

DEV

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

OCT 17 2014

Notice of Change in Water Right Ownership

WATER RESOURCES

1. Use 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?
80 63-2805	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:

Elmer H. Tiegs

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s):

The Estate of Elmer H. Tiegs

New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or ☐ and/or

3988 N. Cole Rd.

Boise

ID

83704

Mailing address

City

State

ZIP

(208) 863-3300

wbenn@ac.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 28, 1950

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.

8. Signature:

The Estate of Elmer H. Tiegs, Will Cunningham, Personal Representative

Signature of new owner/claimant

Title, if applicable

Date

10-14-15

Signature:

Signature of new owner/claimant

Title, if applicable

Date

For IDWR Office Use Only:

Received by BB

Date 10/17/14

Receipt No. W042594

Receipt Amt. 25.00

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 X

Approved by RJ

Processed by RJ

Date 12/10/14

Quitclaim Deed

RECEIVED

NOV 13 2014

WATER RESOURCES
WESTERN REGION

For Value Received, Elmer H. Tiegs, through his Personal Representative, William Cunningham, whose mailing address is 3988 N. Cole Road, Boise, Idaho 83704, (the "Grantor"), does hereby convey, release, remise and forever quitclaim to The Estate of Elmer H. Tiegs, (the "Grantee") whose mailing address is:

The Estate of Elmer H. Tiegs

William Cunningham, Personal Representative

3988 N. Cole Rd.

Boise, Idaho 83704

the following described Water Right License:

Water Right License dated March 28, 1950

Water Right No. 63-2805

Priority: March 28, 1950

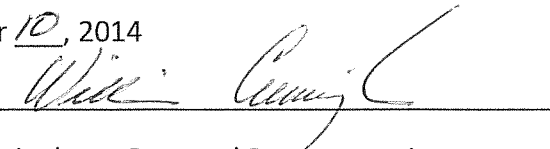
Point of Diversion: Ground Water, SE ¼ NE ¼ Sec. 16 and SE ¼ NE ¼ Sec. 18 in
Twp 02N, Rge 02W, B.M., Canyon County, Idaho

The well source is located on, SE ¼ NE ¼ Sec. 16, Twp 02N, Rge 02W, B.M., Canyon County, Idaho

This deed is intended to convey to the Grantee all right, title, and interest of the Grantor in and to the said Water Right License.

Dated: November 10, 2014

Elmer H. Tiegs by



William Cunningham, Personal Representative

2014-041021

RECORDED

11/12/2014 02:57 PM



00136339201400410210020022

CHRIS YAMAMOTO

CANYON COUNTY RECORDER

Pgs=2 MBROWN

\$13.00

DEED

CUNNINGHAM WILLIAM

State of Idaho

County of Ada

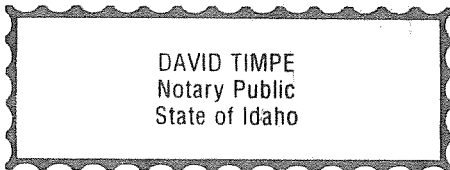
On this 10 day of November, 2014, before me, the undersigned, a Notary Public, in and for said State, personally appeared William Cunningham, known to me, and/or identified to me to be the Personal Representative of the Estate of Elmer H. Tiegs. The foregoing instrument was signed on behalf of said estate and acknowledged to me that he executed the same.

Witness my hand and official seal.

Notary Public David Timpe

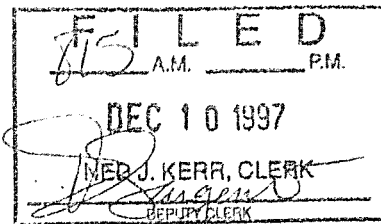
Residing at: Boise , Idaho

Commission expires: 06/05/2019



David E. Wishney
Attorney and Counselor at Law
601 W. Hays, Suite 11
P.O. Box 837
Boise, ID 83701
Telephone: (208) 336-5955

Attorneys for Applicant



IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF CANYON
MAGISTRATE DIVISION

IN THE MATTER OF THE ESTATE OF:)

ELMER H. TIEGS,)

Deceased.)

PROBATE CASE NO. SP97-2120

LETTERS TESTAMENTARY
AND OATH

WILLIAM CUNNINGHAM is hereby appointed personal representative of the Estate of ELMER H. TIEGS, deceased, with all authority pertaining thereto. Administration of the estate is unsupervised.

These Letters are issued to evidence the appointment, qualification, and authority of the personal representative.

WITNESS: Honorable BRADLY S. FORD, Magistrate of the District Court, County of Canyon, State of Idaho, with the seal of the Court affixed this 04 day of December, 1997.

Honorable

LETTERS TESTAMENTARY AND OATH - Pg. 1

State of Idaho
County of Canyon } ss.
I hereby certify that the foregoing instrument is a true and correct copy of the original as the same appears in this office.
DATED DEC 10 1997
CHRIS YAMAMOTO, Clerk of the District Court
By Chris Yamamoto Deputy

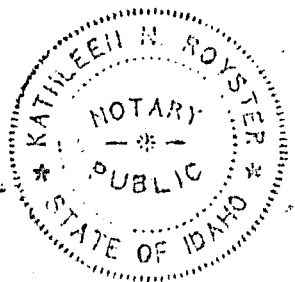
ACCEPTANCE

STATE OF IDAHO)
) ss
County of Ada)

The undersigned, hereby accepts the appointment to the office of personal representative of the Estate of Elmer H. Tiegs, deceased, and do solemnly swear that I will perform, according to law, the duties of personal representative of said estate.

Will Cunningham
WILLIAM CUNNINGHAM
3988 N. Cole Road
Boise, ID 83704

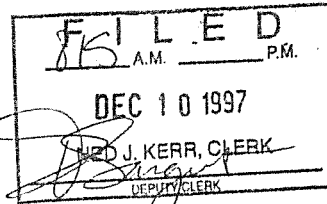
4th SUBSCRIBED AND SWORN to before me, a Notary Public, this
day of December, 1997.



Kathleen N. Royster
Notary Public for Idaho
Residing at: BOISE ID
Commission Expires: 7/19/2000

David E. Wishney
Attorney and Counselor at Law
601 W. Hays, Suite 11
P.O. Box 837
Boise, ID 83701
Telephone: (208) 336-5955

Attorneys for Applicant



IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF CANYON
MAGISTRATE DIVISION

IN THE MATTER OF THE ESTATE OF:	)	PROBATE CASE NO. <u>SP 97-2120</u>
	)	
ELMER H. TIEGS,	)	STATEMENT OF
	)	INFORMAL PROBATE OF WILL
	)	AND INFORMAL APPOINTMENT
	)	OF PERSONAL REPRESENTATIVE
	)	
Deceased.	)	
	)	

UPON CONSIDERATION of the Application for Informal Probate of Will and Informal Appointment of Personal Representative filed by WILLIAM CUNNINGHAM on December 8th, 1997, the Registrar finds that:

1. The application is complete.
2. The applicant has made oath or affirmation that the statements contained in the application are true to the best of his knowledge and belief.
3. The applicant appears from the application to be an interested person as defined by the Idaho Uniform Probate Code.
4. The decedent died on November 22, 1997, at the age of Eighty-Eight (88) years.

STATEMENT OF INFORMAL PROBATE OF WILL
AND INFORMAL APPOINTMENT OF PERSONAL REPRESENTATIVE - PAGE 1

5. On the basis of the statements in the application, venue is proper.

6. The original, duly executed and apparently unrevoked will, dated November 2, 1978 is in the Registrar's possession.

7. Any required notice has been given or waived.

8. On the basis of the statements in the application, the Will to which the application relates is not part of a known series of testamentary instruments (other than Wills or codicils), the latest of which does not expressly revoke the former.

9. On the basis of the statements in the application, no personal representative has been appointed in this state or elsewhere.

10. On the basis of the statements in the application, neither the Will to which the application relates nor any other Will of the Decedent has been the subject of a previous probate order in this State.

11. It appears from the application that the time limit for informal probate and appointment has not expired.

12. The application does not indicate the existence of a possible unrevoked testamentary instrument which may relate to property subject to the laws of this State, and which is not filed for probate in this Court.

13. Based on the statements in the application, the person whose appointment as personal representative is sought is qualified to act as personal representative and has a prior right to appointment.

STATEMENT OF INFORMAL PROBATE OF WILL
AND INFORMAL APPOINTMENT OF PERSONAL REPRESENTATIVE - PAGE 2

14. Bond is not required.

15. The applicable time period within which no action can be taken on an application for informal probate and appointment has elapsed.

THEREFORE:

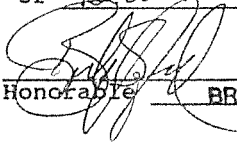
1. The Will of the Decedent, dated November 2, 1978 is hereby informally probated.

2. William Cunningham is hereby appointed personal representative of the Decedent, to act without bond.

3. Upon qualification and acceptance, letters testamentary will be issued.

4. Notice shall be given in accordance with I.C. 15-3-705.

DATED This 9th day of December, 1997.


Honorably BRADLY S. FORD



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

December 10, 2014

THE ESTATE OF ELMER H. TIEGS
C/O WILLIAM CUNNINGHAM
3988 N COLE RD
BOISE ID 83704

RE: Notice of Ownership Change in Water Right No. 63-2805

Dear Applicants:

The Department acknowledges the receipt of correspondence changing ownership of the above referenced water right to you. The Department has modified its records to reflect the 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 Sections 42-222 and 42-223, Idaho Code.

Please 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.

If you have any questions concerning the enclosed information, please feel free to contact this office at 208-334-2190.

Sincerely,

Rachel Sommer
Administrative Assistant I
Western Regional Office

Enclosures

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NOV 13 2014
WATER RESOURCES
WESTERN REGION

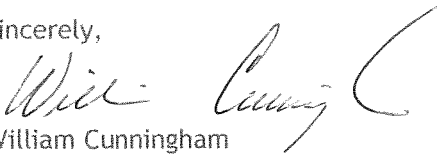
October 12, 2014

Attn: Brooke Barton
Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, ID 83705-5082

Re: Name change for Water Right 63-2805

Enclosed is the recorded Deed you requested in your letter of October 17.
Please proceed with the requested name change.

Sincerely,


William Cunningham

Personal Representative for the Estate of Elmer H. Tiegs



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

October 17, 2014

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

THE ESTATE OF ELMER H. TIEGS
C/O WILLIAM CUNNINGHAM
3988 N. COLE RD
BOISE, ID 83704

RE: Ownership Change for Water Right No's: 63-2805

Dear Applicants,

The Department of Water Resources acknowledges receipt of your request for an ownership change on the water right mentioned above. However, after reviewing the request, it was determined the form was not completed and additional documentation is needed to complete this request.

Please complete and submit the requested documentation listed below:

- Submit a recorded Deed.

Because the Department cannot process this request at this time, we will hold any action on your notice pending receipt of the necessary documentation. If we do not receive the required documentation within 30 days, the notice will be returned and will not be processed.

Thank you for your cooperation. If you have any questions please, contact this office at 208-334-2190.

Sincerely,

Brooke Barton
Office Specialist II
Western Regional Office

Enclosures

RECEIVED

OCT 17 2014

WATER RESOURCES
WESTERN REGION

October 14, 2014

Idaho Department of Water Resources

Western Region

2735 Airport Way

Boise, ID 83705-5082

Re: Name change for Water Right 63-2805

Enclosed is a Notice of Change in Water Right Ownership for Water Right 63-2805 along with the fee of \$25.00 and the supporting documents.

The original holder passed away in 1997 and this change will reflect the current owner with the appropriate mailing address for any necessary correspondence.

Sincerely,

A handwritten signature in black ink, appearing to read "Will Cunningham", written over the printed name.

William Cunningham

Personal Representative for the Estate of Elmer H. Tiegs