

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

## Notice of Change in Water Right Ownership

**RECEIVED**  
**NOV 05 2021**  
DEPT. OF WATER RESOURCES  
SOUTHERN 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.

| Water Right/Claim No. | Split?                                  | Leased to Water Supply Bank? | Water Right/Claim No. | Split?                       | Leased to Water Supply Bank? |
|-----------------------|-----------------------------------------|------------------------------|-----------------------|------------------------------|------------------------------|
| RETURNED → 45-11032   | Yes <input type="checkbox"/>            | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
| split #5 → 45-14336   | Yes <input checked="" type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
| 45-14547 → 45-14334   | Yes <input checked="" type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
| 45-14546 →            | Yes <input type="checkbox"/>            | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/>            | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |

2. Previous Owner's Name: Lynn N. Mitchell or Jan Mitchell

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Dell N. Mitchell or Susan L. Mitchell

New owner(s) as listed on the conveyance document

Name connector

☐ and ☒ or ☐ and/or

999 E 300 N

Declo

ID

83323

Mailing address

City

State

ZIP

(208)312-2460

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: \_\_\_\_\_

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.

SUPPORT DATA

IN FILE # 45-11032

8. Signature: \_\_\_\_\_

Signature of new owner/claimant

Title, if applicable

Date

Signature: \_\_\_\_\_

Signature of new owner/claimant

Title, if applicable

Date

**For IDWR Office Use Only:**

Received by SG Date 11/5/21

Receipt No. 5038924

Receipt Amt. \$225.00

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 JB

Date 12-10-21

**\*Re-recorded to correct legal description\***

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

CASSIA COUNTY  
RECORDED FOR:  
TITLEONE - TWIN FALLS  
11:21:12 AM 10-16-2020  
**2020-005359**  
NO. PAGES: 4 FEE: \$15.00  
JOSEPH W. LARSEN  
COUNTY CLERK  
DEPUTY: CVELASQUEZ  
Electronically Recorded by Simplifile

~~CASSIA COUNTY  
RECORDED FOR:  
TITLEONE - TWIN FALLS  
11:21:38 AM 09-29-2020  
**2020-005049**  
NO. PAGES: 2 FEE: \$15.00  
JOSEPH W. LARSEN  
COUNTY CLERK  
DEPUTY: CVELASQUEZ  
Electronically Recorded by Simplifile~~

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



TitleOne  
a title & escrow co.

Order Number: 20383794

### Warranty Deed

For value received,

Lynn N. Mitchell and Jan Mitchell, husband and wife

the grantor, does hereby grant, bargain, sell, and convey unto

Dell N. Mitchell and Susan L. Mitchell, husband and wife

whose current address is 999 E. 300 N., Declo, ID 83323

the grantee, the following described premises, in Cassia County, Idaho, to wit:

Township 11 South, Range 24 East, Boise Meridian, Cassia County, Idaho

Section 1: SE1/4SW1/4 LESS the East 924 feet thereof;

ALSO

That part of the SW1/4SW1/4 lying South and East of the Canal.

See Attached legal  
description

To have and to hold the said premises, with their appurtenances unto the said Grantee, its 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.

Order Number: 20383794

Warranty Deed - Page 1 of 2

**\*Re-recorded to correct legal description\***

**CASSIA COUNTY**  
RECORDED FOR:  
TITLEONE - TWIN FALLS  
11:21:38 AM 09-29-2020  
**2020-005049**  
NO. PAGES: 2 FEE: \$15.00  
**JOSEPH W. LARSEN**  
COUNTY CLERK  
DEPUTY: CVELASQUEZ  
Electronically Recorded by Simplifile

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



Order Number: 20383794

### Warranty Deed

For value received,

**Lynn N. Mitchell and Jan Mitchell, husband and wife**

the grantor, does hereby grant, bargain, sell, and convey unto

**Dell N. Mitchell and Susan L. Mitchell, husband and wife**

whose current address is 999 E. 300 N., Declo, ID 83323

the grantee, the following described premises, in Cassia County, Idaho, to wit:

**Township 11 South, Range 24 East, Boise Meridian, Cassia County, Idaho**

**Section 1: SE1/4SW1/4 LESS the East 924 feet thereof;**

**ALSO**

**That part of the ~~SW1/4SW1/4~~ lying South and East of the Canal.**

**See Attached legal  
description**

To have and to hold the said premises, with their appurtenances unto the said Grantee, its 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.

Order Number: 20383794

Warranty Deed - Page 1 of 2

**\*Re-recorded to correct legal description\***



**TitleOne**  
a title & escrow co.

Order Number: 20383794

**Warranty Deed**

For value received,

**Lynn N. Mitchell and Jan Mitchell, husband and wife**

the grantor, does hereby grant, bargain, sell, and convey unto

**Dell N. Mitchell and Susan L. Mitchell, husband and wife**

whose current address is 999 E. 300 N., Declo, ID 83323

the grantee, the following described premises, in Cassia County, Idaho, to wit:

**Township 11 South, Range 24 East, Boise Meridian, Cassia County, Idaho**

**Section 1: SE1/4SW1/4 LESS the East 924 feet thereof;**

**See attached legal  
description**

**ALSO**

**That part of the SW1/4SW1/4 lying South and East of the Canal.**

To have and to hold the said premises, with their appurtenances unto the said Grantee, its 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.

Dated: September 29, 2020

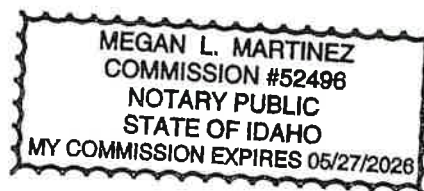
Lynn N. Mitchell  
Lynn N. Mitchell

Jan Mitchell  
Jan Mitchell

State of Idaho, County of Cassia, ss.

On this 29th day of September in the year of 2020, before me, the undersigned, a Notary Public in and for said State, personally appeared Lynn N. Mitchell and Jan Mitchell, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

Megan L. Martinez  
Notary Public  
Residing In: Burley, ID  
My Commission Expires: 5/27/2026  
(seal)



TOWNSHIP 10 SOUTH, RANGE 24 EAST OF THE BOISE MERIDIAN,  
CASSIA COUNTY, STATE OF IDAHO

Section 1: SE $\frac{1}{4}$ SW $\frac{1}{4}$  SAVE AND EXCEPT the East 924 feet;

ALSO That part of the SW $\frac{1}{4}$ SW $\frac{1}{4}$  lying South and East of the Canal

SAVE AND EXCEPT the following described:

Commencing at the Southwest corner of said Section 1, marked by an aluminum cap on a 5/8 inch rebar, and running thence along the South line thereof South 89°43'02" East 1322.55 feet to the Southeast corner of the aforesaid SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; thence along the East line thereof North 00°19'24" East 1070.03 feet to a 1/2 inch rebar set thereon, and The True Point of Beginning;

Thence leaving said East line North 84°10'02" West 168.20 feet to a 1/2 inch rebar on the East Bank of the Main South Side Canal;

Thence continuing North 84°10'02" West 41.17 feet to the centerline of said canal;

Thence along said centerline North 6°53'20" East 85.27 feet;

Thence continuing along said centerline along a tangent curve to the right, said curve having a radius of 400.00 feet, a central angle of 23°24'07", an arc length of 163.38 feet, a chord bearing of North 18°35'23" East and a chord length of 162.24 feet, to the intersection thereof with the North line of said SW $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 1;

Thence along said North line South 89°41'40" East 50.30 feet to a 1/2 inch rebar set on the East bank of said canal;

Thence continuing along said North line South 89°41'40" East 97.50 feet to a 5/8 inch rebar marking the Northeast corner of said SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;

Thence along the East line thereof South 0°19'24" West 258.92 feet to the True Point of Beginning.

*Jim Smith*



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 Gary Spackman

December 10, 2021

DELL N MITCHELL  
SUSAN L MITCHELL  
999 E 300 N  
DECLO ID 83323-5000

Re: Change in Water Right Ownership: 45-14334 (Split into 45-14334 and 45-14546), 45-14336 (Split into 45-14336 and 45-14547); Cannot process ownership change for right 45-11032

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.

**The change of ownership for right 45-11032 could not be completed because it is appurtenant to land outside of the property conveyed in the deed submitted with the Notice. The fees submitted with this packet of ownership changes (\$225.00) covered the two splits in this Notice and a change in one of the other Notices, so no fee adjustment is necessary.**

**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.**

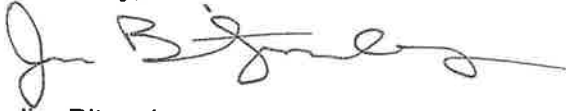
The portion of the water right retained by the original right holder retains the original water right number. The Department is sending the original right holder a copy of this letter and a computer-generated report showing the changes to the original water right.

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) 293-9909.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Bitzenburg", with a long horizontal flourish extending to the right.

Jim Bitzenburg  
Senior Water Resource Agent

Enclosure(s)

CC: WD-140; Dell Mitchell; Lynn Mitchell; TitleOne, Burley- File #20383794