

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAY 10 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?
43-9959-B	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: Carrol Whittaker
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Robert Whittaker
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or

22 Colleen Lane Boise ID 83716
Mailing address City State Zip
208-342-1364 linn leah⁸⁴@gmail.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: 1/20/83 2005

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] 5-10-23
Signature of new owner/claimant Title, if applicable Date

Robert Whittaker
Print name

Signature: [Signature] 5-10-23
Signature of new owner/claimant Title, if applicable Date

Linda Whittaker
Print name

For IDWR Office Use Only:

Received by DM Date 5-10-23 Receipt No. WOS1222 Receipt Amt. \$2500

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 6-16-2023

CERTIFICATE OF VITAL RECORD

STATE OF IDAHO

IDAHO DEPARTMENT OF HEALTH AND WELFARE
BUREAU OF HEALTH POLICY AND VITAL STATISTICS

CERTIFICATE OF DEATH

RECEIVED

JUN 16 2023

WATER RESOURCES
WESTERN REGION

Date Filed DECEMBER 14, 2004

State File No. 2004-09031

DECEDENT - LEGAL NAME

STELLA THYRZA WHITTAKER

SEX

FEMALE

SOCIAL SECURITY NUMBER

519-24-6065

AGE

77 YEARS

DATE OF BIRTH

APRIL 02, 1927

BIRTHPLACE

VIOLA, WYOMING

PLACE OF RESIDENCE

BOISE, IDAHO

MARITAL STATUS AT TIME OF DEATH

MARRIED

NAME OF SURVIVING SPOUSE (If wife, maiden name)

CARROL FRANK WHITTAKER

WAS DECEDENT EVER IN
U.S. ARMED FORCES?

NO

FATHER - NAME

THOMAS OSCAR HENDERSON

BIRTHPLACE

OHIO

MOTHER - MAIDEN NAME

THYRZA H. HEWITT

BIRTHPLACE

MICHIGAN

METHOD OF DISPOSITION

BURIAL

FUNERAL SERVICE LICENSEE

DORN RADEMACHER

NAME AND ADDRESS OF FUNERAL FACILITY

RELYEA FUNERAL CHAPEL, BOISE, IDAHO

DATE OF DEATH

DEC. 03, 2004

TIME OF DEATH

1:30 A.M.

CITY, TOWN OR LOCATION OF DEATH

BOISE, IDAHO

COUNTY OF DEATH

BOISE

CAUSE OF DEATH (underlying cause last)

OVARIAN CARCINOMA

Approximate Interval Between
Onset and Death

3 YEARS

DUE TO (or as a consequence of)

b

DUE TO (or as a consequence of)

c

DUE TO (or as a consequence of)

d

OTHER SIGNIFICANT CONDITIONS CONTRIBUTING TO DEATH but not resulting in the underlying cause given above

NONE STATED

WAS AN AUTOPSY
PERFORMED?

NO

MANNER OF DEATH

NATURAL

NAME OF CERTIFIER

PAUL G. MONTGOMERY, M.D.

TITLE

PHYSICIAN

CORONER SUBSEQUENT CERTIFICATION IF NECESSARY

EXTERNAL CAUSES ONLY

DATE OF INJURY

TIME OF INJURY

PLACE OF INJURY

INJURY AT
WORK?

LOCATION WHERE INJURY OCCURRED

DESCRIPTION OF HOW INJURY OCCURRED

SCANNED

JUN 16 2023

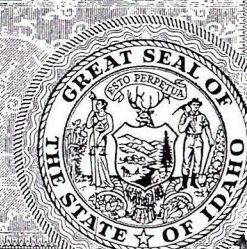
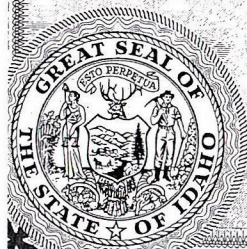
This is a true and correct reproduction of the document officially registered and placed
on file with the IDAHO BUREAU OF HEALTH POLICY AND VITAL STATISTICS

DATE ISSUED: DECEMBER 16, 2004

This copy is not valid unless prepared on engraved border
displaying state seal and signature of the Registrar

Jane S. Smith

JANE S. SMITH
STATE REGISTRAR



QUITCLAIM DEED

Instrument # 202270

IDAHO CITY, BOISE COUNTY, IDAHO

2005-05-31

10:19:16 No. of Pages: 1

Recorded for: CARROL F. WHITTAKER

RORA A. CANODY

Fee: 3.00

Ex-Officio Recorder Deputy

Index to: DEEDS

FOR VALUE RECEIVED,

Carrol F. Whittaker

GRANTOR, DOES HEREBY GRANT, BARGAIN, SELL AND CONVEY
UNTO:

Robert E. Whittaker

GRANTEE, WHOSE CURRENT MAILING ADDRESS IS:

22 Colleen Lane Boise, Idaho, 83716

THE FOLLOWING DESCRIBED REAL PROPERTY LOCATED IN BOISE
COUNTY, STATE OF IDAHO, MORE PARTICULARLY DESCRIBED AS
FOLLOWS:

T4N R4E SPC 16 Whittaker Sub.
S12SESENW Block 1. Lot 1. AND LOTS.

TOGETHER WITH THEIR APPURTENANCES,

Carrol F. Whittaker

SIGNATURE

5-31-05

DATE

SIGNATURE

DATE

STATE OF IDAHO)

COUNTY OF BOISE)

On this 31 day of May in the year 2005, before me a notary public in and
for said State,

Personally appeared Carrol F. Whittaker
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.

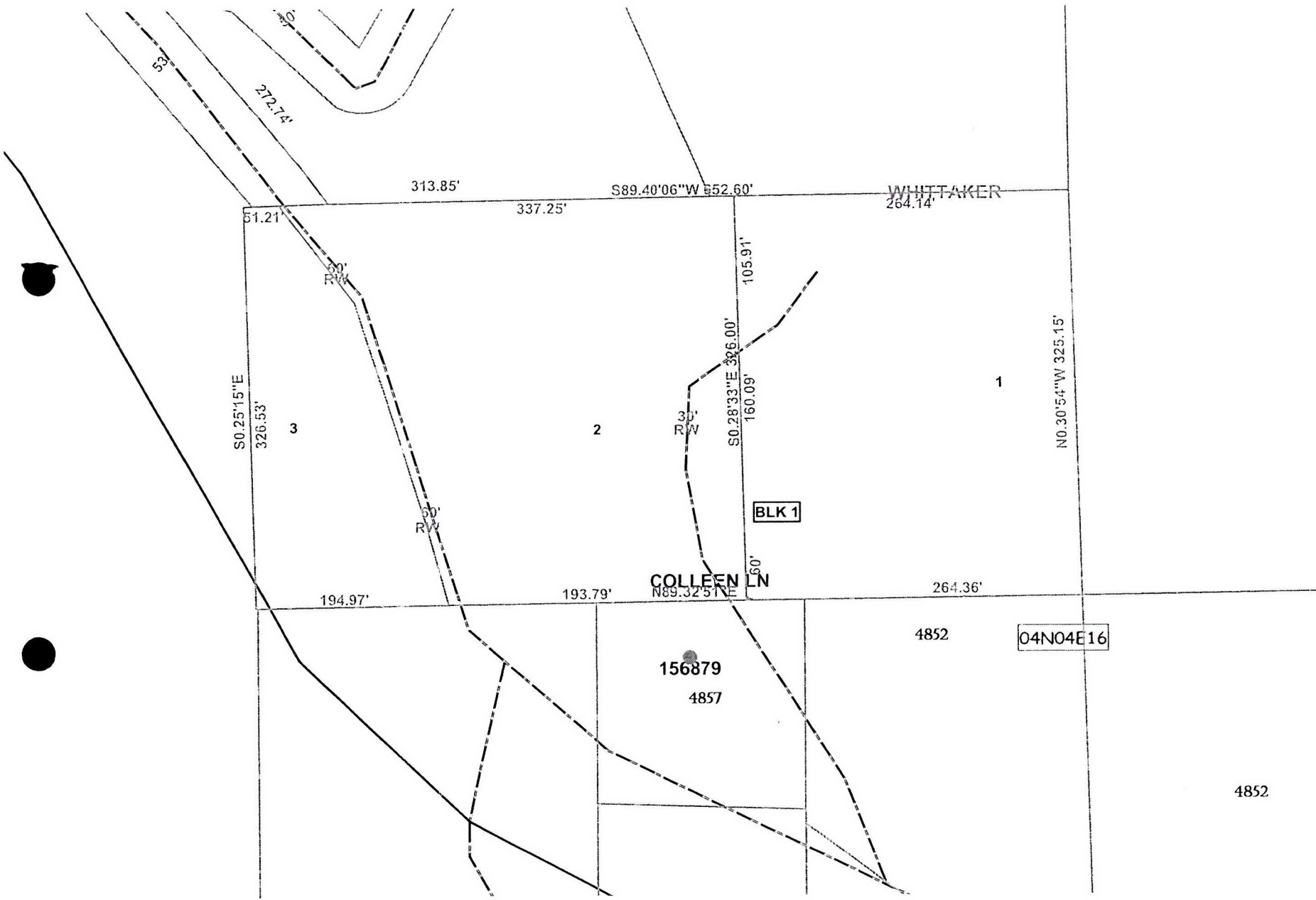
(Seal)

SCANNED

JUN 16 2023

Shirley A. George
Notary Public of Idaho

Residing at Idaho City
My Commission expires 6-23-2005



SCANNED

JUN 16 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

June 16, 2023

ROBERT E WHITTAKER
22 COLLEEN LN
BOISE ID 83716-2956

Re: Change in Ownership for Water Right No(s): **63-9959B**

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)605-4620.

Sincerely,

Debra Mansfield
Office Specialist II

Enclosure(s)

SCANNED

JUN 16 2023

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

6/16/2023

Water Right 63-9959B

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ROBERT E WHITTAKER 22 COLLEEN LN BOISE, ID 83716-2956 (208) 342-1364
Original Owner	STELLA T WHITTAKER 22 COLLEEN LN BOISE, ID 83716 (208) 343-8402
Original Owner	CARROL F WHITTAKER 22 COLLEEN LN BOISE, ID 83716 (208) 343-8402

Priority Date: 1/20/1983

Basis: Decreed

Status: Active

Source
SPRINGS

Tributary
SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DOMESTIC	1/01	12/31	0.040 CFS	1.2 AF
	<u>Total Diversion</u>		0.040 CFS	1.2 AF

Source and Point(s) of Diversion:

SPRINGS NESWNE Sec. 16, Twp 04N, Rge 04E, BOISE County

Place Of Use:

DOMESTIC within BOISE 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	
04N	04E	16								X									

Conditions of Approval:

- N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- 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

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

6/16/2023

3. LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
4. N13 PARCEL NO. RP 001480010010A
5. J01 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
PROPERTY IS ALSO KNOWN AS LOT 1, BLK 1, WHITTAKER SUB.

Dates and Other Information:

Decreed Date: 4/23/2003
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: TBD
Mitigation Plan: False

Combined Use Limits:

N/A

SubCase:

N/A

Water Supply Bank:

N/A



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

May 26, 2023

ROBERT E WHITTAKER
22 COLLEEN LN
BOISE ID 83716-2956

RE: Notice of Change in Water Right Ownership for Water Right No(s): **63-9959 B**

Dear Interested Parties:

The Department of Water Resources (Department) acknowledges receipt of your Notice of Change in Water Right Ownership (Notice).

Our review of your Notice indicates that additional information is required before the Department can process the change. The information required is indicated below:

- Evidence of Water Right Ownership: copy of Deed, Title Policy, Contract of Sale, or other legal document indicating your ownership of the property and/or water rights in question

During our review of the documentation you submitted we found that we will need further evidence of Water Right Ownership to proceed with this change. The Quitclaim deed we received shows the conveyance of property from Carrol F Whittaker to you. This Water right is decreed to Carrol F Whittaker AND Stella T Whittaker.

On May 10, 2023, the Department contacted you via the telephone and explained that we will need legal documentation showing the conveyance of Water Right 63-9959B from Stella T Whittaker to you. You explained that Carroll inherited Stella's Estate and therefore conveyed The Water Right to you with the Quitclaim Deed, dated 05/31/2005. I further explained that we will need legal documentation showing Carroll's inheritance, naming him the Executor or Inheritor of Stella's estate. This documentation is required to show a clear chain of ownership of the Water Right.

Upon the date of this letter the Department has still not received the additional required documentation. Because the Department cannot process the Notice without proper documentation, we will hold any action on your notice pending receipt of the necessary information. If we do not receive the necessary information within 30 days we will return your notice and all attachments and your notice will not be processed.

Also, please note that permit holders are required to report any change of ownership and/or mailing address to the Department within 120 days of the change. Forms to assign ownership or update your address are available from any office of the Department or on the Department's website.

If you have any questions regarding this matter, please contact me at (208)605-4620.

Sincerely,

SCANNED

JUN 16 2023

Debra Mansfield
Office Specialist II

Enclosure(s)

SCANNED

JUN 16 2023