

RECEIVED

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

FEB 11 2022

Notice of Change in Water Right Ownership Department of Water Resources  
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.

| Water Right/Claim No. | Split?                       | Leased to Water Supply Bank? | Water Right/Claim No. | Split?                       | Leased to Water Supply Bank? |
|-----------------------|------------------------------|------------------------------|-----------------------|------------------------------|------------------------------|
| 22-11822 <i>OK</i>    | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
| 22-11823 <i>OK</i>    | 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"/> |
|                       | 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: THE GUY HILLMAN FAMILY CREDIT SHELTER TRUST ATTN KENT HILLMAN  
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Derek Mullen, Kamise Mullen  
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☒ and/or
- 1200 s 500 w Driggs ID 83422  
Mailing address City State ZIP  
303-525-1116 Derek@everittfarms.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: 1-15-2021
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):  
    ☐ \$25 per *undivided* water right.  
    ☐ \$100 per *split* water right.  
    ☐ 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 # 22-11822

8. Signature: *D Mullen* Title, if applicable \_\_\_\_\_ Date 02-08-22  
Signature of new owner/claimant
- Signature: *K Mullen* Title, if applicable \_\_\_\_\_ Date 2/8/22  
Signature of new owner/claimant

## For IDWR Office Use Only:

Received by *JB* Date 2/11/2022 Receipt No. E047797 Receipt Amt. \$50.-  
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 *JB* Processed by *JB* Date 2/25/2022

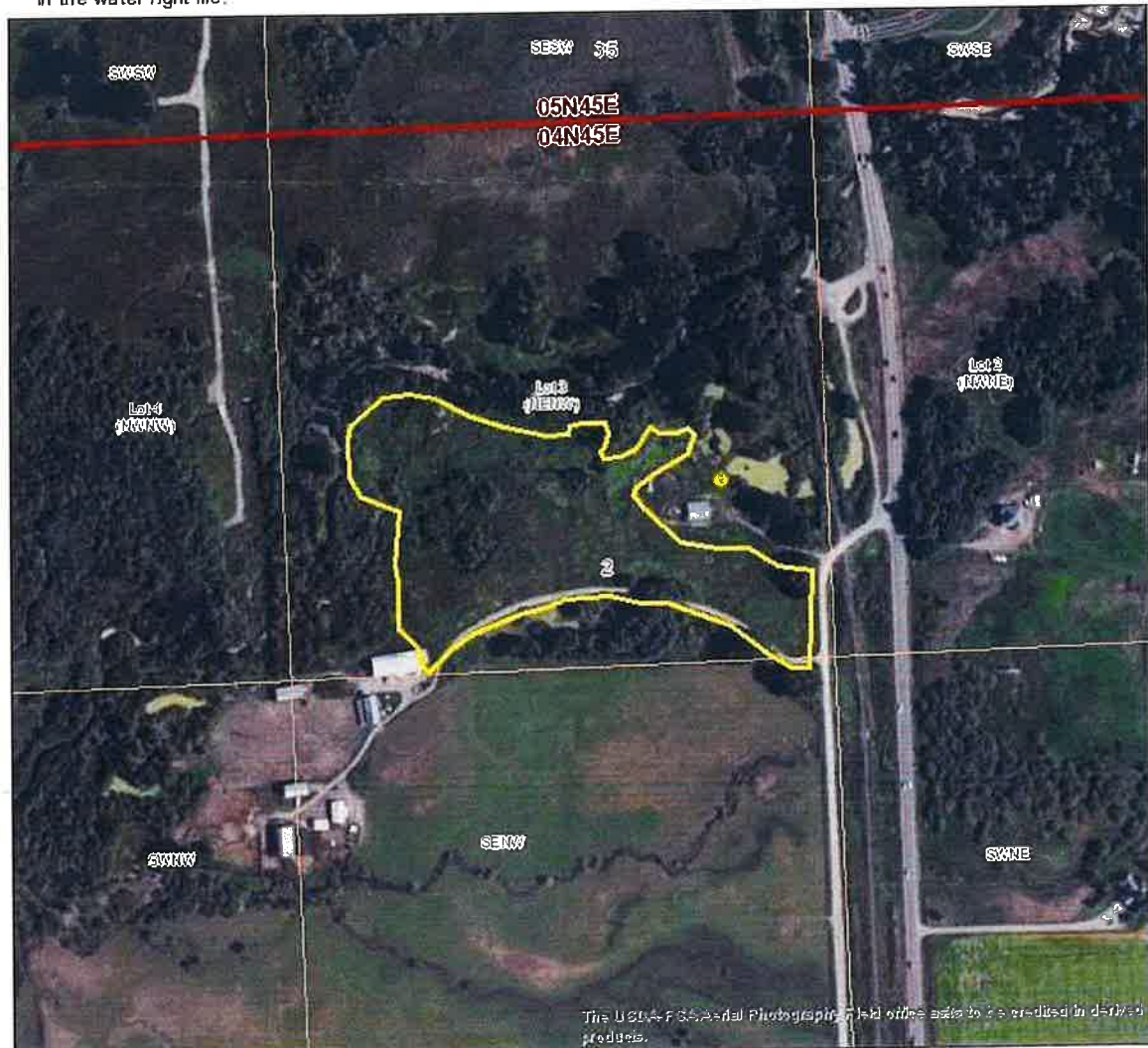
State of Idaho  
Department of Water Resources

# Water Right

22-11823

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 FCS Aerial Photographs field office asks to be credited in derived products.



Date created: 1/19/2021



Legend

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



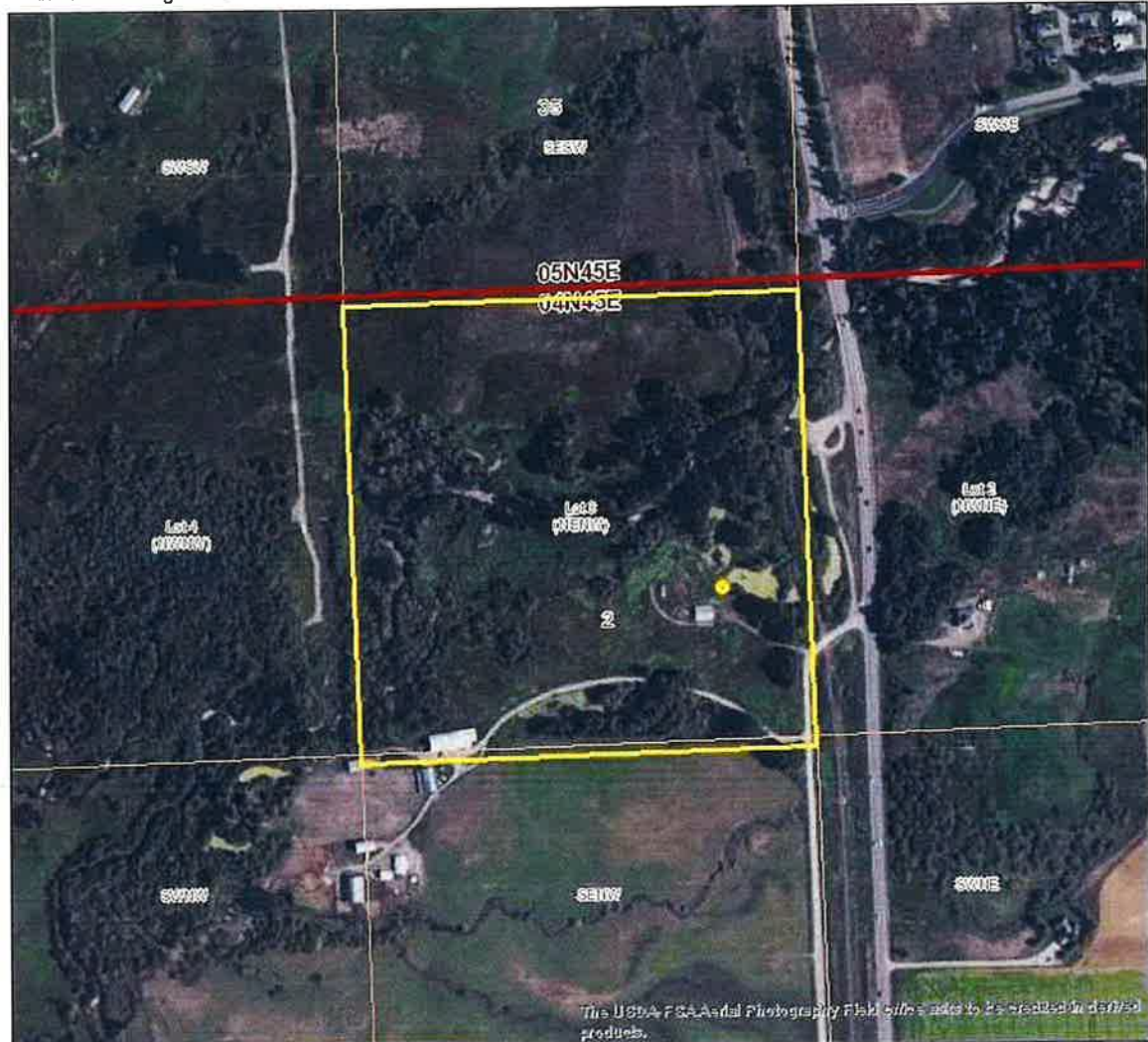
State of Idaho  
Department of Water Resources

# Water Right

22-11822

STOCKWATER

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: 1/19/2021



Legend

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



**RECORDING REQUESTED BY**  
First American Title Company

**AND WHEN RECORDED MAIL TO:**  
First American Title Company  
81 North Main Street/P.O. Box 42  
Driggs, ID 83422

**Instrument # 265505**

TETON COUNTY, IDAHO  
01-13-2021 12:20:00 No. of Pages: 2  
Recorded for: FIRST AMERICAN TITLE - DRIGGS  
KIM KEELEY Fee: \$16.00  
Ex-Officio Recorder Deputy, Kim Keeley  
Index to: DEED, WARRANTY

Space Above This Line for Recorder's Use Only

**WARRANTY DEED**

File No.: 930742-T (JP)

Date: January 07, 2021

For Value Received, **Hillman Properties LLLP, an Idaho Limited Liability Partnership**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Derek C Mullen and Kamise J Mullen, husband and wife**, hereinafter called the Grantee, whose current address is **PO Box 523, Drigg, ID 83422**, the following described premises, situated in **Teton County, Idaho**, to-wit:

**Beginning at the NW corner of Lot 3 of Sec 2 T4N R45E, BM, Teton County, Idaho, running thence East 66 rods more or less to the OSLRR right of way, thence Southeasterly along said right of way 845.5 feet to the quarter section line, thence South along said line 480 feet to the SE corner of Lot 3, thence West on a curve to the North 535 feet more or less, thence West 660 feet more or less, thence North 300 feet, thence West 100 feet, thence North 845 feet to the point of beginning.**

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Date: 01/07/2021

Warranty Deed  
- continued

File No.: 930742-T (JP)

Hillman Properties LLLP, an Idaho Limited Liability  
PartnershipBy: Kent A Hillman  
Name: Kent Hillman  
Title: General PartnerSTATE OF Idaho )  
ss.  
COUNTY OF Teton )On this 8th day of January, 2021, before me, a Notary Public in and for said State, personally appeared **Kent Hillman**, known or identified to me to be one of the partners in the partnership of **Hillman Properties LLLP**, and the partner or one of the partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that he executed the same in said partnership name.

Jennifer Phillips  
 Notary Public of Idaho  
 Residing at: Victor, ID  
 Commission Expires: 03/21/2024

STATE OF IDAHO }  
County of Teton } ss

I HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of the original thereof, on file in my office

Dated . February 4, 2022Ex-Officio Auditor & Recorder  
Clerk of the District CourtBy . [Signature] . . . . .  
Deputy Clerk

# IDAHO Department of Water Resources



IDWR offices are open to the public and following the CDC guidelines for wearing masks and observing social distancing. For in-person visits, we encourage you to call ahead for an appointment.

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## WATER RIGHT REPORT

1/19/2021

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 22-11823

| <u>Owner Type</u> | <u>Name and Address</u>                                                                                         |
|-------------------|-----------------------------------------------------------------------------------------------------------------|
| Current Owner     | THE GUY HILLMAN FAMILY CREDIT SHELTER TRUST<br>ATTN KENT HILLMAN<br>PO BOX 37<br>DRIGGS, ID 83422<br>2083542748 |
| Original Owner    | ELVA L HILLMAN                                                                                                  |
| Original Owner    | GUY R HILLMAN<br>PO BOX 37<br>DRIGGS, ID 83422<br>2083548221                                                    |

Priority Date: 04/15/1948

Basis: Decreed

Status: Active

| <u>Source</u>  | <u>Tributary</u> |
|----------------|------------------|
| UNNAMED STREAM | TETON CREEK      |

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 04/15       | 10/31     | 0.2 CFS               |               |
| Total Diversion       |             |           | 0.2 CFS               |               |

Location of Point(s) of Diversion:

UNNAMED STREAM | SENENW | Sec. 02 | Township 04N | Range 45E | TETON County

Place(s) of use:

Place of Use Legal Description: IRRIGATION TETON County

| <u>Township</u> | <u>Range</u> | <u>Section</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> |
|-----------------|--------------|----------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|
| 04N             | 45E          | 2              | 3          | NENW         | 9.3          |            |              |              |            |              |              |            |              |              |

Total Acres: 9.3

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Dates:

Licensed Date:

Decreed Date: 11/24/2008

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: OR

Water District Number: TBD

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

# IDAHO Department of Water Resources



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## WATER RIGHT REPORT

1/19/2021

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 22-11822

| <u>Owner Type</u> | <u>Name and Address</u>                                                                                         |
|-------------------|-----------------------------------------------------------------------------------------------------------------|
| Current Owner     | THE GUY HILLMAN FAMILY CREDIT SHELTER TRUST<br>ATTN KENT HILLMAN<br>PO BOX 37<br>DRIGGS, ID 83422<br>2083542748 |
| Original Owner    | ELVA L HILLMAN                                                                                                  |
| Original Owner    | GUY R HILLMAN<br>PO BOX 37<br>DRIGGS, ID 83422<br>2083548221                                                    |

Priority Date: 12/31/1928

Basis: Decreed

Status: Active

| <u>Source</u>         | <u>Tributary</u> |           |                       |               |
|-----------------------|------------------|-----------|-----------------------|---------------|
| GROUND WATER          |                  |           |                       |               |
| <u>Beneficial Use</u> | <u>From</u>      | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
| STOCKWATER            | 01/01            | 12/31     | 0.05 CFS              | 2.7 AFA       |
| Total Diversion       |                  |           | 0.05 CFS              | 2.7 AFA       |

Location of Point(s) of Diversion:

GROUND WATER|SENENW|Sec. 02|Township 04N|Range 45E|TETON County

## STOCKWATER Use:

Number of other uses: 100

Place(s) of use:

Place of Use Legal Description: STOCKWATER TETON County

| Township | Range | Section | Lot | Tract | Acres | Lot | Tract | Acres | Lot | Tract | Acres | Lot | Tract | Acres |
|----------|-------|---------|-----|-------|-------|-----|-------|-------|-----|-------|-------|-----|-------|-------|
| 04N      | 45E   | 2       |     | NENW  |       |     |       |       |     |       |       |     |       |       |

## Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. N13 The quantity of water under this right shall not exceed 13,000 gallons per day.
3. N11 The quantity of water decreed for this water right is not a determination of historical beneficial use.

## Dates:

Licensed Date:

Decreed Date: 11/24/2008

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: OR

Water District Number: TBD

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False



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](mailto:easterninfo@idwr.idaho.gov) • Web: [idwr.idaho.gov](http://idwr.idaho.gov)

**Governor Brad Little**

**Director Gary Spackman**

February 25, 2022

DEREK MULLEN  
KAMISE MULLEN  
1200 S 500 W  
PO BOX 523  
DRIGGS ID 83422-0523

Re: Change in Ownership for Water Right No(s): 22-11822, 22-11823

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) 497-3787.

Sincerely,

Jonie Barg  
Technical Records Specialist 1

Enclosure(s)

cc: WATER DISTRICT 01