

OCT 03 2023

DEPARTMENT OF
WATER RESOURCESSTATE 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. DE

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
75-10412 ✓	Yes ☐	Yes ☐		Yes ☐	Yes ☐
75-14818 ✓	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Mary & Emery Penner
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Matthew & Lynessa Nelson
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or

118 S. St. Charles Rd
Mailing address

Salmon ID 83467
City State Zip

(206) 930-9755
Telephone

lynessa.nelson@gmail.com
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: 8/21/23

6. Do you own the land identified as the water right place of use? Yes ☒ No ☐
- ☐ 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: [Signature] Title, if applicable _____ Date 9/27/23
Signature of new owner/claimant
Matthew Nelson
Print name

Signature: [Signature] Title, if applicable _____ Date 9/27/23
Signature of new owner/claimant
Lynessa Nelson
Print name

For IDWR Office Use Only:

Received by KM Date 10.3.23 Receipt No. C117131 Receipt Amt. \$ 50-

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 [Signature] Date 10-19-23

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 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.



Instrument No. 0000332902
 County Lenhi
 Date Aug 21 2023
 Time 01:14 PM

Warranty Deed

For Value Received

Emery J. Penner and Mary E. Penner, husband and wife as joint tenants with right of survivorship

the grantor, does hereby grant, bargain, sell and convey unto

Matthew Ronald Nelson and Lynessa Jane Nelson, husband and wife

Whose current address is

118 S. St. Charles Road
 Salmon, ID 83467

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

See 'Exhibit A'

Together with all water and water rights, ditch and ditch rights, mineral and mineral rights, and any grazing rights appurtenant thereto and/ or used in connection there with.

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: August 10, 2023

Emery J. Penner

Mary E. Penner

STATE OF Wyoming)
) ss
 COUNTY OF Carbon)

On this 10 day of August, 2023, before me, a notary public in and for said State, personally appeared Emery J. Penner and Mary E. Penner known to me or proved to me to be the person whose name is subscribed to the within instrument and acknowledged to me that they executed the same.

Notary Public
 Residing at: 209 S 1st St, Saratoga, WY 82301
 Comm. Expires: 12/31/2026

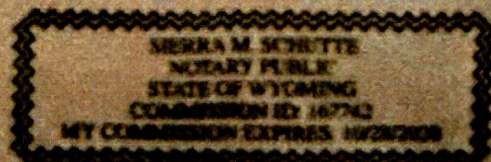


Exhibit A

A parcel of land located in the NE1/4 of Section 18, T. 21 N., R. 22 E., Boise Meridian, Lemhi County, Idaho, more, particularly described as follows;

Commencing at the N1/4 Corner of said Section 18, from which the S1/4 Corner of said section bears S 00deg02'45"W a distance of 5285.59 ft., the Basis Of Bearing of this description, run thence S 00deg02'45"W along the centerline of South Saint Charles Street and the westerly boundary of said NE1/4 of said section a distance of 1321.41 ft to the NW Corner of the SW1/4NE1/4 of said section;

Thence S 89deg51'07"E along the northerly boundary of said SW1/4NE1/4 a distance of 25.00 ft. to a point on the easterly right-of-way of said street and the POINT OF BEGINNING;

Thence continuing S 89deg51'07"E along said boundary a distance of 635.97 ft. to the NE Corner of the NW1/4SW1/4NE1/4 of said section;

Thence S 00deg02'07"W along the easterly boundary of said NW1/4SW1/4NE1/4 a distance of 562.18 ft. to a point on the centerline of an existing irrigation ditch extended and the northerly boundary of the Jakich Family Estates Subdivision;

Thence the following courses and distances along said ditch centerline and subdivision boundary;

N 36deg02'21"W 143.59 ft.; N 47deg41'58"W 225.54 ft.;

S 88deg43'53"W 30.49 ft.; S 76deg05'54"W 154.57 ft.;

S 83deg08'38"W 59.27 ft.; S 86deg17'16"W 96.65 ft.;

S 52deg42'16"W 16.93 ft.; S 18deg38'41"W 27.94 ft.;

S 38deg53'23"W 42.10 ft. to a point on the easterly right-of-way of said street;

Thence N 00deg02'45"E along said right-of-way a distance of 416.56 ft. to the POINT OF BEGINNING.

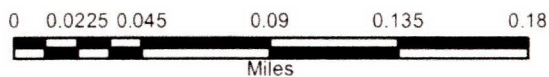
State of Idaho
Department of Water Resources

Water Right

75-10412

DOMESTIC

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Legend

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



State of Idaho
Department of Water Resources

Water Right

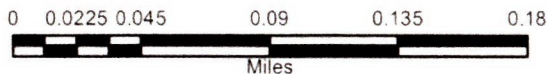
75-10412

STOCKWATER

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Date created: 6/20/2023



Legend

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



Water Right Report : 75-10412(Decreed/Active)

Water Right Owners

Owner Type	Name	Address	City	State	Postal Code
Current Owner	PENNER, EMERY J	118 S SAINT CHARLES RD	SALMON	ID	83467-5224
Current Owner	PENNER, MARY E	118 S ST CHARLES RD	SALMON	ID	83467
Original Owner	JAKICH, A YVONNE	118 S SAINT CHARLES RD	SALMON	ID	83467-5224
Original Owner	JAKICH, LEONARD	118 S SAINT CHARLES RD	SALMON	ID	83467-5224

Water Right Status

Priority Date : 7/29/1924
Basis : Decreed
Status : Active

Water Source

Source	Source Qualifier	Tributary	Tributary Qualifier
GROUND WATER			

Points Of Diversion (Location)

Source	Township	Range	Section	Govt. Lot	QQQ	QQ	Q	County	Diversion Type
GROUND WATER	21N	22E	18	0				SW NE LEMHI	

Water Uses

Beneficial Use	From	To	Diversion Rate	Volume
STOCKWATER	1/01	12/31	0.02 CFS	
DOMESTIC	1/01	12/31	0.04 CFS	
TOTAL			0.06 CFS	

Places of Use

Place of Use Legal Description : STOCKWATER (LEMHI county)

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
21N	22E	18			SW	NE	

Place of Use Legal Description : DOMESTIC (LEMHI county)

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
21N	22E	18			SW	NE	

Conditions

Code Conditions

N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

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

30 HEAD BEEF CATTLE RP 21N22E181202 A

Dates

Licensed Date :
Decreed Date : 11/3/2000
Permit Proof Due Date :
Permit Proof Made Date :
Permit Approved Date :
Permit Moratorium Expiration Date :
Enlargement Use Priority Date :
Enlargement Statute Priority Date :
Application Received Date :
Protest Deadline Date :

Other Information

State or Federal : S
Water District Number : 75A
Generic Max Rate Per Acre : 0
Generic Max Volume Per Acre : 0
Civil Case Number :
Decree Plaintiff :
Decree Defendant :
Swan Falls Trust or Nontrust :
Swan Falls Dismissed :
DLE Act Number :
Cary Act Number :
Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES

6/20/2023

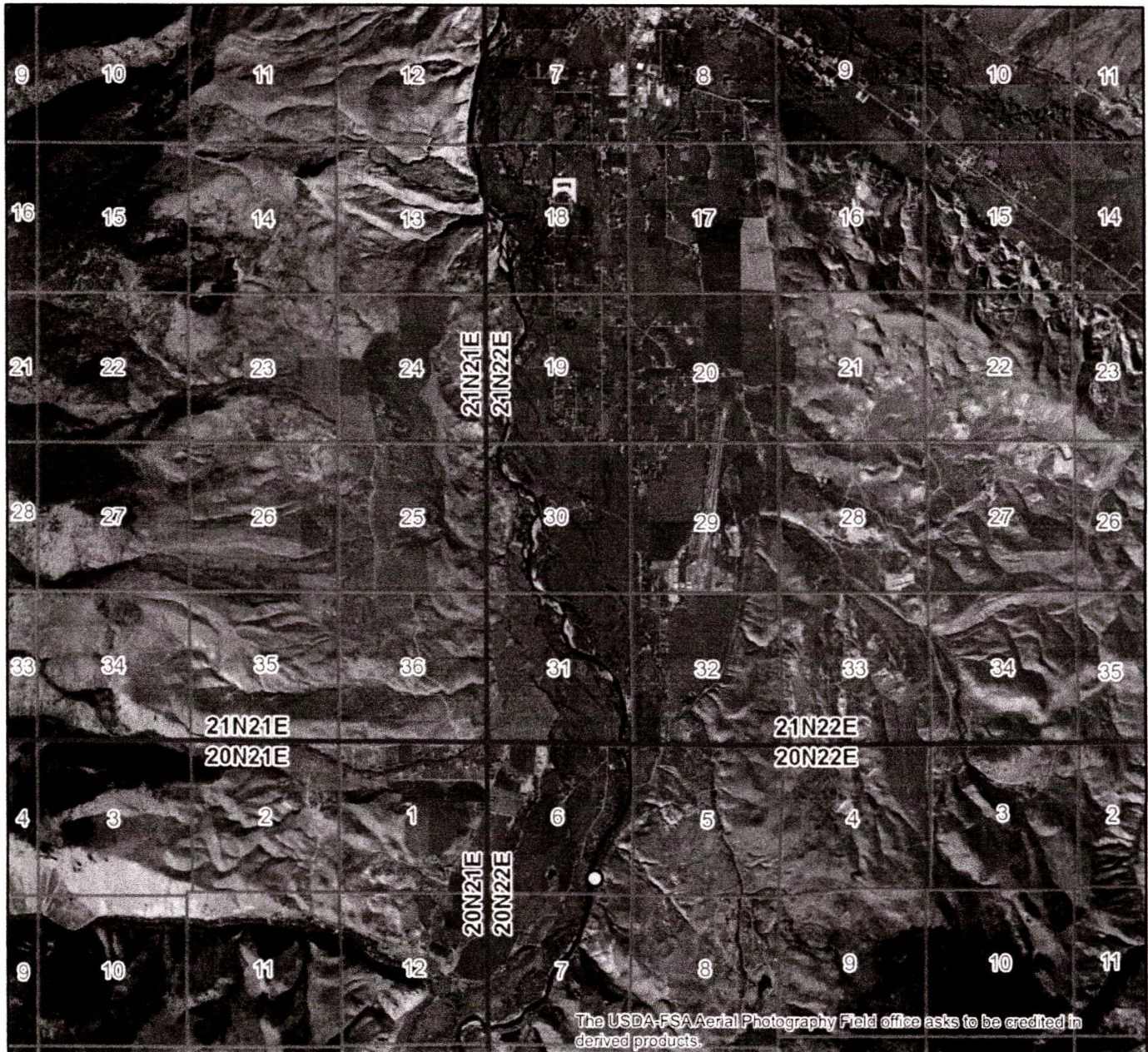
State of Idaho
Department of Water Resources

Water Right

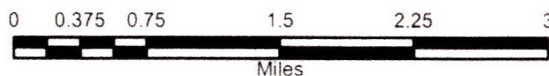
75-14818

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



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



Legend

- Point of Diversion
- Place of Use Boundary
- Townships
- PLS Sections



Water Right Report : 75-14818(Decreed/Active)

Water Right Owners

Owner Type	Name	Address	City	State	Postal Code
Current Owner	PENNER, EMERY J	118 S SAINT CHARLES RD	SALMON	ID	83467-5224
Current Owner	PENNER, MARY E	118 S ST CHARLES RD	SALMON	ID	83467
Original Owner	JAKICH, A YVONNE	118 S SAINT CHARLES RD	SALMON	ID	83467-5224
Original Owner	JAKICH, LEONARD	118 S SAINT CHARLES RD	SALMON	ID	83467-5224

Water Right Status

Priority Date : 4/1/1894

Basis : Decreed

Status : Active

Water Source

Source	Source Qualifier	Tributary	Tributary Qualifier
SALMON RIVER		SNAKE RIVER	

Points Of Diversion (Location)

Source	Township	Range	Section	Govt. Lot	QQQ	QQ	Q	County	Diversion Type
SALMON RIVER	20N	22E	6	14		SE	SE	LEMHI	

Water Uses

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	10/31	0.18 CFS	
STOCKWATER	01/01	12/31	0.02 CFS	
TOTAL			0.18 CFS	

Places of Use

Place of Use Legal Description : IRRIGATION (LEMHI county)

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
21N	22E	18			SW	NE	4.5

Place of Use Legal Description : STOCKWATER (LEMHI county)

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
21N	22E	18			SW	NE	

Irrigation Totals

Total Acres : Acre Limit

4.50

Conditions

Code Conditions

R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

- 029 Prior to the diversion and use of water under transfer 74193, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
- X02 Water right numbers 75-10415, 75-14783, 75-14784, 75-14770, 75-14771 and 75-14818 are limited to Stockwater use for 30 range cattle.
- 004 This right does not grant any right-of-way or easement across the land of another.
- T08 Failure of the right holder to comply with the conditions of transfer 74193 is cause for the Director to rescind approval of the transfer.
- R59 This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
- P29 This right is a combination of old Right Nos. 75-33 and 75-44.
- N08 The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
- N05 The quantity of water under right nos. 75-10415, 75-14783, 75-14784, 75-14770, 75-14771 and 75-14818 when combined shall not exceed 0.02 cfs or 13,000 gallons per day for stockwater use.
- T07 The right holder shall accomplish the change authorized by transfer 74193 prior to January 18, 2009.
- R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 75C.
- F01 Water is delivered through the Runsten Mintzer Ditch.
- 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

Dates

Licensed Date :
 Decreed Date : 3/30/2009
 Permit Proof Due Date :
 Permit Proof Made Date :
 Permit Approved Date :
 Permit Moratorium Expiration Date :
 Enlargement Use Priority Date :
 Enlargement Statute Priority Date :
 Application Received Date :
 Protest Deadline Date :

Other Information

State or Federal : S
 Water District Number : 170
 Generic Max Rate Per Acre : 0
 Generic Max Volume Per Acre : 3.5
 Civil Case Number :
 Decree Plaintiff :
 Decree Defendant :
 Swan Falls Trust or Nontrust :
 Swan Falls Dismissed :
 DLE Act Number :
 Cary Act Number :
 Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES

6/20/2023



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 Mathew Weaver

October 19, 2023

MATTHEW RONALD NELSON
LYNESSA JANE NELSON
118 S SAINT CHARLES RD
SALMON ID 83467-5224

Re: Change in Ownership for Water Right No(s): 75-10412 & 75-14818

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) 287-4942.

Sincerely,

A handwritten signature in black ink that reads "Jean Hersley".

Jean Hersley
Technical Records Specialist 2

Enclosure(s)

c: Water District 75A & 170