

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUL 28 2016

Notice of Change in Water Right Ownership DEPT OF WATER RESOURCES
SOUTHERN REGION

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?
37-88 A	Yes ☐	Yes ☐	37-11369	Yes ☐	Yes ☐
37-89 A	Yes ☐	Yes ☐	37-21357	Yes ☐	Yes ☐
37-90 D	Yes ☐	Yes ☐		Yes ☐	Yes ☐
37-01224 A	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: WALTER J. HOFSTEITE, MARIANNE HOFSTETTER
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): MARIANNE E. HOFSTETTER
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 19185 Hwy 20 PICABO ID 83348
Mailing address City State ZIP
- 208-788-2813
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: 19 day of April 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: Marianne E. Hofstetter July 25, 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 DM Date 7-28-2016 Receipt No. 5035622 Receipt Amt. \$150-

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 _____ Date _____

Instrument # 634458

HAILEY, BLAINE, IDAHO
04-22-2016 11:04:47 AM No. of Pages: 5
Recorded for: BENOIT LAW
JOLYNN DRAGE Fee: \$22.00
Ex-Officio Recorder Deputy: GWR
Electronically Recorded by Simplifile

Recorded at the request of:

Benolt, Alexander, Harwood,
High & Mollerup, L.L.P.

126 2nd Avenue North
P.O. Box 366
Twin Falls, Idaho 83303-0366

Send tax notices to:

Marianne Hofstetter
19185 U.S. Highway 20
Picabo, ID 83348

SPACE ABOVE FOR RECORDER'S USE

PERSONAL REPRESENTATIVE DEED

Marianne E. Hofstetter, Personal Representative of the Estate of Walter J. Hofstetter, deceased, Grantor, conveys to Marianne E. Hofstetter, whose address 19185 U.S. Highway 20, Picabo, Idaho 83348, Grantee, all right, title and interest of Walter J. Hofstetter, deceased, and his estate in and to the following described property situated in Blaine County, Idaho:

Township 2 South, Range 20 East, Boise Meridian,
Blaine County, Idaho
SECTION 1: NE $\frac{1}{4}$ NE $\frac{1}{4}$

AND THE FOLLOWING DESCRIBED PROPERTY
(SEE ATTACHED EXHIBIT "A")

Marianne E. Hofstetter was named as Personal Representative of the Estate of Walter J. Hofstetter on the 4th day of February, 2016 in Blaine County Case No. CV-2016-27.

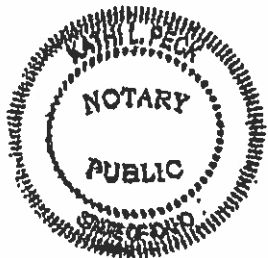
DATED this 19 day of April, 2016.

Marianne E. Hofstetter
MARIANNE E. HOFSTETTER
Personal Representative of the Estate of Walter J. Hofstetter,
deceased

STATE OF IDAHO)
County of Blaine) ss.

On this 19 day of April, 2016, before me, the undersigned, a Notary Public in and for said State, personally appeared MARIANNE B. HOFSTETTER, known to me to be the Personal Representative of the Estate of Walter J. Hofstetter, deceased, and acknowledged and verified to me that she executed the same as such Personal Representative.

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



Kathi L. Peck
NOTARY PUBLIC
Residing at: Carey rd
My Commission Expires: 8/31/19

A parcel of land lying within portions of the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$, the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$, and US Govt. Lots 2 & 3 of Section 1, Township 2 South, Range 20 East, Boise Meridian, Blaine County, Idaho; being more particularly described as follows:

Commencing at a 6" diameter well casing marking the Northeast Corner of said Section 1, proceed S $89^{\circ}34'55''$ W, 1333.1'9 feet to an Aluminum Cap marking the North Corner between US Government Lots 1 and 2 of said Section 1, which point is the TRUE POINT OF BEGINNING;

Thence S $0^{\circ}09'02''$ E, 1328.51 feet between said Lots 1 and 2 to an Aluminum Cap marking the Northeast $\frac{1}{16}$ Corner of said Section 1;

Thence N $89^{\circ}26'49''$ E, 434.22 feet along the line between said US Govt. Lot 1 and the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 1 to its intersection with the Northerly Bank of Silver Creek;

Thence S $35^{\circ}18'53''$ W, 115.32 feet along the Northerly Bank of Silver Creek;

Thence S $71^{\circ}59'45''$ W, 161.22 feet along the Northerly Bank of Silver Creek;

Thence S $1^{\circ}42'07''$ E, 72.64 feet along the Northerly Bank of Silver Creek;

Thence S $50^{\circ}27'25''$ W, 34.11 feet along the Northerly Bank of Silver Creek;

Thence S $8^{\circ}14'27''$ E, 68.56 feet along the Northerly Bank of Silver Creek;

Thence S $71^{\circ}16'26''$ W, 66.39 feet along the Northerly Bank of Silver Creek;

Thence S $10^{\circ}10'28''$ W, 85.05 feet along the Northerly Bank of Silver Creek;

Thence S $81^{\circ}45'35''$ W, 23.56 feet along the Northerly Bank of Silver Creek;

Thence N $57^{\circ}46'01''$ W, 115.58 feet along the Northerly Bank of Silver Creek to a 5/8" rebar by PLS 7048 at the intersection with the line between said Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ and the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 1;

Thence S $63^{\circ}14'09''$ W, 21.57 feet along the Northerly Bank of Silver Creek;

Thence S $06^{\circ}46'57''$ W, 98.56 feet along the Northerly Bank of Silver Creek;

Thence S $78^{\circ}09'15''$ W, 184.93 feet along the Northerly Bank of Silver Creek;

Thence S $11^{\circ}44'34''$ E, 127.42 feet along the Northerly Bank of Silver Creek;

Thence S $89^{\circ}32'24''$ W, 91.32 feet along the Northerly Bank of Silver Creek;

Thence N $07^{\circ}13'16''$ W, 209.47 feet along the Northerly Bank of Silver Creek;

Thence S $82^{\circ}27'21''$ W, 136.16 feet along the Northerly Bank of Silver Creek;

Thence S $38^{\circ}03'47''$ W, 89.25 feet along the Northerly Bank of Silver Creek;

Thence S $11^{\circ}51'18''$ E, 79.28 feet along the Northerly Bank of Silver Creek;

Thence S $70^{\circ}49'44''$ W, 115.63 feet along the Northerly Bank of Silver Creek;

Thence N $55^{\circ}30'21''$ W, 52.89 feet along the Northerly Bank of Silver Creek;

EXHIBIT A

Thence N 04°33'27" W, 130.67 feet along the Northerly Bank of Silver Creek;

Thence N 0°24'27" W, 113.33 feet along the Northerly Bank of Silver Creek;

Thence N 79°46'04" W, 81.49 feet along the Northerly Bank of Silver Creek;

Thence S 32°24'07"W, 106.94 feet along the Northerly Bank of Silver Creek;

Thence N 46°04'52"W, 130.47 feet along the Northerly Bank of Silver Creek;

Thence N 84°10'01"W, 50.26 feet along the Northerly Bank of Silver Creek;

Thence N 11°06'19"W, 178.91 feet along the Northerly Bank of Silver Creek;

Thence N 05°29'17"W, 109.78 feet along the Northerly Bank of Silver Creek;

Thence N 48°22'28"W, 75.58 feet along the Northerly Bank of Silver Creek;

Thence S 60°09'10"W, 62.35 feet along the Northerly Bank of Silver Creek;

Thence S 05°30'40"E, 165.16 feet along the Northerly Bank of Silver Creek;

Thence S 17°45'40"W, 113.30 feet along the Northerly Bank of Silver Creek;

Thence S 67°13'18"W, 111.65 feet along the Northerly Bank of Silver Creek;

Thence N 84°36'02"W, 43.37 feet along the Northerly Bank of Silver Creek;

Thence N 14°50'58"E, 190.87 feet along the Northerly Bank of Silver Creek;

Thence N 04°42'58"E, 175.48 feet along the Northerly Bank of Silver Creek;

Thence S 86°09'03"W, 112.14 feet along the Northerly Bank of Silver Creek;

Thence S 19°30'34"W, 98.10 feet along the Northerly Bank of Silver Creek;

Thence N 62°16'01"W, 8.29 feet along the Northerly Bank of Silver Creek;

Thence N 0°14'10"W, 53.43 feet along the Northerly Bank of Silver Creek;

Thence S 89°27'00"W, 54.07 feet along the Northerly Bank of Silver Creek;

Thence N 30°46'20"W, 94.90 feet along the Northerly Bank of Silver Creek to a 5/8" rebar by LS907;

Thence N 66°05'53"E, 281.08 feet to a 5/8" rebar by LS907;

Thence N 79°49'55"E, 130.94 feet to a 5/8" rebar by LS907;

Thence N 45°47'08"E, 73.50 feet to a 5/8" rebar by LS4459;

Thence N 48°43'38"E, 361.71 feet to a 5/8" rebar by LS4459;

Thence N 31°05'04"E, 488.66 feet to a 5/8" rebar by LS4459;

Thence S 88°55'15"E, 81.75 feet to a 5/8" rebar by LS907;

Thence S 75°50'30"E, 224.93 feet to a 1/2" rebar with Illegible Cap;

EXHIBIT A

Thence N 09°35'44"W, 22.86 feet to a ½" rebar with Illegible Cap;

Thence N 03°13'03"E, 90.11 feet to a ½" rebar with Illegible Cap;

Thence N 24°32'31"E, 236.21 feet to a ½" rebar with Illegible Cap;

Thence N 01°33'45"E, 143.92 feet to a ½" rebar with Illegible Cap;

Thence N 89°34'07"E, 64.43 feet to the TRUE POINT OF BEGINNING;
containing 1,383,900 square feet, (31.77 acres), more or less.

Cancels TL 7298 Correction of legal Alpine Eng- B Smith

EXHIBIT A



Idaho Department of Water Resources

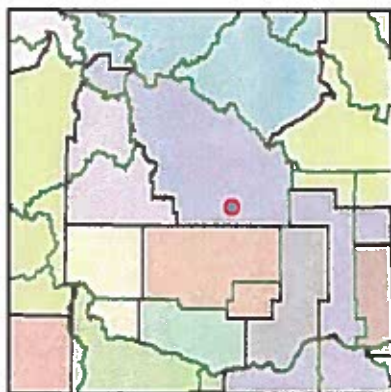
SRBA Recommendation:

37-88A

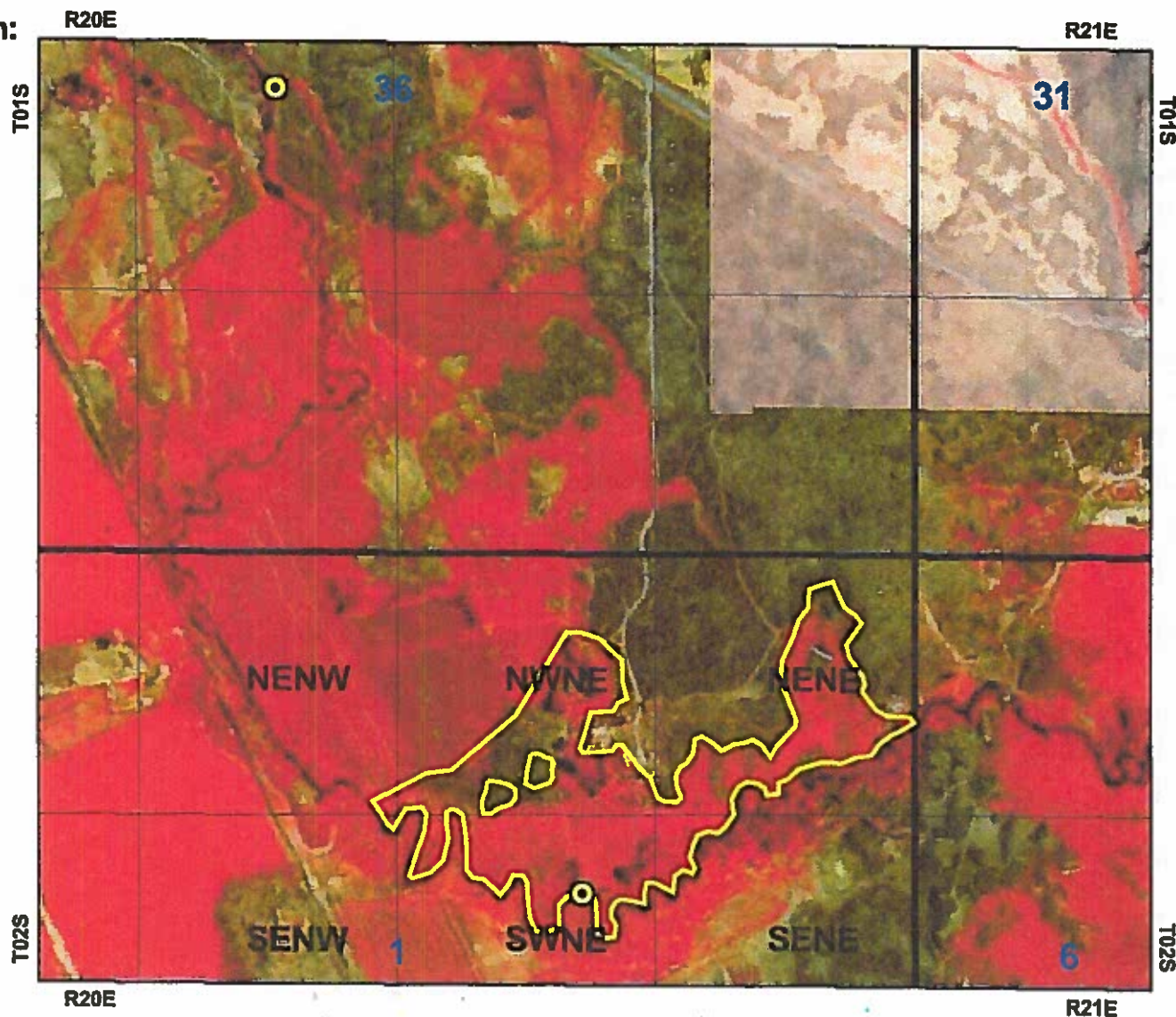
(Irrigation)

Legend

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



Blaine County
IDWR Basin 37



0 0.4 0.8 Miles

Prepared by M. Anders
On Friday, January 12, 2007
1987/88 Aerial Photography



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

August 9, 2016

MARIANNE HOFSTETTER
19185 HWY 20
PICABO ID 83348

RE: Change of Ownership for Water Right Nos. 37-88A, 37-89A, 37-90D, 37-1224A,
37-11369 and 37-21357

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right(s). The department has modified its records to reflect the change in ownership and has enclosed computer-generated reports for your records.

Please note there is no fee to remove a deceased person's name from a water right record; consequently, the filing fee you paid will be refunded. The \$150 refund has been requested from the state controller's office and you should receive it within the next two weeks.

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.

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,

A handwritten signature in cursive script, reading "Trish Fawcett".

Trish Fawcett
Technical Records Specialist

Enclosure(s)

Fawcett, Trish

From: Fawcett, Trish
Sent: Tuesday, August 09, 2016 1:20 PM
To: Marston, Sascha
Subject: Refund

Hi Sascha,

Please refund the \$150 filing fee from receipt S035622. The fee was paid to remove a deceased person's name from six water rights, when there is no fee to do so. Please issue the refund to:

Marianne Hofstetter
19185 Hwy 20
Picabo ID 83348

Thank you!

Trish Fawcett
Technical Records Specialist
IDWR - Southern Region
650 Addison Ave W Ste 500
Twin Falls ID 83301
Phone (208) 736-3033
trish.fawcett@idwr.idaho.gov