

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

OCT 11 2016

DEPARTMENT OF
WATER RESOURCES

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.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
75-7561	Yes ☐		Yes ☐		Yes ☐
75-14132	Yes ☒		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Claude and Jeannette Johnson
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): The Gapp Family Trust Gary Gapp Trustee Dixie Gapp Trustee
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- Mailing address: PO Box 56 City: North Fork State: ID ZIP: 83466
- Telephone: 208 865 2663 Email: ggapp@centurytel.net
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: 26 Sept 2016
6. If the water right described herein has been rented from the Water Supply Bank, rental proceeds will be disbursed in the following manner regardless of any arrangements between the buyer(s) and seller(s) to the contrary:
- Rental payments will go to the lessor(s) of record at the beginning of the rental season.
 - If a change in ownership is processed by the Department during a rental season, rental payment will be made to the person or entity who is the lessor of record at the beginning of that rental season.
 - New lessor(s) of record will receive payment after the following rental season.
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.

SUPPORT DATA

IN FILE # 75-7561

8. Signature: Gary Gapp Title, if applicable: Trustee Date: 6 Oct 16
Signature of new owner/claimant
- Signature: Dixie Gapp Title, if applicable: Trustee Date: 10-6-16
Signature of new owner/claimant

For IDWR Office Use Only:

Received by: di Date: 10-11-16 Receipt No.: 0102572 Receipt Amt.: \$125⁰⁰

Approved by: _____ Processed by: [Signature] Date: 10-12-16

PERSONAL REPRESENTATIVE'S DEED

THIS DEED, made by MARY KIM HOFFMAN, as Personal Representative of the Estate of CLAUDE THOMAS JOHNSON, a/k/a Claude T. Johnson, deceased, Grantor, to GARY C. GAPP and DIXIE L. GAPP, TRUSTEES OF THE GAPP FAMILY TRUST under declaration of trust dated June 17, 2005, whose address is PO Box 56, North Fork, Idaho 83466, Grantees;

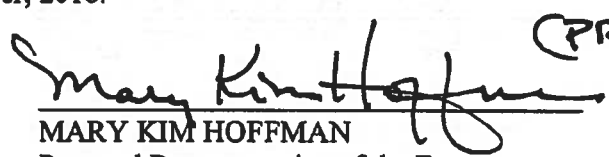
WHEREAS, pursuant to an Order of the Magistrate's Court of Lemhi County, Idaho, in the estates of the above-named deceased, filed as Lemhi County Case No. CV-2012-343, confirming on the Grantor the powers and authority granted to Personal Representatives under the Uniform Probate Code of the State of Idaho;

THEREFORE, for valuable consideration received, Grantor quitclaims, transfers, and conveys to Grantees Gary C. Gapp and Dixie L. Gapp, Trustees of the Gapp Family Trust under declaration of trust dated June 17, 2005, a parcel of land lying in North Fork, County of Lemhi, State of Idaho, more particularly described as:

SEE ATTACHED EXHIBIT "A"

with all thereto appurtenances and subject to all easements and restrictions of record.

EXECUTED this 23 day of September, 2016.

 (PR)

MARY KIM HOFFMAN
Personal Representative of the Estate
of Claude Thomas Johnson

STATE OF IDAHO)
)ss
County of Lemhi)

On this 23rd day of September, 2016, before me, the undersigned, a notary public in and for said state, personally appeared, Mary Kim Hoffman, known or identified to me to be the person whose name is subscribed to the within instrument, as Personal Representative of the Estate of Claude Thomas Johnson, deceased, and acknowledged to me that she executed the same as Personal Representative.

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



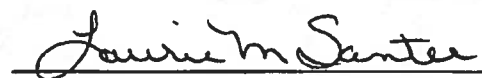
_____
NOTARY PUBLIC FOR IDAHO
My Commission Expires: 6-19-2019

EXHIBIT "A"

Located in H.E.S 55, unsurveyed Section 21, T. 25 N., R. 21 E., Boise Meridian, Lemhi County, Idaho, more particularly described as follows:

Beginning at Corner 12 of said H.E.S. from which Corner 13 of said H.E.S. bears N. $33^{\circ} 01' 50''$ E., 435.10 ft., the Basis of Bearing of this description, run thence N. $41^{\circ} 00' 33''$ W., a distance of 549.80 ft. to Corner 11 of said H.E.S.;

Thence N. $06^{\circ} 29' 00''$ W., a distance of 108.07 ft. to Corner 10 of said H.E.S.;

Thence N. $72^{\circ} 39' 51''$ W., a distance of 326.58 ft. to Corner 9 of said H.E.S.;

Thence N. $01^{\circ} 03' 55''$ W., a distance of 363.59 ft. to Corner 8 of said H.E.S.;

Thence N. $08^{\circ} 11' 26''$ E., a distance of 652.15 ft. to Angle Point 2 of said H.E.S.;

Thence N. $38^{\circ} 43' 30''$ W., a distance of 347.35 ft. to Angle Point 1 of said H.E.S.;

Thence N. $75^{\circ} 28' 46''$ E., a distance of 274.99 ft. to Corner 7 of said H.E.S.;

Thence N. $30^{\circ} 31' 24''$ E., a distance of 376.51 ft. to Corner 6 of said H.E.S.;

Thence S. $48^{\circ} 55' 06''$ E., a distance of 714.89 ft. to Corner 5 of said H.E.S.;

Thence S. $22^{\circ} 38' 43''$ W., a distance of 446.35 ft. to Corner 4 of said H.E.S.;

Thence S. $69^{\circ} 11' 49''$ E., along the line between Corners 4 and 3 of said H.E.S. a distance of 293.74 ft. to a point on the talweg (centerline) of the North Fork of the Salmon River;

Thence the following courses along said talweg:

S. $00^{\circ} 14' 12''$ E., 94.27 ft.; S. $34^{\circ} 14' 17''$ W., 128.04 ft.;

S. $58^{\circ} 54' 51''$ W., 98.80 ft.; S. $68^{\circ} 34' 24''$ W., 210.72 ft.;

S. $40^{\circ} 10' 18''$ W., 82.23 ft.; S. $09^{\circ} 59' 04''$ W., 169.65 ft.;

S. $18^{\circ} 51' 14''$ E., 37.48 ft.; S. $24^{\circ} 45' 36''$ E., 152.66 ft.;

S. $04^{\circ} 49' 38''$ E., 260.18 ft.; S. $09^{\circ} 29' 47''$ W., 67.97 ft.;

Thence S. $67^{\circ} 24' 45''$ E., a distance of 169.74 ft. to a point on the westerly right of way of U.S. Highway 93;

Thence S. $21^{\circ} 17' 35''$ W., along said right of way a distance of 112.83 ft. to a point on the line between Corners 13 & 12 of said H.E.S.;

Thence S. $33^{\circ} 01' 50''$ W., along said line a distance of 93.15 ft. to the point of beginning.

State of Idaho
Department of Water Resources

Water Right
75-7561

DOMESTIC

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.035 0.07 0.14 Miles



Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

9/14/2016

WATER RIGHT NO. 75-7561

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CLAUDE THOMAS JOHNSON
Current Owner	JEANETTE MARIE JOHNSON PO BOX 86 NORTH FORK, ID 83466 (208)865-2410

Priority Date: 04/02/1990

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
SPRINGS	SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01	12/31	0.02 CFS	0.1 AFA
DOMESTIC	01/01	12/31	0.04 CFS	1.2 AFA
Total Diversion			0.06 CFS	

Location of Point(s) of Diversion:

SPRINGS|SENWSW|Sec. 21|Township 25N|Range 21E|LEMHI County

Place(s) of use:

Place of Use Legal Description: STOCKWATER LEMHI County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
25N	21E	21		NWSW										

Place of Use Legal Description: DOMESTIC LEMHI County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
25N	21E	21		NWSW										

Conditions of Approval:

- 1.X01 Domestic use is for 1 home.
- 2.187 The irrigation occurring under this domestic use shall not exceed 1/2 acre.
- 3.071 The domestic use authorized under this right shall not exceed 13,000 gallons per day.

Dates:

Licensed Date: 08/19/2014

Decreed Date:

Permit Proof Due Date: 3/2/1992

Permit Proof Made Date: 3/2/1992

Permit Approved Date: 3/7/1991

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date: 04/02/1990

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector: And/Or

Water District Number:

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 3.5

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

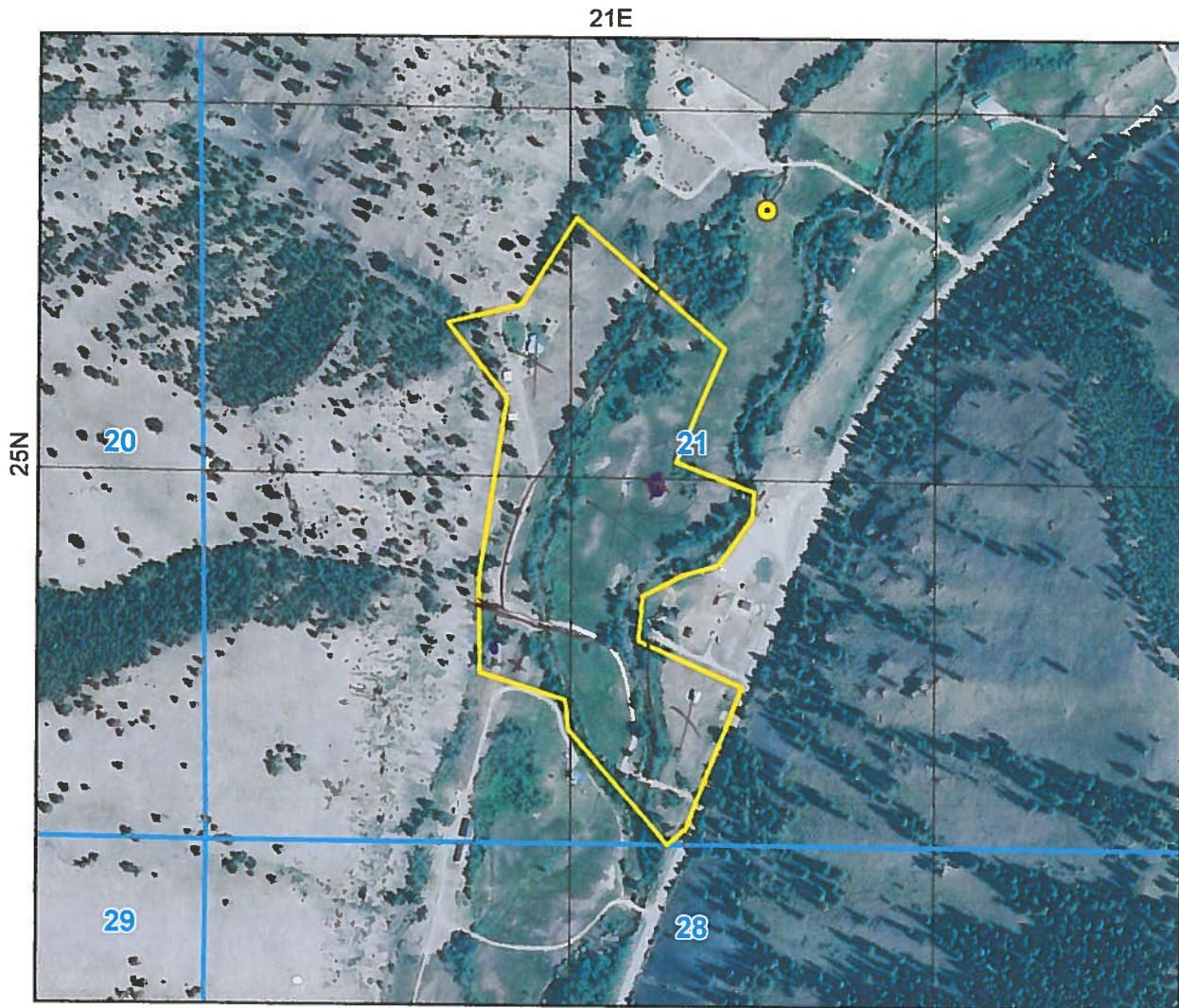
Swan Falls Dismissed:

State of Idaho
Department of Water Resources

Water Right
75-14132

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.075 0.15 0.3 Miles



Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

9/14/2016

WATER RIGHT NO. 75-14132

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CLAUDE THOMAS JOHNSON
Current Owner	JEANETTE MARIE JOHNSON
	PO BOX 86
	NORTH FORK, ID 83466
	(208)865-2410
Original Owner	DARYL A BECKER
Original Owner	VIRGINIA H BECKER
	IDAHO FALLS, ID 83405

Gap 28 ac
.79 cfs

Priority Date: 04/01/1912

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary To</u>
HUGHES CREEK	NORTH FORK SALMON RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	11/01	0.88 CFS	
Total Diversion			0.88 CFS	

.028 cfs/ac = 12 gpm/ac

Location of Point(s) of Diversion:

Std .02 cfs = 9 gpm/af
* miner's inch *

HUGHES CREEK|NESW|Sec. 21|Township 25N|Range 21E|LEMHI County

Place(s) of use:

Place of Use Legal Description: IRRIGATION LEMHI County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
25N	21E	21		NESW	8		NWSW	5		SWSW	5		SESW	13

Total Acres: 31

10- Gapp
3- Parns

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Dates:

Licensed Date:

Decreed Date: 01/29/2009

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: AND/OR

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False



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

October 12, 2016

THE GAPP FAMILY TRUST
PO BOX 56
NORTH FORK ID 83466

Re: Change in Water Right Ownership: Water Right No. 75-7561 and 75-14132 (Split into 75-14132 and 75-14853)

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,

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

October 12, 2016

CLAUDE THOMAS JOHNSON
JEANETTE MARIE JOHNSON
PO BOX 86
NORTH FORK ID 83466

Re: Change in Water Right Ownership: Water Right No. 75-14132 (Split into 75-14132 and 75-14853)

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,

Jean Hersley
Technical Records Specialist II

Enclosure