

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

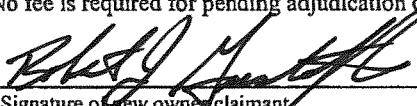
Notice of Change in Water Right Ownership

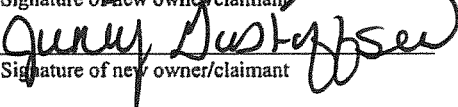
RECEIVED
JUL 23 2013
IDWR / NORTH

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.

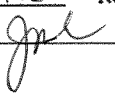
Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
PD 86-7071	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Kenneth H. Richardt and Henrietta M. Richardt
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Robert J. Gustaffsen and Juney Gustaffsen
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or ☐ and/or
- | | | | |
|-------------------------|--------------------------------|--------------|--------------|
| <u>33588 Trout Lane</u> | <u>Lenore</u> | <u>Idaho</u> | <u>83541</u> |
| Mailing address | City | State | ZIP |
| <u>(208) 836-5812</u> | <u>riversailun@outlook.com</u> | | |
| 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: April 9, 2011
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:  07-18-13
Signature of new owner/claimant Title, if applicable Date

Signature:  07-18-13
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by  Date 7/23/13 Receipt No. N030024 Receipt Amt. \$25.00
Approved by _____ Processed by  Date 7-26-13

INST. NO. **790596**

FILED FOR RECORD
FEE **2200** REC. BY

2011 APR 13 PM 2 34

PATTY O. WEEKS
RECORDER, NEZ PERCE CO. ID.
BY *P. Weeks* **KENNETH H. RICHARDT** DEPUTY

FIRST AMERICAN TITLE

391427-LW (FAT)

DEED

For Value Received, KENNETH H. RICHARDT, Trustee of the **KENNETH H. RICHARDT TRUST DECLARATION OF TRUST** dated April 24, 1975, and restated February 10, 1983, second restatement October 17, 2006, as to an undivided one-half interest; and HENRIETTA M. RICHARDT, Trustee of the **HENRIETTA M. RICHARDT TRUST DECLARATION OF TRUST** dated April 24, 1975, as amended, and restated on February 10, 1983, second restatement October 17, 2006, as to an undivided one-half interest, as Grantors, do hereby grant, bargain, sell and convey unto ROBERT J. GUSTAFFSEN and JUNEY GUSTAFFSEN, husband and wife, the Grantees, whose current address is 33588 Trout Lane, Lenore, Idaho 83541, all of its interest in the following described premises situate in the County of Nez Perce, State of Idaho, to-wit:

See Exhibit A attached hereto and by this reference incorporated herein.

SUBJECT TO all matters, covenants, conditions, restrictions, easements and any rights, interests, or claims which may exist by reason thereof, disclosed by Record of Survey recorded November 1, 1979, as Instrument No. 430343, but deleting any covenant, condition, or restriction indicating a preference, limitation, or discrimination based on race, color, religion, sex, handicap, familial status, or national origin to the extent such covenants, conditions, or restrictions violate 42 USC 3604(c).

SUBJECT TO Easement for Right of Way granted to The Washington Water Power Company, a corporation, recorded June 10, 1937, as Instrument No. 160424, records of Nez Perce County, Idaho.

SUBJECT TO Easement for Right of Way granted to The Washington Water Power Company, a corporation, recorded August 20, 1937, as Instrument No. 161152, records of Nez Perce County, Idaho.

SUBJECT TO Easement, including the terms and conditions thereof, granted to Northern Pacific Railway Company, a corporation, recorded November 14, 1947, as Instrument No. 209394, records of Nez Perce County, Idaho.

SUBJECT TO Easement for Right of Way granted to The Washington Water Power

Company, a corporation, recorded September 3, 1965, as Instrument No. 311765, records of Nez Perce County, Idaho.

SUBJECT TO Land Proposal recorded February 23, 1979, as Instrument No. 422615, records of Nez Perce County, Idaho.

SUBJECT TO provisions in deed to Warranty Deed recorded June 1, 1984, as Instrument No. 477316, and rerecorded August 28, 1984, as Instrument No. 479990, records of Nez Perce County, Idaho.

SUBJECT TO Easement for Pipeline right of way and maintenance granted to Lowell M. Ayers, recorded June 9, 1981, as Instrument No. 446887, records of Nez Perce County, Idaho.

SUBJECT TO Easement for Ingress and Egress granted to E. B. Ponack and Patricia E. Ponack, recorded August 24, 1987, as Instrument No. 513926, records of Nez Perce County, Idaho.

SUBJECT TO Easement for Right of Way granted to Clearwater Power Company, a cooperative corporation, recorded June 22, 1990, as Instrument No. 542144, records of Nez Perce County, Idaho.

SUBJECT TO right of way of Trout Lane, as shown on the Nez Perce County Assessor's plat map.

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:

- 1) That the Trusts referred to above are the present record owners of said premises;
- 2) That previous to the time of the execution of this deed, the Grantors have not conveyed the same estate, or any right, title or interest therein, to any person other than the Grantees; and
- 3) That the real property being conveyed is free from encumbrances done, made or suffered by the Grantor, or any person claiming under it, except taxes, levies and assessments for the year 2011 and thereafter.
- 4) That the Trustee has full power and authority to execute this present deed.

790596

IN WITNESS WHEREOF, the said Grantor has hereunto set its hand and seal this 9th
day of April, 2011.

GRANTORS:

KENNETH H. RICHARDT TRUST
DECLARATION OF TRUST

By Kenneth H. Richardt, Trustee
+ KENNETH H. RICHARDT, Trustee

HENRIETTA M. RICHARDT TRUST
DECLARATION OF TRUST

By Henrietta M. Richardt, Trustee
+ HENRIETTA M. RICHARDT, Trustee

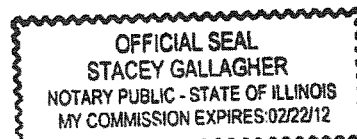
STATE OF ILLINOIS)
County of DuPage : ss)

On this 9th day of April, 2011, before me, the undersigned, a Notary Public in and for the State of Illinois, personally appeared KENNETH H. RICHARDT, known or identified to me to be the person whose name is subscribed to the within instrument as Trustee of KENNETH H. RICHARDT TRUST DECLARATION OF TRUST, and acknowledged to me that he executed the same as such Trustee.

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

Stacey Gallagher
Notary Public in and for the State of Illinois,
residing at West Chicago.

My commission expires 2-22-12.



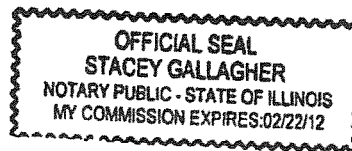
790596

STATE OF ILLINOIS)
 : ss
County of Dupage)

On this 9th day of April, 2011, before me, the undersigned, a Notary Public in and for the State of Illinois, personally appeared HENRIETTA M. RICHARDT, known or identified to me to be the person whose name is subscribed to the within instrument as Trustee of HENRIETTA M. RICHARDT TRUST DECLARATION OF TRUST, and acknowledged to me that he executed the same as such Trustee.

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

Stacey Gallagher
Notary Public in and for the State of Illinois,
residing at West Chicago.
My commission expires 2-22-12.



790596

Exhibit "A"

Real property in the County of Nez Perce, State of Idaho, described as follows:

(PARCEL 3, RECORD OF SURVEY NO. 430343)

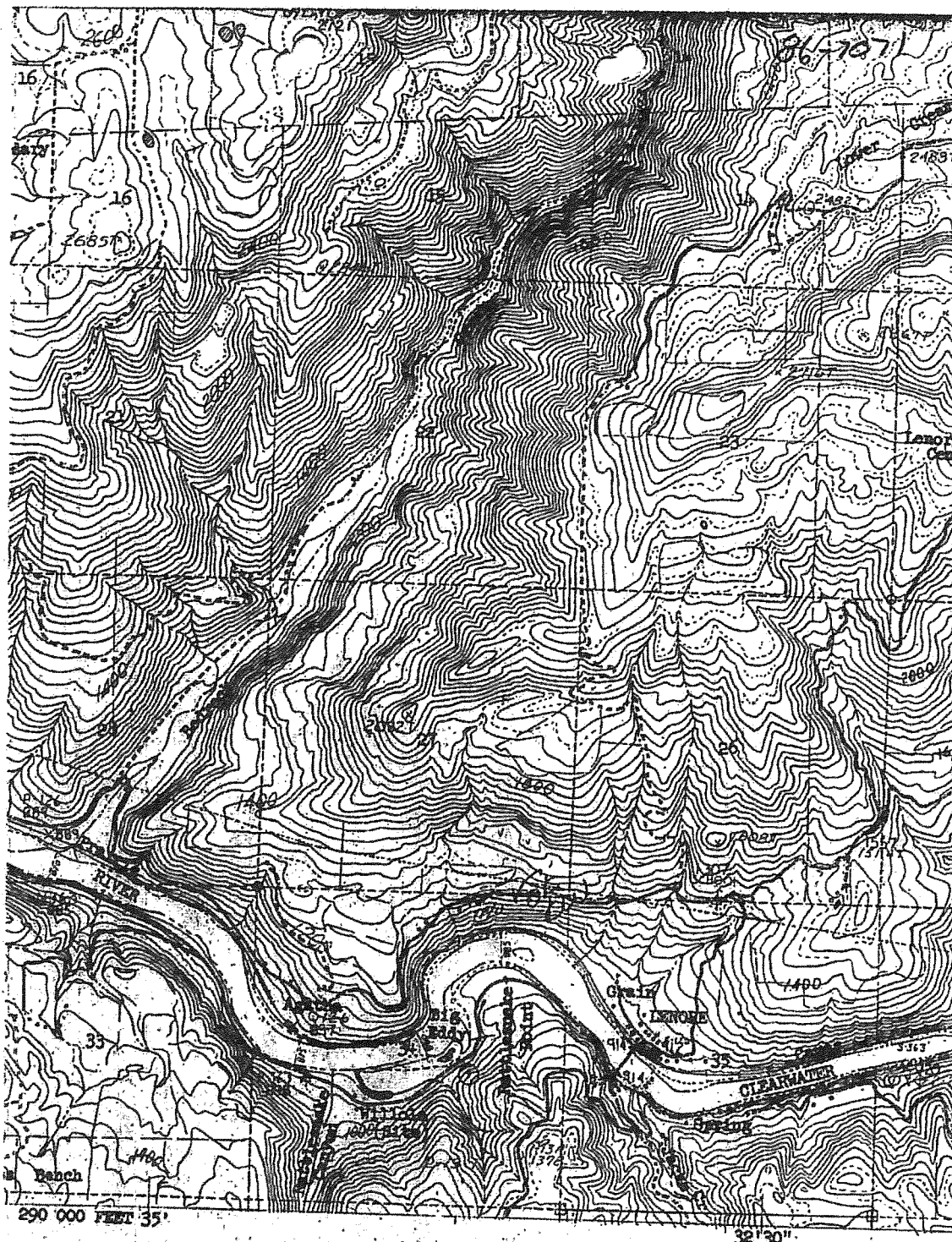
A PARCEL OF LAND LOCATED IN LOT 1 OF SECTION 34, TOWNSHIP 37 NORTH, RANGE 2 WEST BOISE MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CONCRETE MONUMENT MARKING THE NORTHEAST CORNER OF SAID SECTION 34, THENCE SOUTH 89°59' WEST, ALONG THE NORTH LINE OF SECTION 34 A DISTANCE OF 1516.34 FEET TO THE CENTERLINE OF THE COUNTY ROAD; THENCE SOUTH 63°02'35" WEST, ALONG SAID CENTERLINE A DISTANCE OF 116.78 FEET; THENCE SOUTH 74°57'05" WEST, A DISTANCE OF 147.55 FEET; THENCE SOUTH 61°10'43" WEST, A DISTANCE OF 157.64 FEET; THENCE SOUTH 71°26'20" WEST, A DISTANCE OF 88.68 FEET TO THE POINT OF BEGINNING;

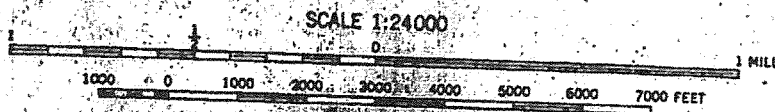
THENCE CONTINUE SOUTH 71°26'20" WEST, A DISTANCE OF 2.5 FEET; THENCE SOUTH 86°34'30" WEST, A DISTANCE OF 86.27 FEET; THENCE SOUTH 76°39'40" WEST, A DISTANCE OF 93.03 FEET; THENCE SOUTH 45°24'40" WEST, A DISTANCE OF 87.97 FEET; THENCE SOUTH 15°08'17" WEST, A DISTANCE OF 171.65 FEET; THENCE SOUTH 48°17'47" WEST, A DISTANCE OF 102.11 FEET; THENCE SOUTH 64°26'02" WEST, A DISTANCE OF 125.32 FEET; THENCE SOUTH 0°09' EAST, A DISTANCE OF 600.58 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF THE NORTHERN PACIFIC RAILROAD; THENCE NORTHEASTERLY ALONG SAID RIGHT OF WAY ON A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 8°45'08", A CHORD BEARING NORTH 35°20'14" EAST A DISTANCE OF 106.84 FEET; AND A RADIUS OF 700.06 FEET FOR AN ARC LENGTH OF 106.94 FEET; THENCE ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 17°28' AND A RADIUS OF 1532.50 FEET A DISTANCE OF 467.18 FEET; THENCE ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 4°43'02" AND A RADIUS OF 2010.06 FEET A DISTANCE OF 165.49 FEET; THENCE NORTH 8°57'40" WEST, A DISTANCE OF 503.92 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THE NORTHERLY 25.00 FEET OF THE ABOVE DESCRIBED PROPERTY FOR THE COUNTY ROAD RIGHT-OF-WAY.

EXCEPTING THEREFROM THE RAILROAD RIGHT OF WAY.

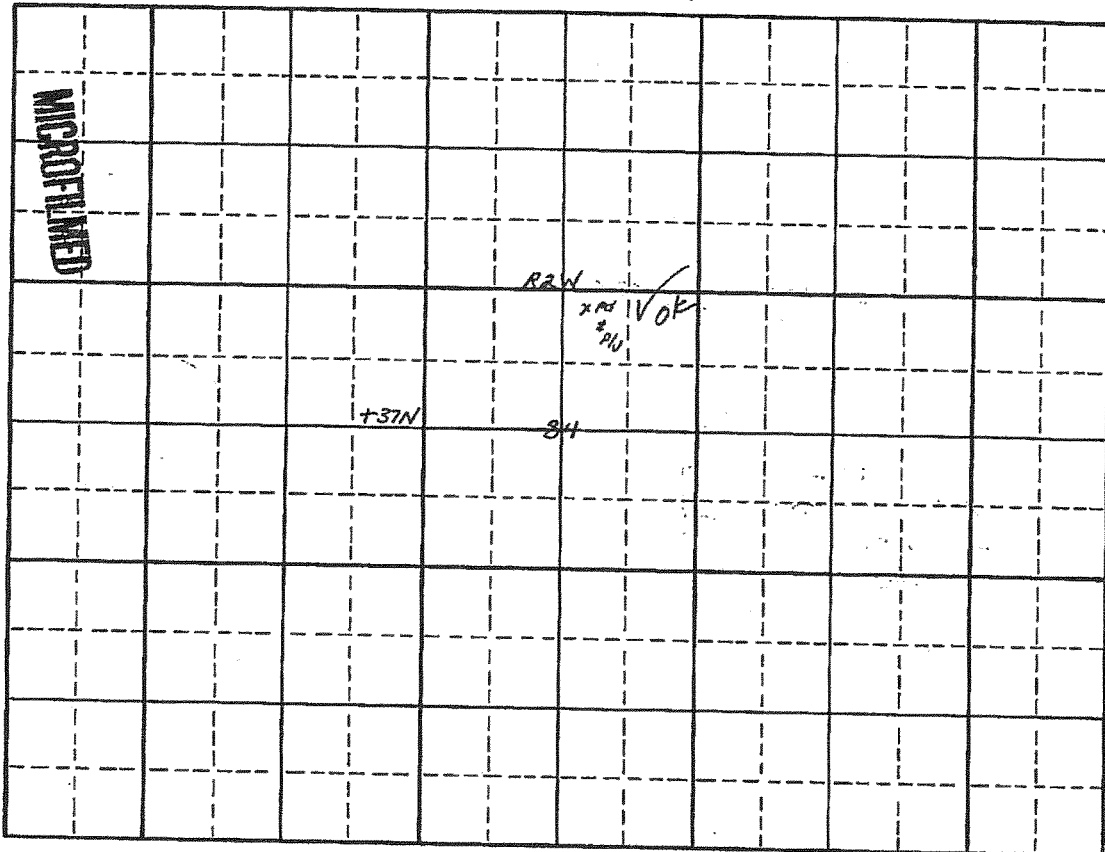


MICROFILMED
 TRUE NORTH
 MAGNETIC NORTH
 PRELIMINARY MEAN
 MAGNETIC NORTH
 DATE, 1961



CONTOUR INTERVAL 40 FEET
 DASHED LINES REPRESENT 20-FOOT CONTOURS
 DATUM IS MEAN SEA LEVEL

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)

Point(s) of diversion: ^{AB} ~~AB~~ NW NE sec 34 T37N R2W ^{same as permit}

Place(s) of Use ^{same as permit but added}

TWP.	RGE.	SEC.	NEX				NWK				SWK				SEX				TOTALS
			NEX	NWK	SWK	SEX	NEX	NWK	SWK	SEX	NEX	NWK	SWK	SEX	NEX	NWK	SWK	SEX	
37N	2W	34		X25															0.25
			</																

Recommended Amendments:

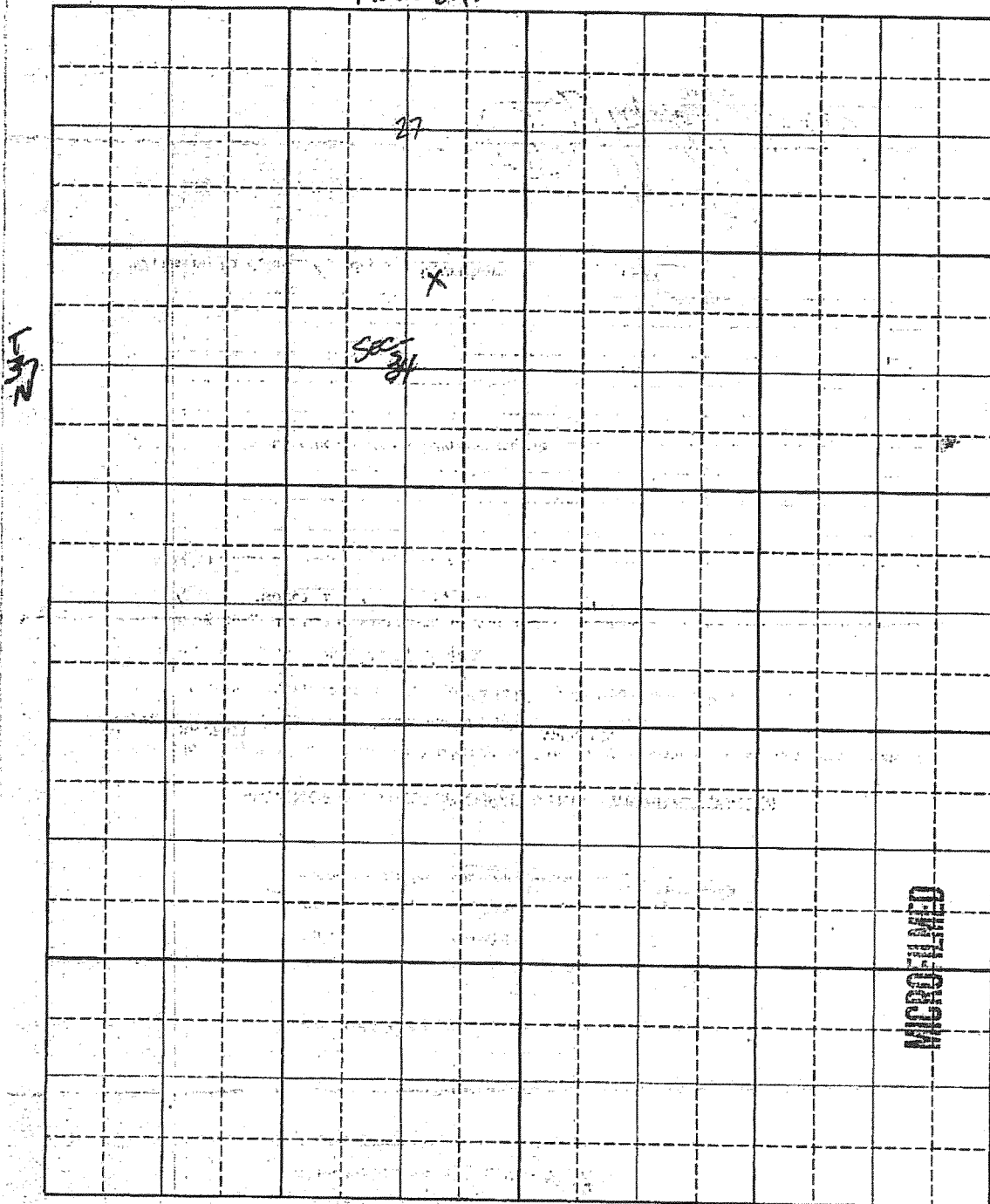
- ☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

Examiner's Signature: Larry Beard
 Checked by: Bob Thomas
 Approved by: Ray Walker

Date: 8/2/83
 Date: 9/1/83
 Date: 11/23/83

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

R2W BM.



Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Kenneth D. Richard
Applicant
442 Arbor Ave.
West Chicago, Ill. 60185