

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

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 DEC 15 2005
 Department of Water Resources
 Southern 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, 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
37-10380	Case No. 39576	100%			

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DEPARTMENT OF
WATER RESOURCES

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) are 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)	James B. Donart
	P.O. Box 2330, Ketchum, Idaho 83340
4. New Owner/Claimant(s)	Sally L. Donart
	Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address	P. O. Box 2330
City, State and ZIP Code	Ketchum, Idaho 83340
New Telephone Number	(208) 726-5808
5. Date you acquired the property	September 11, 1990

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) Sally L. Donart
(include title if applicable) Sally L. Donart

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 [Signature] Date 12/15/05 Fee 25.00
 Receipted by [Signature] Date 12/16/05 Receipt No. 5028237
 Processed by _____ AJ Date _____ WR _____ Date _____



COOPERATIVE CENTER FOR
HEALTH STATISTICS - VITAL
STATISTICS

450 W. STATE ST.
BOISE, IDAHO 83720

CERTIFICATE OF DEATH

DATE FILED: SEPTEMBER 24, 1990

STATE FILE NUMBER: 90-04975

DECEDENT: JAMES BUSH DONART

DATE OF DEATH: SEPT. 11, 1990 PLACE OF DEATH: SUN VALLEY, IDAHO

DATE OF BIRTH: OCT. 16, 1920 PLACE OF BIRTH: IDAHO

AGE: 69 YEARS SEX: MALE VETERAN? YES

MARITAL STATUS: MARRIED SPOUSE (MAIDEN) : SALLY LIVINGSTON

SOCIAL SECURITY NUMBER: 519-03-3463 RESIDENCE: KETCHUM, IDAHO

FATHER: GEORGE DONART
FATHER'S BIRTHPLACE: IDAHO
MOTHER (MAIDEN): LETHA BUSH
MOTHER'S BIRTHPLACE: OHIO

MORTUARY: WOOD RIVER CHAPEL
MORTICIAN: RUSSELL D. MIKEL

HAILEY, IDAHO
DISPOSITION: CREMATION

CERTIFYING PHYSICIAN: PIERSON SCOTT MCLEAN, MD

AUTOPSY: NO

1. CAUSE OF DEATH, UNDERLYING CAUSE LAST:

INTERVAL

RESPIRATORY FAILURE
COPD

5 DAYS
> 5 YEARS

2. OTHER CONDITIONS CONTRIBUTING TO DEATH BUT UNRELATED TO ABOVE CAUSES:

PLEURA EFFUSION ASHD

DATE ISSUED: SEPTEMBER 26, 1990

*This is to certify that this is a true and correct reproduction or abstract of the official record
filed with the Idaho Department of Health & Welfare, Boise, Idaho.*

Richard W. Blair

RICHARD W. BLAIR, State Registrar

DO NOT ACCEPT UNLESS ON SECURITY PAPER WITH EMBOSSED SEAL OF IDAHO
DEPT. OF HEALTH & WELFARE CLEARLY AFFIXED.
Section 39-273, Idaho Code

HWH0139

DEPARTMENT OF HEALTH AND WELFARE

DEVOLUTION ON DEATH AGREEMENT

THIS AGREEMENT, made and entered into this 30th day of April, 1990, by and between JAMES B. DONART, husband, and SALLY L. DONART, wife, residents of the County of Blaine, State of Idaho, is relative to property in which the parties, or either of them, have any interest, and the disposition thereof upon the death of either of them as provided by Idaho Code Section 15-6-201.

WITNESSETH:

Marriage. The parties were married on September 25, 1949, and since that date have been, and now are, husband and wife.

Devolution of Real Property. Upon the death of either party, all right, title and interest of that party in and to the following described real property to wit:

Residence and subdivided lots described on the hereunto attached Exhibits A and B which are, by reference, incorporated herein and made a part hereof,

shall pass to and absolutely vest in the survivor as between the parties insofar as permitted pursuant to the provisions of Section 15-6-201 Idaho code.

Devolution of Personal Property. Upon the death of either party, all right, title and interest of the decedent, whether separate, community, or quasi-community property in character, in and to any personal property in which the decedent has any interest shall pass to and absolutely vest in the survivor as between the parties insofar as permitted pursuant to the provisions of Section 15-6-201 Idaho Code.

Liabilities. All real and personal property described in the preceding paragraphs shall vest in the survivor as between the parties insofar as permitted under the provisions of Section 15-6-201, Idaho Code, subject to any and all liabilities imposed upon the survivor under the provisions of that Section.

Controlling Law. This Agreement has been executed in the State of Idaho and its provisions shall be construed and enforced in accordance with the laws of that State even though one or both of the parties may now or hereafter become domiciled in another jurisdiction.

Constructional Rules. In construing this Agreement, words in any gender shall be deemed to include the other genders and the singular shall be deemed to include the plural and vice versa. The paragraph headings are for convenience only and are not a part of this Agreement and shall not be used in interpreting this Agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement the day and year hereinabove first written.

James B. Dornst
_____, Husband

Sally L. Dornst
_____, Wife

STATE OF IDAHO

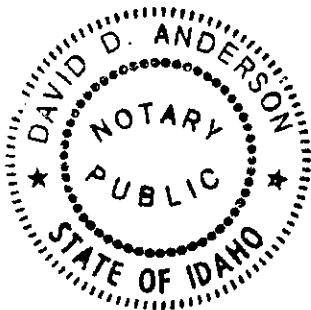
COUNTY OF BLAINE

)
) ss.
)

On this 24th day of April, 1990, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared JAMES B. DONART and SALLY L. DONART, husband and wife, 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.

(SEAL)



A handwritten signature in dark ink, appearing to read "David D. Anderson", written over a horizontal line.

Notary Public for Idaho

Residing in Blaine, ID
My commission expires 1/23/92

COMMENTS

EXHIBIT A

RESIDENCE

Lot 10, Block 3,

and

that portion of Lot 13, Block 3, lying South and West of the Snow-Plowing Easement granted by JAMES B. and SALLY L. DONART, Grantors, to BLAINE COUNTY, IDAHO, Grantee, executed June 25, 1974 and recorded July 9, 1974 as Instrument No. 155056, records of Blaine County, Idaho and which said portion of Lot 13 is bounded on the southwest side by the aforesaid Lot 10,

and

Lot 8, Block 3,

EXCEPT Commencing at the Northwest corner of said Lot 8, Block 3, Lake Creek Subdivision, which said Northwest corner is also the Northeast corner of Lot 6, Block 3 of Lake Creek Subdivision;

RUNNING THENCE North 72°24' East along the North boundary of Lot 8, Block 3 of Lake Creek Subdivision, a distance of 75 feet;

THENCE South 22°30' East in a straight line parallel to and 75 feet from the West line of said Lot 8 to the Southeasterly boundary of said Lot 8;

THENCE South 57°16' West along said Southeast boundary of said Lot 8 to the Southwest corner of said Lot 8, the same being the Southeast corner of Lot 6 of Block 3 of Lake Creek Subdivision;

THENCE North 22°30' West along the west boundary of Lot 8, a distance of 189.77 feet to the Northwest corner of said Lot 8 of Block 3 of Lake Creek Subdivision, the point and place of beginning,

all in LAKE CREEK SUBDIVISION, Blaine County, Idaho, according to the official plat thereof recorded May 29, 1963, as Instrument No. 118628, records of Blaine County, Idaho,

together with their appurtenances.

EXHIBIT B
SUBDIVIDED LOTS

Lots 28, 29, 30, 33, 34, 35, 36, and 37 in Block 2,

and

Lots 15, 17, 19, and 21, and Lots 40 through 62 in Block 3 of LAKE CREEK SUBDIVISION, Blaine County, Idaho, according to the official plat thereof recorded May 29, 1963, as Instrument No. 118628, records of Blaine County, Idaho,

and

that portion of Lot 13, Block 3, of said subdivision lying and being North and East of the Snow-Plow Easement heretofore granted by JAMES B. DONART and SALLY L. DONART, Grantors, to BLAINE COUNTY, IDAHO, Grantee, by an instrument executed on June 25, 1974 and recorded on July 9, 1974 as Instrument No. 155056, records of Blaine County, Idaho,

together with their appurtenances.

319041

BLAINE CO. REQUEST

City of Blaine Co., Id.

agreed

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* * * FAX COVER * * *

FIRST AMERICAN TITLE INSURANCE COMPANY
Blackfoot, Idaho

DATE: April 26, 1990

FROM: Mike Ferrin

TO: Dave Anderson, Sawtooth

Re: Donart Devolution on Death Agreement

The purpose is to provide a nontestamentary arrangement for passage of title to the real property on the death of one of the spouses. That is allowed. The Agreement must be recorded prior to the death of either party. The Agreement must contain all the essentials of a deed. The Agreement will not affect the rights of creditors.

We probably would be able to insure a sale from the surviving spouse subject to creditors' rights, and death taxes. That consideration would need to take into account the value of the estate and the probability of creditors' claims. A similar analysis to insuring a surviving spouse's sale without probate.