

WD # 74

DEV ✓

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
<u>74-15202 OK</u>					

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) DAVID A. BERNSTROM
34 Strawberry Lane, Salmon ID 83467
4. New Owner/Claimant(s) DANIEL W. CHANCE
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New mailing Address 22 Strawberry Lane,
- City, State and ZIP Code Salmon ID 83467
- New Telephone Number (208) 756-4591
5. Date you acquired the property 10-14-09

RECEIVED

OCT 27 2009

Department of Water Resources
 Eastern Region

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) Daniel A. Chance
(include title if applicable) POA for Hankin

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only		
Received by <u>JB</u>	Date _____	Fee <u>\$25.00</u>
Received by <u>JB</u>	Date _____	Receipt No. <u>E035764</u>
Processed by _____	AJ Date _____	WR Date _____

01/19/2006

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 74-15202

NAME AND ADDRESS: DAVID A BERNSTROM
34 STRAWBERRY LN
SALMON ID 83467

SOURCE: LEMHI RIVER

TRIBUTARY: SALMON RIVER

QUANTITY: 0.120 CFS

PRIORITY DATE: 07/27/1888

POINT OF
DIVERSION: T21N R23E S30 NESW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.120 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T21N R22E S15	NWNW	2.00	T21N R22E S15	SWNW	2.00
---------------	------	------	---------------	------	------

4 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

State of Idaho)
County of Lemhi) SS No. 280105
This instrument was filed for record at the request
of Daniel W. Chance
at 10:00 o'clock a.m. on 7-1 2009
and duly filed and indexed in the records of Lemhi
County
By Terril J. Moran Ex-Officio Recorder
For Erin J. Gordon Deputy
Fee 6.30
Return to _____

ORDER No.: IND

SPECIAL POWER OF ATTORNEY

PURCHASE OF REAL PROPERTY

KNOW ALL MEN by these presents: that I/we, the undersigned, have made, constituted and appointed, and by these presents do make, constitute and appoint:

Faye Rankin

my/our true and lawful attorney for and in my/our name, place and stead, and for my/our use and benefit as follows:

to execute all documents necessary, including any loan documents, for the purchase of that certain real property located at: 34 Strawberry Lane, Salmon, ID 83467
More particularly described as:

LOTS 4, 5, 6 AND 7 IN MOUNTAIN VIEW HEIGHTS SUBDIVISION FILED IN BOOK 4 PAGE 25 OF OFFICIAL RECORDS OF LEMHI COUNTY, IDAHO.

and to sign, seal, execute, encumber, deliver and acknowledge such instruments in writing of whatever kind and nature as may be necessary or proper.

Giving and granting unto said attorney full power and authority to do and perform all and every act and thing whatsoever requisite and necessary to be done in and about the above stated premises, as fully to all intents and purposes as the signer might or could do if personally present, and hereby ratifying and confirming all that said attorney shall lawfully do or cause to be done in the above stated premises by virtue of these presents.

It being further agreed that Alliance Title & Escrow Corp. and/or any other insurance company relying hereon and any lender taking a security interest in the subject property may rely upon the authority herein granted.

The undersigned hereby further agree to indemnify and hold said attorney harmless from any claim, loss or liability relating to all lawful acts which such attorney shall lawfully do pursuant to this instrument.

IN WITNESS WHEREOF, I/we have signed this instrument this July 1, 2009.

Daniel W. Chance
Daniel W. Chance

State of Idaho)
County of Lemhi) ss.
On this 1st day of July, in the year 2009 before me, a Notary Public in and for said state, personally appeared Daniel W. Chance known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

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

Steven R. Gott
Notary Public for the State of Idaho
Residing at: Salmon
Commission Expires: 1-13-2010



Warranty Deed

For Value Received **DAVID A. BERNSTROM,**

A married man dealing with his sole and separate property,

the grantor, does hereby grant, bargain, sell and convey unto

whose current address is **DANIEL W. CHANCE, a single person,**
22 Strawberry Lane, Salmon Id 83467

the grantee, the following described premises, in Lemhi County Idaho, to wit:

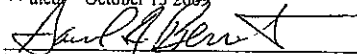
SEE EXHIBIT "A" ATTACHED HERETO:

The above conveyance is made free and clear of all other encumbrances except: Rights-of-way and easements, reservation in Federal patents and State deeds, or other restrictions imposed by law, building and zoning regulations and ordinances of any governmental unit, whether of sight or of record.

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

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

Dated: October 15 2009


DAVID A. BERNSTROM

STATE OF Idaho, County of Lemhi --ss
On this 13 day of October, 2009

before me, a notary public in and for said State, personally appeared

DAVID A. BERNSTROM

Known to me to be the person whose names is
subscribed to the within instrument, and acknowledged to me that
he executed the same.




Notary Public
Idaho.

ALLIANCE

State of Idaho) SS No. **281104**
County of Lemhi)
This instrument was filed for record at the request
of Alliance Title
at 10:56 o'clock A.M. on 10-14 2009
and duly filed and indexed in the records of Lemhi
County Terri J. Morton
Ex-Officio Recorder
By Lynne Cardin Deputy
Fee 0.60
Return to A.T. Pl.

Order No.: 3070905235L-G

**LEGAL DESCRIPTION
EXHIBIT 'A'**

PARCEL I

LOTS 4, 5, 6 AND 7 OF MOUNTAIN VIEW HEIGHTS SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF, FILED IN BOOK 4 OF PLATS AT PAGE(S) 25 OFFICIAL RECORDS OF LEMHI COUNTY, IDAHO.

PARCEL II

AN EASEMENT FOR INGRESS/EGRESS AND UTILITIES ACROSS THE FOLLOWING DESCRIBED PARCEL:

A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER, SECTION 16, T. 21 N., R. 22 E., BOISE MERIDIAN, LEMHI COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST QUARTER CORNER OF SAID SECTION 16, FROM WHICH THE EAST QUARTER CORNER OF SECTION 16 BEARS SOUTH, 2650.09 FT. THE BASIS OF BEARING OF THIS DESCRIPTION, RUN THENCE SOUTH ALONG THE EASTERLY BOUNDARY OF SAID SECTION 16 A DISTANCE OF 1047.18 FT. TO THE NORTHWEST CORNER OF LOT 4 OF MOUNTAIN VIEW HEIGHTS SAID POINT BEING THE POINT OF BEGINNING; CONTINUE THENCE SOUTH ALONG THE WESTERLY BOUNDARY OF SAID LOT 4 A DISTANCE OF 50.50 FT.;

THENCE WEST A DISTANCE OF 5.00 FT. TO A POINT ON THE EASTERLY RIGHT OF WAY OF VALLEY VIEW HEIGHTS ROAD;

THENCE NORTH ALONG SAID RIGHT OF WAY A DISTANCE OF 50.50 FT.;
THENCE EAST A DISTANCE OF 5.00 FT. TO THE POINT OF BEGINNING.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region, 900 North Skyline Drive, Suite A • Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

March 31, 2010

C. L. "BUTCH" OTTER
Governor
2nd Request
GARY SPACKMAN
Interim Director

Daniel W Chance
22 Strawberry Ln
Salmon ID 83467

RE: Change in Ownership Water Right No. 74-15202

Dear Sir/Madam:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership. Our letter dated October 27, 2009 (copy enclosed) still remains unanswered.

Our review of your notice indicates that additional information is required before we can process the change. The information required is indicated below:

XXXX_____ **Filing Fee**

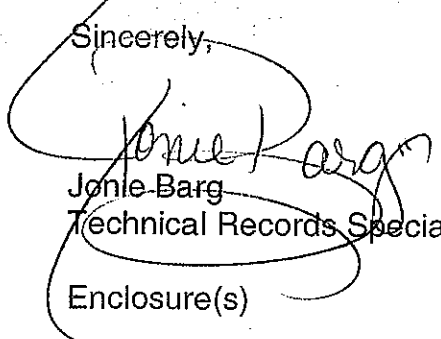
Effective July 1, 2000, the legislature enacted House Bill No. 545 requiring a filing fee for a change in water right ownership. The fee is \$25 per water right, except for ownership changes resulting in the division of a water right, which is \$100 per water right. All ownership change notices received after June 30, 2000 must include the appropriate filing fees in order to be processed.

Because the Department cannot process the ownership change without proper documentation/fees, we will hold any action on your notice pending receipt of the necessary information/fees. If we do not receive the necessary information/fees within 30 days we will return your notice and all attachments and your notice will not be processed.

Please note that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.idaho.gov.

Please feel free to contact the Department if you have any questions.

Sincerely,


Jonie Barg

Technical Records Specialist

Enclosure(s)

RECEIVED

APR 05 2010

Department of Water Resources
Eastern Region