

NOV 27 2019

Department of Water Resources
Eastern RegionSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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?
24-2009 OK	Yes ☐	Yes ☐		Yes ☐	Yes ☐
24-10719 OK	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name:

Ray E & Sylvia E Peterson family trust
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s):

Tim and Annie J and Tyler J and Grace Ann Meyer
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or

PO Box 962

Mailing address

208-225-3284

Telephone

Thayne

City

WY

State

83127

ZIP

pastortim@webco.com
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: Oct 21, 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 # 24-2009

8. Signature:

Grace Ann M Meyer
Signature of new owner/claimant

Title, if applicable

Nov 15, 2019

11/15/19

Date 11/24/19

- Signature:

Annie J. Meyer
Signature of new owner/claimant

Title, if applicable

11/24/19

Date

For IDWR Office Use Only:

Received by JB

Date

11/27/2019

Receipt No.

E045482

Receipt Amt.

\$50. -

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 CR

Date 12/12/19

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

11/12/2019

Water Right 24-2009

Owner Type **Name and Address**
Attorney RANDALL C BUDGE
 PO BOX 1391
 POCATELLO, ID 83204-1391
 (208) 232-6101

Current Owner RAY E & SYLVIA E PETERSON FAMILY TRUST
 5496 BITTERCREEK RD
 AFTON, WY 83110

Priority Date: 10/5/1908

Basis: Decreed

Status: Active

Source
WEBSTER CREEK
TYGEE CREEK

Tributary
SPRING CREEK
STUMP CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	10/31	2.400 CFS	
	<u>Total Diversion</u>		2.400 CFS	

Source and Point(s) of Diversion

WEBSTER CREEK	NESENE	Sec. 33, Twp 07S, Rge 46E,	CARIBOU County
TYGEE CREEK	SESWSW	Sec. 34, Twp 07S, Rge 46E,	CARIBOU County
TYGEE CREEK	SESWSW	Sec. 34, Twp 07S, Rge 46E,	CARIBOU County

Place Of Use

IRRIGATION within CARIBOU County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S	46E	34							33.0	16.0	10.0	32.0	26.0	3.0					120.0

POU Total Acres: 120.0

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
3. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

IDAHO DEPARTMENT OF WATER RESOURCES

11/12/2019

Proof Report

Water Right 24-10719

Owner Type **Name and Address**
 Attorney RANDALL C BUDGE
 PO BOX 1391
 POCATELLO, ID 83204-1391
 (208) 232-6101

Current Owner RAY E & SYLVIA E PETERSON FAMILY TRUST
 5496 BITTERCREEK RD
 AFTON, WY 83110

Priority Date: 10/5/1908

Basis: Decreed

Status: Active

Source
 TYGEE CREEK
 WEBSTER CREEK

Tributary
 STUMP CREEK
 SPRING CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01	12/31	0.020 CFS	
	<u>Total Diversion</u>		0.020 CFS	

Source and Point(s) of Diversion

TYGEE CREEK	SESWSW	Sec. 34, Twp 07S, Rge 46E, CARIBOU County(B)
TYGEE CREEK	NWNENW	Sec. 34, Twp 07S, Rge 46E, CARIBOU County(E)
WEBSTER CREEK	NENWNW	Sec. 34, Twp 07S, Rge 46E, CARIBOU County

Place Of Use

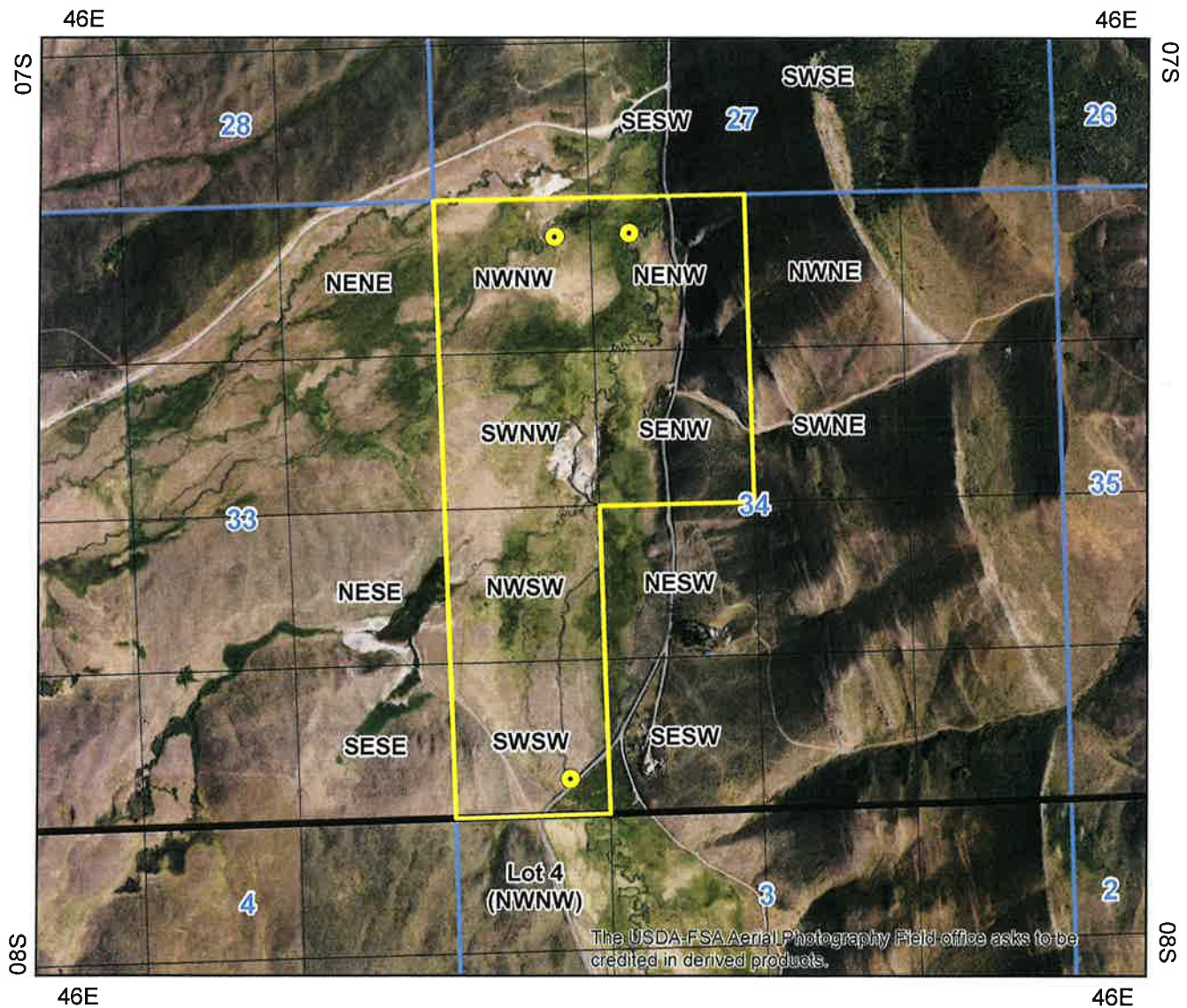
STOCKWATER within CARIBOU County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S	46E	34					X	X	X	X		X	X						

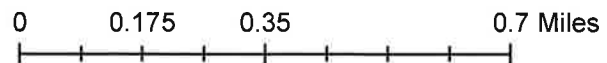
Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. N05 The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
3. N08 The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
4. X02 Stockwater use is for 100 range cattle.

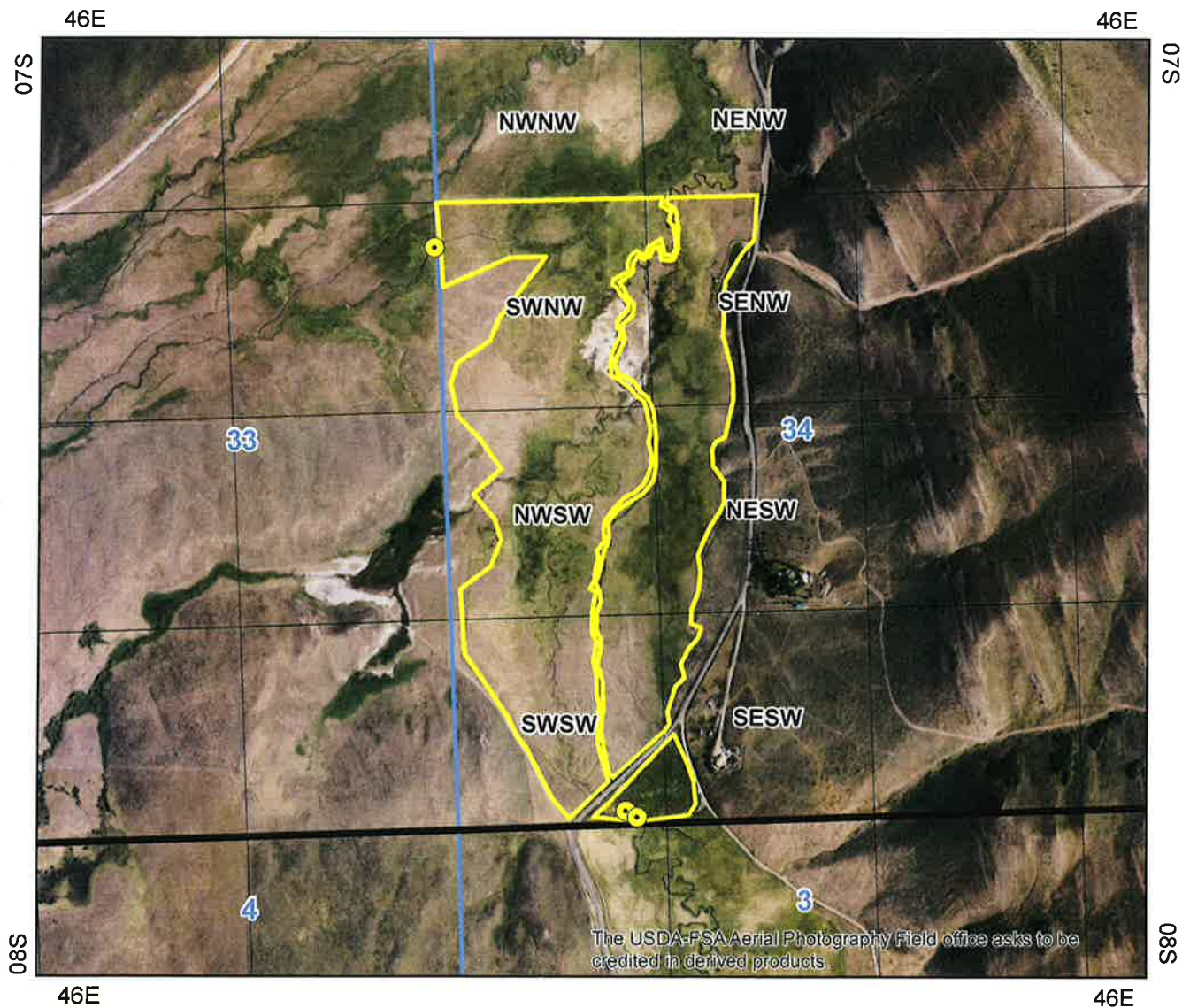
State of Idaho
Department of Water Resources
Water Right License
24-10719



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters



State of Idaho
Department of Water Resources
Water Right License
24-2009



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.125 0.25 0.5 Miles



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

E-RECORDED

simplifile®

ID: 203160
County: Caribou County Idaho
Date: 10-22-2019 Time: 13:45:25pm

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **842830SOD (ch)**

Date: **October 21, 2019**

For Value Received, **Lanett Ayers, Successor Trustee of the Ray E. and Sylvia E. Peterson Family Trust dated December 6, 1992 and amended by Second Amendment dated December 15, 2008**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Timothy Moyer and Amie J. Moyer, husband and wife and Tyler J. Moyer and GraceAnn M. Moyer, husband and wife**, hereinafter called the Grantee, whose current address is **P.O. Box 962, Thayne, WY 83127**, 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.

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 # 203610

CARIBOU COUNTY, IDAHO
10-22-2019 13:45:25 No. of Pages: 6
Recorded for: FIRST AMERICAN TITLE CO, INC - SODA SPRINGS
Denise Horsley Fee: \$15.00
Ex-Officio Recorder Deputy *Christina Brundage*
Index to: WARRANTY DEED

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **842830SOD (ch)**

Date: **October 21, 2019**

For Value Received, **Lanett Ayers, Successor Trustee of the Ray E. and Sylvia E. Peterson Family Trust dated December 6, 1992 and amended by Second Amendment dated December 15, 2008**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Timothy Moyer and Amie J. Moyer, husband and wife and Tyler J. Moyer and GraceAnn M. Moyer, husband and wife**, hereinafter called the Grantee, whose current address is **P.O. Box 962, Thayne, WY 83127**, 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.

Date: **10/21/2019**

Warranty Deed
- continued

File No.: **842830SOD (ch)**

Ray E. and Sylvia E. Peterson Family Trust


Lanett Ayers, Successor Trustee

STATE OF Idaho)
ss.

COUNTY OF Caribou)

On this 22nd day of **October, 2019**, before me, a Notary Public in and for said State, personally appeared **Lanett Ayers**, known or identified to me to be the person(s) whose name(s) is subscribed to the within instrument as Successor Trustee of the **Ray E. and Sylvia E. Peterson Family** Trust, and acknowledged to me that she executed the same as such Successor Trustee.



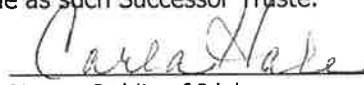

Notary Public of Idaho
Residing at: Soda Springs, Idaho
Commission Expires: 12/12/2020

EXHIBIT A

Township 7 South, Range 46 East of the Boise Meridian, Caribou County, Idaho:

Section 34: S $\frac{1}{2}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$, ALSO, A parcel of land located in the N $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 34, Township 7 South Range 46 East of the Boise Meridian, the same being a portion of the lands described in Warranty Deed No. 122811 as recorded in the official records of Caribou County, Idaho, more particularly described as follows:

**Beginning at the Southwest corner of the N $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 34, Township 7 South, Range 46 East of the Boise Meridian, the same being North 00°15'13" West 1321.06 feet from the West Quarter corner of said Section, said West Quarter corner being witnessed and marked by a 3" brass cap and witnessed by that Corner Perpetuation and Filing Recorder Instrument No. 118353, as recorded in the official records of Caribou County, Idaho;
Thence North 00°15'13" West along the West boundary line of said N $\frac{1}{2}$ NW $\frac{1}{4}$ for a distance of 13.93 feet to a point on a fence line that courses East and West;
Thence North 89°44'06" East along said fence line for a distance of 1466.33 feet;
Thence North 59°19'19" East along said fence line for a distance of 202.53 feet;
Thence North 88°54'22" East along said fence line for a distance of 423.58 feet to a 5/8" rebar with cap tagged, "GVS PLS 9169" set on the Westerly right of way fence line of the Smokey Canyon Road;
Thence South 00°27'50" East along said fence line for a distance of 139.12 feet to a 5/8" rebar with cap tagged, "GVS, PLS 9169" set on the South boundary line of said N $\frac{1}{2}$ NW $\frac{1}{4}$;
Thence North 89°48'22" West along said boundary line for a distance of 2065.07 feet, to the Point of Beginning.**

**EXCEPT THEREFROM, Commencing at a point 759 feet West of the Southeast corner of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 34, and running
Thence Northeasterly 148.5 feet;
Thence North 759 feet;
Thence Northwesterly 165 feet;
Thence North 792 feet;
Thence Northeasterly 825 feet to a point on the North line of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 34, and which said point is 495 feet West from the Northeast corner of the said SE $\frac{1}{4}$ NW $\frac{1}{4}$;
Thence East 495 feet;
Thence South 2640 feet to the Southeast corner of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 34;
Thence West 759 feet,
to the Point of Beginning.**

ALSO EXCEPT THEREFROM, That part of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 34, being part of those tracts recorded in the Office of the Clerk of Caribou County in 58594 Microfilm and Book 11 of Deeds on Page 191, described as follows:

**Beginning at a point on an existing road right of way fence South 55°45'48" East 2295.23 feet from the West Quarter corner of said Section 34, found as described in the Certified Land Corner Recordation Certificate of recorded in the same Office, said point being on road right of way, and running
Thence North 00°24'6" East 89.71 feet along said fence to a point;**

Thence North 17°53'24" East 98.86 feet along said fence to a point;
Thence North 03°24'24" East 293.89 feet along said fence to a point, and leaving said fence;
Thence South 81°29'12" East 371.99 feet to a point;
Thence South 00°08'36" East 417.36 feet to a point;
Thence South 89°49'12" West 210.41 feet along an existing fence to a point;
Thence South 88°52'30" West 207.03 feet along an existing fence,
to the Point of Beginning.

ALSO EXCEPT THEREFROM, Beginning at the point of intersection of an existing County Road, with the South line of said Section 34, which point is approximately 412.5 feet East of the Southwest corner of the SE¼SW¼ of Section 34, and running
Thence East 130 feet;
Thence North 800 feet;
Thence West 300 feet, more or less, to the East line of the above mentioned County Road;
Thence following the East right of way line of said road along its various courses and distances,
to the Point of Beginning.

ALSO EXCEPT THEREFROM, Beginning at the South Quarter corner of Section 34, and running
Thence West 970 feet;
Thence North 33°15' West 180 feet;
Thence North 15°00' West 410 feet;
Thence North 7°30' West 195 feet;
Thence North 31°00' East 700 feet;
Thence East 820 feet;
Thence South 1320 feet,
to the Point of Beginning.

ALSO EXCEPT THEREFROM, a strip of land 60 feet wide being 30 feet on each side of the following described center line of a road, being over and across the SW¼ of said Section 34, more particularly described as follows:

Beginning at the Southwest corner of said Section 34, and running
Thence North 0°02'00" East 2642.56 feet along the West boundary of said Section 34 to the quarter corner common to Section 33 and 34;
Thence South 36°02'48" East 2445.08 feet to a point on the Westerly right of way fence of a county road, said point also being on a curve having a radius of 468.00 feet, a central angle of 18°12'20", a long chord of 148.08 feet and said point also being the True Point of Beginning;
Thence along said curve 145.72 feet on a chord that bears South 39°13'33" West 145.13 feet to a point;
Thence South 48°08'52" West 713.62 feet to a point;
Thence along a curve 41.75 feet on a chord bearing South 41°09'18" West 41.65 feet to a point that bears North 86°41'17" East from the Southwest corner of said Section 34 and is on the Northerly right of way fence of a county road, and the terminus point, said curve having a radius of 171.04 feet, a central angle of 71°00'00" and a long chord of 198.65 feet;

ALSO EXCEPT THEREFORM, a parcel of land located in the Southwest Quarter (SW¼) of Section 34, Township 7 South, Range 46 East, Boise Meridian, the same being marked by a

3" Brass Cap and witnessed by that Corner Perpetuation and Filing Record, recorded as Instrument No. 118352 of the official records of Caribou County, Idaho:
Thence South 89°46'35" East 745.46 feet to a point on the East line of an existing roadway;
Thence following the East line of an existing roadway North 66°32'25" West 34.86 feet;
Thence North 36°58'36" West 95.10 feet;
Thence North 24°51'18" West 360.8 feet;
Thence North 29°22'46" West 382.32 feet;
Thence North 38°15'29" West 149.64 feet;
Thence North 46°04'22" West to the West line of said Section 34;
Thence South along the West line of Section 34,
to the Point of Beginning.

ALSO EXCEPT THEREFROM, That part of the S½SW¼ of Section 34, Township 7 South, Range 46 East, Boise Meridian, Caribou County, Idaho, being part of the tract of record in the Office of the Recorder of Caribou County with Instrument No. 147630, described as follows:

Beginning at a point on the South line of said S½SW¼, South 89°55'20" West 970.00 feet from the Southeast corner thereof;
Thence South 89°55'20" West 870.00 feet along said South line to a rebar on the Easterly right of way line of Smokey Canyon Road;
Thence North 36°44'42" East 67.72 feet along said right of way line to a plastic cap;
Thence North 48°13'21" East 34.96 feet along said right of way line to a point at the beginning of a non-tangent circular curve to the left, whose radius bears South 41°46'39" East;
Thence Southeasterly 2414 feet along the arc of said curve, through a central angle of 138°18'01", having a radius of 10.00 feet, with a chord bearing South 20°55'39" East 18.69 feet, to a point;
Thence North 89°55'20" East 599.10 feet to a point;
Thence North 47°26'03" East 134.05 feet, to a point on the Westerly line of that tract of record in said Office with Instrument No. 159590;
Thence South 33°19'40" East 180.00 feet along said Westerly line,
to the Pont of Beginning.

ALSO, EXCEPT THEREFROM, that part of the NE¼SW¼ of Section 34, Township 7 South, Range 46 East of the Boise Meridian, Caribou County, Idaho, being a part of the tract of record in the Office of the Recorder of Caribou County with Instrument No 147630, part of that tract of record in said Office with Instrument No. 155754, and all of that tract of record in said Office with Instrument No. 157376, described as follows:

Beginning at a bathey, South 55°45'41 East 2295.23 feet from the Northwest corner of the SW¼ of said Section 34;
Thence South 88°52'10" West 45.37 feet, to a point on the Easterly right of way line of Smokey Canyon Road;
Thence along said right of way line, and part of the Westerly line of said tract in Instrument No. 157376, as follows:
North 26°43'54" East 101.69 feet to a bathey;
North 17°53'32" East, 98.86 feet to a bathey;
North 03°24'32" East 293.89 feet to a bathey at the Northwest corner of said tract in Instrument No. 157376, and leaving said right of way;
Thence South 81°29'04" East 371.99 feet along the North line of said tract in Instrument No.

Date: 10/21/2019

Warranty Deed
- continued

File No.: 842830SOD (ch)

**157376, to a bathey at the Northeast corner thereof;
Thence South 00°10'33" East 417.55 feet along the East line of said tract in said Instrument
No. 157376, to a bathey at the Southeast corner of said tract in Instrument No. 157376;
Thence South 89°49'13" West 21041 feet along the South line of said tract in Instrument
No. 157376, to a bathey;
Thence South 88°52'10' West 207.03 feet, along said South line to the Bathey of Beginning.**

TOGETHER WITH Idaho Water Right No. 24-2009.



Brad Little
Governor

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

Gary Spackman
Director

December 12, 2019

TIMOTHY & AMIE MOYER
TYLER J & GRACEANN M MOYER
PO BOX 962
THAYNE WY 83127-0962

Re: Change in Ownership for Water Right No(s): 24-2009, 24-10719

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) 497-3779.

Sincerely,

Cher Ramos
Technical Records Specialist 1

Enclosure(s)