

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAY 01 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?
34-2316B OK	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: Christopher + Laura Howald
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): David M. and Diane B. Henry
New owner(s) as listed on the conveyance document
- Name connector ☒ and ☐ or ☐ and/or
- 259 W Salmon Ave Arco ID 83213
Mailing address City State ZIP
- 208-527-3669 dhenry06@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: June 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: David M. Henry 28 April 2017
Signature of new owner/claimant Title, if applicable Date
- Signature: Diane B. Henry 27 April 2017
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by JB Date 5/1/2017 Receipt No. E042972 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 JB Processed by JB Date 5/2/2017

WARRANTY DEED

For Value Received. WE, CHRISTOPHER L. HOWALD AND LAURA HOWALD, husband and wife, do hereby grant, bargain, sell and convey unto DAVID M. HENRY AND DEAN L. B. HENRY, husband and wife, Grantees, whose address is 259 W. Salmon Ave., Arco, ID 83213

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

SEE ATTACHED EXHIBIT A

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that they are the owners of said premises; and that they are free from all encumbrances

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

Dated:

22 June 2016


CHRISTOPHER L. HOWALD


LAURA HOWALD

STATE OF Iowa
COUNTY OF Dubuque

On this 22 day of June, in the year 2016, before me, a Notary Public in and for said State, personally appeared CHRISTOPHER L. HOWALD AND LAURA HOWALD, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that he/she they executed the same.

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




Notary Public for the State of Iowa
Residing at 3500 Dodge St, Dubuque IA 52003
Commission Expires: March 23, 2017

251979

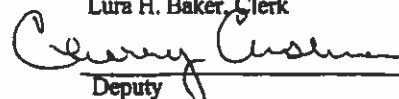
#

Custer County Reg. of

Custer County Title

Time 1:56 P.M. Date 6/24, 2016

Lura H. Baker, Clerk

 13.00
Deputy

BILL OF SALE

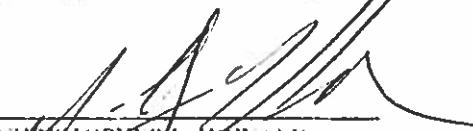
KNOW ALL MEN BY THESE PRESENTS, That on this _____ day of JUNE, 2016, CHRISTOPHER L. HOWARD AND LAURA HOWARD, the parties of the first part, and DAVID M. HENRY AND DIANE B. HENRY, the parties of the second part, receipt whereof is hereby acknowledged, does by these presents Grant, Bargain, Sell and Convey unto the said parties of the second part, their executors, administrators and assigns the following described property, to-wit:

YEAR: 1966
MAKE: GRIFF
BODY: HS
MODEL: TL
VIN NUMBER: N3931

TO HAVE AND TO HOLD the same to the said parties of the second part, their executors, administrators, and assigns, forever, and the said party of the first part does for his heirs, executors and administrators, covenant and agree to and with the said parties of the second part, their executors, administrators or assigns to **WARRANT** and **DEFEND** the sale of said property, goods and chattels hereby made, unto the said parties of the second part, their executors, administrators, and assigns, against all and every person and persons whomsoever, lawfully claiming or to claim the same.

IN WITNESS WHEREOF, the said party of the first part has hereunto set his hand and seal the day and year first above written

Signed, Sealed and Delivered in the Presence of


CHRISTOPHER L. HOWARD


LAURA HOWARD

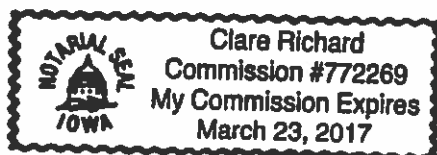
STATE OF Iowa)

COUNTY OF Dubuque)

ss

On this 22 day of June, 2016, before me, the undersigned, a Notary Public in and for said State, personally appeared Christopher L. Howard, Laura Howard known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same

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





Notary Public residing at 3500 Dodge St. Dubuque IA 52003
Commission Expires March 23, 2017

251979

EXHIBIT A

Beginning at the North Quarter Corner of Section 5, Township 6 North, Range 25 East, Boise Meridian, Custer County, State of Idaho; thence South 88° 59' 33" East, 381.03 feet along the North line of Section 5 to a 1/2" rebar set by P.L.S. No. 826; thence South 4° 42' 49" East, 254.09 feet along the center line of an access driveway to a 1/2" rebar set by P.L.S. No. 826; thence South 88° 58' 20" East, 258.07 feet to a point; thence North 4° 44' 17" West, 254.13 feet to a 1/2" rebar set by P.L.S. No. 826, said point is lying on the North line of Section 5; thence South 88° 58' 55" East, 686.90 feet along said North line to the Northeast Corner of Lot 2, Township 6 North, Range 25 East, Boise Meridian; thence South 0° 02' 30" West, 926.74 feet along the East line of said Lot 2 to a point; thence South 89° 36' 46" West, 1334.18 feet to a point lying on the West line of said Lot 2; thence North 0° 32' 46" East, 959.32 feet along said West line to the North Quarter Corner of Section 5, Township 6 North, Range 25 East, Boise Meridian. The Point of Beginning. SUBJECT TO County Road right-of-way.

AND

A parcel of land being generally described as a portion of Lot 2, Section 5, Township 6 North, Range 25 East of the Boise Meridian, Custer County, Idaho, being more particularly described as follows:

Commencing at the Northwest Corner of said Lot 2; thence South 88° 59' 00" East along the North Boundary of said Lot 2, a distance of 381.13 feet to the Point of Beginning; thence South 04° 42' 40" East, along the center line of an existing access lane, a distance of 254.10 feet; thence South 88° 59' 00" East, parallel to the North boundary of said Lot 2, a distance of 258.00 feet; thence North 04° 42' 40" West, a distance of 254.10 feet to the North boundary of said Lot 2; thence North 88° 59' 00" West, along the North boundary of said Lot 2, a distance of 258.00 feet to the Point of Beginning.

SUBJECT TO County Road Right-of-Way and Access Easement on the East boundary of said described property, as shown by the Official Plat thereof, filed April 22, 1987, as Instrument No. 184371, records of Custer County, Idaho.

gH OH

TYTIDANO, OWNERSHIP NO. 6 N. K. 1. 9

4

3

2



T-744

CHARLES W. BURGESS

GEORGE

GEORGE E

43.42

45.31

43.12

43.06
NONE

T-325

T-167

ADAMS

33 - 111

CHARLES W.
BURGES

26-149

PCO. 3 P 580
GEORGE R. HONE

LEONE,
LAMBERT.

Sec 5 inside

LEONE LAMBERT¹⁴⁷
AND IRA

J. WENDELL ROBINSON
31-442

HIGHWAY - 27

J. WEINER - ROBINSON
31-442

WENDELL
ROBINSON

82-140
1-120A

丁-121

CASE

Page 13

THE

Title Insurance Commitment

BY

First American Title Insurance Company

File No. 13037

EXHIBIT A

The land referred to in this commitment is situated in the State of Idaho, County of Custer and is described as follows:

Beginning at the North Quarter Corner of Section 5, Township 6 North, Range 25 East, Boise Meridian, Custer County, State of Idaho; thence South $88^{\circ}59'13''$ East, 381.03 feet along the North line of Section 5 to a $\frac{1}{2}''$ rebar set by P.L.S. No. 826; thence South $4^{\circ}42'49''$ East, 254.09 feet along the center line of an access driveway to a $\frac{1}{2}''$ rebar set by P.L.S. No. 826; thence South $88^{\circ}58'29''$ East, 258.07 feet to a point; thence North $4^{\circ}44'17''$ West, 254.13 feet to a $\frac{1}{2}''$ rebar set by P.L.S. No. 826, said point is lying on the North line of Section 5; thence South $88^{\circ}58'55''$ East, 686.90 feet along said North line to the Northeast Corner of Lot 2, Township 6 North, Range 25 East, Boise Meridian; thence South $0^{\circ}02'30''$ West, 926.74 feet along the East line of said Lot 2 to a point; thence South $89^{\circ}36'46''$ West, 1334.18 feet to a point lying on the West line of said Lot 2; thence North $0^{\circ}32'46''$ East, 959.32 feet along said West line to the North Quarter Corner of Section 5, Township 6 North, Range 25 East, Boise Meridian. The Point of Beginning.
SUBJECT TO County Road right-of-way.

AND

A parcel of land being generally described as a portion of Lot 2, Section 5, Township 6 North, Range 25 East of the Boise Meridian, Custer County, Idaho; being more particularly described as follows:

Commencing at the Northwest Corner of said Lot 2, thence South $88^{\circ}59'00''$ East along the North Boundary of said Lot 2, a distance of 381.11 feet to the Point of Beginning; thence South $04^{\circ}42'40''$ East, along the center line of an existing access lane, a distance of 254.10 feet; thence South $88^{\circ}59'00''$ East, parallel to the North boundary of said Lot 2, a distance of 258.00 feet; thence North $04^{\circ}42'40''$ West, a distance of 254.10 feet to the North boundary of said Lot 2; thence North $88^{\circ}59'00''$ West, along the North boundary of said Lot 2, a distance of 258.00 feet to the Point of Beginning.

SUBJECT TO County Road Right-of-Way and Access Easement on the East boundary of said described property, as shown by the Official Plat thereof, filed April 22, 1987, as Instrument No. 184371, records of Custer County, Idaho.



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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

May 4, 2017

David Henry
Diane Henry
259 W Salmon Ave
Arco ID 83213

RE: Change of Ownership for Water Right No(s). 34-2316B

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: Big Lost River Ground Water District