

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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 #6 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
✓ 22-13367	Yes ☒	Yes ☐	22-13367/22-14464	Yes ☐	Yes ☐
✓ 22-4298	Yes ☒	Yes ☐	22-4298/22-14463	Yes ☐	Yes ☐
	Yes ☐	Yes ☐	22-14463	Yes ☐	Yes ☐
	Yes ☐	Yes ☐	Forester	Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: William J. O'Brien
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Shana and/or Gordon Whittaker
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☒ and/or

780N 9th East Reburg ID 83440
Mailing address City State ZIP
208-356-6661 shana.whittaker@yahoo.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 2, 1999

6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed IRS Form W-9 for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed Lessor Designation form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).

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: Shana Whittaker Title, if applicable _____ Date 9-27-2019
Signature of new owner/claimant
Signature: Gordon Whittaker Title, if applicable _____ Date 9.27.2019
Signature of new owner/claimant

For IDWR Office Use Only: Correction

Received by _____ Date _____ Receipt No. _____ Receipt Amt. _____

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 _____ Date _____

IN FILE # 22-4298

RECEIVED

JAN 27 1999

TETON CO. ID
CLERK RECORDER

132842

GIFT DEED

THIS INDENTURE made the 2nd day of January, 1999, between William J. and Velma O'Brien, husband and wife, of 235 West 600 North, Teton, County of Teton, State of Idaho 83452, parties of the first part, and Shana and/or Gordon Whittaker, husband and wife, of 1152 North 1000 East, Rexburg, County of Madison, State of Idaho, as their sole and separate property, the rents, issues and profits therefrom to remain their sole and separate property, parties of the second part.

WITNESSETH:

That the said parties of the first part, for and in consideration of love and affection, do by these presents, give, convey and confirm unto the said parties of the second part, in their own separate right, as their separate property, the rents, issues and profits therefrom to remain their sole and separate property, and for their heirs and assigns forever, the certain property lying and being in Teton County, State of Idaho, and described as follows, to-wit:

**THE NW ¼ SE¼ SECTION 27, TOWNSHIP 6 NORTH, RANGE 45 EAST,
B.M., TETON COUNTY, IDAHO.
CONTAINS 39.65 ACRES**

**THE SW ¼ SE¼ SECTION 27, TOWNSHIP 6 NORTH, RANGE 45 EAST,
B.M., TETON COUNTY, IDAHO.
CONTAINS 39.76 ACRES.**

**RESERVING A LIFE ESTATE in William J. O'Brien and Velma
O'Brien for as long as they shall live.**

TO HAVE AND TO HOLD all singular the said premises, together with the rents, issues and profits thereof, and the tenements, hereditaments and appurtenances thereunto belonging or appertaining, unto the said parties of the second part, and to their heirs and assigns forever, as their sole and separate property.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals the day and year first above written.

GIFT DEED

132842

William J. O'Brien
William J. O'Brien

Velma O'Brien
Velma O'Brien

STATE OF IDAHO)
 :SS
County of Madison)

On this 20th day of January, 1999, before me, the undersigned, a Notary Public in and for said state, personally appeared **William J. and Velma O'Brien**, husband and wife, known and identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me they executed the same.



J. D. Hancock
Notary Public
Residing at: Idaho, Id.
My Commission Expires: 11/25/2004

GIFT DEED

2

132842

FILED
AT THE REQUEST OF
Smith & Hancock
AT 34 MINUTES PAST 10 A.M.
DATE Jan. 27, 1999
Nolan G. Boyle
CLERK OF RECORD
BY Nora Rhyne
DEPUTY

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
SEP 27 2019
IDAHO DEPARTMENT OF WATER RESOURCES

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

Name of Applicant(s) Shana and/or Gordon Whittaker Phone (208) 356-6661
Mailing address 780 N. 9th East, Rexburg, ID 83440 Email shana.whittaker@yahoo.com

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative _____ Phone _____

Mailing address _____ Email _____

☐ Send all correspondence for this application to the representative and not to the applicant.

OR

☐ Send original correspondence to the applicant and copies to the representative.

☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.

OR

☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Shana Whittaker
Signature of Applicant or Authorized Representative

Shana Whittaker 9-27-19
Print Name and Title if applicable Date

Gordon Whittaker
Signature of Applicant or Authorized Representative

Gordon Whittaker 9.27.19
Print Name and Title if applicable Date

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other Updated ownership

2. Is this a transfer for changes pursuant to Idaho Code § 42-221.0.8?
If yes, ☐ attach an explanation and any supporting documentation labeled as **Part 1A.2**.

3. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.3**.

Adding our junior rights to points of diversion listed on our senior rights. Also, we would like to update the ownership of the water rights, which will result in a split. The junior water right will be updated through this transfer, the senior water right will be updated via a separate notice of ownership change form.

Receipt E045352 \$100 for o/c

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

RECEIVED
SEP 27 2019
Department of Water Resources
Pocatello, Idaho
(208) 313-0019

Name of Applicant(s) Nolan and Margaret Parson Phone (208) 458-4624
Mailing address PO Box 157, Jeton, ID 83451 Email megpars282@gmail.com

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative Nolan and Margaret Parson Phone (208) 458-4624
Mailing address _____ Email _____

☐ Send all correspondence for this application to the representative and not to the applicant.

OR

☐ Send original correspondence to the applicant and copies to the representative.

☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.

OR

☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Margaret Parson
Signature of Applicant or Authorized Representative

Nolan Parson
Signature of Applicant or Authorized Representative

Margaret Parson
Print Name and Title if applicable

Nolan Parson
Print Name and Title if applicable

9/27/19
Date

9/27/19
Date

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other Updated ownership

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If yes, ☐ attach an explanation and any supporting documentation labeled as **Part 1A.2**.

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Receipt E045352 \$100 for O/C

RECEIVED

JAN 27 1999

TETON CO., ID
CLERK RECORDER

132841

GIFT DEED

THIS INDENTURE made the 2nd day of January, 1999, between William J. and Velma O'Brien, husband and wife, of 235 West 600 North, Tetonia, County of Teton, State of Idaho 83452, parties of the first part, and Margaret Parson, a married person, of P. O. Box 57, Teton, County of Teton, State of Idaho 83451, as her sole and separate property, the rents, issues and profits therefrom to remain her sole and separate property, party of the second part.

WITNESSETH:

That the said parties of the first part, for and in consideration of love and affection, do by these presents, give, convey and confirm unto the said party of the second part, in her own separate right, as her separate property, the rents, issues and profits therefrom to remain her sole and separate property, and for her heirs and assigns forever, the certain property lying and being in Teton County, State of Idaho, and described as follows, to-wit:

THE NE $\frac{1}{4}$ SW $\frac{1}{4}$ SECTION 27, TOWNSHIP 6 NORTH, RANGE 45 EAST, B.M., TETON COUNTY, IDAHO, LESS TRACTS 1 AND 2, RECORD OF SURVEY NO. 103920, PARCELS 3 AND 4, RECORD OF SURVEY NO. 107591, AND TAX NO. 1692, BEING FURTHER DESCRIBED AS FOLLOWS:

COMMENCING AT THE NE CORNER OF THE SW $\frac{1}{4}$ OF SAID SECTION 27, SAID POINT BEING THE POINT OF BEGINNING:
THENCE S 0°11'56" W. 1315.15 FEET, TO THE SE CORNER OF THE NE $\frac{1}{4}$ SW $\frac{1}{4}$;
THENCE S 89°31'27" W. 739.65 FEET, TO THE SE CORNER OF TAX NO. 1692;
THENCE N 0°20'34" E. 160.00 FEET, TO THE NE CORNER OF TAX NO. 1692;
THENCE S 89°31'27" W. 13.43 FEET, TO THE SE CORNER OF TRACT 2, RECORD OF SURVEY NO. 103920;
THENCE N 0°19'56" W. 395.70 FEET, TO THE NE CORNER OF TRACT 2, RECORD OF SURVEY NO. 103920;
THENCE S 89°33'23" W. 70.00 FEET, TO THE SE CORNER OF TRACT 1, RECORD OF SURVEY NO. 103920;

GIFT DEED

1

132841
FILED

AT THE REQUEST OF

Smith & Hancock

AT 33 MINUTES PAST 10 a.m.

DATE *Jan 27, 1999*

Nolan G. Boyle

CLERK OF RECORD

BY *Nora Rigby* DEPUTY

THENCE N 0°20'09" W. 207.50 FEET, TO THE NE CORNER OF TRACT
1, RECORD OF SURVEY NO. 103920;
THENCE S 89°33'25" W. 105 FEET, TO THE SE CORNER OF PARCEL
3, RECORD OF SURVEY NO. 107591;
THENCE N 0°17'10" W. 256.59 FEET, TO THE CORNER OF PARCEL 3,
RECORD OF SURVEY NO. 107591;
THENCE N 89°52'42" E. 74.00 FEET, TO THE SE CORNER OF PARCEL
4, RECORD OF SURVEY NO. 107591;
THENCE N 0°17'04" W. 294.96 FEET, TO A POINT ON THE NORTH LINE
OF THE SW 1/4;
THENCE N 89°27'26" E. 863.94 FEET, TO THE POINT OF BEGINNING

CONTAINS 24.85 ACRES, MORE OR LESS.

RESERVING A LIFE ESTATE in William J. O' Brien and Velma O'
Brien, for as long as either shall live.

TO HAVE AND TO HOLD all singular the said premises, together with the rents, issues
and profits thereof, and the tenements, hereditaments and appurtenances thereunto belonging or
appertaining, unto the said party of the second part, and to her heirs and assigns forever, as her
sole and separate property.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hand
and seal the day and year first above written.


William J. O' Brien


Velma O' Brien

AFTER RECORDING MAIL TO:

Space Above This Line for Recorder's Use Only

QUITCLAIM DEED

Date: August 29, 2018

Margaret O. Parson of: 24 W 1st S, Teton, ID 83451 do(es) hereby convey, release, remise, and forever quit claim unto , **Nolan Fred Parson and Margaret O'Brien Parson**, Husband and Wife

Whose current address is: PO Box 157, 24 W 1st S, Teton, ID 83451

Herein after called the Grantee, the following described premises situated in State of Idaho, Teton County, Idaho to-wit:

THE NE¼SW¼ SECTION 27, TOWNSHIP 6 NORTH, RANGE 45 EAST, B.M., TETON COUNTY , IDAHO, LESS TRACTS 1 AND 2, RECORD OF SURVEY NO. 103920, PARCELS 3 AND 4, RECORD OF SURVEY NO. 107591, AND TAX NO. 1692, BEING FURTHER DESCRIBED AS FOLLOWS:

**COMMENCING AT THE NE CORNER OF THE SW¼ OF SAID SECTION 27, SAID POINT BEING THE POINT OF BEGINNING:
THENCE S 0°11'56" W. 1315.15 FEET, TO THE SE CORNER OF THE NE ¼ SW¼;
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RECORD OF SURVEY NO. 107591;
THENCE N 89°52'42" E. 74.00 FEET, TO THE SE CORNER OF PARCEL
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OF THE SW 1/4;
THENCE N 89°27'26" E. 863.94 FEET, TO THE POINT OF BEGINNING

CONTAINS 24.85 ACRES, MORE OR LESS.**

together with its appurtenances.

Margaret O. Parson

On this ____ day of August, 2018 before me, the undersigned a Notary Public in and for said state, Idaho personally appeared, _____ know or identified to me to be the persons whose names are subscribed to the within Instrument and acknowledge to me that they executed same.

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

Notary Public for the state of Idaho
Residing at:
Commission Expires:



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 Gary Spackman

August 19, 2022

GORDON WHITTAKER
780 N 9TH E
REXBURG ID 83440-5115

Re: Change in Water Right Ownership: 22-429 B (Split into 22-429 B, 22-14462 & 22-14463), 22-13367 (Split into 22-13367, 22-14464, 22-14465)

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of a portion of the above referenced water right(s) to you. The Department has modified its records based on the information received and has enclosed a computer-generated report for you.

Your portion of each water right(s) 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 at this time.

The portion of the water right retained by the original right holder retains the original water right number. The Department is sending the original right holder a copy of this letter and a computer-generated report showing the changes to the original water right.

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 Barg
Technical Records Specialist 1

Enclosure(s)

cc: PAUL FORESTER
NOLAN PARSON
MARGARET PARSON
WATER DISTRICT 01



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 Gary Spackman

August 19, 2022

NOLAN PARSON
MARGARET PARSON
PO BOX 157
TETON ID 83451-0157

Re: Change in Water Right Ownership: 22-429 B (Split into 22-429 B, 22-14462 & 22-14463), 22-13367 (Split into 22-13367, 22-14464, 22-14465)

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If you have any questions concerning the enclosed information, please contact me at (208) 497-3787.

Sincerely,

Jonie Barg
Technical Records Specialist 1

Enclosure(s)

cc: GORDON WHITTAKER
SHANA WHITTAKER
PAUL FORESTER
WATER DISTRICT 01