

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JAN 16 2024

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.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
34-14837 OK	Yes ☐		Yes ☐		Yes ☐
34-14840 OK	Yes ☐		Yes ☐		Yes ☐
34-14843 OK	Yes ☐		Yes ☐		Yes ☐
34-14846 OK	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name:

Mark and Martha Russell
Name of current water right holder/claimant

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

Caden and Dakota Betzer
New owner(s) as listed on the conveyance document

Name connector ☒ and ☐ or ☐ and/or

P.O. Box 76

Mailing address

MacKay
City

ID
State

83251
ZIP

208-589-1175
Telephone

cadenbetzer23@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: 7-20-2023

6. If the water right described herein has been rented from the Water Supply Bank, rental proceeds will be disbursed in the following manner regardless of any arrangements between the buyer(s) and seller(s) to the contrary:

- Rental payments will go to the lessor(s) of record at the beginning of the rental season.
- If a change in ownership is processed by the Department during a rental season, rental payment will be made to the person or entity who is the lessor of record at the beginning of that rental season.
- New lessor(s) of record will receive payment after the following rental season.

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.

SUPPORT DATA

IN FILE # 34-14837

8. Signature:

[Signature]
Signature of new owner/claimant

Title, if applicable

1-12-2024
Date

Signature:

[Signature]
Signature of new owner/claimant

Title, if applicable

1-12-2024
Date

For IDWR Office Use Only:

Received by JB

Date 1/16/2024

Receipt No. E049736

Receipt Amt. \$25. -

Approved by JB

Processed by JB

Date 2/1/2024

E049767

\$75. -

264303

Custer County Reg. of

Custer County title

Time 11:47 AM Date 07/21, 2023

Lura H. Baker, Clerk

Lura H. Baker, Clerk
\$15⁰⁰

WARRANTY DEED

For Value Received, WE, MARK RUSSELL AND MARTHA RUSSELL husband and wife, do hereby grant, bargain, sell and convey unto CADEN BO BETZER AND DAKOTA LEE BETZER, husband and wife, whose address is: 105 E. White Knob Street, Mackay, Idaho 83251.

the following described premises in CUSTER County, Idaho, to-wit:

Lot 6, Lonesome Dove Subdivision, Custer County, Idaho, as shown on the Plat recorded November 13, 2006, as instrument No. 235303.

Together with an easement for ingress and egress over the following described property:

A portion of a Quitclaim Deed, Custer County, Idaho, instrument No. 259291, filed November 13, 2020 and instrument No. 255442, recorded October 4, 2018,

Part of West ¼ of the SW1/4 of Section 12, Township 6 North, Range 25 East of the Boise Meridian, Custer County, Idaho, more particularly described as follows:

Commencing at the Southwest corner of Section 12 from which the West ¼ corner of said section bearing North 00°04'09" East, 2673.18 feet, the basis of bearing for description;

Thence North 00°04'09" East, 807.15 feet along said section line to a point marked by a 2" aluminum cap stamped PLS 4735, the southeast corner of Lot 6, Lonesome Dove Subdivision, Custer County, Idaho, instrument No. 235303 filed November 3, 2006, said Point of Beginning;

Thence continuing along said section North 00°04'09" East, 264.21 feet to the Southeast corner of lot 5, also being the Northeast corner of Lot 6 of said subdivision;

Thence South 89°55'51" East, 40.78 feet to the centerline of a county road commonly known as 3700 W;

Thence South 01°16'44" East, 264.28 feet along said centerline;

Thence North 89°55'51" West, 46.99 feet to said southeast corner of lot 6 and the Point of Beginning.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that they are the owners of said premises; and that they are free from all encumbrances and that they will warrant and defend the same from all lawful claims whatsoever.

Dated:

7/20/23



MARK RUSSELL



MARTHA RUSSELL

STATE OF IDAHO)ss:
COUNTY OF CUSTER)

On this 20th day of July, in the year of 2023, before me, a Notary Public, in and for the said State, personally appeared MARK RUSSELL AND MARTHA RUSSELL, known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

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



Notary Public for the State of IDAHO

Residing at: CHALLIS

Commission Expires: 9-21-23

RYAN E MILLICK
NOTARY PUBLIC - STATE OF IDAHO
COMMISSION NUMBER 20170561
MY COMMISSION EXPIRES 9-21-2023



Department of
Water Resources

Water Right and Adjudication Search

↓ Choose One or More Search Items

↓ Click "Search" To Enter Your Parameters

HELP!

[Name](#)
(Click to expand or collapse)

- ☐ All
- ☒ Search for a specific Name
- First Name: MARK
 - Last Name: RUSSELL

HELP!

Adjudication, Water Right & Basin or Transfer

- ☒ All
- ☐ Search for a specific Basin, Right or Transfer number

HELP!

Location of Use or Diversion

- ☒ All
- ☐ Search for a specific Location by legal description

HELP!

Sources

- ☒ All
- ☐ Search for Surface Water, Ground Water or a specific Source &/or Tributary

HELP!

Water Use

- ☒ All
- ☐ Search for a specific Water Use

HELP!

Dates

- ☒ All
- ☐ Search for a specific Date Type & range of Dates

HELP!

Water Right Types

- ☒ All
- ☐ Search for one or more specific Water Right Types

HELP!

Status

- ☒ All
- ☐ Search for both Active & Inactive Records

HELP!

[Search Results \(4\)](#)
(Click to expand or collapse)

HELP!

Export Results to Excel

Export To Excel (client site)

Clear All Items

Start Search

Click any column to sort table

Options	Type	Basin	Sequence	Suffix	Application Number	Basin	Status	Priority Date	Div. Rate (cfs)	Source	Water Use	Owner
Details More Options	Water Right	34	14837			Decreed	Active	06/01/1903	0.2	BIG LOST RIVER	IRRIGATION	RUSSELL, MARK; RUSSELL, MARTHA
Details More Options	Water Right	34	14840			Decreed	Active	07/21/1886	0.11	BIG LOST RIVER	IRRIGATION	RUSSELL, MARK; RUSSELL, MARTHA
Details More Options	Water Right	34	14843			Decreed	Active	09/29/1966	0.16	GROUND WATER	IRRIGATION	RUSSELL, MARK; RUSSELL, MARTHA
Details More Options	Water Right	34	14846			Decreed	Active	05/20/1984	0.03	GROUND WATER	IRRIGATION	RUSSELL, MARK; RUSSELL, MARTHA

Export Results to Excel

Export To Excel(client side)

Clear All Items

Start Search

README : Some users have reported problems with the Export Results to Excel functionality. An additional export option has been added to export results which runs on the client side (in the browser) to avoid potential server side errors. The output format of the new option maybe slightly different. As of now the client side export function should only be used if you have a small number of results that do not require paging.



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

February 02, 2024

CADEN BO BETZER
DAKOTA LEE BETZER
PO BOX 76
MACKAY ID 83251-0076

Re: Change in Ownership for Water Right No(s): 34-14837, 34-14840, 34-14843, 34-14846

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 Baily
Technical Records Specialist 1

Enclosure(s)

cc: WATER DISTRICT 34
BIG LOST RIVER GROUND WATER DISTRICT



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 17, 2024

CADEN BETZER
DAKOTA BETZER
PO BOX 76
MACKAY ID 86251

RE: Change in Ownership Water Right No. 34-14837, 34-14840, 34-14843, 34-14846

Dear Sir/Madam:

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

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

****** Additional Filing Fee:** The filing fee for an ownership change that does not result in a split is \$25.00 per water right. The filing fee required for your application with 4 water rights is \$100.00 ($4 \times 25 = 100$). The department received \$25.00 with your original application please supply and additional \$75.00.

Because the Department cannot process the ownership change without proper documentation/fees, we will hold any action on your notice pending receipt of the necessary information/fees. If we do not receive the necessary information/fees within 30 days we will return your notice and all attachments and your notice will not be processed.

Please note that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.idaho.gov.

Please feel free to contact the Department if you have any questions.

Sincerely,

Jonie Baily
Technical Records Specialist