

RECEIVED

AUG 05 2016

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESDepartment 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?
34-710504	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: Duane Albert (only)
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Alvis Albert Marie Whitehead
New owner(s) as listed on the conveyance document
- Mailing address: 362 Dewey St City: Blackfoot State: ID ZIP: 83221
- 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: Alvis Albert Title, if applicable: _____ Date: 8-5-16
Signature of new owner/claimant
- Signature: Marie Whitehead Title, if applicable: _____ Date: 8-5-16
Signature of new owner/claimant

For IDWR Office Use Only:

Received by: JB Date: 8/5/2016 Receipt No.: E042336 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: 8/23/2016

Prepared By:
Ms. Ivis D. Albert
362 Dewey Street
Blackfoot, Idaho 83221

After Recording Return To:
Ms. Marie Whitehead
362 Dewey Street
Blackfoot, Idaho 83221

249363
Custer County Rec. of
Marie Whitehead
Time *11:03 A* M Date *9/16*, 20 *14*
Barbara C. Tierney, Clerk
Bonnie Crisp \$ *16.00*
Deputy

TAX PARCEL ID #: *RP0008800003B A*

QUIT CLAIM DEED

BE KNOWN BY ALL, that Ms. Ivis D. Albert, (Grantor), a widowed female, whose address is 362 Dewey Street, Blackfoot Idaho 83221 (As this signed document voids the real estate and property actions in my current will) hereby **REMISES, RELEASES AND FORVER QUITCLAIMS TO** Ms. Marie Whitehead(Grantee) and or Ivis D. Albert (Grantee), whose address is 362 Dewey Street, Blackfoot Idaho 83221 all rights, title, interest and claim to the following real estate property and Manufacture Home located at 4003 W. 4100 N. in the City/Township of Mackey, located in the County of Custer and State of Idaho and ZIP code of Idaho of Idaho, to-wit:

Property having Lot No. 3, with the Section No. 8, and property beginning at A Fraction of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 8, and the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 9, Township 6 North Range 25 East, Boise, Meridian, Custer County, Idaho, described as: Lot No.3 Fr: NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 8 Fr: NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 9 Township 6 Range 25 EBM. Commencing at the Northeast Corner of Section 8, said Township and Range; thence South 76°45' West, 1,304.68 feet to a point on the South line of the County Road; thence North 88°32' East along the said South line 998 feet to a point which is also the Northeast corner of the land described in the Deed to Clayton I. Hocking, et. ux., recorded as Instrument No. 136657, records of Custer County, Idaho; thence North 1°28' West 24.5 feet; thence North 88°32' East; 80 feet to the True Point of Beginning; Thence North 88°32', East, 200 feet; thence South 1°28' East, 1390.06 feet; thence North 16°41' West, 762.03 feet; thence North 1°28' West, 654.76 feet to the True Point of Beginning. EXCEPTING THEREFROM County Road Right-of-Way across the North of the above described tract.

FOR A VALUE RECEIVED, in the amount of \$10.00 dollars, given in hand and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged as of.

249363

STATE OF IDAHO

Bingham
COUNTY OF CUSTER

)
)
) SS. _____
)

The foregoing Quit Claim Deed was acknowledged before me on 9.5.14 by Ms. Ivis D. Albert who is personally known to me or who has produced a valid driver's license and/or passport as identification, and such individual having executed aforementioned instrument of his/her free and voluntary act and deed.

IN WITNESS THEREOF, to this Quit Claim Deed, I set my hand and seal.

Signed, sealed and delivered in the presence of:

Christa Goodwin
(Signature of Notary)

Christa Goodwin
(Typed or Printed Notary Name)



My Commission expires: May 12, 2016

Grantee's Address:

Ms. Marie Whitehead and/or Ivis D. Albert
362 Dewey St.
Blackfoot, Idaho 83221

Grantor's Address:

Ms. Ivis D. Albert
362 Dewey St.
Blackfoot, Idaho 83221

Mail Subsequent tax Bills To:

Ivis D. Albert and/or Ms. Marie Whitehead
362 Dewey St.
Blackfoot, Idaho 83221

Note: The Original Copy of the Quit Claim Deed must be filed with the "Recorder of Deeds" with the Clerk of Courts having jurisdiction where this property is located and only upon payment of any associated recording fees due at time of filing with the Clerk of Courts.

TO HAVE AND TO HOLD all of Grantor's right, title's, Deeds, and interest in the above described property unto the said Grantee, Grantee's heirs, administrators, executors, successors and/or assigns forever; so that neither Grantor nor Grantor's heirs, administrators, executors, successors and/or assigns shall have, claim or demand any right or title to the aforesaid property, premises or appurtenances or any party thereof.

EXECUTED on 09/04/2014

Ivis D. Albert

(Grantor's Signature)

Ms. Ivis D. Albert

(Grantor's Printed/Typed Name)

Marie Whitehead

(Grantee's Signature)

Ms. Marie Whitehead

(Grantee's Printed/Typed Name)

Ivis D. Albert

(Grantee's Signature)

Ms. Ivis D. Albert

(Grantee's Printed/Typed Name)

Signed in our presence:

Christa Goodwin

(Witness #1 Signature)

Mandy Carr

(Witness #2 Signature)

Christa Goodwin

(Print Witness #1 Name)

MANDY CARR

(Print Witness #2 Name)

Jonathan W. Harris, Esq.
BAKER & HARRIS
266 W Bridge
Blackfoot, ID 83221
Telephone: (208)785-2310
Facsimile: (208)785-6749
Idaho State Bar No. 6261

244943
Custer County Req. of
Baker & Harris
Time 10:50 AM Date 12/9, 2011
Barbara C. Tierney, Clerk
Christy Fata \$16.00
Deputy

DISTRICT COURT
CUSTER COUNTY
IDAHO
LAILA PLUMMER
2011 DEC -5 AM 8:28

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF CUSTER

IN THE MATTER OF THE ESTATE OF

CHARLES DUANE ALBERT,

Deceased.

Case No. CV-2011-185

DECREE VESTING ESTATE IN
SURVIVING SPOUSE

I.C. 15-3-1205)

Upon consideration of the Petition for Summary Administration of Estate of Which Surviving Spouse is Sole Beneficiary filed by IVIS D. ALBERT on November 30, 2011 the Court finds that:

1. The facts set forth in the petition are true.
2. The required notice has been given or waived.
3. The decedent, Charles Duane Albert died on January 3, 2010, domiciled in Custer County.
4. Venue is proper.
5. The decedent and Ivis D. Albert were duly married on December 11, 1959, and remained married until the date of decedent's death.
6. The surviving spouse, Ivis D. Alber, is the sole heir or devisee of the decedent.
7. The decedent died intestate.
8. The schedule of property attached to this Decree is a full and complete inventory of the property owned by the decedent and properly characterizes the property as community or separate property.

THEREFORE, it is ordered, adjudged and decreed as follows:

1. Ivis D. Albert is the surviving spouse of the decedent and is the sole heir or devisee of the decedent.
2. The property of the decedent described on the schedule attached to this Decree is hereby vested in and distributed to Ivis D. Albert free and clear of all right, title, claim or demand of any person or persons claiming or attempting to claim under the estate of the decedent as heir, devisee, or otherwise, except as a proper creditor.
3. The surviving spouse shall assume and be liable for any and all indebtedness that might be a claim against the estate of the decedent.
4. There shall be no administration of the estate of the decedent.

Dated:

Dec 5th, 2011


Magistrate Judge

CHARLES L. ROOS

244943

DISTRICT COURT
CUSTER COUNTY
IDAHOREITH BRUNKER
2011 DEC -1 AM 11:31

Jonathan W. Harris, Esq.
BAKER & HARRIS
266 W Bridge
Blackfoot, ID 83221
Telephone: (208) 785-2310
Idaho State Bar No. 6261
Idaho State Bar No. 6261

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF CUSTER
MAGISTRATE DIVISION

IN THE MATTER OF THE ESTATE OF

CHARLES DUANE ALBERT,

Deceased.

Case No. CV-201-185

SCHEDULE OF PROPERTY

Item No.	Description	Community Property
1.	A fraction of the NE$\frac{1}{4}$NE$\frac{1}{4}$ Section 8, and the NW$\frac{1}{4}$NW$\frac{1}{4}$, Section 9, Township 6 North, Range 25 East, Boise, Meridian, Custer County, Idaho, described as: Lot No. 3 Fr: NE$\frac{1}{4}$NE$\frac{1}{4}$ Sec. 8 Fr: NW$\frac{1}{4}$NW$\frac{1}{4}$ Sec. 9 Township 6 Range 25 EBM. Commencing at the Northeast Corner of Section 8, said Township and Range; thence South 76°45' West, 1,304.68 feet to a point on the South line of the County Road; thence North 88°32' East along the said South line 998 feet to a point which is also the Northeast corner of the land described in the Deed to Clayton I. Hocking, et. ux., recorded as Instrument No. 136657, records of Custer County, Idaho; thence North 1°28' West 24.5 feet; thence North 88°32' East, 80 feet to the True Point of Beginning; thence North 88°32' East, 200 feet; thence South 1°28' East, 1390.06 feet; thence North 16°41' West, 762.03 feet; thence North 1°28' West, 654.76 feet to the True Point of Beginning. EXCEPTING THEREFROM County Road Right-of-Way across the North of the above described tract.	

146912

WARRANTY DEED # 2

For Value Received

Wendell H. Tew and Marjean A. Tew, husband and wife
the grantors, does hereby grant, bargain, sell and convey unto Dwane and Ivis Alberts
the grantees, whose current address is Leslie, Idaho

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

A fraction of the NW1/4, Section 3, and the NW1/4, Section 3,
Township 6 North, Range 25 East, Boise Meridian, Custer County, Idaho,
described as: Lot no. 3 Fr: NE1/4 sec. 3 Fr: NE1/4 sec 9 twp 6 rge 25 EBM

Commencing at the Northeast Corner of Section 3, said Township and
Range; thence South 76°45' West, 1,304.68 feet to a point on the
South line of the County Road; thence North 88°32' East along the
said South line 998 feet to a point which is also the Northeast corner
of the land described in the Deed to Clepton E. Hocking, et. ux.,
recorded as instrument No. 136637, records of Custer County, Idaho;
thence
North 1°28' West, 24.5 feet; thence
North 88°32' East, 30 feet to the TRUE POINT OF BEGINNING; thence
North 88°32' East, 200 feet; thence
South 1°28' East, 1,390.06 feet; thence
North 16°41' West, 762.03 feet; thence
North 1°28' West, 654.76 feet to the True Point of Beginning,
containing 4.70 acres. No water conveyed.

EXCEPTING THEREFROM County Road Right-of-Way across the North of the
above described tract.

The right of ingress and egress is perpetual for the machines necessary to clean
the private ditch running through said property.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee,
Dwane & Ivis Alberts and assigns forever. And the said Grantors do hereby covenant to and
with the said Grantee, that they the owners in fee simple of said premises; that they are free
from all incumbrances

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

Dated: May 30, 1978

Wendell H. Tew
Marjean A. Tew

Charles D. Sullivan
James Abbott

STATE OF IDAHO, COUNTY OF

On this 30th day of May, 1978,
before me, a notary public in and for the said State, personally appeared Wendell H. Tew & Marjean A. Tew
and Dwane Alberts and Ivis W. Alberts

known to me to be the persons whose names
subscribed to the within instrument, and acknowledged to
me that they executed the same.

Kenneth L. Lundberg
Notary Public
Residing at Mackay, Idaho
Comm. Expires 3/15/1981

STATE OF IDAHO, COUNTY OF CUSTER

I hereby certify that this instrument was filed for record at
the request of *Wendell H. Tew*

at 10 minutes past 11 o'clock A.M.,
this 22nd day of June,
1978, in my office, and duly recorded in Book
of Deeds at Page

Charles D. Sullivan
Ex-Officio Recorder

By *James Abbott*
Deputy.

Fees \$ 1.00
Mail to: *Wendell H. Tew*
Leslie, Idaho

INSTRUMENT NO. 146912

Jonathan W. Harris, Esq.
BAKER & HARRIS
266 W Bridge
Blackfoot, ID 83221
Telephone: (208)785-2310
Facsimile: (208)785-6749
Idaho State Bar No. 6261

204943
Custer County Reg. of
Baker & Harris
Filed 10 50 A M Date 12/9, 2011
Barbara L. Tierney, Clerk
Deputy: Christy Fata \$16.00

DISTRICT COURT
CUSTER COUNTY
IDAHO

2011 DEC -5 AM 8:28

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF
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IN THE MATTER OF THE ESTATE OF

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I.C. 15-3-1205)

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1. The facts set forth in the petition are true.
2. The required notice has been given or waived.
3. The decedent, Charles Duane Albert died on January 3, 2010, domiciled in Custer County.
4. Venue is proper.
5. The decedent and Ivis D. Albert were duly married on December 11, 1959, and remained married until the date of decedent's death.
6. The surviving spouse, Ivis D. Alber, is the sole heir or devisee of the decedent.
7. The decedent died intestate.
8. The schedule of property attached to this Decree is a full and complete inventory of the property owned by the decedent and properly characterizes the property as community or separate property.

146912 WARRANTY DEED # 2

For Value Received

Wendell H. Tew and Marjean A. Tew, husband and wife
the grantors, does hereby grant, bargain, sell and convey unto Dwane and Ivis Alberts
the grantees, whose current address is Leslie, Idaho

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

A fraction of the ~~NE 1/4~~, Section 3, and the ~~NE 1/4~~, Section 3,
Township 5 North, Range 25 East, Boise Meridian, Custer County, Idaho,
described as: Lot no. 3 Fr: ~~NE 1/4~~ sec. 3 Fr: ~~NE 1/4~~ sec 9 twp 6 rge 25 EBM

Commencing at the Northeast Corner of Section 3, said Township and
Range; thence South 76°45' West, 1,304.68 feet to a point on the
South line of the County Road; thence North 88°32' East along the
said South line 998 feet to a point which is also the Northeast corner
of the land described in the Deed to Clayton I. Hocking, et. ux.,
recorded as instrument No. 136657, records of Custer County, Idaho;

thence
North 1°28' West, 24.5 feet; thence
North 88°32' East, 30 feet to the TRUE POINT OF BEGINNING; thence
North 88°32' East, 200 feet; thence
South 1°28' East, 1,390.06 feet; thence
North 16°41' West, 762.03 feet; thence
North 1°28' West, 654.76 feet to the True Point of Beginning,
containing 4.70 acres. No water conveyed.

~~TAKING THEREFROM~~ County Road Right-of-Way across the North of the
above described tract.

The right of ingress and egress is perpetual for the machines necessary to clean
the private ditch running through said property.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee,
Dwane & Ivis Alberts and assigns forever. And the said Grantors do hereby covenant to and
with the said Grantee, that they the owners in fee simple of said premises; that they are free
from all incumbrances

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

Dated: May 30, 1978

Wendell Tew
Marjean A. Tew

Dwane Albert
Ivis Albert

STATE OF IDAHO, COUNTY OF

On this 30th day of May, 1978,
before me, a notary public in and for the said State, personally appeared Wendell H Tew & Marjean A. Tew
and Dwane Alberts and Ivis W. Alberts

known to me to be the persons whose names S
subscribed to this within instrument, and acknowledged to
me that they executed the same.

Kenneth Lundy
Notary Public
Residing at Mackay,
Comm. Expires 3/15/1981, Idaho

STATE OF IDAHO, COUNTY OF CUSTER

I hereby certify that this instrument was filed for record at
the request of WENDELL H. TEW

at 10 minutes past 11 o'clock A.M.,
this 22nd day of June,
1978, in my office, and duly recorded in Book
of Deeds at Page

Thayne Sullivan
Ex-Officio Recorder

By *Dwane Albert*
Deputy.

Fees \$ 1.00
Mail to: *Kenue Lys*
Alake H.

INSTRUMENT No. 146912

24494 3

DISTRICT COURT
CUSTER COUNTY
IDAHO

ROTH BRUNTER
2011 DEC -1 AM 11:31

Jonathan W. Harris, Esq.
BAKER & HARRIS
266 W Bridge
Blackfoot, ID 83221
Telephone: (208) 785-2310
Idaho State Bar No. 6261
Idaho State Bar No. 6261

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF CUSTER
MAGISTRATE DIVISION

IN THE MATTER OF THE ESTATE OF

CHARLES DUANE ALBERT,

Deceased.

Case No. CV-2011-185

SCHEDULE OF PROPERTY

Item No.	Description	Community Property
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THEREFORE, it is ordered, adjudged and decreed as follows:

1. Ivis D. Albert is the surviving spouse of the decedent and is the sole heir or devisee of the decedent.
2. The property of the decedent described on the schedule attached to this Decree is hereby vested in and distributed to Ivis D. Albert free and clear of all right, title, claim or demand of any person or persons claiming or attempting to claim under the estate of the decedent as heir, devisee, or otherwise, except as a proper creditor.
3. The surviving spouse shall assume and be liable for any and all indebtedness that might be a claim against the estate of the decedent.
4. There shall be no administration of the estate of the decedent.

Dated: Dec. 5th, 2011


Magistrate Judge

CHARLES L. POTTS



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

August 26, 2016

Ivis Albert
Marie Whitehead
362 Dewey St
Blackfoot Id 83221

RE: Change of Ownership for Water Right No(s). 34-7105

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