

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

DEPARTMENT OF
WATER RESOURCES

JUN 19 2015

1. List the numbers of all water rights and/or adjudication claim records to be changed. If the water right is leased to the Water Supply Bank, 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?
75 10319	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: Charles R. Morton
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Charles K. Morton and Emelia P. Robie
New owner(s) as listed on the conveyance document
- P.O. Box 568
Mailing address
208-940-1846
Telephone
- Challis
City
- Name connector ☒ and ☐ or ☐ and/or
ID 83226
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 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 a IRS Form W-9.

8. Signature: Charles K. Morton
Signature of new owner/claimant
- Signature: Emelia P. Robie
Signature of new owner/claimant
- Title, if applicable
- Date 5/29/15
- Date 5/20/15

For IDWR Office Use Only:

Received by JB Date 6/19/2015 Receipt No. ED41162 Receipt Amt. \$100. -

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 gmh 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 an undivided one half interest to **Charles K. Morton** of P.O. Box 568 Challis, ID 83226 and an undivided one half interest to **Emelia P. Robie** of 4014 Prairie Lane, Pascoe, WA 99301 each as their sole and separate property as an inheritance from their **Grandfather, Charles R. Morton** of P.O. Box 53, Carmen, ID 83472, all of the estate's interest in the following described real estate located near Carmen, Lemhi County, State of Idaho, to wit:

See Attached Exhibit B, Attached hereto as set forth at large herein. Said parcel containing 2.01 acres located in Section 8, T.22N., R. 22 E. 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 the said Grantor does hereby covenant to and with said Grantees, 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.

SUBJECT TO the life estate in said real property that was gifted to CHARLES M. MORTON AND PANSY MORTON pursuant to paragraph VIII of the Last Will and Testament of CHARLES R. MORTON. And the right to the easement for vehicular ingress and egress on the existing road over the Morton Ranch. * Charles M. Morton and Pansy Morton will be required to pay utilities, property taxes and repairs on said real property during their lifetimes.

DATED: This 14th day of April, 2015.

ESTATE OF CHARLES R. MORTON, Deceased.

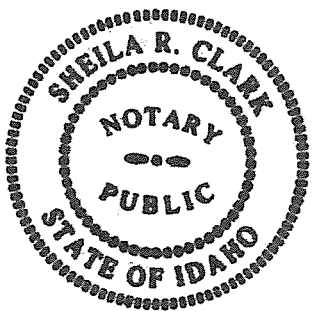
BY: Theresa M. Howe
Theresa M. Howe, Personal Representative of Estate

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 "B"

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:

Commencing 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 N20°07'39"W, 619.43 feet to the Point of Beginning:

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.

Together with 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;

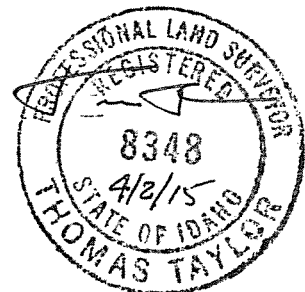
Thence N30°38'17"W, 62.54 feet;

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.

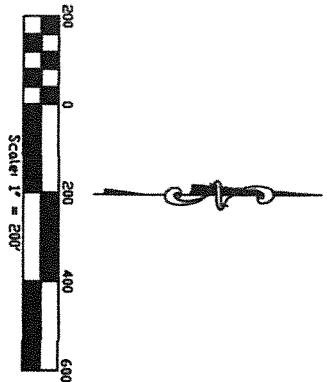
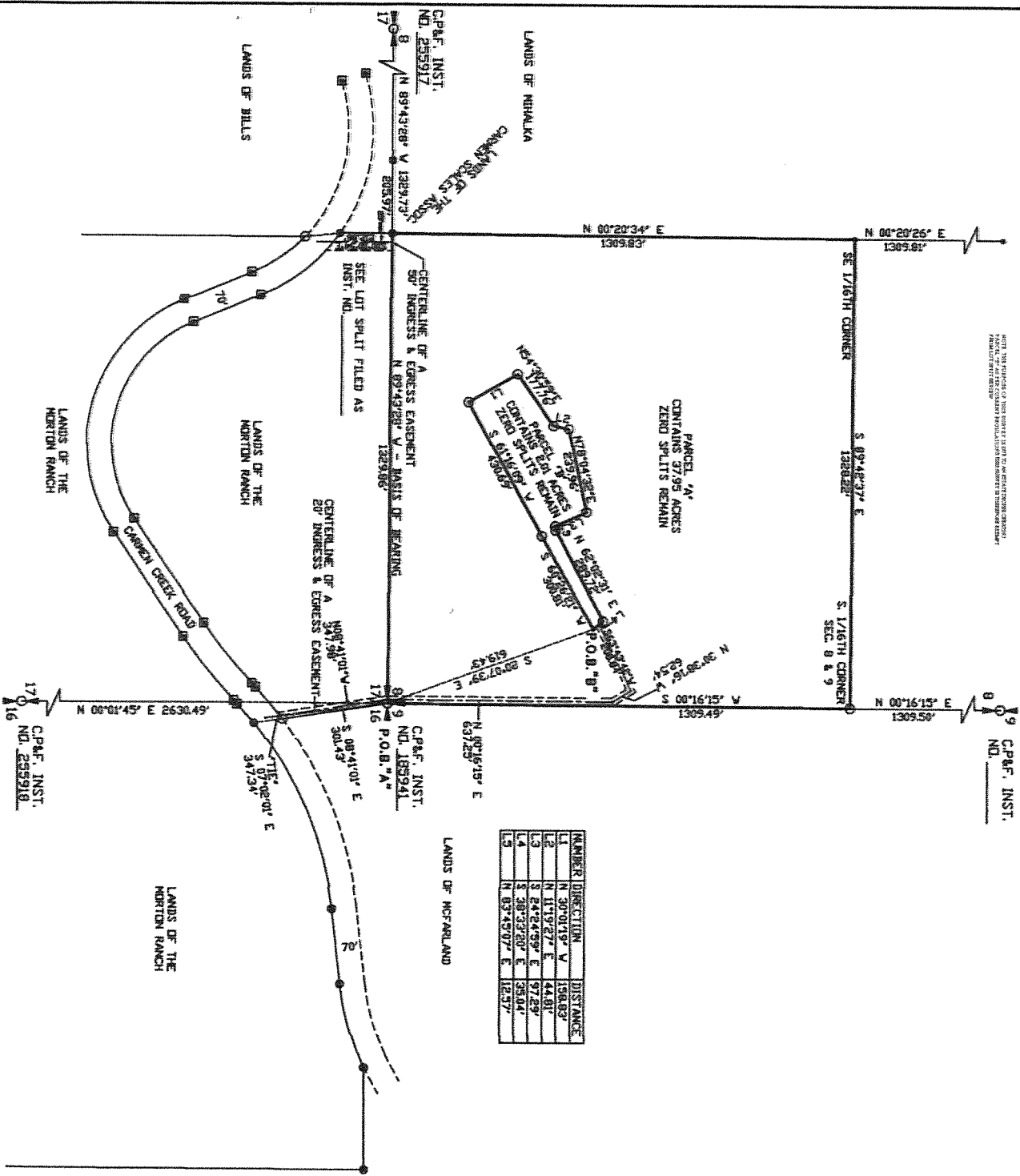
PARCEL CONTAINS 2.01 ACRES.

Zero splits remain.



Lot Split Plat Part of the SE1/4SE1/4 Section 8, T 22 N, R 22 E, BM Lemhi County, Idaho.

NOTES: THE PURPOSE OF THIS SURVEY IS TO DIVIDE AN UNDIVIDED CORNER
FROM THE SURVEYED CORNER TO THE CORNER OF THE ADJACENT SECTION.



SURVEYORS CERTIFICATE

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

Thomas Taylor, Licensed Professional Land Surveyor
8348
Date

LEGEND

- Section corner control
- Found Optical Highway R.O.W. monument
- Found 1/2" X 3/4" Rubber or a Pinned 5/8" X 3/4" Rubber with a plastic cap marked TMS LS 8348
- Found 5/8" Rubber with a aluminum cap marked P.L.S. 4985
- Found 5/8" Rubber with a plastic cap marked MADE P.L.S. 5080
- Found 1/2" Rubber with a plastic cap marked TMS LS 870
- Found 1/2" Rubber with a plastic cap
- Calculated point nothing found or set.
- P.O.B. POINT OF BEGINNING

TAYLOR MOUNTAIN SURVEYING
Professional Land Surveyors
201 South 2nd Street
Boise, Idaho 83721
Phone: 208-333-8887
Fax: 208-333-8888

LOT SPLIT PLAT

MORTON - BROOKEN PICK RANCH
Sec. 8, T. 22 N., R. 22 E., B.M.

DATE	FILED	RECORD
2010-08-10	2010-08-10	2
2010-08-10	2010-08-10	2
2010-08-10	2010-08-10	2



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

CHARLES K MORTON
EMELIA P ROBIE
PO BOX 568
CHALLIS ID 83226

Re: Change of Ownership for Water Right/Permit No(s): 75-10319

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 \$75 to be sent to Theresa M Howe, Personal Representative of the Estate of Charles R. Morton. The fee for a Notice of Change in Water Right ownership is \$25 for an undivided change. Water right 75-10319 is a domestic right for one (1) home which cannot be split. According to the deed that accompanied the request, the applicants were each granted an undivided interest in the real estate described on the deed.

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

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

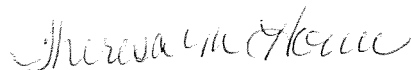
Dear IDWR:

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