

RECEIVED
Amended
JUN 28 2021

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED^{vc}

FEB 18 2021

WATER RESOURCES
WESTERN REGION

Notice of Change in Water Right Ownership

WATER RESOURCES
WESTERN 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?
6511272D	Yes ☒	Yes ☐		Yes ☐	Yes ☐
~~6523295~~ Kw	Yes ☐	Yes ☐		Yes ☐	Yes ☐
65-23296 Kw	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name:

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s):

J. Durwood Owen and Kathleen McKenzie Owen Revocable Living Trust

New owner(s) as listed on the conveyance document

Name connector

☐ and

☐ or

☐ and/or

4653 Bear Springs Road

Pipe Creek

TX

78063-5303

Mailing address

City

State

ZIP

830-535-4131

kakiowen@gte.net

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: December 12, 2019

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:

Signature of new owner/claimant

Trustee

Title, if applicable

11 FEB 2021

Date

Signature:

Signature of new owner/claimant

Trustee

Title, if applicable

2/11/2021

Date

For IDWR Office Use Only:

Received by LE

Date 02/16/2021

Receipt No. W049113

Receipt Amt. \$125.00

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 AR

Processed by AR

Date 06/29/2021

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DEPARTMENT OF WATER RESOURCES

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Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
6511272D	Yes ☒	Yes ☐		Yes ☐	Yes ☐
6523295	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: _____

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): J. Durwood Owen and Kathleen McKenzie Owen Revocable Living Trust

New owner(s) as listed on the conveyance document

Name connector

☐ and ☐ or ☐ and/or

4653 Bear Springs Road

Pipe Creek

TX

78063-5303

Mailing address

City

State

ZIP

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Telephone

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☒ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

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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).

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- ☒ 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]

Signature of new owner/claimant

Trustee

Title, if applicable

11 FEB 2021

Date

Signature: [Signature]

Signature of new owner/claimant

Trustee

Title, if applicable

2/11/2021

Date

For IDWR Office Use Only:

Received by LE Date 02/16/2021 Receipt No. W049113 Receipt Amt. \$125.00

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 _____

This notice superseded by notice received 06.28.2021

RE-RECORD TO ADD ADDRESS



Pioneer Title Co.
GOING BEYOND

1500 S. Washington Ave., Ste. B
Emmett, ID 83617

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

File No. 702941 /MA

Instrument # 266109

IDAHO CITY, BOISE COUNTY, IDAHO
12-20-2019 13:00:24 PM No. of Pages: 3
Recorded for: PIONEER TITLE COMPANY OF ADA
MARY T. PRISCO Fee: \$15.00
Ex-Officio Recorder Deputy Kristi Coffelt
Index to: DEEDS
Electronically Recorded by Simplifile

Instrument # 266041

IDAHO CITY, BOISE COUNTY, IDAHO
12-13-2019 12:17:22 PM No. of Pages: 2
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 Idaho Mutual Trust, LLC, a Delaware limited liability company
hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

J. Durwood Owen and Kathleen McKenzie Owen, Trustees of The J. Durwood Owen and Kathleen
McKenzie Owen Revocable Living Trust

hereinafter referred to as Grantee, whose current address is

4653 Bear Spring Rd
Pipe Creek TX 78063

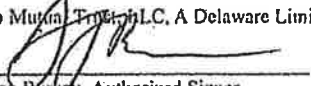
The following described premises, to-wit:

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
Grantor(s) heirs and assigns forever. And the said Grantor(s) does (do) hereby covenant to and with the
said Grantee(s), 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.

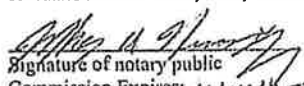
Dated: December 12, 2019

Idaho Mutual Trust, LLC, A Delaware Limited Liability Company

By: 

Dan Bureau, Authorized Signer
State of Idaho, County of Ada

This record was acknowledged before me on December 12 2019 by Dan Bureau as Authorized Signer
of Idaho Mutual Trust, LLC, a Delaware Limited Liability Company.


Signature of notary public
Commission Expires: 4/15/25

JEFFREY A. HERRIDGE
NOTARY PUBLIC
STATE OF IDAHO
COMMISSION #50034

RE-RECORD TO ADD ADDRESS



Pioneer Title Co.
GOING BEYOND

1500 S. Washington Ave., Ste. B
Emmett, ID 83617

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

File No. 702941 /MA

WARRANTY DEED

For Value Received Idaho Mutual Trust, LLC, a Delaware limited liability company
hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

J. Durwood Owen and Kathleen McKenzie Owen, Trustees of The J. Durwood Owen and Kathleen
McKenzie Owen Revocable Living Trust

hereinafter referred to as Grantee, whose current address is

The following described premises, to-wit:

4653 Bear Springs Rd.
Pipe Creek TX 78063

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), 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: December 12, 2019

Idaho Mutual Trust, LLC, A Delaware Limited Liability Company

By:

Dan Bureau, Authorized Signer

State of ID, County of Ada

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of Idaho Mutual Trust, LLC, a Delaware Limited Liability Company.

Signature of notary public

Commission Expires: 4/15/25

JEFFREY A. HERRIDGE
NOTARY PUBLIC
STATE OF IDAHO
COMMISSION #50034

EXHIBIT A

A parcel of land being Government Lot 4 of Section 19, Township 7 North, Range 2 East, Boise Meridian, and Government Lot 1 and a portion of Government Lots 2 & 3 of Section 30, Township 7 North, Range 2 East, Boise Meridian, Boise County, Idaho. Being further described as follows:

BASIS OF BEARING:

The West line of Government Lot 4, Section 19, Township 7 North, Range 2 East, Boise Meridian, derived from found monuments and taken as North 00°54'04" West with the distance between monuments found to be 1,313.05 feet.

BEGINNING at Southwest corner of Section 19, Township 7 North, Range 2 East, Boise Meridian being the Southwest corner of Government Lot 4 of said Section 19, the REAL POINT OF BEGINNING;

Thence along the West line of said Government Lot 4, the North 00°54'04" West to the Northwest corner of said Government Lot 4, a distance of 1,313.05 feet;

Thence along the North line of said Government Lot 4, North 88°55'23" East to the Northeast corner of said Government Lot 4, a distance of 1,293.06 feet;

Thence along the East line of said Government Lot 4, South 00°36'30" East to the Southeast corner of said Government Lot 4 also being the Northeast corner of Government Lot 1 of Section 30, Township 7 North, Range 2 East, Boise Meridian, a distance of 1,314.29 feet;

Thence along the East line of said Government Lot 1, South 00°09'58" West to the Southeast corner of said Government Lot 1 also being the Northeast corner of Government Lot 2 of said Section 30, a distance of 1,318.77 feet;

Thence along the East line of said Government Lot 2, South 00°09'58" West to the Southeast corner of said Government Lot 2 also being the Northeast corner of Government Lot 3 of said Section 30, a distance of 1,318.76 feet;

Thence along the East line of said Government Lot 3, South 00°09'58" West to a point on the Northerly right-of-way of State Highway 52, a distance of 1,816.96 feet;

Thence along said right-of-way the following five courses:

North 48°53'16" West a distance of 589.12 feet;

Along a curve to the left with a radius of 1,055.00 feet and a central angle of 15°18'00" and arc length of 281.72 feet (with a chord bearing of North 56°32'16" West, and a chord distance of 280.89 feet; North 64°11'16" West a distance of 34.20 feet;

Along a curve to the right with a radius of 855.00 feet and a central angle of 15°55'00" an arc length of 237.52 feet (with a chord bearing of North 56°13'46" West, and a chord distance of 236.75 feet);

North 48°16'16" West a distance of 499.97 feet;

Thence leaving said right of way, North 66°53'05" East a distance of 523.81 feet;

Thence North 01°02'43" West a distance of 896.23 feet;

Thence South 88°58'37" West to a point on the West line of aforementioned Government Lot 2, a distance of 492.30 feet;

Thence along said West line, North 00°48'14" East to the Northwest corner of Government Lot 2 also being the Southwest corner of aforementioned Government Lot 1, a distance of 997.60 feet;

Thence along the West line of said Government Lot 1, North 00°48'14" East a distance of 1,319.68 feet to the REAL POINT OF BEGINNING.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 W AIRPORT WAY • BOISE, ID 83705-5082

Phone: (208)334-2190 • Fax: (208)334-2348 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

August 11, 2021

THE J DURWOOD OWEN AND KATHLEEN MCKENZIE OWEN REVOCABLE LIVING TRUST
4653 BEAR SPRINGS RD
PIPE CREEK TX 78063-5303

Re: Change in Water Right Ownership: 65-23295, 65-23296, 65-11272D (split into 65-24042)

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 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) 334-2190.

Sincerely,

Lynne Evans
Office Specialist II

Enclosure(s)

c: GARRETT GROUP PROJECT 1 LLC

High Rock Law, PLLC

A Professional Limited Liability Company
Attorneys at Law

Kirk C. Wille
Attorney at Law

127 E. Main St., Emmett, ID 83617
Phone: 208-369-4149
Email: kirkwille@highrocklawidaho.com

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WATER RESOURCES
WESTERN REGION

February 16, 2021

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082

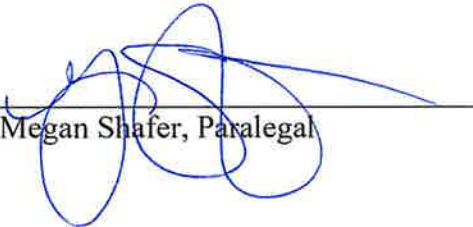
RE: Notice of Change in Water Right Ownership

To Whom It May Concern:

Enclosed is a Notice of Change in Water Right Ownership form, with documentation of ownership, and check for filing fees.

If you have any questions, please contact our office.

Sincerely,



Megan Shafer, Paralegal