

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED *DC*

JUN 19 2015

Department of Water Resources
Eastern 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. 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?
<i>PD</i> 75 72	Yes ☐	Yes ☐	<i>PD</i> 75 10317	Yes ☐	Yes ☐
<i>PD</i> 75 73	Yes ☐	Yes ☐	75 10319	Yes ☐	Yes ☐
<i>PD</i> 75 4338A	Yes ☐	Yes ☐	<i>PD</i> 75 10321	Yes ☐	Yes ☐
<i>PD</i> 75 10061L	Yes ☐	Yes ☐	<i>CSell</i> 75 10315	Yes ☐	Yes ☐
<i>PD</i> 75 10062J	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Charles R. Morton
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Robert E. Morton
New owner(s) as listed on the conveyance document

P.O. Box 74
Mailing address
208-756-7433
Telephone

Carmen
City

Name connector ☐ and ☐ or ☐ and/or
ID 83462
State ZIP

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: April 17, 2015

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.
 - ☐ \$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.

SUPPORT DATA

IN FILE # 75-72

8. Signature: Robert E. Morton
Signature of new owner/claimant
- Title, if applicable
- Date: 5/29/15
- Signature: _____
Signature of new owner/claimant
- Title, if applicable
- Date: _____

For IDWR Office Use Only:

Received by *JB* Date 6/19/2015 Receipt No. E041167 Receipt Amt. \$200.-

Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing

Name on W-9 _____ Approved by _____ Processed by *gmk* W-9 received? Yes ☐ No ☐

Date 9-3-15

PERSONAL REPRESENTATIVE'S WARRANTY DEED

As per legal distribution of said estate, **The Estate of Charles R. Morton, Deceased, by and through Theresa M. Howe, Personal Representative of said Estate**, whose mailing address is 5987 Elkhorn Dr., Boise, Idaho 83709, does hereby grant, bargain, and convey unto **Robert E. Morton** of P.O. Box 74, Carmen, Idaho as his sole and separate property as an inheritance from his father, Charles R. Morton of P.O. Box 53, Carmen, ID 83472, all of the estate's interest in the following described real estate consisting of about 225.49 acres located near Carmen, Lemhi County, State of Idaho, to wit:

See Attached Exhibit A, Attached hereto as set forth at large herein. Said parcel containing 37.95 acres all located in Section 8, T. 22 N., R 22 E. Boise Meridian, Lemhi County, Idaho.

See Attached Exhibit C, Attached hereto as set forth at large herein. Said parcel containing 17.87 acres all located in Section 17 & a portion of the NW1/4NW1/4 Section 16, T. 22N., R 22 E. Boise Meridian, Lemhi County, Idaho.

See Attached Exhibit D, Attached hereto as set forth at large herein. Said parcel containing 74.28 acres all located in Section 16, T. 22 N., R. 22 E. Boise Meridian, Lemhi County, Idaho.

See Attached Exhibit E, Attached hereto as set forth at large herein. Said parcel containing 90.74 acres all located in Section 17, T. 22 N., R. 22E. Boise Meridian, Lemhi County, Idaho.

Together will all improvements located thereon, water and water rights appurtenant thereto, ditch and ditch rights used in connection therewith and government range rights permits allotted or assigned to said property.

Parcel C is SUBJECT TO A LIFE ESTATE ISSUED UNDER THE TERMS OF THE LAST WILL AND TESTAMENT OF CHARLES R. MORTON page 3, VI, A. to wit: To Laura Elizabeth Morton, A life estate in my personal residence and the household furniture therein, located at 116 Carmen Creek Ranch, in Lemhi County, Idaho, which residence is located on the Morton Ranch. The remainderman shall be my son, ROBERT E. MORTON, who shall be required to pay utilities, property taxes, and repairs on said residence during the lifetime of my wife.

And the said Grantor does hereby covenant to and with the said Grantee, that said Estate is the owner in fee simple of said premises.

That said property is free from all other encumbrances excepting therefrom all covenants, conditions and restrictions of record and all easements of sight and of record as recorded in the records of Lemhi County, Idaho; that said Estate will warrant and defend the same from all lawful claims whatsoever.

DATED: This 14th day of April, 2015.

ESTATE OF CHARLES R. MORTON, deceased.

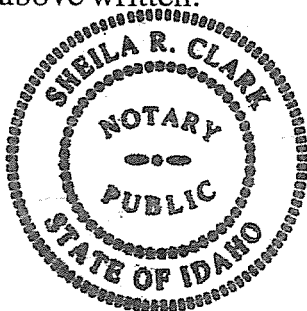
BY: Theresa M. Howe
Theresa M. Howe, Personal Representative of Estate

STATE OF IDAHO)
 :SS
County of Ada)

On this 14th day of April, 2015 before me the undersigned Notary Public in and for said State and County, personally appeared **Theresa M. Howe**, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same as Personal Representative of said Estate.

IN WITNESS WHEREOF, I have hereto set my hand and seal the day, month and year first above written.

Seal



Sheila R. Clark
Notary Public
Residing in Nampa, Idaho
My Commission expires: 7-17-18

TAYLOR MOUNTAIN SURVEYING

301 Waller Street
Salmon, Idaho 83467
(208) 756-8321

PARCEL "A"

A portion of the SE1/4SE1/4, Section 8, T. 22 N., R. 22 E. Boise Meridian, Lemhi County, Idaho, more particularly described as follows:

Beginning at the SE Corner of said Section 8 from which the South 1/4 Corner of Section 8 bears N 89°43'28" W, 2659.59 feet, the Basis of Bearing of this description, run thence N 89°43'28" W along the southerly boundary of Section 8, 1329.86 feet to the East 1/16th Corner of said Section 8 and Section 17;

Thence N 00°20'34" E, 1309.83 feet to the SE 1/16 Corner of Section 8;

Thence S89°42'37"E, 1328.22 feet to the South 1/16th Corner of said Section 8 and Section 9;

Thence S 00°16'15" E, 1309.49 feet to the Point of Beginning

Less that portion of said Section 8 described as follows:

Commencing at the SE Corner of said Section 8 run thence N20°07'39"W, 619.43 feet to the Point of Beginning of said exception parcel:

Thence S60°26'09"W, 300.81 feet;

Thence S61°16'09"W, 430.69 feet;

Thence N30°01'19"W, 158.83 feet;

Thence N54°30'59"E, 177.76 feet;

Thence N11°19'27"E, 44.81 feet;

Thence N78°04'32"E, 239.96 feet;

Thence S24°24'59"E, 97.29 feet;

Thence N83°45'07"E, 12.57 feet;

Thence N62°02'31"E, 289.72 feet;

Thence S38°33'20"E, 35.04 feet to the Point of Beginning of said exception parcel. (Exception Parcel contains 2.01 acres).

Together with a 50 foot wide ingress and egress easement 25 feet on both sides of the following described line:

Commencing at the SE Corner of said Section 8 run thence along the southerly line of said Section 8 N89°43'28"W, 1304.86 feet to the Point of Beginning of said ingress and egress easement:

Thence leaving said southerly line S00°00'54"E, 212.86 feet to a point on the centerline of Carmen Creek Road said point being the Point of Terminus of said easement;

Subject to a 20 foot wide ingress and egress easement 10 feet on both sides of the following described line:

Commencing at the SE Corner of said Section 8 run thence S07°02'01"E, 347.34 feet to a point on the centerline of Carmen Creek Road said point being the Point of Beginning of said ingress and egress easement:

Thence leaving said centerline N08°41'01"W, 347.98 feet;

Continued on Page 2; Page 1 of 2

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Thence N00°16'15"E, 637.25 feet;

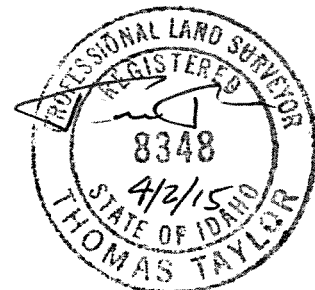
Thence N30°38'17"W, 62.54 feet;

Thence S63°43'42"W, 208.84 feet to the Point of Terminus of said easement.

The sidelines of said easements shall be lengthened or shortened to conform with Grantors and Grantees property lines.

PARCEL CONTAINS (39.96 acres less exception 2.01 acres) 37.95 ACRES.

Zero splits remain.



TAYLOR MOUNTAIN SURVEYING

301 Waller Street
Salmon, Idaho 83467
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PARCEL "C"

A portion of the NE1/4NE1/4, Section 17 & a portion of the NW1/4NW1/4 Section 16, T. 22 N., R. 22 E. Boise Meridian, Lemhi County, Idaho, more particularly described as follows:

Beginning at the NE Corner of said Section 8 from which the North 1/4 Corner of Section 17 bears N 89°43'28" W, 2659.59 feet, the Basis of Bearing of this description, run thence S 08°41'01" E, 301.43 feet to a point on the northerly right-of-way of Carmen Creek Road;

Thence along said northerly right-of-way the following courses:

Along the arc of a curve to the left 114.89 feet having a radius of 1073.14 feet a central angle of 06°08'03" and a chord of S49°45'30"W, 114.84 feet; thence S46°41'28"W, 16.33 feet; thence along a curve to the right 219.17 feet having a radius of 1374.26 feet, a central angle of 09°08'15" and a chord of S51°15'36"W, 218.93 feet; thence S55°49'43"W, 356.27 feet; thence along a curve to the right 665.11 feet having a radius of 374.04 feet, a central angle of 101°52'55" and a chord of N73°13'50"W, 580.88 feet; thence N22°17'22"W, 203.81 feet; thence along a curve to the left 288.23 feet having a radius of 511.91 feet, a central angle of 32°15'40" and a chord of N38°25'12"W, 284.44 feet;

Thence leaving said right-of-way N 00°00'54" W, 147.84 feet to the East 1/16th corner of said Section 17 and Section 8;

Thence along the northerly line of said Section 17 S89°43'28"E, 1329.86 feet to the Point of Beginning.

Together with a 50 foot wide ingress and egress easement 25 feet on both sides of the following described line:

Commencing at the NE Corner of said Section 17 run thence along the northerly line of said Section 17 N89°43'28"W, 1304.86 feet to the Point of Beginning of said ingress and egress easement:

Thence leaving said northerly line S00°00'54"E, 212.86 feet to a point on the centerline of Carmen Creek Road said point being the Point of Terminus of said easement;

Subject to a 20 foot wide ingress and egress easement 10 feet on both sides of the following described line:

Commencing at the SE Corner of said Section 8 run thence S07°02'01"E, 347.34 feet to a point on the centerline of Carmen Creek Road said point being the Point of Beginning of said ingress and egress easement:

Thence leaving said centerline N08°41'01"W, 347.98 feet;

Thence N00°16'15"E, 637.25 feet;

Thence N30°38'17"W, 62.54 feet;

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Thence S63°43'42"W, 208.84 feet to the Point of Terminus of said easement.

The sidelines of said easements shall be lengthened or shortened to conform with Grantors and Grantees property lines.

PARCEL CONTAINS 17.87 ACRES.

One split remains.

TAYLOR MOUNTAIN SURVEYING

301 Waller Street
Salmon, Idaho 83467
(208) 756-8321

PARCEL "D"

A portion of the W1/2NW1/4, Section 16, T. 22 N., R. 22 E. Boise Meridian, Lemhi County, Idaho, more particularly described as follows:

Beginning at the NW Corner of said Section 16 from which the West 1/4 Corner of Section 16 bears S 00°01'45" W, 2630.49 feet, the Basis of Bearing of this description, run thence S 00°01'45" W, 428.83 feet to a point on the southerly right-of-way of Carmen Creek Road said point being the Point of Beginning:

Thence along said southerly right-of-way the following courses:

N46°41'28"E, 8.36 feet; thence along the arc of a curve to the right 645.87 feet having a radius of 1003.14 feet a central angle of 36°53'22" and a chord of N65°08'09"E, 634.77 feet; thence N83°35'20"E, 215.05 feet; thence along a curve to the left 246.59 feet having a radius of 751.20 feet, a central angle of 18°48'28" and a chord of N74°10'36"E, 245.48 feet;

Thence leaving said right-of-way N89°52'57"E, 288.47 feet to a point on the easterly line of said W1/2NW1/4, Section 16;

Thence along said easterly line S00°15'49"W, 2563.64 feet to the C-W 1/16th Corner of said Section 16;

Thence along the southerly line of said W1/2NW1/4, Section 16 S89°54'11"W, 1309.70 feet to the West 1/4 Corner of said Section 16;

Thence along the westerly line of said Section 16 N00°01'45"E, 2201.66 feet to the Point of Beginning.

PARCEL CONTAINS 74.28 ACRES.

Two splits remain.

TAYLOR MOUNTAIN SURVEYING

301 Waller Street
Salmon, Idaho 83467
(208) 756-8321

PARCEL "E"

A portion of the E1/2, Section 17, T. 22 N., R. 22 E. Boise Meridian, Lemhi County, Idaho, more particularly described as follows:

Beginning at the NE Corner of said Section 17 from which the East 1/4 Corner of Section 17 bears S 00°01'45" W, 2630.49 feet, the Basis of Bearing of this description, run thence S 00°01'45" W, 428.83 feet to a point on the southerly right-of-way of Carmen Creek Road said point being the Point of Beginning:

Thence S00°01'45"W, 2201.66 feet to the East 1/4 Corner of said Section 17;

Thence S89°47'54"W, 1336.64 feet to the C-E 1/16th Corner of said Section 17;

Thence along an existing fence line the following courses:

S89°52'37"W, 1172.63 feet; S81°57'53"W, 119.68 feet; N00°04'03"W, 784.43 feet; N67°11'25"E, 1415.19 feet; N00°17'44"E, 1081.02 feet to a point on said Southerly right-of-way of Carmen Creek Road;

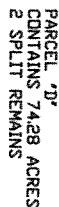
Thence along said southerly right-of-way the following courses:

Along the arc of a curve to the right 183.16 feet having a radius of 441.90 feet a central angle of 23°44'52" and a chord of S34°09'49"E, 181.85 feet; thence S22°17'22"E, 203.81 feet; thence along a curve to the left 789.58 feet having a radius of 444.04 feet, a central angle of 101°52'55" and a chord of S73°13'50"E, 689.59 feet; thence N55°49'43"E, 356.27 feet; thence along the arc of a curve to the left 230.33 feet having a radius of 1444.26 feet a central angle of 09°08'15" and a chord of N51°15'36"E, 230.09 feet; thence N46°41'28"E, 7.97 feet to the Point of Beginning.

PARCEL CONTAINS 90.74 ACRES.

Three splits remain.

Author's address: Department of Psychology, University of California, San Diego, La Jolla, CA 92037, USA.
E-mail: shawn.walker@ucsd.edu



NUMBER	DIRECTION	DISTANCE
L6	N 46°41'28" E	16.93'
L7	N 00°00'54" V	147.84'
L8	S 00°00'54" E	212.86'
L9	S 05°41'46" E	99.42'
L10	S 01°57'53" V	119.68'

S 89°47'54" W
1336.64'

NO. 255918
16
17

\$ 89
13

C-W 1/16TH C.P.&F. INST.
ND. 266637

1

I, Thomas Taylor, a Registered Professional Land Surveyor in the State of Idaho do hereby certify that this plot is an accurate representation of the survey completed under my supervision.



Date _____

MORION - BROKEN PICK RANCH
Sec. 16 & 17, T. 22 N., R. 22 E., B.M.

TAYLOR MOUNTAIN SURVEYING
 10000 W. 14TH AVE. GREENWOOD, AR 72722
 501-762-1111

AND ACQ.	180181	180181
DATE	05-05-18	1
ISSUE, RTD	IT	
CARREN RTD		OP
20180001/180101-5		1



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

September 3, 2015

ROBERT E MORTON
PO BOX 74
CARMEN ID 83462

Re: Change of Ownership for Water Right/Permit No(s): 75-72, 75-73, 75-4338A, 75-10061L, 75-10062J, 75-10317 and 75-10321

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.

The Department is requesting a refund of \$25 to be sent to Theresa M Howe, Personal Representative of the Estate of Charles R. Morton. Water Right 75-10317 was disallowed in the Snake River Basin Adjudication (SRBA) and is not a valid water right. Enclosed you will find a copy of the order disallowing the water right.

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: Theresa M. Howe, Personal Representative of the Estate of Charles R. Morton
Water District No. 75D

MEMORANDUM

TO: Sascha Marston

FROM: Jean Hersley

DATE: September 3, 2015

RE: Refund: Notice of Change in Water Right Ownership

Please refund \$100.00. Paid for a split and it was not needed. (E041162, \$75) and paid for a water right that was disallowed in the SRBA (E041167, \$25)

NAME: Theresa M. Howe, Personal Representative of the Estate of Charles R. Morton

ADDRESS: 5987 Elkhorn Dr.
Boise, ID 83702

RECEIPT #:E041162 and E041167

Thank you.

Jean

June 15, 2015

RECEIVED

JUN 23 2015

DEPARTMENT OF
WATER RESOURCES

Idaho Department of Water Resources
Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718

RECEIVED
JUN 19 2015
Department of Water Resources
Eastern Region

Re: Notice of Change in Water Right Ownership

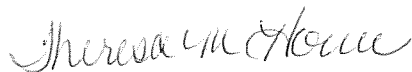
Dear IDWR:

I am the Personal Representative of the Estate of Charles R. Morton. I have transferred real property in Lemhi County to his heirs and I agreed to file the Notice of Change of Water Right Ownership for them. Charles R. Morton had nine water rights. The majority of the real property and the appurtenant water rights are transferred to Robert E. Morton, but a small parcel containing approximately two acres is transferred to Charles K. Morton and Emelia P. Robie. The domestic water right that is appurtenant to that parcel is being transferred to them. As part of the property split, we had a survey completed and I have enclosed a copy. The two acre parcel is Parcel "B".

I have enclosed two Notices of Change in Water Right Ownership signed by the new owners, copies of the conveyance documents and checks for the transfer fees. If you have any questions or need any additional information, I'd appreciate if you would contact me since I promised the heirs I would take care of this for them.

Thank you very much for your assistance.

Sincerely,



Theresa M. Howe, Personal Representative
of the Estate of Charles R. Morton

5987 Elkhorn Dr.
Boise, ID 83702
208-377-0269
H5987@cablone.net