



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 E FRONT ST STE 648 PO BOX 83720 • BOISE, ID 83720-0098

Phone: (208)287-4800 • Fax: (208)287-6700 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

February 8, 2021

TRAVIS THAYNE WILLIAMS
2775 N BUCKSKIN LN
GLENNS FERRY ID 83623-4800

RE: Change in Ownership Water Right No(s): 29-4251, 29-4245, 29-4246, 29-7810, 29-12594, 29-12598, 29-12604, 29-12608, 29-12614, 29-12961, 29-12964, 61-2305, 61-2329, 61-11447, and 61-11630

Dear Mr. Williams:

The Idaho Department of Water Resources (Department) received a Notice of Change in Water Right Ownership (Notice) from you on January 4, 2021 for the above referenced water rights. The Notice could not be processed because the Department needs a conveyance document to update ownership of water rights. The conveyance document must include a legal description of the property or description of the water right if no land is conveyed. The Department also requires a filing fee of \$25 per undivided water right.

All the water rights mentioned above are stock water rights in the name of the United States of America acting through Bureau of Land Management (BLM). If the BLM will not convey the water rights to you, you may be able to file claims with the Snake River Basin Adjudication court for your own stock water rights on Federal Grazing allotments. You will need to submit; a *Motion for Determination of Deferred De Minimis Domestic or Stock Water Use* form, a *Notice of Claim to a Water Right* form (contact the Department's Adjudication staff to obtain a claim number for this form), base property information, a document that establishes that an owner of the base property perfected a stock water right on federal land, a chain of title for the base property establishing that the water rights were not reserved or severed from the base property, a copy of the current grazing permit(s), and a map of the grazing allotment. The forms are enclosed and are available with instructions on the Department's website at <https://idwr.idaho.gov/water-rights/adjudication/SRBA/stockwater.html>.

The Department is returning your Notice of Change in Water Right Ownership and the attachments.

If you have any questions regarding the ownership change, please contact me at (208) 287-4942. If you have questions on the adjudication process, please contact Craig Saxton at (208) 287-4916.

Sincerely,

Jean Hersley
Technical Records Specialist 2

Enclosure(s)

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

JAN 04 2021

DEPARTMENT OF
WATER RESOURCES

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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?
29-12604 <i>vi-Intake</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
29-12594	Yes ☐	Yes ☐		Yes ☐	Yes ☐
29-12964	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: United States of America acting through Bureau of Land Management
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Travis T Williams (Knox allotment 6346)
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 2775 N Buckskin Lane Glenns Ferry ID 83623
Mailing address City State ZIP
208-316-6205 williamsteacupranch@gmail.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: 3/01/2019
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: Travis T. Williams 12/29/20
Signature of new owner/claimant Title, if applicable Date

RETURNED

Signature: _____
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by KH Date 1.4.2021 Receipt No. _____ Receipt Amt. _____
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 _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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JAN 04 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.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
29-7810	Yes ☐	Yes ☐	29-4245	Yes ☐	Yes ☐
29-4251	Yes ☐	Yes ☐	29-4246	Yes ☐	Yes ☐
29-12961	Yes ☐	Yes ☐	29-4251 <i>adjudicate</i>	Yes ☐	Yes ☐
29-12614	Yes ☐	Yes ☐	29-12598	Yes ☐	Yes ☐
29-8239	Yes ☐	Yes ☐	29-12608	Yes ☐	Yes ☐

2. Previous Owner's Name: United States of America acting through Bureau of Land Management
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Travis T Williams *(Knox allotment 6346)*
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 2775 N Buckskin Lane Glenns Ferry ID 83623
Mailing address City State ZIP
208-316-6205 williamsteacupranch@gmail.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: 3/01/2019
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).
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☐ 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: Travis T Williams 12/29/20
Signature of new owner/claimant Title, if applicable Date

Signature: _____ Title, if applicable _____ Date _____
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by LM Date 1.4.2021 Receipt No. _____ Receipt Amt. _____
 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 _____

RECEIVED

JAN 04 2021

DEPARTMENT OF
WATER RESOURCES

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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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?
61-11447	Yes ☐	Yes ☐		Yes ☐	Yes ☐
61-11630	Yes ☐	Yes ☐		Yes ☐	Yes ☐
61-2305	Yes ☐	Yes ☐		Yes ☐	Yes ☐
61-2329	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: United States of America acting through the BLM
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Travis T. Williams (Little Canyon Creek allotment 1105181)
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 2775 N Buckskin Lane Glenns Ferry ID 83623
Mailing address City State ZIP
- 208-316-6205 williamsteacupranch@gmail.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: 3/1/2016
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: Travis T. Williams Title, if applicable: _____ Date: 12/29/20
Signature of new owner/claimant
- Signature: _____ Title, if applicable: _____ Date: _____
Signature of new owner/claimant

For IDWR Office Use Only:

Received by KM Date 1.4.2021 Receipt No. 61-2329 Receipt Amt. _____
 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 _____

RETURNED

SUPPORT DATA



U.S. Department of the Interior
BUREAU OF LAND MANAGEMENT
2019 FEB 12 PM 2:09
GRAZING PERMIT



State: ID
Office: LLID102000
Preference Code: 03
AUTHORIZATION: 1102813

EFFECTIVE: 03/01/2019 TO 02/28/2029

ISSUED BY:

BUREAU OF LAND MANAGEMENT
POCATELLO FO
4350 CLIFF DRIVE
POCATELLO ID 83204

ISSUED TO:

WILLIAMS, TRAVIS T
2775 N BUCKSKIN LANE
GLENN'S FERRY ID 83623

UNDER 43 CFR PART 4100, THE BUREAU OF LAND MANAGEMENT (BLM) OFFERS YOU THIS GRAZING PERMIT BASED ON YOUR RECOGNIZED QUALIFICATIONS. UPON YOUR ACCEPTANCE OF THE TERMS AND CONDITIONS OF THIS GRAZING PERMIT AND PAYMENT OF GRAZING FEES WHEN DUE, YOU ARE AUTHORIZED TO MAKE GRAZING USE OF LANDS UNDER THE JURISDICTION OF THE BLM THAT ARE COVERED BY THIS GRAZING PERMIT. IF YOU HAVE QUESTIONS CONCERNING THIS GRAZING PERMIT, CONTACT YOUR LOCAL BLM OFFICE AT 208-478-6340.

TERMS AND CONDITIONS

ALLOTMENT	PASTURE	LIVESTOCK NUMBER KIND	PERIOD BEGIN END	%PL USE TYPE USE	AUMS
ID06346	KNOX CANYON	55 CATTLE	06/01 09/30	68 ACTIVE	150

THIS PERMIT OR LEASE IS ISSUED UNDER THE AUTHORITY OF SECTION 402(C)(2) OF FLPMA, 1976 AS AMENDED, AND CONTAINS THE SAME TERMS AND CONDITIONS AS THE PREVIOUS PERMIT OR LEASE. THIS PERMIT OR LEASE MAY BE CANCELLED, SUSPENDED, OR MODIFIED, IN WHOLE OR IN PART TO MEET THE REQUIREMENTS OF APPLICABLE LAWS AND REGULATIONS.

THIS PERMIT OR LEASE IS ISSUED UNDER THE AUTHORITY OF SECTION 150, PUBLIC LAW 110-329, AND CONTAINS THE SAME MANDATORY TERMS AND CONDITIONS AS THE EXPIRED OR TRANSFERRED PERMIT OR LEASE.

THIS PERMIT OR LEASE MAY BE CANCELED, SUSPENDED, OR MODIFIED, IN WHOLE OR IN PART TO MEET THE REQUIREMENTS OF APPLICABLE LAWS AND REGULATIONS.

THE ALLOTMENT(S) LISTED IN THIS GRAZING PERMIT OR LEASE ARE SUBJECT TO THE REQUIREMENTS OF 43 CFR 4180-FUNDAMENTALS OF RANGELAND HEALTH AND STANDARDS AND GUIDELINES FOR GRAZING ADMINISTRATION. THIS PERMIT OR LEASE SHALL BE MODIFIED (IF NECESSARY) TO MEET THESE REQUIREMENTS UPON COMPLETION OF A STANDARDS AND GUIDELINES ASSESSMENT AS SCHEDULED BY THE AUTHORIZED OFFICER.

AREAS OF ISOLATED PUBLIC LAND MAY BE GRAZED CONCURRENTLY WITH PRIVATE LANDS. TO INITIATE PROPER MANAGEMENT OF THE LANDS, A MANAGEMENT PLAN DEVELOPED COOPERATIVELY WITH THE PERMITTEE/LESSEE, MAY BE PLACED IN FORCE AT ANY TIME DURING THE EFFECTIVE PERIOD OF THIS PERMIT/LEASE. IN LIEU OF A PLAN, A GRAZING SYSTEM MAY BE STIPULATED AS A CONDITION. BY ACCEPTING THIS GRAZING PERMIT/LEASE, THE PERMITTEE/LESSEE AGREES THAT THE AUTHORIZED OFFICER OR HIS REPRESENTATIVES AND CONTRACTORS SHALL HAVE THE RIGHT OF INGRESS AND EGRESS OVER LANDS CONTROLLED BY THE PERMITTEE/LESSEE FOR THE PURPOSE OF ACHIEVING THE MANAGEMENT OBJECTIVES AND ORDERLY ADMINISTRATION OF PUBLIC RANGELANDS UNDER THIS GRAZING PERMIT/LEASE.

ACTUAL USE RECORDS MUST BE SUBMITTED TO THIS OFFICE 15 DAYS FROM THE LAST DAY OF USE.

THE GRAZING USE MUST NOT EXCEED 50% UTILIZATION OR BE DETRIMENTAL TO THE RANGE'S SOIL OR VEGETATION.



Idaho Statutes

Idaho Statutes are updated to the web July 1 following the legislative session.

TITLE 42

IRRIGATION AND DRAINAGE – WATER RIGHTS AND RECLAMATION

CHAPTER 5

STOCKWATER RIGHTS

42-501. LEGISLATIVE INTENT. In the landmark case of *Joyce Livestock Company v. United States of America*, 144 Idaho 1, 156 P.3d 502 (2007), the Idaho Supreme Court held that an agency of the federal government cannot obtain a stockwater right under Idaho law unless it actually owns livestock and puts the water to beneficial use.

In *Joyce*, the court held that the United States:

"bases its claim upon the constitutional method of appropriation. That method requires that the appropriator actually apply the water to a beneficial use. Since the United States has not done so, the district court did not err in denying its claimed water rights."

The court also held that federal ownership or management of the land alone does not qualify it for stockwater rights. It opined:

"The United States claimed instream water rights for stock watering based upon its ownership and control of the public lands coupled with the Bureau of Land Management's comprehensive management of public lands under the Taylor Grazing Act...The argument of the United States reflects a misunderstanding of water law...As the United States has held, Congress has severed the ownership of federal lands from the ownership of water rights in nonnavigable waters located on such lands."

The court went on to state:

"Under Idaho Law, a landowner does not own a water right obtained by an appropriator using the land with the landowner's permission unless the appropriator was acting as agent of the owner in obtaining that water right...If the water right was initiated by the lessee, the right is the lessee's property, unless the lessee was acting as the agent of the owner...The Taylor Grazing Act expressly recognizes that ranchers could obtain their own water rights on federal land."

A rancher is not unwittingly acting as an agent of a federal agency simply by grazing livestock on federally managed lands when he files for and receives a stockwater right.

It is the intent of the Legislature to codify and enhance these important points of law from the *Joyce* case to protect Idaho stockwater right holders from encroachment by the federal government in navigable and nonnavigable waters.

Further, in order to comply with the *Joyce* decision, it is the intent of the Legislature that stockwater rights acquired in a manner contrary to the *Joyce* decision are subject to forfeiture pursuant to sections 42-222(2) and 42-224, Idaho Code.

History:

[42-501, added 2017, ch. 178, sec. 2, p. 408; am. 2018, ch. 320, sec. 1, p. 747; am. 2020, ch. 253, sec. 2, p. 739.]



Idaho Statutes

Idaho Statutes are updated to the web July 1 following the legislative session.

TITLE 42

IRRIGATION AND DRAINAGE – WATER RIGHTS AND RECLAMATION

CHAPTER 5

STOCKWATER RIGHTS

42-502. FEDERAL AGENCIES – STOCKWATER RIGHTS. No agency of the federal government shall acquire a stockwater right unless the agency owns livestock and puts the water to beneficial use. For purposes of this chapter, "stockwater rights" means water rights for the beneficial use for livestock.

History:

[42-502, added 2017, ch. 178, sec. 2, p. 409; am. 2020, ch. 253, sec. 3, p. 740.]

How current is this law?

Search the Idaho Statutes and Constitution

Fort Hall Reservation

East Fork
ID06014

Sand Hollow
ID16063

Knox Canyon
ID06346

Peak
ID06354

Arbon

Fort Hall Reservation

East Fork
ID06014

Sand Hollow
ID16063

Knox Canyon
ID06346

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