

RECEIVED

SEP 06 2011

Department of Water Resources
Eastern RegionSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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?
74-512 WR OK	Yes ☒		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: VERNE SANTOS
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): DONALD W. SANTOS
Name of each new owner as listed on the conveyance document

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

660 LEMHI ROAD
Mailing address

SALMON ID 83467
City State ZIP

414 559-6408 dsantos1@gmail.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: _____
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: Don Santos _____ Date: 08/26/11
Signature of new owner/claimant Title, if applicable

Signature: _____ Date: _____
Signature of new owner/claimant Title, if applicable

For IDWR Office Use Only:

Received by _____ Date _____ Receipt No. _____ Receipt Amt. _____

Approved by _____ Processed by _____ Date _____

SUPPORT DATA

IN FILE # 74-512

DEPARTMENT OF WATER RESOURCES
**INSTRUCTIONS FOR FILING A
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

This form has been prepared to assist all claimants and owners of water rights to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. All persons owning or claiming ownership of a water right or claim are required to provide notice to the Department of Water Resources (IDWR) of any change in ownership of any part of the water right or claim or of any change in the owner's mailing address within 120 days of the change. Forms to report ownership changes and/or to update an address are available on IDWR's website at www.idwr.idaho.gov. In addition, all new owners of water rights within a pending general adjudication area must inquire whether a notice of claim has been filed and, if not, shall file a notice of claim if necessary.

A notice is required for changes in ownership from one individual to another, from an individual to a business entity (even if the business is owned by the individual), or from one business entity to another (even if both businesses are owned by the same individual). Adding or removing a name is considered an ownership change which requires the submission of evidence to support the change and the filing fee.

Separate brochures describing the adjudication of water rights and the ownership change notice requirement are available from IDWR. Please contact your nearest IDWR office if you would like more information or need help completing this form. A list of IDWR offices is on page 2 of these instructions, or you can call 1-800-451-4129. Water right information can be found on the department's website using the "Search Tools" and "Water Right & Adjudication Search" links at www.idwr.idaho.gov.

Please note:

- Unlike licensed or decreed water rights, which are real property, water right permits, applications for new water rights, and applications to transfer existing water rights are considered the personal property of the permit holders/applicants. Permit holders and applicants must assign their interest in a permit and/or application to the new owner. Assignment forms are available on the department's website at www.idwr.idaho.gov, or from any IDWR office. The fee for an assignment of permit is \$25. There is no charge for an assignment of application for permit or application for transfer.
- If you want to change or add a point of diversion, place of use, season of use, or purpose of use of a water right, you must file an Application for Transfer. The ownership of a water right can also be updated through the transfer process.
- The combined portions of a divided ("split") water right cannot exceed the total flow rate, volume, or period of use of the original right.
- IDWR has no jurisdiction concerning easements, rights-of-way, and zoning matters. The buyer and seller must make these provisions where necessary.

LINE INSTRUCTIONS:

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). You may have purchased only a portion of the water right(s) held by the seller. If so, the water right(s) held by the seller may need to be divided ("split") to provide you your share of each right. Mark the box "Yes" if a division of the water right is required.

If you receive water from a municipal provider, an irrigation district or other water delivery organization, and the water rights are held by the organization, please do not use this form to record a change. Please contact the water delivery organization to determine if any action is necessary.

If you or the seller believes there are water rights for the property but you do not know the numbers, you may contact IDWR for assistance in identifying the water rights for the property in question. If adjudication claims for the rights are required and have not been filed, IDWR will so advise you.

2. Fill in the name of the current water right holder/claimant.
3. Fill in each name as listed on the conveyance document and complete the current contact information. For water rights, IDWR will update the ownership to the individual(s)/entities listed on the conveyance document. For active adjudication claims, IDWR will update the claimant information to match the conveyance document unless the new claimant provides good cause for the variance.

4. You may have acquired only a portion of the water right(s) held by the seller. If you did not acquire the entire water right/property, please check the appropriate box. Water rights are often conveyed as an appurtenance to the land where they are used, and the conveyance document for the land often does not have specific language regarding the water right. Please read your deed or other conveyance document carefully to be sure. When the conveyance document does not specifically address water rights, it will be assumed that the water rights are to be split proportionate to the amount of land acquired.
5. Indicate the date the water rights and/or adjudication claims were conveyed to you. This may be the date of closing in the case of a real estate transaction, the date a contract was signed, or the date of a court order.
6. **ATTACHMENTS:**

IDWR cannot process this change without **documentation of ownership**. The documentation may be in the form of a deed, court decree or other conveyance document. If you are submitting a quitclaim deed and the grantor's name does not match the water right holder of record, you will need to provide a chain of title that goes back to the water right holder/claimant of record. You may obtain this information from the assessor's office in the county where the property is located. Items that are **not** conveyance documents are deeds of trust, mortgages, purchase and sales agreements, and property tax notices.

Submit a **plat map, survey map, or aerial photograph** of the place of use for each water right or claim listed in item #1 (if necessary to clarify division of water rights or complex property descriptions). If your right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency or equivalent aerial photograph with the irrigated acres outlined and point(s) of diversion clearly marked. You also have the option of printing a map using the Create a Map tool on IDWR's website at: www.idwr.idaho.gov. It is not necessary to obtain a new survey for purposes of this form before contacting IDWR.

The Idaho Legislature has waived the fee to file a Notice of Change in Water Right Ownership for any water right pending in a general water right adjudication such as the Snake River Basin Adjudication or the Northern Idaho Adjudication. This waiver ends when a partial decree is issued for the water right that has been claimed. For water rights not pending in a general adjudication, the **filing fee** is \$25 per water right, except for those water rights that will be divided as a result of the change in ownership. The filing fee for division of a water right is \$100 per water right.

7. One of the new owner(s) must sign the form in the space(s) provided. If someone other than the owner signs the notice, evidence of authority to sign for the owner must be attached. If the new owner is a corporation or other organization, the person signing the notice must be an officer of the corporation or otherwise have authority to sign for the organization and must include their title with the signature.

When you have completed the Notice of Change in Water Right Ownership, retain a copy and **file the original form, necessary attachments, and filing fee with the IDWR office nearest you.**

IDWR Northern Region
7600 N. Mineral Dr., Suite 100
Coeur d'Alene, ID 83815-7763
(208) 762-2800

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718
(208) 525-7161

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380
(208) 736-3033

~ OR ~

IDWR State Office
322 East Front St, 6th Floor
P.O. Box 83720
Boise, ID 83720-0098
(208) 287-4800

DEED OF PERSONAL REPRESENTATIVE

THIS DEED made this 11th day of February, 2009, by and between Jean Stockton, the duly appointed, qualified and acting Personal Representative of the Estate of Verne E. Santos, deceased, as Grantor, and Donald W. Santos, a single man, as Grantee, whose present address is 660 Lemhi Road
Salmon, Idaho 83467

W I T N E S S E T H:

That the said Jean Stockton, Personal Representative of the Estate of Verne E. Santos, deceased, having heretofore duly recorded a certified copy of the Letters of Administration, does hereby grant, release and convey to the said Donald W. Santos, Grantee, the following described real property situated in Lemhi County, Idaho, to wit:

See attached Exhibit. (Parcel B on survey for Santos Family Estate by Wade Surveying dated November of 2008).

TO HAVE AND TO HOLD all and singular the above-granted premises, together with the appurtenances, and every part thereof, unto the Grantee, his heirs and assigns forever. And the Grantor does covenant and agree that Jean Stockton is making this conveyance, in pursuance of the authority granted in and by the court wherein she was appointed and the statutes of the State of Idaho.

IN WITNESS WHEREOF, the said Grantor has set her hand the day and year first above written.

Jean Stockton
 Jean Stockton

STATE OF ARIZONA)
) ss.
 County of LAPAZ)

On this 11th day of February, 2009, before me the undersigned notary public in and for said state, personally appeared Jean Stockton, known to me to be the person whose name is subscribed to the within instrument as personal representative of the estate of Verne E. Santos, and acknowledged to me that she executed the same as such personal representative.

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

(SEAL)



Kathleen Stevens
Notary Public
Residing at Quartzsite AZ
My Commission expires 10/21/2011

278789
State of Idaho)
County of Lemhi) SS No. _____
This instrument was filed for record at the request
of Glen Hockton
at 1:02 o'clock p. m. 2-17 2009
and duly filmed and indexed in the records of Lemhi
County Terri J. Morton
Ex-Officio Recorder
By Terri J. Morton Deputy
Fee 9.00
Return to _____

EXHIBIT TO DEED OF PERSONAL
REPRESENTATIVE

A parcel of land located in Section 30, T. 21 N., R. 22 E., Boise Meridian, Lemhi County, Idaho more particularly described as follows;

Commencing at the S 1/4 Corner of Section 30, from which the SW Corner of said section bears S 89°40'56" W a distance of 2498.09 ft., the Basis Of Bearing of this description, run thence N 12°43'53"E a distance of 4168.94 ft. to the POINT OF BEGINNING;

Thence S 41°37'27"W a distance of 198.46 ft. to a point in the centerline of the Lemhi County Back Road;

Thence the following courses and distances along said centerline;

59.89 ft. along a curve to the right having a delta of 06°14'20", a radius of 550.00 ft., a chord bearing of N 57°55'56"W for a distance of 59.86 ft.; N 54°48'46"W 148.98 ft.;

N 51°53'22"W 129.44 ft. to a point in a fence line extended;

Thence N 36°10'05"E along said fence line a distance of 256.19 ft.;

Thence S 44°53'07"E a distance of 361.35 ft. to the POINT OF BEGINNING.

PARCEL CONTAINS 1.84 ACRES

AFFIDAVIT TO CORRECT LEGAL DESCRIPTIONS

I, Laurence J. Wade certify that I prepared Legal Descriptions, Recorded on 2-17-2009 as Instrument No.s 278789, 278790, 278791, and 278792 in the Lemhi County Courthouse, Salmon, Idaho;

Whereas, the description contained in said document contains typographical errors, which it is the purpose of this affidavit to reform and correct: and whereas, Idaho Code Section 55-816 permits the recording of Affidavits affecting the description of real property as part of the record title of said real property;

Now therefore, on the aforementioned instrument numbers 278789, 278291, and 278792, the descriptions read that the Parcels are located in "T. 21N., R. 22 E." and should read that the Parcels are located in "T. 21 N., R. 23 E."

On instrument number 278790 on the Cemetery Parcel the 9th line of the description reads "N 36°23'10"E 90.04 ft.;" and it should be removed completely from the description because it is a duplicate of the call directly before it.



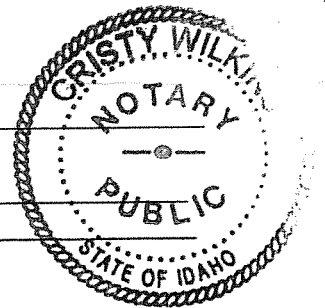
Laurence J. Wade P.L.S. 5080

State of Idaho
County of Lemhi

On this 24th day of FEBRUARY, 2009, before me, the undersigned a Notary Public in and for the State of Idaho personally appeared Laurence J. Wade known to me to be the person who executed the within instrument and acknowledged to me to be the same.



Notary Public for the State of Idaho
Residing at: Lemhi County
Comm. Expires: 1-12-2015



Time: 4:37 Day: 25 Month: February 2009.
Book: _____ Page: _____ Inst. No. 278877
Recorder: Terri J. Morton
By: Elyssa Cardin