

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
AUG 10 2023
DEPARTMENT OF
WATER RESOURCES
AUG 09 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 #6 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
78-10189	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:

Caryl + Danna Fausett

Name of current water right holder/claimant

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

Timothy Fausett SR + Melanie Fausett

New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or ☐ and/or

Mailing address

P.O. 67
208-347-2406

New Meadows
City

ID 83654
State ZIP

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: June 13, 2019 (upon mother's death)
(Danna Fausett)
6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed IRS Form W-9 for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed Lessor Designation form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).
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:

Timothy Fausett SR
Signature of new owner/claimant

Title, if applicable

Date

8/6/23

Signature:

Melanie Fausett
Signature of new owner/claimant

Title, if applicable

Date

8/6/23

For IDWR Office Use Only:

Received by _____ Date _____ Receipt No. _____ Receipt Amt. _____

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 _____ Date _____

STUCHLIK LAW, PLLC
Steve Stuchlik, Attorney
PO Box 367
Weiser, Idaho 83672
(208) 414-1652
steve@stuchliklaw.com
ISB #10521

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF WASHINGTON

MAGISTRATE DIVISION

IN THE MATTER OF THE ESTATE OF

DAUNA R. FAUSETT,

Deceased.

) CASE NO. CV 44-19-0205
)
)
) INFORMATION TO HEIRS AND
) DEVISEES
)
)
) (I.C. 15-3-705)
)
)

1. Information is hereby given that the undersigned was appointed Personal Representative of the above-named decedent on April 24, 2019.
2. This information is being sent to all persons who have or may have an interest in the estate of the decedent.
3. No bond has been required or filed.
4. Papers relating to the estate of the decedent are on file in the District Court of the Third Judicial District of the State of Idaho, in and for the County of Washington, located in Weiser, Idaho.

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Instrument # 133841

COUNCIL, ADAMS, IDAHO
06-18-2019 4:10:30 PM No. of Pages: 3
Recorded for: AMERITITLE - WEISER
SHERRY WARD Fee: \$15.00
Ex-Officio Recorder Deputy Clerk: *Richard H. Young*
Indexed to: DEED

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Amerititle
128 E. Main St.
Weiser, Idaho 83672

ACCOMMODATION ONLY

(Space Above for Recorder's Use)

PERSONAL REPRESENTATIVE'S DEED

THIS DEED, made by **Debra L. Fausett**, as **Personal Representative of the Estate of Dauna R. Fausett, deceased**, Grantor, to **Timothy D. Fausett**, a married man, as his sole and separate property, Grantee, whose current address is PO Box 67, New Meadows, ID 83654;

WHEREAS, Grantor is the qualified Personal Representative of said estate, filed as Case No. CV 44-19-0205, in Washington County, Idaho;

THEREFORE, for valuable consideration received, Grantor quitclaims, transfers, and conveys to Grantee the described real property in "Exhibit A," attached hereto, located in Adams County, Idaho.

TOGETHER WITH all estate, right, title, interest, appurtenances, tenements, hereditaments, reversions, remainders, easements, rents, issues, profits, rights-of-way and water rights in anywise appertaining to the property.

EXECUTED this 13 day of June, 2019.



Debra L. Fausett

Personal Representative of the Estate of
Dauna R. Fausett, deceased.

"Exhibit A"

Real property located in New Meadows, in ADAMS COUNTY, IDAHO:

A certain tract of land situated within the City of New Meadows in Adams County, Idaho, particularly described as a parcel being located in the SW1/4 of Section 24, Township 19 North, Range 1 East, Boise Meridian, Adams County, Idaho, more particularly described as follows:

COMMENCING at a 5/8 inch diameter iron pin marking the intersection of Commercial Avenue and Wiley Street as shown on the plat of MORGAN TOWN SUBDIVISION on file in the Office of the Recorder, Adams County, Idaho, in Book 1 of Plats at Page 52;
Thence S 89 degrees 19'53" W along the centerline of said Wiley Street a distance of 117.63 feet to a point;
thence leaving said centerline S 0 degrees 39'47" E a distance of 30.00 feet to a 1/2 inch diameter iron pin on the southerly right-of-way of said Wiley Street;
thence S 89 degrees 19'53" W a distance of 160.00 feet to a 5/8 inch diameter iron pin and the POINT OF BEGINNING;
thence S 0 degrees 39' 47" E a distance of 150.00 feet to a 5/8 inch diameter iron pin;
thence S 89 degrees 19'53" W a distance of 690 feet to the Easterly right-of-way of an Adams County Road;
thence N 0 degrees 39'47" W a distance of 150.00 feet along said Easterly right-of-way of an Adams County Road to a point;
thence N 89 degrees 19'53" E a distance of 690 feet to a 5/8 inch diameter iron pin and to the POINT OF BEGINNING.
This parcel contains approximately 2.37 acres
Together with all improvements, water, water rights, ditches, ditch rights, easements and appurtenances thereto belonging.

ALSO in ADAMS COUNTY, IDAHO:

Township 19 North, Range 1 East, Boise Meridian
Section 24: A tract of land in the NE1/4SW1/4, lying within the corporate limits of New Meadows, Idaho, and more particularly described as

COMMENCING at the SW corner of the New Meadows Townsite, from which point the SW corner of said Section is South 34 degrees 10' West, 1620.4 feet;
thence from said SW corner of New Meadows Townsite, East 1660 feet;
thence North 1320 feet to the true point of beginning of the tract hereby described and conveyed;
thence West 143 feet;
thence South 125 feet;
thence East 143 feet;
thence North 125 feet to the true point of beginning.

LAST WILL AND TESTAMENT

OF

DAUNA R. FAUSETT

KNOW ALL MEN BY THESE PRESENTS, That I, DAUNA R. FAUSETT, of Weiser, County of Washington, State of Idaho, being over the age of twenty-one years and of sound and disposing mind and memory, do hereby make, publish and declare this my Last Will and Testament, hereby revoking all former Wills and Codicils by me made, that is to say:

I.

DEBTS: In the event that there are last illness expenses, funeral expenses, administration of estate costs, or other just debts which I have incurred, I direct that such debts or expenses be paid.

II.

APPOINTMENT OF PERSONAL REPRESENTATIVE: In the event that the appointment of a Personal Representative is made for the preservation of my estate or the distribution of my property, or for any other reason, I hereby nominate and appoint my daughter, DEBRA L. FAUSETT, to act as Personal Representative of my estate, and direct that she not be required to give any bond as such Personal Representative or for any purpose in connection with the administration of my estate. In the event that she should predecease me, or should for any reason fail or refuse to act as Personal Representative of my estate, then and in that event I nominate my grandson, SHAYNE A. EPHRAIM, as Personal Representative of my estate to serve without bond. In any event the party serving as Personal Representative of my estate shall be entitled to a reasonable

compensation as is permitted under the laws of this State if it be the desire of such party to accept compensation.

III.

At the time of the execution of this my Last Will and Testament, I am a widow, my husband, CARYL A. FAUSETT, having predeceased me in April, 2011, and we have two children of our marriage whose names are as follows:

DEBRA L. FAUSETT
TIMOTHY D. FAUSETT

IV.

DISPOSITION OF PROPERTY: After the payment of expenses of my last illness, my funeral expenses, expenses of administration and my just debts as aforesaid, I devise and bequeath all of the rest, residue and remainder of my estate whatsoever and wheresoever the same may be situated as follows:

1. To my son, TIMOTHY D. FAUSETT, I give my two parcels of real property situate in New Meadows, Adams County, Idaho, which includes a home with all furnishings.
2. To my daughter, DEBRA L. FAUSETT, I give all my real property situate in Washington County, Idaho, which includes my home and approximately 100 acres, or any other real property which I may have at the time of my death (other than the above described real property in New Meadows, Adams County, Idaho, which is to go to my son). This gift includes all household furnishings of my home at the time of my death.
3. All rest and residue of my estate whatsoever and wheresoever situate, which shall include my accounts, investments, equipment, and vehicles, I devise and bequeath in the proportion

of eighty percent (80%) to my daughter, DEBRA L. FAUSETT, and in the proportion of twenty percent (20%) to my son, TIMOTHY D. FAUSETT.

Should my daughter, DEBRA L. FAUSETT, predecease me, then I give her share equally to her children by right of representation.

Should my son, TIMOTHY D. FAUSETT, predecease me, then in that event, I give his gifts under the terms of this Will to his wife, MELANIE FAUSETT.

IN WITNESS WHEREOF, I have hereunto subscribed my name on this the 6th day of June, 2011, in the presence of Holly Oyervides and Nancy M. Kroll, whom I have requested to become attesting witnesses hereto.

Dauna R. Fausett
Testatrix

The foregoing instrument, consisting of four pages, including this page and the following page, written on one side of the paper only, was on the 6th day of June, 2011, by the said DAUNA R. FAUSETT signed, published and declared to be her last will and testament in the presence of us, who at her request and in her presence and in the presence of each other, have subscribed our names hereto as witnesses.

Holly Oyervides Residing at: Weiser, Idaho

Nancy Marie Kroll Residing at: Weiser, Idaho

STATE OF IDAHO)
County of Washington)ss.

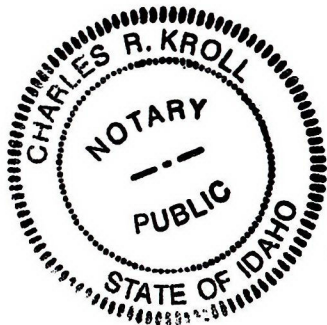
We, DAUNA R. FAUSETT, Holly Overyides, and Nancy M. Kroll, the Testatrix and Witnesses, respectively, whose names are signed to the attached or foregoing instrument, being first duly sworn, do hereby declare to the undersigned authority that the Testatrix signed and executed the instrument as her last will and that she had signed willingly or directed another to sign for her, and that she executed it as her free and voluntary act for the purposes therein expressed and that each of the witnesses, in the presence and hearing of the Testatrix, signed the will as witnesses and that to the best of our knowledge the Testatrix was at that time an adult, of sound mind and under no constraint or undue influence.

Danna R Fausett
Testatrix

Wally Cywider
Witness

Nancy Maria Kroll
Witness

Subscribed, sworn to and acknowledged before me by DAUNA R. FAUSETT, the Testatrix,
and subscribed and sworn to before me by Holly Overvides and
Nancy M. Kroll, witnesses, this 6th day of June, 2011.



Charles R Foll
Notary Public for Idaho
Residing at: Weiser, Idaho
Comm Expires: 9.22.16

MAKE CHECK PAYABLE TO:
ADAMS COUNTY TREASURER
P. O. BOX 47
COUNCIL, ID 83612
(208) 253-4263 EXT 6

22 TAX BILL/RECEIPT

BILL# 1392
CODE AREA 2-0000

RCCEL# RPM00000247200A

TAX YEARS 2022
LAND 83,012
IMPROVEMENT 330,724

202

1ST HALF DUE	2ND HALF DUE	FULL DUE	TOT MKT		
TAX 1,022.76	TAX 1,022.76	TAX 2,045.52	HO EXEMPT	413,736	264,36
LATE	LATE	LATE		125,000	125,00
INT	INT	INT	NET MKT	288,736	139,36
COST	COST	COST	TOT TAX	2,045.52	1,381.3
TOT	TOT	TOT	TOT ACRES	.440	

FAUSETT TIMOTHY D SR
& FAUSETT MELANIE L
PO BOX 67
NEW MEADOWS ID 83654

For Information on Bonds visit:
WWW.CO.ADAMS.ID.US

ACREAGE IN NEW MEADOWS
T19N R1E SEC 24 .44 AC
TAX #1025 IN NE4SW4
& PT VAC KATHERINE AVE

421 KATHERINE ST

★★★IMPORTANT★★★
PLEASE READ BOTH FRONT AND BACK

★★★ MONTHLY PAYMENTS ARE ACCEPTED ★★★

THERE IS A 2.5% ADDITIONAL CHARGE FROM
VENDOR FOR CREDIT/DEBIT TRANSACTIONS

TO AVOID LATE CHARGES, PAYMENTS MUST BE
RECEIVED OR POSTMARKED BY THE DUE DATE.

CREDIT CARD PAYMENT AVAILABLE BY PHONE
OR AT WWW.CO.ADAMS.ID.US

TAXING DISTRICT	RATE	
STATE	.0000000000	
COUNTY	.002105998	608.0
CTY NEW MEADOWS	.003037284	876.9
SCHOOL 11		
11 SUPPLEMENTAL	.000323130	93.3
11 TORT	.000031705	9.1
11 PLT FACILITY	.000195576	56.4
CEMETERY 1 NM	.000025639	7.4
MEADOWS FIRE	.000556541	128.4
MV AMB SERVICE	.000160585	46.3
MEADOWS LIBRARY	.000205646	59.3
DISTRICT TOTAL	.006642104	1,885.5
SOLID WASTE/RES		160.0
AMOUNT DUE		2,045.5

EMS Batch Summary Report

Report created: 06/16/2023 08:26:50 PM

Day #1688 From Jun 15 2023 20:06:29 to Jun 16 2023 20:24:05

EMS Transactions Summary By Batch

No Transactions To Report

EMS Transactions Removed From The System

No Transactions To Report

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

8/3/2020

Water Right 78-10189

Owner Type **Name and Address**
Current Owner CARYL FAUSETT
 PO BOX 378
 NEW MEADOWS, ID 83654

Current Owner DAUNA RAE FAUSETT
 PO BOX 378
 NEW MEADOWS, ID 83654-0378
 (208) 347-2406

Priority Date: 5/1/1969

Basis: Decreed

Status: Active

Source
WASTE WATER

Tributary
LITTLE SALMON RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	0.050 CFS	
	<u>Total Diversion</u>		0.050 CFS	

Source and Point(s) of Diversion

WASTE WATER NESW Sec. 24, Twp 19N, Rge 01E, ADAMS County

Place Of Use

IRRIGATION within ADAMS 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	
19N	01E	24									0.4								0.4

POU Total Acres: 0.4

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.
2. G16 This right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.

Comments:

1. CFRITSCH 7/5/2006 Copied from Remarks
WASTE WATER FLOWS IN DITCH FROM UPSTREAM USERS OF GOOSE CREEK |
ADDRESS CHANGE BY CLAIMANT LETTER.



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 Mathew Weaver

October 10, 2023

TIMOTHY FAUSETT SR
PO BOX 67
NEW MEADOWS ID 83654-0067

Re: Change in Ownership for Water Right No(s): 78-10189

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,

Jean Hersley
Technical Records Specialist 2

Enclosure(s)

c: Water District No. 78C



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 Mathew Weaver

September 28, 2023

TIMOTHY FAUSETT SR
PO BOX 67
NEW MEADOWS ID 83654-0067

RE: Change in Ownership Water Right No(s): 78-10189

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. A copy of the will that includes the description of the property.
- If you would like your wife, Melanie L Fausett listed as one of the current owners of the water right, her name would have to be mentioned in the will also. If it isn't, you could quitclaim the property and/or water from you, Timothy Fausett, Sr, to you and Melanie L. Fausett.
- Notice of Change in Water Right Ownership requires a \$25 per water right filing fee.

Effective July 1, 2000, the legislature enacted House Bill No. 545 requiring a filing fee for a change in water right ownership. The fee is \$25 per water right, except for ownership changes resulting in the division of a water right, which is \$100 per water right. All ownership change notices received after June 30, 2000 must include the appropriate filing fees in order to be processed. We have determined that the filing fee for your notice will be \$25.

Because the Department cannot process the Notice without proper documentation and fees, we will hold any action on your notice pending receipt of the necessary information and fees. If we do not receive the necessary information and fees 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) 287-4942.

Sincerely,

Jean Hersley
Technical Records Specialist 2

RECEIVED

AUG 10 2023

DEPARTMENT OF
WATER RESOURCES

RECEIVED

AUG 09 2023

WATER RESOURCES
WESTERN REGION

8/6/2023

To whom it may concern,

Both of my parents Caryl + Dawne Fausett have passed away. I was willed the property at 421 Katherine St. in New Meadows Idaho along with the water right # 78-10189.

I am writting you now to change ownership of water right # 78-10189 to my + my wifes name as follows:

Timothy D. Fausett SR /and
Melanie L. Fausett

If you need anything more please let me know.

Timothy D Fausett SR.