

Water Dist 13T

**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 IDWR will produce new water right number(s) for the split(s).

| Water Right No(s) | Adjudication Claim No(s) | Split(s) | Water Right No(s) | Adjudication Claim No(s) | Split(s) |
|-------------------|--------------------------|----------|-------------------|--------------------------|----------|
| 29-7394 C         | OK                       |          |                   |                          |          |
|                   |                          |          |                   |                          |          |
|                   |                          |          |                   |                          |          |
|                   |                          |          |                   |                          |          |
|                   |                          |          |                   |                          |          |
|                   |                          |          |                   |                          |          |

**RECEIVED**

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

**FEB 23 2010**

- 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 on file with the county Planning and Zoning or Recorder's Office).
- OR**
- D. 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 or equivalent **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)

Dean Gilbert  
 210 Gilbert Rd  
 Bancroft Id 83217

4. New Owner/Claimant(s)

Dale & Thelene R. Wistisen  
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

P.O. Box 128

City, State and ZIP Code

Bancroft Idaho 83217

New Telephone Number

(208) 648-7834 Email: Telewond @

NetZero.net

5. Date you acquired the property 11-February 2010
6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 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 (you may copy this page, if 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<br>(If the right will not be split, skip this area and proceed to line 7) |                                                                            |                                                              |
|----------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|--------------------------------------------------------------|
| Water Use                                                                                                            | Diversion Rate or Volume<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| <b>Water Right and/or Adjudication Claim Number</b>                                                                  |                                                                            |                                                              |
| Irrigation                                                                                                           |                                                                            |                                                              |
| Stock                                                                                                                |                                                                            |                                                              |
| Domestic                                                                                                             |                                                                            |                                                              |
| Other                                                                                                                |                                                                            |                                                              |
| <b>Totals</b>                                                                                                        |                                                                            |                                                              |
| <b>Water Right and/or Adjudication Claim Number</b>                                                                  |                                                                            |                                                              |
| Irrigation                                                                                                           |                                                                            |                                                              |
| Stock                                                                                                                |                                                                            |                                                              |
| Domestic                                                                                                             |                                                                            |                                                              |
| Other                                                                                                                |                                                                            |                                                              |
| <b>Totals</b>                                                                                                        |                                                                            |                                                              |
| <b>Water Right and/or Adjudication Claim Number</b>                                                                  |                                                                            |                                                              |
| Irrigation                                                                                                           |                                                                            |                                                              |
| Stock                                                                                                                |                                                                            |                                                              |
| Domestic                                                                                                             |                                                                            |                                                              |
| Other                                                                                                                |                                                                            |                                                              |
| <b>Totals</b>                                                                                                        |                                                                            |                                                              |

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.

7. Signature(s) of New Owner(s) or Claimant(s) *Robert W. Weston* /owner  
*Thelma L. Irwin* (title if applicable)  
 (title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

**For IDWR Office Use Only:**

Received by *JB*  
 Received by *JB*  
 Processed by \_\_\_\_\_ AJ

Date 2-23-10  
 Date 2-23-10  
 Date \_\_\_\_\_

Receipt Amt. \$25.00  
 Receipt No. 635614  
 WR \_\_\_\_\_ Date \_\_\_\_\_

Instrument # 184707

CARIBOU COUNTY

2-12-2010 10:18:56 No. of Pages: 1

Recorded for : DALE WISTISEN

VEDA MASCARENAS

Fee: 3.00

Ex-Officio Recorder Deputy

Index to: BILL OF SALE

# Bill of Sale

BE IT KNOWN, for good consideration, and in payment of the sum of Two Thousand Two Hundred Fifty  
Dollars (\$ 2250.00) the receipt and sufficiency of which is acknowledged, the  
undersigned Dean S Gilbert of Bancroft Idaho

(Seller) hereby sells and transfers to Dale R. Wistisen  
of Bancroft Idaho (Buyer) and the

Buyer's successors and assigns forever, the following described chattels and personal property: water right  
acquired under state law: source, ground: use, irrigation:  
usage dates 4/15 to 10/15, not to exceed .095 CFS, or annual  
volume of 21 AF, to irrigate 7 acres. Water right is  
identified as 29-7394C, point of diversion SWSW T8S  
39E section 14, Place of use SWSW T8S 39E Section 14. Priority  
date May 13-1977. Basis: decreed status: Active

The Seller warrants to Buyer it has good and marketable title to said property, full authority to sell and transfer said property and, that said property is sold free of all liens, encumbrances, liabilities and adverse claims of every nature and description whatsoever.

Seller further warrants to Buyer that it will fully defend, protect, indemnify and hold harmless the Buyer and its lawful successors and assigns from any adverse claim made thereto by all persons whomsoever.

Said property is otherwise sold in "as is" condition and where presently located.

Signed this 11<sup>th</sup> day of February, 20 10.

Signed in the presence of:

[Signature]

Witness - Notary Public

Tom McBride

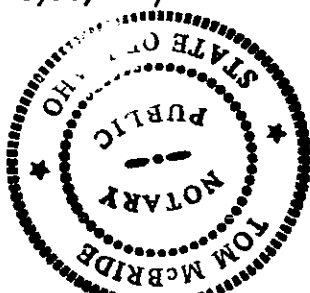
Print Name of Witness

9915 Maughan Rd

Address of Witness

Lava Hot Springs ID 83246

Expires 8/21/2014



Dean S. Gilbert

Seller

210  
~~210~~ Gilbert Lane

Address of Seller

Bancroft ID

[Signature]

Buyer

300 Gilbert Lane

Address of Buyer

Bancroft Id



## 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](http://www.idwr.idaho.gov)

February 23, 2010

Dale and Nuelene R Wistisen  
PO Box 128  
Bancroft ID 83217

RE: Change in Ownership Water Right No. 29-7394C

C. L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Interim Director

RECEIVED

MAR 02 2010

Department of Water Resources  
Eastern Region

Dear Sir/Madam:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership.

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

\*\*\*\* **Evidence of Water Right Ownership:** copy of Deed, Title Policy, Contract of Sale, or other legal document indicating your ownership of the property and/or water rights in question

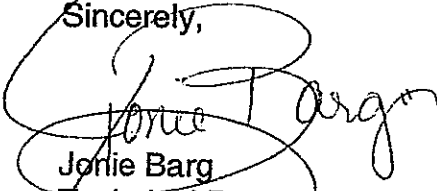
During our review of the documentation you submitted we found there is no documentation releasing Barbara Gilbert's interest in the above listed water right. Because the department currently lists both Dean and Barbara Gilbert as the current owners of water right 29-7394C in order for us to complete your request; we will need a signed agreement from Barbara Gilbert releasing her interest in the water right.

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](http://www.idwr.idaho.gov).

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

Sincerely,

  
Jonie Barg

Technical Records Specialist

# Bill of Sale

BE IT KNOWN, for good consideration, and in payment of the sum of Two Thousand Two Hundred Fifty  
Dollars (\$ 2250<sup>00</sup>) the receipt and sufficiency of which is acknowledged, the  
undersigned Barbara Gilbert 1 Bancroft Idaho  
(Seller) hereby sells and transfers to Dale R. Wistisen  
of \_\_\_\_\_ (Buyer) and the

Buyer's successors and assigns forever, the following described chattels and personal property: water right  
acquired under state law; source, ground, use, irrigation,  
usage date's 4:15 to 10:15, not exceed .095 CFS, or annual  
volume of 21 AF, to irrigate 7 acres. water right is  
identified as 29-73940, Point of Diversion SWSW 088 39E  
14 Caribou Place of use SWSW 085 39E 14, Priority  
date May 13-1977 Basis: decreed status: Active

The Seller warrants to Buyer it has good and marketable title to said property, full authority to sell and transfer said property and, that said property is sold free of all liens, encumbrances, liabilities and adverse claims of every nature and description whatsoever.

Seller further warrants to Buyer that it will fully defend, protect, indemnify and hold harmless the Buyer and its lawful successors and assigns from any adverse claim made thereto by all persons whomsoever.

Said property is otherwise sold in "as is" condition and where presently located.

## IURAT

State of Idaho  
County of Caribou

Subscribed and sworn/affirmed to before me this 25th day of Feb  
2010, by Barbara Gilbert, Dale R. Wistisen



Denise Horsley  
Notary Public

My Commission Expires: 8-15-15

Attribution Clause: This Certificate is prepared for, and exclusively belongs to, the accompanying document entitled

Bill of Sale, which consists of 1 page(s) and is dated Feb 25-2010  
If this Certificate is appropriated to any document other than the one described herein, it shall be deemed null and void.

# Bill of Sale

Instrument # 184759

CARIBOU COUNTY

2-25-2010 02:55:30 No. of Pages: 2

Recorded for : DALE WISTISEN

VEDA MASCARENAS

Fee: 6.00

Ex-Officio Recorder Deputy

Indorse: BILL OF SALE

BE IT KNOWN, for good consideration, and in payment of the sum of Two Thousand Two Hundred Fifty  
Dollars (\$ 2250.00) the receipt and sufficiency of which is acknowledged, the  
undersigned Barbara Gilbert Bancroft Idaho  
\_\_\_\_\_  
(Seller) hereby sells and transfers to Dale R. Wistisen  
\_\_\_\_\_  
of \_\_\_\_\_ (Buyer) and the

Buyer's successors and assigns forever, the following described chattels and personal property: water right  
acquired under state law; source, ground, use, irrigation,  
usage date's 4:15 to 10:15, not exceed .095 CFS, or annual  
volume of 21. AF. to irrigate 7 acres. water right is  
identified as 29-7394C, Point of Diversion SWSW 08S 39E  
14 Caribou Place of use SWSW 08S 39E 14, Priority,  
date May 13-1977 Basis: decreed status: Active

The Seller warrants to Buyer it has good and marketable title to said property, full authority to sell and transfer said property and, that said property is sold free of all liens, encumbrances, liabilities and adverse claims of every nature and description whatsoever.

Seller further warrants to Buyer that it will fully defend, protect, indemnify and hold harmless the Buyer and its lawful successors and assigns from any adverse claim made thereto by all persons whomsoever.

Said property is otherwise sold in "as is" condition and where presently located.

Signed this 25 day of February, 2010.

Signed in the presence of:

Witness

Seller

Print Name of Witness

Address of Seller

Address of Witness

Buyer

RECEIVED

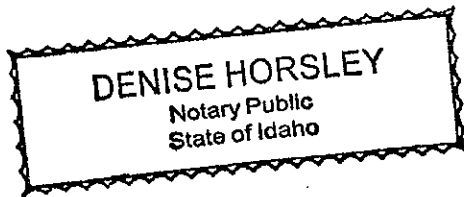
MAR 03 2010

Department of Water Resources  
Eastern Region

**JURAT**

State of Idaho  
County of Caribou

Subscribed and sworn/affirmed to before me this 25th day of Feb  
2010, by Barbara Gilbert, Sale A. Wistisen



Denise Horsley  
Notary Public

My Commission Expires: 8-15-15

*Attribution Clause: This Certificate is prepared for, and exclusively belongs to, the accompanying document entitled*

Bill of Sale, which consists of 1 page(s) and is dated Feb 25-2010  
*If this Certificate is appropriated to any document other than the one described herein, it shall be deemed null and void.*

Copyright 1995 by the Notary Law Institute. Unauthorized reproduction of any kind of this form is strictly prohibited.

#0422

**RECEIVED**

**MAR 03 2010**

Department of Water Resources  
Eastern Region