

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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AUG 07 2015

AUG 14 2015

Notice of Change in Water Right Ownership

Department of Water Resources
Eastern RegionDEPARTMENT OF
WATER RESOURCES

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?
PD 75-4117H	Yes ☐ <i>not changed</i>		Yes ☐		Yes ☐
PD 75-10412	Yes ☐		Yes ☐		Yes ☐
PD 75-10415	Yes ☒		Yes ☐		Yes ☐
75-10415 & 75-14818	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Leonard Jakich and/ or A. Yvonne Jakich
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Emery J Penner and Mary E Penner
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or ☐ and/or

<u>118 S St Charles Rd</u>	<u>Salmon</u>	<u>ID</u>	<u>83467</u>
Mailing address	City	State	ZIP
<u>208-993-1430</u>	<u>beth@lemhititle.com</u>		
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: Aug. 4, 2015

6. If the water right described herein has been rented from the Water Supply Bank, rental proceeds will be disbursed in the following manner regardless of any arrangements between the buyer(s) and seller(s) to the contrary:

- Rental payments will go to the lessor(s) of record at the beginning of the rental season.
- If a change in ownership is processed by the Department during a rental season, rental payment will be made to the person or entity who is the lessor of record at the beginning of that rental season.
- New lessor(s) of record will receive payment after the following rental season.

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.

SUPPORT DATA

IN FILE # 75-10412

8. Signature: [Signature] Title, if applicable _____ Date 8/3/15
- Signature: Mary E Penner Title, if applicable _____ Date 08/04/15

For IDWR Office Use Only:

Received by JB Date 8/7/2015 Receipt No. E041347 Receipt Amt. \$75.00

Approved by _____ Processed by [Signature] Date 12-2-15

Warranty Deed

For Value Received

Leonard Jakich and Yvonne Jakich a/k/a Adelene Yvonne Jakich, husband and wife

the grantors, do hereby grant, bargain, sell and convey unto

Emery J Penner and Mary E Penner, husband and wife as community property

Whose current address is:

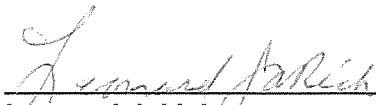
**118 S St Charles Rd
Salmon, ID 83467**

the grantee, the following described premises, to-wit:

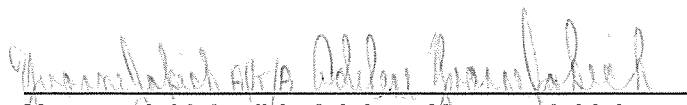
See Attached Legal

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees that they are the owners in fee simple of said premises; that they are free from all encumbrances EXCEPT: Subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes, assessments, including irrigation and utility easements (if any) for the current year, which are not due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: August 4, 2015



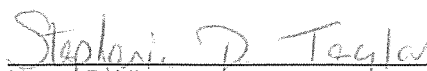
Leonard Jakich



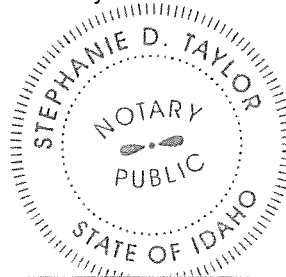
Yvonne Jakich a/k/a Adelene Yvonne Jakich

STATE OF IDAHO)
) ss
COUNTY OF LEMHI)

On this 4 day of August, 2015, before me, a notary public in and for said State, personally appeared **Leonard Jakich and Yvonne Jakich a/k/a Adelene Yvonne Jakich** known to me or proved to me to be the persons whose name is subscribed to the within instrument and acknowledged to me that they executed the same.



Notary Public
Residing at: Salmon
Comm. Expires: 2-9-2021



Legal Description

A parcel of land located in the NE1/4 of Section 18, T. 21 N., R. 22 E., Boise Meridian, Lemhi County, Idaho, more, particularly described as follows;

Commencing at the N1/4 Corner of said Section 18, from which the S1/4 Corner of said section bears S 00deg02'45"W a distance of 5285.59 ft., the Basis Of Bearing of this description, run thence S 00deg02'45"W along the centerline of South Saint Charles Street and the westerly boundary of said NE1/4 of said section a distance of 1321.41 ft to the NW Corner of the SW1/4NE1/4 of said section;
Thence S 89deg51'07"E along the northerly boundary of said SW1/4NE1/4 a distance of 25.00 ft. to a point on the easterly right-of-way of said street and the POINT OF BEGINNING;

Thence continuing S 89deg51'07"E along said boundary a distance of 635.97 ft. to the NE Corner of the NW1/4SW1/4NE1/4 of said section;

Thence S 00deg02'07"W along the easterly boundary of said NW1/4SW1/4NE1/4 a distance of 562.18 ft. to a point on the centerline of an existing irrigation ditch extended and the northerly boundary of the Jakich Family Estates Subdivision;

Thence the following courses and distances along said ditch centerline and subdivision boundary;

N 36deg02'21"W 143.59 ft.; N 47deg41'58"W 225.54 ft.;

S 88deg43'53"W 30.49 ft.; S 76deg05'54"W 154.57 ft.;

S 83deg08'38"W 59.27 ft.; S 86deg17'16"W 96.65 ft.;

S 52deg42'16"W 16.93 ft.; S 18deg38'41"W 27.94 ft.;

S 38deg53'23"W 42.10 ft. to a point on the easterly right-of-way of said street;

Thence N 00deg02'45"E along said right-of-way a distance of 416.56 ft. to the POINT OF BEGINNING.

Together with all water and water rights, ditch and ditch rights, appurtenant thereto and/ or used in connection there with.



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 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER

Governor

GARY SPACKMAN

Director

December 2, 2015

EMERY J PENNER
MARY E PENNER
118 S ST CHARLES RD
SALMON ID 83467

Re: Change in Water Right Ownership: Water Right No. 75-10415 (Split into 75-10415 and 75-14818) and 74-10412

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.

Please note the ownership of water right 75-4117H was not updated. This water right is not appurtenant to your property.

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,

Jean Hersley
Technical Records Specialist II

Enclosure

c: Water District No. 75C



State of Idaho

DEPARTMENT OF WATER RESOURCES

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

November 4, 2015

EMERY J PENNER
MARY E PENNER
118 S ST CHARLES RD
SALMON ID 83467

RE: Ownership Change Water Right: 75-4117H, 75-10412 and 75-10415

Dear Property Owner:

The Department of Water Resources acknowledges receipt of your request for a Notice of Change of Water Right Ownership on water rights 75-4117H, 75-10412 and 75-10415. After reviewing your request, it was determined additional fees will be needed to complete this request.

Water Right 75-10415 will need to be divided. You are entitled to a portion (4.5 acres) of the irrigation and stockwater use. I have enclosed a map and water right report for your benefit.

Effective July 1, 2000, the legislature enacted House Bill No. 545 requiring a filing fee for a change in water right ownership. 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. The Department has determined that the additional filing fee for your notice will be **\$50**.

The ownership of water right 75-4117H will not be updated as it is not appurtenant to your property as described on the warranty deed provided. This water right is located in Township 21N, Range 22E, Sections 18, SESW and Section 19, NENW. Your property is located in Township 21N, range 22E, Section 18, SWNE. The fee paid for this change will be applied to the dividing of water right 75-10415.

Because the Department cannot process the ownership change without proper fees, we will hold any action on your notice pending receipt of the necessary fees. If we do not receive the necessary fees within 30 days we will return your notice and all attachments and your notice will not be processed.

Please contact me at 208-287-4942 if you have any questions.

Sincerely,

Jean Hersley
Technical Records Specialist II

Enclosures