

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUL 26 2021

DEPARTMENT OF
WATER RESOURCES

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. DE

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
22-12182 ✓	Yes ☐	Yes ☐		Yes ☐	Yes ☐
22-12187 ✓	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Gary Lundquist and Sandra Lundquist
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Benjamin Arthur Kearsley and Shaylee Lafon Kearsley
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or ☐ and/or
- P.O. Box 1044 Victor ID 83455
Mailing address City State ZIP
208-313-3757
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: June 28, 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):
 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 06-28-2021
Signature of new owner/claimant Date
- Signature: _____ Title, if applicable 06-28-2021
Signature of new owner/claimant Date

SUPPORT DATA

IN FILE # 22-12187

For IDWR Office Use Only:

Received by KA Date 7-26-21 Receipt No. C110655 Receipt Amt. 100 -

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 [Signature] Date 9/2/21

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 # 269309
TETON COUNTY, IDAHO
06-28-2021 13:47:00 No. of Pages: 3
Recorded for: FIRST AMERICAN TITLE - DRIGGS
KIM KEELEY Fee: \$15.00
Ex-Officio Recorder Deputy, Kim Keeley
Index to: DEED, WARRANTY

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **982377-T (JP)**

Date: **June 23, 2021**

For Value Received, **Sandra Ann Lundquist, as trustee and her successors in trust of the Gary D. Lundquist Family Trust u/w/d June 29, 2009**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Benjamin Arthur Kearsley and Shaylee Lafon Kearsley, husband and wife**, hereinafter called the Grantee, whose current address is **7879 South 2750 West, Victor, ID 83455**, the following described premises, situated in **Teton County, Idaho**, to-wit:

Parcel 1:

E½ SE¼ of Section 32, Township 4 North, Range 45 East, Boise Meridian, Teton County, Idaho.

Parcel 2:

W½ SW¼ of Section 33, Township 4 North, Range 45 East, Boise Meridian, Teton County, Idaho.

Parcel 3:

Lot 4 and SW¼ NW¼ of Section 4, Township 3 North, Range 45 East, Boise Meridian, Teton County, Idaho.

Parcel 4:

The Southeast Quarter of the Northeast Quarter (SE¼ NE¼) of Section Five (5), Township Three (3) North, Range Forty-Five (45) East, Boise Meridian, Teton County, Idaho.

Parcel 5:

A right of way commencing at the Northwest Corner of the Southeast Quarter (SE¼) of Section Five (5), in Township Three (3), North of Range Forty-five (45), E.B.M., in Teton County, Idaho, thence running South along the North-South center line of said Section Five (5) 1360 feet; thence East and parallel to the South line of said Section Five (5) 40 feet; thence North and parallel to the said North-South center line of said Section Five (5) 1360 feet to the East-West center line of said Section Five (5); thence West along the said East-West center line of said Section Five (5) 20 feet; thence North and parallel to the said North-South center line of said Section Five (5) 1310 feet; thence East and parallel to the North line of said Section Five (5) 1320 feet; thence North and parallel to said North-South center line of Section Five (5) 20 feet; thence West and parallel to the said North line of Section Five (5) 1320 feet; thence North and parallel to the said North-South center line of Section Five (5) 1300 feet; thence East and parallel to the said North line of Section Five (5) 1320 feet; thence North and parallel to the said North-South center line of Section Five (5) 10 feet to the South line of Section Thirty-two (32), Township Four (4), North of Range Forty-five

Page 1 of 3

**I CERTIFY THAT THIS IS A TRUE
AND CORRECT COPY OF THE
ORIGINAL DOCUMENT**

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Date: 06/23/2021

Warranty Deed
- continued

File No.: 982377-T (JP)

(45), E.B.M., in Teton County, Idaho, thence North and parallel to the North-South center line of Section Thirty-two (32) 10 feet; thence West and parallel to the said South line of Section Thirty-two (32) 1320 feet; thence North and parallel to the said North-South center line of Section Thirty-two (32) 1330 feet; thence West and parallel to the said South line of Section Thirty-two (32) 20 feet; thence South along the said North-South center lines of Sections Thirty-two (32) and Five (5) 3980 feet to the place 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: 06/23/2021

Warranty Deed
- continued

File No.: 982377-T (JP)

Sandra Ann Lundquist, as trustee and her
successors

In trust of the Gary D. Lundquist Family Trust
u/w/d June 29, 2009

Sandra Ann Lundquist

Sandra Ann Lundquist, Trustee

STATE OF Idaho)
ss.
COUNTY OF Jefferson)

On this 28th day of July, 2021, before me, a Notary Public in and for said State, personally
appeared **Sandra Lundquist**, known or identified to me to be the person(s) whose name(s) is
subscribed to the within instrument as Trustee of **the Gary D. Lundquist Family Trust**,
and acknowledged to me that she executed the same as such Trustee.

Teresa Anderson
Notary Public of Idaho
Residing at: *Picay, Id*
Commission Expires: *7-1-23*



I CERTIFY THAT THIS IS A TRUE
AND CORRECT COPY OF THE
ORIGINAL DOCUMENT

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IDAHO DEPARTMENT OF
WATER RESOURCES

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098
Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

September 02, 2021

BENJAMIN ARTHUR KEARSLEY
SHAYLEE LAFON KEARSLEY
PO BOX 1044
VICTOR ID 83455-1031

Re: Change in Ownership for Water Right No(s): 22-12182 & 22-12187

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) 287-4945.

Sincerely,

Amanda Johnson-Veibell
Technical Records Specialist 1

Enclosure(s)