

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 09 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?
75-141	Yes ☐	Yes ☐		Yes ☐	Yes ☐
75-14145	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Fourth of July Creek LLC
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): WILLIAM S. DARLING and DARLENE M. DARLING
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 282 Fourth of July Creek Road North Fork ID 83226
Mailing address City State ZIP
- 208-865-2134 _____
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: August 28, 2014
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) **DATA**
☒ 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.
☐ 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.

IN FILE #

75-141

8. Signature: m. Chase Attorney 04-07-15
Signature of new owner/claimant Title, if applicable Date
- Signature: m. Chase Attorney 04-07-15
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by JB Date 4/9/2015 Receipt No. E040882 Receipt Amt. \$50. -

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 gmd Date 5-19-15

WARRANTY DEED

Alliance Title & Escrow Corp. Order No.:241785

FOR VALUE RECEIVED

Fourth of July Creek, L.L.C., an Idaho Limited Liability Company

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

William S. Darling and Darlene M. Darling, husband and wife

whose current address is

**282 Fourth of July Creek Road
North Fork, ID 83466**

the grantee(s), the following described premises, in Lemhi County, Idaho, TO WIT:

A parcel of land located in the east half Section 30, T. 24 N., R. 22 E., Boise Meridian, Lemhi County, Idaho, more particularly described as follows:

Commencing at the southwest corner of Section 20, from which the west quarter corner of Section 20 bears N. 00° 08' 31" E., a distance of 2628.16 ft., the Basis of Bearing of this description, run thence S. 22° 26' 31" W., a distance of 3044.02 ft. to the Point of Beginning;

Thence N. 66° 12' 50" E., a distance of 67.72 ft.;

Thence N. 58° 53' 46" E., a distance of 354.08 ft.;

Thence S. 40° 02' 46" E., a distance of 651.84 ft. to a point on the northerly right of way of Fourth of July Creek Road;

Thence the following courses and distances along said right of way:

S. 55° 50' 38" W., 158.95 ft.; 178.14 ft. along a non-tangent curve to the right having a chord of S. 64° 27' 44" W., 177.50 ft., a delta of 16° 51' 10" and a radius of 605.63 ft.;

Thence N. 27° 48' 50" W., a distance of 369.23 ft.;

Thence N. 88° 17' 43" W., a distance of 69.04 ft.;

Thence N. 84° 45' 26" W., a distance of 77.35 ft.;

Thence N. 75° 21' 50" W., a distance of 97.84 ft.;

Thence N. 40° 19' 18" W., a distance of 123.39 ft. to the point of beginning.

SUBJECT TO: A 50 ft. wide ingress, egress, and utility easement, 25 ft. either side of the following described centerline.

Commencing at the POINT OF BEGINNING of said Parcel "P" run thence the following courses along the boundary of said parcel:
N 66°12'50" E 67.72 ft.; N 58°53'46" E 354.08 ft. S 40°02'46" E 191.28' to the POINT OF BEGINNING of said centerline.

Thence the following courses along said centerline:

51.65 ft. along a curve to the right having a chord of S 46°56'22" W 51.17 ft., a delta of 26°54'06", and a radius of 110.00 ft.; S 60°23'25" W 212.68 ft.;

102.70 ft. along a curve to the right having a chord of S 80°00'19" W 100.71 ft., a delta of 39°13'47", and a radius of 150.00 ft.; N 80°22'47" W 44.93 ft.;

148.63 ft. along a curve to the right having a chord of N 27°48'52" W 128.64 ft., a delta of 105°07'51", and a radius of 81.00 ft. to a point on the northerly boundary of said parcel and the POINT OF TERMINUS.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: 8/27/14

Fourth of July Creek, L.L.C., an Idaho Limited Liability Company

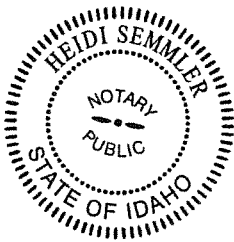
Bill Allen
Bill Allen, Managing Member

Jordan P. Smith
Jordan P. Smith, Managing Member

State of ID} ss
County of Lemhi}

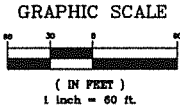
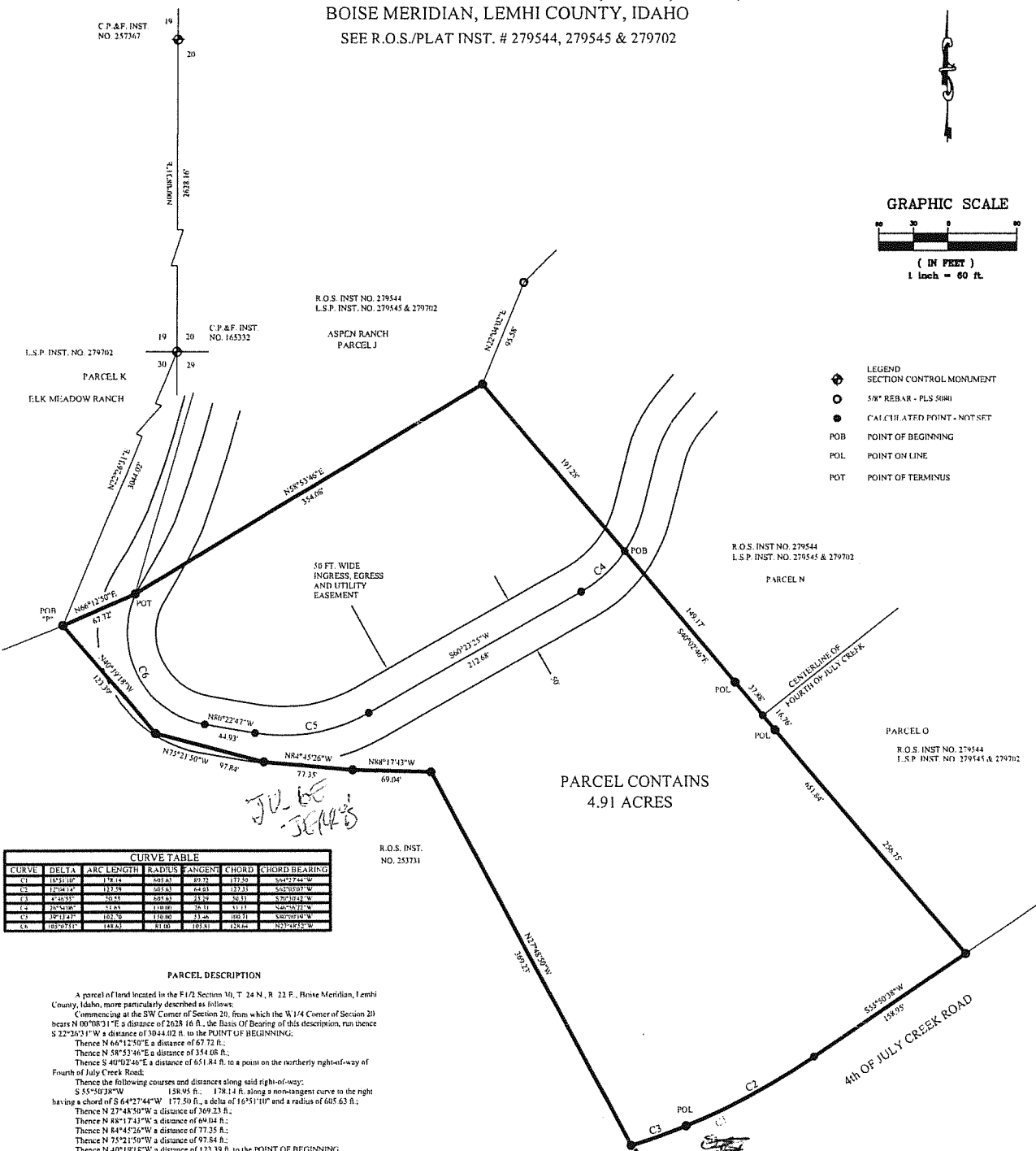
On this 27th day of August, in the year 2014, before me, Heidi Semmler, a Notary Public in and for said state, personally appeared Bill Allen and Jordan P. Smith known or identified to me to be the Managing Members in the Limited Liability Company known as Fourth of July Creek, L.L.C., an Idaho Limited Liability Company who executed the foregoing instrument, and acknowledged to me that he/she executed the same in said LLC name.

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



Heidi Semmler
Notary Public for the State of ID
Residing at: Salmon
Commission Expires: 5/19/2015

RECORD OF SURVEY LOCATED IN THE E 1/2 OF SECTION 30, T. 24 N., R. 22 E., BOISE MERIDIAN, LEMHI COUNTY, IDAHO SEE R.O.S./PLAT INST. # 279544, 279545 & 279702



- LEGEND
- SECTION CONTROL MONUMENT
 - 5/8" REBAR - PLS 5080
 - CALCULATED POINT - NOT SET
 - POB POINT OF BEGINNING
 - POL POINT ON LINE
 - POT POINT OF TERMINUS

CURVE	DELTA	ARC LENGTH	RADIUS	ANGLEN	CHORD	CHORD BEARING
C1	105°51'06"	179.14	489.63	89.75	177.50	S 64°27'44" W
C2	172°44'02"	113.59	268.63	64.41	122.31	S 65°50'21" W
C3	174°46'53"	20.95	268.63	23.72	42.51	S 70°03'21" W
C4	105°51'06"	179.14	489.63	89.75	177.50	S 64°27'44" W
C5	107°12'21"	165.78	410.00	73.42	105.11	S 60°09'04" W
C6	105°51'06"	179.14	489.63	89.75	177.50	S 64°27'44" W

PARCEL DESCRIPTION

A parcel of land located in the E 1/2 Section 30, T. 24 N., R. 22 E., Boise Meridian, Lemhi County, Idaho, more particularly described as follows:
 Commencing at the SW Corner of Section 20, from which the W 1/4 Corner of Section 20 bears N 00°08'31" E a distance of 2628.16 ft., the Basis Of Bearing of this description, run thence S 22°20'31" W a distance of 3044.02 ft. to the POINT OF BEGINNING;
 Thence N 66°12'50" E a distance of 67.72 ft.;
 Thence N 58°53'46" E a distance of 354.08 ft.;
 Thence S 40°02'46" E a distance of 651.84 ft. to a point on the northerly right-of-way of Fourth of July Creek Road;
 Thence the following courses and distances along said right-of-way:
 S 55°50'38" W 158.95 ft.; 178.14 ft. along a non-tangent curve to the right having a chord of S 64°27'44" W 177.50 ft., a delta of 16°51'10" and a radius of 605.63 ft.;
 Thence N 27°45'50" W a distance of 369.23 ft.;
 Thence N 88°17'43" W a distance of 69.04 ft.;
 Thence N 84°45'26" W a distance of 77.35 ft.;
 Thence N 75°21'50" W a distance of 97.84 ft.;
 Thence N 40°19'16" W a distance of 123.39 ft. to the POINT OF BEGINNING.

PARCEL CONTAINS 4.91 ACRES

SUBJECT TO: A 50 ft. wide ingress, egress, and utility easement, 25 ft. either side of the following described centerline:
 Commencing at the POINT OF BEGINNING of said Parcel "P" run thence the following courses along the boundary of said parcel:
 N 66°12'50" E 67.72 ft.; N 58°53'46" E 354.08 ft.; S 40°02'46" E 651.84 ft. to the POINT OF BEGINNING of said centerline;
 Thence the following courses along said centerline:
 S 55°50'38" W 158.95 ft.; 178.14 ft. along a non-tangent curve to the right having a chord of S 64°27'44" W 177.50 ft., a delta of 16°51'10" and a radius of 605.63 ft.;
 S 60°23'23" W 212.68 ft.;
 102.70 ft. along a curve to the right having a chord of S 80°09'19" W 100.71 ft., a delta of 39°15'47", and a radius of 150.00 ft.; N 80°22'57" W 44.93 ft.;
 146.63 ft. along a curve to the right having a chord of N 27°46'52" W 128.64 ft., a delta of 105°07'51", and a radius of 81.00 ft. to a point on the northerly boundary of said parcel and the POINT OF TERMINUS.

LEMHI COUNTY APPROVAL

COUNTY RECORDER'S
 CERTIFICATE

BOOK: _____ PAGE: _____ INST. NO. _____

		FOR	
		FOURTH OF JULY CREEK, L.L.C.	
DATE: 8-21-2014	DRAWN/CHK BY: RML/JW		
PROJECT: 1724NR224th JULY CREEK, LLC			
DWG NAME: AMENDED PARCEL P.DWG			
SURVEY: ALLPOINT ZAK			
LEGAL DESCR: AMENDED PARCEL P.DOC			
		WAIDE SURVEYING GLOBAL POSITIONING SERVICES LAND SURVEYING & PLANNING 402 VAN DREFF ST. SALMON, IDAHO 83403 208-756-3070	

1/4	SEC	T	R
	30	24N	22E

756-3070

LARRY



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 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

May 19, 2015

WILLIAM S DARLING
DARLENE M DARLING
282 FOURTH OF JULY CREEK RD
NORTH FORK ID 83226

Re: Change in Water Right Ownership: Water Right No. 75-141 (Split into 75-141 and 75-14797) and 75-14145 (Split into 75-14145 and 75-14798)

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 based on the information received to reflect the change in ownership and has enclosed a computer-generated report for your records.

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 this right, including adding a new point of diversion, then an Application for Transfer on your portion of this right is required. Please contact this office for further information on the Application for Transfer form or you can find the forms at www.idwr.idaho.gov. If you do not plan on changing any items on your water right, then no further action is required at this time.

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.

Please feel free to contact me at 208-287-4942 if you have any questions concerning the enclosed information or this letter.

Sincerely,

A handwritten signature in black ink that reads "Jean Hersley".

Jean Hersley
Technical Records Specialist II

Enclosure

c: Slavin Law Office Chtd



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 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

May 19, 2015

FOURTH OF JULY CREEK LLC
400 W 2ND AVE
SALMON ID 83467

Re: Change in Water Right Ownership: Water Right No. 29-2393A 75-141 (Split into 75-141 and 75-14797) and 75-14145 (Split into 75-14145 and 75-14798)

Dear Water Right Holder(s):

We have received and processed a Change of Ownership for a portion of your original Water Right as referenced above. This change of ownership resulted in a split of your original water right.

When a portion of the original water right has been conveyed to another and the original right has been split, a new water right number is issued to the new owner representing their portion of the original water right. Each water right contains only the portion of the original right for each separate owner. The original water right number reflects your remaining portion of the water right, after the change of ownership. Enclosed is a copy of this water right for your records. 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.

If you have any questions concerning this ownership change, or the enclosed information, please contact me at 208-287-4942.

Sincerely,

Jean Hersley
Technical Records Specialist II

Enclosure

RECEIVED

MAY 15 2015

DEPARTMENT OF
WATER RESOURCES

Slavin Law Office, Chartered

Milton A. (Jock) Slavin & Milton Chace Slavin

Attorneys at Law

116 North Center Street, Salmon, Idaho 83467

Telephone: 208-756-2030 ~~~ Facsimile: 208-756-2031

May 10, 2015

Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, ID 83705

Attn: Jean Hersley

Re: Ownership Change Water Right 75-141 and 7514145
Notice of Change in Water Right Ownership
Fourth of July Creek LLC/Darling

As per your letter of April 21, 2015, enclosed please find the additional \$150.00 for processing the above notice of change in ownership, via my Slavin Law Office, Chartered check numbered 1211 for each transfer of water right numbers 75-141 and 75-14145.

Please send the completed paperwork to my office to copy for my files and I will deliver the original documents to Mr. and Mrs. Darling.

Should you have any questions regarding the change in water right ownership, please feel free to contact my office at your earliest convenience.

Very truly yours,



M. CHACE SLAVIN
MCS\ras

Enclosures: cited



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 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

April 21, 2015

WILLIAM S DARLING
DARLENE M DARLING
C/O SLAVIN LAW OFFICE CHTD
116 N CENTER ST
SALMON ID 83467

RE: Ownership Change Water Right: 75-141 and 75-14145

Dear Property Owner:

The Department of Water Resources acknowledges receipt of your request for a Notice of Change of Water Right Ownership on the above mentioned water rights. In reviewing the information provided to us, it was determined that the deeds you included do not convey all the property these water rights are appurtenant too. These water rights will need to be divided unless you have additional deeds that include all the property. I have attached a map that shows the water right shapes and the Darling property.

Effective July 1, 2000, the legislature enacted House Bill No. 545 requiring a filing fee for a change in water right ownership. The fee is \$25 per water right, except for ownership changes resulting in the division of a water right, which is \$100 per water right. All ownership change notices received after June 30, 2000 must include the appropriate filing fees in order to be processed. The Department has determined that the filing fee for your notice will be an additional **\$150.**

Because the Department cannot process the ownership change without proper fees, we will hold any action on your notice pending receipt of the necessary fees. If we do not receive the necessary fees within 30 days we will return your notice and all attachments and your notice will not be processed.

Please contact me at 208-287-4942 if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Jean Hersley".

Jean Hersley
Technical Records Specialist II

Slavin Law Office, Chartered

Milton A. (Jock) Slavin & Milton Chace Slavin
Attorneys at Law

116 North Center Street, Salmon, Idaho 83467

Telephone: 208-756-2030 ~ ~ ~ Facsimile: 208-756-2031

RECEIVED

APR 09 2015

Department of Water Resources
Eastern Region

April 6, 2015

Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, ID 83705

Re: Notice of Change in Water Right Ownership
Fourth of July Creek LLC/Darling

Enclosed please find your Form 42-248/42, which has been completed and signed by M. Chace Slavin, Attorney at Law, along with the Warranty Deed from Fourth of July Creek LLC to Mr. and Mrs. Darling with the plat attached.

I am also enclosing my Slavin Law Office, Chartered check numbered 12084 in the amount of \$50, being \$25.00 for each transfer of water right numbers 75-141 and 75-14145.

Please send the completed paperwork to my office to copy for my files and I will deliver the original documents to Mr. and Mrs. Darling.

Should you have any questions regarding the change in water right ownership, please feel free to contact my office at your earliest convenience.

Very truly yours,



M. CHACE SLAVIN
MCS\ras

Enclosures: cited