

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

DE FEB 07 2025
incomplete
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 #7 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
63-15065	Yes ☐	Yes ☐		Yes ☐	Yes ☐
63-5102	Yes ☒	Yes ☐		Yes ☐	Yes ☐
→ Split 63-35669	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Robert S. Bowen III and Erika R. Bowen
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Lane Chitwood and Hilary Chitwood
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or
- 3174 S. Canonero Way Boise ID 83709
Mailing address City State Zip
- 208-297-9374 LaneMChitwood@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: 08/27/2024
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: [Signature] Title, if applicable: _____ Date: 02/05/2025
 Signature of new owner/claimant
 Lane Chitwood
 Print name
- Signature: [Signature] Title, if applicable: _____ Date: 02/05/2025
 Signature of new owner/claimant
 Hilary Chitwood
 Print name

For IDWR Office Use Only:

Received by MB Date 2/7/2025 Receipt No. W052365 Receipt Amt. \$50.00

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 SA Processed by SA Date 3/4/25



5680 E. Franklin Rd., Ste. 150
Nampa, ID 83687

ELECTRONICALLY RECORDED-DO NOT
REMOVE THE COUNTY STAMPED FIRST
PAGE AS IT IS NOW INCORPORATED AS
PART OF THE ORIGINAL DOCUMENT

File No. 857343 CH/

Instrument # 287244
IDAHO CITY, BOISE COUNTY, IDAHO
08-27-2024 11:33:54 AM No. of Pages: 3
Recorded for: PIONEER TITLE COMPANY OF ADA
MARY T. PRISCO Fee: \$15.00
Ex-Officio Recorder Deputy shirley george
Index to: DEEDS
Electronically Recorded by Simplifile

WARRANTY DEED

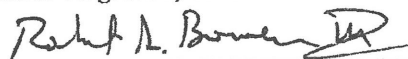
For Value Received Robert S. Bowen, III and Erika R. Bowen, husband and wife
hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

Lane Chitwood and Hilary Chitwood, husband and wife
hereinafter referred to as Grantee, whose current address is 3174 S Canonero Way Boise, ID 83709
The following described premises, to-wit:

See Exhibit A attached hereto and made a part hereof.

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantees(s) heirs and assigns forever. And the said Grantor(s) does (do) hereby covenant to and with the said Grantee(s), that the Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to U.S. Patent reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and current years taxes, levies, and assessments, includes irrigation and utility assessments, (if any) which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: August 22, 2024



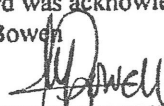
Robert S. Bowen III



Erika R. Bowen

State of IDAHO, County of Bonner

This record was acknowledged before me on August 26, 2024 by Robert S. Bowen III and Erika R. Bowen



Signature of notary public

Commission Expires: 2/14/2029

MICHELLE POWELL
COMM NO. 20230724
NOTARY PUBLIC
STATE OF IDAHO
MY COMMISSION EXPIRES: FEB. 14, 2029

EXHIBIT A

Tracts A, B and C of Homestead Entry Survey No. 492, being a portion of Sections 26 and 27, Township 4 North, Range 5 East, Boise Meridian, Boise County, Idaho, EXCEPT the following 5 tracts:
A tract which is the Southeast portion of Homestead Entry Survey No. 492 in Section 26, Township 4 North, Range 5 East, Boise Meridian, more particularly described as follows:

- 1) Beginning at Corner No. 13 a brass cap at the Southeast corner of said Homestead Entry Survey; thence North 89°57' West 219.59 feet along the South side of said Homestead Entry Survey to a point; thence North 8°18' East 802.12 feet along the Easterly side of a forest road right of way; thence North 7°52' West 1450.95 feet along the Easterly side of a forest road right of way to a steel pin; thence North 89°58' East 316.10 feet to a steel pin; thence South 0°21' West 2231.42 feet along the Easterly said Homestead Entry Survey to the point of beginning.
- 2) The South central portion of Homestead Entry Survey No. 492, situate between the forest road right of way and Cottonwood Creek, in Section 26, Township 4 North, Range 5 East, described as follows:
Beginning at a point on the South side of said Homestead Entry Survey, which point is South 89°57' East 219.9 feet from Corner No. 1 of said Homestead Entry Survey; thence South 89°57' East 152.4 feet along the South side of said Homestead Entry Survey to a steel pin; thence North 8°18' East 608.8 feet along the West side of a forest road right of way to a steel pin; thence along Cottonwood Creek Channel to the point of beginning as follows:
South 82°15' West 81.7 feet; thence
South 58°05' West 89.9 feet; thence
South 12°54' West 116.4 feet; thence
South 29°39' West 168.5 feet; thence
South 50°12' East 62.1 feet; thence
South 61°55' East 26.3 feet; thence
South 1148' West 104.1 feet; thence
South 44°53' West 42.1 feet; thence
South 3°40' East 100.2 feet.
- 3) A tract which is the Northeast portion of Homestead Entry Survey No. 492 in Section 26, Township 4 North, Range 5 East, Boise Meridian, more particularly described as follows:
Beginning at a steel pin marking corner No. 12 as re-established, which corner is North 89°40' East 947.1 feet from corner No. 6 of said Homestead Entry Survey and North 0°21' East 3149.5 feet from corner No. 13 of said Homestead Entry Survey; thence from said corner No. 12
South 0°21' West 918.10 feet along the Easterly side of said Homestead Entry Survey to a steel pin; thence South 89°58' West 316.1 feet to a steel pin; thence
North 7°52' West 757.9 feet along the Easterly side of a forest road right of way; thence
North 19°03' West 174.0 feet along the Easterly side of a forest road right of way; thence
North 89°40' East 482.2 feet to the point of beginning.
- 4) A portion of Tract B of Homestead Entry Survey No. 492 situated in Sections 26 and 27, Township 4 North, Range 5 East, Boise Meridian, Boise County, Idaho, said portion being described as follows.
Commencing at a found brass cap monumenting Corner No. 6 of said H.E.S. No. 492; thence along the boundary of said Tract B North 61°34'11" West, a distance of 539.76 feet (formerly North 61°49' West 540.54 feet) to a found brass cap monumenting Corner No. 7 of said H.E.S. No. 492; thence continuing along said boundary North 19°42'10" East, (formerly North 19°20' East), a distance a 100.00 feet to a set steel pin, said pin being the REAL POINT OF BEGINNING; thence continuing along the boundary of said Tract B the following courses:
North 19°42'10" East (formerly North 19°20' East), a distance of 1718.43 feet to a found brass cap monumenting Corner No. 8 of said H.E.S. No. 492; thence
North 89°58'00" East, a distance of 303.60 feet (formerly 300.30 feet) to Corner No. 9 of said H.E.S. No. 492; thence
South 02°26'45" East (formerly South 02°54' East), a distance of 1290.82 feet to a point; thence leaving said boundary
South 70°42'29" west, a distance of 993.85 feet to the REAL POINT OF BEGINNING.
- 5) A portion of Tract C of Homestead Entry Survey No. 492 situated in Sections 26, Township 4 North, Range 5 East, Boise Meridian, Boise County, Idaho, said portion being described as follows:
Commencing at a found brass cap monumenting Corner No. 8 of said H.E.S. No. 492; thence

along the Northerly boundary of said H.E.S. No. 492 North $89^{\circ}58'00''$ East, a distance of 957.16 feet (formerly 947.10 feet) to a found steel pipe (said pipe being replaced by an aluminum capped pipe); thence continuing along said Northerly boundary South $89^{\circ}58'00''$ West, a distance of 482.20 feet to a set steel pin at the Northwest corner of an exception listed in Instrument No. 104883, records of Boise County, Idaho, said pin being the REAL POINT OF BEGINNING; thence along the Westerly boundary of two exceptions described in said Instrument No. 104883, South $18^{\circ}45'00''$ East (formerly South $19^{\circ}03'$ East), a distance of 174.00 feet to a set steel pin; thence continuing along said Westerly boundary South $07^{\circ}06'51''$ East (formerly South $07^{\circ}52'$ East), a distance of 1028.05 feet to a set steel pin; thence leaving said Westerly boundary South $70^{\circ}42'29''$ West, a distance of 282.90 feet to a point on the Westerly boundary of said Tract C; thence along said Westerly boundary North $02^{\circ}26'45''$ West (formerly North $02^{\circ}54''$ West), a distance of 1279.45 feet to Corner No. 11 of said H.E.S. No. 492; thence leaving said Westerly boundary along the Northerly boundary of said Tract C North $89^{\circ}58'00''$ East, a distance of 138.36 feet to the REAL POINT OF BEGINNING.

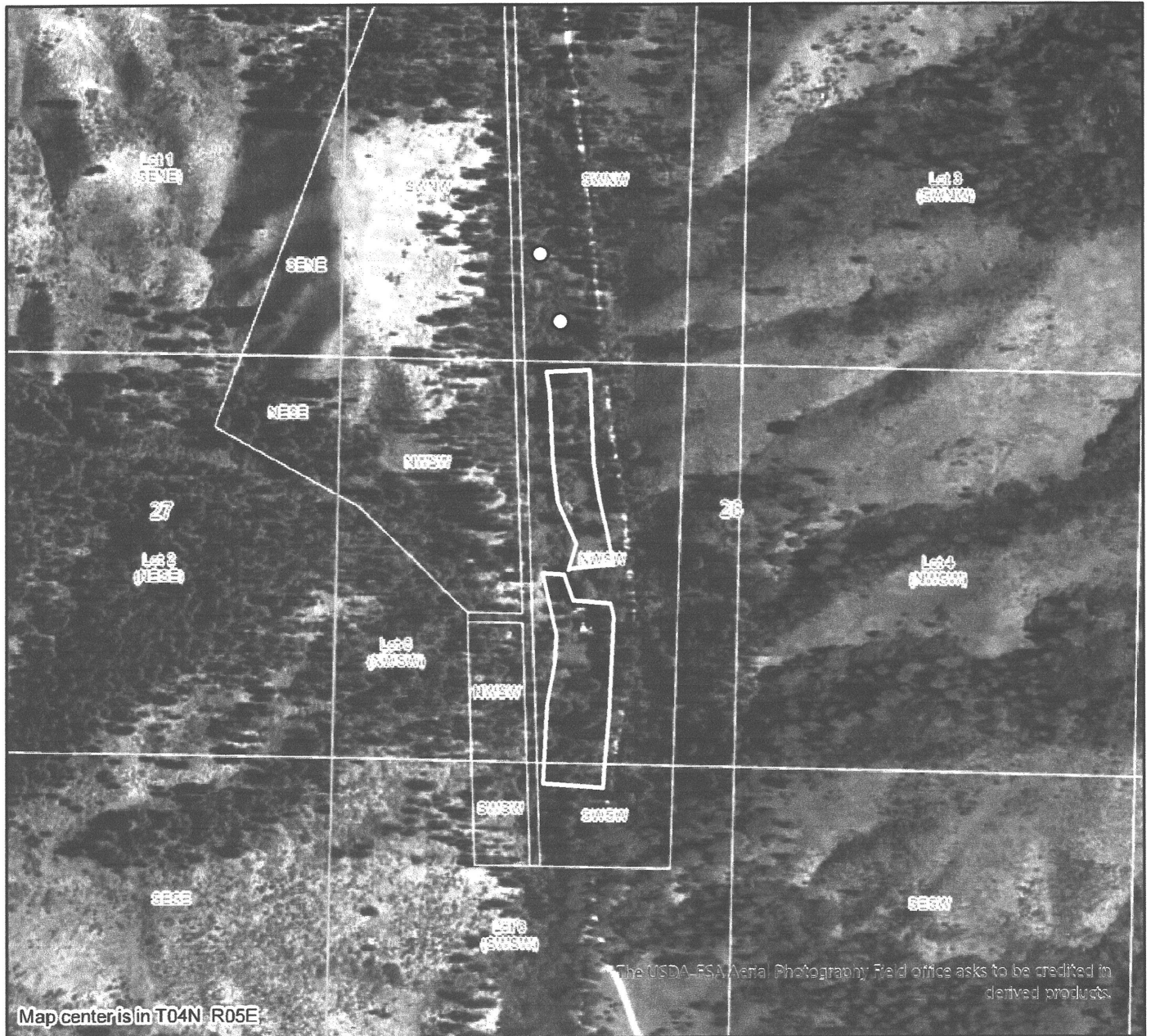
State of Idaho
Department of Water Resources

Water Right

63-5102

IRRIGATION

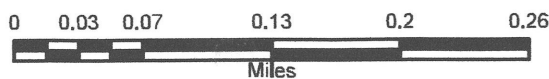
The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



The USDA-RSA Aerial Photography Field office asks to be credited in derived products.



Date created: 2/6/2025



Legend

- Quarter Quarters
- PLS Sections
- Townships
- Place of Use Boundary
- Point of Diversion



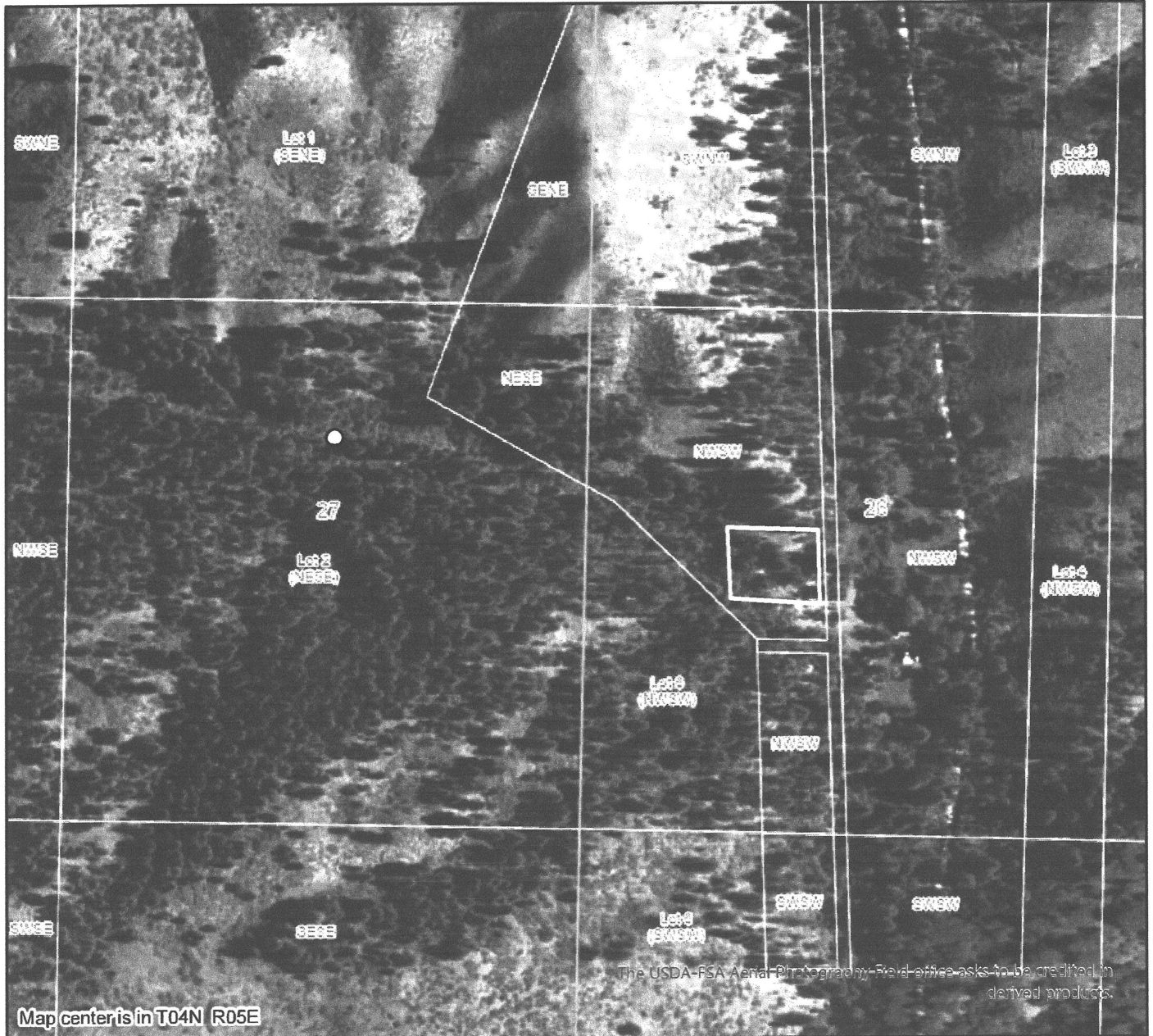
State of Idaho
Department of Water Resources

Water Right

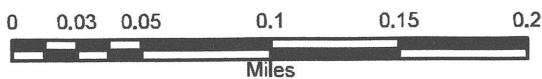
63-15065

DOMESTIC

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Date created: 2/6/2025



Legend

- Quarter Quarters
- PLS Sections
- Townships
- Place of Use Boundary
- Point of Diversion





IDAHO DEPARTMENT OF
WATER RESOURCES

Western Region • 2735 W Airport Way • Boise, ID 83705-5082

Phone: 208-334-2190 • Fax: 208-334-2348 • Email: westerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

March 04, 2025

LANE AND HILARY CHITWOOD
3174 S CANONERO WAY
BOISE ID 83709-3874

Re: Change in Water Right Ownership: 63-15065 and 63-5102 (Split into 63-5102 and 63-35669)

Dear Water Right Holders:

The Department of Water Resources (Department) acknowledges receipt of the correspondence changing ownership of 63-15065 and a portion of 63-5102 to you. The Department has modified its records based on the information received and has enclosed two computer-generated reports for you.

Your portion of each water right has a specified point of diversion, nature of use and place of use. If you plan to change the authorized point of diversion, nature of use, or place of use, including adding a new point of diversion, you must file an Application for Transfer of Water Right. If you do not plan to change any elements of your water right, then no further action is required.

The portion of the water right retained by the original right owner retains the original water right number. Your portion is now water right 63-35669.

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 208-605-4631.

Sincerely,

Susy Hobson
Technical Records Specialist 1

Enclosures: Water Right Reports



IDAHO DEPARTMENT OF
WATER RESOURCES

Western Region • 2735 W Airport Way • Boise, ID 83705-5082

Phone: 208-334-2190 • Fax: 208-334-2348 • Email: westerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

February 13, 2025

LANE AND HILARY CHITWOOD
3174 S CANONERO WAY
BOISE ID 83709-3874

RE: Change in Ownership Water Right Nos: 63-5102, 63-15065

Dear Applicant:

The Department of Water Resources (Department) acknowledges receipt of your Notice of Change in Water Right Ownership (Notice). During our review of your Notice we found that water right 63-5102 will need to be split. Its Place of Use (POU) is on your parcel, RP04N05E264250 and the neighboring parcel, RP04N05E264250. Thus, the filing fee is \$100 for the change in ownership/split for that water right.

- Filing fee balance due: \$75 (\$100-\$25) for split of water right 63-5102

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.

Because the Department cannot process water right 63-5102 without the proper fee, we will hold any action on that water right pending receipt of the necessary fee. If we do not receive the necessary fee within 30 days we will refund your \$25 payment and the change of ownership for water right 63-5102 will not be processed.

Also, please note that water right holders are required to report any change of ownership and/or mailing address to the Department within 120 days of the change. Forms to update 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 208-605-4631.

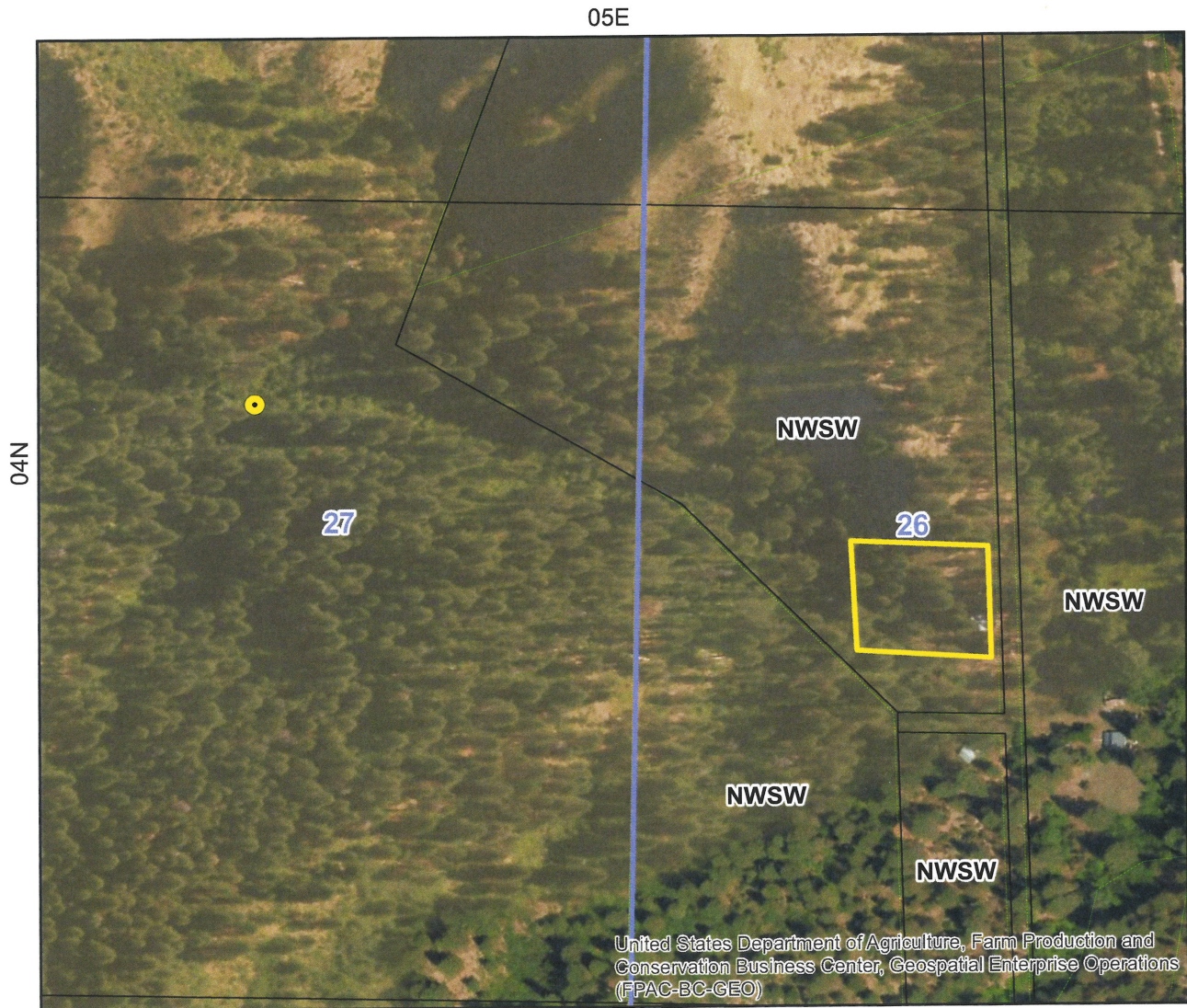
Sincerely,

Susy Hobson
Technical Records Specialist 1

Enclosures

State of Idaho
Department of Water Resources
Water Right
63-15065

March 04, 2025



0 0.035 0.07 0.14 Miles

-  Place Of Use Boundary
-  Point of Diversion
-  State Outline
-  Taxlots
-  Townships
-  PLS Sections
-  Quarter Quarters



IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

3/4/2025

Water Right 63-15065

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LANE CHITWOOD 3174 S CANONERO WAY BOISE, ID 83709-3874 (208) 297-9374
Current Owner	HILARY CHITWOOD 3174 S CANONERO WAY BOISE, ID 83709-3874 (208) 297-9374
Original Owner	LAURA DOUTHIT 1321 WARM SPRINGS AVE BOISE, ID 83712 (208) 336-1954

Priority Date: 3/15/1903

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
TOMS GULCH CREEK	COTTONWOOD CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DOMESTIC	1/01	12/31	0.120 CFS	
	<u>Total Diversion</u>		0.120 CFS	

Source and Point(s) of Diversion:

TOMS GULCH CREEK NESE Sec. 27, Twp 04N, Rge 05E, BOISE County

Place Of Use:

DOMESTIC within BOISE 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	
04N	05E	26										X							

Conditions of Approval:

1. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. PARCEL NO. RP 04N05E277200

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

3/4/2025

4. X01 Domestic use is for 3 homes.

Comments:

1 kwalker 7/12/2013 POU
Updated Shape

2 shobson 3/4/2025 Change in Ownership
Notice of Change in Ownership received; changed from Robert S & Erika Bowen to Lane & Hilary Chitwood.

Dates and Other Information:

Decreed Date: 9/6/2001
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: AND
Water District Number: TBD
Mitigation Plan: False

Combined Use Limits:

N/A

SubCase:

SubCaseNumber: 63-15065
Class: 1
SF5 Filed Date:
Special Master Recom Signed Date:
Attorney Assigned:
Adjudication Agent:
Basis of Claim: Beneficial Use
Date Filed: 5/6/1999
Objection Status: Decreed

Water Supply Bank:

N/A