

APR 15 2022

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
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?
65-3211A	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: Janet Rae Starr Howlihan and William Howlihan

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Berry Shane Snyder and Carrie O Rear

New owner(s) as listed on the conveyance document

Name connector ☒ and ☐ or3555 Colchester Ct.KnoxvilleTN37920

Mailing address

City

State

Zip

865 603 5007

Email

csorear@gmail.com

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: 10-27-2020

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: Carrie O Rear Title, if applicable: _____ Date: 3/28/2022

Signature of new owner/claimant

Title, if applicable

Date

Print name

- Signature: Berry Shane Snyder Title, if applicable: _____ Date: 3-28-2022

Signature of new owner/claimant

Title, if applicable

Date

Print name

For IDWR Office Use Only:

Received by: CE Date: 04/15/2022 Receipt No. W050328 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: DM Processed by: DM Date: 3-23-23

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
**INSTRUCTIONS FOR FILING A
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

This form has been prepared to assist all claimants and owners of water rights to comply with the requirements of Idaho Code §§ 42-248 and 42-1409(6). All persons owning or claiming ownership of a water right or claim are required to provide notice to the Department of Water Resources (IDWR) of any change in ownership of any part of the water right or claim or of any change in the owner's mailing address within 120 days of the change. Forms to report ownership changes and/or to update an address are available on IDWR's website at www.idwr.idaho.gov/forms/water-rights.html. In addition, all new owners of water rights within a pending general adjudication area must inquire whether a notice of claim has been filed and, if not, shall file a notice of claim if necessary.

A notice is required for changes in ownership from one individual to another, from an individual to a business entity (even if the business is owned by the individual), or from one business entity to another (even if both businesses are owned by the same individual). Adding or removing a name is considered an ownership change which requires the submission of evidence to support the change and the filing fee.

Separate brochures describing the adjudication of water rights and the ownership change notice requirement are available from IDWR. Please contact your nearest IDWR office if you would like more information or need help completing this form. A list of IDWR offices is on page 2 of these instructions, or you can call 1-800-451-4129. Water right information can be found on the IDWR's website using the [Water Right and Adjudication Search](#).

Please note:

- Unlike licensed or decreed water rights, which are real property, water right permits, applications for new water rights, and applications to transfer existing water rights are considered the personal property of the permit holders/applicants. Permit holders and applicants must assign their interest in a permit and/or application to the new owner. Assignment forms are available on the IDWR's website at www.idwr.idaho.gov/forms/water-rights.html, or from any IDWR office. The fee for an Assignment of Permit is \$25. There is no charge for an Assignment of Application for Permit or Application for Transfer.
- If you want to change or add a point of diversion, place of use, season of use, or purpose of use of a water right, you must file an Application for Transfer. The ownership of a water right can also be updated through the transfer process.
- The combined portions of a divided ("split") water right cannot exceed the total flow rate, volume, or period of use of the original right.
- IDWR has no jurisdiction concerning easements, rights-of-way, and zoning matters. The buyer and seller must make these provisions where necessary.
- Any action by IDWR updating the ownership of a water right in IDWR's records is not a determination of water right ownership. Water right ownership disputes arising from a notice of change in water right ownership must be resolved in a water rights adjudication or in an action to quiet title.

LINE INSTRUCTIONS:

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). You may have purchased only a portion of the water right(s) held by the seller. If so, the water right(s) held by the seller may need to be divided ("split") to provide you your share of each right. Mark the box "Yes" if a division of the water right is required.

If you receive water from a municipal provider, an irrigation district or other water delivery organization, and the water rights are held by the organization, please do not use this form to record a change. Please contact the water delivery organization to determine if any action is necessary.

If you or the seller believes there are water rights for the property but you do not know the numbers, you may contact IDWR for assistance in identifying the water rights for the property in question. If adjudication claims for the rights are required and have not been filed, IDWR will so advise you.

2. Fill in the name of the current water right holder/claimant.
3. Fill in each name as listed on the conveyance document and complete the current contact information. For water rights, IDWR will update the ownership to the individual(s)/entities listed on the conveyance document. For active adjudication claims, IDWR will update the claimant information to match the conveyance document unless the new claimant provides good cause for the variance.
4. You may have acquired only a portion of the water right(s) held by the seller. If you did not acquire the entire water right/property, please check the appropriate box. Water rights are often conveyed as an appurtenance to the land where they are used, and the conveyance document for the land often does not have specific language regarding the water right. Please read your deed or other conveyance document carefully to be sure. When the conveyance document does not specifically address water rights, it will be assumed that the water rights are to be split proportionate to the amount of land acquired.

MAY 22 2023



Instrument # 433912
VALLEY COUNTY, CASCADE, IDAHO
10-27-2020 16:08:22 No. of Pages: 2
Recorded for: AMERITITLE - CASCADE
DOUGLAS A. MILLER Fee: \$15.00
Ex-Officio Recorder Deputy: RRC
Electronically Recorded by Simplifile

WARRANTY DEED

Order No.: 402609AM

FOR VALUE RECEIVED

Janet Rae Houlihan and William J. Houlihan, wife and husband

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

Barry Shane Snyder, an unmarried man and Carrie S. O'Rear, an unmarried woman
whose current address is:
3555 Colchester Court
Knoxville, TN 37920

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

See attached Exhibit 'A'

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: 10/23/2020

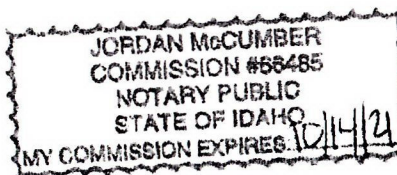
Janet Rae Houlihan
Janet Rae Houlihan
William J. Houlihan
William J. Houlihan

State of Idaho } ss
County of Valley }

On this 23rd day of October, 2020, before me, JORDAN MCCUMBER a Notary Public in and for said state, personally appeared Janet Rae Houlihan and William J. Houlihan, 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.

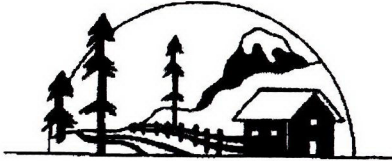
Notary Public for the State of Idaho
Residing at: Danville, ID
Commission Expires: 10/14/2021



SCANNED

MAY 22 2023

Exhibit A



SKIFTUN LAND SURVEYING, INC.

LOTS - BOUNDARY - TOPOGRAPHY - ALTA
SUBDIVISIONS - CONSTRUCTION - FLOOD DATA

Working hard to protect your property investment!

FEBRUARY 8, 2018

Page 1 of 1

**JANET RAE & WILLIAM J. HOULIHAN
N1/2 S1/2 NE1/4, SEC. 15, T. 17 N., R. 3 E., B.M.
VALLEY COUNTY, IDAHO
5.032 ACRES**

A parcel of land situate in the N1/2 S1/2 NE1/4 of Section 15, T. 17 N., R. 3 E., B.M., Valley County, Idaho, more particularly described as follows:

Commencing at a 5/8" rebar marking the Quarter Corner common to Sections 10 and 15, T. 17 N., R. 3 E., B.M., Valley County, Idaho; thence, S. 00°19'26" W., 1,321.33 feet to the Center North 1/16 Corner of said Section 15; thence, S. 89°12'46" E., 30.61 feet along the northerly boundary of the S1/2 NE1/4, of said Section 15, to a 5/8" rebar on the easterly right-of-way of State Highway 55, (shown as 31.24' to a 1/2" rebar) on that particular Record of Survey, recorded as Instrument No. 227902, in Book 5, on Page 514 of Surveys, in the Office of the Recorder of Valley County, Idaho, the **REAL POINT OF BEGINNING**:

Thence, S. 89°12'46" E., 279.99 feet along the northerly boundary of said S1/2 NE1/4, to a 1/2" rebar, as shown on that particular Record of Survey, recorded as Instrument No. 227902, in Book 5, on Page 514, of Surveys, in the Office of the Recorder of Valley County, Idaho,
Thence, continuing S. 89°12'46" E., 1,018.28 feet along the northerly boundary to a 5/8" rebar,
Thence, S. 0°20'13" W., 165.00 feet to a 5/8" rebar,
Thence, N. 89°33'10" W., 1,298.31 feet to a 1/2" rebar on the easterly right-of-way of State Highway 55,
thence, N. 00°21'45" E., 172.71 feet along said easterly right-of-way to the **Point of Beginning**,
containing 5.032 acres, more or less.

Bearings based on GPS derived State Plane Grid Azimuth, Idaho West Zone 1103.

Rod M. Skiftun - P.L.S. 9585
13784 Highway 55 McCall, ID 83638
208-634-3696/Fax 208-634-8475
E-mail: rskiftun@frontiernet.net



SCANNED

MAY 22 2023

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

3/23/2023

Water Right 65-3211A

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BARRY S SNYDER 3555 COLCHESTER CT KNOXVILLE, TN 37920-3576 (865) 603-5007
Current Owner	CARRIE S O REAR 3555 COLCHESTER CT KNOXVILLE, TN 37920-3576 (865) 603-5007
Original Owner	DONNA COLENBAUGH C/O TERI NORELL 2308 SUNSET AVE BOISE, ID 83702 (208) 336-7229
Original Owner	C W COLENBAUGH LAKE FORK, ID 83635
Previous Owner	JANET RAE STARR PO BOX 885 13712 HWY 55 MC CALL, ID 83638 (208) 634-2660

Priority Date: 12/12/1903

Basis: Decreed

Status: Active

Source

LAKE FORK

Tributary

NORTH FORK PAYETTE RIVER

Beneficial Use

IRRIGATION

From

5/01

To

9/15

Diversion Rate

0.091 CFS

Volume

Total Diversion

0.091 CFS

Source and Point(s) of Diversion:

LAKE FORK

NESENE

Sec. 3, Twp 17N, Rge 03E, VALLEY County

Place Of Use:

IRRIGATION within VALLEY County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

3/23/2023

17N	03E	15			5.0												5.0
POU Total Acres: 5.0																	

Conditions of Approval:

1. C20 Basin 65 General Provisions No. 3, the Separate Streams General Provision, does not apply to appropriations of water after October 18, 1977. This water right shall be administered as being from a separate source pursuant to Basin 65 General Provision No. 3. If the holder of this right seeks to change the right pursuant to Idaho Code § 42-222 or successor statute, nothing in this general provision shall preclude any other person or entity from demonstrating that such change in use would cause injury to its water right or from receiving any relief provided by law in the event of injury.
2. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
3. WATER IS DELIVERED THROUGH WEST SIDE DITCH.

Dates and Other Information:

Decreed Date: 6/29/2004
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: 65K
Mitigation Plan: False

Combined Use Limits:

N/A

SubCase:

SubCaseNumber: 65-3211A
Class: 1
SF5 Filed Date:
Special Master Recom Signed Date:
Attorney Assigned:
Adjudication Agent:
Basis of Claim: Decreed
Date Filed: 6/9/2000
Objection Status: Active

Water Supply Bank:

N/A

SCANNED

MAY 22 2023



Western Region • 2735 W Airport Way • Boise, ID 83705-5082

Phone: 208-334-2190 • Fax: 208-334-2348 • Email: westerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

March 23, 2023

BARRY S SNYDER & CARRIE S O REAR
3555 COLCHESTER CT
KNOXVILLE TN 37920-3576

Re: Change in Ownership for Water Right No(s): **65-3211A**

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)605-4631.

Sincerely,

Debra Mansfield
Office Specialist II

Enclosure(s)

SCANNED

MAY 22 2023