

JUL 22 2021

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUL 19 2021

Department of Water Resources
Eastern Region

Notice of Change in Water Right Ownership

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 District 130

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
<u>13-4319 OK</u>	Yes ☐	Yes ☐	<u>Whiskey Creek Culm.</u>	Yes ☐	Yes ☐
<u>13-7741 OK</u>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
<u>13-7743 OK</u>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
<u>13-7745 OK</u>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
<u>Whiskey Creek Culm.</u>	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: James D Barrett & Luella G Barrett Family Trust
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): LKBD Investments, LLC (Michael A. Vail, Connie M. Vail)
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- PO Box 338 Santaquin UT 84655
Mailing address City State ZIP
- 801-319-8868 2mavail@gmail.com, cmvail@drizzle.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: May 10, 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: Michael A. Vail Manager July 13, 2021
Signature of new owner/claimant Title, if applicable Date

Signature: Connie M. Vail Manager 13 July 2021
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by SG Date 7/19/21 Receipt No. 5038709 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 Request #25 - refund. Approved by JB Processed by MW Date 8/9/2021

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
241 S Main Street Suite 1
Soda Springs, ID 83276

Instrument # 207217

CARIBOU COUNTY, IDAHO
05-11-2021 10:09:16 No. of Pages: 3
Recorded for: FIRST AMERICAN TITLE CO, INC - SODA SPRINGS
Denise Horsley Fee: \$15.00
Ex-Officio Recorder Deputy
Index to: WARRANTY DEED 

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **964999SOD (ku)**

Date: **April 27, 2021**

For Value Received, **Michael Barratt and Mindy Sager, Successor Co-Trustees under the James D Barratt and Luetta G Barratt Family Trust**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **LKBD Investments, LLC, a Utah limited liability company**, hereinafter called the Grantee, whose current address is **PO Box 338, Santaquin, UT 84655**, the following described premises, situated in **Caribou County, Idaho**, to-wit: **Legal Description attached hereto as Exhibit A, and by this referenced incorporated herein.**

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: 04/27/2021

Warranty Deed
- continued

File No.: 964999SOD (ku)

James D Barratt and Luetta G Barratt Family

Trust

Michael Barratt Co-trustee

Michael Barratt, Co-Trustee

Mindy Sager Co-Trustee

Mindy Sager, Co-Trustee

STATE OF Idaho)
) ss.
COUNTY OF Caribou)

On this 18th day of May, 2021, before me, a Notary Public in and for said State, personally appeared **Michael Barratt and Mindy Sager**, known or identified to me to be the person(s) whose name(s) are subscribed to the within instrument as Co-Trustees of the **James D. Barratt and Luetta G. Barratt Family Trust** Trust, and acknowledged to me that they executed the same as such Co-Trustees.

KRISTIE KAE URBAN
Notary Public - State of Idaho
Commission Number 20181826
My Commission Expires 09-21-2024

Kristie Kae Urban
Notary Public of Idaho
Residing at: Soda Springs, Idaho
Commission Expires: 9-21-2024

Date: 04/27/2021

Warranty Deed
- continued

File No.: 964999SOD (ku)

EXHIBIT A

Parcel I:

Township 11 South, Range 41 East of the Boise Meridian, Caribou County, Idaho:

Section 19: NE $\frac{1}{4}$ SE $\frac{1}{4}$.

Section 20: NW $\frac{1}{4}$ SW $\frac{1}{4}$, EXCEPT THEREFROM, Beginning at a point 60 feet West of the Northeast corner of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 20, and running

Thence East 60 feet;

Thence South 1320 feet;

Thence West 336.28 feet, more or less, to a County Road;

Thence Northeasterly along said road, 1348.6 feet, more or less, to the Point of Beginning.

ALSO, EXCEPT THEREFROM, Beginning at the Northeast Corner of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 20; Thence South 460 feet, to the TRUE POINT OF BEGINNING, and running
Thence West 1000 feet; Thence South 350 feet;
Thence East 1000 feet; Thence North 350 feet,
to the True Point of Beginning.

Parcel II:

Township 11 South, Range 41 East of the Boise Meridian, Caribou County, Idaho:

Section 20: A tract in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 20, more particularly described as follows:

Beginning at the Northeast Corner of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 20; Thence South 460 feet, to the TRUE POINT OF BEGINNING, and running
Thence West 1000 feet; Thence South 350 feet;
Thence East 1000 feet; Thence North 350 feet,
to the True Point of Beginning.

EXCEPT THEREFROM, any portion thereof lying East of the West right-of-way line of North Lago Road.

11S41E191821

11S41E203601

1/4 Sec 19 NE 1/4 SE 4

11S41E197201

11S41E205100

11S41E205600

11S41E206100

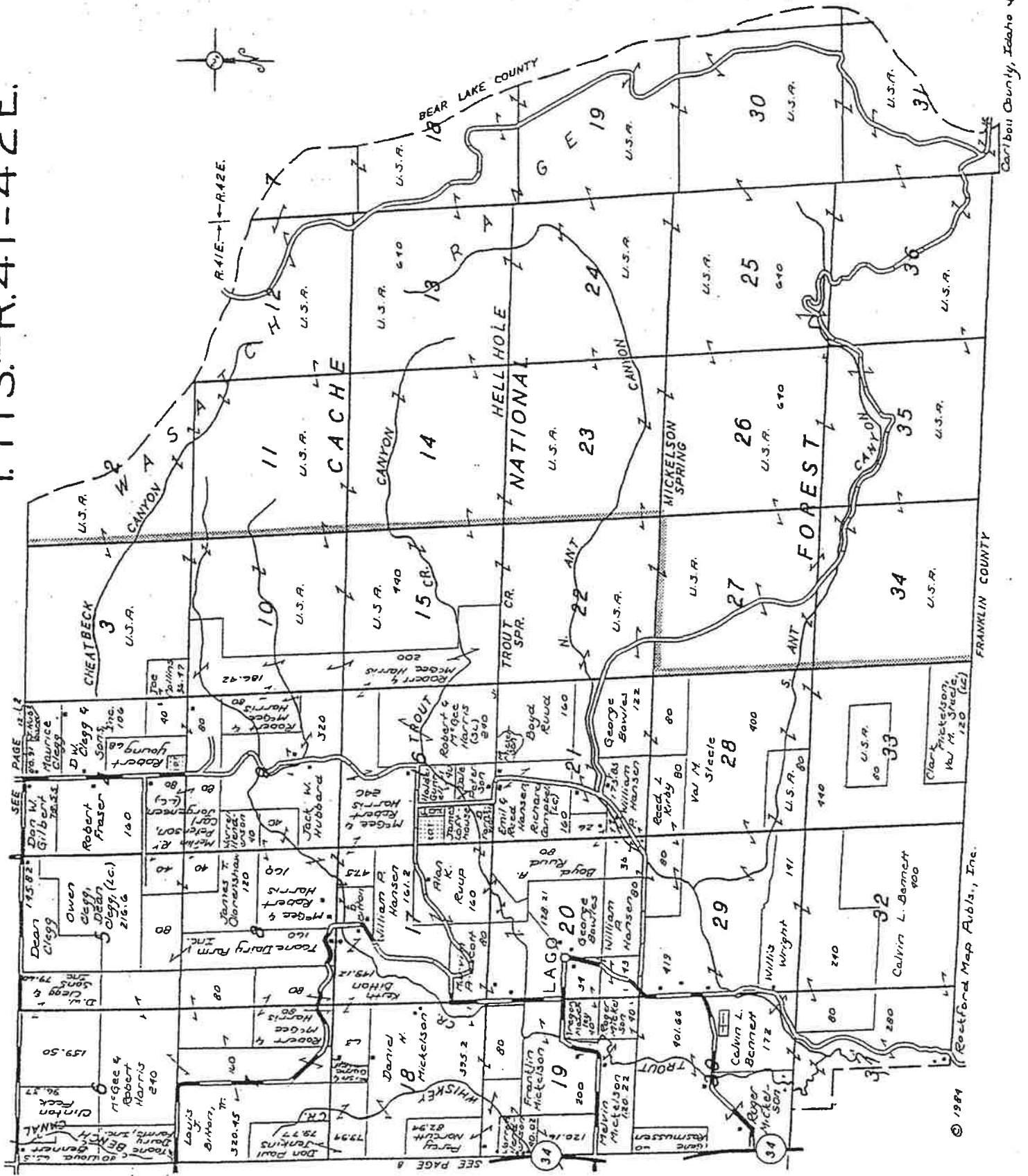
11S41E206021

11S41E206601

11S41E199021

2255 N Lago Rd, Grace, ID 83241

0 310 620 930 1240 ft





State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region • 900 N SKYLINE DR STE A • IDAHO FALLS, ID 83402-1718
Phone: (208)525-7161 • Fax: (208)525-7177 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

August 06, 2021

LKBD INVESTMENTS LLC
C/O MICHAEL A VAIL AND CONNIE M VAIL
PO BOX 338
SANTAQUIN UT 84655-0338

Re: Change in Ownership for Water Right No(s): 13-4319, 13-7741, 13-7743, and 13-7745

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 13Q

Barg, Jonie

From: Barg, Jonie
Sent: Monday, August 9, 2021 1:53 PM
To: IdwrPayable
Subject: Refund Request
Attachments: Receipt(1)

Good afternoon!!

I have a refund request as follows:

Receipt number: S038709
Amount: \$25.00
Payable to: Michael Vail and Connie Vail
PO Box 338
Santaquin UT 84655

Reason: Ownership Change was submitted for 4 water rights, but paid for 5. Therefore the applicant is entitled to a partial refund.

Thank you so much for your time. Let me know if you have any questions.

Have a great day!!!

Jonie Barg

Jonie Barg
Technical Records Specialist
Idaho Department of Water Resources
900 N Skyline Dr Ste A
Idaho Falls ID 83402
Phone number: (208)525-7161
Fax number: (208)525-7177
Email address: jonie.barg@idwr.idaho.gov