

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

SEP 11 2019

DEPT OF WATER RESOURCES
SOUTHERN 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.

Split#

43-13864

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
→ 43-4072A	Yes ☒	Yes ☐	43-10506	Yes ☐	Yes ☐
43-4072B	Yes ☐	Yes ☐	43-2580C	Yes ☐	Yes ☐ → Ret
43-4073	Yes ☐	Yes ☐	43-7091	Yes ☐	Yes ☐
43-2529	Yes ☐	Yes ☐		Yes ☐	Yes ☐
43-10504	Yes ☐	Yes ☐		Yes ☐	Yes ☐

Returned

2. Previous Owner's Name: F. Stanley Lloyd and Jeanette Lloyd
 Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Bill Kelley and Virginia Kelley
 New owner(s) as listed on the conveyance document Name connector ☒ **and** ☐ **or** ☐ **and/or**

<u>P.O. Box 575</u>	<u>Albion</u>	<u>ID</u>	<u>83311</u>
Mailing address	City	State	ZIP
<u>(208) 312-0087</u>			
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: February 14, 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.

SUPPORT DATA
IN FILE # 43-2529

SUPPORT DATA

IN FILE # 43-2529

8. Signature: [Signature] Title, if applicable: Attorney for the Kelleys Date: 9/11/2019
- Signature: _____ Title, if applicable: _____ Date: _____
- Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by sm Date 9-11-2019 Receipt No. 5037543 Receipt Amt. \$175-

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 HS Date 12-2-19

(final)

PARSONS, SMITH, STONE, LOVELAND & SHIRLEY, LLP
LAWYERS
BURLEY, IDAHO

ELECTRONICALLY RECORDED
STATE OF IDAHO NOW
PART OF
THE RECORD DOCUMENT

CASSIA COUNTY
RECORDED FOR:
TITLEONE - TWIN FALLS
03:41:43 PM 02-27-2019
2019-000680
NO. PAGES: 5 FEE: \$15.00
JOSEPH W. LARSEN
COUNTY CLERK
DEPUTY: CVELASQUEZ
Electronically Recorded by Simplifile

WARRANTY DEED

THIS INDENTURE, made this 14 day of February, 2019,
between **F. STANLEY LLOYD** and **JEANETTE LLOYD**, husband and wife,
("GRANTOR") of 2270 South Elba-Almo Road, Elba, ID 8332, and **BILL KELLEY** and
VIRGINIA KELLEY, husband and wife, whose address is Box 575, Albion, ID 83311
("GRANTEE").

WITNESSETH:

The Grantor for and in consideration of the sum of Ten Dollars (\$10.00), lawful money
of the United States of America, and other good and valuable consideration, to the Grantor in
hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, bargained,
and sold and by these presents does grant, bargain and sell, convey and confirm unto the
Grantee, and to the heirs and assigns of Grantee forever, all of the following described real
estate situated in the County of Cassia, State of Idaho, described on Exhibit A attached hereto
and incorporated herein by reference.

SUBJECT TO: Current taxes for 2019, various agreements with Raft River
Electric, and easements of record.

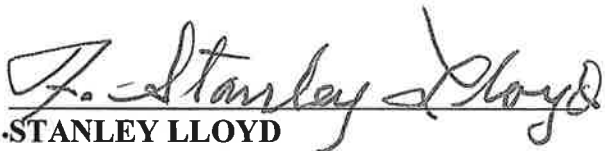
TOGETHER with all and singular the tenements, hereditaments and appurtenances
thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and
remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to said
property as well in law as in equity of the Grantor.

1 **TO HAVE AND TO HOLD**, all and singular the above-mentioned and described
2 premises, together with appurtenances unto the Grantee and to the heirs and assigns of Grantee
3 forever.

4 The Grantor shall and will warrant and by these presents will forever defend the said
5 premises in the quiet and peaceable possession of the Grantee, and the heirs and assigns of
6 Grantee against all and every person and persons whomsoever lawfully claiming the same,
7 except as aforesaid.

8
9 **IN WITNESS WHEREOF**, the Grantor has executed this Deed the day and year first
10 above written.

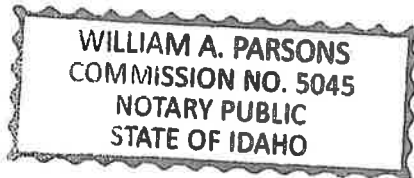
11 **GRANTOR**

12
13 
14 **F. STANLEY LLOYD**

15
16 
17 **JEANETTE LLOYD**

STATE OF IDAHO)
) ss
County of Cassia)

On this 14 day of February, in the year 2019, before me, the undersigned, a Notary Public in and for said State, personally appeared **F. STANLEY LLOYD** and **JEANETTE LLOYD**, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.



William A. Parsons
Notary Public for Idaho
Residing at: Burley
Comm. Exp.: 7/20/2022

(LloydStan/WD.doc)

EXHIBIT A

PARCEL NO. 1:

The SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 17, Township 14 South, Range 25 East Boise Meridian, Cassia County, Idaho, EXCEPT:

A parcel of land being on the Westerly side of the centerline of Project No., PHL-2841 (102), Highway Survey as shown on the plans thereof now on file in the office of the Idaho Transportation Department, Division of Highways, and being a portion of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 17, Township 14 South, Range 25 East, Boise Meridian, described as follows, to-wit:

Commencing at the Southwest corner of the said Section 17, Township 14 South, Range 25 East, Boise Meridian;

Thence along the Southerly boundary of Section 17 North 89°21'20" East, 395.451 meters (1297.40 feet), to a point 10.373 meters (34.03 feet) left of Station 237+56.387;

Thence North 00°15'35" West, 23.613 meters (77.47 feet), to a point 10.336 meters (34.01 feet) right of Station 237+80.000, the POINT OF BEGINNING;

Thence North 02°35'49" West, 30.025 meters (98.50 feet), to a point 11.582 meters (38.00 feet) right of Station 238+10.000;

Thence North 00°16'33" West, 40.000 meters (131.23 feet), to a point 11.582 meters (38.00 feet) right of Station 238+50.000;

Thence North 06°47'00" East, 10.076 meters (33.06 feet) to a point 10.344 meters (33.94 feet) right of Station 238+60.000;

Thence South 00°15'35" East, 80.000 meters (262.46 feet) to the POINT OF BEGINNING.

PARCEL NO. 2:

Township 14 South, Range 25 East Boise Meridian, Cassia County, Idaho.

Section 18: NE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$

PARCEL NO. 3:

Township 14 South, Range 25 East Boise Meridian, Cassia County, Idaho

Section 18: SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$

PARCEL NO. 4:

Township 14 South, Range 25 East Boise Meridian, Cassia County, Idaho

Section 17: That part of the N $\frac{1}{2}$ of the SW $\frac{1}{4}$ lying West of the Almo-Elba Highway.
EXCEPT the following:

A parcel of land being on the Westerly side of the centerline of Project No., PHL-2841 (102), Highway Survey as shown on the plans thereof now on file in the office of the Idaho Transportation Department, Division of Highways, and being a portion of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 17, Township 14 South, Range 25 East, Boise Meridian, described as follows, to-wit:

Commencing at the Southwest corner of the said Section 17, Township 14 South, Range 25 East, Boise Meridian;

Thence along the Southerly boundary of Section 17 North 89°16'59" East, 395.451 meters (1297.40 feet), to a point 10.373 meters (34.03 feet) left of Station 237+56.387;

Thence North 00°15'35" West, 349.595 meters (1146.95 feet), to a point 10.275 meters (33.71 feet) left of Station 241+05.983, the POINT OF BEGINNING;

Thence North 01°49'17" West, 44.037 meters (144.48 feet), to a point 11.463 meters (37.61 feet) left of Station 241+50.003;

Thence North 00°15'35" West, 20.398 meters (66.89 feet), to a point 11.711 meters (38.42 feet) left of Station 241+70.000;

Thence North 06°26'20" East, 10.287 meters (33.75 feet), to a point 10.971 meters (35.99 feet) left of Station 241+80.000;

Thence South 00°15'35" East, 74.626 meters (244.83 feet) to the POINT OF BEGINNING.

PARCEL NO. 5:

Township 14 South, Range 25 East Boise Meridian, Cassia County, Idaho.

Section 18: SE $\frac{1}{4}$

Excepting and reserving a life estate in the house.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 ADDISON AVE W STE 500 • TWIN FALLS, ID 83301-5858

Phone: (208)736-3033 • Fax: (208)736-3037 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

December 02, 2019

BILL & VIRGINIA KELLEY
PO BOX 575
ALBION ID 83311-0575

Re: Change in Water Right Ownership: 43-4072 A (Split into 43-4072A and **43-13864**)

Dear Water Right Holders:

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of a portion of the above referenced water right to you. The Department has modified its records based on the information received and has enclosed a computer-generated report for you.

Your portion of each water right has a specified point of diversion, nature of use and place of use. If you plan to change the authorized point of diversion, nature of use, or place of use, including adding a new point of diversion, you must file an Application for Transfer of Water Right. If you do not plan to change any elements of your water right, then no further action is required at this time.

The portion of the water right retained by the original right holder retains the original water right number. The Department is sending the original right holder a copy of this letter and a computer-generated report showing the changes to the original water right.

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) 736-3033.

Sincerely,

A handwritten signature in black ink, appearing to read 'Bill Mills'.

Bill Mills
Water Resource Agent, Senior

Enclosure

c: F. Stanley Lloyd; Jonas Reagan; Water Districts 43C & 143



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 ADDISON AVE W STE 500 • TWIN FALLS, ID 83301-5858
Phone: (208)736-3033 • Fax: (208)736-3037 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

November 12, 2019

BILL & VIRGINIA KELLEY
PO BOX 575
ALBION ID 83311-0575

Re: Change in Ownership for Water Right Nos: 43-4072B, 43-4073, 43-2529, 43-7091, 43-10504, 43-10506 & 43-2580C (Ownership Not Updated)

Dear Water Right Holders:

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water rights 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.

Additionally, Water Right 43-2580C listed on the Notice could not be processed because water right 43-2580C was sold and transferred to new owners at different locations in 2002 (transfer #69647) and was split into water rights 43-13208 & 43-13209.

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) 736-3033.

Sincerely,

Bill Mills
Water Resource Agent, Senior

Enclosures

c: F. Stanley Lloyd; Jonas Reagan; Water Districts 43C & 143