

JUN 07 2021

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

Department of Water Resources  
Eastern Region

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? |
|-----------------------|------------------------------|------------------------------|-----------------------|------------------------------|------------------------------|
| 15-4194               | 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"/> |
|                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |

2. Previous Owner's Name: Brett Daniels and Gaylyn Daniels  
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Blair Tomlinson Halverson and David J. Halverson  
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or ☐ and/or  
6715 South 475 East South Weber UT 84405  
Mailing address City State ZIP  
801-381-4093 halvyb@msn.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: 4-30-21
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] Title, if applicable: \_\_\_\_\_ Date: 6-1-21  
Signature: [Signature] Title, if applicable: \_\_\_\_\_ Date: 6-1-21

For IDWR Office Use Only: Refund Request 9/9/2021  
Received by M. Pettis Date 6-7-21 Receipt No. EO 47048 Receipt Amt. 25.00  
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 \_\_\_\_\_

NTO-111598  
 Blair Tomlinson Halverson  
 6715 South 475 East  
 South Weber, UT 84405

Microfilm No. 161291  
 30 Day Apr 20 21  
 At 11 40 O'clock AM  
Natalie Murphy  
 Oneida Co. Recorder  
 Fee \$ 15.00 Deputy  
 Recorded at Request of  
 Northern Title Company- Malad

## WARRANTY DEED

**Brett Craig Daniels and GayLynn Daniels, Husband and Wife as Community Property with Right of Survivorship,**

Grantor(s) of North Logan, County of Cache, State of Utah, hereby **CONVEY AND WARRANT** to

**Blair Tomlinson Halverson, Trustee of the Blair Tomlinson Halverson Trust, dated 14th day of December 2010; and David J. Halverson Trustee of the David J Halverson Trust ,**

Grantee(s) of South Weber, County of Weber, State of Utah, for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION, the following described tract of land in Oneida County, State of ID:

See Exhibit "A" attached and made a part hereto

Subject to easements, declarations of covenants and restrictions, rights of way of record, and taxes for the current year and thereafter.

Witness, the hand(s) of said Grantor(s), this April 29, 2021.

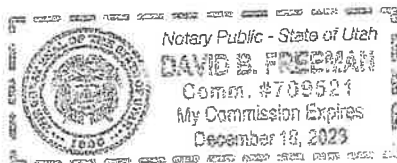
Brett Craig Daniels  
 Brett Craig Daniels

GayLynn Daniels  
 GayLynn Daniels

State of: ID )  
 County of: Oneida )§

On April 29, 2021, before me the undersigned, a Notary Public in and for said state, personally appeared **Brett Craig Daniels and GayLynn Daniels**, known or proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and duly acknowledged to me that he/she/they executed the same. IN WITNESS WHEREOF I have set my hand and official seal on the date shown above.

[Signature]  
 Notary Public  
 Residing: Preston, ID



NTO-52797  
Brett Craig Daniels  
1487 East 2700 North  
North Logan, UT 84341

Microfilm No 145018  
27 Day October 2009  
At 1:30 O'clock P  
Debra A. Adams  
Oneida Co. Recorder  
Fee \$ 6.00 Recorded at Request of Notary Public Wendy C. Ruff

## WARRANTY DEED

Kevin Gary Daniels, and Sandra Daniels, now know as Sandra Foxley,

Grantor(s) of Malad City, County of Oneida, State of ID  
hereby **CONVEY AND WARRANT** to

Brett Craig Daniels and GayLynn Daniels, Husband and Wife as Community Property with Right of Survivorship,

Grantee(s) of North Logan, County of Cache, State of UT for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION, the following described tract of land in Oneida County, State of ID:

See attached "Exhibit A"

Subject to easements, declarations of covenants and restrictions, rights of way of record, and taxes for the current year and thereafter.

Witness, the hand(s) of said Grantor(s), this October 23, 2009

Kevin Gary Daniels  
Kevin Gary Daniels

Alexis A. Daniels  
Alexis A. Daniels (Spouse)

Sandra Daniels Foxley  
Sandra Daniels  
nka Sandra Foxley

Robert Foxley  
(Spouse)

State of ID )  
County of Oneida )

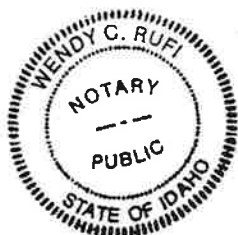
On October 23, 2009, personally appeared before me Kevin Gary Daniels and Alexis A. Daniels (his spouse) the signer(s) of the within instrument, who duly acknowledged to me that they executed the same.

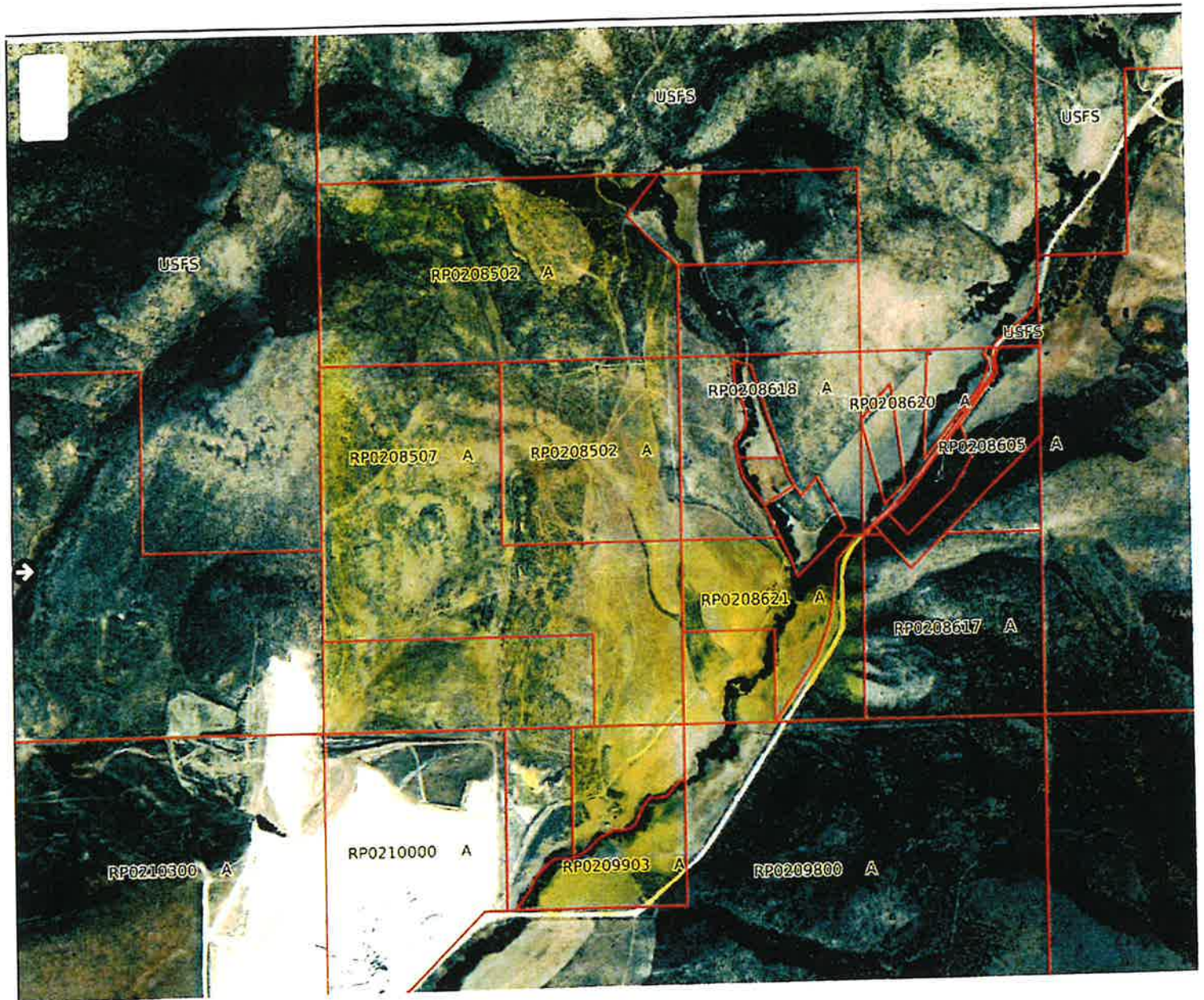
Wendy C. Ruff  
Notary Public  
Residing: Malad City 10  
Expiration: 2-28-2011

State of ID )  
County of Oneida )

On October 23, 2009, personally appeared before me Sandra Daniels, now known as Sandra Foxley and Robert Foxley (her spouse) the signer(s) of the within instrument, who duly acknowledged to me that they executed the same.

Wendy C. Ruff  
Notary Public  
Residing: Malad City 10  
Expiration: 2-28-2011





3.6.2.IDAHO



X,Y -12510426.0, 5225376.9 USNG 12T UM 86228  
98274 Lat,Lon 42.4285, -112.3831

Zoom to Extent...



T, DID YOU KNOW THAT YOU CAN EXPORT THE MAP AS A PDF AND BRING INTO THE PAPER MAPS APP ON YOUR

[https://idahoparcels.us/maps/desktop/oneida.html#on=sketch/default;Voter\\_Precinct/Voter\\_Precinct;scalebar\\_feet/scalebar\\_feet;parcels/parcels;boun...](https://idahoparcels.us/maps/desktop/oneida.html#on=sketch/default;Voter_Precinct/Voter_Precinct;scalebar_feet/scalebar_feet;parcels/parcels;boun...) 1/1



**State of Idaho**

**DEPARTMENT OF WATER RESOURCES**

Eastern Region, 900 North Skyline Drive, Suite A • Idaho Falls, Idaho 83402-1718  
Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

C. L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Interim Director

February 28, 2011

Brett Daniels  
Gaylynn Daniels  
1487 E 2700 N  
N Layton UT 84341

RE: Change of Ownership for Water Right No(s). 15-4194

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right(s) to you. The department has modified its records to reflect the change in ownership and has enclosed computer-generated reports for your records.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing an ownership change notice, the department does not review the history of water use to determine if the right has been deliberately abandoned or forfeited 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 Sections 42-222 and 42-223, Idaho Code.

Also, 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](http://www.idwr.idaho.gov).

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,

  
Jonie Barg  
Technical Records Specialist

Enclosure(s)

cc: Water District 11

IDAHO DEPARTMENT OF WATER RESOURCES  
Water Right Report 15-4194

WATER RIGHT NUMBER: 15-4194

| <u>Owner Type</u> | <u>Name and Address</u>                                                |
|-------------------|------------------------------------------------------------------------|
| Original Owner    | INA DANIELS<br>3095 N 100 E<br>OGDEN, UT 84414<br>(801)782-9219        |
| Original Owner    | DE VON DANIELS<br>3095 N 100 E<br>OGDEN, UT 84414<br>(801)782-9219     |
| Current Owner     | BRETT DANIELS<br>1487 E 2700 N<br>N LOGAN, UT 84341                    |
| Current Owner     | GAYLYNN DANIELS<br>1487 E 2700 N<br>N LOGAN, UT 84341<br>(435)757-4485 |

Priority Date: 06/01/1927

Basis: Statutory Claim

Status: Active

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

| <u>Beneficial Use</u> | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|-------------------------|-----------------------|----------------------|
| STOCKWATER            | 5/01 to 12/01           | 0.020 CFS             |                      |
|                       | <u>Total Diversion:</u> | 0.020 CFS             |                      |

| <u>Location of Point(s) of Diversion</u> |            |                                 |
|------------------------------------------|------------|---------------------------------|
| UNNAMED STREAM<br>ONEIDA County          | SW1/4NE1/4 | Sec. 33, Twp 11S, Rge 35E, B.M. |
| UNNAMED STREAM<br>ONEIDA County          | NW1/4SE1/4 | Sec. 33, Twp 11S, Rge 35E, B.M. |
| UNNAMED STREAM<br>ONEIDA County          | SE1/4NW1/4 | Sec. 33, Twp 11S, Rge 35E, B.M. |

Place of Use  
STOCKWATER

| Twp | Rge | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 11S | 35E | 33  |    |    | X  |    |    |    |    | X  |    |    |    |    |    |    | X  |    |        |



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**

September 9, 2021

BLAIR TOMLINSON HALVERSON  
DAVID J HALVERSON  
6715 S 475 E  
SOUTH WEBER UT 84405

RE: Change in Ownership Water Right No. 15-4194

Dear Sir/Madam:

The Idaho Department of Water Resources acknowledges receipt of Notice of Change in Water Right Ownership.

Our review indicated that additional information/fees is required in order to complete your application. On July 16, 2021 (copy enclosed) the department contacted you for additional filing fees. As of the date of this letter, the department has not received the additional filing fees.

The Department is returning your application and attachments unprocessed (copies of the application will be kept on file for informational purposes only). A refund of \$25.00 has been requested and will be mailed under a separate cover from the Idaho State Controller's Office.

You may re-submit your request with the appropriate documents and fees.

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](http://www.idwr.idaho.gov).

Please feel free to contact the Department if you have any questions.

Sincerely,

Jonie Barg  
Technical Records Specialist

## Barg, Jonie

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**From:** Barg, Jonie  
**Sent:** Thursday, September 9, 2021 11:38 AM  
**To:** IdwrPayable  
**Subject:** Refund Request  
**Attachments:** Receipt(16)

Good morning!!

I have a refund request as follows:

Receipt number: E047048  
Amount: \$25.00  
Payable to: BLAIR TOMLINSON HALVERSON  
6715 S 475 E  
SOUTH WEBER UT 84405

Reason: Department requested additional information for an ownership change. The information was not received and the application is being returned unprocessed. Therefore the applicant is entitled to a full refund.

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](mailto:jonie.barg@idwr.idaho.gov)  
Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

## Cefalo, James

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**From:** Cefalo, James  
**Sent:** Friday, July 16, 2021 12:19 PM  
**To:** 'halvyb@msn.com'  
**Subject:** Proposed Ownership Change for Water Right 15-4194  
**Attachments:** WR 15-4194 Place of Use.pdf

Mr. Halverson,

In June, you filed a Notice of Change in Water Right Ownership, seeking to update the ownership records for water right 15-4194. This right is a beneficial use claim filed by Devon & Ina Daniels in 1991. The claim described instream stockwater use on an Unnamed Stream tributary to Little Wrights Creek. The stockwater use covered 40 cattle and 8 horses. The place of use for the right (the area where the stock drink from the stream), extends from the north line of the SENW of Section 33 to the south line of the NWSE of Section 33. A map depicting the existing place of use for the right is attached. Deeds in the water right file confirm that Devon & Ina Daniels owned the SENW, SWNE and NWSE of Section 33 at the time the claim was filed.

In 2009, Brett & GayLynn Daniels filed a ownership change notice, seeking to update the ownership of water right 15-4194. The deeds provided by B&G Daniels showed that B&G Daniels only owned the northern most 1/3 of the place of use. The Department updated its records to show B&G Daniels as the owners of the entire water right. I believe the ownership was updated in error. The water right should have been split. B&G Daniels should have only been listed as the owners of 1/3 of the right.

Based on the deed provided with your notice, you own only a portion of the property once owned by B&G Daniels. In total, you only own approximately 300 feet of the 3,000 feet of stream described by Devon & Ina Daniels in their original claim. Your ownership of the right would be approximately 10% (4 cattle and 1 horse). The filing fee for an ownership change requiring a water right split is \$100. You included payment of \$25 when you filed your ownership change notice. Please provide the additional \$75 to split the water right. The additional fee can be sent to the Eastern Region Office (900 North Skyline Drive, Suite A, Idaho Falls, ID 83402). Feel free to contact me if you have any questions.

James Cefalo  
Regional Manager  
IDWR Eastern Region  
(208) 525-7161