

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

DEC 15 2022

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Department of Water Resources
Eastern Region

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?
72-10471-B <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
72-10151 <i>NA</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Winstead, Craig C.
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Robert C. Hadley, Michelle A. Foos
New owner(s) as listed on the conveyance document

P.O. Box 789	Challis	ID	83226
Mailing address	City	State	Zip
208-589-4518, 307-272-9668	hadleyb@atcnet.net, shellynsam@msn.com		
Telephone	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: August 17, 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):
- ☐ \$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: Robert C. Hadley Joint Owner 12/12/22
Signature of new owner/claimant Title, if applicable Date
Robert C. Hadley
Print name

Signature: Michelle A. Foos Joint Owner 12/12/22
Signature of new owner/claimant Title, if applicable Date
Michelle A. Foos
Print name

Received by m. fetter Date 12-15-22 For IDWR Office Use Only: Receipt No. E048793 Receipt Amt. 50.00

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 AB Processed by AB Date 12/22/2022

JAN 04 2023

WARRANTY DEED

For Value Received, I, CRAIG C. WINSTEAD, a single person, do hereby grant, bargain, sell and convey unto ROBERT C. HADLEY, a single person and MICHELLE A. FOOS, a single person, whose address is: P.O. Box 789, Challis, ID 83226

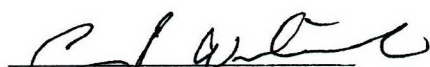
the following described premises in CUSTER County, Idaho, to-wit:

A parcel of land situated in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 8, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho, being more particularly described as follows:

Commencing at the West quarter corner of Section 8, Township 14 North, Range 19 East, Boise Meridian, (which is a B.L.M. brass cap monument); thence North 88°59'24" East, 384.90 feet to a 3/4" galvanized iron pipe; thence South 83°53'32" East, 301.93 feet to a 3/4" galvanized iron pipe; thence South 84°10'09" East, 191.14 feet to a 3/4" galvanized iron pipe; thence South 82°40'01" East, 71.16 feet to a 5/8" rebar and the TRUE POINT OF BEGINNING; thence South 82°40'01" East, 113.12 feet to a 5/8" rebar; thence South 67°10'52" East, 73.17 feet to a 3/4" galvanized iron pipe; thence South 50°00'52" East, 114.90 feet to a 3/4" galvanized iron pipe; thence South 28°03'44" East, 54.86 feet to a 3/4" galvanized iron pipe; thence South 15°45'41" East, 225.73 feet to a 3/4" galvanized iron pipe; thence South 81°22'12" West, 278.63 feet to a 3/4" galvanized iron pipe; thence North 29°56'41" West, 80.21 feet to a 3/4" galvanized iron pipe; thence North 15°39'51" East, 111.02 feet to a 5/8" rebar; thence North 15°37'15" West, 257.22 feet to a 5/8" rebar, the TRUE POINT OF BEGINNING, as shown by the Record of Survey filed November 27, 1998, as instrument No. 216936, records of Custer County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that they are the owners of said premises; and that they are free from all encumbrances and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: 8/17/22

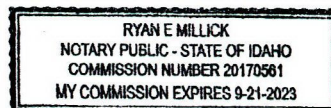

CRAIG C. WINSTEAD

STATE OF IDAHO)ss:
COUNTY OF CUSTER)

On this 17 day of August, in the year of 2022, before me, a Notary Public, in and for the said State, personally appeared CRAIG C. WINSTEAD, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

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


Notary Public for the State of IDAHO
Residing at: CHALLIS
Commission Expires: 9-21-27



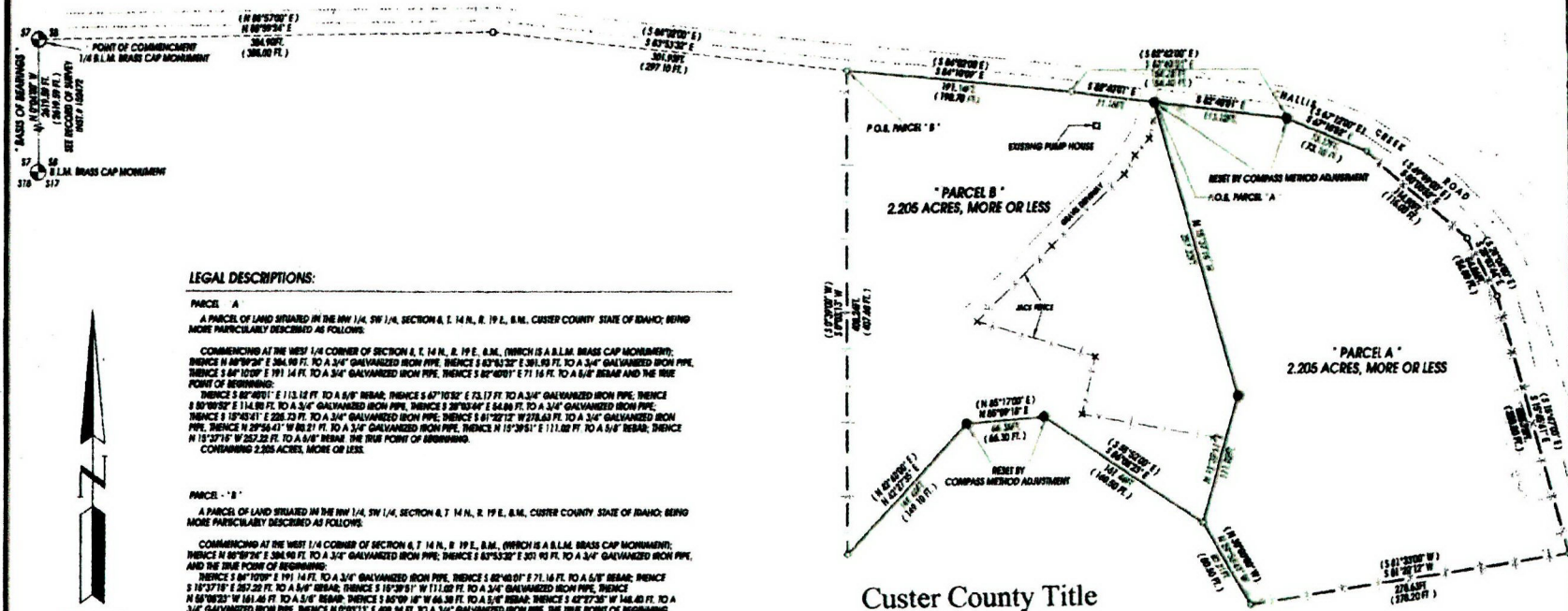
SCANNED

JAN 04 2022

HADLEY + FOODS - PARCEL "A"
WATER RIGHTS - 72, 10471-B, 72-10151

RECORD OF SURVEY

SECTION 8, T. 14 N., R. 19 E., B.M., CUSTER CO., STATE OF IDAHO



LEGAL DESCRIPTIONS:

PARCEL - A

A PARCEL OF LAND SITUATED IN THE NW 1/4, SW 1/4, SECTION 8, T. 14 N., R. 19 E., B.M., CUSTER COUNTY, STATE OF IDAHO; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST 1/4 CORNER OF SECTION 8, T. 14 N., R. 19 E., B.M., (WHICH IS A B.L.M. BRASS CAP MONUMENT); THENCE N 89°09'24" E 384.90 FT. TO A 3/4" GALVANIZED IRON PIPE; THENCE S 83°53'22" E 381.90 FT. TO A 3/4" GALVANIZED IRON PIPE; THENCE S 84°10'09" E 191.14 FT. TO A 3/4" GALVANIZED IRON PIPE; THENCE S 82°40'01" E 71.16 FT. TO A 5/8" REBAR AND THE TRUE POINT OF BEGINNING; THENCE S 82°40'01" E 113.12 FT. TO A 5/8" REBAR; THENCE S 87°10'52" E 73.17 FT. TO A 3/4" GALVANIZED IRON PIPE; THENCE S 80°08'22" E 114.80 FT. TO A 3/4" GALVANIZED IRON PIPE; THENCE S 38°03'44" E 84.88 FT. TO A 3/4" GALVANIZED IRON PIPE; THENCE S 18°40'41" E 228.33 FT. TO A 3/4" GALVANIZED IRON PIPE; THENCE S 81°02'12" W 278.63 FT. TO A 3/4" GALVANIZED IRON PIPE; THENCE N 29°04'41" W 88.21 FT. TO A 3/4" GALVANIZED IRON PIPE; THENCE N 12°39'51" E 111.88 FT. TO A 5/8" REBAR; THENCE N 12°37'18" W 257.22 FT. TO A 5/8" REBAR; THE TRUE POINT OF BEGINNING. CONTAINING 2.205 ACRES, MORE OR LESS.

PARCEL - B

A PARCEL OF LAND SITUATED IN THE NW 1/4, SW 1/4, SECTION 8, T. 14 N., R. 19 E., B.M., CUSTER COUNTY, STATE OF IDAHO; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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SURVEYOR'S CERTIFICATE:

I, William B. Erickson, A Certified Surveyor, Registered In The State Of Idaho, Do Hereby Certify That This Survey Was Made Under My Supervision, And That This Plat Is An Accurate Representation Of Said Survey

Idaho License No. 3577



Custer County Title

This sketch is made solely for the purpose of assisting in locating certain premises and no liability is assumed for variations, if any, in dimensions and locations ascertained by actual survey.

LEGEND:

- = Found B.L.M. Brass Cap Mon.
- = Set 5 1/8" x 30" Rebar with Plastic Cap
- = Found 3/4" Galvanized Iron Pipe

CONNOLLY SURVEY

A PART OF THE NW 1/4, SW 1/4, SECTION 8, T. 14 N., R. 19 E., B.M., Custer County, State of Idaho

DRAWN BY: LUCAS RUDOLPH SEP. 1998
SCALE: 1" = 40 FT. H.E. CONNOLLY INC.

ERICKSON SURVEYING SERVICES
P.O. BOX 1004 MACLEAY IDAHO 83251

C216936
Custer County Rec. of
William Erickson
Time: 2 35 P.M.
10/27/10
Set by: William B. Erickson
Check by: David J. Jones
5/22

JAN 04 2022

SCANNED

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 72-10151

1997 OCT -3 PM 3:23
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

NAME & ADDRESS: LEEROY STEPHENS
BETH N STEPHENS
HC 61 BOX 3028
CHALLIS ID 83226

SOURCE: GROUNDWATER

QUANTITY: 0.02 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 09/02/1985

POINT OF DIVERSION: T14N R19E S03 SENESE Within CUSTER County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE DOMESTIC 1 HOME	PERIOD OF USE 01-01 12-31	QUANTITY 0.02 CFS
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PLACE OF USE: DOMESTIC Within CUSTER County
T14N R19E S03 NESE

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

DATED: OCT - 3 1997

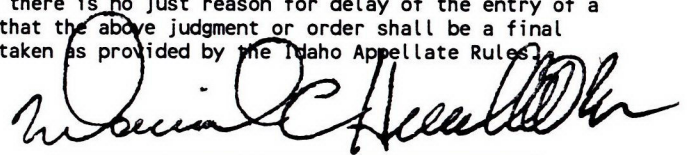


DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

DATED: OCT - 3 1997



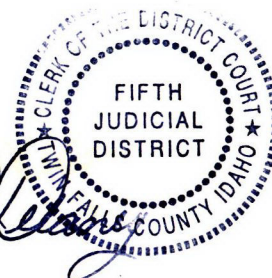
DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

State of Idaho
County of Twin Falls ss.
I hereby certify the foregoing to be a
full, true and correct copy of the
original on file in the above entitled
action.

ROBERT S. FORT
CLERK OF THE DISTRICT
COURT

By _____
Deputy Clerk

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 72-10151



PAGE 1
SEP-12-1997

SCANNED

JUN 09 2023



Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

December 22, 2022

ROBERT HADLEY
MICHELLE A FOOS
PO BOX 789
CHALLIS ID 83226-0789

Re: Change in Ownership for Water Right No(s): 72-10471B, 72-10151

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.

Your application listed two water rights; however one water right is not appurtenant to your property according to the legal description on your Warranty Deed. Because the department could not update ownership in water right 72-10151 you are entitled to a partial refund. The refund will come from the state office in a couple of weeks.

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) 497-3787.

Sincerely,

Jonie Barg
Technical Records Specialist 1

Enclosure(s)

SCANNED

JAN 04 2022

Barg, Jonie

From: Barg, Jonie
Sent: Tuesday, January 3, 2023 10:00 AM
To: IdwrPayable
Subject: Refund Request
Attachments: Receipt(1).PDF

Good afternoon!

I have a refund request as follows:

Receipt number: E048793
Amount: \$25.00
Payable to Robert Hadley
Shelly Foos
PO Box 789
Challis ID 83226

Reason: Ownership Change filed for 2 water rights. 1 water right was appurtenant to their property according to the deed received. Therefore that water right was not updated and they are entitled to a partial refund.

Let me know if you have any questions or need additional information. Have a great day!!!



IDAHO DEPARTMENT OF
WATER RESOURCES

Jonie Barg | Technical Records Specialist

900 N Skyline Drive Ste. A, Idaho Falls, ID 83402

Phone number: (208) 525-7161

Fax number: (208) 525-7177

Email: jonie.barg@idwr.idaho.gov

Website: www.idwr.idaho.gov