

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUL 28 2023

DEPARTMENT OF
WATER RESOURCES

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?
67-239A	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: MARVIN JACK D.
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Michael N. Whitener and Shirley R. Whitener husband and wife
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or

355 E. BRIDGE ST
Mailing address

MIDVALE ID 83645
City State Zip

806 441-0358 / 208 740-0279
Telephone

whitenerhollow@aol.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: September 11, 2018

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):
 - \$25 per undivided water right.
 - \$100 per split water right.
 - 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: Mike Whitener Owner 7/25/2023
 Signature of new owner/claimant Title, if applicable Date
Mike Whitener

- Signature: Shirley Whitener Owner 7/25/2023
 Signature of new owner/claimant Title, if applicable Date
Shirley Whitener

Print name

For IDWR Office Use Only:
 Received by KM Date 7.28.23 Receipt No. C116813 Receipt Amt. \$25.00
 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 [Signature] Date 9-29-23

SEP 29 2023



Instrument # 236739
STATE OF IDAHO, COUNTY OF WASHINGTON
2018-09-13 09:56:25 AM No. of Pages: 1
Recorded for: AMERITITLE - WEISER
BETTY J. THOMAS Fee: \$15.00
Ex-Officio Recorder Deputy MMcConnell
Index To: DEED
Electronically Recorded by Simplifile

WARRANTY DEED

Order No.: 258278AM

FOR VALUE RECEIVED

Jack D. Marvin, an unmarried person

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

Michael W. Whitener and Shirley R. Whitener, husband and wife

whose current address is:

355 E. Bridge
Midvale, ID 83645

the grantee(s), the following described premises, in Washington County, Idaho, TO WIT:

All that part of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 10, Township 14 North, Range 3 West of the Boise Meridian, Washington County, Idaho, described as follows:

**Beginning at a point 495 feet East of the northwest corner of the said SW $\frac{1}{4}$ NE $\frac{1}{4}$;
thence South 700 feet, more or less, to a point in a line parallel with and 50.00 feet
northwesterly and radially from the center line of U.S. Highway 95 - Project No. F-3112
(5) Highway Survey; thence along said parallel line to a point in the North bank of
Spring Creek; thence northwesterly along the North bank of Spring Creek to the North
line of said SW $\frac{1}{4}$ NE $\frac{1}{4}$;
thence West to the 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 Grantee(s), that (s)he is/are the owner(s) 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 (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: September 11, 2018

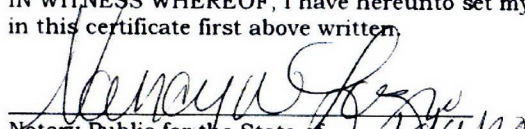


Jack D. Marvin

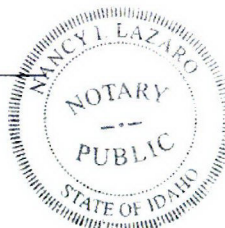
State of Idaho } ss
County of Washington }

On this 11 day of September, 2018, before me, Nancy Lazaro Notary Public in and for said state, personally appeared Jack D. Marvin, 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 he/she/they executed 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.



Notary Public for the State of Idaho
Residing at: Weiser, Idaho
Commission Expires: 10/9/19



SCANNED

SEP 29 2023

Prepared By

250641

Name: Shirley Whitener
Address: 355 E. Bridge St
Midvale
State: ID Zip Code: 83645

After Recording Return To

Name: _____
Address: _____
State: _____ Zip Code: _____

Instrument # 250641

STATE OF IDAHO, COUNTY OF WASHINGTON
3-31-2023 01:43:50 PM No. of Pages: 3
Recorded for : SHIRLEY R. WHITENER
DONNA ATWOOD Fee: 45.00
Ex-Officio Recorder Deputy Maria McConnell
Index to: DEED

Space Above This Line for Recorder's Use

IDAHO QUIT CLAIM DEED

FOR VALUE RECEIVED, Michael W. Whitener and Shirley R. Whitener ^{husband and wife}, (hereinafter known as the "Grantor(s)") hereby convey, release, remise and forever quit claim to Michael W. Whitener and Shirley R. Whitener ^{husband and wife}, (hereinafter known as the "Grantee(s)") all the rights, title, interest, and claim in or to the following described real estate, situated in Washington County, Idaho to-wit:

See Attached: Exhibit A

To have and to hold, the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever for the said first party, either in law or equity, to the only proper use, benefit and behoof of the said second party forever.

Shirley R. Whitener
Grantor's Signature

Shirley R. Whitener
Grantor's Name
355 E. Bridge St
Address
Midvale, Id 83645
City, State & Zip

Mike Whitener
Grantor's Signature

Grantor's Name

Address

City, State & Zip

STATE OF IDAHO)

COUNTY OF Washington)

SCANNED

SEP 29 2023

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that
Michael W. Whitener and Shirley R. Whitener

IDAHO QUIT CLAIM DEED

FOR VALUE RECEIVED, Michael W. Whitener and Shirley R. Whitener ^{husband and wife}, (hereinafter known as the "Grantor(s)") hereby convey, release, remise and forever quit claim to

Michael W. Whitener and Shirley R. Whitener ^{husband and wife}, (hereinafter known as the "Grantee(s)") all the rights, title, interest, and claim in or to the following described real estate, situated in Washington County, Idaho to-wit:

See Attached: Exhibit A

To have and to hold, the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever for the said first party, either in law or equity, to the only proper use, benefit and behoof of the said second party forever.

Michael W. Whitener
Grantor's Signature

Shirley R. Whitener
Grantor's Name

355 E. Bridge St
Address

Midvale, Id 83645
City, State & Zip

Mike Whitener
Grantor's Signature

Grantor's Name

Address

City, State & Zip

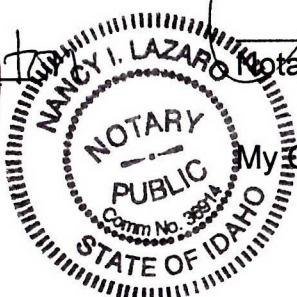
STATE OF IDAHO)

COUNTY OF Washington

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Michael W. Whitener and Shirley R. Whitener whose names are signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, they, executed the same voluntarily on the day the same bears date.

Given under my hand this 31 day of March, 2023

State of Idaho
County of Washington



My Commission Expires: 10/9/2025



Sawtooth Land Surveying, LLC

P: (208) 398-8104 F: (208) 398-8105
2030 S. Washington Ave., Emmett, ID 83617

PAGE 1 OF 2

PARCEL A

This parcel is situated in a portion of the S.W.1/4 of the N.E.1/4 of Section 10, Township 14 North, Range 3 West of the Boise Meridian, Washington County, Idaho, more particularly described as follows:

COMMENCING at a 5/8-inch diameter rebar monumenting the northwest corner of said S.W.1/4 of the N.E.1/4; thence along the north boundary of said S.W.1/4 of the N.E.1/4,

S.89°41'54"E., 495.30 feet (of record 495 feet) to the **POINT OF BEGINNING**, being witnessed with a 5/8-inch diameter rebar which lies S.00°27'55"W a distance of 0.50 feet; thence continuing,

S 89°41'54" E a distance of 244.88 feet to a 5/8-inch diameter rebar on the east inside top of bank of Spring Creek as it now exists; thence along said top of bank,

S 15°13'06" E a distance of 32.76 feet to a 5/8-inch diameter rebar; thence continuing,

S 27°52'26" E a distance of 49.34 feet to a 5/8-inch diameter rebar; thence continuing,

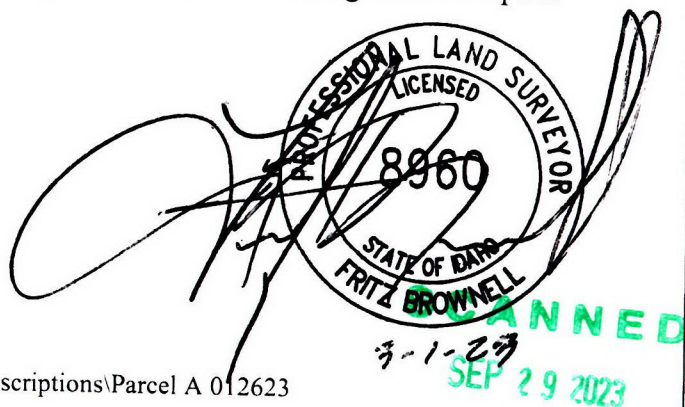
S 39°47'44" E a distance of 33.87 feet to a 5/8-inch diameter rebar; thence continuing,

S 51°43'48" E a distance of 60.94 feet to a 5/8-inch diameter rebar; thence continuing,

S 40°42'55" E a distance of 50.62 feet ; to a 5/8-inch diameter rebar on the northwesterly right-of-way of U.S. Highway 95 as shown on the plans thereof as Federal Aid Project No. F-3112(5) on file in the office of the Idaho Transportation Department; thence along said right-of-way,

S 43°39'46" W a distance of 82.77 feet to a 5/8-inch diameter rebar monumenting a point of curvature at Highway Station 419+12.9; thence along a curve to the left,

Having an arc length of 503.08 feet, a radius of 1959.86 feet, through a delta angle of 14°42'26" and a long chord which bears S 36°18'53" W a distance of 501.70 feet to a brass cap in concrete at Highway Station 414+22.64 monumenting a point of spiral curve; thence along an offset spiral curve to the left,



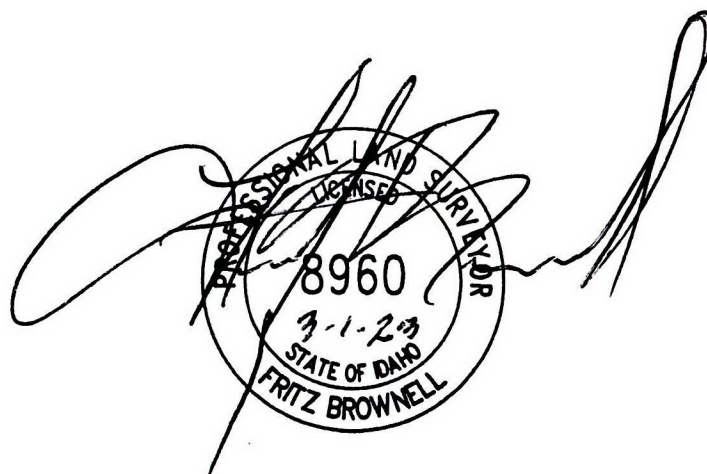
250641

PAGE 2 OF 2

Having a long chord which bears S 28°06'32" W a distance of 64.74 feet with a delta spiral of 04°59'25", T1=519.21 feet back, T2=356.46 feet ahead, Y1=11.64 feet to a point being witnessed with a ½-inch diameter rebar lying 1.11 feet north of and on the proceeding boundary; thence,

N 00°27'55" E a distance of 699.92 feet to the **POINT OF BEGINNING**.

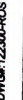
CONTAINING 3.245 acres, more or less.



SCANNED

SEP 29 2023

SCANNED
SEP 29 2025





322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098
Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

September 29, 2023

MICHAEL W WHITENER
SHIRLEY R WHITENER
355 E BRIDGE ST
MIDVALE ID 83645-2068

Re: Change in Ownership for Water Right No(s): 67-239A

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records and has enclosed a computer-generated report for you.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Idaho Code §§ 42-222 and 42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department, or from the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208) 287-4942.

Sincerely,

A handwritten signature in black ink that reads "Jean Hersley". The signature is fluid and cursive, with the first name "Jean" and last name "Hersley" clearly visible.

Jean Hersley

Technical Records Specialist 2

Enclosure(s)

c: Water District No. 67

SCANNED

SEP 29 2023