

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
DEC 14 2023
DEPT OF WATER RESOURCES
SOUTHERN 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?
72-4052A	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: C Est La Vie
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Aspen Gulch Water Users Association, INC
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or
- P O Box 148 Stanley ID 83278-0148
Mailing address City State Zip
- (208) 721-8876 charlie@riverwear.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: November 2, 2023
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: Charles K. Thompson Sec. / Treasurer 12-14-2023
Signature of new owner/claimant Title, if applicable Date
Charles K. Thompson
Print name

Signature: _____
Signature of new owner/claimant Title, if applicable Date

Print name

Received by SG Date 12/14/2023 For IDWR Office Use Only: Receipt No. 5040024 Receipt Amt. \$25.00
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 th Date 12-27-23

RECORDING REQUESTED
BY:
John C. Peterson
Attorney at Law

AND WHEN RECORDED
MAIL TO:
Peterson Law Office, PLLC
PO Box 5827
Twin Falls, ID 83303-5827

264838
Custer County Req. of
Peterson Law Office
Time 11:33 A.M. Date 12/04, 2023
Lura H. Baker, Clerk
[Signature] \$ 15⁰⁰
Deputy

WATER RIGHT QUITCLAIM DEED

FOR VALUABLE CONSIDERATION, the receipt of which is acknowledged, the undersigned, C'EST LA VIE, LLC, an Idaho limited liability company ("Grantors"), with a mailing address of P.O. Box 148, Stanley, Idaho 83278-0148, hereby quitclaims, transfers and remises to ASPEN GULCH WATER USERS ASSOCIATION, INC., a non-profit corporation, ("Grantee"), with a mailing address of P.O. Box 148, Stanley, Idaho 83278-0148, all of Grantors' right, title, and interest in and to that certain water right currently appurtenant to real property located in Custer County, State of Idaho, legally described on Exhibit A attached hereto, with said water right being described as follows:

water right claim number 72-4052-A from Peach Creek with a maximum flow rate of 1.25 cubic feet per second, with a maximum volume of 34.8 acre-feet

TO HAVE AND TO HOLD unto Grantee and Grantee's successors and assigns, forever, SUBJECT TO all water rights with earlier priority, as well as any and all water rights adjudication proceedings instituted in the State of Idaho and all local, state and federal rules, regulations, laws, statutes and acts.

IN WITNESS WHEREOF, I have set my hand hereto this 2nd day of November, 2023.

"Grantor"
C'EST LA VIE, LLC

By: [Signature]
Christopher Wosje, Managing Member

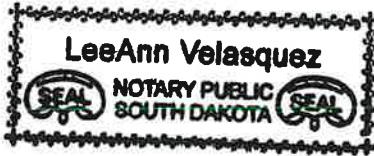
STATE OF SOUTH DAKOTA)

)ss.

County of Minnehaha)

264838

On this 2 day of November, 2023, before me, a notary public in and for the state of South Dakota, personally appeared CHRISTOPHER WOSJE, known or identified to me to be the managing member of C'EST LA VIE, LLC an Idaho limited liability company, and the authorized representative who subscribed said company name to the foregoing instrument, and acknowledged to me that he executed the foregoing instrument for and on behalf of said company.




NOTARY PUBLIC FOR SOUTH
DAKOTA
My Commission Expires 05/24/2029

EXHIBIT A

264838

C'est La Vie, LLC

Amended Lots 3-7 and Parcel A, Replat of Aspen Gulch Subdivision, Located in H.E.S. 136,
Unsurveyed Section 25 and 26, T. 11 N., R. 15 E., Boise Meridian, Custer County, Idaho

EXHIBIT A

264838

Lot 3 Description

Lot 3 of Replat of Aspen Gulch Subdivision as shown on Plat recorded on December 15, 2004, as Instrument Number 230493 and also shown on Record of Survey recorded on June 8, 2022, as Instrument Number 262636*, located in H.E.S. 136, Unsurveyed Sections 25 and 26, T. 11 N., R. 15 E., Boise Meridian, Custer County, Idaho, more particularly described as follows:

Commencing at Corner Number 7 of said H.E.S. 136 which is a brass cap from which Corner Number 6 of H.E.S. 136 which is a brass cap bears N 76°46'39" E, 1774.74 ft., the Basis of Bearing of this description, run thence N 76°46'39" E along the northerly boundary of said H.E.S. 136 a distance of 963.51 ft. to a 5/8" rebar with a plastic cap, run thence S 19°31'21" E a distance of 248.90 ft. to a 5/8" rebar with a plastic cap, run thence S 76°46'43" W a distance of 176.00 ft, run thence S 19°37'36" E a distance of 271.83 ft. to a 5/8" rebar with a plastic cap said point being the POINT OF BEGINNING;

Thence N 86°49'52" E a distance of 608.25 ft. to a 5/8" rebar with a plastic cap;

Thence S 13°52'02" E a distance of 571.79 ft. to a point on the northerly right-of-way of State Highway 75 which is a 5/8" re bar with a plastic cap;

Thence along said right-of-way 417.24 ft. along a curve to the right having a radius of 904.30 ft. and a chord bearing S 84°45'22" W for 413.55 ft. to a 5/8" rebar with an aluminum cap;

Thence N 82°04'56" W along said right-of-way a distance of 321.90 ft. to a 5/8" rebar with an aluminum cap;

Thence along said right-of-way 181.70 ft. along a curve to the right having a radius of 5675.78 ft. and a chord bearing N 81°07'46" W for 181.70 ft. to a 5/8" rebar with a plastic cap;

Thence N 00°25'48" E leaving said right-of-way a distance of 346.53 ft. to a 5/8" rebar with a plastic cap;

Thence N 66°30'18" W a distance of 289.62 ft. to a 5/8" rebar with a plastic cap;

Thence N 06°36'25" W a distance of 103.54 ft. to a 5/8" rebar with a plastic cap;

Thence S 62°33'21" E a distance of 133.71 ft. to a 5/8" rebar;

Thence S 74°40'20" E a distance of 83.37 ft. to a 5/8" rebar;

Thence S 67°39'30" E a distance of 144.49 ft. to a 5/8" rebar with a plastic cap;

Thence N 80°11'01" E a distance of 44.08 ft. to a 5/8" rebar;

Thence N 32°26'00" E a distance of 34.46 ft. to a 5/8" rebar;

Thence S 84°27'50" E a distance of 56.81 ft.;

Thence N 19°27'07" W a distance of 31.36 ft. to the POINT OF BEGINNING.

*and re-recorded February 3, 2023 as Instrument # 263786

*and re-recorded February 16, 2023 as Instrument #263817

EXHIBIT A

264838

Lot 4 Description

Lot 4 of Replat of Aspen Gulch Subdivision as shown on Plat recorded on December 15, 2004, as Instrument Number 230493 and also shown on Record of Survey recorded on June 8, 2022, as Instrument Number 262636*, located in H.E.S. 136, Unsurveyed Sections 25 and 26, T. 11 N., R. 15 E., Boise Meridian, Custer County, Idaho, more particularly described as follows:

Commencing at Corner Number 7 of said H.E.S. 136 which is a brass cap from which Corner Number 6 of H.E.S. 136 which is a brass cap bears N 76°46'39" E, 1774.74 ft., the Basis of Bearing of this description, run thence N 76°46'39" E along the northerly boundary of said H.E.S. 136 a distance of 963.51 ft. to a 5/8" rebar with a plastic cap said point being the POINT OF BEGINNING;

Continue thence N 76°46'39" E along said northerly boundary a distance of 690.76 ft. to a 5/8" rebar with a plastic cap;

Thence S 11°14'54" Ea distance of 657.37 ft. to a 5/8" rebar with a plastic cap;

Thence S 86°49'52" W a distance of 190.50 ft. to a 5/8" rebar with a plastic cap;

Thence S 86°49'52" W a distance of 256.52 ft. to a 5/8" rebar with a plastic cap;

Thence S 86°49'52" W a distance of 351.73 ft. to a 5/8" rebar with a plastic cap;

Thence N 19°37'36" W a distance of 271.83 ft. to a 5/8" rebar with a plastic cap;

Thence N 76°46'43" Ea distance of 176.00 ft. to a 5/8" rebar with a plastic cap;

Thence N 19°31'21" W a distance of 248.90 ft. to a 5/8" rebar with a plastic cap said point being the POINT OF BEGINNING.

*and re-recorded February 3, 2023 as Instrument# 263786

*and re-recorded February 16, 2023 as Instrument #263817

EXHIBIT A

264838

Lot 5 Description

Lot 5 of Replat of Aspen Gulch Subdivision as shown on Plat recorded on December 15, 2004, as Instrument Number 230493 and also shown on Record of Survey recorded on June 8, 2022, as Instrument Number 262636*, located in H.E.S. 136, Unsurveyed Sections 25 and 26, T. 11 N., R. 15 E., Boise Meridian, Custer County, Idaho, more particularly described as follows:

Commencing at Corner Number 7 of said H.E.S. 136 which is a brass cap from which Corner Number 6 of H.E.S. 136 which is a brass cap bears N 76°46'39" E, 1774.74 ft., the Basis of Bearing of this description, run thence N 76°46'39" E along the northerly boundary of said H.E.S. 136 a distance of 1654.27 ft., run thence S 11°14'54" E a distance of 657.37 ft. to a 5/8" rebar with a plastic cap said point being the POINT OF BEGINNING;

Thence N 49°00'59" E a distance of 667.23 ft. to a 5/8" rebar with a plastic cap;

Thence S 18°17'54" E a distance of 466.09 ft. to a 5/8" rebar with a plastic cap;

Thence S 72°33'41" W a distance of 236.99 ft. to a 5/8" rebar with a plastic cap;

Thence S 59°45'02" W a distance of 147.63 ft. to a 5/8" rebar with a plastic cap;

Thence S 54°15'53" W a distance of 293.55 ft. to a 5/8" rebar with a plastic cap;

Thence S 04°00'06" W a distance of 205.68 ft. to a point on the northerly right-of-way of State Highway 75 which is a 5/8" rebar with a plastic cap;

Thence along said right-of-way 104.44 ft. along a curve to the right having a radius of 904.30 ft. and a chord bearing S 68°13'47" W for 104.38 ft. to a 5/8" rebar with a plastic cap;

Thence N 13°52'02" W leaving said right-of-way a distance of 571.79 ft. to a 5/8" rebar with a plastic cap;

Thence N 86°49'52" E a distance of 190.50 ft. to the POINT OF BEGINNING.

*and re-recorded February 3, 2023 as Instrument #263786

*and re-recorded February 16, 2023 as Instrument #263817

EXHIBIT A

264838

Lot 6 Description

Lot 6 of Replat of Aspen Gulch Subdivision as shown on Plat recorded on December 15, 2004, as Instrument Number 230493 and also shown on Record of Survey recorded on June 8, 2022, as Instrument Number 262636*, located in H.E.S. 136, Unsurveyed Sections 25 and 26, T. 11 N., R. 15 E., Boise Meridian, Custer County, Idaho, more particularly described as follows:

Commencing at Corner Number 7 of said H.E.S. 136 which is a brass cap run thence N 76°46'39" Ea distance of 1774.74 ft., the Basis of Bearing of this description to Corner Number 6 of H.E.S. 136 which is a brass cap, run thence N 60°02'39" E along the northerly boundary of said H.E.S 136 a distance of 253.31 ft. to a 5/8" rebar with a plastic cap said point being the POINT OF BEGINNING;

Continue thence N 60°02'39" E along said northerly boundary of said H.E.S. 136 a distance of 754.09 ft. to a 5/8" rebar with a plastic cap;

Thence S 55°57'42" E leaving said H.E.S. boundary a distance of 342.53 ft. to a 5/8" rebar with a plastic cap;

Thence S 49°37'16" W a distance of 842.79 ft. to a 5/8" rebar with a plastic cap;

Thence N 39°15'27" W a distance of 466.45 ft. to the POINT OF BEGINNING.

*and re-recorded February 3, 2023 as Instrument# 263786

*and re-recorded February 16, 2023 as Instrument #263817

EXHIBIT A

264838

Lot 7 Description

Lot 7 of Replat of Aspen Gulch Subdivision as shown on Plat recorded on December 15, 2004, as Instrument Number 230493 and also shown on Record of Survey recorded on June 8, 2022, as Instrument Number 262636* located in H.E.S. 136, Unsurveyed Sections 25 and 26, T. 11 N., R. 15 E., Boise Meridian, Custer County, Idaho, more particularly described as follows:

Commencing at Corner Number 7 of said H.E.S. 136 which is a brass cap run thence N 76°46'39" Ea distance of 1774.74 ft., the Basis of Bearing of this description, to Corner Number 6 of H.E.S. 136 which is a brass cap, run thence N 60°02'39" E along the northerly boundary of said H.E.S. 136 a distance of 253.31 ft. to a 5/8" rebar with a plastic cap, run thence S 39°15'27" Ea distance of 466.45 ft. to a 5/8" rebar with a plastic cap said point being the POINT OF BEGINNING;

Thence N 49°37'16" Ea distance of 842.79 ft. to a 5/8" rebar with a plastic cap;

Thence S 55°58'28" Ea distance of 194.75 ft. to a 5/8" rebar with a plastic cap;

Thence S 39°07'35" Ea distance of 256.71 ft. to a 5/8" rebar with a plastic cap;

Thence S 51°05'09" W a distance of 796.64 ft. to a 5/8" re bar with a plastic cap;

Thence S 00°10'22" W a distance of 132.89 ft. to a 5/8" rebar with a plastic cap;

Thence 204.56 ft. along a curve to the left having a radius of 1225.00 ft. and a chord bearing S 76°40'22" W for 204.33 ft.;

Thence N 18°17'54" W a distance of 466.09 ft. to the POINT OF BEGINNING.

*and re-recorded February 3, 2023 as Instrument# 263786

*and re-recorded February 16, 2023 as Instrument #263817

EXHIBIT A

264838

Parcel "A" Description

Parcel "A" adjoining Replat Aspen Gulch Subdivision as shown on Plat recorded on December 15, 2004, as Instrument Number 230493 and also shown on Record of Survey recorded on June 8, 2022, as Instrument Number 262636*, located in H.E.S. 136, Unsurveyed Sections 25 and 26, T. 11 N., R. 15 E., Boise Meridian, Custer County, Idaho, more particularly described as follows:

Commencing at Corner Number 7 of said H.E.S. 136 which is a brass cap from which Corner Number 6 of H.E.S. 136 which is a brass cap bears N 76°46'39" E, 1774.74 ft., the Basis of Bearing of this description, run thence N 76°46'39" E along the northerly boundary of said H.E.S. 136 a distance of 1654.27 ft. to a 5/8" rebar with a plastic cap said point being the POINT OF BEGINNING;

Continue thence N 76°46'39" E along said northerly H.E.S. 136 boundary a distance of 120.47 ft. to a brass cap;

Thence N 60°02'39" E along said northerly H.E.S. 136 boundary a distance of 253.31 ft. to a 5/8" rebar with a plastic cap;

Thence S 39°15'27" E a distance of 466.45 ft. to a 5/8" rebar with a plastic cap;

Thence S 49°00'59" W a distance of 667.23 ft. to a 5/8" rebar with a plastic cap;

Thence N 11°14'54" W a distance of 657.37 ft. to the POINT OF BEGINNING.

*and re-recorded February 3, 2023 as Instrument #263786

*and re-recorded February 16, 2023 as Instrument #263817



0005440078

**STATE OF IDAHO***Office of the secretary of state, Phil McGrane***ARTICLES OF INCORPORATION (NONPROFIT)**

Idaho Secretary of State

PO Box 83720

Boise, ID 83720-0080

(208) 334-2301

Filing Fee: \$30.00

For Office Use Only

-FILED-

File #: 0005440078

Date Filed: 10/13/2023 9:50:07 AM

EIN: 93-4000058

Articles of Incorporation (Nonprofit)		
Select one: Standard, Expedited or Same Day Service (see descriptions below)	Standard (filing fee \$30)	
Article 1: Corporation Name		
Entity name	ASPEN GULCH WATER USERS ASSOCIATION INC	
Article 2: Effective Date		
The corporation shall be effective	when filed with the Secretary of State.	
Article 3: Purpose		
The purpose for which the corporation is organized is:	Water Users Association	
Article 4: Voting Members:		
The corporation	has voting members.	
Article 5: Asset Distribution on Dissolution		
Upon dissolution the assets shall be distributed:	the residual assets of the Corporation (after all creditors of the Corporation have been paid), shall be distributed to the members prorated in accordance with their respective membership interests.	
Article 6: IRS Designation		
Does this nonprofit corporation intend to file as a 501(c)(3) with the IRS?	No	
Article 7: The mailing address of the corporation shall be:		
Mailing Address	PO BOX 148 STANLEY, ID 83278-0148	
Article 8: Registered Agent Name and Address		
Registered Agent	JEFFREY HALL Registered Agent Physical Address 2541 E GALA ST STE 200 MERIDIAN, ID 83642 Mailing Address 2541 E GALA ST STE 200	
☒ I affirm that the registered agent appointed has consented to serve as registered agent for this entity.		
Article 9: Incorporator Name(s) and Address(es)		
Name	Incorporator Address	
CHARLES THOMPSON	PO BOX 148 STANLEY, ID 83278	
Article 10: Director Name(s) and Address(es)		
Name	Title	Director Address



CHARLES THOMPSON	Director	PO BOX 148 STANLEY, ID 83278
CHRIS WOSJE	Director	5221 S SWEETBRIAR CT SIOUX FALLS, ID 57108
PAT WOSJE	Director	1019 W 70TH ST KANSAS CITY, MO 64113

The Articles of Incorporation must be signed by at least one Incorporator.

Charles Thompson

10/13/2023

CHARLES THOMPSON

Date



IDAHO DEPARTMENT OF
WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858

Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

December 27, 2023

ASPEN GULCH WATER USERS ASSOCIATION INC
PO BOX 148
STANLEY ID 83278-0148

Re: Change in Ownership for Water Right No: 72-4052A

Dear Water Right Holders:

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) 736-3033.

Sincerely,

Bill Mills

Water Resource Agent, Senior

Enclosure

c: D L EVANS BANK; WATER DISTRICT 170