



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 7, 2015

MARK WATT
CINDY WATT
19489 RAILROAD AVE
LENORE ID 83541-6133

RE: Notice of Change in Water Right Ownership No. 86-11867

Dear Interested Parties:

The Idaho Department of Water Resources (Department) received a Notice of Change in Water Right Ownership on July 6, 2015 for the above mentioned water right. After reviewing the request, it was determined that this water right is not appurtenant to the land described on the warranty deed you provided.

Enclosed is a water right report and a map of the water right for your benefit.

The Department is returning Notice of Change in Water Right Ownership and the attachments. If you have other documentation that includes the property appurtenant to the water right, you may resubmit the Notice of Change in Water Right ownership with the proper documentation. I have requested a refund which you should receive within 10 days under separate cover from the State Controller's office. If you have any questions regarding this matter, please call me at (208) 287-4942.

Sincerely,

Jean Hersley
Technical Records Specialist II

Enclosures

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUL 06 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.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
86-11867	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Phillip L. Jensen
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): MARK WATT Cindy Watt
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or ☒ and/or
- 19489 Railroad Ave. Lenore Id. 83541-6133
Mailing address City State ZIP
- 208-877-2000
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: 7-17-2014
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.

8. Signature: Mark Watt 6-29-15
Signature of new owner/claimant Title, if applicable Date
- Signature: Cindy L. Watt 6-29-15
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by dj Date 7-6-15 Receipt No. C100724 Receipt Amt. \$25⁰⁰

Approved by _____ Processed by _____ Date _____

RERECORD

824378

Instrument # 823264

NEZ PERCE COUNTY

7-17-2014 11:33:52 No. of Pages: 3

Recorded for : LAND TITLE

PATTY WEEKS

Fee: 18.00

Ex-Officio Recorder Deputy

Index to: WRNTY/QCD

WARRANTY DEED

* Re-recorded to correct legal description

THIS INDENTURE, Made on this 16 day of July, 2014, by and between
DAVID C. JENSEN, as personal representative of the **ESTATE OF PHILIP LEON JENSEN**,
 the GRANTOR, and **MARK WATT** and **CINDY WATT**, husband and wife, of _____
P.O. Box 371 Juliaetta ID 83535, the GRANTEES.

WITNESSETH: That

The Grantor, for and in consideration of the sum of ONE HUNDRED DOLLARS
 (\$100.00), lawful money of the United States of America, and other good and valuable
 considerations to it in hand paid by the said Grantees, the receipt whereof is hereby
 acknowledged, has granted, bargained, and sold, and by these presents does grant, bargain, sell,
 convey, and confirm unto the said Grantees, their heirs and assigns forever, all the following
 described real property, to wit:

Situate in the County of Nez Perce, State of Idaho, to wit:

That part of Government Lot 3, Section 34, Township 37 North, Range 2 West of
 the Boise Meridian, more fully described as follows, to-wit:

Commencing at a point 60 feet East and 75 feet North from the ferry post fastening
 of Evans ferry, which said post is situated upon the lands herein described; thence
 West 350 feet; thence South to the North
 Bank of the Clearwater River; thence East 350 feet along the meanderings of the
 Clearwater River; thence North to the place of beginning and more particularly
 described as follows, to-wit:

Commencing at a certain stone marked X on top, which stone is 12x8X6 inches,
 and which stone is South 63° East 11 chains and 25 links from the meander corner
 of the right bank of the Clearwater River, which is 26 chains and 3 links South of
 the corner of Sections 27, 28, 33 and 34, all in Township 37 North, Range 2 West
 of the Boise Meridian, and which stone above described is hereafter called the
 Place of Beginning; thence from said place of beginning South 51° East 5 chains
 and 60 links to a stone 16x12x5 inches, marked with an X on the top; thence South
 2 chains and 90 links to the North line of the right of way of the Clearwater Short
 Line Railway company; thence along said North line down stream in a Westerly
 direction as the stream of the Clearwater River flows to a point where the place of
 beginning bears North 48° East from this point; thence North 48° East 3 chains to
 the place of beginning.

EXCEPT the existing railroad right of way, which said land so conveyed less the
 railroad right of way.

WARRANTY DEED -- 1

N:\LAND TITLE\Documents\Jensen, Est of Philip to Watt WD.docx mra

Aherin, Rice & AnegonAttorneys at Law
Lewiston, Idaho

Instrument # 824378

RERECORD

NEZ PERCE COUNTY

8-29-2014 01:20:05 No. of Pages: 3

Recorded for : LAND TITLE

PATTY WEEKS

Fee: 18.00

Ex-Officio Recorder Deputy

Index to: WRNTY/QCD

**** Together with the South Half of vacated Bank Street, as vacated by Resolution No. 2006-05-096, recorded May 25th, 2006, as Instrument No 731206, records of Nez Perce County, Idaho.**

ALSO EXCEPTING any portion lying within the dedicated streets of the Town of Agatha.

This piece of property is also described as Assessors Number 7574 of Block 8 of Agatha.

TOGETHER WITH, all and singular, the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, the remainder and remainders, rents, issues, and profits thereof, and all estate, right, title, and interest in and to said property in law as well as in equity of the said Grantor.

TO HAVE AND TO HOLD, all and singular, the above mentioned and described premises, together with the appurtenances, unto the said Grantees and to their heirs and assigns forever.

And the said Grantor, for itself, its heirs, executors, and administrators, does covenant, grant, bargain and agree to and with the said Grantees, their heirs and assigns, that at the time of the ensembling and delivery of these presents, it was well seized of the premises above conveyed as of good, sure, perfect, absolute, and indefeasible estate of inheritance, in law, in fee simple, and has good right, full power, and lawful authority to grant, bargain, sell, and convey the same in the manner and form aforesaid, and that the same are free and clear from all other former grants, bargains, liens, taxes, assessments, and encumbrances of whatever kind or nature whatsoever, EXCEPT real estate taxes for the year 2014, easements and covenants of record, and SUBJECT TO the following:

- a. Any claim of the United States of America arising from the difference in the mean high water line of the Clearwater River and the meander line as shown by the Government Survey;
- b. The shift or change in the course of the Clearwater River;
- c. Any adverse claim based on the assertion that some portion of said land is now or at any time has I been within the boundaries of the Clearwater River or by reason of the fact or claim that any portion or portions thereof have been rendered unnavigable by artificial means or has accreted to such portions so created;
- d. All rights of way for public utilities and public roads as the same now exist over and across the herein described property.

RERECORD 824378
823264

And the above bargained premises in the quiet and peaceable possession of the Grantees, their heirs and assigns, against all and every person or persons lawfully claiming or to claim the whole or any part thereof, the said Grantor shall and will WARRANT AND FOREVER DEFEND.

IN WITNESS WHEREOF, the said Grantor hereunto sets its hand and seal the day and the year in this indenture first hereinabove written.

READ AND APPROVED

THE ESTATE OF PHILIP LEON JENSEN

David C. Jensen

By David C. Jensen - PR
DAVID C. JENSEN

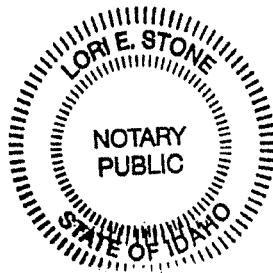
STATE OF IDAHO)

: ss.

COUNTY OF NEZ PERCE)

On this 16 day of July, 2014, before me, Lori E. Stone, a notary public, personally appeared **DAVID C. JENSEN**, as personal representative of **THE ESTATE OF PHILIP LEON JENSEN**, to me known to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same.

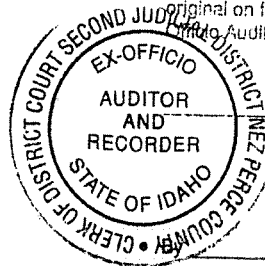
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal on the day and year first above written.



Lori E. Stone
NOTARY PUBLIC for Idaho
Residing at Clarkston WA 98017
My commission expires on 04/28/2018

STATE OF IDAHO)
COUNTY OF NEZ PERCE) ss.

I hereby certify that the foregoing instrument is a full, true and correct copy of the original on file in the office of the undersigned Clerk of the District Court and Ex-Officio Auditor & Recorder in Warranty Deed # 823264



PATTY O. WEEKS

Clerk of the District Court and
Ex-Officio Auditor & Recorder
Nez Perce County, Idaho

Atherin, Rice & Anegon

Atherin, Rice & Anegon
Attorneys at Law
Lewiston, Idaho

Deputy
8/22/2014

WARRANTY DEED -- 3

N:\LAND TITLE\Documents\Jensen, Est of Philip to Watt WD.docx mra

MARK WATT

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State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 86-11867

Priority: March 23, 2001

Maximum Diversion Rate: 0.04 CFS
Maximum Diversion Volume: 0.6 AF

It is hereby certified that PHILIP L JENSEN
19489 RAILROAD AVE
LENORE ID 83541-6133 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated March 23, 2001; and has
submitted Proof of Beneficial Use on July 31, 2003. An examination indicates that the works have a
diversion capacity of 0.04 cfs of water from:

SOURCE

CLEARWATER RIVER

Tributary: SNAKE RIVER

and a water right has been established as follows:

BENEFICIAL USE
DOMESTIC

PERIOD OF USE
01/01 to 12/31

DIVERSION RATE
0.04 CFS

**ANNUAL
DIVERSION VOLUME**
0.6 AF

LOCATION OF POINT(S) OF DIVERSION:

CLEARWATER RIVER L4 (SE¼NW¼) Sec. 34, Twp 37N, Rge 02W, B.M. NEZ PERCE County

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
37N 02W 34							X	X	X		X						
							L 3				L 4						

CONDITIONS OF APPROVAL

1. The right holder shall comply with all fish screening requirements of the Idaho Department of Fish and Game.
2. Domestic use is for lawn and garden irrigation of up to 1/2 acre.

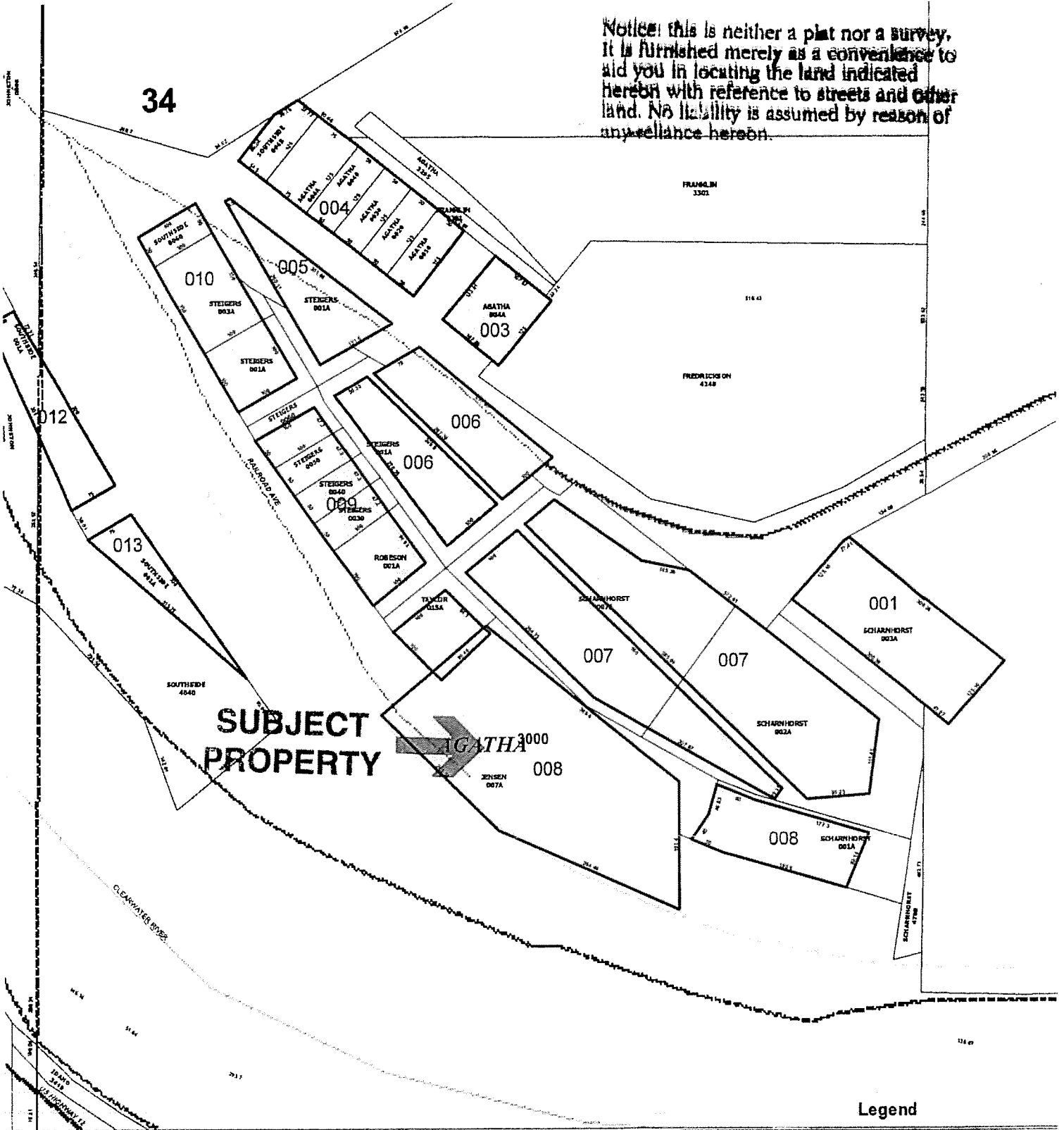
This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 24th day of June, 2008.

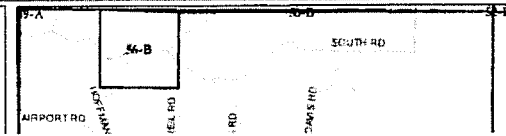
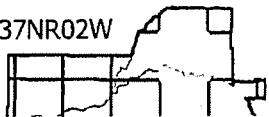

DAVID R. FUTHILL, JR.
Director

Notice: this is neither a plat nor a survey.
It is furnished merely as a convenience to
aid you in locating the land indicated
hereon with reference to streets and other
land. No liability is assumed by reason of
any reliance hereon.

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NR: T37NR02W



Legend

- tw_n_bdry
- TOWNSHIP
- SUBDIVISIONS
- Parcels 1:100
- RIVERS