

APR 27 2015

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 17 2015

DEPARTMENT OF WATER RESOURCES  
**Notice of Change in Water Right Ownership**Department of Water Resources  
Eastern Region

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?                       |
|-----------------------|------------------------------|-----------------------|------------------------------|-----------------------|------------------------------|
| PD 74-15083           | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |

2. Previous Owner's Name: Busty K Hamilton  
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Emery J & Mary E Penner  
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 12 Pelaa Ln. Salmon ID 83467-5199  
Mailing address City State ZIP
- 208-993-1484 beth@lenhittle.com  
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: March 5, 2015
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: [Signature] Title, if applicable \_\_\_\_\_ Date 04-14-15  
Signature of new owner/claimant
- Signature: Beth Penner Title, if applicable \_\_\_\_\_ Date 04-14-15  
Signature of new owner/claimant

For IDWR Office Use Only:

Received by [Signature] Date 4/17/2015 Receipt No. E040910 Receipt Amt. \$25 -

Approved by \_\_\_\_\_ Processed by J. Strang Date 5-5-2015

## Warranty Deed

*For Value Received*

**Rusty K Hamilton, a married man as his sole and separate property**

the grantors, do hereby grant, bargain, sell and convey unto

**Emery J Penner and Mary E Penner, husband and wife**

Whose current address is:

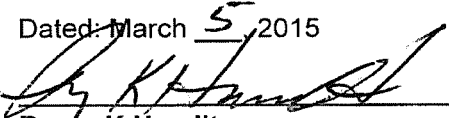
**12 Reba Ln  
Salmon, ID 83467**

the grantee, the following described premises, to-wit:

**See Attached Legal**

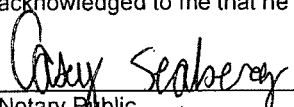
TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees that they are the owners in fee simple of said premises; that they are free from all encumbrances EXCEPT: Subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes, assessments, including irrigation and utility easements (if any) for the current year, which are not due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

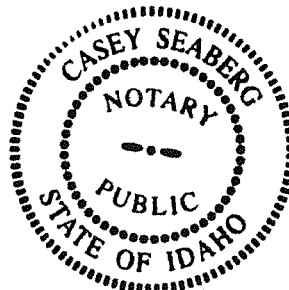
Dated: March 5, 2015

  
Rusty K Hamilton

STATE OF IDAHO            )  
                                          ) ss  
COUNTY OF LEMHI        )

On this 5 day of March, 2015, before me, a notary public in and for said State, personally appeared **Rusty K Hamilton** known to me or proved to me to be the persons whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

  
Notary Public  
Residing at: Salmon, Idaho  
Comm. Expires: 6-23-2020



### Legal Description

A parcel of land located in the NW4, Section 15, T. 21 N., R. 22 E., Boise Meridian, Lemhi County, Idaho, described as follows:

Commencing at the NW Corner of Section 15, run thence S.  $76^{\circ}10'55''$ E. a distance of 461.35 ft. to a point of the Southerly right-of-way of Hwy. 28, the POINT OF BEGINNING;

Thence S.  $54^{\circ}43'01''$  E. Along said right-of-way 379.79 ft.;

Thence S.  $65^{\circ}54'38''$  W. A distance of 59.63 ft.;

Thence S.  $27^{\circ}46'30''$  W. A distance of 446.85 ft.;

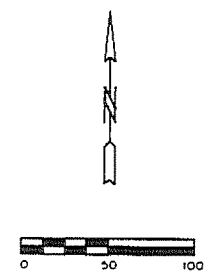
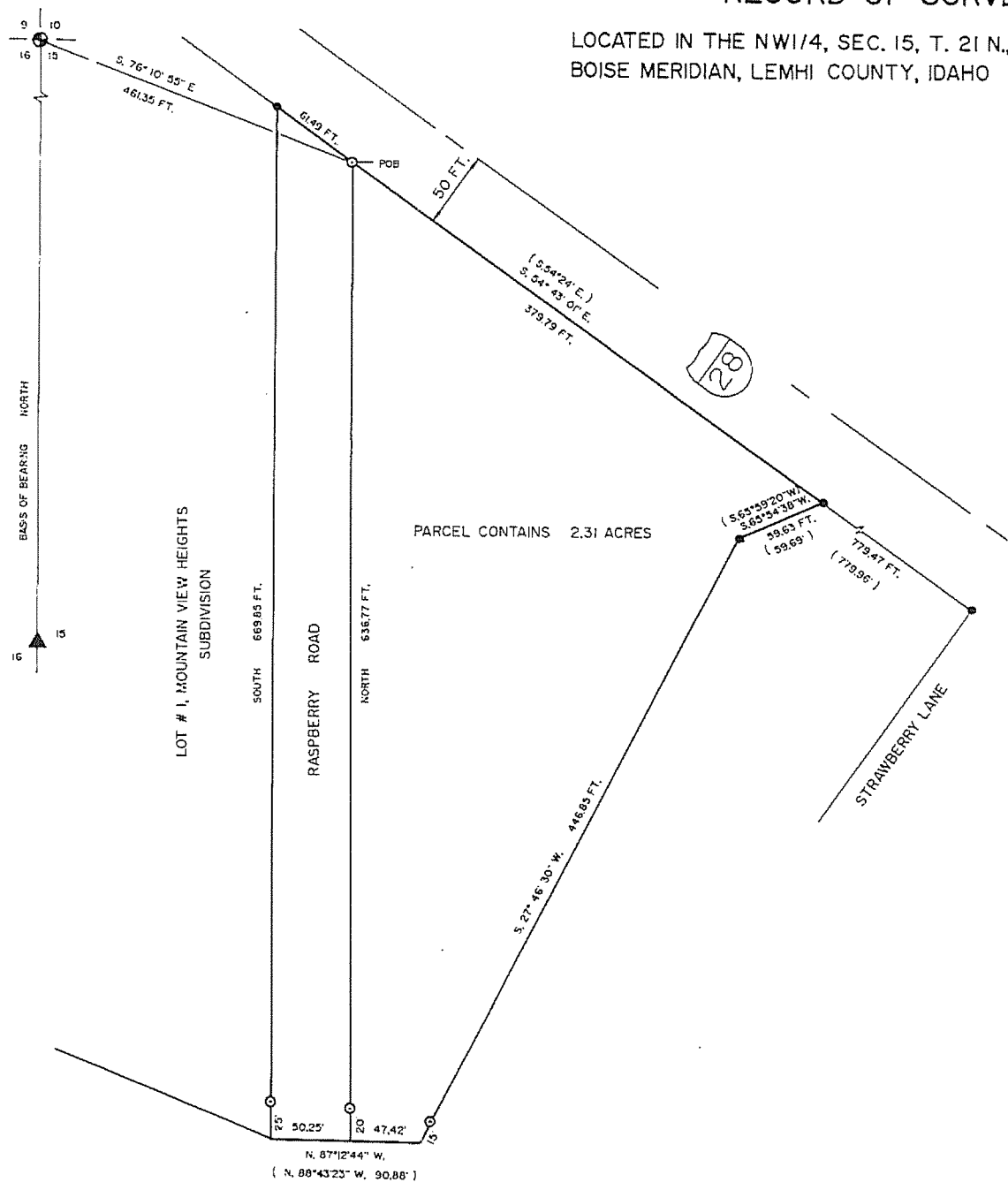
Thence N.  $87^{\circ}12'44''$  W. A distance of 47.42 ft. to a point of the Easterly right-of-way of Raspberry Road;

Thence North along said right-of-way, a distance of 636.77 ft. to the POINT OF BEGINNING.

Together with all water and water rights, ditch and ditch rights, appurtenant thereto and/ or used in connection there with.

# RECORD OF SURVEY

LOCATED IN THE NW1/4, SEC. 15, T. 21 N., R. 22 E.,  
BOISE MERIDIAN, LEMHI COUNTY, IDAHO



## LEGEND

- ALUM. CAP SET BY PLS 970 (REMONUMENTED)
- GOVERNMENT STONE CORNER
- FOUND 1/2" REBAR
- SET 5/8" X 24" REBAR WITH A PLASTIC CAP MARKED WADE PLS 5080
- POL POINT ON LINE
- POB POINT OF BEGINNING
- [ 59.69' ] RECORD BEARING AND DISTANCE

## SURVEYOR'S CERTIFICATE

THIS MAP REPRESENTS A SURVEY MADE BY  
LAURENCE J. WADE, PLS 5080, STATE OF IDAHO,  
IN CONFORMANCE WITH CHAPTERS 16 AND 19,  
TITLE 55, IDAHO CODE.



## 208986 COUNTY RECORDER'S CERTIFICATE

RECORDER OF LEMHI COUNTY  
TIME: 1:15 DAY: 30 MONTH: NOV 1990.  
BOOK: 5 PAGE: 61  
RECORDED: *Alberta W. Lidrick*  
BY: *Terry J. Mott*

## WADE SURVEYING

505 GRAMITE SALMON, IDAHO  
208-756-3070 BK. 2 PG. 70-71



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](http://www.idwr.idaho.gov)

C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

May 5, 2015

EMERY J PENNER  
MARY E PENNER  
12 REBA LN  
SALMON, ID 83467-5199

RE: Change in Water Right Ownership—Water Right No(s): 74-15083

Dear Water Right/Permit Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of Notice of Change in Water Right Ownership regarding the above referenced water right(s). The Department has modified its records to reflect this change in ownership and has enclosed a computer-generated report for your records.

Please note that water right owners are required to report any change in water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions, [www.idwr.idaho.gov](http://www.idwr.idaho.gov).

If you have any questions regarding this matter, please call me at 208-287-4907.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jennifer Strange', followed by a long horizontal line.

Jennifer Strange  
Technical Records Specialist I

Enclosures