



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

August 22, 2008

HAMILTON OUTFITTERS
409 S 100 W
RUPERT ID 83350

RE: Water Right 24-7177 – Returning Ownership Change Notice

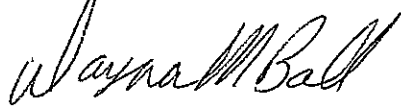
Dear Applicant:

Enclosed is the Notice of Change of Water Right Ownership for the above referenced right. In June of this year, I spoke with Jay Hamilton regarding our letter of 12/27/2007 (copy enclosed), which requested proof of ownership in the name of Hamilton Outfitters. Although a fax of a deed conveying the property to Hamilton Outfitters was to be transmitted to our office, one was not received. Therefore, I am returning the application. A copy of your ownership change request information will be kept in our files for reference.

If, at a later date, you wish to reinstate this request you may send the enclosed ownership change request form along with the required support data and we will be happy to complete the request for you.

Please feel free to contact our office with any questions regarding this matter.

Sincerely,


for Emalee Rushing
Office Services Supervisor
Water Allocations Bureau

Enclosures

RECEIVED

JAN 26 2007

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
24-7177					

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)

Vaughn J. Haderlie.
 PO Box 126 Freedom, WY.

4. New Owner/Claimant(s)

HAMILTON OUTFITTERS

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

New Mailing Address

409 S 100 W

City, State and ZIP Code

Rupert ID 83350

New Telephone Number

208-436-4251

5. Date you acquired the property

JULY 22-04

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)
(include title if applicable)

Hamilton outfitters by [Signature]

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>CB</u>	Date <u>1/24/07</u>	Fee <u>\$ 25⁰⁰</u>
Received by <u>CB</u>	Date <u>1/24/07</u>	Receipt No. <u>B000031</u>
Processed by _____ AJ	Date _____	WR _____ Date _____

WARRANTY DEED

THIS INDENTURE is made the ____ day of _____, 2005, but is effective as of July 22, 2004, by **DAVID L. HADERLIE AND LORIE FAE HADERLIE**, husband and wife, collectively the "Grantor", and **JAY HAMILTON**, whose mailing address is 409 South 100 West, Rupert, ID 83350, collectively the "Grantee".

WITNESSETH:

That the Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) lawful money of the United States of America, and other good and valuable consideration, to the Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, sold, and by these presents does grant, bargain, sell, convey and confirm unto the Grantee, and to the Grantee's heirs and assigns forever, all of the following described property in the County of Caribou, State of Idaho, to-wit:

See **Exhibit "A"** attached hereto and by this reference incorporated herein.

SUBJECT to all existing easements or claims of easements, patent reservations, rights of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, encroachments, overlaps, boundary line disputes and other matters which would be disclosed by an accurate survey or inspection of the premises.

SUBJECT to and TOGETHER WITH the terms and rights of that certain easement recorded as Instrument No. 119348, Caribou County, Idaho, and the right of the Grantors' also to continue to use such easement to provide ingress and egress to Grantor's retained property described on **Exhibit "B"** attached hereto and by this reference incorporated herein. The easement described herein is intended to run with the land and benefit and burden the respective parcels described.

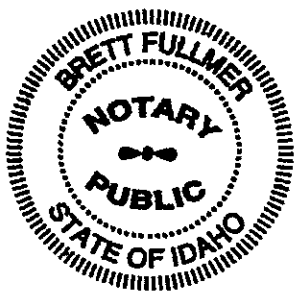
TOGETHER with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversions, any remainders, rents, issues and profits therefrom; and all estate, right, title and interest in and to the property, as well in law as in equity, of the Grantor.

TO HAVE AND TO HOLD the premises and the appurtenances unto the Grantee, and to the Grantee's heirs and assigns forever. The Grantor and the Grantor's heirs shall warrant and defend the premises in the quiet and peaceable possession of the Grantee and the Grantee's heirs and assigns, against the Grantor and the Grantor's heirs, and against

every person whomsoever who lawfully holds (or who later lawfully claims to have held) rights in the premises as of the date hereof.

In construing this Warranty Deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the Grantor has executed the within instrument the day and year first above written.



David L. Haderlie
DAVID L. HADERLIE

Lorie Fae Haderlie
LORIE FAE HADERLIE

STATE OF IDAHO)
) ss.
County of Bonneville)

On the this 26 day of August, 2005, before me, the undersigned, a notary public, in and for said State, personally appeared **DAVID L. HADERLIE AND LORIE FAE HADERLIE**, known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

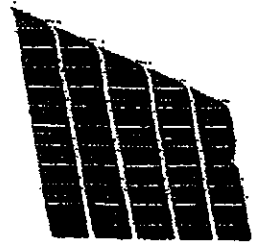
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

(seal)

[Signature]
Notary Public for Idaho
Residing at Idaho Falls
My Commission Expires: June 23, 2005

S:\Joyce'sMyFiles\SPE-Clients\3275\Deed-Warranty.wpd

Mountain River, Inc.
CONSULTING ENGINEERS AND LAND SURVEYORS



July 25, 2005

Proposed Legal Description
Tract 1

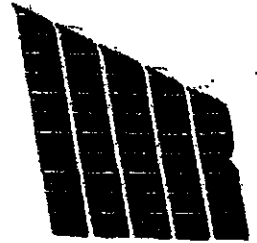
A tract of land lying in Caribou County, State of Idaho, in the Southwest quarter of Section 5 and in the Northwest quarter of Section 8, Township 5 South, Range 46 East of the Boise Meridian, and more particularly described as follows:

Beginning at the Southwest corner of Section 5; thence East a distance of 1596.43 feet; thence N 01°20'25" E a distance of 286.90 feet to the POINT OF BEGINNING; thence S 89°43'13" E a distance of 681.75 feet; thence S 00°28'59" W a distance of 1087.44 feet; thence N 89°00'11" W a distance of 697.91 feet; thence N 01°20'25" E a distance of 1078.88 feet to the POINT OF BEGINNING.

The above-described tract of land contains 17.15 acres more or less.

SUBJECT TO and TOGETHER WITH the terms and rights of that certain easement recorded as Instrument No. 119348, Caribou County, Idaho and the right of the beneficiary to continue to use such easement to provide ingress and egress to beneficiary's retained property.

Mountain River, Inc.
CONSULTING ENGINEERS AND LAND SURVEYORS



July 25, 2005

Proposed Legal Description
Tract 4

A tract of land lying in Caribou County, State of Idaho, in the Southwest quarter of Section 5, Township 5 South, Range 46 East of the Boise Meridian, and more particularly described as follows:

Beginning at the Southwest corner of Section 5; thence East a distance of 1596.43 feet; thence N 01°20'25" E a distance of 286.90 feet to the POINT OF BEGINNING; thence N 00°38'21" E a distance of 149.73 feet; thence S 86°30'37" E a distance of 239.21 feet; thence S 88°14'27" E a distance of 443.94 feet; thence S 01°06'50" W a distance of 124.88 feet; thence N 89°43'13" W a distance of 681.75 feet to the POINT OF BEGINNING.

The above-described tract of land contains 2.11 acres more or less.

151766

WARRANTY DEED

VAUGHN J. HADERLIE and DANICE L. HADERLIE
husband and wife

grantor S of Freedom
CONVEY and WARRANT to

County of Caribou

Idaho,
State of Wyoming, hereby

DAVID L. HADERLIE & LORIE FAE HADERLIE, husband and wife,
as joint tenants with right of survivorship, and not
as tenants in common.

grantee S of Freedom, Caribou County, Idaho
for the sum of Ten dollars and other valuable consideration
the following described tract of land in

Caribou

County, State of Wyoming

hereby releasing and waiving all rights under and by virtue of the homestead exemption laws of the State, to-wit:

Beginning at a point which is 1,596 feet East and 400 feet North
from the SW Corner of Section 5, Township 5 South, Range 46 East of the
Boise Meridian, and running thence South 1,200 feet, thence East 692
feet to a private roadway, thence Northerly along said roadway to a point
which is 674 feet due East of the point of beginning, thence West 674
feet, to the point of beginning. Together with all water and water
rights thereunto appertaining.

6

WITNESS, the hand of said grantors, this 30th

day of January

A.D. 1996

Signed in the presence of

Vaughn J. Haderlie
Vaughn J. Haderlie

Danice L. Haderlie
Danice L. Haderlie

STATE OF WYOMING

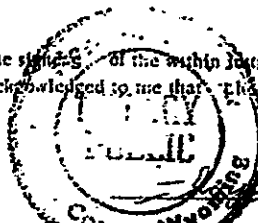
ss.

County of Lincoln

On the 30th day of January
A.D. 1996 personally appeared before me

Vaughn J. Haderlie and
Danice L. Haderlie

the signers of the within instrument, who duly
acknowledged to me that they executed the same.



Notary Public

Commission Expires April 25, 1998
Residing in Albany, Wyoming 83110

RECORDING DATA

Entry No.

Fee \$

RECORDED ☐
PLATTED ☐
COMPARED ☐

INDEXED ☐
ABSTRACTED ☐
DELIVERED ☐

STATE OF IDAHO } ss.
County of Caribou

151766

I hereby certify that this instrument was filed at the request

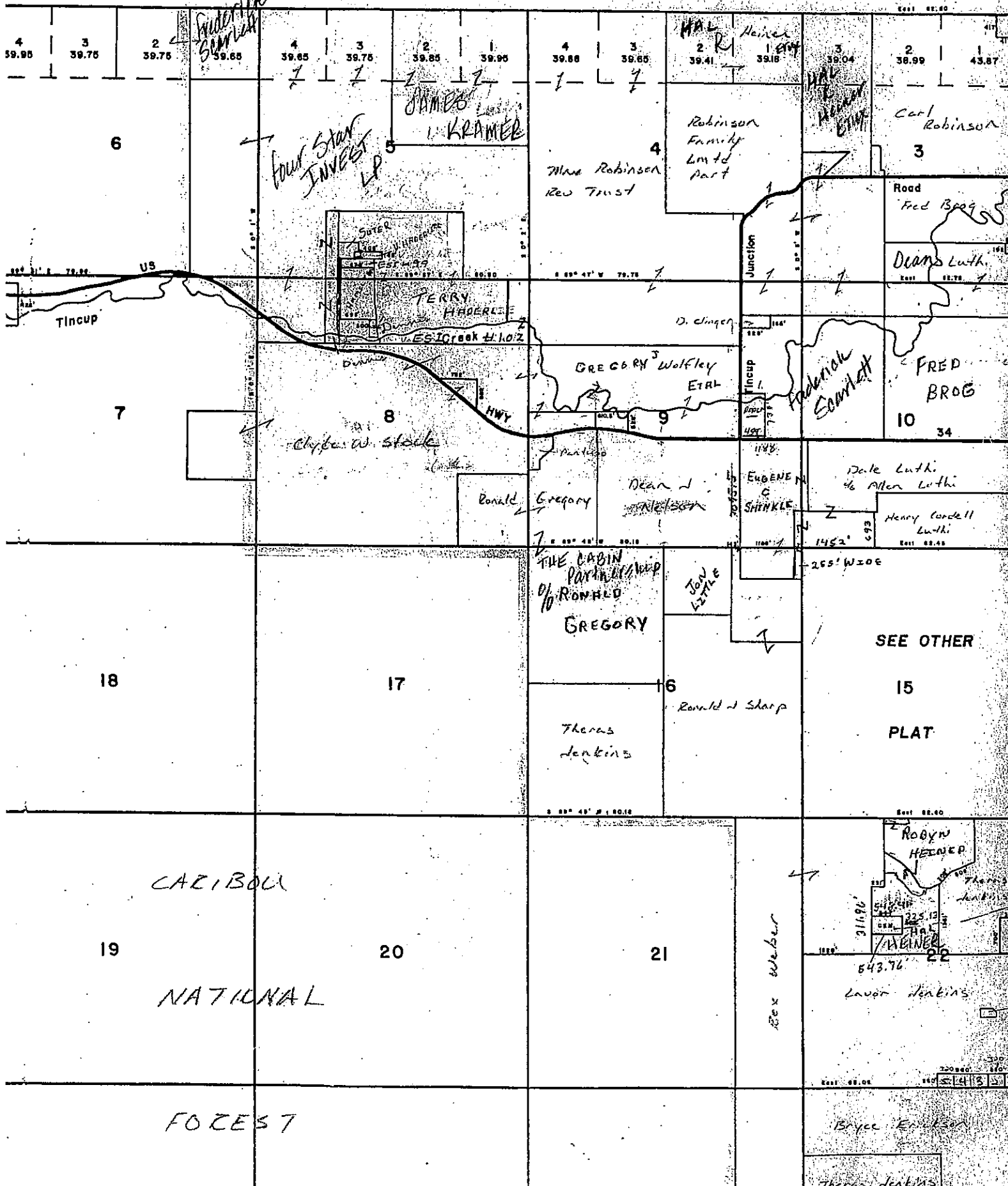
of Lorie Haderlie
at 9:10 o'clock A m this 14th day of
March, 19 96 in my office and duly

recorded in Microfilm Records
Recorder: Edie Izatt

Official Recorder

Deputy 3.00

T 5 S R 46 E.B.M.





State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

December 27, 2007

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

HAMILTON OUTFITTERS
409 S 100 W
RUPERT ID 83350

RE: Change in Ownership for Water Right # 24-7177

Dear Hamilton Outfitters:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership received on January 26, 2007. Our review of your notice indicates that additional information is required before we can process the change.

X **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

A Warranty Deed received with your application conveys the water right from David L. and Lorie Fae Haderlie to Jay Hamilton. Proof of ownership by Hamilton Outfitters is needed before the ownership can be changed. Based on the current deed, it is possible to change the ownership to Jay Hamilton. If you would like to do that, please send us notice in writing. I have enclosed copies of the original application and the warranty deed for your reference.

Because the Department cannot process the ownership change without proper documentation, we will hold any action on your notice for 30 days pending receipt of the necessary information. If we do not receive the information within that period of time, we will return your original notice and its attachments unprocessed.

Please feel free to contact me at 208-287-4953 or dayna.ball@idwr.idaho.gov if you have any questions regarding this matter.

Sincerely,

Dayna M. Ball
Technical Reviewer
Water Allocations Bureau

Enclosures

WA

Idaho Department of Water Resources Receipt

Receipt ID B000031

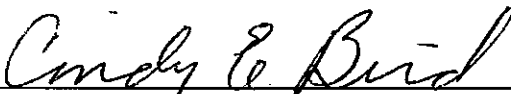
Payment Amount \$50.00 Date Received 1/24/2007 2:02:01 PM Region Soda Springs Status ☐
Payment Type Check Check Number 1509

Payer HAMILTON BLAINE

Comment 24-7177
25-13422

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$25.00	OWNERSHIP CHANGES/SECURITY INTERESTS	0229	21	63140	1155
\$25.00	OWNERSHIP CHANGES/SECURITY INTERESTS	0229	21	63140	1155


Signature Line (Dept. Representative)