

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

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WATER RESOURCES
WESTERN REGIONDEPARTMENT OF
WATER RESOURCES

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).

COPY

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
79-4426 →					
79-10405				Case # 39576 subcase:	
				79-04426	
				Claimant/owner listed:	
				Clinton R & Darell Bentz	
				1309 Powers Ave.	
				Lewiston, ID 83501	

cc: W.A. 6
3-25-08

2. The following **REQUIRED** information must be submitted with this
- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTINGENT** 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)

DAVID J BREAN
912 BURRELL Lewiston Id. 83501

4. New Owner/Claimant(s)

DONALD AND/OR VICKI VOGEL
Name Connector (Check one): ☒ and, ☐ or, ☐ and/or

New Mailing Address

1009 GRELLE AVE

City, State and ZIP Code

LEWISTON ID. 83501

New Telephone Number

(208) 746-9590

5. Date you acquired the property

July 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)

David Vogel
Wendi Vogel

(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.

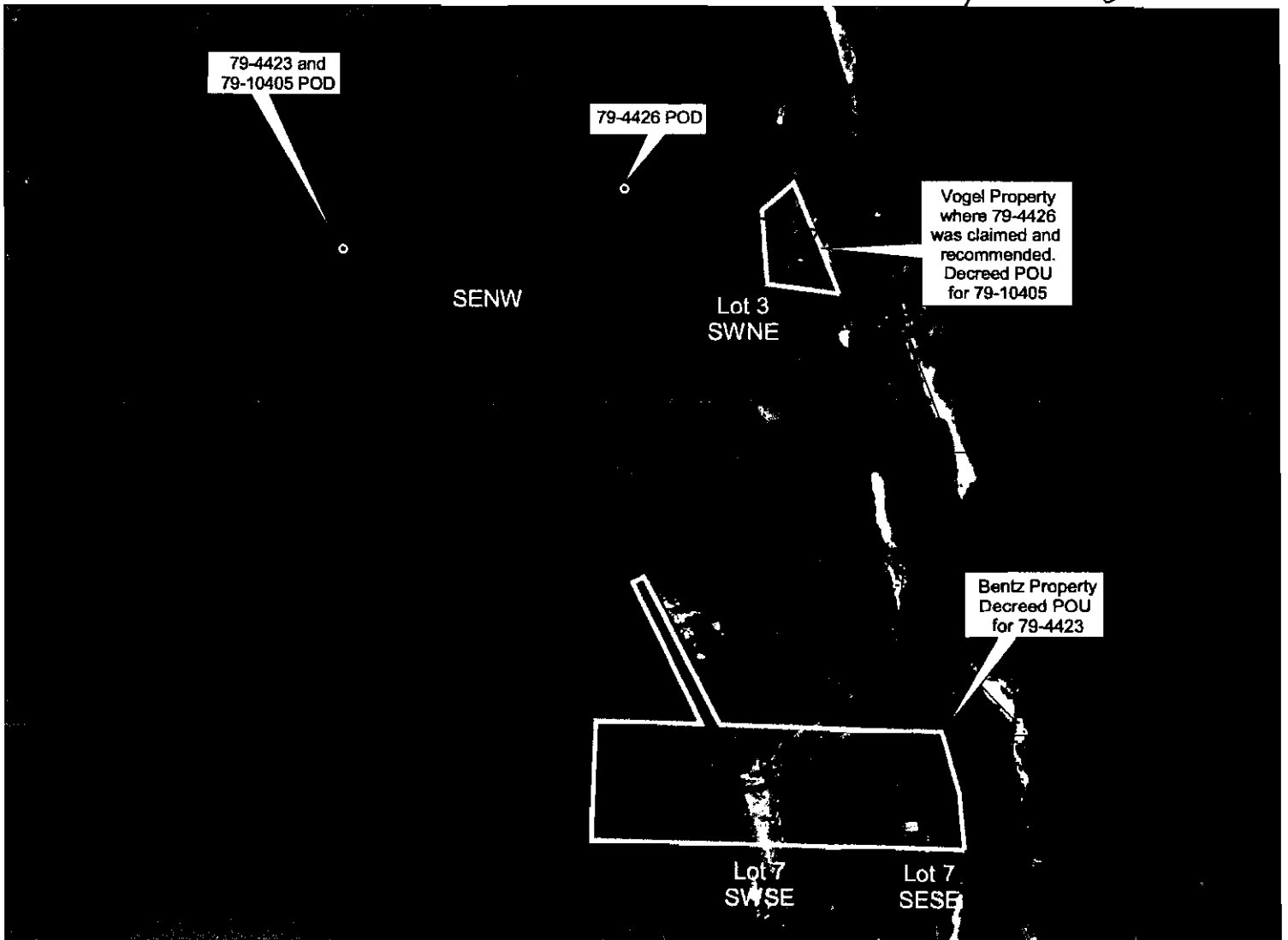
For IDWR Office Use Only:

Received by _____ Date _____
 Received by CR Date 3/13/09
 Processed by _____ AJ Date _____

Receipt Amt. 25.00
 Receipt No. 00010205
 WR _____ Date _____

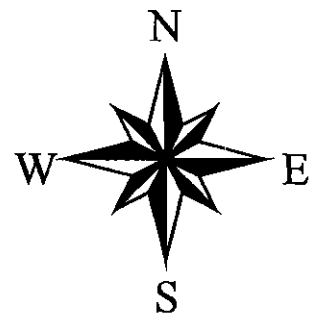
79-4426

*Vogel
cabin is point
of use.*



800 0 800 1600 Feet

T31N R03W S24



2. **CONTINUATION OF INSURANCE AFTER
CONVEYANCE OF TITLE.**
The coverage of this policy shall continue in force as

expenses incurred by the insured, which shall be authorized by the Company, up to the time of payment or tender of payment and which the Company is obligated to pay.

ON SETTLEMENT.
(a) **The Company's Right of Subrogation.**
Whenever the Company shall have settled and paid

ALTA Owner's Policy 1402.92 (10/17/92)

SCHEDULE A

**File Order #7031
Policy No. J1091795**

**Amount of Insurance: \$50,000.00
\$380.00**

Total Owner's Policy Premium:

Date of Policy: June 24, 1999, at 11:20 A. M.

1. Name of Insured:

Don J. Vogel and Vicki Vogel, husband and wife.

2. The estate or Interest in the land which is covered by this policy is:

A FEE SIMPLE.

3. Title to the estate or interest in the land is vested in:

Don J. Vogel and Vicki Vogel, husband and wife.

4. The land referred to in this policy is described as follows:

SITUATE IN LEWIS COUNTY, STATE OF IDAHO, TO-WIT:

Per Exhibit "A" attached.

SCANNED

MAR 25 2008

Order No. 7031

Exhibit A:

LEGAL DESCRIPTION

That part of Government Lot 3 of Section 24 of Township 31 North, Range 3 West, B.M., Lewis County, Idaho, more particularly described as follows: Commencing at the quarter corner common to Sections 24 and 25 in said Township and Range; thence West along the South line of said Section 24 a distance of 70.00 feet; thence N.0°00'29"E. a distance of 3949.46 feet to a point on the North line of said Government Lot 3; thence S.89°55'30"E. along said North line a distance of 731.36 feet to a point on the mean high water line on the West bank of the Salmon River; thence S.21°21'02"E. along said high water line a distance of 138.67 feet to the true place of beginning; thence continue S.21°21'02"E. along said high water line a distance of 449.55 feet; thence S.19°08'54"E. along said high water line a distance of 61.16 feet; thence N.81°57'21"W. a distance of 256.20 feet; thence N.04°38'43"W. a distance of 365.13 feet; thence N.52°23'00"E. a distance of 125.64 feet to the true place of beginning.

SCANNED

MAR 25 2008

SCHEDULE B

**FILE ORDER #7031
POLICY NO. J1091795**

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorney's fees or expenses) which arise by reason of:

PART I

Section 1

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
2. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
3. Easements, claims of easement or encumbrances which are not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b) or (c) are shown by the public records.
6. Any lien, or right to a lien, for services, labor or material theretofore or hereafter furnished, imposed by law and not shown by the public records.

Section 2

1. Paragraphs 1 and 2 of the Exclusions from Coverage are expressly extended to include those laws, ordinances or regulations of an Indian tribe or nation. Public Records as defined in this Policy do not include records of an Indian tribe or nation, or any other repository of Indian Land Records including, but not limited to the Bureau of Indian Affairs Land Title and Records Office.

2. Taxes for 1999, which are a lien, but not yet payable.

3. A CONSERVATION EASEMENT and all rights incident thereto, including right of first refusal:

Recorded: April 23, 1997 as Inst. No. 119605 of the Official Lewis County Records

Grantor: David J. Bream

Grantee: United States of America

4. Lack of a right of access to and from said land.

continued....

SCANNED

MAR 25 2008

5. Covenants, conditions, restrictions and easements contained in a document:

Dated: August 1, 1981

Recorded: August 27, 1981, as Inst. No. 90255 of the Official Lewis County Records.

Seller: Effie Spaulding

Buyer: Darell Bentz et al (refer to document for full particulars)

6. Covenants, conditions, restrictions and easements contained in a contract:

Dated: April 29, 1987

Recorded: January 24, 1991, as Inst. No. 102125 of the Official Lewis County Records.

Grantor: Effie Spaulding

Grantee: Darell Bentz et al (refer to document for full particulars)

7. An EASEMENT for the purpose shown below and rights incidental thereto as set forth in a document:

Granted to: Scot Robbins, no representation is made as to present owner

Purpose: Right of Way for Access etc.

Recorded: November 29, 1989, as Inst. No. 100912 of the Official Lewis County Records.

Affects: A portion of said land, reference is made to said document for full particulars.

8. Covenants, conditions, restrictions and easements contained in a deed and contract:

Recorded: April 3, 1992, as Inst. No. 113324 of the Official Lewis County Records.

Seller: Scott B. Robbins

Buyer: D. Darell Bentz et al (refer to document for full particulars)

9. An EASEMENT for the purpose shown below and rights incidental thereto as set forth in a document:

Granted to: E. H. Robbins, no representation is made as to present owner

Purpose: Right of Way for Airstrip Access etc.

Recorded: May 15, 1987, as Inst. No. 98016 of the Official Lewis County Records.

Affects: A portion of said land, reference is made to said document for full particulars.

10. MATTERS SHOWN on a record of survey recorded March 31, 1995 as Inst. No. 117239 of the official Lewis County Records.

continued....

SCANNED

4/10/05 2006

11. A DEED OF TRUST to secure an indebtedness in the amount shown below, and any other obligations secured thereby:

Amount: \$50,000.00

Dated: June 18, 1999

Trustor: Don J. Vogel and Vicki Vogel, husband and wife

Trustee: First American Title Insurance Company

Beneficiary: David J. Bream, a single man

Recorded: June 24, 1999, as Inst. No. 122644 of the Official Lewis County Records.

(END SCHEDULE B)

SCANNED

JAN 25 2008