

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APR 26 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. 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?
63-4452	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: JAMES A. BUTLER / SANDRA N. BUTLER
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): JAMES HAL JOYCE / PAMELA JOYCE
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or ☐ and/or
- 2717 SOUTH HARMONY STREET IDAHO 83706
Mailing address State ZIP
- 208.850.4344 CELL# JHJOYCE@MSN.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: 9.19.2002
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] Title, if applicable _____ Date 4.23.16
Signature of new owner/claimant
- Signature: [Signature] Title, if applicable _____ Date 4.23.16
Signature of new owner/claimant

For IDWR Office Use Only:

Received by _____ Date 5-3-16 Receipt No. C101963 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 _____ Processed by [Signature] Date 5-3-16

COPY

ADA COUNTY RECORDER
J. DAVID NAVARRO
BOISE, IDAHO

RECORDED REQUEST OF
Pamela Joyce
FEE *base* DEPUTY *Shaper*

2002 AU 13 PM 12: 26

102091353

QUITCLAIM DEED

FOR VALUE RECEIVED, James A. Butler, the Grantor, does hereby convey, release, remise and forever quit claim an undivided interest unto James H. Joyce and Pamela Joyce, husband and wife, whose address is 1680 E. Seaport Ct., Boise, Idaho 83706, the following described premises, to wit:

A real property located at 2717 Harmony St., Boise, Ada County, Idaho 83706 and more particularly described on Exhibit "A" hereto, together with their appurtenances.

DATED this 12th of August, 2002

James A. Butler
James A. Butler

STATE OF IDAHO)
)ss.
COUNTY OF ADA)

On this 12 day of Aug in the year of 2002, before me Jacinda S. Johnson, a notary public for the State of Idaho, personally appeared JAMES A. BUTLER 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.

Notary Public: *Jacinda S. Johnson*
Residing at: Boise
My Commission expires: 9-30-07

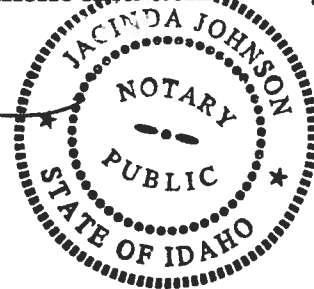


EXHIBIT A

POOR COPY

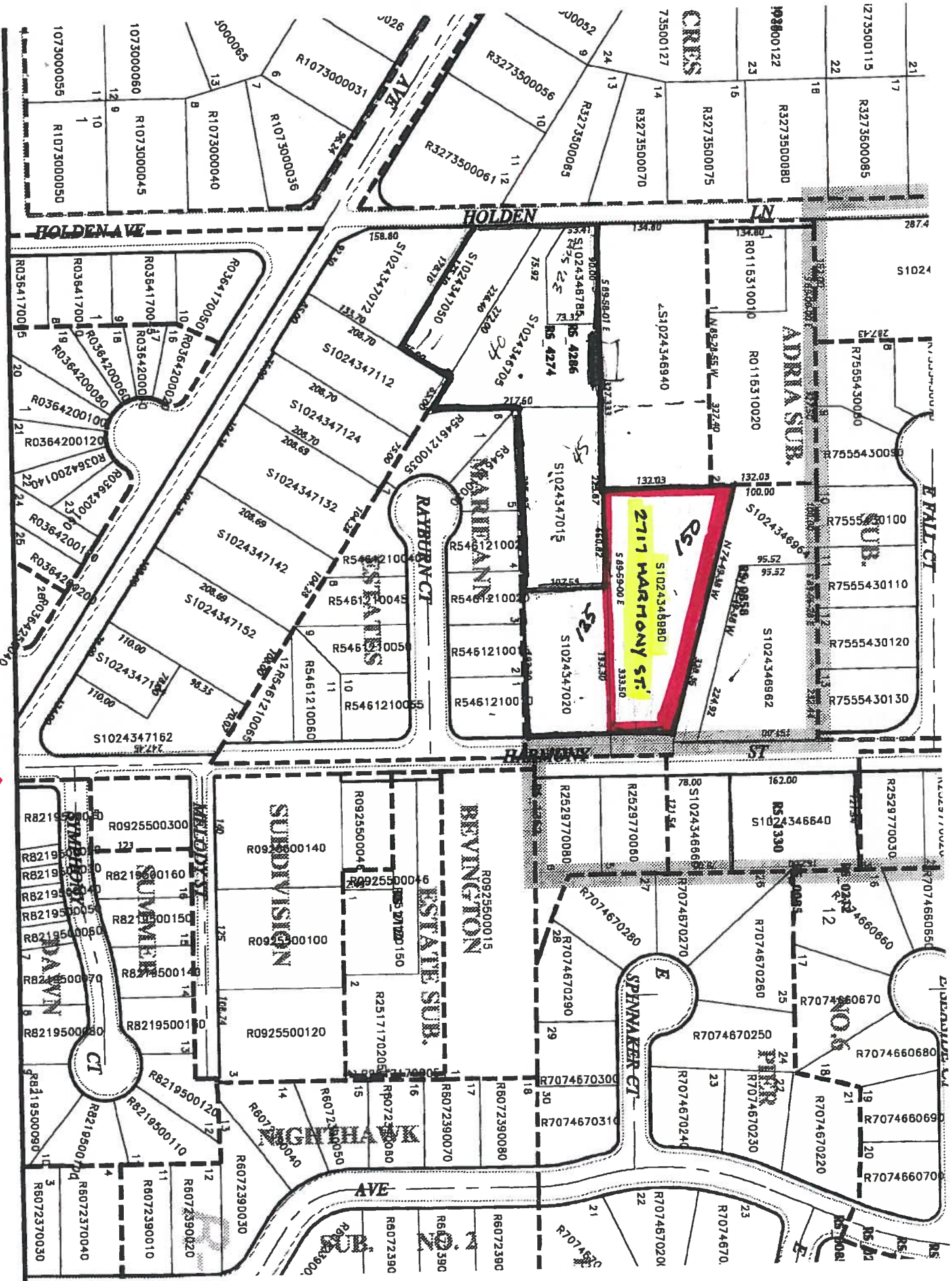
That portion of the Southeast quarter of the Southwest quarter of Section 24, Township 3 North, Range 2 East, Boise Meridian, Ada County, Idaho; described as follows:

Commencing at the quarter corner common to Sections 24 and 25, Township 3 North, Range 2 East; thence North 19.47 chains to a point; thence North 89 degrees 00' West a distance of 10.01 and one half chains to a point; thence South a distance of 4.35 and one half chains to an iron pipe, the real place of beginning; thence North 89 degrees 00' West 333.5 feet to an auto axle; thence South 0 degrees 32' West 264.06 feet to an iron rod; thence South 89 degrees 58' East 333.5 feet to an iron pipe in road; thence North 0 degrees 32' East 258.4 feet (North 3.915 chains) along center line of road to the real place of beginning. EXCEPTING therefrom the following:

Commencing at the quarter corner common to said Sections 24 and 25; thence North 1285.02 feet to a point; thence West 660.64 feet to a point; thence South 0 degrees 32' West 287.45 feet to an iron pipe in the center of County Road (Harmony Road, the real place of beginning); thence North 89 degrees 0' West for a distance of 335.50 feet to a point marked by auto axle; thence South 0 degrees 32' West for a distance of 100.00 feet to a point in center of Lateral Ditch of New York Canal System; thence Southeasterly along the course of said lateral ditch for a distance of 330.00 feet (more or less) to a point in center of said ditch at West edge of said Harmony Road; thence North 89 degrees 0' East for a distance of 15.0 feet to a point in center line of said Harmony Road; thence North 0 degrees 32' East for a distance of 181.00 feet to the place of beginning.

ALSO EXCEPT any portion quitclaimed to the County of Ada by Quitclaim Deed dated May 6, 1969, recorded May 9, 1969 under Recorder's Fee No. 715560, records of Ada County, Idaho.

copy



212949



ADA COUNTY RECORDER
J. DAVID NAVARRO
BOISE, IDAHO

2002 SP 30 PH 4:45

RECORDED - REQUEST OF

FEE 600 DEPUTY Hepler

102112896

A Pioneer Company
PIONEER TITLE COMPANY

OF ADA COUNTY
8151 W. Rifleman Ave. / Boise, Idaho 83704
(208) 377-2700

PIONEER TITLE

WARRANTY DEED

copy

For Value Received James Butler, a unmarried man

hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

James H. Joyce and Pamela Joyce, husband and wife

hereinafter referred to as Grantee, whose current address is 2717 South Harmony Street, Boise, ID 83706
the following described premises, to-wit:

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF.

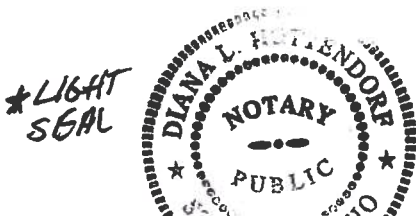
To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: September 19, 2002

James Butler

STATE OF Idaho. County of Ada, ss.

On this 30 day of September, in the year of 2002, before me the undersigned, notary public personally appeared James Butler known or identified to me to be the person/persons whose name is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.



Notary Public of Idaho
Residing at Boise
Commission

04-05-07

expires:

EXHIBIT A

- Copy -

That portion of the Southeast quarter of the Southwest quarter of Section 24, Township 3 North, Range 2 East, Boise Meridian, Ada County, Idaho; described as follows:

Commencing at the quarter corner common to Sections 24 and 25, Township 3 North, Range 2 East; thence

North 19.47 chains to a point; thence

North 89 degrees 00' West a distance of 10.01 and one half chains to a point; thence

South a distance of 4.35 and one half chains to an iron pipe, the real place of beginning; thence

North 89 degrees 00' West 333.5 feet to an auto axle; thence

South 0 degrees 32' West 264.06 feet to an iron rod; thence

South 89 degrees 58' East 333.5 feet to an iron pipe in road; thence

North 0 degrees 32' East 258.4 feet (North 3.915 chains) along center line of road to the real place of beginning.

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North 89 degrees 0' West for a distance of 335.50 feet to a point marked by auto axle; thence

South 0 degrees 32' West for a distance of 100.00 feet to a point in center of Lateral Ditch of New York Canal System; thence

Southeasterly along the course of said lateral ditch for a distance of 330.00 feet (more or less) to a point in center of said ditch at West edge of said Harmony Road; thence

North 89 degrees 0' East for a distance of 15.0 feet to a point in center line of said Harmony Road; thence

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ALSO EXCEPT any portion quitclaimed to the County of Ada by Quitclaim Deed dated May 6, 1969, recorded May 9, 1969 under Recorder's Fee No. 715560, records of Ada County, Idaho.

copy

RETURN TO: JAMES HAL JOYCE
PAMELA JOYCE
2717 HARMONY AVE
BOISE, ID 83706-5025

ADA COUNTY RECORDER J. DAVID NAVARRO
BOISE IDAHO 05/03/04 10:07 AM
DEPUTY Joanne Hooper
RECORDED - REQUEST OF
KEYBANK
AMOUNT 3.00



1

FULL RECONVEYANCE

The undersigned, as trustee under the Deed of Trust described below, having received from the Beneficiary under said Deed of Trust, a written request to reconvey said Deed of Trust, which request recites that the obligations secured by the Deed of Trust have been fully satisfied, does hereby reconvey without warranty to the person(s) legally entitled thereto, all of the right, title and interest now held by said trustee in and to the property described in such Deed of Trust.

Deed of Trust Date: 12/18/02
Recording Date: 12/26/02
County: ADA
State: IDAHO
Recording #: 102156547 Reel: N/A Page: N/A
Grantor: JAMES HAL JOYCE and PAMELA JOYCE
Beneficiary: KEY BANK NATIONAL ASSOCIATION
Account: 1256017951217

As set forth in the Deed of Trust

Dated: 4/26/2004
KeyBank USA NA, Trustee

Robert C Martin

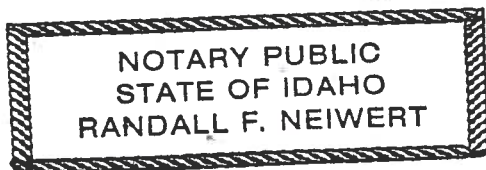
State of Idaho)
County of Ada)

On April 26, 2004, before me, the undersigned, a Notary Public in and for the State, personally appeared Robert C Martin, known to me to be an officer of KeyBank USA, NA, the corporation that executed the foregoing Instrument as such on behalf of the corporation herein named, and acknowledged to me that such corporation executed the same as Trustee.

WITNESS my hand and official seal.

Signature

Exp.

4/28/2009



A Pioneer Company

PIONEER TITLE COMPANY

OF ADA COUNTY

8151 W. Rifleman Ave. / Boise, Idaho 83704 / (208) 377-2700

September 19, 2002

James H. Joyce and Pamela Joyce
2717 South Harmony Street
Boise, ID 83706

Re: Escrow No.: 212949
Seller: James Butler, a unmarried man
Buyer: James H. Joyce and Pamela Joyce, husband and wife
Property: 2717 South Harmony Street
Boise, Idaho 83706

The closing of your purchase of the above-noted property has now been completed. Enclosed for your records are your original Warranty Deed and Title Insurance Policy.

We appreciate having had this opportunity to be of service to you. If you have questions or if we can help you again, please feel free to contact us.

Sincerely,

PIONEER TITLE COMPANY OF ADA COUNTY

Kathie Walker
Escrow Officer

Enclosures

kw:kw

Copy


 Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

4/23/2016

WATER RIGHT NO. 63-4452

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JAMES A BUTLER
Current Owner	SANDRA N BUTLER 2717 HARMONY BOISE, ID 83706 (208)342-3763
Original Owner	ROBERT WM GAVIN 2717 HARMONY ST BOISE, ID 83706

Priority Date: 01/01/1963

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DOMESTIC	1/01	12/31	0.04 CFS	
Total Diversion			0.04 CFS	

Location of Point(s) of Diversion:

GROUND WATER|SESW|Sec. 24|Township 03N|Range 02E|ADA County

Place(s) of use:

Place of Use Legal Description: DOMESTIC ADA 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>
03N	02E	24		SESW										

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.
2. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
3. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
4. PARCEL NO. S1024346980

Dates:

Licensed Date:

Decreed Date: 12/30/1999

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:

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

Close



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

May 3, 2016

JAMES HAL JOYCE
PAMELA JOYCE
2717 S HARMONY ST
BOISE ID 83706

Re: Change of Ownership for Water Right/Permit No(s): 63-4452

Dear Water Right Holder(s):

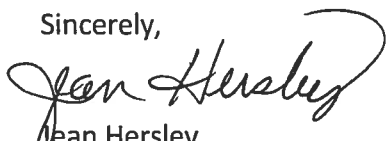
The Department acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records to reflect this change in ownership and has enclosed a computer-generated report for your records.

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 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 § 42-222 and §42-223, Idaho Code.

Also note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right, to the Department. Notice of the change must be provided to the Department within 120 days of the change. Water right forms are available from any office of the Department, or at www.idwr.idaho.gov.

If you have any questions concerning the enclosed information, please feel free to contact me at (208) 287-4942.

Sincerely,


Jean Hersley
Technical Records Specialist II

Enclosure(s)



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

April 26, 2016

JAMES HAL JOYCE
PAMELA JOYCE
2717 S HARMONY ST
BOISE ID 83706

RE: Change of Ownership for Water Right No(s): 63-4452

Dear Water Right holder(s):

The Department of Water Resources acknowledges receipt of the request for a Notice of Change in Water Right Ownership water rights 63-4452. However, a fee is needed before the Department can update the ownership of this right.

Effective July 1, 2000, the legislature enacted House Bill No. 545 requiring a filing fee for a change in water right ownership for rights that have been decreed in the SRBA. The fee is \$25 per water right, except for ownership changes resulting in the division of a water right, which is \$100 per water right. All ownership change notices received after June 30, 2000 must include the appropriate filing fees in order to be processed. We have determined that **\$25** is needed to complete this request.

Because the Department cannot process the request for Notice of Change in Water Right Ownership without proper fees, we will hold any action on your notice pending receipt of the additional fees. If we do not receive the additional fees and within 30 days we will return your notice and all attachments and your notice will not be processed.

If you have any questions concerning this letter, feel free to contact me at 287-4942.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Jean Hersley'.

Jean Hersley
Technical Records Specialist II