

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

DE RECEIVED

FEB 27 2023

WATER RESOURCES
WESTERN REGION

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?
79-10377	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: LYLE A SHAW
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Dianne Crea
New owner(s) as listed on the conveyance document

PO BOX 294 WHITE BIRD ID 83554
Mailing address City State Zip
208-839- 3624
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: 2013
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: Dianne Crea OWNER 2-24-23
Signature of new owner/claimant Title, if applicable Date
DIANNE CREA
Print name

Signature: _____
Signature of new owner/claimant Title, if applicable Date

Print name

For IDWR Office Use Only:

Received by DM Date 2-27-23 Receipt No. W051040 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 dj Date 3/8/23

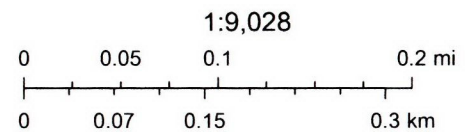
SCANNED
MAR 13 2023

Application for Water Right



2/17/2023, 3:30:08 PM

- Lines
- Quarter Quarters
 - Override 1 PLS Sections
 - Override 2 Townships
 - Override 3 Idaho Outline
 - Counties Idaho Mask



Created by NRCS from 1:24,000 scale USGS topographic maps, Esri, HERE, iPC, Maxar

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MAR 13 2023

491408

IDAHO COUNTY, IDAHO,
8-26-2013 11:14:57 No. of Pages: 5
Recorded for : IDAHO COUNTY TITLE
KATHY M. ACKERMAN Fee: 22.00
Ex-Officio Recorder Deputy *[Signature]*

WARRANTY DEED

GRANTORS, EDWIN H. RIGGS and PATRICIA A. MACKIE, husband and wife, of 2454 E. Omer St., Meridian, ID 83646, for good and valuable consideration, the receipt of which is hereby acknowledged, do hereby grant, bargain, sell and convey to DIANNE M. CREA, a single woman, of P.O. Box 294, White Bird, ID 83554, as GRANTEE, and the Grantee's heirs and assigns forever, all of the following described real estate located in the County of Idaho, State of Idaho, to wit:

See Schedule C, attached hereto and incorporated herein by this reference.

TOGETHER WITH, all improvements, water, water rights, ditches, ditch rights, easements, hereditaments, and appurtenances thereto.

SUBJECT TO:

- 1) General taxes for the year 2013, which are a lien, not yet due and payable.
- 2) Easement as set forth in Warranty Deed, including the terms and conditions thereof, by and between Foster Richardson and T.M. Richardson, his wife, and F.M. Mitchell, recorded January 22, 1909 under Instrument No. 9922, Book 28, page 423, records of Idaho County, Idaho.
- 3) Terms and conditions in Easement, by and between Edna L. Jones and Pacific Telephone & Telegraph Co. recorded September 30, 1968 under Instrument No. 94493, Book 59, page 107; Assignment of Easement, recorded September 3, 1968 under Instrument No. 232099, Book 109, page 178, all records of Idaho County, Idaho.
- 4) Easement and reservation for Right of Way for road and water distribution 25 feet wide adjoining the East right of way line of State Highway as set forth in Warranty Deed, including the terms and conditions thereof, by and between Edna L. Jones and Bridget Nelson, recorded November 14, 1941 under Instrument No. 136684, Book 71, page 206, and also Quitclaim records under Instrument No. 159383, Book 80, page 570, recorded April 26, 1948, records of Idaho County, Idaho.
- 5) Right of Way Easement as set forth in Warranty Deed, including the terms and conditions thereof, by and between Bridget Nelson and L.B. McGovern and Goldie McGovern, recorded June 18, 1948 under Instrument No. 159856, Book 81, page 47, records of Idaho County, Idaho.

6) *Order of the State Reclamation Engineer Creating and Organizing Flood Control District No. 6 of the State of Idaho*, including the terms and conditions thereof, recorded May 5, 1958 under Instrument No. 194159, Book 91, page 578, records of Idaho County, Idaho.

7) Easement for Construction and Maintenance of Water Line, including the terms and conditions thereof, by and between Bridget Nelson and The Village of White Bird, Idaho, recorded April 6, 1964 under Instrument No. 215053, Book 100, page 475, records of Idaho County, Idaho.

8) Easement Deed, including the terms and conditions thereof, by and between Bridget Nelson and Flood Control District No. 6, a quasi-municipal corporation, recorded November 18, 1964 under Instrument No. 217612, Book 102, page 90, records of Idaho County, Idaho.

9) Easement, including the terms and conditions thereof, by and between John L. Woods and Gertrude J. Woods, and City of White Bird, recorded March 5, 1980 under Instrument No. 283983, records of Idaho County, Idaho.

10) Matters as shown on Survey No. S-720, recorded November 7, 1991 under Instrument No. 360989; Survey No. S-1003, recorded April 5, 1995 under Instrument No. 379590; Survey No. S-1232, recorded November 5, 1996 under Instrument No. 390024; Survey No. S-1635 recorded April 29, 1999 under Instrument No. 405761; Survey No. S-1935, recorded February 12, 2002 under Instrument No. 421028; and, Affidavit, recorded April 14, 2003 under Instrument No. 428083, all records of Idaho County, Idaho.

11) Any loss or damages arising by reason of the ambiguity or lack of precision in the legal description.

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said Grantee, her heirs and assigns, forever. And the said Grantors do hereby covenant to and with the said Grantee that they are the owners in fee simple of said premises; that it is free from all encumbrances, and that they will warrant and defend the same from all lawful claims whatsoever, EXCEPT General taxes for the year 2013 and easements, reservations, restrictions, and rights of way of record or in use.

Except as otherwise expressly provided in this instrument, Grantors hereby declare, pursuant to Title 5, Chapter 2 of the Idaho Code, that in the event Grantors shall have permitted or suffered, at any time prior to the making of this instrument, any person or entity to possess, use, or occupy the above-described premises, or any

portion thereof, for any purpose, with or without the knowledge of Grantors, it was not the intent of Grantors, by permitting or suffering such possession, use, or occupation to thereby define property boundaries or ownership thereof.

In construing this Deed, and where the context so requires, the singular includes the plural and the masculine, the feminine, and the neuter.

IN WITNESS WHEREOF, the said Grantors have hereunto set their hands and seals the day and year first above written.

Edwin H. Riggs
EDWIN H. RIGGS

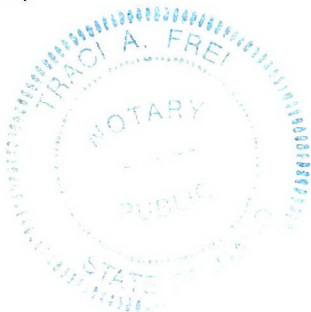
Patricia A Mackie
PATRICIA A. MACKIE

STATE OF Idaho)
County of Idaho)
SS

On this 23rd day of August, 2013, before me, a Notary Public in and for said County and State, personally appeared EDWIN H. RIGGS and PATRICIA A. MACKIE, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they freely executed the same.

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

(NOTARY SEAL)



Thaci A. Frei
Notary Public for the State of Idaho,
Residing at Grangeville, therein.
My commission expires 2/1/2017.

WARRANTY DEED - 3

Channie M. Orea

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MAR 13 2023

SCHEDULE C

Township 28 North, Range 1 East, Boise Meridian, Idaho County, Idaho
Section 14:

A parcel of land located in the City of White Bird in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, more particularly described as follows:

Commencing at a brass cap marking the Center $\frac{1}{4}$ corner of said Section 14;

thence N 00°09'56" E, 355.98 feet;
thence N 61°16'14" W, 527.50 feet to the northwesterly corner of Idaho County Assessor's Tax No. 57 as shown on Record of Survey, S-1232, recorded as Instrument No. 390024, records of Idaho County, Idaho, a $\frac{1}{2}$ " rebar marking an angle point on the line common to said Assessor's Tax Nos. 57 and 59, the Real Point of Beginning;
thence S 61°16'14" E, 280.50 feet;
thence N 38°47'46" E, 340.00 feet;
thence N 57°51'20" W, 78.55 feet to an existing fence;
thence continuing N 57°51'20" W, 244.01 feet along said existing fence to a fence corner;
thence continuing N 57°51'20" W, 5.15 feet to the southeasterly right of way of Old U.S. Highway 95, as shown on Record of Survey, S-1635, recorded as Instrument No. 405761, records of Idaho County, Idaho;
thence S 41°08'16" W, 20.60 feet along said southeasterly right of way;
thence 200.74 feet along said southeasterly right of way on a curve to the left, whose delta angle is 10°18'21", radius is 1116.00 feet;
thence S 30°50'00" W, 134.59 feet along said southeasterly right of way;
thence S 59°08'19" E, 21.90 feet to the Point of Beginning.

LESS:

Any part of the following described land contained in the above tract as described in a document recorded December 9, 1907, under Instrument No. 4515, Book 26, Page 625, records of Idaho County, Idaho:

A strip of land 10 feet wide being 5 feet on each side of the following described line:
Beginning at a point about 670 feet North and about 250 feet West of the center of Section 14, said Township and Range;
thence South about 24° West, about 300 feet;
thence South about 32° West, 300 feet;
thence southerly about 35 feet to a point about 97 feet North and about 533 feet West of the Center of said Section 14;
thence South about 10° West, about 50 feet;
thence South about 18° East, about 52 feet to the East/West centerline of said Section 14.

ALSO LESS:

Any part of the following described land contained in the above tract as described in the document recorded January 22, 1909, under Instrument No. 9922, Book 28, Page 423, records of Idaho County, Idaho:

A strip of land 10 feet wide at all places along the entire length thereof, of which the following described line is the westerly boundary:
Beginning at a point on the West bank of White Bird Creek which is located 682.5 feet North and 269.1 feet West of the center of Section 14, said Township and Range;
thence S 19°52' W 94.5 feet;
thence S 22°52' W, 50.0 feet;
thence S 28°27' W, 200.00 feet;
thence S 28°02' W, 250 feet;
thence S 02°45' W, 94.91 feet;

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MAR 13 2023

SCHEDULE C
(Continued)

thence S 29°04' E to the intersection of East/West centerline of said Section 14.

ALSO LESS:

Any part of the following described land contained in the above tract as described in the document recorded September 8, 1921 as Instrument No. 65557 in Book 47 of Deeds at Page 510, records of Idaho County, Idaho:

Beginning at a point on the East subdivision line of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 14 where the bluff of White Bird Creek intersects said subdivision line;
thence southwesterly along the base of said bluff to the East line of the right of way for flume or ditch (referred to above);
thence southwesterly along said right of way, 495 feet, more or less, to the South subdivision line of said SE $\frac{1}{4}$ NW $\frac{1}{4}$;
thence East 495 feet, more or less, to the Southeast corner of said SE $\frac{1}{4}$ NW $\frac{1}{4}$;
thence North to the Place of Beginning.

(end schedule c)

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MAR 13 2023

02/01/2005

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 79-10377

NAME AND ADDRESS: LYLE A SHAW
PO BOX 123
WHITE BIRD ID 83554

LOIS J SHAW
PO BOX 123
WHITE BIRD ID 83554

SOURCE: WHITE BIRD CREEK

TRIBUTARY: SALMON RIVER

QUANTITY: 0.020 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 11/14/1941

POINT OF DIVERSION:

T28N R01E S14 SENW Within IDAHO County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
DOMESTIC

PERIOD OF USE
01/01 12/31

QUANTITY
0.020 CFS

PLACE OF USE: DOMESTIC Within IDAHO County

T28N R01E S14 SENW

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

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.

The quantity of water decreed for this water right is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: Beneficial Use

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MAR 13 2023

421841

WARRANTY DEEDCOMPUTER
INDEXED
SCANNED

For Value Received, LYLE A. SHAW and LOIS J. SHAW, HUSBAND AND WIFE

the Grantors, do hereby grant, bargain, sell and convey unto
PATRICIA A. MACKIE and EDWIN H. RIGGS, WIFE AND HUSBAND

whose address is: 9893 W. ANTIETAM ST, BOISE, ID 83709

the Grantee, the following described premises, to-wit:

SEE EXHIBIT "C" ATTACHED

TO HAVE AND TO HOLD the premises with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises that said premises are free from all encumbrances except the 2002 taxes and assessments and that they will warrant and defend the same from all lawful claims whatsoever.

Dated:

LYLE A. SHAW

State of)

County of)

Lois J. Shaw
Bill H. Riggs
LOIS J. SHAW
as atty. in fact
for Lois J. Shaw

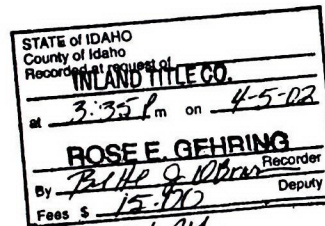
On the _____ day of _____, 2001 before me, _____

a notary public in and for said State, personally appeared LYLE A. SHAW and LOIS J. SHAW known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Notary Public

Residing at: _____

Commission Expires: _____



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MAR 13 2023

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 79-10377

NAME AND ADDRESS: LOIS J SHAW
LYLE A SHAW
PO BOX 123
WHITE BIRD, ID 83554

SOURCE: WHITE BIRD CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.02 CFS

The quantity of water under this right shall not exceed 13,000
gallons per day.

PRIORITY DATE: 11/14/1941

POINT OF DIVERSION: T28N R01E S14 SENW Within Idaho County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic	01-01 TO 12-31	0.02 CFS

PLACE OF USE: Domestic Within Idaho County
T28N R01E S14 SENW

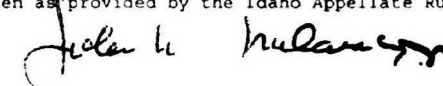
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed for this water right is not a
determination of historical beneficial use.

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. I.C. SECTION 42 1412(6).

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.



John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication



IDAHO DEPARTMENT OF
WATER RESOURCES

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 Gary Spackman

March 10, 2023

DIANNE M CREA
PO BOX 294
WHITE BIRD ID 83554-0274

Re: Change in Ownership for Water Right No: 79-10377

Dear Water Right Holder:

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right 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) 287-4920 or debbi.judd@idwr.idaho.gov.

Sincerely,

Debbi Judd
Technical Records Specialist

Enclosures

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MAR 13 2023