

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAY 08 2020

## Notice of Change in Water Right Ownership

Department of Water Resources  
Eastern 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 Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
21-11027 <i>OP</i>	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"/>	Yes <input type="checkbox"/>

2. Previous Owner's Name: Robert & Nancy Westenskow Family Trust  
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Jeffrey T and Teresa N. Porter Family Trust  
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 6859 S. Lenora Joe Cove Murray UT 84107  
Mailing address City State ZIP
- 801-875-0479 palesate@yahoo.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 4, 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: *Jeffrey T. Porter* Trustee 5/5/2020  
Signature of new owner/claimant Title, if applicable Date

Signature: *Teresa N. Porter* Trustee 5/5/2020  
Signature of new owner/claimant Title, if applicable Date

### For IDWR Office Use Only:

Received by JB Date 5/11/20 Receipt No. E045888 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 5/13/20



**Mail tax notice to:**

Jeffrey T. Porter  
Teresa N. Porter  
6859 S. Lenora Joe Cove  
Murray, UT 84107

Microfilm No. **578906**  
At 12:21 Day May 2020  
O'Clock PM  
ABBIE MACE  
FREEMONT CO RECORDER  
Fee \$ 15-  
Recorded at Request of  
Jeffrey Porter

**QUIT CLAIM DEED**

Robert Westenskow and Nancy Westenskow, Trustees of the Robert and Nancy Westenskow Family Trust, dated June 13, 2003, Grantors, of Fremont County, Idaho, hereby QUIT CLAIM to **JEFFREY T. PORTER AND TERESA N. PORTER, Trustees of the Jeffrey T. and Teresa N. Porter Family Trust dated March 16, 2020, Grantee**, for the sum of TEN DOLLARS and other good and valuable consideration, the following described tract of land located in Fremont County, State of Idaho:

4245 Shoup Street, Island Park, Idaho 83433

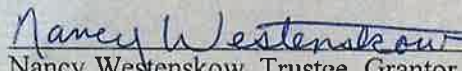
Lot 11 Block 58 Island Park Subdivision Division NO 1

According to the Official Plat thereof as recorded in the Fremont County Recorder office.

WITNESS the hand of said grantor(s) this 4 day of

May, 2020.

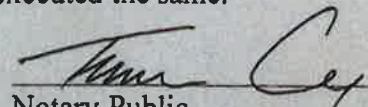
  
Robert Westenskow, Trustee, Grantor

  
Nancy Westenskow, Trustee, Grantor

STATE OF ~~IDAHO~~ <sup>Utah</sup> )  
                  Salt Lake : ss.  
COUNTY OF ~~FREEMONT~~ )

On the 4 day of May, 2020 Personally appeared before me Robert Westenskow and Nancy Westenskow, Trustees of the Robert and Nancy Westenskow Family Trust dated June 13, 2003, the signers of the foregoing instrument, who duly acknowledged to me that they executed the same.



  
Notary Public  
Residing at Murray, <sup>Utah</sup>~~Idaho~~

**Mail tax notice to:**

Jeffrey T. Porter  
Teresa N. Porter  
6859 S. Lenora Joe Cove  
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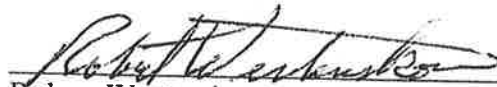
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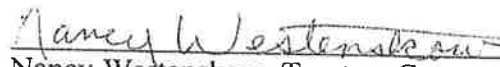
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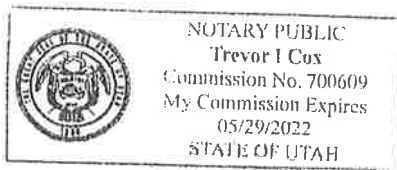
May, 2020.

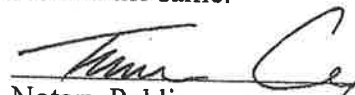
  
Robert Westenskow, Trustee, Grantor

  
Nancy Westenskow, Trustee, Grantor

STATE OF ~~IDAHO~~ <sup>Utah</sup> )  
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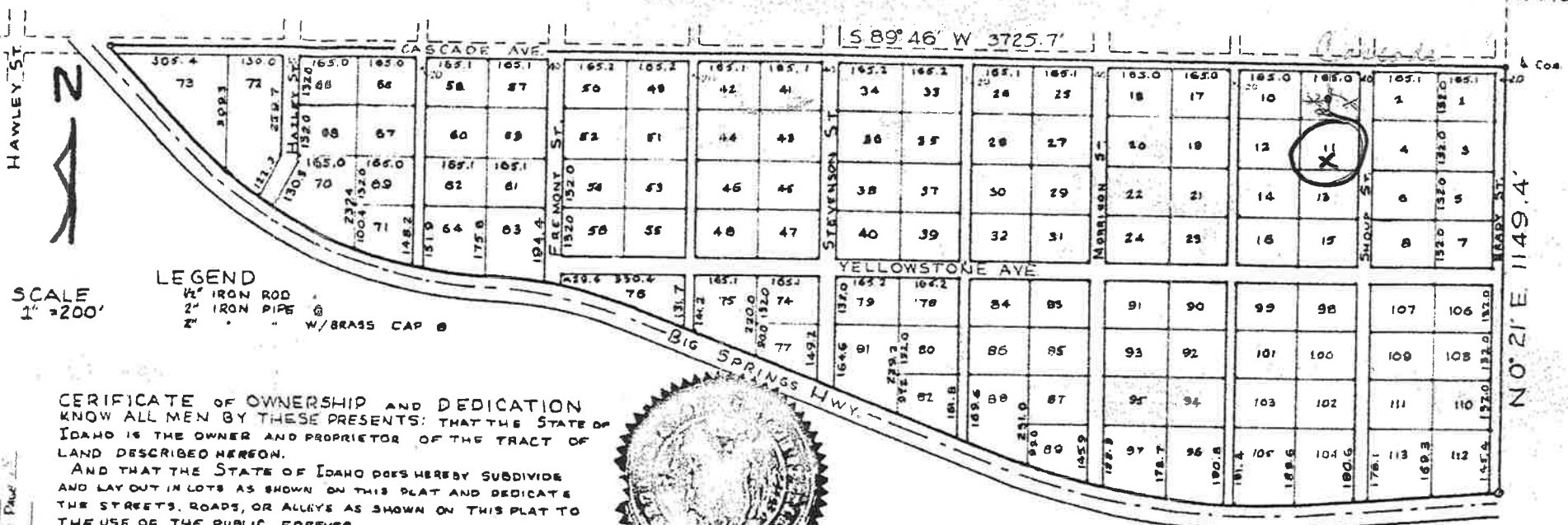


  
Notary Public  
Residing at Murray, <sup>Utah</sup> ~~Idaho~~

# ISLAND PARK SUBDIVISION SOMETIMES CALLED FLAT ROCK

Sec. 36  
T 14 N  
R 43 E

Sec. 31  
T 14 N  
R 44 E



SCALE  
1" = 200'

## LEGEND

1/2" IRON ROD  
2" IRON PIPE  
2" W/BRASS CAP

CERTIFICATE OF OWNERSHIP AND DEDICATION  
KNOW ALL MEN BY THESE PRESENTS: THAT THE STATE OF IDAHO IS THE OWNER AND PROPRIETOR OF THE TRACT OF LAND DESCRIBED HEREON.

AND THAT THE STATE OF IDAHO DOES HEREBY SUBDIVIDE AND LAY OUT IN LOTS AS SHOWN ON THIS PLAT AND DEDICATE THE STREETS, ROADS, OR ALLEYS AS SHOWN ON THIS PLAT TO THE USE OF THE PUBLIC FOREVER.

AND THAT THE STATE OF IDAHO DOES HEREBY ACCEPT AND ADOPT THIS PLAT.

IN WITNESS WHEREOF: I, ROBERT E. SMYLIE, THE GOVERNOR OF THE STATE OF IDAHO HAVE HEREUNTO SIGNED MY NAME AND CAUSED THE GREAT SEAL OF THE STATE OF IDAHO AND THE SEAL OF THE STATE BOARD OF LAND COMMISSIONERS TO BE HEREUNTO AFFIXED THIS 22 DAY OF March, 1963

*Robert E. Smylie*  
GOVERNOR

COUNTERSIGNED:

*Arnold Williams*  
SECRETARY OF STATE  
*O. J. Buxton*  
STATE LAND COMMISSIONER

STATE OF IDAHO ) 35  
COUNTY OF ADA )

ON THIS 22 DAY OF March, 1963, BEFORE ME A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE PERSONALLY APPEARED ROBERT E. SMYLIE, KNOWN TO ME TO BE THE GOVERNOR; AND ARNOLD WILLIAMS KNOWN TO ME TO BE THE SECRETARY OF STATE; AND O. J. BUXTON KNOWN TO ME TO BE THE STATE LAND COMMISSIONER; OF THE STATE OF IDAHO, THE PERSONS WHO EXECUTED THE WITHIN INSTRUMENTS AND ACKNOWLEDGED TO ME THAT IN THEIR OFFICIAL CAPACITIES THEY EXECUTED THE SAME

## LEGAL DESCRIPTION

STARTING AT THE EAST 1/2 CORNER OF SECTION 36, T 14 N, R 43 E B.M., THENCE S 89° 46' W 3725.7' TO THE NORTHERLY RIGHT OF WAY OF STATE HIGHWAY No 287 CALLED THE BIG SPRINGS HIGHWAY; THENCE SOUTHEASTERLY ALONG SAID RIGHT OF WAY TO THE EAST LINE OF SAID SECTION 36; THENCE N 0° 21' E 1149.4' TO THE POINT OF BEGINNING AND CONTAINING 70.2 ACRES MORE OR LESS ALL BEING IN THE N 1/4, S 1/4 SECTION 36, T 14 N, R 43 E. B.M.

## ENGINEERS CERTIFICATE

I RAYMOND T. MICHENER, A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF IDAHO, DO HEREBY CERTIFY THAT THIS PLAT OF ISLAND PARK SUBDIVISION, ADDITION No. 1 HAS BEEN MADE BY ME FROM NOTES OF AN ACTUAL SURVEY MADE BY ME IN OCTOBER 1962 AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF

*Raymond T. Michener*  
Mar 18, 1963

## CERTIFICATE OF ACCEPTANCE

THIS DEDICATION, PLAT AND DESCRIPTION OF ISLAND PARK SUBDIVISION

O. J. BUXTON, LAND COMMISSIONER  
THE STATE OF IDAHO AT MINUTES  
IN O'Clock M THIS DAY OF 196  
D DULY RECORDED IN BOOK OF PLATS AT PAGE  
LINE Fee Paid \$  
EX OFFICIO RECORDER

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,  
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION  
OF RIGHTS TO THE USE OF WATER FROM  
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A21-11027  
Date Received: 3/22/1989  
Receipt No: E006372  
Received By: \_\_\_\_\_

COPY

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: ROBERT WESTENSKOW 801-262-4849  
Address: 725 SHADOW WOOD DRIVE  
MURRAY, UT 84123

AND

Name: NANCY WESTENSKOW 801-262-4849  
Address: 725 SHADOW WOOD DRIVE  
MURRAY, UT 84123

2. Date of Priority: MAY 1, 1964

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
14N	43E	36	NE	NE	SE		FREMONT

5. Description of diverting works:  
WELL, 8" CASING, 82' DEEP, SUBMERSIBLE PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		

7. Total Quantity Appropriated is:  
0.040 C.F.S. (and/or) A.F.A.  
= 13,000 Gallons/Day

8. Total consumptive use is Acre Feet Per Annum. N/A

9. Non-irrigation uses:  
D/ONE HOME.



# THE JEFFREY T. AND TERESA N. PORTER FAMILY TRUST

AGREEMENT made this 16 day of March, 2020, by and between Jeffrey T. Porter and Teresa N. Porter, Grantors, of 6859 S. Lenora Joe Cove, Murray, Salt Lake County, State of Utah, and Jeffrey T. Porter and Teresa N. Porter, Trustees (herein sometimes referred to together as "Trustee").

## WITNESSETH:

The above named Grantors are desirous of transferring from time to time to the above named Trustee, or any successor Trustee hereunder, certain assets of Grantors, to be held in trust subject to the provisions of this Agreement. The above named Trustee is willing to accept such assets and hold, administer, and distribute them according to the provisions herein.

NOW, THEREFORE, Grantors hereby give, assign, convey, transfer and deliver to Trustee, the cash sum of Ten dollars (\$10.00), TO HAVE AND TO HOLD THE SAME IN TRUST, and to manage, invest and reinvest the same, and any additions that may from time to time be made thereto, subject to the terms, conditions, powers and agreements hereinafter set forth.

## ARTICLE I

### INTRODUCTION

1.01 Name. This trust shall be known as the Jeffrey T. Porter and Teresa N. Porter Family Trust.


1.02 Purpose. This trust is established for the purposes of (a) holding in trust assets (including insurance policies) of Grantors, including assets acquired by Grantors and each of them both before and after their marriage; (b) holding in trust such assets as may be contributed hereto by Grantors, or either of them, or others; and (c) providing for the administration and distribution of such assets both during the lifetime of Grantors, upon the incapacity of either or both Grantors, and upon the death of either or both Grantors, free of court supervision to the greatest extent possible under applicable law.

1.03 Effective Date. This trust shall be effective and binding on the parties on the date first set forth above.

1.04 Definitions.

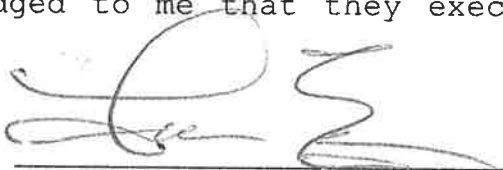
Dated this 16<sup>th</sup> day of March, 2020.

  
Jeffrey T. Porter  
Grantor and First Trustee

  
Teresa N. Porter  
Grantor and First Trustee

STATE OF UTAH                    )  
  : ss.  
COUNTY OF SALT LAKE    )

On this 16 day of March, 2020, personally appeared before me Jeffrey T. Porter and Teresa N. Porter, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the above Exhibit "A".

  
Notary Public

My Commission Expires:

Residing at:

Grady, UT





**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](http://www.idwr.idaho.gov)

Brad Little  
Governor

Gary Spackman  
Director

May 13, 2020

JEFFREY T AND TERESA N PORTER FAMILY TRUST  
6859 S LENORA JOE CV  
MURRAY UT 84107-7096

Re: Change in Ownership for Water Right No(s): 21-11027

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)