

#75

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED
JAN 19 2021
Department of Water Resources
Eastern Region
ORIGINAL

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?
29-10960 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
29-13492 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
29-2285 <i>*</i>	Yes ☒	Yes ☐		Yes ☐	Yes ☐
29-4227 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Howard and Edna Hildreth
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Spencer and Theda Hildreth
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 4073 N Lower Road Pocatello ID 83204
Mailing address City State ZIP
- 208-233-6256 _____
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: 2017
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: *Spencer & Theda Hildreth* _____ 1-14-2021
Signature of new owner/claimant Title, if applicable Date

Signature: *Theda B. Hildreth* _____ 1-14-2021
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by *JB* Date 1/19/2021 Receipt No. E046570 Receipt Amt. \$575.-
 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 *JB* Processed by *JB* Date 2/5/2021
\$75. for this app
*29-2285 etc will be complete in transfer. E046561 \$100.-

Baker & Harris

21705406

2017 Apr 21 PM 04:12:00

Electronically Recorded by Simplifile

RECORDING REQUESTED BY:

Baker & Harris
266 W Bridge
Blackfoot, ID 83221

space above this line for Recording use only

PERSONAL REPRESENTATIVE'S DEED

THIS DEED, made by PATTI STRAWN, as Personal Representative of the estate of HOWARD BERNARD HILDRETH (H.B.) and EDNA MAE HILDRETH, deceased, Grantors, to SPENCER HILDRETH and THEDA B. HILDRETH, husband and wife, Grantees, whose current address is 4073 N. Lower Road, Pocatello, Idaho, 83204.

WHEREAS, Grantor is the qualified personal representative of said estate, filed as Case No. CV-2016-2284-IE, in Bannock County, Idaho;

THEREFORE, for valuable consideration received, Grantor quitclaims, transfers, and conveys to Grantee the following described six parcels of real property in Bannock County, Idaho:

PARCEL 1

A tract of land in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 17, Township 7 South, Range 35 East, Boise Meridian, Bannock County, Idaho, and lying Southwest of the Southerly boundary of Interstate No. 15; running through said quarter more particularly described as follows:

Beginning at the Northeast 1/16 corner, thence East along the North 1/16 line 468 feet, more or less, to a point in the Southerly line of Interstate No. 15 right of way; thence Northwest along said Southerly right of way line to its intersection with the East 1/16 line; thence South along said East 1/16 line 440 feet, more or less, to the POINT OF BEGINNING.

EXCEPTING, that portion lying within the boundaries of an existing County road known as Hildreth Road.

PARCEL 2

All that portion of the S.E. Quarter of N.W. 1/4 Section 17, Township 7, South Range 35 EBM, Bannock County, Idaho, lying Northeasterly of the Northeasterly right of way line of the Oregon Short Line Railroad containing 4.73 acres, more or less.

PARCEL 3

Commencing at the Northwest corner of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 17, Township Seven, South Range Thirty-five East of the Boise Meridian, running thence due South Eighty Rods to the Southwest corner of the said NW $\frac{1}{4}$ of the NE $\frac{1}{4}$; thence due East Eighty Rods to the Southeast corner of the said NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$, thence due North four hundred twenty feet, more or less, to the edge of the Main "Break off" or wall of lava rock, running thence in a Northwesterly direction along said "Break off" of lava rock to the place of beginning, containing twenty-six acres, more or less, situated in the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said section seventeen, township Seven south range thirty-five East of the Boise Meridian, in Idaho according to the Official Plat of the Survey of said lands returned to the General Land Office by the Survey or General.

PARCEL 4

A tract of land located in a portion of the W $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 17, Township 7 South, Range 35 East, Boise Meridian, Bannock County, Idaho and more particularly described as follow:

Commencing at the Center $\frac{1}{4}$ Corner of Section 17, T. 7S., R. 35E., B.M.; thence N89 degrees 19' 12"E 774.72 feet more or less along the Latitudinal Centerline of said Section 17 to a point on the Northeast Right-of-way line of the Union Pacific Railroad; said point being the TRUE POINT OF BEGINNING.

Thence N47 degrees 20' 10"W 1053.48 feet more or less (1026.5' Record Distance along said northerly Railroad Right-of-Way line to the Meridional Centerline of said Section 17;

Thence North 570.42 feet more or less (582.6' Record Distance) along the Meridional Centerline to the point on the Southerly right-of-way line to Hildreth Road; (at this point Hildreth Road is only 25; wide) said point being the north line of the SW $\frac{1}{4}$ NE $\frac{1}{4}$;

Thence N89 degrees 19' 12"E 849.75 feet more or less (849.8' Record Distance) the point being the centerline of Hildreth Road (which now is 50' wide);

Thence South 1293.55 feet more or less (1295' Record Distance) to a point on the Latitudinal Centerline of Section 17;

Thence S89 degrees 19' 12" W 75.02 feet more or less (82.8' Record Distance) to the

TRUE POINT OF BEGINNING.

Subject to the following easement rights:

This land shall not be used for anything other than light agriculture use so as to protect the aquifer and well water of the area in perpetuity. Including but not limited to the following: light agriculture meaning light grazing of livestock, horses, etc.; no use of chemicals, fertilizers etc., on said land; no dumping or storing of any old cars, trucks, mobile homes, farm equipment etc., on said property.; nothing containing chemicals of any kind such as railroad ties can placed on said property.

A 60 foot easement shall be granted to the City of Pocatello for the future development of a walkway.

The following easement is located in the W2SW4NE4 of Section 17, Township 7 South, Range 36 E.B.M., Bannock County, Idaho, running parallel to the railroad.

Bannock County retains a 60' easement on the west side of this property. Said easement runs Northwest. 60 feet east and adjoining the railroad right-of-way, said easement used for a road right-of-way.

PARCEL 5

An ingress, egress, and repress easement over the West 16 feet of the Real Property described as:

Part of Section 17, Township 7 South, Range 35 East Boise Meridian, Bannock County, Idaho, described as;

Commencing at the Northwest Corner of the Northwest Quarter of the Northeast Quarter of Section 17, Township 7 South, Range 35 East and running South 1145.00 feet along the West line of a parcel described in Deed Instr. #20609395 to the True Point of Beginning;

Thence continuing South 175.00 feet along the West line of said parcel to the Southwest Corner of the said Northwest Quarter of the Northeast Quarter being the Southwest corner of said parcel,

Thence East 475.00 feet along the South line of said parcel,

Thence North 175.00 feet parallel to the West line of said parcel,

Thence West 475.00 feet along a line parallel to the South line of said parcel to the Point of Beginning.

PARCEL 6

An irrigation mainline maintenance easement over the North 20 feet of the East 400 feet of the Real Property described as:

A Tract of Land in the Northwest quarter (NW $\frac{1}{4}$) of the Northeast quarter (NE $\frac{1}{4}$), Section 17, Township 7 South, Range 35 East, Boise Meridian, Bannock County, Idaho, more particularly described as follows: Commencing at a point which is 25 feet North and 475 feet East along the South line of the Northwest quarter (NW $\frac{1}{4}$) of the Northeast quarter (NE $\frac{1}{4}$) of said section 17 from the Southwest corner of the Northwest quarter (NW $\frac{1}{4}$) of the Northeast quarter (NE $\frac{1}{4}$); running thence East along said South line of the Northwest quarter (NW $\frac{1}{4}$) of the (NE $\frac{1}{4}$) a distance of 420 feet; thence at right angles North 105 feet; thence at right angles West 400 feet; thence South at right angles 20 feet; thence West at right angles 20 feet, South at right angles 85 feet, to the point of beginning.

Less the following three parcels:

PARCEL 7

A Tract of Land in the Northwest quarter (NW $\frac{1}{4}$) of the Northeast quarter (NE $\frac{1}{4}$), Section 17, Township 7 South, Range 35 East, Boise Meridian, Bannock County, Idaho, more particularly described as follows: Commencing at a point which is 25 feet North and 475 feet East along the South line of the Northwest quarter (NW $\frac{1}{4}$) of the Northeast quarter (NE $\frac{1}{4}$) of said section 17 from the Southwest corner of the Northwest quarter (NW $\frac{1}{4}$) of the Northeast quarter (NE $\frac{1}{4}$); running thence East along said South line of the Northwest quarter (NW $\frac{1}{4}$) of the (NE $\frac{1}{4}$) a distance of 420 feet; thence at right angles North 105 feet; thence at right angles West 400 feet; thence South at right angles 20 feet; thence West at right angles 20 feet, South at right angles 85 feet, to the point of beginning.

PARCEL 8

Part of Section 17, Township 7 South, Range 35 East Boise Meridian, Bannock County, Idaho, described as; Commencing at the Northwest Corner of the Northwest Quarter of the Northeast Quarter of Section 17, Township 7 South, Range 35 East and running South 1145.00 feet along the west line of a parcel described in Deed Instr. #20609395 to the True Point of Beginning;

Thence continuing South 175.00 feet along the west line of said parcel to the

Southwest Corner of the said Northwest Quarter of the Northeast Quarter being the Southwest corner of said parcel,

Thence East 475.00 feet along the South line of said parcel,

Thence North 175.00 feet parallel to the west line of said parcel;

Thence West 475.00 feet along a line parallel to the south line of said parcel to the Point of Beginning.

PARCEL 9

A strip of land 25.0 feet wide lying North and adjacent to the following described centerline;

Commencing at the NE corner of section 17, T. 7S., R 35 E.B.M., thence S. 0°47' W., along East line of said section a distance of 1319.68 feet to the N. 1/16 corner on said East line, thence bearing S. 89°45' W., along the N. 1/16 line a distance point of beginning: thence continuing S. 89°45' W., along the said N. 1/16 line a distance of 1320.0 feet, more or less, to the NE. 1/16 corner of said section.

The above described tract of land is a part of the NW¼ NE¼ Sec. 17, T.7 S. R. 35 E.B.M., and contains .76 acre, more or less.

Together with the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining; subject however, to all zoning laws, city ordinances, easements, restrictive agreements and rights of ways and public roads with all appurtenances.

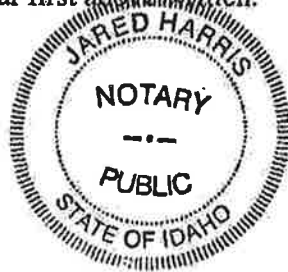
EXECUTED this 21 day of April, 2017.


Patti Strawn, Personal Representative of the
Estate of Howard B. Hildreth and Edna Mae
Hildreth, deceased

STATE OF IDAHO)
 : ss
County of)

On this 21st day of April, 2017, before me, the undersigned, a notary public in and for said state, personally appeared, PATTI STRAWN, known or identified to me to be the person whose name is subscribed to the within instrument, as Personal Representative of the Estate of HOWARD BERNARD HILDRETH and EDNA MAE HILDRETH, deceased, and acknowledged to me that she executed the same as such Personal Representative.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.



Jared Harris
NOTARY PUBLIC
Residing at Blackfoot
My Commission Expires: 2/23/23



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

February 05, 2021

SPENCER HILDRETH
4073 N LOWER RD
POCATELLO ID 83204-7112

THEDA HILDRETH
4073 N LOWER RD
POCATELLO ID 83204-7112

Re: Change in Ownership for Water Right No(s): 29-10960, 29-13492, 29-2285 & 29-4227

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 29D