



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A • Idaho Falls, Idaho 83402-1718

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

EASTERN REGION

November 26, 2008

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

Ray Rigby
PO Box 250
Rexburg ID 83441

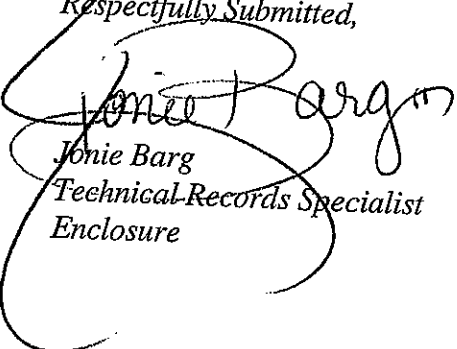
RE: Water Rights 31-291

Dear Concerned Party:

The Idaho Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership, however as per our phone conversation on November 25, 2008, first with Rob Valcarce who referred me to Ray Rigby, and then with Ray Rigby on the same date I am returning this ownership change to you. The department is unable to complete your request because the deed to the water right that was submitted does not reflect the elements of the water right that has been decreed in the Snake River Basin Adjudication. As per our phone conversation on November 26, 2008, after talking with Nate Arave, Water Right Agent, you have two options to take care of this matter: 1. File a motion to set aside the Partial Decree. 2. Accept the partial decree and file a transfer with the department. As per your request I am returning the Notice of Change in Water Right Ownership to you along with an Application for Transfer of a Water Right. A copy of your Ownership Change will kept in our records for reference purposes only.

If you have any questions regarding this matter please contact me at (208) 525-7161.

Respectfully Submitted,


Jonie Barg
Technical Records Specialist
Enclosure

cc: Diane Sauvage Valcarce

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

RECEIVED

SEP 26 2008

Department of Water Resources
Eastern Region

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)
31-00291					

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

RECEIVED

NOV 14 2008

- 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)

Bonnie H Savage
 1917 N 2500 E
 Hamer, ID 83425

4. New Owner/Claimant(s)

Diane Savage Valcarce

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

1719 Hargis Hill Rd

City, State and ZIP Code

Willard UT 84340

New Telephone Number

(435) 734-9140 Email: Savage@msn.com

5. Date you acquired the property

March 29, 1999

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 (If the right will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		

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)

Alvin David Tolman

(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 BMKDate 11/14/08

Received by _____

Date _____

Processed by _____ AJ

Date _____

Receipt Amt. \$25.00Receipt No. E034598

WR _____ Date _____

RECEIVED BY
L. FOR
PLATTING
5/11/99

SEP 26 2000 48924

Department of Water Resources
Eastern Region

GRANT DEED

Microfilm No. 115
3:20
3:20
99
KELLER
9.28k
Deputy
Grover + Archibald

THIS INDENTURE, Made this 29th day of March, 1999, between BONNIE H. SAVAGE, both individually and as Personal Representative of the Estate of Neal W. Savage, deceased, late of Hamer, Jefferson County, Idaho; AARON L. SAVAGE, of 1971 N. 2500 E., Hamer, ID 83425; SANDRA SAVAGE, of 1971 N. 2500 E., Hamer, ID 83425; and RICHARD N. SAVAGE, of 1898 N. 2500 E., Hamer, ID 83425, the parties of the first part, and DIANE SAVAGE VALCARCE, of 1719 Hargis Hill Rd., Willard, UT 84340, the party of the second part,

WITNESSETH, That the said parties of the first part, individually and as the duly appointed, qualified and acting Personal Representative of said estate, do hereby grant, convey and confirm unto the said party of the second part, as her sole and separate property, with the rents, issues and profits to remain sole and separate, and to her heirs and assigns forever, all of their interest and all of said estate's interest in and to the following described real property located in Jefferson County, Idaho, to-wit:

TRACT 1

The following described real property located in Jefferson County, Idaho, to-wit:

The Southwest Quarter (SW ¼) of Section 26, Township 7 North, Range 36 E.B.M., together with all water rights appurtenant thereto, including Idaho State water right no. A3-00290, and subject to existing easements for roads, power lines, and the ordinary and usual drainage from the cattle corrals and cattle keeping enclosures along the Westerly site of said premises, EXCEPTING THEREFROM a tract of land described as follows: Starting in the middle of the County Road at a point 566 feet South of the Northwest corner of the Southwest Quarter (SW ¼) of said Section 26, thence East 550 feet to a point 1,110 feet from the center of the existing pivot, then following an arc in a Southerly to Easterly direction maintaining 1,110 feet from said pivot enlarging to a distance from said center pivot as said arc reaches a point directly Southwest (SW) of said center pivot (to allow for the end gun on said pivot arm to extend irrigation into the said Southwest (SW) corner of said quarter section) and continuing around said arc to a point 1,110 feet West and 422 feet North of the Southeast corner of the Southwest Quarter of Section 26, thence South 422 ft, thence West to the Southwest corner of Section 26, thence North to the beginning.

TRACT 2

The following described real property located in Clark County, Idaho, to-wit:

SE ¼ SE ¼ of Section 18, and the NE ¼ NE ¼ of Section 19, both in Township 13 North, Range 36 E.B.M.

Subject to easements for roadways, irrigation ditches, and water diversionary installations, and the right of access to maintain, repair, and replace said ditches and diversionary installations.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders and rents, issues and profits thereof; free and clear of any liens and encumbrances presently upon the premises, but subject to all taxes levied and assessed upon the premises.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances, unto the said party of the second part, and to her heirs and assigns forever.

IN WITNESS WHEREOF, The said parties of the first part have, as aforesaid, hereunto set their hands and seals the day and year first above written.

Bonnie H. Savage
Bonnie H. Savage, Individually

Bonnie H. Savage
Bonnie H. Savage, as Personal
Representative of the Estate of Neal W.
Savage

Sandra Savage
Sandra Savage

Aaron L. Savage
Aaron L. Savage

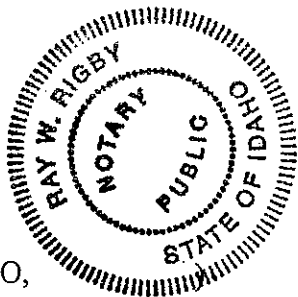
Richard N. Savage
Richard N. Savage

STATE OF IDAHO,)
SS.

County of Madison.)

On this 29th day of March, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared BONNIE H. SAVAGE, known to me to be the person whose name is subscribed to the within instrument, both as an individual and as the Personal Representative of the Estate of Neal W. Savage, and acknowledged to me that she executed the same as such individual and as such Personal Representative of said estate.

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



STATE OF IDAHO,

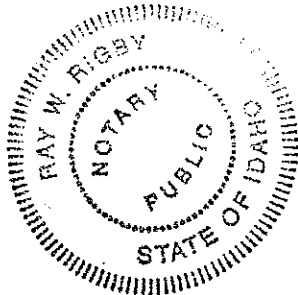
County of Madison.)

SS.

Ray W. Rigby
Notary Public for Idaho
Residing at: Rexburg, Idaho
My Commission Expires: 3-12-05

On this 29th day of March, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared AARON L. SAVAGE, SANDRA SAVAGE and RICHARD N. SAVAGE, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

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



Ray W. Rigby
Notary Public for Idaho
Residing at Rexburg, Idaho
My Commission Expires: 3-12-05

Microfilm No. 048924
21 Day November 20 00
At 1:45 O'Clock P M
CONNIE S. OWEN
Clark Co. Recorder
Fee \$ 9.00

Becky Nordstrom Deputy

Recorded at Request of

Diane Savage Valcarce

RECEIVED 052432
SEP 26 2008

DEED TO A WATER RIGHT

Department of Water Resources
Eastern Region

THIS INDENTURE, Made this 21st day of March, 2008, between Bonnie H. Savage, whose address is 1917 North 2500 East, Hamer, Idaho 83425, in Jefferson County, Idaho, the party of the first part, and Diane Savage Valcarce, whose address is 1719 Hargis Hills Road, Willard, Utah, 84340, the party of the second part,

WITNESSETH, that the said party of the first part, for and in consideration of the sum of One and No/100 Dollars, lawful money of the United States of America, and other valuable consideration, to her in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained, sold and by these presents, does grant, bargain, sell, convey, and confirm unto the said party of the second part, her heirs and assigns forever, that certain water right, more particularly described as follows:

<u>Right No.</u>	<u>Priority</u>	<u>Quantity (cfs/ac-ft)</u>	<u>Purpose of use</u>	<u>Period of Use</u>
31-00291	5-01-1898	15 Miners Inches (.3CFS)	Irrigation & Stockwater	5/01 to 10/31

SOURCE: Ramshorn Creek a tributary of Pleasant Valley Creek, which is a tributary of Beaver Creek

POINT OF DIVERSION: SE1/4SE1/4 Section 18, Township 13 North, Range 36 E.B.M.

PLACE OF USE: SE1/4SE1/4 Section 18, Township 13 North, Range 36 E.B.M.

TOGETHER WITH all rights appertaining thereto,

TO HAVE AND TO HOLD, all and singular, the said water right, unto the said party of the second part, and to her heirs and assigns forever.

Microfilm No. 052432
23 Day MAY 20 08
At 4:00 O'Clock P M
LISA BLACK
Clark Co. Recorder
Fee \$ 10.00
Diane Savage Deputy
Recorded at Request of
DIANE VALCARCE

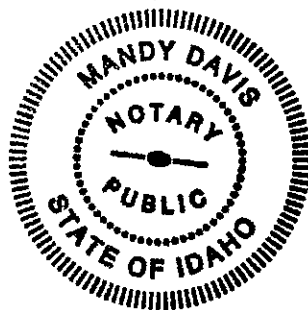
IN WITNESS WHEREOF, The said party of the first part, has, as aforesaid,
hereunto set her hand and seal the day and year first above written.

Bonnie H. Savage
Bonnie H. Savage

STATE OF IDAHO,)
 ss.
County of Madison.)

On this 21st day of March, 2008, before me, the undersigned, a Notary Public in and for said State, personally appeared **Bonnie H. Savage**, known 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 in this certificate first above written.



Mandy Davis
Notary Public for Idaho
Residing at: ^{St. Anthony} Rexburg, Idaho
My Commission Expires: 03/12/2011
4/24/2011