

NOV 10 2014

WATER RESOURCES
WESTERN REGION

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?
PD 67-10197	Yes ☐		Yes ☐		Yes ☐
PD 67-666H	Yes ☒	67-15143	Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name:

Anna C Kamerdula and Henry Kamerdula
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s):

Michael W Busby
Name of each new owner as listed on the conveyance documentKimberly A Mott
New owner continued ☒ and ☐ or ☐ and/or

2272 Jonathan Avenue

Mailing address

Fruitvale,

ID 83612

City

State ZIP

208-630-4671

13579mott@a.mail.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: November 5, 2014

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):
 - o \$25 per undivided water right.
 - o \$100 per split water right.
 - o No fee is required for pending adjudication claims.

SUPPORT DATA

IN FILE #

67-666H

7. Signature:

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

Date

Receipt No.

Receipt Amt.

Approved by

Processed by

Date

WARRANTY DEED

For Value Received, PAUL JOSEPH KAMERDULA, STERLING DANIEL KAMERDULA, KIP HENRY KAMERDULA and JAMES KENNETH KAMERDULA, all ~~married~~ ^{single} men as their sole and separate property with right of survivorship, ~~as to remainder~~ /aka James K. Kamerdula

the grantors do hereby grant, bargain, sell and convey unto MICHAEL W. BUSBY, a single man and KIMBERLY A. MOTT, a single woman, as joint tenants with right of survivorship

the grantees, whose current address is 2272 Jonathan Avenue, Fruitvale, ID 83612 the following described premises, in Adams County, Idaho, to-wit:

Lots 32, 33, 34, 35, 36, 37, 38, 39, 40 and 41 and all that part of Lots 42, 43, 44, 45, 46, 47, 48, 49, 50 and 51 lying Westerly of the Robertson-Seavy ditch according to the official plat of the Townsite of Fruitvale, Idaho on file in the office of the County Recorder of Adams County, Idaho.
SUBJECT TO the County road right-of-way running along the west line of Lots 32 through 41.

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 excepting for all easements of record, rights of way, matters visible, and all matters of record and title and that they will warrant and defend the same from all lawful claims whatsoever.

Date: October 28, 2014

Paul Joseph Kamerdula
PAUL JOSEPH KAMERDULA
Kip Henry Kamerdula
KIP HENRY KAMERDULA
Sterling Daniel Kamerdula
STERLING DANIEL KAMERDULA
James Kenneth Kamerdula
JAMES KENNETH KAMERDULA

Instrument # 127437

STATE OF Idaho
COUNTY OF Adams

COUNCIL, ADAMS, IDAHO
11-5-2014 10:28:22 AM No. of Pages: 4
Recorded for : TIMBERLINE TITLE & ESCROW
SHERRY WARD Fee: 19.00
Ex-Office Recorder Deputy Sheri J. J. J.
Index to DEED

On this 4th day of November, in the year of 2014, before me, a Notary Public in and for said State, personally appeared PAUL JOSEPH KAMERDULA known, or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me he executed the same.

NOTARY
PUBLIC
STATE OF Idaho
COUNTY OF Adams

Jean J. J. J.
Notary Public
Residing at: Cambridge, ID
Commission expires: 6.26.2015

On this 4th day of November, in the year of 2014, before me, a Notary Public in and for said State, personally appeared STERLING DANIEL KAMERDULA known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me he executed the same.



Jean J. J. J.
Notary Public
Residing at: Cambridge ID
Commission expires: 6.26.2015

WARRANTY DEED

For Value Received, PAUL JOSEPH KAMERDULA, STERLING DANIEL KAMERDULA, KIP HENRY KAMERDULA and JAMES KENNETH KAMERDULA, all married men as their sole and separate property with right of survivorship, ~~as to remainder~~ / aka JAMES K. KAMERDULA the grantors do hereby grant, bargain, sell and convey unto MICHAEL W. BUSBY, a single man and KIMBERLY A. MOTT, a single woman, as joint tenants with right of survivorship

the grantees, whose current address is 2272 Jonathan Avenue, Fruitvale, ID 83612 the following described premises, in Adams County, Idaho, to-wit:

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SUBJECT TO the County road right-of-way running along the west line of Lots 32 through 41.

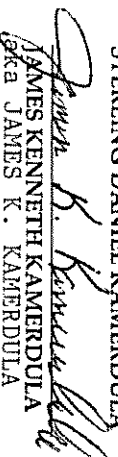
TO HAVE AND TO HOLD THE said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that they are free from all encumbrances excepting for all easements of record, rights of way, matters visible, and all matters of record and title and that they will warrant and defend the same from all lawful claims whatsoever.

Date: October 28, 2014

PAUL JOSEPH KAMERDULA

STERLING DANIEL KAMERDULA

KIP HENRY KAMERDULA


JAMES KENNETH KAMERDULA
aka JAMES K. KAMERDULA

STATE OF)
COUNTY OF) ss

On this day of November, in the year of 2014, before me, a Notary Public in and for said State, personally appeared PAUL JOSEPH KAMERDULA known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me he executed the same.

Notary Public
Residing at:
Commission expires:

STATE OF)
COUNTY OF) ss

On this day of November, in the year of 2014, before me, a Notary Public in and for said State, personally appeared STERLING DANIEL KAMERDULA known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me he executed the same.

Notary Public
Residing at:
Commission expires:

ACKNOWLEDGMENT

State of California
County of Alameda)

On October 30, 2014 before me, Lisa M. Capirchio, Notary Public
(insert name and title of the officer)

personally appeared Kip Henry Kamerdula
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

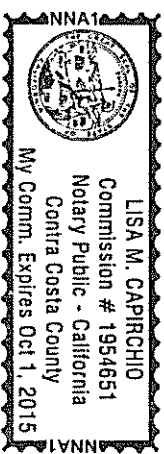
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.

Signature

Lisa M. Capirchio

(Seal)



State of California

County of Alameda

On 10/29/14 Before me, Leslee Belmont,

Notary Public, personally appeared:

James K. Kamboula
aka JAMES-KENNETH KAMBOULA

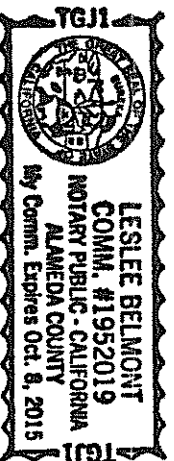
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to this instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Leslee Belmont

Leslee Belmont



Optional Section

Capacity claimed by signer:

- ☐ Individual
- ☐ Corporate Officer (s)

Title (s)

- ☐ Partners ☐ Limited
- ☐ General

☐ Attorney in Fact

☐ Trustee

☐ Guardian/Conservator

☐ Other

Signer is representing:

Name of person(s) or entity(ies)

Optional Section

Title or type of document: Voluntary Deed

Number of pages _____ Date of document _____

Instrument # 119420

COUNCIL, ADAMS, IDAHO

11-20-2009

01:30:22

Page: 1

Recorded for: AMERITITLE

SHERY WARD Fee: 3.00

Ex-Office Recorder Deputy

Index to: DEED

5D228A

GIFT DEED

COPY

In Consideration of Love and Affection ANNA CATHERINE KAMERDULA, a widow

does hereby **GIFT, GRANT AND CONVEY** unto her sons, PAUL JOSEPH KAMERDULA, STERLING DANIEL KAMERDULA, KIP HENRY KAMERDULA AND JAMES KENNETH KAMERDULA, all married men as their sole and separate property with rights of survivorship

whose current address is: 2598 Fruitvale-Glendale Road, Fruitvale, ID 83612

the following described premises, to-wit:

Lots 32, 33, 34, 35, 36, 37, 38, 39, 40 and 41 and all that part of Lots 42, 43, 44, 45, 46, 47, 48, 49, 50 and 51 lying Westerly of the Robertson-Seavy Ditch according to the Official Plat of the Townsite of Fruitvale, Idaho on file in the office of the County Recorder of Adams County, Idaho

TO HAVE AND TO HOLD the said premises with love and affection, which she bears for her sons and 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 she is the owner in fee simple of said premises; that they are free from all encumbrances, excepting reservations, easements, encumbrances, restrictions and rights of way appearing of record and/or existing and that they will warrant and defend the same from all lawful claims whatsoever. **RESERVING THEREFROM A LIFE ESTATE**

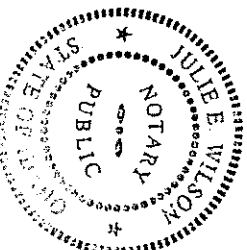
Dated: November 20, 2009

Anna Catherine Kamerdula
ANNA CATHERINE KAMERDULA

STATE OF IDAHO, COUNTY OF ADAMS

On this 20TH day of November, 2008, before me, a notary public in and for the said State, personally appeared ANNA CATHERINE KAMERDULA, known or identified to me to be the person whose name whose names is subscribed to the within instrument and acknowledged to me that she executed the same.

Julie E. Wilson
Notary Public
Residing at Council, Idaho
Comm. Expires: 5/21/10



INSTRUMENT NO. **98790**

COMMUNITY PROPERTY AGREEMENT
BETWEEN HUSBAND AND WIFE

COPY

PAGE 1 OF 1

THIS AGREEMENT MADE and entered into this 5th day of October, 2000,
by and between HENRY KAMERDULA
ANNA CATHERINE KAMERDULA, wife, relative to community property and
disposition thereof upon the death of either of the parties hereto as
provided by Section 32-921, Idaho Code.

Witnesseth:

1. The parties were married 7-27-82 and ever since
have been and now are husband and wife.

2. We certify that the following described real and personal
property was acquired by us from our joint efforts while married and while
living together as husband and wife in a community property State, and
that no part of said property owned by either of us prior to this
marriage, or which either of us have acquired since by gift, devise or as
an heir at law of any person and that the same is the community property
of the parties hereto.

3. The legal description of said real property
covered by this agreement is as follows:

Lots 32, 33, 34, 35, 36, 37, 38, 39, 40 and 41. All that part of Lots 42,
43, 44, 45, 46, 47, 48, 49, 50 and 51 lying westerly of the Robertson-
Seavy Ditch according to the official Plat of the TOWNSITE OF FRUITVALE,
Idaho, on file in the office of the County Recorder of Adams County,
Idaho.

4. The personal property affect by this agreement is described as
follows:

*Any & all personal property owned by the parties hereto at the
time of the death of either of the community property parties, & whether
divided 5. That upon the death of either of the parties hereto the property
described herein shall vest in the survivor absolutely subject to the
liabilities imposed by Section 32-921, Idaho Code.*

IN WITNESS HEREOF, The parties have hereunto set their hands the day
and year first above written.

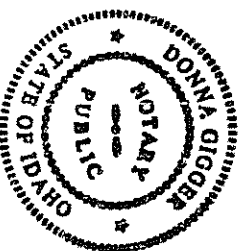
Henry Kamerdula
Henry Kamerdula

Anna Catherine Kamerdula
Anna Catherine Kamerdula

STATE OF IDAHO)
County of Adams) ss

On this 5th of October, 2000, before me a Notary Public in and for
the State of Idaho personally appeared
HENRY KAMERDULA and ANNA CATHERINE KAMERDULA
known to me to be the persons whose names are subscribed to the foregoing
COMMUNITY PROPERTY AGREEMENT and acknowledged to me that they executed the
same.

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



Donna Digger
Notary Public Circleville
Residing at:
Commission expires: 7-30-2008

Instrument # **98790**
COUNCIL ADAMS, IDAHO
2000-10-06 04:02:42 No. of Pages: 1
Recorded for: TIMBERLINE TITLE & ESCROW
FAY 300
MICHAEL RISK
Ex-Officio Recorder Deputy Michael Risk

*Henry Kamerdula passed away on
3/24/2001. The Community Property
Agreement removed from title to the
property.
this interest*

Christy Ward

[illegible]



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082
Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

October 6, 2015

ANNA C & HENRY KAMERDULA
2598 FRUITVALE GLENDALE RD
FRUITVALE, ID 83612

Re: Notice of Change in Water Right Ownership

Original: Water Right No. 67-10197 and 67-66H

Dear Water Right Holders:

We have received and processed a Notice of Change in Water Right Ownership to the original Water Rights as referenced above. This Change in Water Right Ownership to Water Right 67-10197 was for a whole right and the Change in Water Right Ownership for Water Right 67-66H required a split.

When a portion of the original water right has been split and conveyed to another, a new water right number is created to represent the portion obtained by the new owners. For your records, a poof report and map depicting the place of use (POU) and the point of diversion (POD) for **67-66H** is enclosed. 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.

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 these rights, then an Amendment of Permit must be filed on your portion of these rights. Please contact this office for further information on the Amendment of Permit form or you can find the forms at www.idwr.idaho.gov. If you do not plan on changing any items on your water rights, then no further action is required at this time.

Thank you for your patience, as we have had several water right changes to process. If you have any questions concerning the enclosed information or this letter, please feel free to contact this office at 208-334-2190.

Sincerely,

Danie Merriman
Water Resource Agent
Western Region

Enclosures



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082
Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

CL. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

October 6, 2015

MICHAEL W BUSBY &
KIMBERLY A MOTT
2272 JONATHAN AVE
FRUITVALE, ID 83612

Re: Notice of Change in Water Right Ownership

Original: Water Right No. 67-10197 and 67-66H

Dear Water Right Holders:

We have received and processed a Notice of Change in Water Right Ownership to the original Water Rights as referenced above. This Change in Water Right Ownership to Water Right 67-10197 was for a whole right and the Change in Water Right Ownership for Water Right 67-66H required a split.

When a portion of the original water right has been split and conveyed to another, a new water right number is created to represent the portion obtained by the new owners. For your records, a poof report and map depicting the places of use (POU) and the points of diversion (POD) for **67-10197** and **67-15143** are enclosed. Please refer to your new 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.

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 these rights, then an Amendment of Permit must be filed on your portion of these rights. Please contact this office for further information on the Amendment of Permit form or you can find the forms at www.idwr.idaho.gov. If you do not plan on changing any items on your water rights, then no further action is required at this time.

Thank you for your patience, as we have had several water right changes to process. If you have any questions concerning the enclosed information or this letter, please feel free to contact this office at 208-334-2190.

Sincerely,

Danie Merriman
Water Resource Agent
Western Region

Enclosures

Sommer, Rachel

From: Sommer, Rachel
Sent: Tuesday, January 20, 2015 9:42 AM
To: '13579mott@gmail.com'
Subject: Water Rights 67-10197 & 67-66H
Attachments: Map.docx

January 19, 2015

MICHAEL W BUSBY
KIMBERLY A MOTT
2272 JONATHAN AVE
FRUITVALE ID 83612

RE: Ownership Change for Water Right No's: 67-10197 & 67-66H

Dear Applicants,

The Department of Water Resources acknowledges receipt of your request for an ownership change on the water right mentioned above. However, after reviewing the request, it was determined the form was not completed and additional documentation is needed to complete this request.

Water Right No. 67-10197 can be completed; however, Water Right No. 67-66H cannot be modified without further documentation. The warranty deed submitted covers Lots 32-41 Life Estate and Lots 42-51 W of Ditch. However, the deed does not cover Lots 22-31. I have attached a map with labeled lots for your convenience. Please submit another deed that shows the conveyance of Lots 22-31 to you. If this cannot be obtained please submit \$75 to this office so that the water right can be split.

Because the Department cannot process this request at this time, we will hold any action on your notice pending receipt of the necessary documentation. If we do not receive the required documentation within 30 days, the notice will be returned and will not be processed.

Thank you for your cooperation. If you have any questions please, contact this office at 208-334-2190.

Sincerely,

Rachel Sommer
Administrative Assistant
Dept. of Water Resources
Western Regional Office
2735 Airport Way, Boise ID 83705
Phone 208-334-2190 | Fax 208-334-2348
Email: rachel.sommer@idwr.idaho.gov