

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
NOV 12 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?
13-603 <i>OK</i>	Yes <input checked="" type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>

2. Previous Owner's Name: RALPH T HANSEN
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): TOM A. HANSEN
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or

P.O. Box 128 • 5850 W. 16500 N RIVERSIDE UTAH 84334
Mailing address City State ZIP
(435) 458-2237 tom.hansen1111@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: August 11, 2020

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] November 10, 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 11/12/20 Receipt No. E046434 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 JB Processed by JB Date 11/16/20

Randall C. Budge (ISB# 1949)
RACINE OLSON, PLLP
P.O. Box 1391 / 201 E. Center St.
Pocatello, Idaho 83204
(208) 232-6101 – phone
(208) 232-6109 – fax
randy@racineolson.com

Attorneys for Applicants Wade Lee Schvaneveldt and Kirsten Lyn Schvaneveldt

STATE OF IDAHO
BEFORE THE DEPARTMENT OF WATER RESOURCES

IN THE MATTER OF APPLICATION
FOR TRANSFER NO. 84175

Wade Lee Schvaneveldt and Kirsten Lyn
Schvaneveldt,

Applicants,

SETTLEMENT AGREEMENT

This Settlement Agreement ("Agreement"), is entered into effective August 11, 2020 between the Applicants Wade Lee Schvaneveldt and Kirsten Lyn Schvaneveldt, husband and wife ("Applicants"), whose address is P.O. Box 602, Grace, Idaho 83241 and Protestant Tom A. Hansen ("Protestant"), whose address is 5850 W. 16800 N., Riverside, Utah 84331.

RECITALS

- A. On May 28, 2020, Applicants filed with the Idaho Department of Water Resources ("IDWR") Application for Transfer of Water Right No. 84175 ("Application") for the purpose of changing ownership and correcting and updating the place of use to the current place of use for irrigation purposes consistent with historic diversion and use practices for water right nos. 13-603, 13-606, 13-608, 13-610 and 13-2072.
- B. IDWR published notice of the Application in the Caribou County Sun once a week for three consecutive weeks.
- C. Protestant timely filed a Notice of Protest on July 8, 2020 asserting that a portion of the water rights which are the subject of the Application are used for irrigation purposes on a certain portion his property, being approximately 2.7 acres containing a house and

outbuildings located in the NE1/4SE1/4NE1/4 of Section 29, Township 10 South, Range 40 East, B.M., Caribou County, Idaho.

- D. Applicants and Protestants desire to enter into this Stipulation to settle and resolve the protest and enable the Application to be approved upon the terms set forth below.

AGREEMENT

1. Applicants and Protestant agree that 0.02 cfs of water right no. 13-603 shall be transferred to Protestant appurtenant to 1.0 acres of Protestant's property for irrigation purposes with Protestant reflected as the lawful owner. It is further agreed that Protestant shall have the right to continue to operate and maintain at his expense the existing pipeline and connection from Applicants mainline utilized to deliver Protestant's water right to his property.
2. The Application is approved with respect to the remaining portion of water right no. 13-603 consisting of 0.28 cfs, together with all other water rights which are the subject matter of the Application. Applicants shall be reflected as the sole and lawful owner of all of said water rights for irrigation purposes with the point of diversion and place of use as described in the Application.
3. Pursuant to this Agreement Protestant's protest is hereby resolved and withdrawn.
4. That IDWR approve the Application consistent with this Stipulation without further notice or hearing.

APPLICANTS:


Wade Lee Schvaneveldt


Kirsten Lynn Schvaneveldt

PROTESTANT:



Tom A. Hansen
HANSEN

SETTLEMENT AGREEMENT - 3

Tah

CERTIFICATE OF SERVICE

I hereby certify that on this 26th day of August, 2020, I served a true and correct copy of the following persons by the method indicated:



RANDALL C. BUDGE

Original to: Idaho Department of Water Resources Eastern Regional Office 900 North Skyline Drive, Suite A Idaho Falls, Idaho 83402-1718	<input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Facsimile -- 208-736-2121 <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery <input checked="" type="checkbox"/> Email
Wade and Kirsten Schvaneveldt P.O. Box 602 Grace, Idaho 83241 kirstenswanny@gmail.com	<input type="checkbox"/> U.S. Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery <input checked="" type="checkbox"/> Email
Tom A. Hansen 5850 W. 16800 N. Riverside, Utah 84331 tomhansen1111@gmail.com	<input type="checkbox"/> U.S. Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery <input checked="" type="checkbox"/> Email

**CARIBOU COUNTY ASSESSOR****AARON V COOK**159 S MAIN STREET
SODA SPRINGS, ID 83276
ACCOUNT NO CARIBOU 40 USPhone: (208) 547-4749
TAX #0 9 70 AC SEC 29
TIGSTAGEHANSEN TOM A
PO BOX 128
RIVERSIDE UT 84334-0128**2020****ASSESSMENT NOTICE**THIS IS NOT A BILL
DO NOT PAYFor any questions, please notify the Assessor's Office immediately.
Assessor's Telephone Number: (208) 547-4749Parcel Address: 1000 RALPH HANSEN LN
CARIBOU COUNTY ID 000Appeals of your property value must be filed in
writing, on a form provided by the county, by:
JUNE 22, 2020

Tax Code Area: 10-10

Parcel Number: 10S40E292000

ASSESSED VALUE OF YOUR PROPERTY

CATEGORY & DESCRIPTION	CURRENT ACRES	LAST YEAR VALUE	CURRENT VALUE
12 RURAL RESIDENTIAL TRACT	2.700	17,700	21,700
32 RURAL IMPROVEMENT		2,630	2,630
34 RURAL RES. TRACT IMPROVEMENT		26,470	26,470
SUBTOTAL	2.700	46,800	50,800
LESS HOMEOWNER'S EXEMPTION		0	0
NET TAXABLE PROPERTY VALUE		46,800	50,800

TAXING DISTRICT INFORMATION

TAXING DISTRICTS	DISTRICT TELEPHONE #	DATE OF PUBLIC BUDGET HEARING
COUNTY	(208) 547-4324	August 24, 2020
SCHOOL DIST #148	(208) 425-3984	June 10, 2020
THATCHER CEMETERY	(208) 221-6556	August 27, 2020
GRACE LIBRARY	(208) 425-3695	August 11, 2020

THIS IS NOT A BILL. DO NOT PAY.

AFTER RECORDING RETURN TO:
Gregory Skabelund
Attorney at Law
2178 North Main, Suite 102
North Logan, UT 84301

Instrument # 151501
CARIBOU COUNTY
15-15-2008 04:15:17 No. of Pages: 1
Recorded for: TOM HANSEN
VEDA MASCARENAS
Ex-Officio Recorder Deputy *[Signature]*
Index to: SUPPLEMENT

QUIT-CLAIM DEED

REBECCA REAM HANSEN, grantor, of Brigham City, Box Elder County, State of Utah, hereby QUIT CLAIMS all right, title and interest to TOM ADOLPH HANSEN, grantee, of 5850 West 16800 North, Garland, County of Box Elder, State of Utah 84312, for the sum of \$10.00, and other valuable consideration, the following described tract of real property in Caribou County, State of Idaho:

TOWNSHIP 10 SOUTH RANGE 40 EAST OF THE BOISE MERIDIAN,
SECTION 29, CARIBOU COUNTY, IDAHO
BEGINNING AT A POINT 1600 FEET SOUTH OF THE NORTHEAST
CORNER OF SECTION 29, THENCE WEST 470 FEET, THENCE
SOUTH 250 FEET, THENCE EAST 470 FEET, THENCE NORTH 250
FEET TO THE POINT OF BEGINNING

WITNESS the hand of said grantor, this 18 day of September, A.D. two thousand and eight

Rebecca Ream Hansen
REBECCA REAM HANSEN
Grantor

STATE OF UTAH)
COUNTY OF BOX ELDER) ss

On the 18 day of September, 2008, personally appeared before me
REBECCA REAM HANSEN, the signer of the within instrument, who duly
acknowledged to me that she executed the same.

Rebecca J. Baron
Notary Public
Residing at: Monticello UT

My Commission Expires:
12-7-10



SPECIAL WARRANTY DEED

168907

FOR VALUE RECEIVED

JUANITA H. MCCURDY AND GAYLA H. GUTIERREZ, SUCCESSOR CO-TRUSTEES OF THE
RALPH T. & STILLIE J. HANSEN TRUST UNDER TRUST AGREEMENT DATED FEBRUARY 26, 1991,
AND THEIR SUBSTITUTES AND SUCCESSORS AS TRUSTED THEREUNDER

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

TOM A. HANSEN AND REBECCA HANSEN, HUSBAND AND WIFE
whose current address is

P O BOX 12
GARLAND, UT 84312

the grantee(s), the following described premises, in County, Idaho, TO WIT:

TOWNSHIP 10 SOUTH RANGE 40 EAST OF THE BOISE MERIDIAN, SECTION 29, CARIBOU
COUNTY, IDAHO,
BEGINNING AT A POINT 1609 FEET SOUTH OF THE NORTHEAST CORNER OF SECTION 29,
THENCE WEST 470 FEET, THENCE SOUTH 250 FEET, THENCE EAST 470 FEET, THENCE NORTH
250 FEET TO THE POINT OF BEGINNING.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and
assigns forever. And the said Grantor does hereby covenant to and with the said (grantee(s)), that (s)he (s)ware the
owner(s) in fee simple of said premises; that no encumbrances were initiated during the ownership of the
undersigned nor is the undersigned aware of any such. Except: Current Year Taxes, conditions, covenants,
restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated 6/27/03

Juanita H. McCurdy
Juanita H. McCurdy
Successor Co-Trustee

Gayla H. Gutierrez
Gayla H. Gutierrez
Successor Co-Trustee

168907

STATE OF IDAHO, COUNTY OF Caribou

On this 27th day of June, 2003
before me, a Notary Public in and for said State, personally
appeared Juanita H. McCurdy
Gayla H. Gutierrez
known to me to be the person, whose name
subscribed to the within instrument as Trustee, and acknowledged
to me that they executed the same as such Trustee.
IN WITNESS WHEREOF, I have hereunto set my hand and
affixed by official seal the day and year to this certificate first above
written.

Teresa Rigby
Residing at Garland
Comm. Expires June 21, 2008

TERESA RIGBY
NOTARY PUBLIC
STATE OF IDAHO

Notary Public

STATE OF IDAHO } ss
County of Caribou }

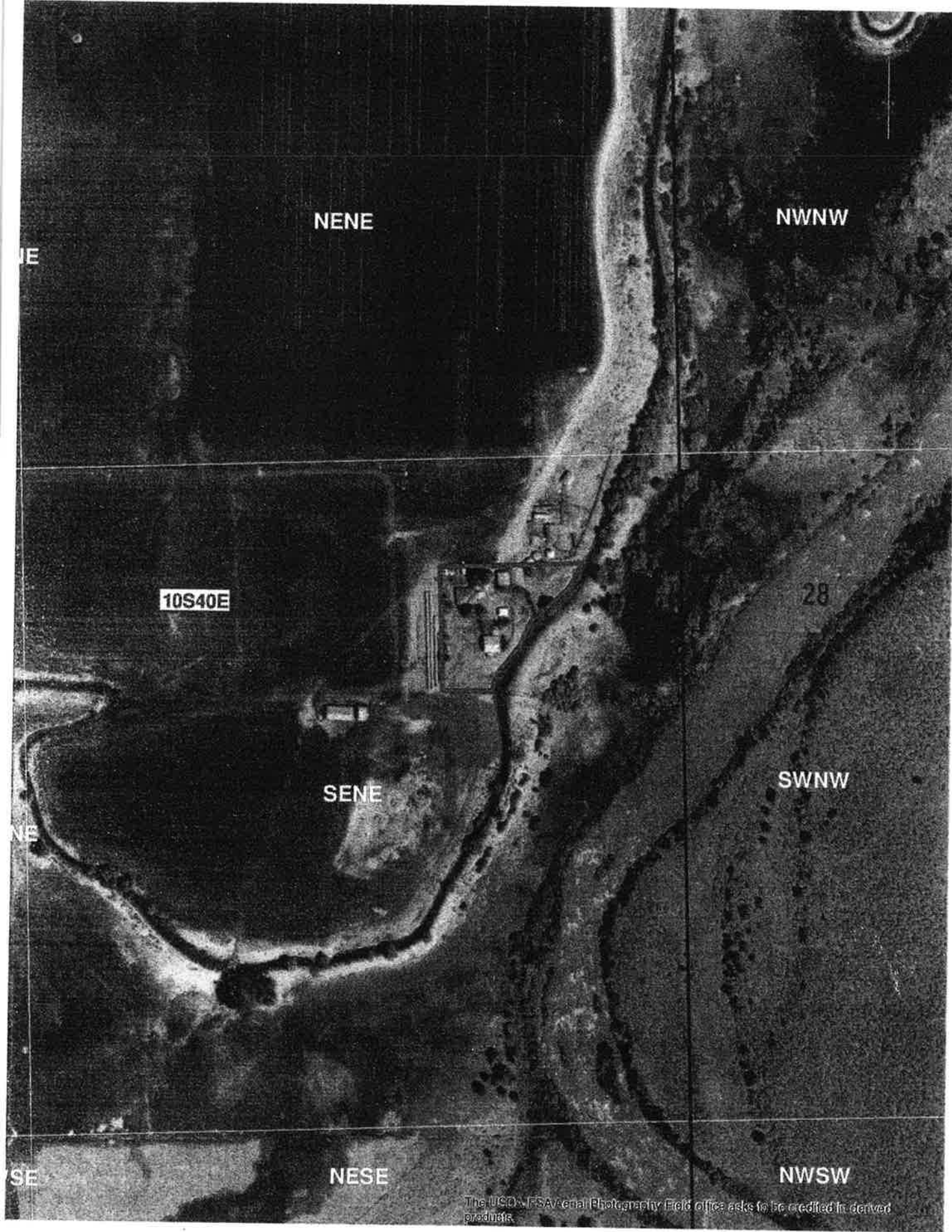
I hereby certify that this instrument was filed at the request
of Juanita H. McCurdy
at 10:30 o'clock AM on this 27th day of
JUNE, 2003 in my office and day
recorded official Records
Recorder Edie Bueh
Sharon Williams 13.00
Signature Dupl

STATE OF IDAHO } ss
COUNTY OF CARIBOU }

Edie Bueh Recorder
I do hereby certify that the within and foregoing is a true and correct copy
of the original of Warranty Deed as the same appears on
records in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of
my office at Garland 23rd day of June, 2003

Sharon Williams
Sharon Williams
Caribou County Clerk



NENE

NWNW

10S40E

28

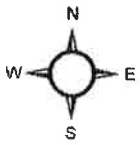
SENE

SWNW

NESE

NWSW

The USCA/FSAAerial Photography Field office asks to be credited in derived products.



Legend

- New POU
- POD
- TR Lines
- Section Lines
- Quarter Quarters



Map HERE, Garmin © OpenStreetMap contributors, Map HERE, © 2018 © OpenStreetMap contributors, and the GIS User community, Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part <input checked="" type="checkbox"/> <input type="checkbox"/>	13-603	0.3 cfs	Irrigation	4/20 to 9/30	Black Canyon & China Spr
<input checked="" type="checkbox"/> <input type="checkbox"/>	13-606	0.3 cfs	Irrigation	4/20 to 9/30	Black Canyon & Green Will
<input checked="" type="checkbox"/> <input type="checkbox"/>	13-608	0.3 cfs	Irrigation	4/20 to 9/30	Nettie Springs/Bear River
<input checked="" type="checkbox"/> <input type="checkbox"/>	13-610	0.1 cfs	Irrigation	4/20 to 9/30	Springs/Bear River
<input checked="" type="checkbox"/> <input type="checkbox"/>	13-2072	2 cfs	Irrigation	4/20 to 9/30	Springs/Bear River
<input type="checkbox"/> <input type="checkbox"/>				to	
<input type="checkbox"/> <input type="checkbox"/>				to	
<input type="checkbox"/> <input type="checkbox"/>				to	
<input type="checkbox"/> <input type="checkbox"/>				to	

Total authorized under rights 3 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 0.08 cubic feet per second and/or _____ acre-feet per year.

3. Point(s) of Diversion:

- ☒ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA.
 Label it **Attachment #5**.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	40E	29	36	33		31													100
Total Acres (for irrigation use)																			100



[Home](#) / [Water Rights](#) / [Research](#) / [Search Water Rights](#)

WATER RIGHT REPORT

10/14/2019

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 13-603

Owner Type | Name and Address

Current Owner | RALPH T HANSEN
RT 1 BOX 89
GRACE, ID 83241

Original Owner | JOSEPH HANSEN

Priority Date: 06/28/1895

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BLACK CANYON SPRING	BEAR RIVER
CHINA SPRING	BEAR RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/20	9/30	0.3 CFS	
Total Diversion			0.3 CFS	

Location of Point(s) of Diversion:

CHINA SPRING	SESE	Sec. 17	Township 10S	Range 40E	CARIBOU County
BLACK CANYON SPRING	SESE	Sec. 17	Township 10S	Range 40E	CARIBOU County

Place(s) of use:

Place of Use Legal Description: IRRIGATION CARIBOU County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
10S	40E	29		NENE			NWNE			SENE				

State of Idaho
Department of Water Resources

Water Right

13-610, 608, 606, 603, 2072

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.

40E



⊙ Point of Diversion

Place Of Use Boundary - *see detailed map.*

Townships

PLS Sections

Quarter Quarters

0 0.325 0.65 1.3 Miles



Attachment to Transfer Approval 84175

This map depicts the place of use boundary at the time of this transfer approval and is attached to the approval document solely for illustrative purposes.



Legend

- WR POD
- WR POU
- Township/Range
- Sections
- QQ

0 375 750 1,500 Feet



Date: 10/1/2020



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

November 17, 2020

TOM A HANSEN
PO BOX 128
RIVERSIDE UT 84334-0128

Re: Change in Ownership for Water Right No(s): 13-603

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.

Please note the split for this water right was complete during a previous transfer application. Because the split was already complete you are entitled to a refund of \$75.00. The department has initiated the refund and it should arrive from the state office in a couple of weeks.

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 11

P. O. Box 128
5850 W. 16800 N.
Riverside, Utah 84334
tomhansen1111@gmail.com

November 10, 2020

James Cefalo
Regional Manager
State of Idaho
Department of Water Resources
Eastern Regional
900 N. Skyline Drive Suite A
Idaho Falls, Idaho 83402-1718

Dear Mr. Cefalo,

Enclosed please find paperwork for Change in Water Right Ownership for 0.02 cfs of water right No. 13-603 with reference to Transfer of Water Right No. 84175.

Thank You for completing Ownership Transfer.

Sincerely,

A handwritten signature in cursive script, appearing to read "Tom A. Hansen".

Tom A. Hansen