



IDAHO DEPARTMENT OF
WATER RESOURCES

Northern Region • 7600 N Mineral Drive, Suite 100 • Coeur D'Alene, ID 83815-7763
Phone: 208-762-2800 • Fax: 208-762-2819 • Email: northerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

June 28, 2023

RICKY EDMOND ULVEVADET
PO BOX 341
PORTHILL ID 83853-0341

RE: Water Right Change in Ownership No(s): 98-7976

Dear Interested Parties:

The Idaho Department of Water Resources (Department) received a Notice of Change in Water Right Ownership (Notice) from you on June 15, 2023 for the above referenced water right. The Notice could not be processed based on the Judgement.

The Department is returning your Notice of Change in Water Right Ownership and the attachments. A refund of \$25 has been requested and will be mailed to THOMAS A BUSHNELL, ATTORNEY AT LAW under separate cover from the Idaho State Controller's Office.

If you have any questions regarding this matter, please contact me at (208) 762-2813.

Sincerely,

Natalie Steading
Tech Records Specialist 1

Enclosure(s)

cc: youragentmary@gmail.com

RECEIVED

JUN 15 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESIDWR / NORTH
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, see #7 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
98-7976	Yes ☒	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Thomas and Debra Hofer

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Ricky and Mary Ullevadet

New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or

P.O. Box 341

Mailing address

Porthill

City

ID

State

83853

Zip

(209) 743-7924

Telephone

youragentmarv@gmail.com

Email

4. If the water rights and/or adjudication claims were split, how did the division occur?
- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
- ☒ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
5. Date you acquired the water rights and/or claims listed above: 02/10/2022
6. Do you own the land identified as the water right place of use? Yes ☐ No ☒
- o If no, attach evidence that written notice of the change of water right ownership has been delivered to the landowner of record.
7. This form must be signed and submitted with the following **REQUIRED** items:

- ☒ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
- ☒ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
- ☒ Filing fee (see instructions for further explanation):
- o \$25 per *undivided* water right.
- o \$100 per *split* water right.
- o No fee is required for pending adjudication claims.
- ☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
- ☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

8. Signature: [Signature] Owner 6-5-2023

Signature of new owner/claimant

Title, if applicable

Date

Print name

Signature: [Signature] Owner 6-5-2023

Signature of new owner/claimant

Title, if applicable

Date

Print name

Received by NS Date 6/15/23 Receipt No. N043618 Receipt Amt. \$25

Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☐

Name on W-9 _____ Approved by _____ Processed by _____ Date _____

For IDWR Office Use Only:

Returned
Refund
required
NS
6/28/23



Community Title, LLC

STATE OF IDAHO }
County of Boundary }

Filed by: Community Title, LLC
on 02/10/2022 at 04:47 PM
Glenda Poston
County Recorder *C. Grainger*
By Deputy

WARRANTY DEED

Escrow No.: 25232-JF

FOR VALUE RECEIVED

Fees: \$ 15.00
E-Recording
Recording Number: 290246

Tim Jantz and Tina Jantz, Husband and Wife, as community property, with right of survivorship

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

Ricky Ulvevadet and Mary Ulvevadet, Husband and Wife, as community property, with right of survivorship

whose current address is P.O. Box 341, Porthill, ID 83853

the grantees, the following described premises, in Boundary County, Idaho, TO WIT:

PARCEL 1

A tract of land situated in the West Half of the Northeast Quarter of Section 23, Township 65 North, Range 1 West of the Boise Meridian, Boundary County, Idaho; more particularly described as follows:

Beginning at the southeast corner of the West Half of the Northeast Quarter of said Section 23; thence, along the south line of said West Half of the Northeast Quarter S89°24'49" W, 150.75 feet to the intersection with the easterly right of way of U.S. Highway No. 1; thence, leaving said south line and along said right of way N33°25'29" W, 1,572.49 feet to the intersection with the south line of the Northwest Quarter of the Northeast Quarter of Section 23; thence, leaving said right of way and along said south line N89°31'13" E, 684.79 feet; thence, leaving said south line and parallel to the east line of the Northwest Quarter of the Northeast Quarter, N00°05'41" W, 1,319.99 feet to the north line of the Northeast Quarter of Section 23; thence, along said north line N89°37'36" E, 330.00 feet to the northeast corner of the West Half of the Northeast Quarter of Section 23; thence, leaving said north line and along the east line of said West Half of the Northeast Quarter, S00°05'41" E, 2,638.74 feet to the True Point of Beginning.

PARCEL 2

A tract of land situated in the Northwest Quarter of the Northeast Quarter of Section 23, Township 65 North, Range 1 West of the Boise Meridian, Boundary County, Idaho; more particularly described as follows:

Beginning at a point which is the intersection of the easterly right of way of U.S. Highway No. 1 and the south line of said Northwest Quarter of the Northeast Quarter, said point being N89°31'13" E, 297.66 feet from the southwest corner of the Northwest Quarter of the Northeast Quarter; thence, leaving said south line and along said right of way, N33°25'29" W, 36.79 feet to Station 356+33.14 which is the beginning of a spiral curve (centerline length = 250.00 feet, A = .8 D = 2° = 2°30'), chord = N34°15'39" W, 252.05 feet; thence, on circular curve to the left having a central angle of 03°10'03" a radius of 2914.79 feet, for an arc length of 161.14 feet (chord = N37°30'22" W, 161.11 feet); thence, leaving said right of way N68°25'25" E, 1014.92 feet to a point on the boundary of that parcel described in Instrument No. 204966; thence, along said boundary the following 2 courses: S00°05'41" E, 734.34 feet; thence, S89°31'13" W, 684.79 feet to the True Point of Beginning.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that they the owners in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that they will warrant and defend the same from all lawful claims whatsoever.

Dated: 2/10/2022

Tim Jantz
Tim Jantz

Tina Jantz
Tina Jantz

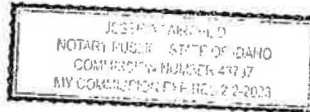
STATE OF IDAHO }
COUNTY OF BOUNDARY } SS.

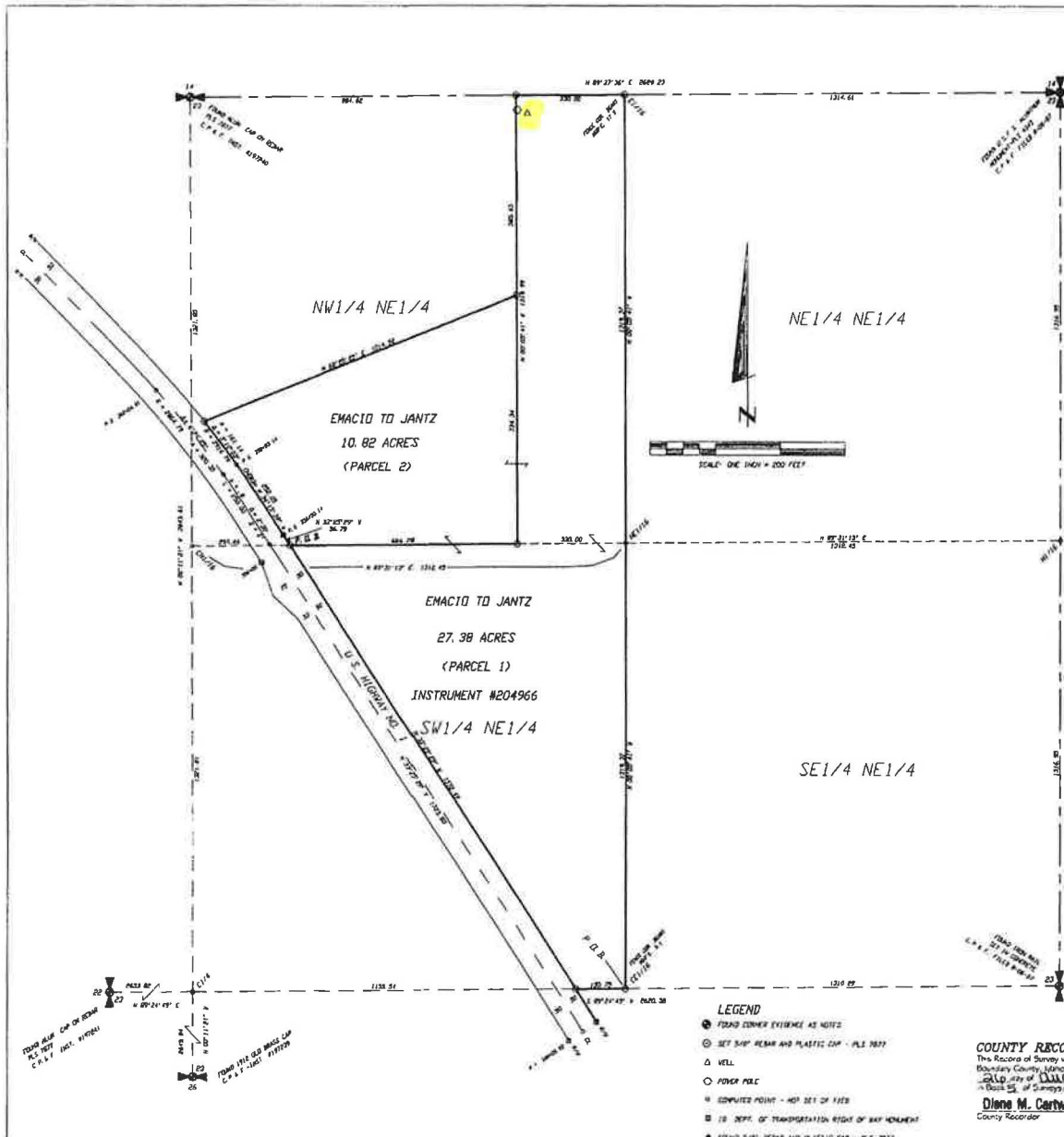
On this 10 day of February, 2022 before me, a Notary Public in and for said state,
personally appeared Tim Jantz and Tina Jantz
known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument and
acknowledged to me that they executed the same.

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

Jessie Fairchild
Notary Public for the State of Idaho

Residing at: BONNERS FERRY
Commission Expires: 2/02/2023





RECORD OF SURVEY

IN THE

W1/2 NE1/4 OF SECTION 23,
TOWNSHIP 65 NORTH, RANGE 1 WEST, B. M.
BOUNDARY COUNTY, IDAHO
FOR
TIM JANTZ

PROPERTY DESCRIPTION - EMACIO TO JANTZ (PARCEL 1)

A tract of land situated in the West Half of the Northeast Quarter (NW1/4 NE1/4) of Section Twenty-three (23), Township Sixty-five (65) North, Range One (1) West of the Boise Meridian, Boundary County, Idaho; more particularly described as follows:

Beginning at the southeast corner of the W1/2 NE1/4 of said Section 23; thence along the south line of said NW1/4 NE1/4, S 89°24'43" W, 150.75 feet to the intersection with the easterly right of way of U.S. Highway No. 1; thence, leaving said south line and along said right of way N 33°25'23" W, 1572.49 feet to the intersection with the south line of the NW1/4 NE1/4 of Section 23; thence, leaving said right of way and along said south line N 85°31'13" E, 654.73 feet; thence, leaving said south line and parallel to the east line of the NW1/4 NE1/4, N 00°05'41" W, 1319.99 feet to the north line of the NE1/4 of Section 23; thence, along said north line N 89°37'36" E, 330.00 feet to the northeast corner of the W1/2 NE1/4 of Section 23; thence, leaving said north line and along the east line of said W1/2 NE1/4, S 00°05'41" E, 2638.74 feet to the TRUE POINT OF BEGINNING, encompassing an area of 27.38 acres.

PROPERTY DESCRIPTION - EMACIO TO JANTZ (PARCEL 2)

A tract of land situated in the Northwest Quarter of the Northeast Quarter (NW1/4 NE1/4) of Section Twenty-three (23), Township Sixty-five (65) North, Range One (1) West of the Boise Meridian, Boundary County, Idaho; more particularly described as follows:

Beginning at a point which is the intersection of the easterly right of way of U.S. Highway No. 1 and the south line of said NW1/4 NE1/4, said point being N 89°31'13" E, 297.66 feet from the southwest corner of the NW1/4 NE1/4; thence, leaving said south line and along said right of way, N 33°25'23" W, 36.79 feet to Station 356+33.14 which is the beginning of a spiral curve (centerline length = 250.00 feet, a = 8, D = 2°, Δ = 2°30', chord = N 34°15'38" W, 252.05 feet; thence, on a circular curve to the left having a central angle of 37°00'03", a radius of 2914.75 feet, for an arc length of 161.14 feet (chord = N 37°30'22" W, 161.11 feet); thence, leaving said right of way N 68°25'25" E, 1014.92 feet to a point on the boundary of that parcel described in Instrument No. 204966; thence, along said boundary the following Two (2) courses: S 00°05'41" E, 734.34 feet; thence S 89°31'13" W, 684.73 feet to the TRUE POINT OF BEGINNING, encompassing an area of 10.82 acres.

BASIS OF BEARINGS

BEARINGS AND SECTION SUBDIVISION ARE BASED ON RECORD OF SURVEY, BOOK 4 OF SURVEYS, PAGE 142, AS INSTRUMENT NO. 138625.

SURVEYOR'S CERTIFICATION

I, John D. Wargul, Idaho Land Surveyor No. 7877, do hereby certify that the plat hereon is a true and correct representation of a survey made by me or under my direct supervision in conformance with the laws of the State of Idaho (Idaho Code §§ 31-2703, 1973 and Idaho Code §§ 35-1905 through 1906) and accepted methods and procedures of surveying.



COUNTY RECORDER

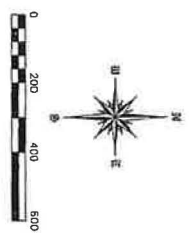
This Record of Survey was filed for record in the office of the Recorder of Boundary County, Idaho, at the request of J. R. S. Surveying, Inc. 11-4-14
Said City of IDAHO, 2002, at 4:55:00 P.M. and duly recorded in Book 25, of Surveys, Page 12, as Instrument No. 207159
Diane M. Cartwright
County Recorder

RECEIVED
JAN 14 2015
COUNTY RECORDER

J. R. S. SURVEYING, INC.	
P.O. BOX 3099 - 8476 MAIN ST. BENNETT FERRY, IDAHO 83805	
208-267-7555	
RECORD OF SURVEY	
FILED	FILED
BOOK 25, PAGE 12	11-4-14
NE1/4, SEC. 23, T65N, R1E, B.M.	
SHEET 1 OF 1	

RECORD OF SURVEY

FOR
HOFFER
 LIVING IN A PORTION OF SECTION 21,
 TOWNSHIP 65 NORTH, RANGE 1 WEST,
 BOISE MERIDIAN,
 IDAHO COUNTY, IDAHO



BASIS OF BEARING

BEARING TO THE LAND COORDINATE SYSTEM OF THE UNITED STATES OF AMERICA, AS SHOWN ON THE NATIONAL COORDINATE SYSTEM MAP OF THE UNITED STATES OF AMERICA, 1983 EDITION, SCALE 1:500,000, AND THE NATIONAL COORDINATE SYSTEM MAP OF THE UNITED STATES OF AMERICA, 1983 EDITION, SCALE 1:500,000, AND THE NATIONAL COORDINATE SYSTEM MAP OF THE UNITED STATES OF AMERICA, 1983 EDITION, SCALE 1:500,000.

LEGEND

- ① SECTIONAL CORNER, AS NOTED.
- ② SET 5/8" x 3/4" REBAR AND PLASTIC CAP, PLS 14719
- ③ FOUND MONUMENTATION, AS NOTED.
- ④ FOUND "N" REBAR AND CAP BY VENTIL, PLS 6800
- ⑤ FOUND "N" REBAR AND CAP BY 818 SURVEYING, PLS 1977
- ⑥ CALCULATED POINT, NOTHING SET
- ⑦ WELL
- ⑧ VARIATION DEED, MET NO. 24805, 2/23/2009
- ⑨ RECORD OF SURVEY, PLS 1977, MET NO. 20709
- ⑩ RECORD OF SURVEY, PLS 6250, MET NO. 25463

RECORDED'S CERTIFICATE

THIS IS TO CERTIFY THAT THE ABOVE DESCRIBED LAND IS THE SAME AS THAT DESCRIBED IN THE RECORD OF SURVEY NO. 14719, RECORDED IN THE PUBLIC RECORDS OF IDAHO COUNTY, IDAHO, ON 11/25/2009, AND THAT THE SAME IS THE SAME AS THAT DESCRIBED IN THE RECORD OF SURVEY NO. 14719, RECORDED IN THE PUBLIC RECORDS OF IDAHO COUNTY, IDAHO, ON 11/25/2009.

RECORDED BY
THOMAS HOFFER
 FOR

GLASS & ASSOCIATES
 PROFESSIONAL LAND SURVEYORS
 303 Church Street
 Sandpoint, Idaho 83864
 208-263-9714
 DATE 11/25/10
 SHEET 1 OF 1

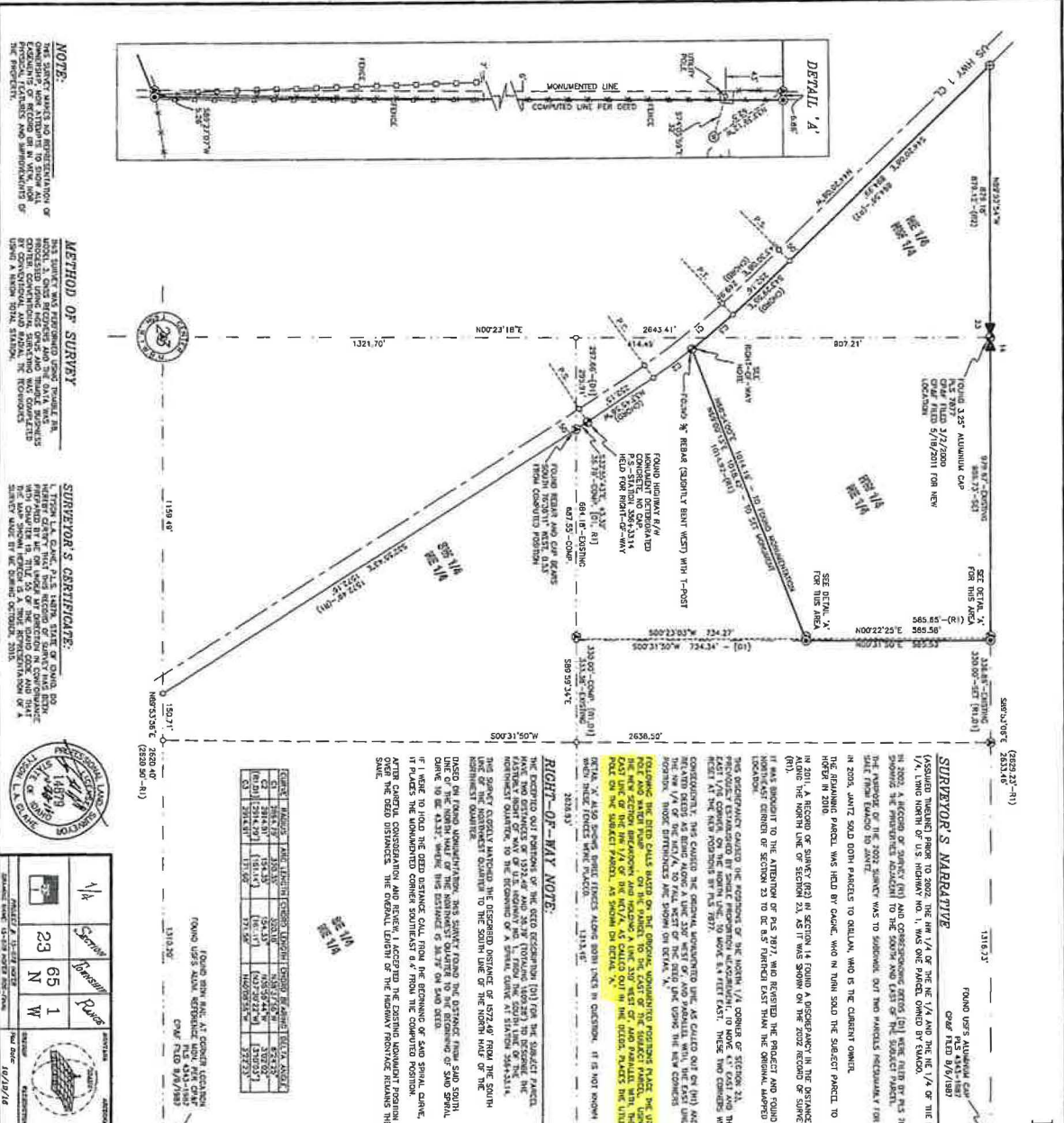
1/4	23	65	1	W
FOUND USGS BLM DEPARTMENT, PLS 451-1482 CIVIL FILED 8/18/1987				

SURVEYOR'S CERTIFICATE

THIS SURVEY WAS PERFORMED UPON FOUND, REBAR, MONUMENTATION, AND CALCULATED POINTS, AND THE DATA WAS COVERED BY THE SURVEYOR'S PROFESSIONAL LIABILITY INSURANCE. THE SURVEYOR'S PROFESSIONAL LIABILITY INSURANCE COVERAGE DOES NOT COVER CONVEYING SURVEYING DATA OR COVERING CONVEYING SURVEYING DATA TO ANY OTHER PARTY. THE SURVEYOR'S PROFESSIONAL LIABILITY INSURANCE COVERAGE DOES NOT COVER CONVEYING SURVEYING DATA OR COVERING CONVEYING SURVEYING DATA TO ANY OTHER PARTY.

METHOD OF SURVEY

NOTE: THIS SURVEY WAS PERFORMED UPON FOUND, REBAR, MONUMENTATION, AND CALCULATED POINTS, AND THE DATA WAS COVERED BY THE SURVEYOR'S PROFESSIONAL LIABILITY INSURANCE. THE SURVEYOR'S PROFESSIONAL LIABILITY INSURANCE COVERAGE DOES NOT COVER CONVEYING SURVEYING DATA OR COVERING CONVEYING SURVEYING DATA TO ANY OTHER PARTY.



RECEIVED

JUN 15 2023

IDWR / NORTH

Ulvevadet Water Right Ownership Narrative:

The water right 98-7616 originated from a water well drilled and certified by United Drilling in 1985 permit No. 98-85-N-14 on behalf of the original owner Bill Emicio.

On June 9th, 1999, the property on which the well is situated was conveyed to Marsha Emacio from the estate of William Emacio see Inst No. 194340.

On February 13th, 2002, the portion of land on which the well is situated was conveyed to Timothy and Kimberly Jantz from Marsha Emacio. There was a survey recorded on August 26th, 2002, Inst No. 207159, which clearly shows the well in question to be on the parcel conveyed to Timothy and Kimberly Jantz from Marsha Emacio.

On February 15th, 2002, A notice of change of water rights ownership for 98-7616 from William Emacio to Timothy and Kimberly Jantz was processed. At that time no split was initiated.

On May 26th, 2015, the Hofers made a claim to water from a well that was not on their property. There was nothing in writing to support their claim of right to the water from the well. The deed attached to their application clearly shows that the portion of land on which the well is situated was not their property.

On October 21st, 2016, another Record of Survey Inst No. 268795, concerning the exact location of the well, was recorded. The survey found again, that the well in question is located to the East of the Hofer's property line.

The Hofers taking of water was challenged in Boundary County District Court, Case No. CV-2015. On August 21st, 2017, the court entered a judgment relinquishing any claim by the Hofers to the water from the well in question. See attached judgment.

On February 10th 2022, the property on which the well is situated was conveyed from Timothy and Kimberly Jantz to Mary and Ricky Ulvevadet. The Mary and Ricky Ulvevadet's are requesting a change in water right ownership for Claim No. 98-7976 and Claim No. 98-7616. See attached applications, deeds, and surveys.

Eric A. Anderson, ISB No. 9747
WILSON LAW FIRM
P.O. Box 3009
Bonners Ferry, ID 83805
Phone: (208) 267-1777
Fax: (208) 267-1760

Attorney for Defendants

FILED
2017 AUG 21 AM 9:34
STATE OF IDAHO
COUNTY OF BOUNDARY
GLENDA POSTON, CLERK
BY [Signature]
DEPUTY CLERK

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF BOUNDARY

CHARLES F. QUILLIN, individually
and as Trustee of the CHARLES
FRANKLIN QUILLIN REVOCABLE
TRUST

Plaintiff,

vs.

THOMAS A. HOFER and , DEBRA L.
HOFER, husband and wife,

Defendant.

CASE NO. CV-2015-00059

JUDGMENT

JUDGMENT IS ENTERED AS FOLLOWS:

1. Pursuant to the Mediated Settlement Agreement, attached hereto, the parties stipulate to Entry of Judgment on the terms set forth therein, specifically:

a. The disputed boundary between the adjacent properties shall be delineated as set forth on the parties respective deeds, and as reflected on that certain survey by Glahe and Associates under date September 2015, a copy of which is attached hereto and incorporated by reference.

b. The electric service pole serving the well and pump and appurtenances currently situated upon the disputed property shall be the property of Charles Quillin, and shall be relocated upon 90 days written notice by Thomas Hofer. Charles Quillin, or his representatives, designees or assigns, shall have a license to enter upon the property of Thomas Hofer with the sole and exclusive purpose of relocating the power pole and accessing the power.

1. JUDGMENT

c. Each party hereby relinquishes any claim to any water right or point of diversion situated in the legal description of the other party. Each party shall retain ownership and exclusive rights to the water rights or water sources within their respective boundaries.

d. This Judgment constitutes a full, final and complete release of any and all claims or causes of action of any kind against or between one another or any other party named in the Complaint, which was made part of the Complaint, or could have been claimed in a Complaint against the named Defendant or as it relates to the underlying cause of action which forms the basis of this dispute.

e. Each of the parties shall bear their own costs and attorneys fees, and shall execute such pleadings or other writings necessary to effectuate the terms of this agreement.

f. In any action to enforce the terms of this agreement, the prevailing party shall be entitled to reimbursement of costs and attorneys' fees incurred therein.

DATED this 21 day of August, 2017.



DISTRICT JUDGE

CLERK'S CERTIFICATE OF MAILING

I hereby certify that the foregoing Judgment was mailed first class, postage prepaid on the 22nd day of August, 2017, to the following addresses:

Timothy B. Wilson
Attorney at Law
P.O. Box 3009
Bonners Ferry, ID 83805

Brent C. Featherston
Attorney at Law
113 S. Second Ave.
Sandpoint, ID 83864

GLEND A POSTON

Clerk of District Court

By 
Deputy Clerk

3. JUDGMENT