

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

JUN 28 2021

Notice of Change in Water Right Ownership

Department of Water Resource
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. 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. **DE ✓**

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
34-13741	Yes ☐	Yes ☐		Yes ☐	Yes ☐
34-13743	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Kevin and Cheri Pearson
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Jared Telford, Jenna Telford
New owner(s) as listed on the conveyance document
- Name connector ☒ and ☐ or ☐ and/or
- 3198 W 2200N Arco ID 83213
Mailing address City State ZIP
- 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: July 10, 2020
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: *Jared Telford* Attorney _____ Date May 25, 2021
Signature of new owner/claimant Title, if applicable
- Signature: _____ Title, if applicable Date _____
Signature of new owner/claimant

For IDWR Office Use Only:

Received by *M. Pitter* Date 6-28-21 Receipt No. E047M4 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 _____ Processed by _____ Date _____

Returned/Refund Requested



ELECTRONICALLY RECORDED
STAMPED FIRST PAGE NOW
INCORPORATED AS PART OF
THE ORIGINAL DOCUMENT

BUTTE COUNTY
Recorded for:
TitleOne - Twin Falls
09:25:19 AM 07-17-2020
0000-058412
No. Pages: 3 Fee: \$15.00
SHELLY SHAFFER
County Clerk
Deputy: KG

Order Number: 20361246

Warranty Deed

For Value Received,

Kevin B. Pearson and Cheri R. Pearson husband and wife, the Grantor, does hereby grant, bargain sell and convey unto, Jared P. Telford and Jenna J. Telford husband and wife as community property with rights of survivorship, whose current address is 3198 W 2200 N, Arco, ID 83213, the Grantee, the following described premises, in Butte County, Idaho, To Wit:

**TOWNSHIP 5 NORTH, RANGE 26 EAST OF THE BOISE MERIDIAN
BUTTE COUNTY, IDAHO**

Section 15: Part of the NW¼, more particularly described as follows:

Commencing at the northwest corner of Section 15 from which the North ¼ corner of said section bears South 87°35'34" East 2532.04 feet, the basis of bearings for this description;

Thence South 01°03'24" West 60.49 feet along the west line of said section to the POINT OF BEGINNING, said point being the southwesterly corner of Deed Instrument No. 46336;

Thence along said deed the following 4 courses:

- 1) South 63°58'49" East 125.30 feet to a 2½ inch aluminum cap stamped PLS 10786;
 - 2) North 75°33'29" East 142.29 feet to a ½ inch iron rod with cap stamped PLS 12222;
 - 3) South 85°57'22" East 265.79 feet to a 2½ inch aluminum cap stamped PLS 10786;
 - 4) North 01°27'55" East 77.01 feet to a point on the north line of said Section 15;
- Thence South 87°35'34" East 457.14 feet along the section line to its intersection with an existing fence line extended;

Thence South 02°24'26" West 79.45 feet to a point being at an existing fence corner and being marked by a ½ inch iron rod with cap stamped PLS 12222;

Thence along an existing fence line the following 3 courses:

- 1) South 23°51'58" East 142.50 feet to a ½ inch iron rod with cap stamped PLS 12222;
- 2) South 45°26'05" East 106.40 feet to a ½ inch iron rod with cap stamped PLS 12222;

Order Number: 20361246

Warranty Deed (4-09) - Page 1 of 3

3) South 16°01'28" East 315.14 feet to a ½ inch iron rod with cap stamped PLS 12222;
Thence South 03°08'14" East 103.31 feet to an existing corner bearing easterly and northwesterly, said point being marked by a ½ inch iron rod with cap stamped PLS 12222;

Thence along said existing fence line the following 2 courses:

- 1) South 89°24'29" East 383.80 feet to a ½ inch iron rod with cap stamped PLS 12222;
- 2) North 89°26'52" East 147.59 feet to a ½ inch iron rod with cap stamped PLS 12222, said point being on the westerly boundary of a parcel of land as shown on Record of Survey Instrument No. 34202 by John P. Barnes (PLS 826);

Thence along said boundary the following 15 courses:

- 1) South 00°16'53" West 143.87 feet to a ½ inch iron rod PLS 826;
- 2) South 00°42'46" East 198.76 feet to a ½ inch iron rod PLS 826;
- 3) South 05°30'58" West 83.12 feet to a ½ inch iron rod PLS 826;
- 4) South 03°01'46" West 145.97 feet to a ½ inch iron rod PLS 826;
- 5) South 07°24'46" West 127.82 feet to a ½ inch iron rod PLS 826;
- 6) South 07°33'11" West 107.31 feet to a ½ inch iron rod PLS 826;
- 7) South 04°56'41" West 262.03 feet to a ½ inch iron rod PLS 826;
- 8) South 03°49'46" West 69.19 feet to a ¼ inch iron rod PLS 826;
- 9) South 06°20'40" West 192.29 feet to a ½ inch iron rod PLS 826;
- 10) South 06°13'03" West 53.59 feet to a ½ inch iron rod PLS 826;
- 11) South 01°21'51" West 50.41 feet to a ½ inch iron rod PLS 826;
- 12) South 00°14'18" West 111.84 feet to a ½ inch iron rod PLS 826;
- 13) South 08°26'05" West 52.47 feet to a ½ inch iron rod PLS 826;
- 14) South 16°24'02" West 113.99 feet to a ½ inch iron rod PLS 826;
- 15) South 07°00'47" West 240.14 feet to a ½ inch iron rod with cap stamped PLS 826 being on the south

line of Northwest ¼;

Thence North 88°26'53" West 1276.70 feet along said south line to a point being marked by a ½ inch iron rod with cap stamped PLS 12222;

Thence North 01°03'24" East 1704.86 feet parallel with and 330.00 feet east of the west line of Section 15;

Thence South 63°33'24" West 372.04 feet to a point on said west line of Section 15;

Thence North 01°03'24" East 1040.64 feet along said west line of Section 15 to the POINT OF BEGINNING.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

Remainder of this page intentionally left blank.

Dated: July 10, 2020

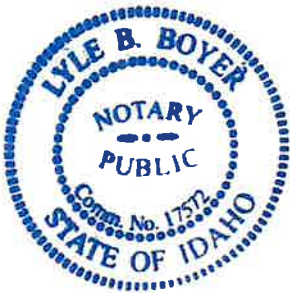
Kevin B. Pearson
Kevin B. Pearson

Cheri R. Pearson
Cheri R. Pearson

State of Idaho, County of Butte, ss.

On this 10th day of July in the year of 2020, before me, the undersigned, a Notary Public in and for said State, personally appeared Kevin B. Pearson and Cheri R. Pearson, 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.

Lyle B. Boyer
Notary Public
Residing In: Arco, Idaho
My Commission Expires: 6-5-2021
(seal)





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 22, 2022

JARED TELFORD
JENNA TELFORD
3198 W 2200 N
ARCO ID 83213

RE: Change in Ownership
Water Rights: 34-13741 & 34-13743

Dear Sir/Madam:

On June 28, 2021, you filed a Notice of Change in Water Right Ownership (ownership change) with the Idaho Department of Water Resources (IDWR), seeking to update the ownership records for the water rights listed above. After an initial review, we determined that you needed to provide additional evidence of ownership/filing fees. On August 11, 2021, and July 5, 2021, we sent a letter requesting the additional information. The additional information was to be provided within 30 days.

IDWR has never received a response to the request. Without the requested documents, we cannot verify ownership of the water right and cannot complete the ownership change. We are therefore returning your original ownership change and have initiated a refund of your filing fee (\$50.00). The refund from the state of Idaho will arrive at the address listed above within a couple of weeks.

Please feel free to re-file your change in ownership any time in the future. Because your filing fee is being refunded, you will need to determine and provide the proper filing fee at the time you re-file the Assignment.

If you have any questions, feel free to contact me at (208) 525-7161.

Respectfully submitted,

Jonie Barg
Technical Records Specialist

Enclosure(s)

cc: HOLDEN KIDWELL HAHN & CRAPO

Barg, Jonie

From: Barg, Jonie
Sent: Friday, August 19, 2022 7:22 AM
To: IdwrPayable
Subject: Refund Request
Attachments: Receipt.PDF

Good afternoon!

I have a refund request as follows:

Receipt number: E047114
Amount: \$50.00
Payable to: HOLDEN KIDWELL HAHN & CRAPO
PO BOX 50130
IDAHO FALLS ID 83405

Reason: Ownership Change filed for 2 water rights, additional information requested to complete the application. Information was not received past the 30-day notice, therefore the application is being returned. The applicant is entitled to a full refund of this receipt.

Thank you so much for your time. Let me know if you have any questions.

Have a great day!!!



IDAHO DEPARTMENT OF
WATER RESOURCES

Jonie Barg | Technical Records Specialist

900 N Skyline Drive Ste. A, Idaho Falls, ID 83402

Phone number: (208) 525-7161

Fax number: (208) 525-7177

Email: jonie.barg@idwr.idaho.gov

Website: www.idwr.idaho.gov

Cefalo, James

From: Luke Marchant <lmarchant@holdenlegal.com>
Sent: Friday, July 15, 2022 2:13 PM
To: Cefalo, James
Subject: Ownership Change for Jared and Jenna Telford

James,

I received your letter dated July 5 regarding an ownership change that I submitted last year for Jared and Jenna Telford. There was a miscommunication between the Telfords and I as to who was going to take care of that matter. We are going to get a deed from the Pearsons conveying the entirety of the water rights. As soon as the Telfords get that back to me, I will pass it along to you. There will be no split of the water rights.

Thanks.



Luke H. Marchant

Holden, Kidwell, Hahn & Crapo, P.L.L.C.
1000 Riverwalk Drive, Suite 200
P.O. Box 50130
Idaho Falls, Idaho 83405
Phone: (208) 523-0620
Fax: (208) 523-9518
Email: lmarchant@holdenlegal.com

Confidentiality Notice: The information contained in this e-mail and any accompanying attachments, all of which may be confidential and/or privileged, is intended only for use by the person or entity to whom it is addressed. If you are not the intended recipient, any unauthorized use, disclosure, or copying of this e-mail and its contents is strictly prohibited and may be unlawful. If you are not the intended recipient, please immediately notify me by return e-mail and/or telephone to 208-523-0620, and delete the original message and all copies from your system. Thank you.



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

July 5, 2022

Jared and Jenna Telford
3198 W 2200 N
Arco, ID 83213

RE: Notice of Change in Water Right Ownership for Water Rights 34-13741 and 34-13743

Dear Jared and Jenna:

On June 28, 2021, Luke Marchant filed a Notice of Change in Water Right Ownership in your behalf, seeking to update the ownership records for water rights 34-13741 and 34-13743. The ownership change notice included a copy of a Warranty Deed from Kevin and Cheri Pearson to you for a portion of the NW1/4 of Section 15, T05N, R26E. The ownership change notice included a filing fee of \$50 (\$25 per right).

As we reviewed the ownership change, we discovered that a portion of the irrigation place of use for the two rights covers acres that are still owned by Kevin and Cheri Pearson. In other words, the Warranty Deed from the Pearsons to you only covered a portion of the authorized irrigation place of use for water rights 34-13741 and 34-13743. Therefore, the water rights would have to be split. The filing fee to update the ownership for split water rights is \$100 per right.

On August 11, 2021, the Department sent an email to Luke Marchant asking him to provide a deed for the portion of the water rights on the Pearson property or to provide \$150 to cover the cost of splitting the water rights. Luke did not respond to that request. The Department sent additional requests to Luke on December 10, 2021, and March 11, 2021, but has never received a response. I thought I would reach out to you directly. Please provide the additional filing fee (\$150) to split the two water rights. Because we have been waiting for a response from Luke for almost a year, please provide the additional filing fees within 30 days.

I apologize for making this request by letter. We generally contact water users by email, but your ownership change didn't include an email and I couldn't find one in our water right records. Feel free to call if you have any questions.

Sincerely,

James Cefalo
208-525-7161

Cc: Luke Marchant

Barg, Jonie

From: Barg, Jonie
Sent: Wednesday, August 11, 2021 9:21 AM
To: 'Luke Marchant'
Subject: Ownership Change Jared Telford
Attachments: Jared Telford Deficiency Letter.pdf

RE: Change in Ownership Water Right No. 34-13741 & 34-13743

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:

**** **Evidence of ownership/Filing Fee:** Please review map attached. According to the information provided with you application only a portion of the water right was purchased. If you believe a split is required please provide an additional \$150.00. If you believe a split is not required please provide evidence of ownership for the entire place of use of the water rights.

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 Barg

Jonie Barg
Technical Records Specialist
Idaho Department of Water Resources
900 N Skyline Dr Ste A
Idaho Falls ID 83402
Phone number: (208)525-7161
Email address: jonie.barg@idwr.idaho.gov

SCANNED

AUG 11 2021

SCANNED
AUG 11 2021

