

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUL 11 2013

Notice of Change in Water Right Ownership

DEPARTMENT OF
WATER RESOURCES

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?
65-23418	Yes ☒	Split into 65-23418	Yes ☒	65-23548	Yes ☐
65-23420	Yes ☒	Split into 65-23420	Yes ☒	65-23549	Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Rick Nutt; Terri Ann Nutt
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Gene L. Tatom
Name of each new owner as listed on the conveyance document

New owner continued Name connector ☐ and ☐ or ☐ and/or

25 Veterinary Way
Mailing address

Garden Valley
City

208-462-4746
Telephone

ID 83622
State ZIP

gmail@clueemail.com
Email (clueemail)

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: 29 December 2011

6. 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.

7. Signature: Gene L. Tatom 9 July 2013
Signature of new owner/claimant Title, if applicable Date

Signature: _____ Title, if applicable Date

For IDWR Office Use Only:

Received by [Signature] Date 7-11-13 Receipt No. 00974733 74 Receipt Amt. 200.00

Approved by _____ Processed by [Signature] Date 7-15-2013

(3)

Instrument # 233815
IDAHO CITY, BOISE COUNTY, IDAHO
12-29-2011 15:56:23 PM No. of Pages: 3
Recorded for: STEWART TITLE - EMERALD OFFICE
MARY T. PRISCO Fee: \$16.00
Ex-Officio Recorder Deputy shirley george
Index to: DEEDS
Electronically Recorded by Simplifile

Asset No.: 898989

~~1-ST/107300PT~~ SPECIAL WARRANTY DEED

For Value received Federal Home Loan Mortgage Corporation, by Stewart Lender Services, Inc.
its Attorney-in-Fact,

the Grantor, hereby grants, bargains, sells, conveys and warrants unto

Gene L. Tatom, an unmarried man 87

the Grantee, whose current address is 25 Veterinary Way, Garden Valley, ID 83622

the following described premises, to wit:

See Attached Exhibit "A"

Parcel Number: RP00169001003A

Being the same premises conveyed to Federal Home Loan Mortgage Corporation by Trustee's

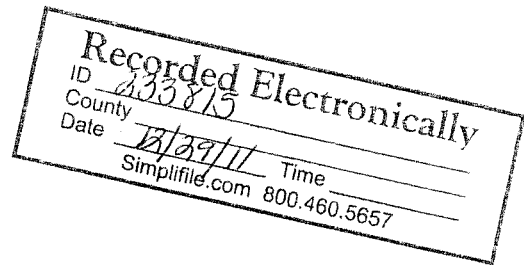
Deed dated July 13, 2011 and recorded July 15, 2011 in county office
as Instrument No. 231956

SUBJECT TO: Current General Taxes, a lien in the process of assessments, not yet due
or payable. Easements, restrictions, reservations, provisions of record, and assessments, if any.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said
Grantee, their heirs and assigns forever. And the said Grantor does hereby covenant to and with
the said Grantee, that it is the owner in fee simple of said premises, that said premises are free
from all encumbrances.

(3)

Electronically recorded — Do not
remove the county stamped first
page as it is now incorporated as
part of the original document.



Asset No.:

898989

1-ST1107322PT **SPECIAL WARRANTY DEED**

For Value received Federal Home Loan Mortgage Corporation, by Stewart Lender Services, Inc.
its Attorney-in-Fact,

the Grantor, hereby grants, bargains, sells, conveys and warrants unto

Gene L. Tatom, an unmarried man *97*

the Grantee, whose current address is 25 Veterinary Way, Garden Valley, ID 83622

the following described premises, to wit:

See Attached Exhibit "A"

Parcel Number: RP00169001003A

Being the same premises conveyed to Federal Home Loan Mortgage Corporation by Trustee's
Deed dated July 13, 2011 and recorded July 15, 2011 in county office
as Instrument No. 231956

SUBJECT TO: Current General Taxes, a lien in the process of assessments, not yet due
or payable. Easements, restrictions, reservations, provisions of record, and assessments, if any.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said
Grantee, their heirs and assigns forever. And the said Grantor does hereby covenant to and with
the said Grantee, that it is the owner in fee simple of said premises, that said premises are free
from all encumbrances.

Dated this 13th day of December, 2011.

Federal Home Loan Mortgage Corporation
By Stewart Lender Services as its attorney-in-fact

By:

Ericka A. Brunette
Printed Name: Ericka A. Brunette

Authorized Signatory

STATE OF ~~TEXAS~~ Florida)

) ss.

COUNTY OF ~~HARRIS~~ Pinellas)

On this 13th day of December, 2011, before me, the undersigned, a Notary Public, in and for said State, personally appeared Ericka A. Brunette, known to me to be an Authorized Signatory of Stewart Lender Services, Inc whose name is subscribed to the within instrument, as the Attorney-in-Fact of Federal Home Loan Mortgage Corporation, and acknowledged to me that he/she subscribed the name of Federal Home Loan Mortgage Corporation, thereto as principal, and his (her) own name on behalf of Stewart Lender Services, Inc. as attorney-in-fact.

WITNESS MY HAND AND OFFICIAL SEAL.

Notary Public:

Rebecca Murphy
Residing at: 6137 Cecelia Dr. N.P.R. FL 34653
My commission expires 10-15-2013

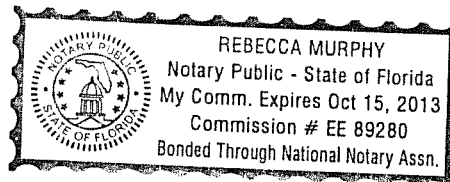


EXHIBIT "A"

LEGAL DESCRIPTION

A portion of Lot 3 of Block 1, of Mitten Subdivision as recorded in the Recorder's Office as Instrument No. 185841, Idaho City, Boise County, Idaho lying in Section 3, Township 9 North, Range 4 East of the Boise Meridian, Boise County, Idaho, being more particularly described as follows:

Commencing at a found ½ inch iron pin with plastic cap, "PLS 5710" being the Southeast corner of said Lot 2, the POINT OF BEGINNING; Thence, along the Easterly line of said Lot 3, South 23°01'23" West, 408.05 feet to a found 5/8 inch iron pin with plastic cap, "PLS 4108", being the Southeast corner of said Lot 3; Thence, along the Southerly line of said Lot 3, North 67°42'28" West, 213.51 feet, to a set 5/8 inch pin with plastic cap, "PLS 5710"; Thence along a line parallel with and 213.15 feet Westerly of said Easterly line, North 23°01'23" East, 410.77 feet, to a set 5/8 inch iron pin, "PLS 5710"; Thence, along the extended Southerly line of Lot 2 Block 1 of said Mitten Subdivision, South 66°58'37" East, 213.51 feet, to THE POINT OF BEGINNING, revised Lot 3 of Record of Survey 197369, RP 00169001003 A

TOGETHER WITH:

A 24-foot wide ingress-egress easement being the Northerly 217.69 feet of the Easterly 24.00 feet of the following described parcel of land:

The following describes a parcel of real property being Lot 4 Block 1 and a portion of Lot 3 Block 1, of Mitten Subdivision as recorded in the Recorder's Office as Instrument No. 185841, Idaho City, Boise County, Idaho, also being a portion of Section 3, Township 9 North, Range 4 East of the Boise Meridian, Boise County, Idaho, being more particularly described as follows:

Commencing at a found 5/8 inch iron pin with plastic cap "PLS 4108", being the Southeast corner of said Lot 3; Thence, along the Southerly line of said Lot 3, North 67°42'28" West, 213.51 feet to a set 5/8 inch iron pin with plastic cap "PLS 5710", being the POINT OF BEGINNING; Thence, continuing along said Southerly line of Lot 3 and the Southerly line of Lot 4 of said Block 1, North 67°42'28" West, 433.88 feet, to a found 5/8 inch iron pin; Thence along the Westerly line of said Lot 4, North 09°12'17" East 371.11 feet to a set 5/8 inch iron pin with plastic cap, "PLS 5710", being the Northwest corner of said Lot 4; Thence, along the Northerly line of said Lot 4, North 89°11'47" East 287.17 feet to a set 5/8 inch iron pin with plastic cap "PLS 5710", on the centerline of Stowa Way and being the beginning of a curve to the left; Thence, continuing along said Northerly line and said centerline, along a non-tangent curve to the left 73.57 feet said curve having a radius of 141.50 feet, a central angle of 29°47'19", and being subtended by a chord bearing South 82°58' 12" East 72.74 feet to a set 5/8 inch iron pin with plastic cap, "PLS 5710"; Thence, continuing along said Northerly line of said Lot 4 and the Northerly line of said Lot 3 and said centerline, North 82°08'09" East, 221.24 feet, to a set 5/8 inch iron pin with plastic cap "PLS 5710"; thence departing said Northerly line and said centerline, South 23°01'23" West, 604.47 feet, to THE POINT OF BEGINNING.

File Number: 11073202
Stewart Title Company
Attached Legal Description



Water Right
65-23418
(IRRIGATION)

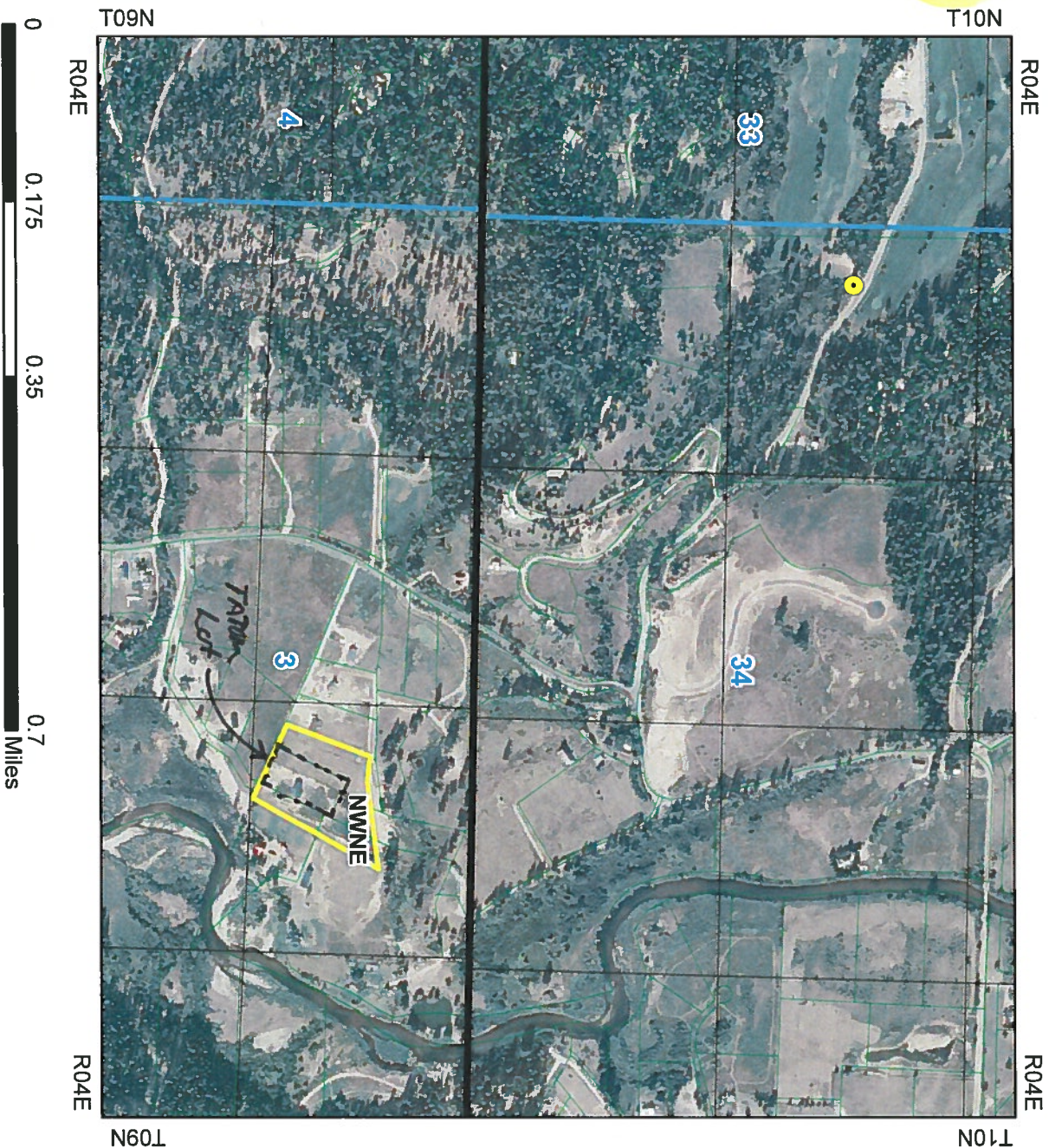
Idaho Department of Water Resources

- Point of Diversion
- Place of Use
- State Outline
- Townships
- PLS Sections
- Quarter Quarters
- Taxlots



Boise County
IDWR Basin 65

Prepared by Lester, Steve
On July 06, 2012
2009 Aerial Photography



Owner: Rick Nutt
NOTE: Only one owner is listed. There may or may not be more than this in the IDWR database.



65-23418

Close up
view





Water Right
65-23420
(IRRIGATION)

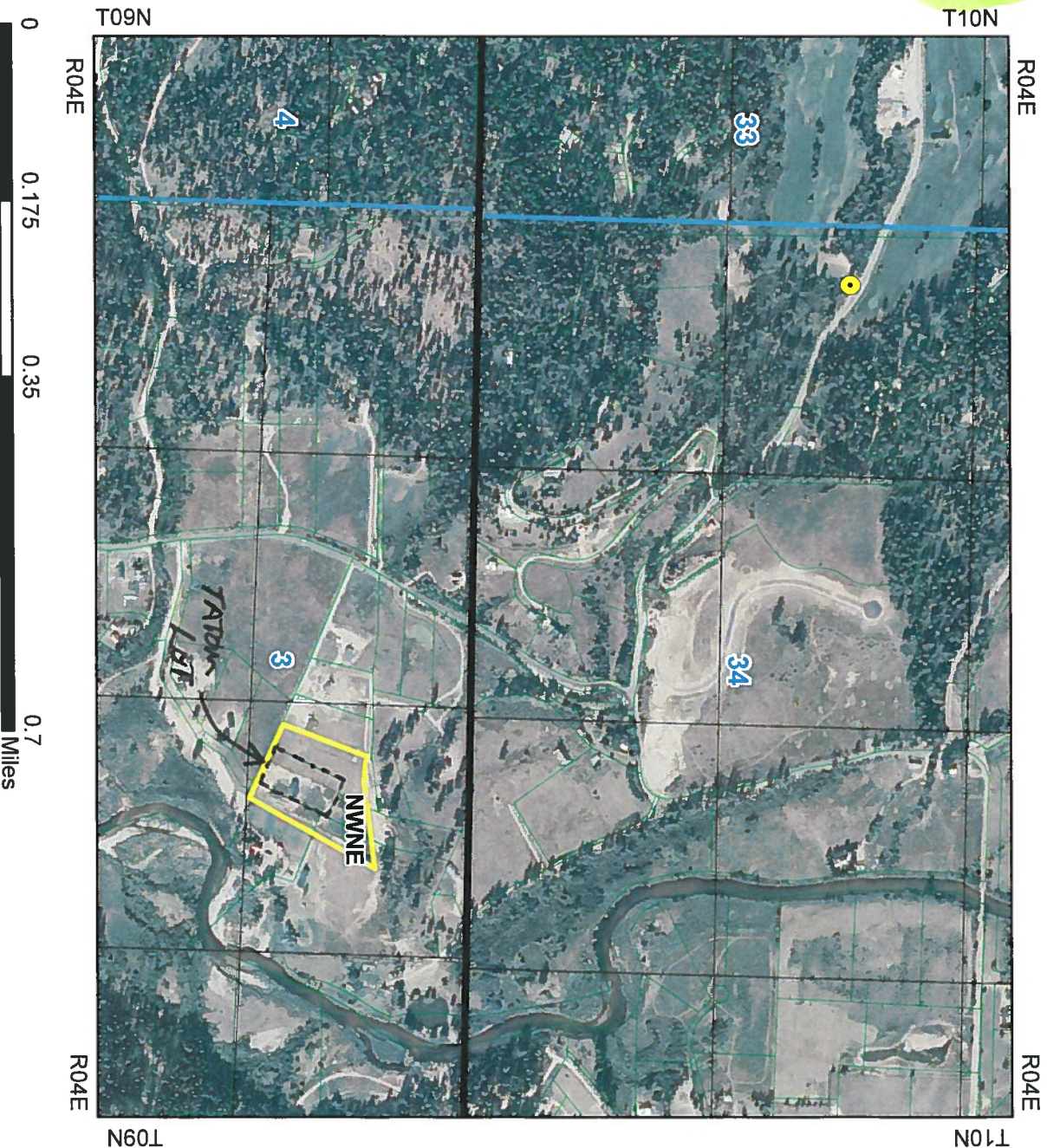
Idaho Department of Water Resources

- Point of Diversion
- Place of Use
- State Outline
- Townships
- PLS Sections
- Quarter Quarters
- Taxlots



Boise County
IDWR Basin 65

Prepared by Lester, Steve
On July 06, 2012
2009 Aerial Photography



Owner: Rick Nutt
NOTE: Only one owner is listed. There may or may not be more than this in the IDWR database.



65-23420



IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 65-23418

WATER RIGHT NUMBER: 65-23418

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	HEDRICK & BODINE FARMS 1154 N ORCHARD ST BOISE, ID 83704
Previous Owner	LOREN H BODINE 10810 ESTATE DR BOISE, ID 83709 (208)375-4639
Current Owner	RICK NUTT PO BOX 313 GARDEN VALLEY, ID 83622 (208)462-3994
Current Owner	TERRI ANN NUTT PO BOX 313 GARDEN VALLEY, ID 83622 (208)462-3994

Priority Date: 06/01/1866

Basis: Decreed

Status: Active

Source

WARM SPRINGS CREEK

Tributary

MIDDLE FORK PAYETTE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 11/01	0.030 CFS	
	<u>Total Diversion:</u>	0.030 CFS	

Location of Point(s) of DiversionWARM SPRINGS CREEK
BOISE County

NW1/4SW1/4

Sec. 34, Twp 10N, Rge 04E, B.M.

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09N	04E	3		3.5															3.5
				L 2															

Total Acres: 3.5Conditions of Approval:

1. USE OF THIS RIGHT WITH RIGHT NO. 65-23420 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 3.5 ACRES IN A SINGLE IRRIGATION SEASON.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 65-23418

2. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 65-03002D, 65-03002E, 65-03002X, 65-03236A, 65-23281, 65-23283, 65-03237D, 65-03237E, 65-03237X, 65-23419, 65-23420 & 65-23421.
3. C20 Basin 65 General Provisions No. 3, the Separate Streams General Provision, does not apply to appropriations of water after October 18, 1977.
This water right shall be administered as being from a separate source pursuant to Basin 65 General Provision No. 3. If the holder of this right seeks to change the right pursuant to Idaho Code § 42-222 or successor statute, nothing in this general provision shall preclude any other person or entity from demonstrating that such change in use would cause injury to its water right or from receiving any relief provided by law in the event of injury.
4. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Remarks:Comments:

1. jhersley 5/19/2010 split right
Comment: This water right is a result of split from 65-23343 due to change in ownership.
2. jhersley 5/19/2010 8:15:22 AM POD
Comment: Updated Shape
3. jhersley 5/19/2010 8:18:21 AM POU
Comment: Updated Shape

Dates and Other Information:

Licensed Date:
 Decreed Date: 8/3/2004
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal: S
 Owner Name Connector: Or
 Water District Number: 65
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Decree Defendant:
 Decree Plaintiff:
 Civil Case Number: 39576
 Judicial District: FIFTH
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 65-23420

WATER RIGHT NUMBER: 65-23420

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	HEDRICK & BODINE FARMS 1154 N ORCHARD ST BOISE, ID 83704
Previous Owner	LOREN H BODINE 10810 ESTATE DR BOISE, ID 83709 (208)375-4639
Current Owner	RICK NUTT PO BOX 313 GARDEN VALLEY, ID 83622 (208)462-3994
Current Owner	TERRI ANN NUTT PO BOX 313 GARDEN VALLEY, ID 83622 (208)462-3994

Priority Date: 07/01/1873

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
WARM SPRINGS CREEK	MIDDLE FORK PAYETTE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 11/01	0.030 CFS	
	<u>Total Diversion:</u>	0.030 CFS	

Location of Point(s) of Diversion

WARM SPRINGS CREEK	NW1/4SW1/4	Sec. 34, Twp 10N, Rge 04E, B.M.
BOISE County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09N	04E	3		3.5															3.5
				L 2															

Total Acres: 3.5

Conditions of Approval:

- USE OF THIS RIGHT WITH RIGHT NO. 65-23418 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 3.5 ACRES IN A SINGLE IRRIGATION SEASON.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 65-23420

2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
3. C20 Basin 65 General Provisions No. 3, the Separate Streams General Provision, does not apply to appropriations of water after October 18, 1977.
This water right shall be administered as being from a separate source pursuant to Basin 65 General Provision No. 3. If the holder of this right seeks to change the right pursuant to Idaho Code § 42-222 or successor statute, nothing in this general provision shall preclude any other person or entity from demonstrating that such change in use would cause injury to its water right or from receiving any relief provided by law in the event of injury.
4. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 65-23281, 65-23283, 65-03002D, 65-03002E, 65-03002X, 65-03236A, 65-03237D, 65-03237E, 65-03237X, 65-23418, 65-32419 & 65-23421.

Remarks:Comments:

1. jhersley 5/19/2010 SPLIT RIGHT
Comment: This water right is the result of split from 65-23345 due to change in ownership.
2. jhersley 5/19/2010 8:24:30 AM POD
Comment: Updated Shape
3. jhersley 5/19/2010 8:25:44 AM POU
Comment: Updated Shape

Dates and Other Information:

Licensed Date:
 Decreed Date: 8/3/2004
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal: S
 Owner Name Connector: Or
 Water District Number: 65
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Decree Defendant:
 Decree Plaintiff:
 Civil Case Number: 39576
 Judicial District: FIFTH
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:Water Supply Bank: