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DEPARTMENT OF
WATER RESOURCES

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s)	Adjudication Claim No(s)	Split	Water Right No(s)	Adjudication Claim No(s)	Split
34-2293	34-14048 34-14049	X			
34-406	34-14052 34-14053	X			
34-13563	34-14050 34-14051	X			

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

Avelsman, Merrill, Opitz

4. New Owner/Claimant(s)

Richard C Harry

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

3451 W 3400 N

City, State and ZIP Code

MOORE, ID 83255

New Telephone Number

(208) 554-2017

5. Date you acquired the property

10.25.02

SUPPORT DATA

IN FILE # 34-406

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

Huelsman

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number <u>2293/406/13563</u>		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	<u>2293 → 2.51 CFS</u>	<u>125.5 Ac.</u>
Stock		
Domestic	<u>406 → 2.41 CFS</u>	<u>276.5 Ac.</u>
Other	<u>13563 → —</u>	<u>276.5 Ac.</u>
Total		

Hanny

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number <u>2293/406/13563</u>		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	<u>2293 → .43 CFS</u>	<u>21.5 Ac.</u>
Stock		
Domestic	<u>406 → .19 CFS</u>	<u>21.5 Ac.</u>
Other	<u>13563 → —</u>	<u>21.5 Ac.</u>
Total		

7. Signature of New Owner(s) or Claimant(s) Rudal Chang
(include title if applicable)

Sign Here → *

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by <u>DC</u>	Date <u>4/4/03</u>	Fee <u>\$300 (325)</u>
Received by <u>DC</u>	Date <u>4/4/03</u>	Receipt No. <u>EO 28641</u>
Processed by <u> </u>	AJ Date <u> </u>	WR <u> </u> Date <u> </u>

WARRANTY DEED

For Value Received BARBARA L HUELSMAN AND JAMES HUELSMAN, husband and wife, and SUSAN C MERRILL, an unmarried woman, and JUDITH A OPITZ AND WILLIAM L OPITZ, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

RICHARD C HARRY, a single man

whose address is: 3451 West 3400 North, Moore, Idaho 83255

Hereinafter called the Grantee, the following described premises situated in Butte County, Idaho, to-wit:

*****LEGAL DESCRIPTION ATTACHED*****

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated:: October 25, 2002

Barbara L. Huelsman
Barbara L. Huelsman

James Huelsman
James Huelsman

Susan C. Merrill
Susan C. Merrill

Judith A. Opitz
Judith A. Opitz

William J. Opitz
William J. Opitz

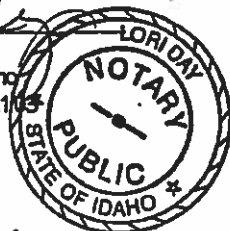
STATE OF Idaho

Yes.

COUNTY OF BINGHAM

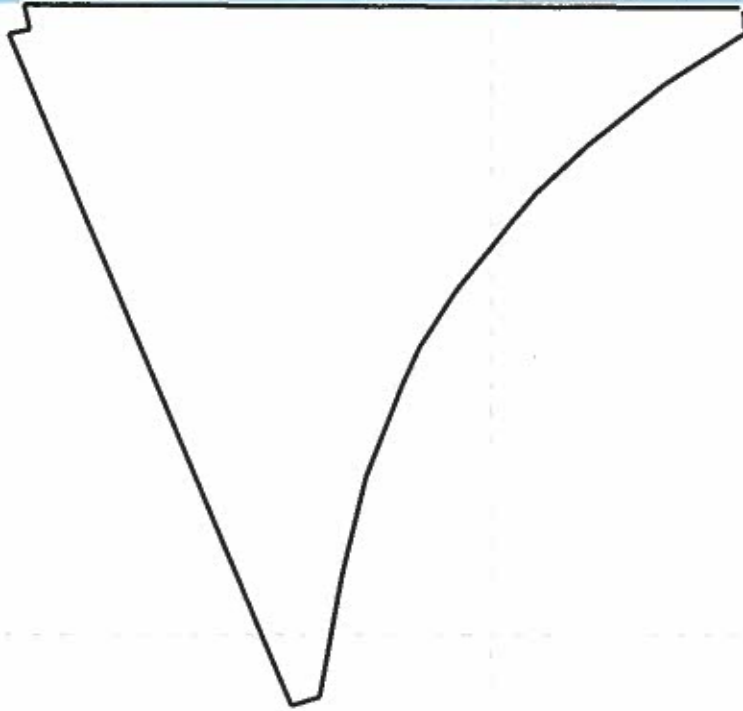
On this 25th day of October, 2002, before me Lori Day, personally appeared Barbara L. Huelsman, James Huelsman, Susan C. Merrill, Judith A. Opitz and William J. Opitz, known or identified to me (or proved to me on the oath of), to be the person(s) whose name(s) are subscribed to the within instrument, and acknowledged to me that they executed the same.

Lori Day
Notary Public of Idaho
Residing at Blackfoot, Idaho
Commission Expires: 10/21/03



A parcel of land generally described as being a portion of the NE¼ of Section 17, Township 5 North, Range 26 E.B.M., Butte County, Idaho, more particularly described as follows: Commencing at the NE corner of said Section 17, from which the N¼ corner of said Section 17 bears S. 89°56'43" W. 2642.69 feet; thence from the NE corner of said Section 17, S. 89°56'43" W. along the N. boundary of the NE¼ of said Section 17, a distance of 793.64 feet; thence S. 00°00'00" E. a distance of 20.21 feet to a half inch diameter steel rod on the southerly boundary of a county road right-of-way, as defined by an existing fenceline, and the Point of Beginning; thence on or along an existing fenceline the following twelve courses: S. 05°00'45" E. 45.59 feet; S. 57°27'18" W. 202.65 feet; S. 51°34'05" W. 200.57 feet; S. 46°57'14" W. 146.78 feet; S. 40°15'19" W. 67.95 feet; S. 36°03'41" W. 200.59 feet; S. 32°51'49" W. 135.69 feet; S. 25°04'57" W. 86.88 feet; S. 21°08'33" W. 205.91 feet; S. 13°38'21" W. 209.73 feet; S. 10°17'29" W. 257.76 feet; S. 73°10'41" W. 61.84 feet to the easterly boundary of the "Old" Union Pacific Railroad right-of-way; thence N. 22°55'37" W. along the easterly boundary of said railroad right-of-way, a distance of 1518.08 feet to a half inch diameter steel rod; thence leaving the easterly boundary of said railroad right-of-way, N. 77°56'27" E. a distance of 45.14 feet to a half inch diameter steel rod; thence N. 13°13'10" W. a distance of 53.39 feet to a half inch diameter steel rod on the southerly boundary of a county road right-of-way, (as defined by an existing fenceline); thence along the southerly boundary of said county road right-of-way, along an existing fenceline, the following two courses: S. 89°42'16" E. 983.42 feet; S. 89°53'07" E. 508.68 feet to the Point of Beginning.

 sm
 Jao
 BH
 JH
 BH



File:

14 s10.1729w 257.76
15 s73.1041w 61.84
16 n22.5537w 1518.08
17 n77.5627e 45.14
18 n13.1310w 53.39
19 s89.4216e 983.42
20 s89.5307e 508.68

8/5/2015

<u>Owner Type</u>	<u>Name</u>
Current Owner	SUSAN MERRILL
Current Owner	JUDITH OPITZ
Current Owner	BARBARA HUELSMAN
<u>Priority Date:</u> 5/1/1906	
<u>Basis:</u> Decreed	
<u>Status:</u> Parent	

Tributary SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	5/01	10/15	2.600 CFS	
	Total Diversion		2.600 CFS	

BIG LOST RIVER **SENWSE** **Sec. 14, Twp 06N, Rge 25E, BUTTE County**

IRRIGATION within BUTTE County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
05N	26E	16						38.0	39.0			39.0	36.0						152.0
05N	26E	17	38.0	23.0	7.0	38.0									29.0			11.0	146.0

Right Acre Limit: 130.0

PQU Total Acres: 298.0

1. S34 THE PERIOD OF USE FOR IRRIGATION DESCRIBED ABOVE MAY BE EXTENDED IN SEASONS OF UNUSUAL CHARACTERISTICS TO A BEGINNING DATE OF 04-20 AND AN ENDING DATE OF 10-31 AT THE DISCRETION OF THE DIRECTOR OF THE IDAHO DEPARTMENT OF WATER RESOURCES.
2. USE OF THIS RIGHT WITH RIGHT NO. 34-13563 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.60 CFS.
USE OF THIS RIGHT WITH RIGHT NOS. 34-02383, 34-02293 AND 34-13563 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.74 CFS.
3. USE OF THIS RIGHT WITH RIGHT NOS. 34-02383, 34-02293 AND 34-13563 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 298 ACRES IN A SINGLE IRRIGATION SEASON.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 130 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
4. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

8/5/2015

5. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
6. WATER DELIVERED THROUGH 3 IN 1 DITCH.

Dates and Other Information

Decreed Date: 5/30/2001
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: And
Water District Number: 34
Mitigation Plan: False

Combined Use Limits

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
2.600		
34-13563	,34-406	

SubCase:

SubCaseNumber: 34-406
Class: 1
SF5 Filed Date:
Special Master Recom Signed Date: 4/13/1998
Attorney Assigned: SARA C DENISTON
Adjudication Agent:
Basis of Claim:
Date Filed: 2/26/1993
Objection Status: Withdrawn or Dismissed

Water Supply Bank:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

8/5/2015

Water Right 34-14053

Owner Type **Name**
Current Owner RICHARD C HARRY
Priority Date: 5/1/1906
Basis: Decreed
Status: Active

$$\frac{21.9 \text{ acres POU}}{298 \text{ acres POU}} \times 130 \text{ acre limit} = 9.5$$

10 acres limit

Source **Tributary**
BIG LOST RIVER SINKS

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	05/01	10/15	0.190 CFS	
	Total Diversion		0.190 CFS	

Source and Point(s) of Diversion

BIG LOST RIVER SENWSE Sec. 14, Twp 06N, Rge 25E, BUTTE County

Place Of Use

IRRIGATION within BUTTE County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	26E	17	2.9	18.7	0.3														21.9

Right Acre Limit: ~~130.0~~ 10
POU Total Acres: 21.9 ✓

Conditions of Approval:

1. WATER DELIVERED THROUGH 3 IN 1 DITCH.
2. USE OF THIS RIGHT WITH RIGHT NO. 34-14051 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF .19 CFS.
USE OF THIS RIGHT WITH RIGHT NOS. 34-14049 & 34-14051 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF .17 CFS.
3. USE OF THIS RIGHT WITH RIGHT NOS. 34-14049, AND 34-14051 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 21.9 ACRES IN A SINGLE IRRIGATION SEASON.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 10 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
4. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
5. S34 THE PERIOD OF USE FOR IRRIGATION DESCRIBED ABOVE MAY BE EXTENDED IN SEASONS OF UNUSUAL CHARACTERISTICS TO A BEGINNING DATE OF 04-20 AND AN ENDING DATE OF 10-31 AT THE DISCRETION OF THE DIRECTOR OF THE IDAHO DEPARTMENT OF WATER RESOURCES.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

8/5/2015

6. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

Dates and Other Information

Decreed Date: 5/30/2001
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: 34
Mitigation Plan: False

Combined Use Limits

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
0.190		
34-14051 ,34-14053		
<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
0.170		21.9
34-14049 ,34-14051 ,34-14053		

SubCase:

N/A

Water Supply Bank:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

8/5/2015

Water Right 34-14052

Owner Type **Name**
Current Owner JUNE STEVENSON
Priority Date: 5/1/1906
Basis: Decreed
Status: Active

*298 acres - 21.8 acres POU
276.2 acres POU x 130 acre limit = 120.49
or 120*

Source **Tributary**
BIG LOST RIVER SINKS

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	05/01	10/15	2.410 CFS	
	Total Diversion		2.410 CFS	

Source and Point(s) of Diversion

BIG LOST RIVER SENWSE Sec. 14, Twp 06N, Rge 25E, BUTTE County

Place Of Use

IRRIGATION within BUTTE County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	26E	16						38.0	39.0			39.0	36.0						152.0
05N	26E	17	35.1	4.3	6.7	38.0									29.0			11.0	124.1

Right Acre Limit: 130.0
POU Total Acres: 276.1

Conditions of Approval:

1. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. S34 THE PERIOD OF USE FOR IRRIGATION DESCRIBED ABOVE MAY BE EXTENDED IN SEASONS OF UNUSUAL CHARACTERISTICS TO A BEGINNING DATE OF 04-20 AND AN ENDING DATE OF 10-31 AT THE DISCRETION OF THE DIRECTOR OF THE IDAHO DEPARTMENT OF WATER RESOURCES.
3. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
4. WATER DELIVERED THROUGH 3 IN 1 DITCH.
5. USE OF THIS RIGHT WITH RIGHT NOS. 34-02383, 34-14048, AND 34-14050, IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 276.1 ACRES IN A SINGLE IRRIGATION SEASON.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 120 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
6. USE OF THIS RIGHT WITH RIGHT NO. 34-14050 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.41 CFS.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

8/5/2015

USE OF THIS RIGHT WITH RIGHT NOS. 34-02383, 34-14048, AND 34-14050 IS
LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.57 CFS.

Dates and Other Information

Decreed Date: 5/30/2001
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: And
Water District Number: 34
Mitigation Plan: False

Combined Use Limits

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
2.410		
34-14050 ,34-14052		
<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
6.570		276.1
34-2383 ,34-14050 ,34-14052		

SubCase:

N/A

Water Supply Bank:

N/A