

RECEIVED

JAN 02 2024

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESDepartment of Water Resources
Eastern 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?
74-1111 OK	Yes ☐	Yes ☐	74-1112 OK	Yes ☐	Yes ☐
74-2463 OK	Yes ☐	Yes ☐	74-1110 OK	Yes ☐	Yes ☐
74-1109 OK	Yes ☐	Yes ☐	74-400 OK	Yes ☐	Yes ☐
74-243A OK	Yes ☐	Yes ☐	74-10226 OK	Yes ☐	Yes ☐
74-245B OK	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name:

William F Landy
Name of current water right holder/claimant

Doris Jones (10226)

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

Emil Herbst
New owner(s) as listed on the conveyance documentAubree Herbst
Name connector ☒ and ☐ orP.O. Box 44
Mailing addressTenday
CityID
State83468
Zip208-756-8151
Telephoneaubreeherbst@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: _____

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:

Emil Herbst
Signature of new owner/claimant
Print nameowner
Title, if applicable12/21/23
Date

- Signature:

Aubree Herbst
Signature of new owner/claimant
Print nameowner
Title, if applicable12-21-23
Date

Received by JB

Date 1/2/2024

Receipt No.

E049706

Receipt Amt.

\$225.-

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

1/2/2024



LEMHI TITLE CO.

Instrument # 0000333372 # Pages: 2
LEMHI COUNTY, Idaho
Oct 03, 2023 12:42 PM Fee: \$ 15.00
For: Lemhi Title Co
BRENDA ARMSTRONG, Recorder

Warranty Deed

For Value Received

William E. Loudy and Joann Loudy, husband and wife

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

Emil L. Herbst and Aubree B. Herbst, husband and wife

Whose current address is:

P.O. Box 4
Tendov, ID 83468

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: October 2, 2023

William E. Loudy

Joann Loudy

STATE OF Idaho

COUNTY OF Lemhi

On this 2 day of October, 2023, before me, a notary public in and for said State, personally appeared William E. Loudy and Joann Loudy, 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: Salmon, ID
Comm. Expires: 09-08-2026

ANGELA MORTON
Notary Public - State of Idaho
Commission Number 20203462
My Commission Expires 09-08-2026

5659-23

Instrument # 0000333372

Parcel "B" Description

A parcel of land located in the N 1/2 SE 1/4 and the S 1/2 NE 1/4, Section 29, T. 19 N., R. 24 E., Boise Meridian, Lemhi County, Idaho, more particularly described as follows:

Commencing at the NW Corner of said Section 29 which is an aluminum cap run thence N 89°34'07" E. 2650.71 ft., the Basis of Bearing of this description, to the N 1/4 Corner of Section 29 which is an aluminum cap, run thence S 00°27'23" E a distance of 646.63 ft. to a point in the center of the Old Lemhi Road, thence S 07°50'56" E along the centerline of the Old Lemhi Road a distance of 693.44 ft. to the POINT OF BEGINNING;

Continue thence S 07°50'56" E along said road centerline a distance of 574.77 ft.,

Thence N 82°47'40" W leaving said centerline a distance of 164.65 ft. to a point on the westerly boundary of said S 1/2 NE 1/4 which is a 5/8" rebar with a plastic cap;

Thence S 00°27'23" E along said westerly boundary a distance of 784.25 ft. to the Center 1/4 Corner of said Section 29 which is a 5/8" rebar with an aluminum cap;

Continue thence S 00°27'23" E along the westerly boundary of said N 1/2 SE 1/4 a distance of 1323.01 ft. to the SW Corner of the N 1/2 SE 1/4 of Section 29 which is a 5/8" rebar with a plastic cap;

Thence N 89°59'11" E along the southerly boundary of said N 1/2 SE 1/4 a distance of 2640.61 ft. to the SE Corner of said N 1/2 SE 1/4 which is a 5/8" rebar with a plastic cap;

Thence N 00°16'41" W along the easterly boundary of said Section 29 a distance of 1296.41 ft. to the W 1/4 Corner of Section 28 which is an aluminum cap;

Continue thence N 00°16'41" W along said easterly boundary of Section 29 a distance of 26.15 ft. to the E 1/4 Corner of said Section 29 which is an aluminum cap;

Thence N 00°30'54" W along said easterly boundary of Section 29 a distance of 1323.72 ft. to the NE Corner of said S 1/2 NE 1/4 of Section 29 which is a 5/8" rebar with a plastic cap;

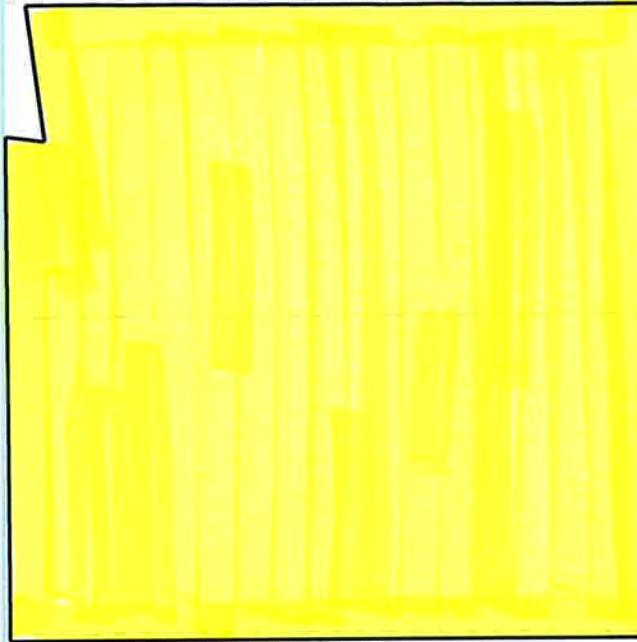
Thence N 89°47'47" W along the northerly boundary of said S 1/2 NE 1/4 a distance of 2554.24 ft. to the POINT OF BEGINNING

PARCEL CONTAINS 159.27 ACRES



Lemhi, St. George & Salt Lake City, Utah ☞ Twin Falls, Idaho ☞ Dickinson & Williston, North Dakota ☞ Wooster, Ohio ☞ Las Vegas, Nevada

www.civilscience.com



Emil & Aubree Herbst Property

1/2/2024

Scale: 1 inch = 800 feet

File: 74-1111 74-246B 74-1109 74-243A 74-245B

Tract 1: 159.2740 Acres, Closure: n18.0345e 0.01 ft. (1/893954), Perimeter=10688 ft.

01 /nw,29,19n,24e
02 /s00.2723e 646.63
03 /s07.5056e 693.44
04 s07.5056e 574.77
05 n82.4740w 164.65
06 s00.2723e 784.25
07 s00.2723e 1323.01
08 n89.5911e 2640.61
09 n00.1641w 1296.41

10 n00.1641w 26.15
11 n00.3054w 1323.72
12 n89.4747w 2554.24

74-1112 74-1110
74-400 74-10226



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 Mathew Weaver

January 02, 2024

EMIL L HERBST
AUBREE B HERBST
PO BOX 44
TENDON ID 83468-0044

Re: Change in Ownership for Water Right No(s): 74-243A, 74-245B, 74-246B, 74-400, 74-1109, 74-1110, 74-1111, 74-1112, 74-10226

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) 497-3787.

Sincerely,

Jonie Bailly
Technical Records Specialist 1

Enclosure(s)

cc: WATER DISTRICT 74