

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUL 01 2024

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. 100

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
65-1368 ✓	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: Michael and Leann Gilberg
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Johnnie C. Edmunson
New owner(s) as listed on the conveyance document
- Name connector ☐ and ☐ or
- 1806 Hwy 16 Emmett ID 83617
Mailing address City State Zip
- 208.365.1000 freezeouthillstorage1806@gmail.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: January 2024
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: Johnnie C. Edmunson June 26, 2024
Signature of new owner/claimant Title, if applicable Date
- Johnnie C. Edmunson
Print name

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

Print name

For IDWR Office Use Only:

Received by KM Date 7-1-24 Receipt No. C118563 Receipt Amt. \$25

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 DM Date 7-2-24

Instrument # 348136

EMMETT, GEM, IDAHO
2024-01-11 09:13:36 AM No. of Pages: 2
Recorded for: ALLIANCE TITLE - BOISE PRODUCT
SHELLY TILTON Fee: \$15.00
Ex-Officio Recorder Deputy SStewart
Index To: WARRANTY DEED
Electronically Recorded by Simplifile



WARRANTY DEED

Alliance Title & Escrow, LLC Order No.:652342

FOR VALUE RECEIVED

Leann R. Gilberg, a single woman

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Johnnie C. Edmunson, a single man

whose current address is

**2751 E Quail Run Rd.
Emmett, ID 83617**



the grantee(s), the following described premises, in Gem County, Idaho, TO WIT:

Parcel 1:

That portion of the Southeast Quarter of the Southeast Quarter of Section 9, Township 6 North, Range 1 West, Boise Meridian, Gem County, Idaho, described as follows:

Commencing at the Northwest corner of the Southeast Quarter of the Southeast Quarter of Section 9, Township 6 North, Range 1 West, Boise Meridian, Gem County, Idaho; thence South 00°42'09" West, 812.16 feet, along the West line of said Southeast Quarter of the Southeast Quarter, to the Point of Beginning; thence South 89°54'51" East 608.29 feet; thence South 00°12'24" East 299.73 feet to the right-of-way line of the Black Canyon Canal; thence South 48°51'43" West 59.97 feet (shown of record as 54.97 feet) along said right-of-way; thence South 47°19'13" West 117.69 feet along said right-of-way line; thence South 20°29'23" East 95.59 feet along said right-of-way line, to the South line of the Southeast Quarter of the Southeast Quarter; thence North 89°38'11" West 450.45 feet, along the South line, to the Southwest corner of said Southeast Quarter of the Southeast Quarter; thence North 00°42'09" East 506.60 feet, along the West line of said Southeast Quarter of the Southeast Quarter, to the Point of Beginning.

EXCEPTING Therefrom any manufactured / mobile home located thereon.

Parcel 2:

Easement for the benefit of Parcel 1 as created by instrument recorded April 1, 1999 as Instrument No. 205170, for ingress, egress and utilities, described as follows:

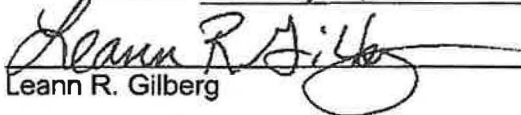
An ingress, egress and utility easement under, over and across a strip of land lying 40.00 feet West and adjacent to the following described line:

Commencing at the Northwest corner of the said Southeast Quarter of the Southeast of Section 9, Township 6 North, Range 1 West, Boise Meridian, Gem County, Idaho; thence South 89°54'51" East 595.40 feet, along the North line of said Southeast Quarter of the Southeast to the Point of Beginning; thence South 00°12'24" East, 812.13 feet to the point of terminus of this easement.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

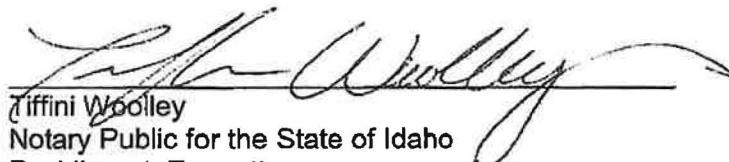
Dated: January 10, 2024

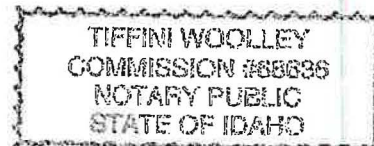

Leann R. Gilberg

State of Idaho } ss
County of Gem }

On this 10 day of January, 2024, before me, Tiffini Woolley, a Notary Public in and for said state, personally appeared Leann R. Gilberg, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within Instrument and acknowledged that he/she/they executed the same.

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


Tiffini Woolley
Notary Public for the State of Idaho
Residing at: Emmett
Commission Expires: October 13 2028





PO Box 622, 1312 S Washington Ave., Ste. F Emmett, ID 83617
(208)365-4486 Fax: (208)365-4541

Assessment Request

TO: Emmett Irrigation District
222 E Park St.
Emmett, ID 83617

Fax: (208) 365-1324

Phone: (208) 365-4582

Email: emmettirrigationoffice@gmail.com

December 14, 2023

Escrow # 652342

Requestor: Jill Sjothun

Property Address: 2751 E Quail Run Rd., Emmett, ID 83617

Current Owner: Leann R. Gilberg

New Buyer: Johnnie C. Edmunson

Estimated Closing Date: January 11, 2024

Parcel Number(s): RP06N01W099320

Parcel 1:

That portion of the Southeast Quarter of the Southeast Quarter of Section 9, Township 6 North, Range 1 West, Boise Meridian, Gem County, Idaho, described as follows:

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Parcel 2:

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Commencing at the Northwest corner of the said Southeast Quarter of the Southeast of Section 9, Township 6 North, Range 1 West, Boise Meridian, Gem County, Idaho; thence South 89°54'51" East 595.40 feet, along the North line of said Southeast Quarter of the Southeast to the Point of Beginning; thence South 00°12'24" East, 812.13 feet to the point of terminus of this easement.

Account/Reference No.: _____

Transfer Fee Due, if any: \$ _____

Assessment amount: \$ _____

Paid: ☐ Monthly ☐ Quarterly ☐ Semi-Annually ☐ Annually

Current amount due: \$ _____ from _____ to _____ (dates)

TOTAL AMOUNT DUE: \$ _____

Mailing Address: _____

Phone Number: _____ Email: _____

Completed by: _____ Date: _____

Acct #GI1614 Assessment #096-03 Water entitlement acres: 6.65

2023 Assessment: \$264.51

Land Transfer Fee: \$300.00 Invoice #23248

TOTAL DUE: \$564.51

Please send copy of Deed, 2023 Assessment & Land Transfer Fee to:
Emmett Irrigation District
222 E Park St
Emmett, ID 83617

Completed By: Michelle Valentine Date: 12/14/2023



[Handwritten signature]

ALTA OWNER'S POLICY OF TITLE INSURANCE (07-01-2021)
SCHEDULE A

ISSUED BY
First American Title Company

Issuing Agent: Alliance Title & Escrow, LLC
Issuing Office: TVP 9465 W Emerald St., Ste. 120, Boise, ID 83704
Issuing Office's ALTA® Registry ID: 0050412
Issuing Office File Number: 652342
Property Address: 2751 E Quail Run Rd., Emmett, ID 83617

Name and Address of Title Insurance Company:

First American Title Company
1 First American Wy.
Santa Ana, CA 92707

File Number: 652342

Policy Number: 50122816-800634

Amount of Insurance: \$550,000.00
Date of Policy: January 11, 2024 9:13AM

Premium: \$1,943.00

1. The Insured is:

2. The estate or interest in the Land insured by this policy is:

FEE SIMPLE Interest as to Parcel 1 and Easement Interest as to Parcel 2

3. The Title is vested in:

Johnnie C. Edmunson, a single man

4. The Land is described as follows:

See Attached Exhibit A

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File No.: 652342

ALTA Owner's Policy of Title Insurance (07-01-2021)

AMERICAN
LAND TITLE
ASSOCIATION



EXHIBIT A

Parcel 1:

That portion of the Southeast Quarter of the Southeast Quarter of Section 9, Township 6 North, Range 1 West, Boise Meridian, Gem County, Idaho, described as follows:

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Commencing at the Northwest corner of the said Southeast Quarter of the Southeast of Section 9, Township 6 North, Range 1 West, Boise Meridian, Gem County, Idaho; thence South 89°54'51" East 595.40 feet, along the North line of said Southeast Quarter of the Southeast to the Point of Beginning; thence South 00°12'24" East, 812.13 feet to the point of terminus of this easement.



**ALTA OWNER'S POLICY OF TITLE INSURANCE (07-01-2021)
SCHEDULE B**

ISSUED BY
First American Title Company

File Number: 652342

Policy Number: 50122816-800634

EXCEPTIONS FROM COVERAGE

Some historical land records contain Discriminatory Covenants that are illegal and unenforceable by law. This policy treats any Discriminatory Covenant in a document referenced in Schedule B as if each Discriminatory Covenant is redacted, repudiated, removed, and not republished or recirculated. Only the remaining provisions of the document are excepted from coverage.

This policy does not insure against loss or damage and the Company will not pay costs, attorneys' fees, or expenses resulting from the terms and conditions of any lease or easement identified in Schedule A, and the following matters:

1. Rights or claims of parties in possession not shown by the public records.
2. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records.
3. Easements, or claims of easements, not shown by the public records.
4. Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights or easements appurtenant to water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the public records.
6. Taxes or special assessments which are not shown as existing liens by the public records of any taxing authority that levies taxes or assessments on real property or by the public records. Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
7. General Taxes for the year 2023 a Lien, the first half is paid and the second half is now due and payable.
Parcel No.: RP06N01W2099320
In the original amount of: \$653.23
8. Taxes, including any assessments collected therewith, for the year 2024 which are a lien not yet due and payable.
9. Levies and assessments of the Emmett Irrigation District, and the rights, powers and easements of said district as by law provided.
10. Ditch, road and public utility easements as the same may exist over said Land.
11. Right, title and interest of the public in and to those portions of the Land lying within roads or highways.
12. Right-of-way for Black Canyon Canal and the rights of access thereto for maintenance of said canal.
13. Reservations and exceptions in the United States Patent, and in the act authorizing the issuance thereof.
Recorded: December 14, 1897.
Book: 2 at Page: 351
14. Easements reservations and dedications, as shown on record of survey.
Recorded: June 18, 1993
Instrument No.: 176376

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File No.: 652342

9010 ALTA Owner's Policy of Title Insurance (07-01-2021)



15. Easements reservations and dedications, as shown on record of survey.
Recorded: October 29, 1993
Instrument No.: 177983
16. An easement for the purpose shown below and rights incidental thereto as set forth in document:
Granted To: Idaho Power Company
Purpose: Public Utilities
Recorded: October 20, 1994
Instrument No.: 182436
17. An easement for the purpose shown below and rights incidental thereto as set forth in document:
Granted To: Idaho Power Company
Purpose: Public Utilities
Recorded: December 14, 1994
Instrument No.: 183029
18. Easements reservations and dedications, as shown on record of survey.
Recorded: September 17, 1996
Instrument No.: 191720
19. Terms, provisions, covenants, conditions, easements, definitions, options, obligations and restrictions, contained in a document
Purpose: Irrigation Maintenance Agreement
Recorded: September 26, 1997
Instrument No.: 196798
20. Easements reservations and dedications, as shown on record of survey.
Recorded: September 16, 1997
Instrument No.: 196599
21. Terms, provisions, limitations and obligations, whether express or implied, contained in an Easement.
Purpose: Ingress, egress and utility
Recorded: April 1, 1999
Instrument No.: 205170
22. Terms, provisions, covenants, conditions, easements, definitions, options, obligations and restrictions, contained in a document
Purpose: Irrigation Agreement
Recorded: April 11, 1999
Instrument No.: 205172
23. Easements reservations and dedications, as shown on record of survey.
Recorded: June 21, 1999
Instrument No.: 206565
24. The Land described in this commitment/policy shall not be deemed to include any house trailer or mobile home standing on the Land.

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9010 ALTA Owner's Policy of Title Insurance (07-01-2021)

AMERICAN
LAND TITLE
ASSOCIATION



RECORD OF SURVEY

A TRACT OF LAND SITUATE IN A PORTION OF THE SE 1/4 SE 1/4 OF SECTION 9, TOWNSHIP 6 NORTH, RANGE 1 WEST, BOISE MERIDIAN, GEM COUNTY, IDAHO LYING NW OF USBR CANAL R.O.W.

1/4 CORNER 9 10
CP&F NO. 174597

BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS DRAWING IN THE EAST LINE OF THE SOUTHEAST 1/4 SOUTHEAST 1/4 OF SECTION 9, TOWNSHIP 6 NORTH, RANGE 1 WEST, BOISE MERIDIAN, AS SHOWN ON RECORD OF SURVEY INSTR. No. 177983, RECORDS OF GEM COUNTY, IDAHO, i.e. S01°19'34"W.

LEGEND

- FOUND BRASS CAP MONUMENT
- FOUND 1/2" IRON PIN
- FOUND 5/8" IRON PIN P.L.S. 4108
- FOUND 1/2" IRON PIN P.L.S. 4108 AT 40' OFFSET
- SET 1/2" IRON PIN P.L.S. 4108
- TOE OF DITCH ANGLE POINT (NOTHING SET)
- DITCH
- ASSERTED RIGHT OF WAY BY BUREAU OF REC.

TOE OF SLOPE DATA

LINE	DIRECTION	DISTANCE
L-1	N25°39'14"E	119.69'
L-2	N52°26'37"E	149.41'
L-3	N39°48'57"E	154.51'
L-4	N28°18'54"E	98.52'
L-5	N17°51'35"E	86.88'
L-6	N00°15'36"E	151.38'
L-7	N58°18'50"E	343.04'
L-8	N48°51'43"E	64.47'
L-9	S48°51'43"W	59.97'
L-10	S47°19'13"W	117.69'
L-11	S20°29'23"W	95.59'

SURVEY FOR
DON HUMPHREY
1100 S. PLAZA ROAD
EMMETT, ID. 83617
(208) 365-7289

Fischer Land Surveying, Inc.

PROFESSIONAL LAND SURVEYING



404 So. Washington Ave.
Emmett, Idaho 83617
Phone: (208) 365-4146



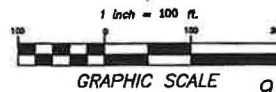
INSTR. No.: **196599**

STATE OF IDAHO
COUNTY OF GEM

Recorded at request of
Don Humphrey
Time: 9:51 AM
Date: Sept 16, 1997
Instr. No.: 196599
Recorded as a Survey

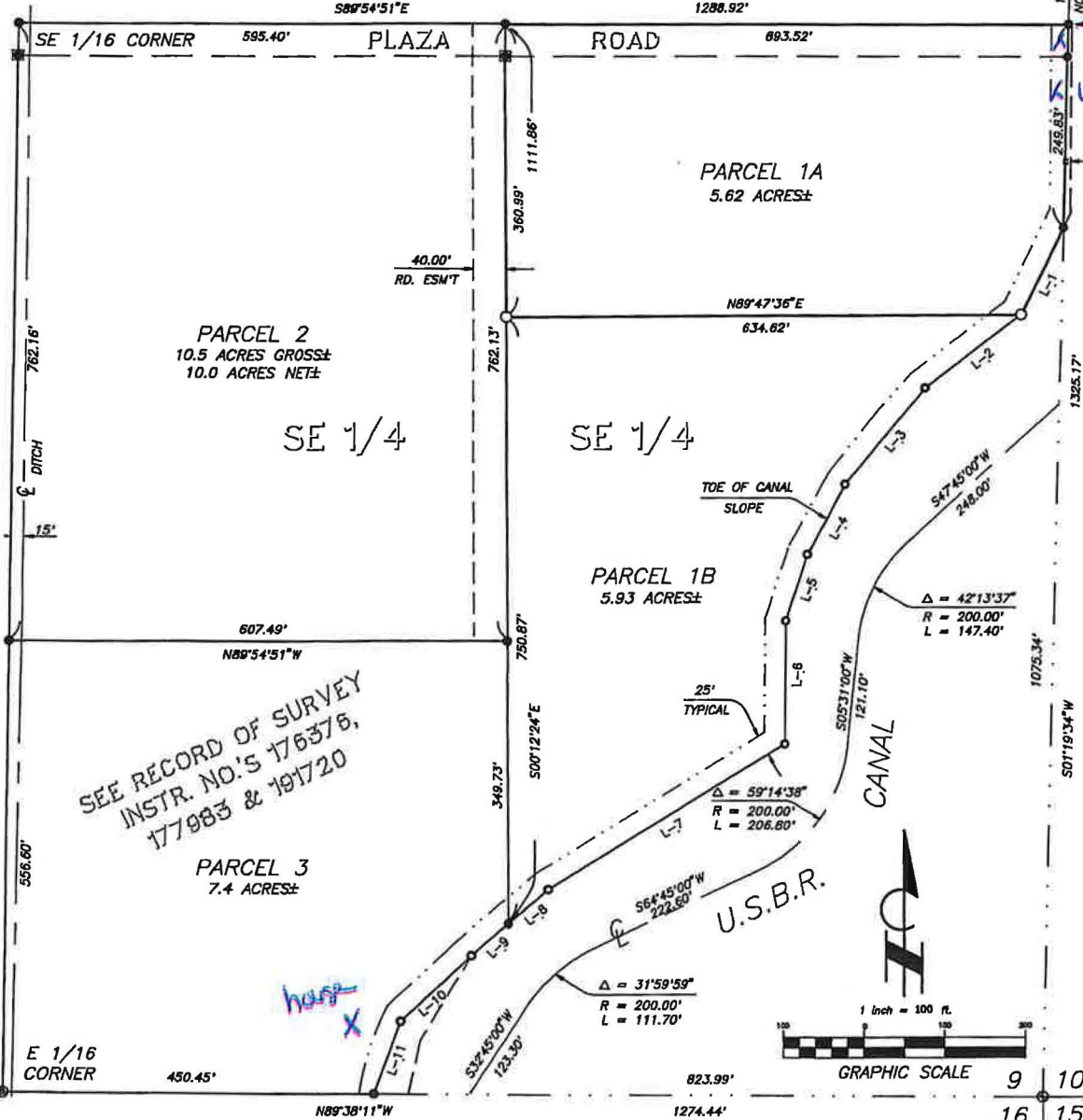
Thelma R. Kolodziej, Clerk
Ex-officio Recorder

Judy Bigham
Deputy
Fee: \$5.00



CP&F NO. 103179

PINS SET ON PARCEL 1 SPLIT SEPTEMBER, 1997
INDEX NO. 614-09-2-2-0-0 JOB NO. 46-93(1)





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

July 03, 2024

JOHNNIE C EDMUNSON
1806 HIGHWAY 16
EMMETT ID 83617-9462

Re: Change in Ownership for Water Right No(s): **65-1368**

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)287-4921.

Sincerely,

Debra Mansfield
Technical Records Specialist 1

Enclosure(s)

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

7/2/2024

Water Right 65-1368

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JOHNNIE C EDMUNSON 1806 HIGHWAY 16 EMMETT, ID 83617-9462 (208) 365-1000
Original Owner	HERBERT G HETHERINGTON PO BOX 740 EMMETT, ID 83617
Original Owner	INA L HUMPHREY 1100 S PLAZA RD EMMETT, ID 83617 (208) 365-7289
Original Owner	DONALD D HUMPHREY 1100 S PLAZA RD EMMETT, ID 83617 (208) 365-7289
Previous Owner	MICHAEL GILBERG 5932 N ALDER POINT BOISE, ID 83703 (208) 853-2349
Previous Owner	LEANN GILBERG 5932 N ALDER POINT BOISE, ID 83703 (208) 853-2349

Priority Date: 10/8/1962

Basis: Decreed

Status: Active

Source
GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
COMMERCIAL	1/01	12/31	0.030 CFS	5.4 AF
DOMESTIC	1/01	12/31	0.040 CFS	1.2 AF
	<u>Total Diversion</u>		0.040 CFS	6.6 AF