

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

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RECEIVED

OCT 16 2013

WATER RESOURCES
WESTERN 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 63-30249	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Weldon T. Fisher (deceased 11/24/11) and Betty L. Fisher

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): See attached list of owners and addresses.

New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or ☐ and/or

Mailing address _____ City _____ State _____ ZIP _____

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: 08/26/11 and 09/16/13, respectively

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: Lisa Vor Tann

Signature of new owner/claimant

Title, if applicable

Date

9.27.13

Signature: _____

Signature of new owner/claimant

Title, if applicable

Date

For IDWR Office Use Only:

Received by JA Date 10/16/13 Receipt No. W041584 Receipt Amt. \$25.00

Approved by RS Processed by JA Date 11/7/2013

Owners of Water Right No. 63-30249:

Mitchell Anthony Tain and Lisa Von Tain
15 Fox Meadow Drive
Idaho City, ID 83631

Terrell H. Fisher
77 N. 29th Street
Nampa, ID 83687

Weldon T. Fisher, Jr.
665 E. Beacon Light Road
Eagle, ID 83616

Katherine Matthews
1718 N. 26th Street
Boise, ID 83712

ELECTRONICALLY RECORDED

By: Pioneer Title Company Fee: \$5.00

ROBERT L. ALDRIDGE, CHARTERED

Attorney at Law
1209 North Eighth Street
Boise, Idaho 83702-4297
Telephone: (208) 336-9880
Fax: (208) 336-9882

Instrument # 111069315
Date: 8-26-11 Time: 1:50
County: Ada, Idaho

201104917/329402 ~~BO~~SK

Bargain and Sale Deed

GRANTOR: Betty L. Fisher, a.k.a. Betty Thompson, 2315 Hird Avenue, Caldwell, Idaho 83605, a single woman

GRANTEES: Mitchel Anthony Tain and Lisa Von Tain, husband and wife, P.O. Box 44, Idaho City, Idaho 83631, as Community Property With Right Of Survivorship

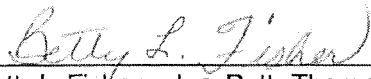
PROPERTY DESCRIPTION:

An undivided one-half (½) interest in the property on attached Exhibit "A"

Grantor, for, and in consideration of, good and sufficient consideration, hereby grants, bargains, sells, and conveys to the said Grantees, and to the heirs, assigns, transferees, and successors in interest thereof, forever, all right, title, and interest held by Grantor in that certain piece or parcel of land described above. Together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, and the reversions, remainder and remainders, rents, issues, and profits thereof; and also all the estate, right, title, and interest in said property, possession, claim, and demand whatsoever, as well in law as in equity, of the said Grantor, of, in, or to the said premises, and every part and parcel thereof, with the appurtenances.

TO HAVE AND TO HOLD all and singular the said premises, together with the appurtenances, unto the said Grantees and to Grantees' heirs and assigns forever.

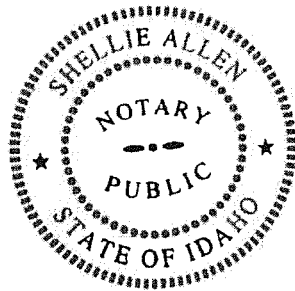
IN WITNESS WHEREOF, the said Grantor has hereunto set Grantor's hand and seal on August 12, 2011.

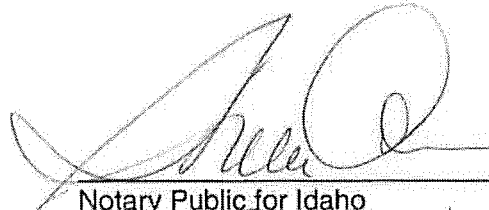

Betty L. Fisher, a.k.a. Betty Thompson, Grantor

STATE OF IDAHO)
)
COUNTY OF ADA) ss.

On this August 12, 2011, before me, a Notary Public in and for said State, personally appeared Betty L. Fisher, a.k.a. Betty Thompson, known or identified to me to be the person whose name is attached to the foregoing instrument, and acknowledged to me that she executed the same.

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





Notary Public for Idaho
Residing at Bowen, Idaho
My Commission expires on 12/16/2018

EXHIBIT "A"

That portion of the S E 1/4 S W 1/4, Section 33, 5 N. 1 E., B.M.,
more particularly described as follows:

Beginning at a point 25 feet North of the S W corner of said Section 33
thence.

South 89°59' East along the North line of that certain road locally known
as, and called, Beacon Road 1397.27 feet to the S E corner of the land
described in the Deed to Raymond C. Gilbert and Peggy D. Gilbert,
husband and wife, recorded October 27, 1964 under Instrument No.
596871, records of Ada County, Idaho, the Real Point of Beginning;
thence

North 349 feet to a point;
thence

South 89°59' East, 251 feet to a point;
thence

South 0°39' West, 349 feet to the North line of said Beacon Road;
thence

Along said North line, 251 feet to the Real Point of Beginning.

RECORDING REQUESTED BY,
AND AFTER RECORDING,
PLEASE RETURN TO:

FISHER PUSCH & KRUECK LLP
P.O. Box 1308
Boise, ID 83701

ADA COUNTY RECORDER Christopher D. Rich
BOISE IDAHO 09/16/13 03:51 PM
DEPUTY Vicky Bailey
RECORDED-REQUEST OF
Fisher Pusch & Krueck LLP

AMOUNT 16.00

3



(Space Above for Recorder's Use Only)

PERSONAL REPRESENTATIVE'S DEED

THIS PERSONAL REPRESENTATIVE'S DEED (The "Deed") is made by Lisa Von Tain, Personal Representative of the Estate of Weldon T. Fisher, Sr., deceased, (the "Grantor"), to Lisa Von Tain, an individual, whose address is 15 Fox Meadow Drive, Idaho City, Idaho 83631; Terrell H. Fisher, whose address is 77 N. 29th Street, Nampa, Idaho; 83687; Weldon T. Fisher, Jr., whose address is 665 E. Beacon Light Road, Eagle, Idaho 83616 and Katherine Matthews, whose address is 1718 N. 26th Street, Boise, Idaho 83712 (collectively the "Grantees"). The interests in the real property described herein transferred by this Deed are as follows Terrell H. Fisher shall have an undivided three-sixteenth (3/16) interest, Lisa Von Tain and Weldon T. Fisher, Jr. shall each have an undivided one-eighth (1/8) interest and Katherine Matthews shall have an undivided one-sixteenth (1/16) interest in the real property described herein as tenants in common. All Grantees shall hold their interests in the real property as their sole and separate property.

WHEREAS, Weldon T. Fisher, Sr., died testate while residing at Meridian, Idaho, Ada County, Idaho, on November 24, 2011;

WHEREAS, on the date of his death Weldon T. Fisher, Sr., owned an undivided one half (1/2) interest in that certain real property described as 546 E. Beacon Light Road, 83616, Eagle, Idaho (the "Property");

WHEREAS, previous to the death of Weldon T. Fisher, Sr., on August 26, 2011, by that certain Bargain and Sale Deed, recorded as Instrument No. 11069365, Mitchell Anthony Tain and Lisa Von Tain, husband and wife, acquired the other undivided one half (1/2) interest in the Property from Betty L. Fisher, aka Betty Thompson. Mitchell Anthony Tain and Lisa Von Tain hold this undivided one half (1/2) interest in the Property as community property with a right of survivorship;

WHEREAS, by this Personal Representative's Deed the Estate of Weldon T. Fisher, Sr., distributes its undivided one half (1/2) interest in the Property to the Grantees which they shall hold as their sole and separate property;

WHEREAS, the Grantees of this Personal Representative's Deed shall hold their respective interests as tenants in common along with Mitchell Anthony Tain and Lisa Von Tain who already own an undivided one half (1/2) interest in the Property; and,

WHEREAS, Grantor was duly appointed as Personal Representative of the Estate of Weldon T. Fisher, Sr., by the District Court of the Fourth Judicial District of the State of Idaho, in and for the County of Ada, Case No. CV-IE 12100438, on September 17, 2012, and is now qualified and acting in that capacity.

NOW, THEREFORE, Pursuant to the powers conferred upon Grantor by the *Idaho*

Probate Code, Grantor does hereby convey, assign, transfer and set over unto Grantees, as the persons entitled to distribution of the interests in the Property described herein as follows: Terrell H. Fisher shall have an undivided three-sixteenth (3/16) interest in the Property, Lisa Von Tain and Weldon T. Fisher, Jr. shall each have an undivided one-eighth (1/8) interest in the Property and Katherine Matthews shall have an undivided one-sixteenth (1/16) interest in the Property from the decedent Weldon T. Fisher's undivided one half (1/2) interest in the Property in the Estate of Weldon T. Fisher, identified as 546 E. Beacon Light Road, 83616, Eagle, Idaho, and more particularly described as follows:

That portion of the S E 1/4 S W 1/4, Section 33, 5 N. 1 E., B.M., more particularly described as follows:

Beginning at a point 25 feet North of the S W corner of said Section 33 thence. South 89°59' East along the North line of that certain road locally known as, and called, Beacon Road 1397.27 feet to the S E corner of the land described in the Deed to Raymond C. Gilbert and Peggy D. Gilbert, husband and wife, recorded October 27, 1964 under Instrument No. 596871, records of Ada County, Idaho, the Real Point of Beginning; thence North 349 feet to a point; thence South 89°59' East, 251 feet to a point; thence South 0°39' West, 349 feet to the North line of said Beacon Road; thence Along said North line, 251 feet to the Real Point of Beginning.

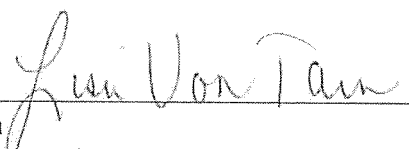
This conveyance shall include any and all appurtenances, estate, right, title, interest, tenements, hereditaments, reversions, remainders, easements, rents, issues, profits, rights-of-way and water rights in anywise appertaining to the property herein described, as well in law as in equity.

The Grantees shall hold their respective interests in the Property acquired through this Personal Representative's Deed as tenants in common with each other and Mitchell Anthony Tain and Lisa Von Tain, husband and wife who own the remaining 1/2 interest in the Property.

To have and to hold the same unto the Grantees and to Grantees' successors and assigns forever.

DATED This ^{TN} 13 day of September, 2013.

GRANTOR:



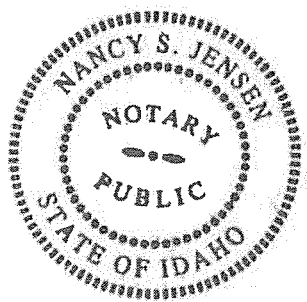
Lisa Von Tain

Personal Representative of Weldon T. Fisher Estate

STATE OF IDAHO)
): ss.
County of Ada)

On this 13th day of September, 2013, before me, a notary public in and for said county and state, personally appeared **Lisa Von Tain**, Personal Representative of the Estate of Weldon T. Fisher, Sr., known or identified to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same.

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





Notary Public in and for the State of Idaho
My Commission Expires: 1/25/2018