

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
DEC 29 2011
Department of Water Resources
Eastern Region

Notice of Change in Water Right Ownership

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?
22-12527 <i>OK</i>	Yes ☒	<i>under BJ/JB</i>	Yes ☐		Yes ☐
<i>Split into 22-14026 & 22-14027</i>	Yes ☒		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Gary and Shannon Summers
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Christopher D. Way
Name of each new owner as listed on the conveyance document
- Carol J. Way
New owner continued ☐ Name connector ☒ and ☐ or ☐ and/or
- 900 Luthers Loop
Mailing address
- Fairbanks AK 99712
City State ZIP
- 907-488-3522 wayupnorth@alaska.net
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: Four Peaks Estates, Division III
Lot 21: 7/23/99 Lot 20: 11/30/99

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: *Christopher D. Way* 12-22-11
Signature of new owner/claimant Title, if applicable Date
- Signature: *Carol J. Way* 12-22-11
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by *JB* Date 1/3/2012 Receipt No. E037220 Receipt Amt. \$100.-
Approved by *JB/BJ* Processed by *JB* Date 1/3/2012



COPY

RECEIVED

DEC 29 2011

Department of Water Resources
Eastern Region

Carol Way <cjway@alaska.edu>

12/22/11 Document #96814 Request for Two Certified Copies

1 message

Carol Way <cjway@alaska.edu>

Thu, Dec 22, 2011 at 2:38 PM

To: jshapiro@co.teton.id.us

Cc: wayupnorth@alaska.net, "Jordan, Blake" <blake.jordan@idwr.idaho.gov>

Bcc: Carol Way <cjway@alaska.edu>

Hello Ms. Shapiro

As discussed with you a short time ago, I am requesting two certified copies of document #96814, showing Warranty Deed of Gary and Shannon Summers to Lloyd C. Goss.

I need one copy mailed to:

IDWR
EASTERN REGION
ATTN: BLAKE JORDAN
900 N SKYLINE DR STE A
IDAHO FALLS ID 83402-1718

The other copy to me please:

Carol Way
900 Luthers Loop
Fairbanks AK 99712

Mr. Brian Gibson of Alliance Title approved charging the fee of \$3.00 to his account (I will reimburse him). He stated he would also phone you to tell you himself that he approved the charge to his account, so that I can expedite my paperwork to IDWR.

Thank you for your assistance and hope you and your family have happy and safe holidays.

Carol Way
Assistant to ASF Director and
Assistant to Associate Vice Chancellor for Research
cjway@alaska.edu
phone: 907-474-6390 U.S.A.
fax: 907-474-6441 U.S.A.

12-22-11
Mr. Jordan,
Here is my packet -
the warranty deed
mentioned in this document
should arrive to you
from ~~the DAIGGS~~ ~~the DAIGGS~~ ~~Courthouse~~
charging the fee of \$3.00 to his account (I will reimburse him). He stated he
he approved the charge to his account, so that I can expedite my paperwork
and your family have happy and safe holidays.

Thank
you,
Carol
Way

research

RECEIVED

DEC 27 2011

Department of Water Resources
Eastern Region



Telephone No. 208-354-8780
FAX No. 208-354-8410

Teton County Clerk

150 Courthouse Dr #208
Driggs, Id 83422

December 23, 2011

Dear Mr. Jordan:

Enclosed is the certified copy of a Warranty Deed that Carol Way asked me to send to you.
Please let me know if you have any questions.

Thank You,

A handwritten signature in cursive script that reads "Julie Shapiro".

Julie Shapiro
Teton County Deputy Clerk
jshapiro@co.teton.id.us

DEC 27 2011

W A R R A N T Y D E E D

DATE 12-24-1955

E. Thorne Thorne

RECEIVED

136028

DEC 06 1999

TETON CO., ID
CLERK RECORDER
Order No.:3059910082-T

WARRANTY DEED

FOR VALUE RECEIVED

Lloyd C. Goss, an unmarried person

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Christopher D. Way and Carol J. Way, Husband and Wife

whose current address is

8033 Revolver Ave Las Vegas, NV 89131

the grantee(s), the following described premises, in County, Idaho, TO WIT:

Lot 20 Four Peaks Estates, Subdivision, Division III, Teton County, Idaho, as per the recorded plat thereof.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: 11/19/1999

Lloyd C Goss
Lloyd C Goss

State of ~~Idaho~~ Minnesota }
County of Hennepin } ss.

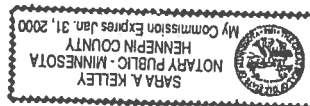
On this 24 day of November, in the year 1999, before me, a Notary Public in and for said state, personally appeared Lloyd C. Goss

known or identified to me to be the person(s) whose name(s) subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

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

Sara A Kelley

Notary Public for the State of ~~Idaho~~ Minnesota
Residing at:
Commission Expires: 1/31/00



136028

FILED

AT THE REQUEST OF

ALLIANCE TITLE AND ESCROW

AT 15 MINUTES PAST 20 M

DATE Dec 6, 1999

Nathan L. Boyle
CLERK OF RECORD

BY E. Smith DEPUTY

136028

WARRANTY DEED

RECEIVED

JUL 26 1999

TETON CO. ID
CLERK RECORDER

For Value Received

LLOYD C. GOSS, a single person

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

CHRISTOPHER D. WAY and CAROL J. WAY, husband and wife

whose current address is

8033 REVOLVER AVE.

LAS VEGAS, NV 89131

the grantee(s), the following described premises, in TETON County IDAHO, to wit:

Lot 21 of Four Peaks Estates, Division III, Teton County, Idaho, as per the
recorded plat thereof.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor do hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Subject to all existing patent reservations, easements, right of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations.

and that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: July 20, 1999

Lloyd C. Goss
LLOYD C. GOSS
Lloyd C. Goss

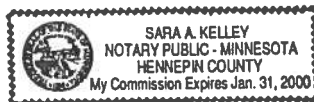
STATE OF MN, COUNTY OF Hennepin
On this 20 day of July, 1999
before me, a Notary Public in and for said State, personally
appeared

LLOYD C. GOSS

known to me to be the person(s) whose name(s)
subscribed to the within instruments and acknowledged to
me that they executed the same.

Sara A. Kelley
Notary Public,
Residing at US Bank
Comm. Expires 1/31/00

wd-sl for
1031/96



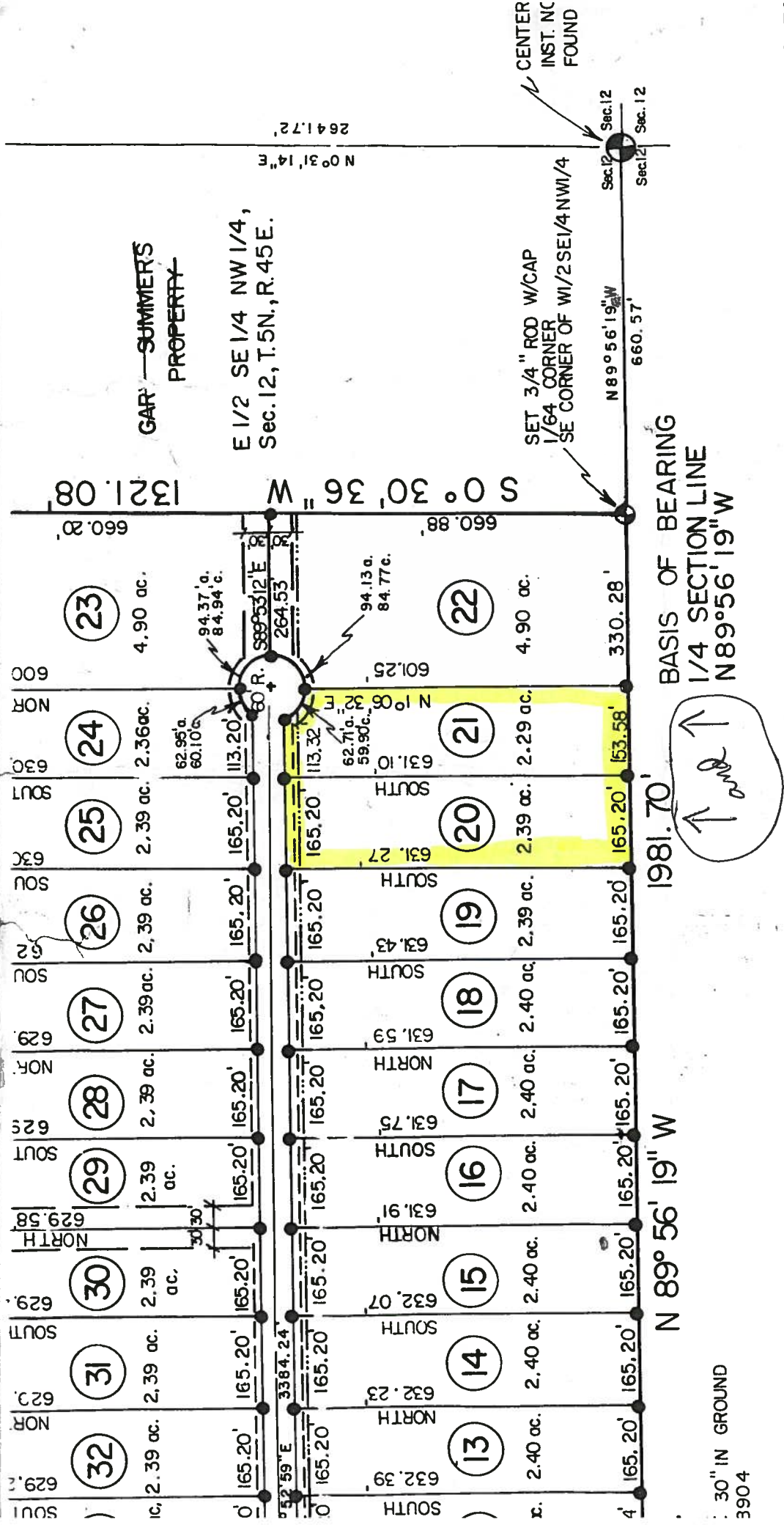
134564

FILED

AT THE REQUEST OF

ALLIANCE TITLE AND ESCROW

AT 57 MINUTES PAST 12 P.M.
DATE July 26, 1999
Nora E. Boyle
CLERK OF RECORD
BY *Nora E. Boyle*
DEPUTY



LEGEI

SECTION
 SET 1/2'
 LOT NU
 21
 10' UTILIT
 22.5' CAN, OF CANA

HEALTH DEPT. CERTIFICATE

I HEREBY CERTIFY THAT THE SANITARY RESTRICTIONS REQUIRED BY IDAHO CODE TITLE 50, CHAPTER 13, SECTION 50-1326, HAVE BEEN SATISFIED AND THIS PLAT IS HEREBY APPROVED FOR RECORDING BY FILING OF THIS CERTIFICATE.

CATE
 TY, IDAHO,
 S PLAT AND
 AHO CODE

22

22

30" IN GROUND
 3904



Rocky Mountain
ENVIRONMENTALSM
ASSOCIATES, INC.

re: Ground-water
Right

COPY

December 9, 2011

Christopher D. & Carol J. Way
900 Luthors Loop
Fairbanks, AK 99712

Dear Mr. & Mrs. Way:

Rocky Mountain Environmental Associates, Inc., has been retained by Gary Summers, the former landowner and developer of Four Peaks Estates. Mr. Summers has asked us to assist with the resolution of a water right issue pertaining to this property. Four Peaks Estates occupies land formerly in agricultural production and which had a water right for irrigation. Since irrigation water rights could not efficiently nor effectively be divided among a large number of homeowners in a residential subdivision, it was Mr. Summers' intention to transfer the water to a neighboring property where he still farms. However, when the development was approved and residential lots were sold, the water right was not reserved on the warranty deeds due to an oversight.

Due to the oversight, it is necessary to clarify ownership of this water with Idaho Department of Water Resources (IDWR). The water right remains in Mr. Summers' name, but the place of use is Four Peaks Estates. Because Mr. Summers did not transfer the place of use, IDWR may deem that each landowner received a fractional portion of the water right when they purchased their land—even though your deed may not explicitly state this as fact. Since water for irrigating lawns and gardens is more conveniently provided by domestic wells, it was not deemed necessary to transfer agricultural water to residential lots. Additionally the sale or transfer of a fractional agricultural water right to anyone other than Mr. Summers would be costly.

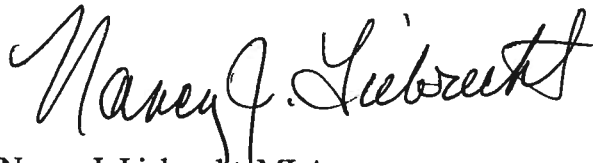
Idaho Statutes state that a water right is forfeited after 5 continuous years of non-use. Mr. Summers is concerned that the water right may be lost if the issue of ownership is not clarified soon beneficially used. There is a degree of urgency in asking for your cooperation in resolving this issue so that a valuable water right is not lost to forfeiture.

To assist with the resolution of this situation, we have scheduled a meeting to specifically address this issue for Four Peaks residents and to respond to residents' questions. The meeting will be held at the Driggs City municipal building at 7:00 on the evening of January 10, 2012. In addition to water rights specialists from our office, IDWR will have a representative in attendance to provide unbiased answers to questions regarding Idaho regulations and administration on water rights.

Need
37
we need to
call in
to mda

Beverages and refreshments will be served. We look forward to seeing you.

Yours truly,



Nancy J. Liebrecht, MLA
Environmental Planner



W. Roger Warner, Hydrologist
Vice-President

NOTE: Some Four Peaks landowners may live out-of-state and be unable to attend the January 10 meeting. An information packet will be prepared for those individuals.