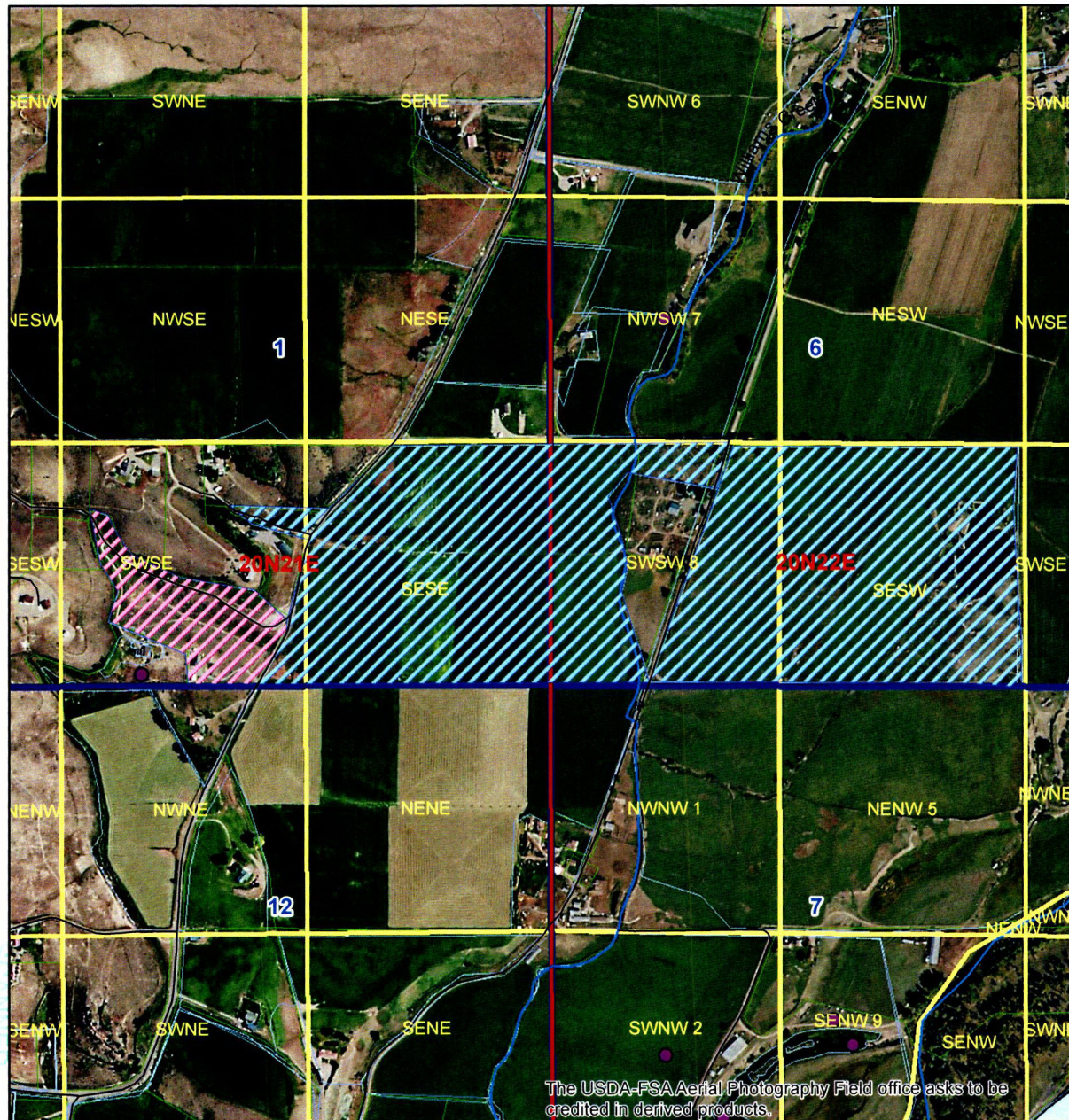


2/28/2023

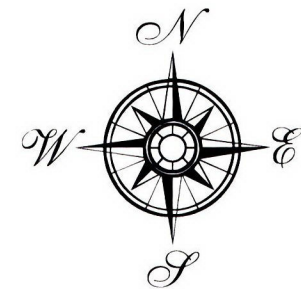
SCANNED
75-27D
FEB 28 2023

Idaho Department of Water Resources



Legend

-  POU 75-15066 After Split
-  POU 75-27D After Split
-  Township/Range
-  Sections
-  QQ
-  Parcels



Layout Created By:
Jonie Barg

The USDA-FSA Aerial Photography Field office asks to be credited in derived products.

FEB 28 2023

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

2/28/2023

Water Right 75-27D (Before Split)

Owner Type **Name and Address**
Current Owner RANDY M CAPPS
87 CORBETT LN
SALMON, ID 83467-5072
(208) 756-2997

Priority Date: 5/1/1886

Basis: Decreed

Status: Active

Source
WILLIAMS CREEK

Tributary
SALMON RIVER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	11/01	2.340 CFS	
	Total Diversion		2.340 CFS	

Source and Point(s) of Diversion:

WILLIAMS CREEK	NESE	Sec. 12, Twp 20N, Rge 21E, LEMHI County
WILLIAMS CREEK	L1(NENE)	Sec. 11, Twp 20N, Rge 21E, LEMHI County

Place Of Use:

IRRIGATION within LEMHI County

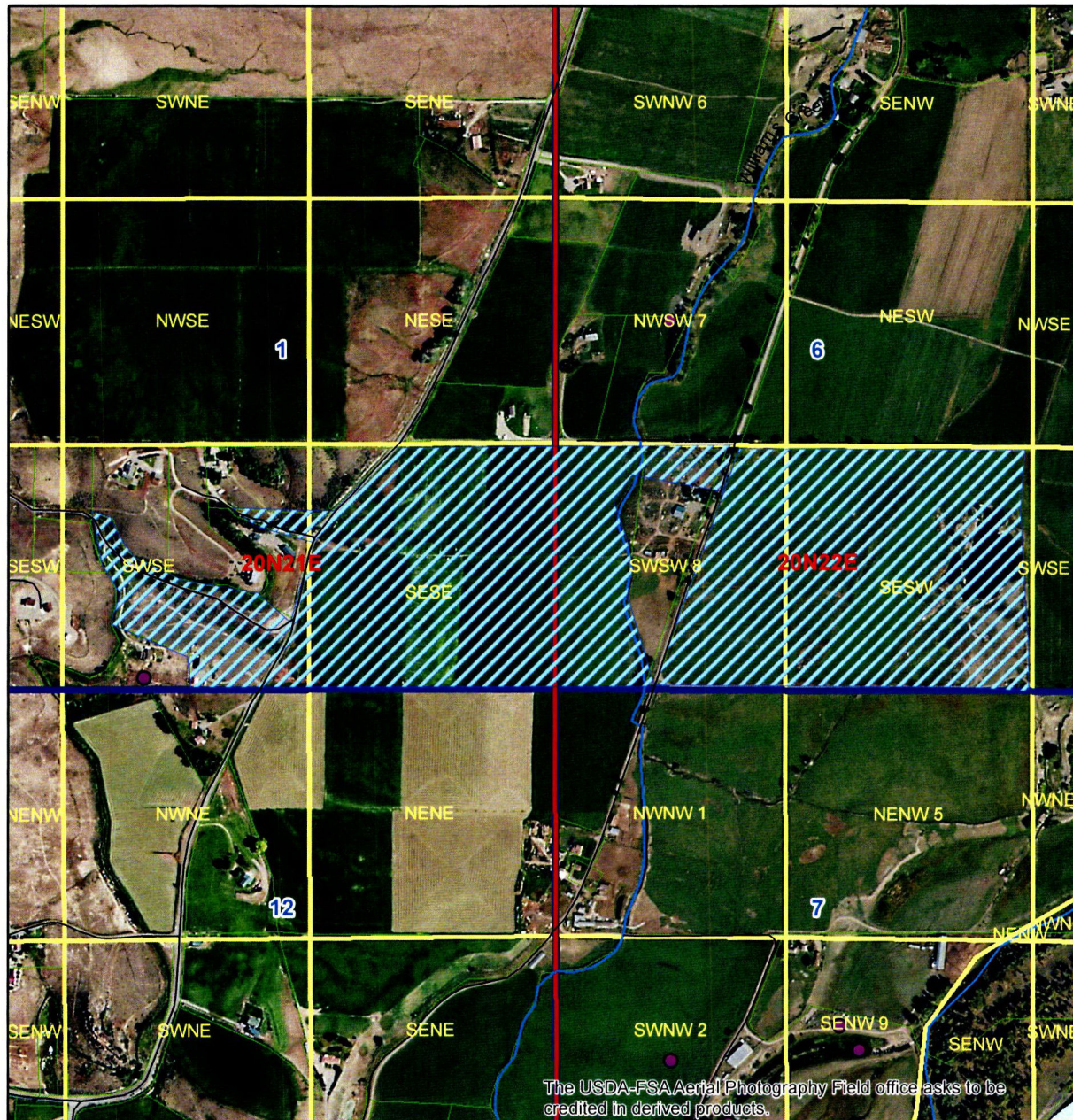
			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
20N	21E	1															13.0	37.0	50.0
20N	22E	6											29.0 L8	38.0					67.0

POU Total Acres: 117.0

Conditions of Approval:

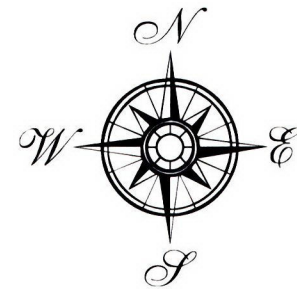
1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Idaho Department of Water Resources



Legend

- POU 75-27D Before Split
- Township/Range
- Sections
- QQ
- Parcels



Layout Created By:
Jonie Barg

The USDA-FSA Aerial Photography Field office asks to be credited in derived products.

FEB 28 2023

SCANNED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

FEB 22 2023

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?
75-27 DOK	Yes ☒	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
75-27D 75-15066	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name:

Randy Capps

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s):

George V O'Donnell Lisa G O'Donnell

New owner(s) as listed on the conveyance document

Name connector ☐ and ☒ or

187 Williams Creek RD

Salmon

ID

83467

Mailing address

City

State

Zip

907 3503 009

Email

hegtoplumber@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: June 3 2017

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]

Signature of new owner/claimant

George V O'Donnell

Print name

Title, if applicable

14 Feb 2023

Date

- Signature:

[Signature]

Signature of new owner/claimant

Lisa O'Donnell

Print name

Title, if applicable

2-14-2023

Date

For IDWR Office Use Only:

Received by JB Date 2/22/2023

Receipt No. E0489116

Receipt Amt. \$100.-

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 JB

Processed by JB

Date 2/28/2023

FEB 27 2023

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 and water right permits, which are real property, applications for new water right permits, applications to transfer existing water rights, and other applications are considered the personal property of the applicants. Applicants must assign their interest in an application to the new applicant. Assignment forms are available on the IDWR's website at www.idwr.idaho.gov/forms/water-rights.html, or from any IDWR office. There is no charge for assignments of applications.
- 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.

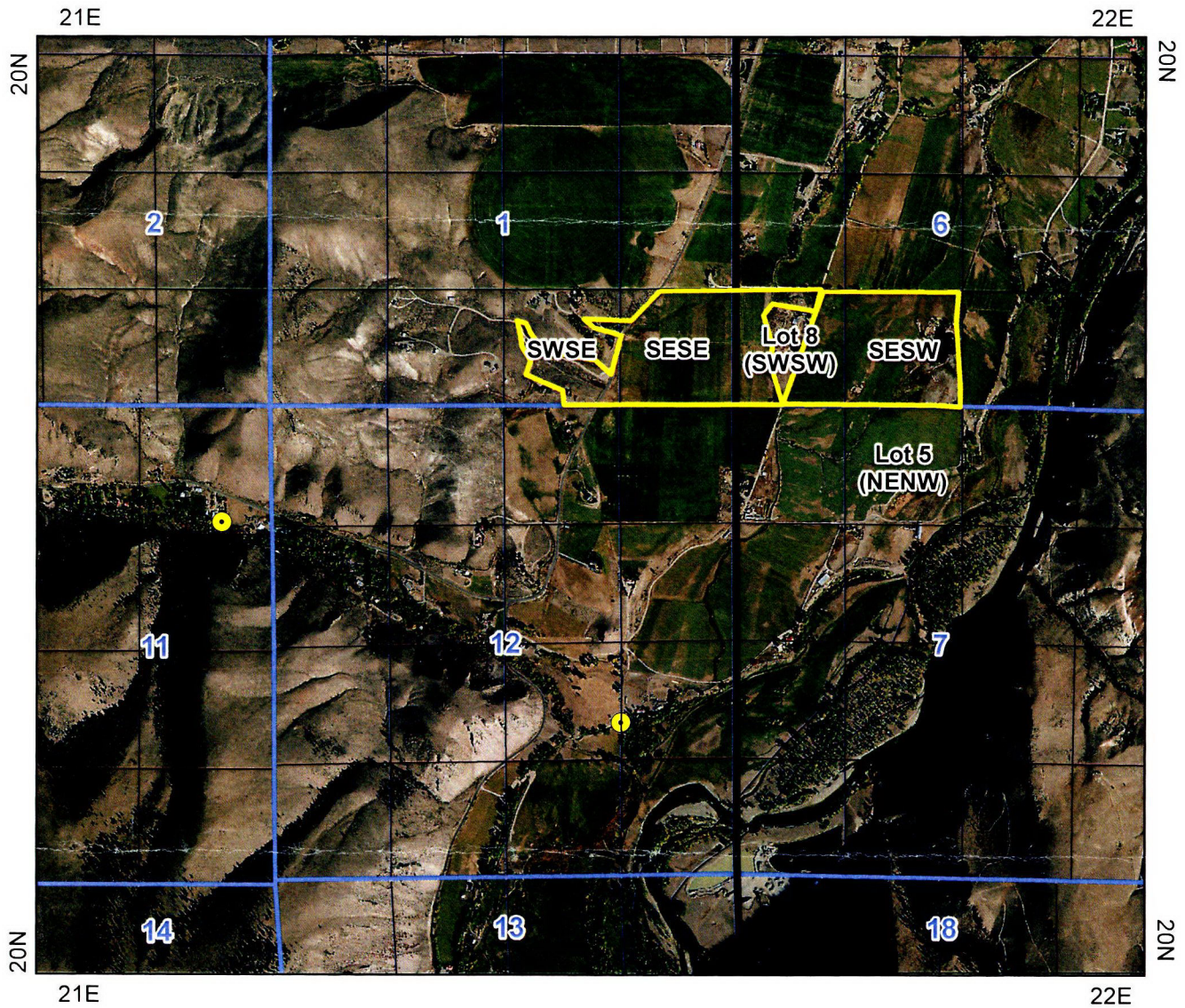
If you or the seller believes there are water rights for the property but you do not know the numbers, you may contact IDWR for assistance in identifying the water rights for the property in question. If adjudication claims for the rights are required and have not been filed, IDWR will so advise you.

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.

State of Idaho
Department of Water Resources

Water Right

75-27 D



0 0.225 0.45 0.9 Miles

- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters
- Point of Diversion



SCANNED

FEB 23 2023

Instrument # 305796 # Pages: 2
LEMHI COUNTY, Idaho
Jun 06, 2017 10:45:42 am Fee: \$ 13.00
For: LEMHI TITLE
TERRI J. MORTON, Recorder
HSMITH, Deputy

Warranty Deed

For Value Received

Gene Seimas, a single man

the grantors, do hereby grant, bargain, sell and convey unto

George O'Donnell and Lisa O'Donnell, husband and wife

Whose current address is:

**187 Williams Creek Rd.
Salmon, ID 83467**

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

See Attached Legal Description as Exhibit 'A'

TO HAVE AND TO HOLD, the said 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 they are free from all encumbrances EXCEPT: Subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes, assessments, including irrigation and utility easements (if any) for the current year, which are not due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: June 3, 2017

Mary Jane Tucker POA
Gene Seimas by Mary Jane Tucker, POA

STATE OF Idaho)
COUNTY OF Canyon) ss

On this 3 day of June, in the year 2017, before me a notary public in the above referenced state, personally appeared Mary Jane Tucker, known or identified to me (or proved to me on the oath of _____), to be the person whose name is subscribed to the within instrument as the attorney in fact of Gene Seimas, and acknowledged to me that she subscribed the name of Gene Seimas thereto as principal, and her own name as attorney in fact.

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

JAMES L. HANSON
NOTARY PUBLIC
STATE OF IDAHO

[Signature]
Notary Public for Idaho
Residing at Nampa
My Commission Expires: FEB 01 2022

Exhibit 'A'
Legal Description



WADE SURVEYING
Global Positioning Service
Land Surveying and Planning
104 S. Warpath St.
Salmon, Idaho 83467

Phone: (208)-756-3070

May 10, 2005

PARCEL "B"

A Parcel of Land Located in the S 1/2, Section 1, T. 20 N., R. 21 E., Boise Meridian, Lemhi County, Idaho, More particularly described as follows.

Commencing at the S 1/4 Corner of said Section 1 from which the SE Corner of said section bears N 89°47'12" E 2639.72 ft., the Basis Of Bearing of this description, Run thence N 89°21'48" E along an existing fence a distance of 675.45 ft. to the Point Of Beginning;

Thence N 00°00'59" W 203.58 ft.;

Thence N 69°34'40" W a distance of 448.00 ft. to a point on the boundary of Summerhill Subdivision;

Thence the following courses and distances along said boundary:

N 12°00'09" E 116.76 ft.; N 01°31'03" W 71.00 ft.;

N 26°22'27" W 107.67 ft. to a point on the boundary of

Martin Capps Subdivision;

Thence the following courses and distances along said boundary:

N 36°59'44" W 70.31 ft.; N 16°04'35" W 194.12 ft.;

N 07°41'47" E 78.67 ft.; S 74°57'39" E 117.04 ft.;

S 20°59'28" E 178.42 ft.; S 53°25'14" E 100.09 ft.;

S 74°49'23" E 112.97 ft.; S 53°05'23" E 51.70 ft.;

S 53°30'13" E 58.06 ft.; S 76°17'54" E 170.12 ft.;

N 87°10'17" E 103.98 ft.; S 68°20'41" E 182.63 ft.;

Thence S 58°29'21" E a distance of 217.68 ft. to a point on the westerly Right-Of-Way of Williams Creek Road;

Thence the following courses and distances along said Right-Of-Way:

205.94 ft. along a curve to the right, having a chord of

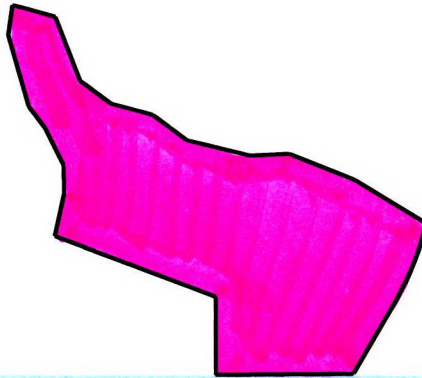
S 21°05'09" W 205.16 ft., a delta of 17°16'54" and a radius

of 682.77 ft.; S 29°43'35" W 229.17 ft. to a point on an

existing fence line;

Thence S 89°22'10" W along said fence a distance of 360.71 ft. to the Point Of Beginning.

OK to data enter
Split Required.



O'Donnell Property

2/22/2023

Scale: 1 inch= 500 feet

File:

Tract 1: 10.4025 Acres, Closure: n30.5021e 0.34 ft. (1/9856), Perimeter=3379 ft.

01 /se,sw,1,20n,21e
02 /n89.2148e 675.45
03 n00.0059w 203.58
04 n69.3440w 448.00
05 n12.0009e 116.76
06 n01.3103w 71.00
07 n26.2227w 107.67
08 n36.5944w 70.31
09 n16.0435w 194.12
10 n07.4147e 78.67
11 s74.5739e 117.04
12 s20.5928e 178.42
13 s53.2514e 100.09
14 s74.4923e 112.97

15 s53.0523e 51.70
16 s53.3013e 58.06
17 s76.1754e 170.12
18 n87.1017e 103.98
19 s68.2041e 182.63
20 s58.2921e 217.68
21 Rt, r=682.77, delta=017.1654, arc=205.94, chord=s21.0509w 205.16
22 s29.4335w 229.17
23 s89.2210w 360.71

SCANNED

FEB 28 2023



IDAHO DEPARTMENT OF
WATER RESOURCES

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

February 28, 2023

GEORGE O DONNELL
187 WILLIAMS CREEK RD
SALMON ID 83467-5279

Re: Change in Water Right Ownership: 75-27 D (Split into 75-27 D and 75-15066),

Dear Water Right Holder(s):

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

Your portion of each water right(s) has a specified point of diversion, nature of use and place of use. If you plan to change the authorized point of diversion, nature of use, or place of use, including adding a new point of diversion, you must file an Application for Transfer of Water Right. If you do not plan to change any elements of your water right, then no further action is required at this time.

The portion of the water right retained by the original right holder retains the original water right number. The Department is sending the original right holder a copy of this letter and a computer-generated report showing the changes to the original water right.

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)

cc: WATER DISTRICT 75A
WATER DISTRICT 170
RANDY CAPPS

SCANNED

FEB 28 2023