

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

FEB 25 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.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
65-23204	Yes ☒		Yes ☐		Yes ☐
65-23204 + 65-23637	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: CAMP & AMY OLSEN
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): CHEEHAOLE TRUST
Name of each new owner as listed on the conveyance document

New owner continued Name connector ☐ and ☐ or ☐ and/or

5207 MONTROSE RD.

Mailing address

EMMETT ID 83617

City State ZIP

208-631-1440 Scott@3dvisualize.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. 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.

SUPPORT DATA

IN FILE # 65-23204

7. Signature: [Signature] 2/25/16
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 J. Strang Date 2-25-16 Receipt No. C101558 Receipt Amt. 100.00

Approved by _____ Processed by [Signature] Date 3-11-16

attn: Sandy

INSTRU. NO. <u>278900</u>
PAGES <u>1</u> OF <u>3</u>

TRUSTEE'S DEED

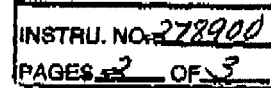
DAVID E. WISHNEY, a Member of the Idaho State Bar Association (herein called "Successor Trustee"), as Successor Trustee under that Deed of Trust hereinafter particularly described, does hereby bargain, sell and convey, without warranty, to: Robert J. Hunter, Trustee of the Cheehaole Trust dated April 15, 1987, (herein called "Grantee"), whose current address is P.O. Box 98, Emmett, Idaho 83617, all of the real property situated in the County of Gem, State of Idaho, described on Exhibit "A" attached hereto.

This conveyance is made pursuant to the powers conferred upon Trustee by the Deed of Trust between: Shannon Cook, a married man as his sole and separate property, as Grantor, David E. Wishney, a Member of the Idaho State Bar Association, the Successor Trustee herein, and Washington Federal Savings as Beneficiary, recorded February 20, 2007 as Instrument No. 257705, as modified by Notice Of Modification Of Deed Of Trust recorded March 4, 2009 as Instrument No. 270756, records of Gem County, Idaho, and after the fulfillment of the conditions specified in said Deed of Trust authorizing this conveyance, as follows:

(a) Default occurred in the obligations for which such Deed of Trust was given as security and the Beneficiary made demand upon the said Trustee to sell said property pursuant to the terms of said Deed of Trust. Notice of Default was recorded as Instrument No. 276858, records of Gem County, and in the office of the Recorder for each other County in which the property described in said Deed of Trust, or any part thereof, is located, the nature of such default being as set forth in said Notice of Default. Such default still existed at the time of sale.

(b) After recordation of said Notice of Default, Trustee gave notice of the time and place of the sale of said property by registered or certified mail, by personal service upon the occupants of said real property, and by publishing in a newspaper of general circulation in each of the counties in which the property is situated, as more fully appears in Affidavits recorded at least 20 days prior to the date of sale as Instrument Nos. 278339, 278340 and 278341, records of Gem County.

(c) The provisions, recitals and contents of the Notice of Default referred to in paragraph (a) supra and of the Affidavits referred to in paragraph (b) supra shall be and they are hereby incorporated herein and made an integral part hereof for all purposes as though set forth at length.



(d) All requirements of law regarding the mailing, personal service, posting, publication and recording of Notice of Default, Notice of Sale and of all other notices, have been complied with.

(e) Not less than 120 days elapsed between the giving of Notice of Sale by registered or certified mail and the sale of said property.

(f) Trustee at the time and place of sale fixed by Notice, at public auction, in one parcel, struck off to Grantee, being the highest bidder therefor, the property herein described for the sum of \$91,000.00, subject, however, to all prior liens and encumbrances. No person or corporation offered to take any part of said property less than the whole thereof for the amount of principal, interest, advances and costs.

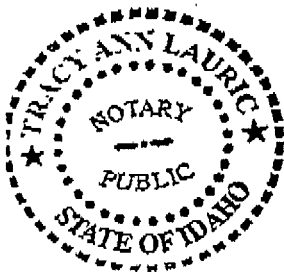
IN WITNESS WHEREOF, the Successor Trustee, has caused his name to be hereunto this 3 day of September, 2010.


David E. Wishney, Successor Trustee
A Member of the Idaho State Bar.

STATE OF IDAHO)
) ss
County of Ada)

On this 3rd day of September, 2010, before me a Notary Public in and for said State, personally appeared David E. Wishney, 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.

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




Notary Public for Idaho
Residing at: Mountain Home, Idaho
Commission Expires: 11-20-15

TRUSTEE'S DEED - Pg. 2

Instrument # 278900

EMMETT, GEM, IDAHO

8-10-2010 04:38:19 No. of Pages: 3

Recorded for: ALLIANCE TITLE & ESCROW

SHELLY GANNON

Ex-Officio Recorder Deputy

Index to: DEED

Fees: 15.00


INSTRU. NO. <u>278400</u>
PAGES <u>3</u> OF <u>3</u>

TRACT I

EXHIBIT "A"

That portion of Government Lot 5 of Section 20, Township 7 North, Range 1 East, B.M., Gem County, Idaho, described as follows:

COMMENCING at the North quarter corner of Section 20, Township 7 North, Range 1 East, B.M.;
 thence
 North 89°40'18" West, 88.83 feet, along the North line of Government Lot 5 of said Section 20 to the
 REAL POINT OF BEGINNING; thence
 South 01°01'18" East, 604.45, to a point on the meander line of the Payette River as established in 1869;
 thence
 South 80°12'03" West, 468.00 feet, along said meander line; thence
 North 46°00'30" West, 994.41 feet, along said meander line, to the Northwest corner of said Government
 Lot 5; thence
 South 89°40'18" East, 1165.83 feet, along the North line of said Government Lot 5 to the REAL POINT
 OF BEGINNING.

TRACT II

TOGETHER WITH a 60.00 foot ingress, egress and utility easement under, over and across a strip of
 land in Government Lot 1 of Section 17, Township 7 North, Range 1 East, Boise Meridian, Gem County,
 Idaho, lying 30.00 feet each side of the following described centerline:

Commencing at the southwest corner of Government Lot 1 of Section 17, Township 7 North, Range 1
 East, Boise Meridian; thence
 South 89°59'44" East, 30.00 feet, along the south line of said Government Lot 1 to the Point of
 Beginning; thence
 North 00°31'11" East, 700.48 feet, parallel to and 30.00 feet east of the west line of said Government Lot
 1, to the beginning of a tangent 365.00 foot radius curve to the right; thence
 northeasterly along the arc of said curve through a central angle of 30°40'42" a distance of 195.43 feet to
 the beginning of a tangent reversing 500.00 foot radius curve to the left; thence
 northeasterly along the arc of said curve through a central angle of 16°40'52" a distance of 145.57 feet;
 thence
 tangent to said curve 14°31'01" East, 340.96 feet to the beginning of a tangent 250.00 foot radius curve to
 the right; thence
 northeasterly along the arc of said curve through a central angle of 41°28'40" a distance of 180.98 feet;
 thence
 tangent to said curve North 55°59'40" East, 102.15 feet to the beginning of a tangent 600.00 foot radius
 curve to the left; thence
 northeasterly along the arc of said curve through a central angle of 14°56'06" a distance of 156.40 feet;
 thence
 tangent to said curve North 41°03'34" East, 233.47 feet to the center of a 60.00 foot radius cul-de-sac
 being the terminus of this easement.

TOGETHER WITH an ingress, egress and utility under, over and across a portion of Government Lot 5
 of Section 20, Township 7 North, Range 1 East, Boise Meridian described as follows:

Beginning at the North ¼ corner of Section 20, Township 7 North, Range 1 East, Boise Meridian;
 Thence South 89°59'44" East, 91.21 feet, along the north line of said Government Lot 5;
 Thence South 01°01'18" East, 180.03 feet;
 Thence North 89°59'44" West 180.03 feet;
 Thence North 01°01'18" West 180.53 feet to the north line of said Government Lot 5;
 Thence South 89°40'18" East, 88.83 feet, along said north line, to the point of Beginning.

AND ALSO TOGETHER WITH an ingress, egress and utility easement described in Instrument No.
 233576, records of Gem County, Idaho.



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

March 11, 2016

CHEEHAOLE TRUST
5207 MONTGOMERY RD
EMMETT ID 83617

Re: Change in Water Right Ownership: Water Right No. 65-23204 (Split into 65-23204 and 65-23637)

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 based on the information received to reflect the change in ownership and has enclosed a computer-generated report for your records.

Your portion of these water rights has a specified point of diversion, nature of use and place of use. If you plan on changing the nature of use, place of use, or point of diversion under this right, including adding a new point of diversion, then an Application for Transfer on your portion of this right is required. Please contact this office for further information on the Application for Transfer form or you can find the forms at www.idwr.idaho.gov. 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 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 feel free to contact me at 208-287-4942 if you have any questions concerning the enclosed information or this letter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jean Hersley'.

Jean Hersley
Technical Records Specialist II

Enclosure



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

March 11, 2016

CHAD OLSEN
AMY OLSEN
3 SPRING CREEK DR
HORSESHOE BEND ID 83629

Re: Change in Water Right Ownership: Water Right No. 65-23204 (Split into 65-23204 and 65-23637)
Dear Water Right Holder(s):

We have received and processed a Change of Ownership for a portion of your original Water Right as referenced above. This change of ownership resulted in a split of your original water right.

When a portion of the original water right has been conveyed to another and the original right has been split, a new water right number is issued to the new owner representing their portion of the original water right. Each water right contains only the portion of the original right for each separate owner. The original water right number reflects your remaining portion of the water right, after the change of ownership. Enclosed is a copy of this water right for your records. Please refer to your water right number when corresponding with our office.

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.

If you have any questions concerning this ownership change, or the enclosed information, please contact me at 208-287-4942.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jean Hersley'.

Jean Hersley
Technical Records Specialist II

Enclosure