, you also asked to have #98-4052 split. The total for both ownership changes is \$125—yet you only submitted \$100. Please send the remainder of the fee, so we can process your notice.

Sincerely,

Jennifer Strange
Technical Records Specialist I

Idaho Department of Water Resources
www.idwr.idaho.gov

\$25 C100814 dj 7-27-15

*Thank you
Jennifer*

Click here to [Reply](#), [Reply to all](#), or [Forward](#)

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[Start a new one](#)

0.04 GB (0%) of 15 GB used
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Last account activity: 4 c



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GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

May 20, 2016

THOMAS A HOFER
DEBRA L HOFER
PO BOX 325
PORTHILL ID 83853

RE: Ownership Change Water Right: 98-7616 and 98-4052

Dear Property Owner:

The Department of Water Resources acknowledges receipt of your request for a Notice of Change of Water Right Ownership on water rights 98-7616 and 98-4052. After reviewing your request, it was determined additional fees will be needed to complete this request as water right 98-7616 will also need to be split. The deed provided conveys property located in Township 65N, Range 01W, Section 23, NWNE and NENW. The place of use for water right 98-7616 is located in the NWNE and SWNE. According to a map submitted with the original application, you are entitled to 5 acres of the 12.5 acres in NWNE. I have enclosed a copy of the original map and water right report for your benefit.

Effective July 1, 2000, the legislature enacted House Bill No. 545 requiring a filing fee for a change in water right ownership. The fee is \$25 per water right, except for ownership changes resulting in the division of a water right, which is \$100 per water right. All ownership change notices received after June 30, 2000 must include the appropriate filing fees in order to be processed. The Department has determined that the additional filing fee for your notice will be **\$75.**

Because the Department cannot process the ownership change without proper fees, we will hold any action on your notice pending receipt of the necessary fees. If we do not receive the necessary fees within 30 days the Department will split water right 98-4052 and we will not update the ownership on water right 98-7616.

Please contact me at 208-287-4942 if you have any questions.

Sincerely,

Jean Hersley
Technical Records Specialist II