

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

OCT 07 2015

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?
72-7449	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: Cheryl L Simon
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): James and Lisa O'Brien
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 704 Thompson Creek Way Clayton ID 83227
Mailing address City State ZIP
- 208-838-2362 thx4800@aol.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. 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. **SENT UNDER SEPERATE COVER VIA WF online bill pay 9/23/15**
- ☐ \$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: James O'Brien _____ July 31, 2015
Signature of new owner/claimant Title, if applicable Date
- Signature: Lisa O'Brien _____ July 31, 2015
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by dy Date 11-10-15 Receipt No. C 106200 Receipt Amt. 25.00

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 11-10-15

WARRANTY DEED

249050

For Value Received, I, FATHER WILLIAM J. DECKER, also known as FATHER JONATHAN DECKER, MMJM, as Trustee of the Maronite Monks Idaho Charitable Trust, Grantor, do hereby grant, bargain, sell and convey unto JAMES J. O'BRIEN AND LISA O'BRIEN, whose address is: 3969 Lassen Street, Napa, CA 94558

the following described premises in Custer County, Idaho, to-wit:

A fraction of Lot 5, Section 25, Township 11 North, Range 16 East, Boise Meridian, Custer County, Idaho, described as:

Commencing at the Southeastern corner of said Section 25, thence North 396.0 feet; thence North 41°00' West, 1355.3 feet; thence North 63°31' West, 163.8 feet to the Point of Beginning of the tract of land herein described; thence North 15°45' East, 397.5 feet; thence North 29°53' East, 316.2 feet; thence North 86°25' West, 621.2 feet, more or less, to a point on the Westerly boundary of said Lot 5; thence South along the Westerly boundary of Lot 5 a distance of 632.5 feet to a point on the Northerly bank of the Salmon River; thence Southeastly along the Northerly bank of the Salmon River 386.8 feet, more or less to the Southwest corner of the land described in the Deed to William R. Millick, et. ux., recorded August 11, 1977, as Instrument No. 144424, records of Custer County, Idaho; thence North 15°45' East along the West line of said Millick land 181.1 feet to the trust point of beginning.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that he is the owner of said premises; that they are free from all encumbrances

and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: 7 July 2014

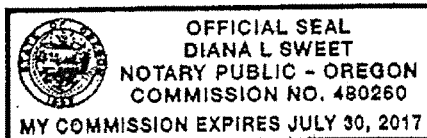
FATHER WILLIAM J. DECKER

FATHER WILLIAM J. DECKER, also known as FATHER JONATHAN DECKER, MMJM, as Trustee of the Maronite Monks Idaho Charitable Trust.

STATE OF Oregon ss.
COUNTY OF Washington

On this 7 day of July in the year 2014, before me, a Notary Public in and for said State, personally appeared Father William J. Decker, also known as Father Jonathan Decker, MMJM, as Trustee of the Maronite Monks Idaho Charitable Trust, 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 seal the day and year in this certificate first above written.



Diana Sweet
Notary Public for the State of Oregon
Residing at: Washington
Commission Expires: July 30, 2017

STATE OF IDAHO, COUNTY OF CUSTER

I hereby Certify that this instrument was filed for record at the request of CCT at 4:16 P.M., this 9th day of July, 2014 in my office.

Barbara C. Tierney
Ex-Officio Recorder

BY: Bonnie Presp
Deputy

Fees: \$ 10.00
Mail to:



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

November 10, 2015

JAMES J O BRIEN
LISA OBRIEN
704 THOMPSON CREEK WAY
CLAYTON ID 83227

Re: Change of Ownership for Water Right/Permit No(s): 72-7449

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.

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. Change reporting forms are available from any office of the Department, or at www.idwr.idaho.gov.

Thank you for your patience. 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)

c: Water District No. 170



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

October 23, 2015

JAMES O BRIEN
LISA O BRIEN
704 THOMPSON CREEK WAY
CLAYTON ID 83227

RE: Change of Ownership for Water Right No(s): 72-7449

Dear Water Right holder(s):

The Department of Water Resources acknowledges receipt of the Notice of Change in Water Right Ownership water right 72-7449. It was noted on the request that payment had been sent via Wells Fargo online bill pay. This Department has never received that payment.

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,

Jean Hersley
Technical Records Specialist II