

Page 1 of 7STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 71160

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant Mark M Evans Phone 208 847-3033
Post Office address 660 Keele St- Montpelier Idaho 83254

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes move POU across to new
ground. Purchase water right from Saxton.
Use same well. Purchased well location

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number 11-7121 Priority 1977 Amount (cfs/ac-ft) 0.92 Nature of Use ~~IRR~~ IRR Period of Use 4/15 to 10/30

_____ to _____
_____ to _____
_____ to _____
2. Total amount of water being transferred 0.92 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water GW tributary to _____
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		<u>NW</u>	<u>SE</u>	<u>15</u>	<u>13s</u>	<u>46E</u>	<u>Bear Lake</u>	

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>13s</u>	<u>46E</u>	<u>15</u>													<u>39</u>			<u>38</u>	<u>77</u>

Total acres 77

71100

PART 1

6. General Information:

a. Description of diversion system WELL/PUMP TO SPRINKLERS

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes ☒ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

it will be dry

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____.

71100

Page 1

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 11-7121

WATER RIGHT NUMBER: 11-7121

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	GERALD HIDALGO
	, ZZ
Current Owner	BERT A WESTLAKE 20 S 100 E BENNINGTON MONTPELIER, ID 83254 (208)847-0391

Priority Date: 06/10/1977

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
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GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/15 to 10/30	0.920 CFS	231.00 AF
	<u>Total Diversion:</u>	0.920 CFS	231.00 AF

Location of Point(s) of Diversion

GROUND WATER	NW1/4SE1/4	Sec. 15, Twp 13S, Rge 46E, B.M.
BEAR LAKE County		

Place of Use

IRRIGATION

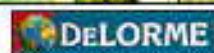
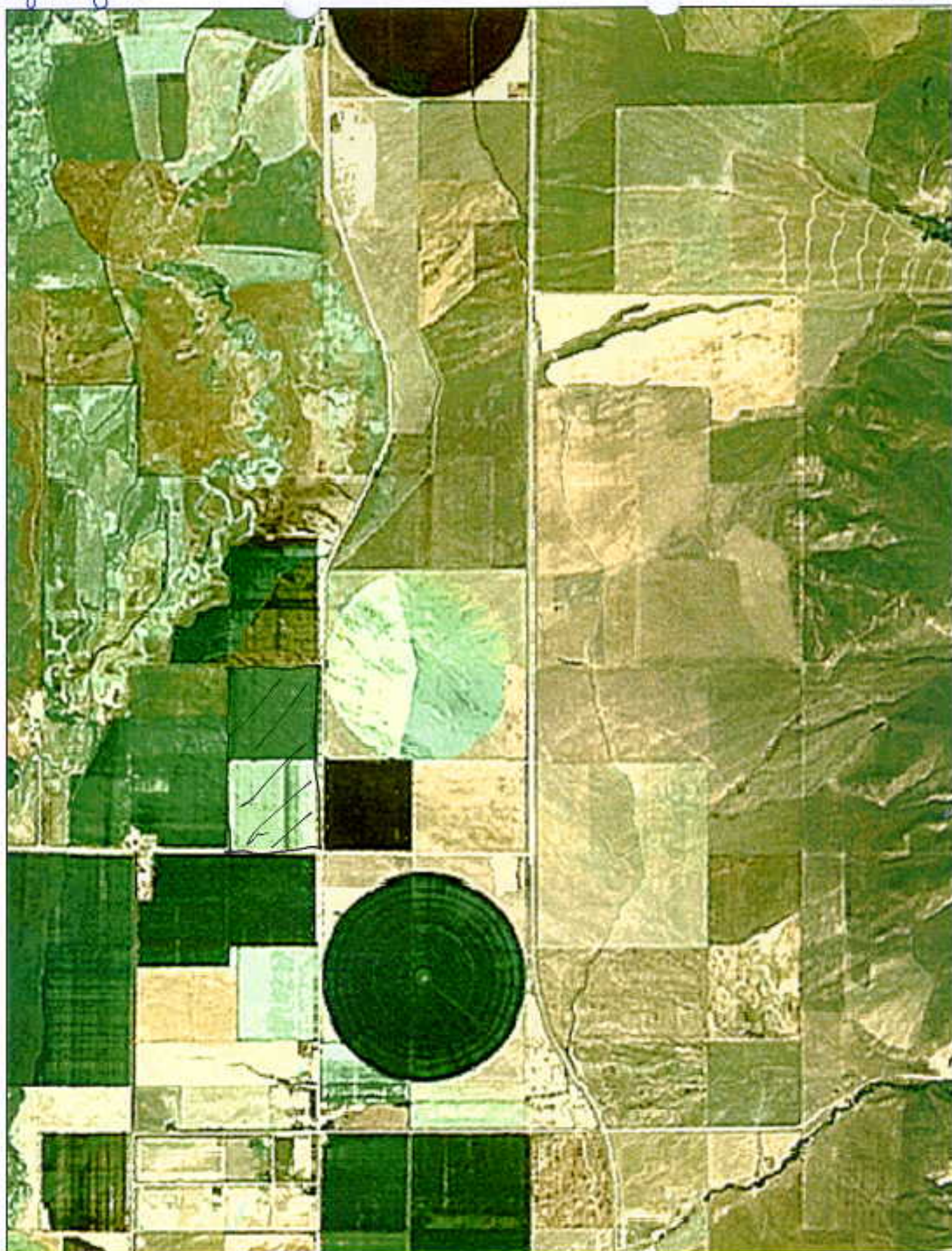
Twp	Rge	Sec	NE				NW				SW				SE				Totals
13S	46E	15	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	77.0

Total Acres: 77

Conditions of Approval:

Remarks:

Comments:



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www.delorme.com

Scale 1 : 22,400
1" = 1870 ft



71100

SAT PHOTOS

DC



NH EL

NH EL

NH EL

NH EL

NH EL

NH EL

NH EL

NH EL

TO

SEE 011

page 5 of 7
T71100

15

T-1181

T-1182

5

Hymus Farm TO Part
Dedn 150443
1 July 1994

14

Hymus Farm TO Part
Dedn 150443
1 July 1994Haber J Boehme
WDM 157505
1 Oct 1993Mark M Evans
OCDM 101902
5 July 1995Mark M Evans
OCDM 101902
5 July 1995Mikel J Saxton
WDM 105907
30 Dec 1990

From

POD

TG

Mikel J Saxton
OCDM 155521
3 May 1993Mark M Evans
OCDM 101902
5 July 1995Charles M Hensley
WDM 152787
8 Nov 1995

15

15

14

22

Robert D Boehme
WDM 153091
12 Sep 1991Haber J Boehme
WDM 157505
1 Oct 1993
WDM 159905

22

23

Mark M Evans
OCDM 101902
5 July 1995James E Saxton
WDM 81543
28 Feb 1992

T-1186

T-1187

Haber Boehme
WDM 152056
28 Feb 1991Charles M Hensley
WDM 158804
13 Feb 1998Charles M Hensley
WDM 152787
8 Nov 1995

T-1188

Don T Wills
OCDM 159974
15 Sep 1994James Saxton
WDM 49-245
28 Feb 1992

T-6007

T71100

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PART 3**B. CHANGES IN NATURE OF USE**

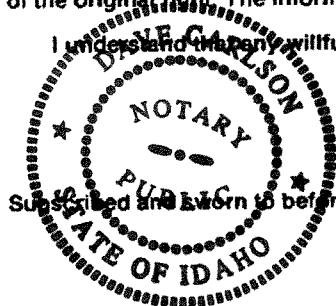
1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.



Subscribed and sworn to before me this

15 day of March, 19 2004

(Signature of Applicant)

Dave Carlson

(Notary Public)

My commission expires

2/26/2008

FOR DEPARTMENT USE ONLYTransfer contains 7 pages and attachmentsReceived by DC Date 3/15/2004

Protest filed by

Prelim. check by DC Fee 250

E029608

Receipted by

Date

Published in News Examiner (WED)

Copies of protest forwarded by

Pub. dates

Hearing held by Date

Watermaster recommendation requested on

Recommended for ☐ approval ☐ denial

rec'd.

by

Copy of transfer sent to lien holder

71100

Sales Agreement

I, Mike Saxton, and June Marie Saxton, sell to Mark & Eilleen Evans, water and well from township 13 South, Range 46, East of Boise Meridian, section 15, NW1/4 SE1/4 and Section 15 SW 1/4 SE1/4, for the sum of \$40,000 on December 22, 2003.

Mike Saxton

Mike Saxton

June Marie Saxton

June Marie Saxton

Mark Evans

Mark Evans

Eilleen Evans

Eilleen Evans

WARRANTY DEED

For Value Received,

MIKEL J. SAXTON and JUNE MARIE SAXTON, husband and wife,
of 5943 CENTER LANE, GENEVA, County of Bear Lake, State of ID. 83238,

THE GRANTOR(S),

do(es) hereby, grant, bargain, sell, and convey unto

MARK MERRILL EVANS and EILEEN D. EVANS, husband and wife,
of 660 KEELE STREET, MONTPELIER, County of Bear Lake, State of ID. 83254,

THE GRANTEE(S),

For the sum of ten dollars and other good and valuable consideration, the following described tract of land in the County of Bear Lake, State of Idaho:

TOWNSHIP 13 SOUTH, RANGE 46 EAST OF THE BOISE MERIDIAN:

Section 15: Commencing at the Southeast Corner of the NW $\frac{1}{4}$ SE $\frac{1}{4}$; and running thence North 25 feet; thence West 75 feet; thence South 25 feet; and thence East 75 feet to the Point of Beginning.

TOGETHER with a 40 Horsepower Pump and all water rights appertaining thereto.

To have and to hold the said premises, with their appurtenances unto the said Grantee(s), their heirs and assigns forever. And the said Grantor(s) hereby covenant to and with the said Grantee(s) that he is the owner(s) in fee simple of said premises; that they are free from all encumbrances, and that he will warrant and defend the same from all lawful claims whatsoever.

DATED THIS 22 December 2003

12-22-03

Mikel J. Saxton
MIKEL J. SAXTON

June Marie Saxton
JUNE MARIE SAXTON

STATE OF IDAHO, COUNTY OF BEAR LAKE

On this 22 day of December, 2003, before me a Notary Public in and for the State, personally appeared

MIKEL J. SAXTON and JUNE MARIE SAXTON,
husband and wife

known to me to be the person(s) whose name(s) is subscribed to the within instrument, and acknowledged to me that he executed the same.

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

Marla P. Johnson
Notary Public
Residing at: Ovid, Idaho
My Commission Expires: 7-7-2004

MARLA P. JOHNSON
STATE OF IDAHO
NOTARY --- PUBLIC

DEPUTY
FEE

2003 DEC 22 PM 3:50
JOHN P. EBOH

BEAR LAKE COUNTY RECORDER
JOHN P. EBOH

187265

MAIL TAX NOTICE TO: **MARK MERRILL EVANS and EILEEN**
660 KEELE STREET, MONTPELIER, ID

T 711.00
ATTACHMENT 2 OF 6

WARRANTY DEED

For Value Received,

BERT A. WESTLAKE AKA BERTRAM WESTLAKE AND REHA H. WESTLAKE, HUSBAND AND WIFE.,
Of 222 E CENTER BENNINGTON, MONTPELIER, County of BEAR LAKE, State of ID., 83254,
THE GRANTOR(S),

do hereby, grant, bargain, sell, and convey unto

MIKEL J. SAXTON AND JUNE MARIE SAXTON, HUSBAND AND WIFE.,
Of 5943 CENTER LANE, GENEVA, County of BEAB LAKE, State of ID., 83238,
THE GRANTEE(S),

For the sum of ten dollars and other good and valuable consideration, the following described tract of land in the County of BEAR LAKE, State of Idaho:

TOWNSHIP 13 SOUTH, RANGE 46 EAST OF THE BOISE MERIDIAN,
IDAHO:

Section 15: NW $\frac{1}{4}$ SE $\frac{1}{4}$.

ALSO: Beginning at the Southeast Corner of Lot 4 in Block 8, RAYMOND TOWNSITE SURVEY in Section 22, Township 13 South, Range 46 East, Boise Meridian, and running thence West 49 feet; thence North 49 feet; thence East 49 feet; thence South 49 feet to the place of beginning.

To have and to hold the said premises, with their appurtenances unto the said Grantee(s), their heirs and assigns forever. And the said Grantor(s) hereby covenant to and with the said Grantee(s) that they are the owner(s) in fee simple of said premises; that they are free from all incumbrances, and that they will warrant and defend the same from all lawful claims whatsoever.

DATED THIS 30TH DAY OF DECEMBER, 1996.

Bert A. Westlake
BERT A. WESTLAKE

Bertram Westlake
AKA BERTRAM WESTLAKE
Reha H. Westlake
REHA H. WESTLAKE

STATE OF IDAHO, COUNTY OF BEAR LAKE

On this 30th day of December, 1996, before me a Notary Public in and for the State, personally appeared

BERT A. WESTLAKE AKA BERTRAM WESTLAKE AND
REHA H. WESTLAKE, husband and wife.

known to me to be the person(s) whose name(s) are subscribed to the within instrument and acknowledged to me that they executed the same

96 DEC 30 PM 3
Cindy J. [unclear]
FEE

BEAR LAKE COUNTY NOTARY PUBLIC

16581

ATTACHMENT T 71100
3 OF 6

UNITED STATES DEPARTMENT OF AGRICULTURE
FARMERS HOME ADMINISTRATION

QUITCLAIM DEED

The UNITED STATES OF AMERICA, acting through the Administrator of the Farmers Home Administration, United States Department of Agriculture, CONVEYS and QUITCLAIMS to MIKEL J. SAXTON AND JUNE MARIE SAXTON, HUSBAND AND WIFE, 5943 CENTER LANE, GENEVA, ID. 83238

, Grantee, for the sum of FORTY ONE THOUSAND AND NO/100 ----- (\$41,000.00)

all interest in the following described real estate situated in the County of BEAR LAKE

State of IDAHO, to-wit:

Township 13 South, Range 46 East of the Boise Meridian:

Section 15: ~~SW 1/4 SE 1/4~~.

Lots 1, 2, 3 and 4 in Block 1 of the Raymond Townsite Survey, as platted and of record in the County of Bear Lake, State of Idaho.

Together with 10 shares of stock in Taylor Canal Company and Water under License No. 11-7121.

From

93 MAY 3 PM 2 01
Cindy S. P. Eborn
DEPUTY FEE

BEAR LAKE COUNTY RECORDER
JOAN P. EBORN

156521

MAKE CHECK PAYABLE TO:
RODNEY WALLENTINE, TREASURER
P. O. BOX 55
PARIS, ID 83261-0055
(208) 945-2130

TAX YEAR 2003 CODE AREA 22

2003 TAX BILL/RECEIPT
COUNTY OF BEAR LAKE
STATE OF IDAHO

PARCEL # 4368.00
STATE # 13S46E159000
REAL PROPERTY

VALUATION
LAND 19,280

1ST TAX 94.40
HALF LATE
INT
COST
TOT

2ND TAX 94.40
HALF LATE
INT
COST
TOT

IMPRVMTS
PERS. PROP.
MOBILE HM
SUBTOTAL
-HM EXEMP
TOTAL

19,280
19,280

EVANS, MARK M
% EVANS, ZELDA (LIFE ST)
473 GARFIELD
MONTPELIER ID 83254

TAXING DIST
COUNTY 945-2212
COUNTY LIBRARY 847-1664
SCHOOL DIST #33 945-2891
GENEVA CEM. 847-2695
B.L. COUNTY FIRE 847-2287

RATE
.004349029
.000389905
.004195517
.000399928
.000457897

AMOUNT
83.85
7.52
80.89
7.71
8.83

SESE
15-13-46
40 AC.

SUBTOTAL

.009792276

188.80

TOTAL ACRES: 40.00

TAXES DELINQUENT FOR:

*** IMPORTANT ***
PLEASE READ BOTH FRONT AND BACK
*** MONTHLY PAYMENTS ARE ACCEPTED ***

PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE
APPLIED TO THE OLDEST DELINQUENT YEAR.
TO AVOID LATE CHARGES, PAYMENTS MUST BE
RECEIVED OR POSTMARKED BY THE DUE DATE.
KEEP TOP PORTION FOR YOUR RECORDS.
PERSONAL CHECKS ARE YOUR RECEIPT
SUBJECT TO BANK CLEARANCE.

TOT TAX & SPECIALS .009792276
-CIRCUIT BREAKER EXEMPTION
SUBTOTAL

188.80
.00
188.80

NET TAX AND SPECIALS DUE

188.80

INDEXED

QUITCLAIM DEED

For Value Received, ZELDA C. EVANS does hereby convey, release, remise and forever quit claim unto MARK MERRILL EVANS, singly, as his sole and separate property , the following described premises in Bear Lake County, Idaho, to-wit:

Lots 2 and 3 in Section 14; The Northeast Quarter of the Southeast Quarter (NE¼SE¼), Southeast Quarter of the Northeast Quarter (SE¼NE¼), Southeast Quarter of the Southeast Quarter (SE¼SE¼), all in Section 15; The East Half of the Northeast Quarter (E½NE¼) in Section 22, ALL IN TOWNSHIP 13 SOUTH, RANGE 46 EAST of the Boise Meridian.

Together with all and singular, the tenements, hereditaments and appurtenances and privileges thereunto belonging or in any way appertaining, and the rents, issues and profits thereof.

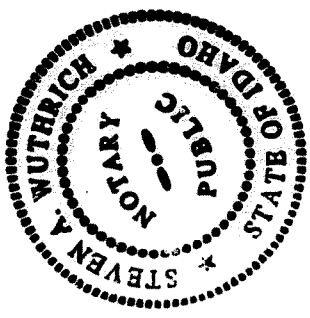
TO HAVE AND TO HOLD, all and singular, the said premises together with the appurtenances and privileges thereunto incident unto the said party of the second part, and his heirs and assigns forever.

DATED this 14 day of October, 2003.

Zelda C. Evans
ZELDA C. EVANS

STATE OF IDAHO)
:SS
County of Bear Lake)

On this 10 day of October, 2003, before me personally appeared Zelda C. Evans, known to me to be the person whose name is subscribed to the within instrument, and duly acknowledged to me that she made and executed same, and that the contents therein are true to the best of her knowledge, information and belief.



Steven A. Wuthrich
NOTARY PUBLIC
Residing at: Bear Lake
My Commission expires: 04/22/04

DEPUTY
FEE
OCT 17 PM 2 34
JOHN P. EBERHART
BEAR LAKE COUNTY RECORDER

T 71100
ATTACHMENT 6 OF 6

186664