

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESRECEIVED
MAY 09 2016Notice of Change in Water Right Ownership Department of Water Resources
Eastern 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?
34-690A	Yes ☒	Yes ☐		Yes ☐	Yes ☐
34-14540	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: JACKIE LEE RUSSELL & WILLIAM HUGH RUSSELL
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): CHARLES J SPENCER & TONI ANN SPENCER
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 2811N 3300W MOORE ID 83255
Mailing address City State ZIP
- 208-340-9315 h.horse2@IDA.NET
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: 7 NOV 2005
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):
 - o \$25 per *undivided* water right.
 - o \$100 per *split* water right.
 - o 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: Charles J Spencer 4/27/16
Signature of new owner/claimant Title, if applicable Date
- Signature: Toni Ann Spencer 04-27-16
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by 112 Date 5/9/2016 Receipt No. E042079 Receipt Amt. \$100 -

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 CF Processed by CF Date 5/11/2016

NOV 07 2005

A.M. 3:15 P.M.

BUTTE COUNTY RECORDER

WARRANTY DEED

FOR VALUABLE CONSIDERATION RECEIVED WILLIAM HUGH RUSSELL and
JACKIE LEE RUSSELL, Husband and Wife, the Grantor,
 does hereby grant, bargain, sell and convey unto CHARLES J. SPENCER and
TONI A. SPENCER, Husband and Wife, the Grantee,
 whose current address is P.O. Box 37, Woodburn, OR 97071,
 the following described real estate situated in BUTTE County,
 State of Idaho, to-wit:

See attached PROPERTY DESCRIPTION - EXHIBIT A

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Department of Water Resources
Eastern Region

SUBJECT TO: all easements, rights of way, covenants, restrictions,
 patent reservations, applicable building and zoning ordinances and
 use regulations and restrictions and accruing taxes, of record.

TO HAVE AND TO HOLD the said premises, together with all tenements, hereditaments and appurtenances
 thereunto belonging, unto the said Grantee, his successors and assigns forever. Grantor does hereby covenant
 to and with the said Grantee that IT is the owner in fee simple of said premises and that IT will warrant and
 defend the same from all lawful claims whatsoever.

In construing this Deed and where the context so requires, the singular includes the plural and the
 masculine, the feminine and neuter.

DATED: 10/25/05

William Hugh Russell
 William Hugh Russell

Jackie Lee Russell
 Jackie Lee Russell

By William H. Russell
attorney in fact

STATE OF IDAHO, County of BUTTE

On this 25th day of October, 2005
 before me, Lyle B. Boyer, a
 Notary Public in and for the said State personally
 appeared William Hugh Russell

Known to me to be the person(s) whose name(s) is
 subscribed to the within instrument, and acknowl-

STATE OF IDAHO
COUNTY OF BUTTE

} ss.

On this 25th day of October in the
 year 2005, before me, a Notary Public, personally appeared

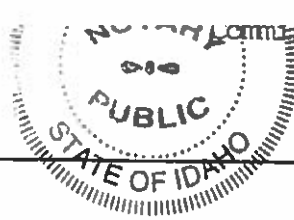
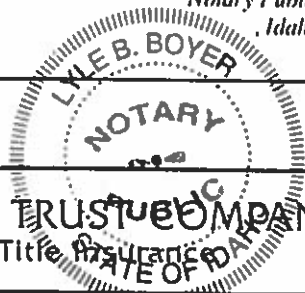
WILLIAM HUGH RUSSELL

known or identified to me to be the person whose name is subscribed
 to the within instrument as the attorney in fact of

JACKIE LEE RUSSELL and acknowledged to me
 that he subscribed the name of JACKIE LEE RUSSELL
 thereto as principal, and his (her) own name as attorney in fact.

[Signature]
Residing at Arco,
Comm. Expires: 6-5-2009

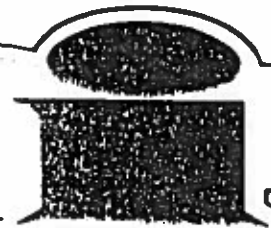
Notary Public
Idaho



Commission Expires: 6-5-2009

IDAHO TITLE & TRUST COMPANY
Escrows • Title Insurance

P.O. Box 50367, Idaho Falls, ID 83405-0367 (208) 522-7895



PROPERTY DESCRIPTION - EXHIBIT A

A parcel of land generally described as being a portion of the SE1/4 SE1/4 of Section 9, Township 4 North, Range 26 East of the Boise Meridian, Butte County, Idaho, and being more particularly described as follows:

Beginning at the southeast corner of said Section 9, (Recorded - M# 7224, Butte Co. records), from which the east one-quarter corner of said Section 9 bears North 00° 02" West, (basis of bearings - G.L.O. records - 1944), a distance of 2635.99 feet; thence from the southeast corner of said Section 9, South 89° 42' 12" West along the south boundary of the SE1/4 of said Section 9, a distance of 447.30 feet; thence North 00° 02' 00" West parallel with the east boundary of the SE1/4 of said Section 9, a distance of 455.00 feet; thence North 89° 42' 12" East parallel with the south boundary of the SE1/4 of said Section 9, a distance of 447.30 feet to the east boundary of the SE1/4 of said Section 9; thence South 00° 02' 00" East along the east boundary of the SE1/4 of said Section 9, a distance of 455.00 feet to the southeast corner of said Section 9, and the POINT OF BEGINNING.

The above described parcel of land contains 4.67 acres , more or less, and is subject to the following exceptions:

A county roadway adjoining the southerly boundary thereof.

A right-of-way deed to the State Of Idaho, dated Jan. 7, 1926, recorded Oct. 15, 1929, in book 9 of deeds, pg. 610, records of Butte Co., Idaho, for a strip of land thirtythree (33') wide on the west side of the east boundary of the SE1/4 of said Section 9.

Water Right Report

Page 1 of 3

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

04/14/2004

WATER RIGHT NO. 34-690A

Owner Type	Name and Address
Current Owner	JACKIE LEE RUSSELL
Current Owner	WILLIAM HUGH RUSSELL RT 1 BOX 70 MOORE, ID 83255 (208)527-3512
Directors Report Owner	ALICE NOBLE RT 1 BOX 70 MOORE, ID 83255
Original Owner	JAMES S SMITH , ID
Original Owner	MARIE S HANSEN
Original Owner	MARVIN J HANSEN RT 1 BOX 103 MOORE, ID 83255 (208)554-2409

Priority Date: 06/30/1883

Basis: Decreed

Status: Active

Source	Tributary
BIG LOST RIVER	SINKS

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	5/01	10/15	0.27 CFS	
Total Diversion			0.27 CFS	

<http://www.idwr.state.id.us/apps/ExtSearch/RightReportAJ.asp?BasinNumber=34&Seque...> 4/14/2004

711 6-30
1883
remaining
Per Linda at
BLRID Aug. 11, 2005
(Big Lost River Irrigation District)

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Department of Water Resources
Eastern Region

Water Right Report

Location of Point(s) of Diversion:

BIG LOST RIVER	NWSESE	Sec. 04	Township 05N	Range 26E	BUTTE County
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Place(s) of use:

Place of Use Legal Description: IRRIGATION BUTTE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
04N	26E	9		SESE	8.5									

Total Acres: 8.5

7"

Conditions of Approval:

1.	S34	THE PERIOD OF USE FOR IRRIGATION DESCRIBED ABOVE MAY BE EXTENDED IN SEASONS OF UNUSUAL CHARACTERISTICS TO A BEGINNING DATE OF 04-20 AND AN ENDING DATE OF 10-31 AT THE DISCRETION OF THE DIRECTOR OF THE IDAHO DEPARTMENT OF WATER RESOURCES.
2.	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.

Remarks:

1.	Explanatory	WATER IS DELIVERED THROUGH THE WESTSIDE DITCH FROM THE MOORE DIVERSION.
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Dates:

Other Information:

State or Federal: S

Owner Name Connector: OR

Water District Number: 34

<http://www.idwr.state.id.us/apps/ExtSearch/RightReportAJ.asp?BasinNumber=34&Seque...> 4/14/2004



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 17, 2016

Charles Spencer
Toni Spencer
2811 N 3300 W
Moore ID 83255

RE: Change of Ownership for Water Rights 34-690A (34-690A & 34-14540)

Dear Water Right Holder:

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

Your portion of the water right has a specified point of diversion, nature of use and place of use. If you plan on changing any of these, including adding a new point of diversion, then an Application for Transfer on your portion of this right is required. 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 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.

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

Enclosures

cc: Caralea Hinkle-Daniel
Water District 34