

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
DEC 01 2020
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?
13-4024 OK	Yes ☐	Yes ☐		Yes ☐	Yes ☐
update POU	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Jim W Elsmore
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Brent W. Briggs + Shelly T. Briggs
New owner(s) as listed on the conveyance document
- 175 River Rd
Mailing address
801-870-0421
Telephone
- Grace
City
Shellybriggs64@yahoo.com
Email
- and ☐ or ☐ and/or ☐
- ID 83241
State ZIP
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: 11/03/2016
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: Shelly T. Briggs Owner 11/30/2020
 Signature of new owner/claimant Title, if applicable Date
 Signature: _____
 Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by JB Date 12/1/20 Receipt No. E046484 Receipt Amt. \$25.-
 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 12/21/20

11/30/2020

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

11/30/2020

Combined Use Limits

N/A

Verification Log

SubCase:

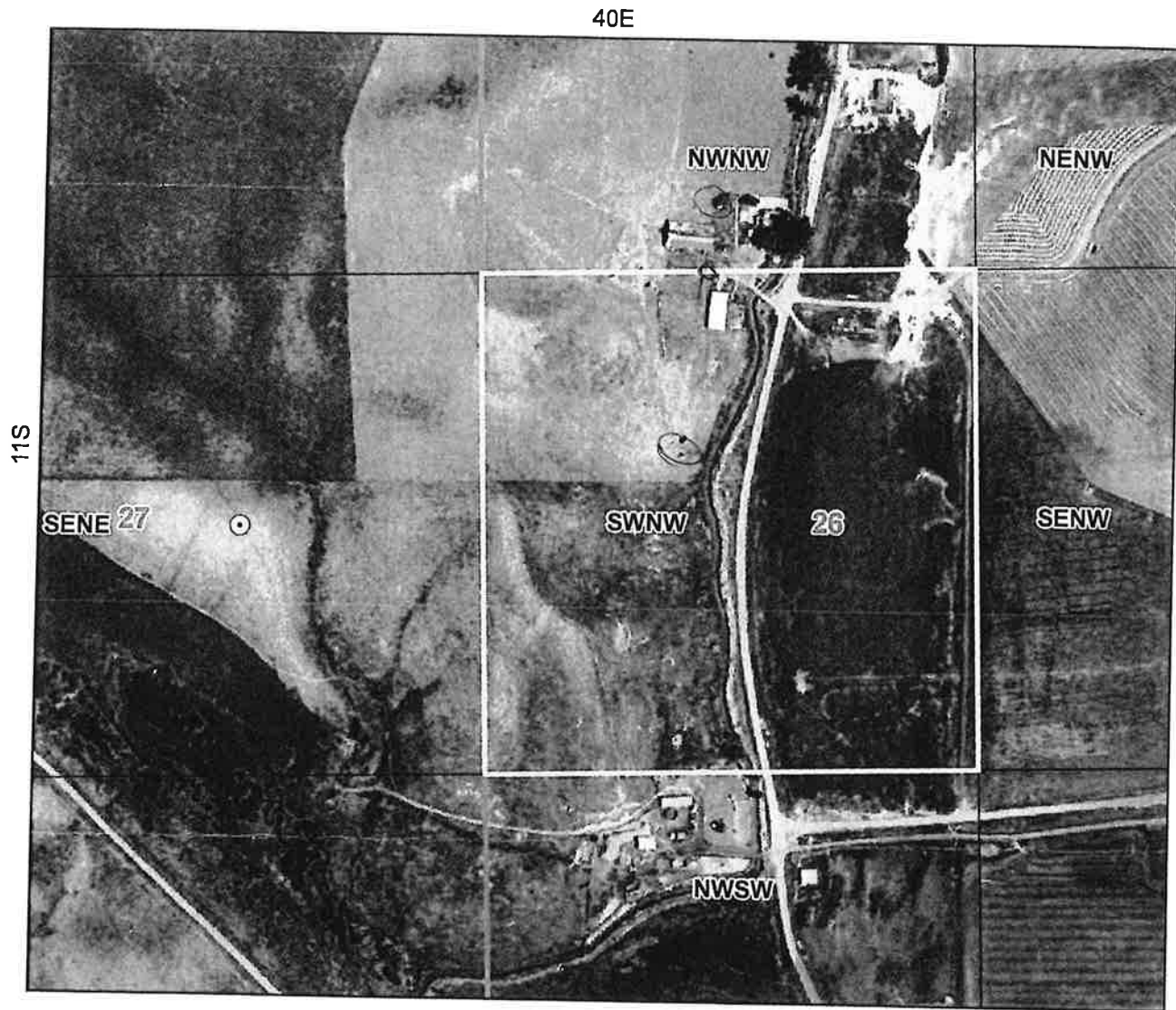
N/A

Water Supply Bank:

N/A

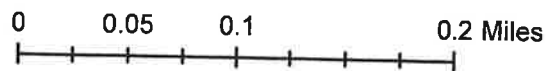
Exhibit A-1

State of Idaho
Department of Water Resources
Water Right License
13-4024



- ⊙ Point of Diversion
- Place Of Use Boundary

- Townships
- PLS Sections



STATE OF IDAHO }
County of Caribou } ss.

153740

I hereby certify that this instrument was filed at the request
of Caribou Title
at 1:50 o'clock p in this 21 day of
February, 19 97 in my office and duly
recorded in the Records

WARRANTY DEED

Edie Izatt

499

Exputy

et al

THIS INDENTURE, Made this 6th day of December, 1993, between
JIM W. ELSMORE AND COY FACER ELSMORE, husband and wife, of Preston,
Franklin County, Idaho, hereinafter called First Party, and **3K**
CATTLE CO., an Idaho corporation, of 175 River Road, Thatcher,
Caribou County, Idaho, hereinafter called Second Party:

WITNESSETH: That the said First Party, for and in
consideration of the sum of **TWO HUNDRED THIRTEEN THOUSAND EIGHT**
HUNDRED FIFTY AND NO/100THS DOLLARS, lawful money of the United
States of America, to said First Party in hand paid by the said
Second Party, the receipt of which is hereby acknowledged, does by
these presents, Grant, Bargain, Sell and Convey and Confirm unto
said Second Party, and to said Second Party's heirs and assigns
forever: All that certain lot, piece or parcel of land situate,
lying and being in the County of Caribou, State of Idaho, more
particularly described as follows, to-wit:

See Exhibit A attached hereto and by reference made a part
hereof.

SUBJECT to all easements, rights of way, and public roads or
highways adjoining or crossing said property, and further subject
to retention or reservation of mineral, oil and gas rights by prior
owners of said real property or by the United States of America or
the State of Idaho.

TOGETHER with all and singular, the tenements, hereditaments
and appurtenances thereunto belonging or in anywise appertaining,
and the rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular, the said premises,
together with the appurtenances and privileges thereunto incident
unto the said First Party, and said First Party's heirs, the said
premises in the quiet and peaceable possession of said Second
Party, said Second Party's heirs and assigns against the said First
Party, First Party's heirs and against all and every person or
persons whomsoever, lawfully claiming or to claim the same, shall
and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, The said First Party has hereunto set their hands and seals, the day and year first above written.

Jim W. Elsmore
JIM W. ELSMORE
Coy Facer Elsmore
COY FACER ELSMORE

STATE OF IDAHO)
: ss.
County of Franklin)

On this 9th day of December, 1993, before me the undersigned, a Notary Public in and for said County and State, personally appeared JIM W. ELSMORE AND COY FACER ELSMORE, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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



Barbara Swenson
NOTARY PUBLIC for the State of Idaho
Residing at: Preston, ID. Swan Lake, ID
Commission expires: June 1, 1994

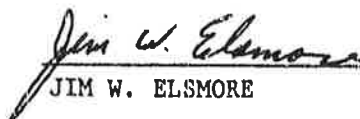
Caribou County, Idaho:

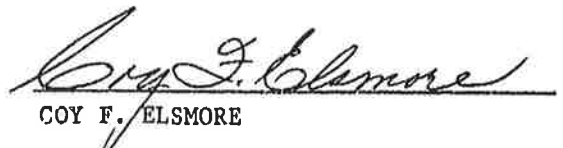
Township 11 South, Range 40 East of the Boise Meridian:

Sections 25: Beginning at the Northwest Corner of said Section 26, and
and 26: running
thence South in the West line of the NW $\frac{1}{4}$ of said Section 26,
1980 feet, more or less, to the Northwest Corner of the
SW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 26;
thence East in the North line of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ of said
Section 26, 805.2 feet, more or less, to a point in the
center line of a County Road;
thence in a Southerly direction in center line of said
Road in the distances as follows:
thence South 7°17' West 186.12 feet;
thence South 3°10' East 462 feet;
thence South 13°14' East 331.98 feet;
thence North 89°51' East in line of an old fence 491.04 feet
to the East line of a North and South lane;
thence North 84°25' East on the South side of an irrigation
ditch for a distance of 968.88 feet;
thence South 89°33' East and parallel with the South line of
the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 26, 2948.88 feet, more or less,
to the East line of said Section 26, at a point 2816.88
feet South of the Northeast Corner of said Section 26;
thence East in a line parallel with the latitudinal center
line of said Section 25, 1122 feet, more or less, to the
center of Bear River;
thence up the center line of said river following
the meanderings thereof for a distance of 2310 feet, more
or less, to its intersection with a line that is 132 feet
South of and parallel with the South line of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of
said Section 25;
thence West and parallel with the South line of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of
said Section 25, 2310 feet, more or less, to the West line
of the NW $\frac{1}{4}$ of said Section 25 at a point 132 feet South
of the Southeast Corner of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 26;
thence North in the East line of the NE $\frac{1}{4}$ of said Section 26,
1452 feet, more or less, to the Northeast Corner of said
Section 26;
thence West in the North line of said Section 26, 5280 feet,
more or less,
to the point of beginning.

EXCEPT THEREFROM, any portion thereof lying within the right
of way of a County Road.

ALSO EXCEPT THEREFROM, a mobile home.


JIM W. ELSMORE


COY F. ELSMORE

This instrument was filed at the request

*Caribou Title*1:50 o'clock p. m. this 21 day of
February, 19 97 in my office and duly

in the Recording Records

*Eddie Agate*6⁰⁰Deputy *CT chg*

CORPORATION WARRANTY DEED

THIS INDENTURE, made this 14th day of February, 1997, between 3K CATTLE CO., a corporation duly organized and existing under the laws of the State of Idaho, and having its principal office in Grace, Caribou County, State of Idaho, party of the first part, and ROBERT S. LOGAN AND JEANNIE O. LOGAN, husband and wife, of Grace, Caribou County, Idaho, parties of the second part.

WITNESSETH, That the said party of the first part, having been hereunto duly authorized by resolution of its Board of Directors at a meeting duly and regularly called, for and in consideration of the sum of ONE HUNDRED THIRTY NINE THOUSAND TWO HUNDRED TWENTY DOLLARS, lawful money of the United States of America, to it in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, does by these presents grant, bargain, sell, convey, and confirm unto said parties of the second part and to their heirs and assigns forever all that certain lot, piece or parcel of land lying and being in the County of Caribou, State of Idaho, and more particularly described as follows, to-wit:

Township 11 South, Range 40 East of the Boise Meridian:

Section 26: A tract of land in the NW¹/₄NW¹/₄ and in the NWSW¹/₄NW¹/₄ of said Section 26, described as follows:

Beginning at the fence corner accepted as the Northwest corner of Section 26, said fence corner being South 89°58'40" West 5241.73 feet from a brass cap monument marking the Northeast corner of said Section 26, and running
thence South 0°29'11" East 1979.9 feet along the West line of Section 26 to a fence line running East and West;
thence South 89°46' East 748.9 feet along said fence to the Westerly right of way fence of the County Road;
thence North 12°35' East 966.0 feet along said right of way fence;
thence North 10°45' East 266.5 feet along said right of way fence;
thence North 08°04' West 256.3 feet along said right of way fence;
thence North 17°26' West 264.6 feet along said right of way fence;
thence North 35°01' West 332.5 feet along said right of way fence to the intersection with the North line of said Section 26;
thence South 89°58'40" West 719.8 feet, to the point of beginning.

TOGETHER with 25 shares of the Pond Bartlome Canal Co. stock.
 TOGETHER, with all and singular the tenements, hereditaments
 and appurtenances thereunto belonging or in anywise appertaining,
 and the rents, issues, and profits thereof, and all estate, right,
 title, and interest in and to the said property, as well in law as
 in equity, of the said party of the first part.

TO HAVE AND TO HOLD, All and singular the above mentioned and
 described premises together with the appurtenances and privileges
 thereunto incident unto the said parties of the second part and to
 their heirs and assigns forever, and the said party of the first
 part and its successors, the said premises in the quiet and
 peaceable possession of the said parties of the second part, their
 heirs and assigns against the said party of the first part, and its
 successors, and against all and every person and persons whomever,
 lawfully claiming or to claim the same, shall and will warrant and
 by these presents forever defend.

IN WITNESS WHEREOF, The said party of the first part has caused
 these presents to be executed and its corporate name hereunto
 subscribed, and its corporate seal hereunto affixed by its
 President and Secretary, in pursuance to said resolution the day
 and year first above written.

3K CATTLE CO.

(SEAL)

By: Douglas K. Freeland
 DOUGLAS K. FREELAND, President

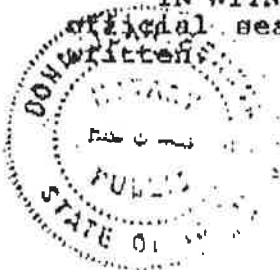
Attest:

By: Kaye J. Freeland
 KAYE J. FREELAND, Secretary

IDAHO
 State of ~~IDAHO~~)
 Caribou : SS.
 County of ~~Caribou~~)
 th

On this 20 day of February, 1997, before me, the undersigned,
 a Notary Public in and for said State, personally appeared DOUGLAS
 K. FREELAND and ~~KAYE J. FREELAND~~ known to me to be the President
 and Secretary of the corporation that executed the foregoing
 instrument and known to me to be the person(s) whose names are
 subscribed to the within instrument, and acknowledged to me that
 such corporation executed the same.

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



Rona Jean Person
 NOTARY PUBLIC for the State of ~~IDAHO~~ ID
 Residing at: Soda Springs, ID ~~xxxxxxx~~
 Commission expires: 8/15/97.

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 # 198094

CARIBOU COUNTY, IDAHO
11-04-2016 16:52:49 No. of Pages: 2
Recorded for: FIRST AMERICAN TITLE CO, INC - SODA
Denise Horsley Fee: \$13.00
Ex-Officio Recorder Deputy
Index to: WARRANTY DEED *Jim Star*

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **605919SOD (ch)**

Date: **October 28, 2016**

For Value Received, **Robert S. Logan and Jeanne O. Logan, husband and wife**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Brent W. Briggs and Shelly T. Briggs, husband and wife**, hereinafter called the Grantee, whose current address is **P.O. Box 415, Soda Springs, ID 83276**, 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.

Robert S. Logan
Robert S. Logan

Jeanne O. Logan
Jeanne O. Logan

STATE OF Idaho)
COUNTY OF Blaine)
SS.

On this 3rd day of November, 2016, before me, a Notary Public in and for said State, personally appeared **Robert S. Logan and Jeanne O. Logan**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

Christina M. Stice
Notary Public
State of Idaho

Christina M. Stice
Notary Public for the State of Idaho
Residing at: Healy
My Commission Expires: 07-09-2020

EXHIBIT A

Township 11 South, Range 40 East of the Boise Meridian:

Section 26: A tract of land in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ and in the N $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 26, described as follows:

Beginning at the fence corner accepted as the Northwest corner of Section 26, said fence corner being South 89°58'40" West 5241.73 feet from a brass cap monument marking the Northeast corner of said Section 26, and running
Thence South 0°29'11" East 1979.9 feet along the West line of Section 26 to a fence line running East and West;
Thence South 89°46' East 748.9 feet along said fence to the Westerly right of way fence of the County Road;
Thence North 12°35' East 966.0 feet along said right of way fence;
Thence North 10°45' East 266.5 feet along said right of way fence;
Thence North 08°04' West 256.3 feet along said right of way fence;
Thence North 17°26' West 264.6 feet along said right of way fence;
Thence North 35°01' West 332.5 feet along said right of way fence to the intersection with the North line of said Section 26;
Thence South 89°58'40" West 719.8 feet,
to the Point of Beginning.

TOGETHER WITH 25 shares of Gentile Valley Canal Company stock.
ALSO TOGETHER WITH Idaho Dept. of Water Resources water right no. 13-4024



Spring Water Right Claim

This joint use agreement is made and entered into this 13th day of October 2016

Between David Barthlome and Brent Briggs

And their heirs and assigns

For the use of the Home located at 175 River Rd Grace ID 83276

Domestic & stock water as previously used in the State of Idaho for over the last 113 years

Between Elsmore & Barthlome, "Elsmore's" were the previous owner before the Logan's

Department of Water Resources

Water Right License 13-4024 water

This Spring enters the surface of the ground on David Barthlome's property, which is slightly South & West of the property location, the only 2 people responsible and sharing this spring would be Barthlome's and the Home at 175 River Rd Grace to be purchased by Brent & Shelly Briggs,

from Robert Scott and Jeanette Logan

This would be a shared responsibility between the 2 parties

"David Barthlome and Brent Briggs"

And their heirs and assigns

As they are the sole users of this Spring

Department of Water Resources

Water Right License 13-4024

If for any reason repairs or access to this property are needed to repair the water lines or the Cistern's, consisting of 2 cement vaults is needed it would be a joint effort and expense, with an "Courtesy call and easement" previously known as a "Prescriptive Easement" to the location where the Spring comes to the surface on David Barthlome's property Sec 27 SENE of the Department of water resources plot map please see attachment and Exhibit A

David Barthlome



Date

10/13/16

Brent Briggs



Date

10/14/16

State of Idaho)

County of Caribou)
:SS.

On this 14 day of October, 2016, before me, a Notary Public in and for the State of Idaho,
personally appeared David Bartholme in Idaho

known to me to have been such manager and the person whose name
is subscribed to the within and foregoing instrument, and who acknowledged to me that he
executed the same on behalf of the company.

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

Tom McBride
NOTARY PUBLIC

Commission expires: 8/21/20



State of Utah)
:SS.

County of Davis)

On this 14 day of October, 2016, before me, a Notary Public in and for the State of Utah,
personally appeared Brent Briggs

known to me to have been such manager and the person whose name is
subscribed to the within and foregoing instrument, and who acknowledged to me that he executed
the same on behalf of the company.

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

Madison West
NOTARY PUBLIC

Commission expires: 4/15/2018



EXHIBIT A



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

December 21, 2020

BRENT W BRIGGS
175 RIVER RD
GRACE ID 83241-5232

SHELLY T BRIGGS
175 RIVER RD
GRACE ID 83241-5232

Re: Change in Ownership for Water Right No(s): 13-4024

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: DAVID BARTHLOME
WATER DISTRICT 11