

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

SEP 14 2016

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?
34-138B OP	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: Patrick Fallis
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Larry Motteshard
New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or ☐ and/or

Po Box 9 Kirtland NM 87417
Mailing address City State ZIP

505-598-9878 mack_1959@yahoo.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: _____

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] 9-9-2016
Signature of new owner/claimant Title, if applicable Date

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

For IDWR Office Use Only:

Received by JB Date 9/14/2016 Receipt No. E042452 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 9/19/2016



TitleOne

a title & escrow co.

Order Number: 4969

NO. 0053984

RECORDED

AUG 18, 2016

11:55 A.M. RM.
BUTTE COUNTY RECORDER
Billee Bradley

Warranty Deed

For value received, Patrick L. Fallis, an unmarried man,

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

Larry Motteshard, an unmarried man,

whose current address is P.O. Box 9, Kirtland, NM 87417

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.

Dated: August 17, 2016

Patrick L. Fallis
Patrick L. Fallis

State of Idaho

ss.

County of Bannock

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 Patrick L. Fallis, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

S. Garrett
Notary Public
Residing in: Idaho
My Commission Expires: 9-30-17
(seal)

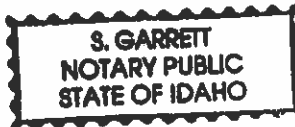


Exhibit A

Township 3 North, Range 26 East of the Boise Meridian, Butte County, Idaho

Section 2: A portion of the SW1/4NE1/4, being more particularly described as follows:

Commencing at the N1/4 Corner of said Section 2, thence S. 00°00'26" E., along the West boundary of the NE1/4 of said Section 2, a distance of 1268.10 feet to the centerline of a county road, and the POINT OF BEGINNING.

Thence continuing S. 00°00'26" E., along the West boundary of the NE1/4 of said Section 2, a distance of 1293.49 feet, to the Southwest corner of the NE1/4 of said Section 2;

thence N. 89°44'54" E., along the South boundary of the NE1/4 of said Section 2, a distance of 914.41 feet to the centerline of the Munsey Ditch;

thence along the centerline of said ditch, the following 15 courses:

N. 06°12'03" W., 132.37 feet;

N. 29°56'01" W., 47.42 feet;

N. 51°57'47" W., 132.29 feet;

N. 46°00'20" W., 94.69 feet;

N. 40°33'25" W., 121.95 feet;

N. 51°32'18" W., 104.76 feet;

N. 56°20'38" W., 107.52 feet;

N. 41°34'16" W., 115.03 feet;

N. 29°09'45" W., 69.00 feet;

N. 16°03'14" W., 144.17 feet;

N. 04°10'25" E., 74.75 feet;

N. 12°55'55" E., 104.96 feet;

N. 11°37'48" E., 126.74 feet;

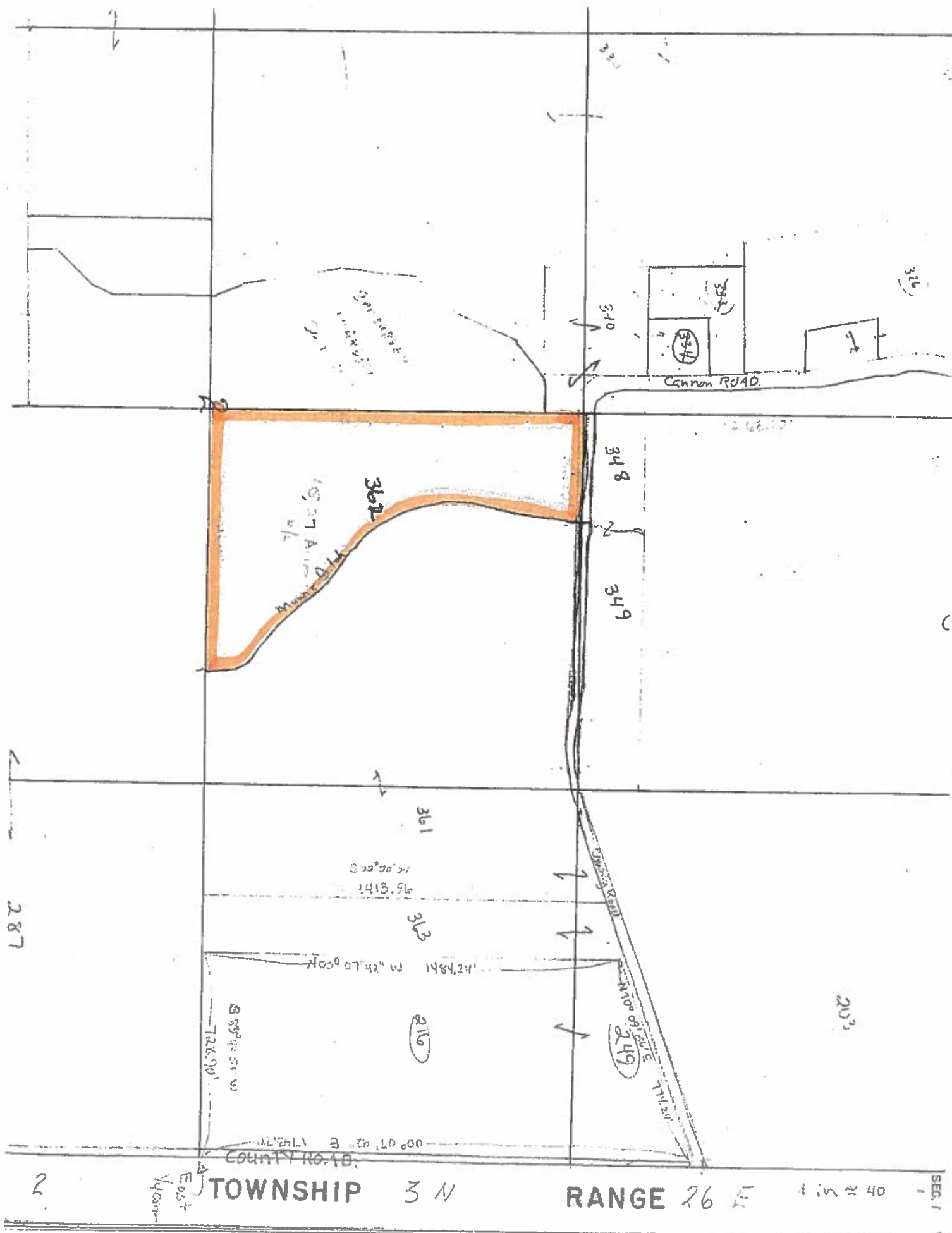
N. 07°24'58" E., 126.67 feet;

N. 11°53'27" E., 28.83 feet;

thence N. 04°45'49" E., 13.45 feet to the centerline of a county road;

thence S. 89°50'34" W., along the centerline of a county road, a distance of 381.50 feet to the POINT OF BEGINNING.







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

September 20, 2016

C.L. "BUTCH" OTTER
Governor

Larry Motteshard
PO Box 9
Kirtland NM 87417

GARY SPACKMAN
Director

RE: Change of Ownership for Water Right No(s). 34-138B

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