

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
JUN 26 2019
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?
22-11524	Yes ☒	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
22-11524 22-14365	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Phyllis and Ross Kunz
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): James K and Lora J Davis
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☒ and/or
- 7487 S 3500 W Victor ID 83455
Mailing address City State ZIP
- 208-317-5652 (Lora) 208-317-1436 loraidavis@gmail.com
Telephone (Jim) 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: 4-21-2016
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):
- ☐ \$25 per undivided water right.
 - ☐ \$100 per split water right.
 - ☐ 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: _____ Title, if applicable _____ Date _____
- Signature: Lora J Davis _____ Title, if applicable _____ Date 8/22/2019
- Signature of new owner/claimant _____

For IDWR Office Use Only:

Received by JB Date 8/26/2019 Receipt No. E045266 Receipt Amt. \$75. -

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 11/26/2019

WARRANTY DEED

Alliance Title & Escrow Corp. Order No.:269031

FOR VALUE RECEIVED

The Davis Family Trust, an Irrevocable Trust dated April 10, 1996 and any amendments thereto

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

James K. Davis and Lora I. Davis, husband and wife

whose current address is

**PO Box 224
Victor, ID 83455**

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

The portion of the Southwest Quarter Northeast Quarter of Section 5, Township 3 North, Range 45 East, Boise Meridian, Teton County, Idaho, being further described as:

From the Center Quarter corner of said Section 5 North 00°10'45" West, 540.40 feet along the West line of said Northeast Quarter to the point of beginning; thence North 00°10'45" West, 101.90 feet along the West line of the Northeast Quarter of to a 5/8" rebar pin; thence North 89°56'22" East, 1321.14 feet to a 5/8" rebar pin on the West line of the Southwest Quarter Northeast Quarter; thence South 00°07'43" East, 650.91 feet to a 5/8" rebar pin on the South line of the Northeast Quarter of said Section 5; thence North 89°41'13" West, 1119.61 feet along the South line of the Northeast Quarter of said Section 5 to a 5/8" rebar pin; thence North 541.50 feet to a 5/8" rebar pin; thence West 202.69 feet to the point of beginning.

ALSO: The portion in the South Half Southwest Quarter Northeast Quarter of Section 5, Township 3 North, Range 45 East, Boise Meridian, Teton County, Idaho, being further described as:

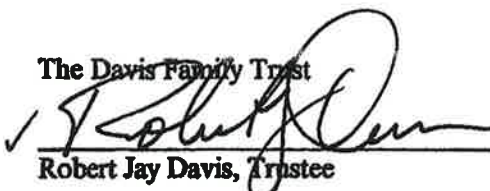
Commencing at the Center Quarter corner of said Section 5 and running thence North 00°10'45" West, 540.40 feet to a 5/8" rebar pin; thence East, 202.69 feet to a 5/8" rebar pin; thence South 541.50 feet to a 5/8" rebar pin on the South line of the Northeast Quarter of said Section 5; thence North 89°41'13" West, 201.00 feet along the South line of the Northeast Quarter of said Section 5 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 is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances 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: April 17, 2015

The Davis Family Trust


Robert Jay Davis, Trustee

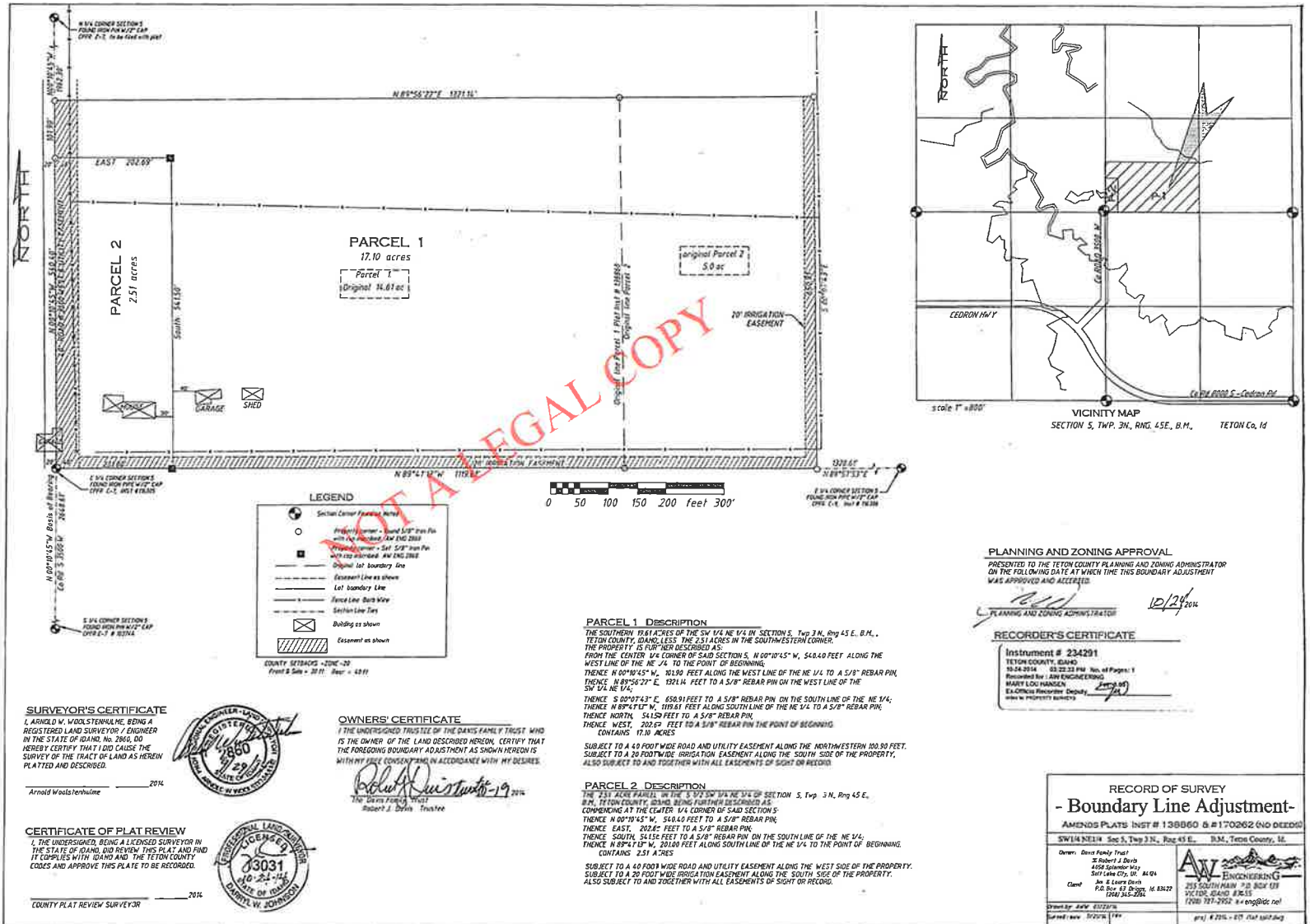
✓ State of Utah } ss.
County of Salt Lake }

On this 20 day of April, 2015, before me, Marni Neslen a Notary Public in and for said state, personally appeared Robert Jay Davis known or identified to me to be the person whose name is subscribed to the foregoing instrument as trustee of the The Davis Family Trust, and acknowledged to me that he/she/they executed the same as Trustee.

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


Notary Public for the State of Utah
Residing at: Salt Lake City, UT
Commission Expires: 10/10/17





TETON RIVER RANCH 20 LLC
RP03N45E05T201

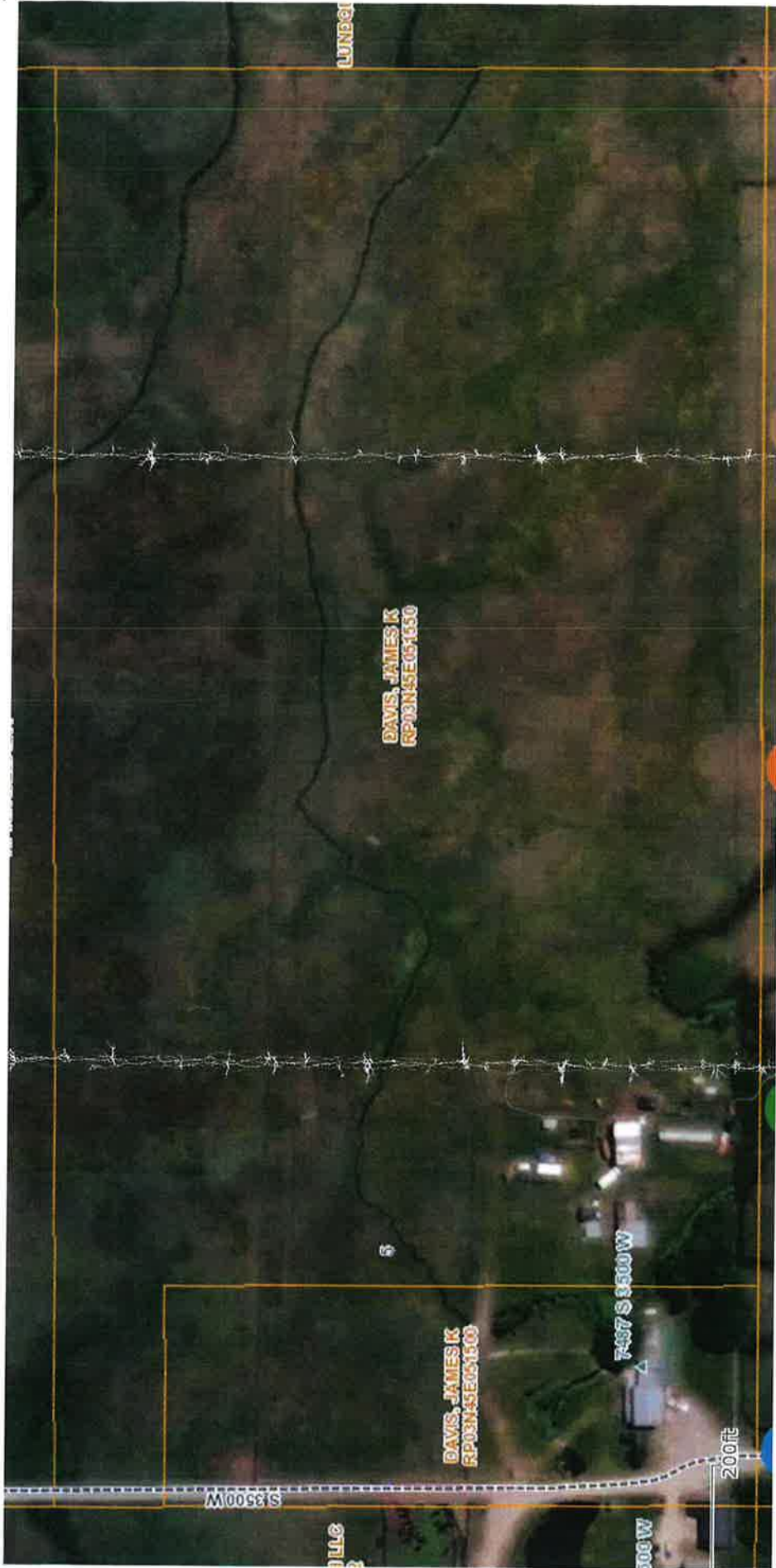
LUNDQUIST, GARY D FAMILY TRUST
RP03N45E05T200

8
DAVIS, JAMES K
RP03N45E05T200

BAGLEY, BRUCE
RP03N45E05T200

KEASBLEY, BENJAMIN ARTHUR
RP03N45E05T200

S 33500 W



WARRANTY DEED

Alliance Title & Escrow Corp. Order No.:269031

FOR VALUE RECEIVED

The Davis Family Trust, an Irrevocable Trust dated April 10, 1996 and any amendments thereto

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

James K. Davis and Lora I. Davis, husband and wife

whose current address is

**PO Box 224
Victor, ID 83455**

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

The portion of the Southwest Quarter Northeast Quarter of Section 5, Township 3 North, Range 45 East, Boise Meridian, Teton County, Idaho, being further described as:

From the Center Quarter corner of said Section 5 North 00°10'45" West, 540.40 feet along the West line of said Northeast Quarter to the point of beginning; thence North 00°10'45" West, 101.90 feet along the West line of the Northeast Quarter of to a 5/8" rebar pin; thence North 89°56'22" East, 1321.14 feet to a 5/8" rebar pin on the West line of the Southwest Quarter Northeast Quarter; thence South 00°07'43" East, 650.91 feet to a 5/8 rebar pin on the South line of the Northeast Quarter of said Section 5; thence North 89°41'13" West, 1119.61 feet along the South line of the Northeast Quarter of said Section 5 to a 5/8" rebar pin; thence North 541.50 feet to a 5/8" rebar pin; thence West 202.69 feet to the point of beginning.

ALSO: The portion in the South Half Southwest Quarter Northeast Quarter of Section 5, Township 3 North, Range 45 East, Boise Meridian, Teton County, Idaho, being further described as:

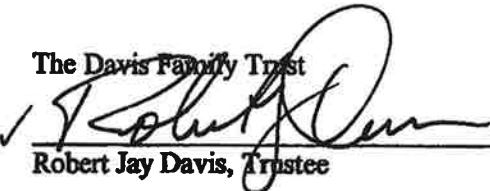
Commencing at the Center Quarter corner of said Section 5 and running thence North 00°10'45" West, 540.40 feet to a 5/8" rebar pin; thence East, 202.69 feet to a 5/8" rebar pin; thence South 541.50 feet to a 5/8" rebar pin on the South line of the Northeast Quarter of said Section 5; thence North 89°41'13" West, 201.00 feet along the South line of the Northeast Quarter of said Section 5 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 is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances 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: April 17, 2015

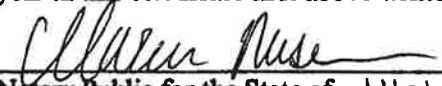
The Davis Family Trust

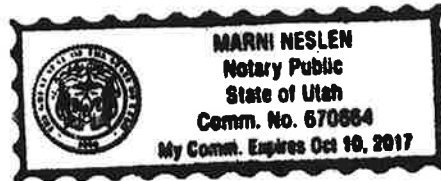

Robert Jay Davis, Trustee

✓ State of Utah } ss.
County of Salt Lake }

On this 20 day of April, 2015, before me, Marni Neslen a Notary Public in and for said state, personally appeared Robert Jay Davis known or identified to me to be the person whose name is subscribed to the foregoing instrument as trustee of the The Davis Family Trust, and acknowledged to me that he/she/they executed the same as Trustee.

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


Notary Public for the State of Utah
Residing at: Salt Lake City, UT
Commission Expires: 10/10/17



WARRANTY DEED

Warranty deed made this 19 day of October, 2014 between
THE DAVIS FAMILY TRUST referred to as Grantor, and THE DAVIS FAMILY TRUST
referred to as Grantee.

Grantor in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable
consider hereby grant, bargain, sell and convey, and confirm unto Grantee and its heirs and
assigns forever, all the following described real estate situated in Teton County, Idaho:

The 2.51 acre parcel in the South half Southwest quarter Northeast quarter of Section 5,
Township 3North., Range 45E., B.M. Teton County, Idaho, being further described as:
Commencing at the Center quarter corner of said Section 5 and running thence N00°10'45"W,
540.40 feet to a 5/8 rebar pin; Thence East, 202.69 feet to a 5/8 rebar pin; Thence South
541.50 feet to a 5/8 rebar pin on the South line of the Northeast quarter of said Section 5;
Thence N89°41'13"W, 201.00 feet along the South line of the Northeast quarter of said Section 5
to the point of beginning.

Contains 2.51 Acres more or less.

Subject to a 40 foot road and utility easement along the West side of the property.
Subject to a 20 foot wide irrigation easement along the South side of the property.
Subject to and together with all easements of sight or record.

To have and to hold, all and singular the above-described premises together with the
appurtenances unto Grantee and its heirs and assigns forever.

And Grantor and its heirs shall and will warrant and by these presents forever defend the premises in the quiet and peaceable possession of Grantee, its heirs, and assigns against Grantor and its heirs and against all and every person and persons whomsoever, lawfully claiming the same. Grantor has hereunto set his (its) hand on the day and year first above written.

Restriction: The above parcel cannot be further split under the provisions of the Teton County Subdivision Ordinance, Title 9, Chapter 8, Sections 9-8-3B, 9-8-4 and 9-8-5: One Time Split of One Parcel of Land, Amended Ordinance September 25, 2007.



Robert J. Davis - Trustee of The Davis Family Trust

STATE OF ~~IDAHO~~ Utah)

SS

County of Salt Lake)

On this ¹⁹~~20~~ day of October in the year of 2014, before me, a Notary Public in and for said State, personally appeared ROBERT J. DAVIS, 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.



Notary Public

For: Robert Davis

Residing at: 4058 Splendor way SLC UT 84124

My commission expires: Oct 10, 2017



138861

FILED

AT THE REQUEST OF

Planning & Zoning

AT 44 MINUTES PAST 11 A.M.

DATE *Aug. 8, 2000*

Nolan S. Boyle

CLERK OF DISTRICT COURT

BY *Nora Rigby*

RECEIVED

AUG 09 2000

TETON CO., ID
CLERK RECORDER

138861

WARRANTY DEED

Warranty deed made this 19 day of July, 2000, between THE DAVIS FAMILY TRUST c/o Phyllis Evelyn Warnberg Davis Kunz of 747 South 350 West, Victor, Idaho 83455 referred to as Grantor, and THE DAVIS FAMILY TRUST c/o Phyllis Evelyn Warnberg Davis Kunz of 747 South 350 West, Victor, Idaho 83455 referred to as Grantee.

Grantor in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt whereof is hereby acknowledged, have granted, bargained, and sold, and do hereby grant, bargain, sell and convey, and confirm unto Grantee and its heirs and assigns forever, all the following described real estate situated in Teton County, Idaho:

A part of the SW 1/4 NE 1/4 of Section 5, Township 3 North, Range 45 East, Boise Meridian, Teton County, Idaho being further described as:

From the center 1/4 corner of said Section 5, S 89°41'13"E, 985.43 ft. along the South line of the NE 1/4 of said Section 5 to the true point of beginning;

Thence N 00°07'43"W, 648.73 ft. to a point;

Thence N 89°36'22"E, 335.17 ft. to a point;

Thence S 00°07'43"E, 660.91 ft. to a point;

Thence N 89°41'13"W, 335.18 ft. to the point of beginning.

Contains 5.00 Acres more or less.

Together with a 30 ft. private road and utility easement on the North.

To have and to hold, all and singular the above-described premises together with the appurtenances unto Grantee and its heirs and assigns forever.

And Grantor and its heirs shall and will warrant and by these presents forever defend the premises in the quiet and peaceable possession of Grantee, its heirs, and assigns against Grantor and its heirs and against all and every person and persons whomsoever, lawfully claiming the same

(Grantor have hereinto set her hand on the day and year first above written.

Phyllis Evelyn Warnberg Davis Kunz
The Davis Family Trust c/o Phyllis Evelyn Warnberg Davis Kunz

Restriction: The above parcel cannot be further split under the provisions of the Teton County Subdivision Ordinance, Article VII, Section 1-7-16: One Time Only Split of One Parcel of Land Parcel of Land, June 14, 1999.

STATE OF IDAHO)

:SS

County of Teton)

On this 19 day of July in the year of 2000, before me,
a Notary Public in and for said State, personally appeared PHYLLIS EVELYN WARNBERG DAVIS
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.



[Signature]
Notary Public for Idaho
Residing at Victor, Idaho
My commission expires 6/8/2004

138861

DEED RESTRICTION

1. Description of original parcel to be restricted:

Commencing at the Center 1/4 corner of Section 5, Township 3 North, Range 45 East, Boise Meridian, Teton County, Idaho, Thence N 00° 10' 45" W, 642.30 ft. Thence N 89° 56' 22" E, 1321.14 ft. Thence S 00° 07' 43" E, 640.91 ft., Thence N 89° 41' 13" W, 1320.61 ft. to the point of commencement.

2. Less the Land Split Parcel:

A part of the SW 1/4 NE 1/4 of Section 5, Township 3 North, Range 45 East, Boise Meridian, Teton County, Idaho being further described as:
From the center 1/4 corner of said Section 5, S 89° 41' 13" E, 985.43 ft. along the South line of the NE 1/4 of said Section 5 to the true point of beginning;
Thence N 00° 07' 43" W, 648.73 ft. to a point.
Thence N 89° 56' 22" E, 335.17 ft. to a point,
Thence S 00° 07' 43" E, 660.91 ft. to a point;
Thence N 89° 41' 13" W, 335.18 ft. to the point of beginning.
Contains 5.00 Acres more or less.

3. Restriction: The above parcel cannot be further split under the provisions of the Teton County Subdivision Ordinance, Article VII, Section 1-7-16: One Time Only Split of One Parcel of Land, June 14, 1999.

Owner(s):

Phyllis Kunz
THE DAVIS FAMILY TRUST, c/o Phyllis Evelyn Warnberg Davis Kunz

State of IDAHO

SS

County of Teton

On this 19 day of July, 2000,
before me, a notary public in and for said State, personally appeared

Phyllis Kunz

known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Notary Public:

Residing at:

Commission expires:

Donald W. Whitte
Victor Idaho
6/8/2004

Recorded _____ Instrument No. _____
Records of Teton County, Idaho.



RECEIVED

126282

WHEN RECORDED, MAIL TO:

JAN 28 1997

John Knapp Baird, Esq.
CORBRIDGE BAIRD & CHRISTENSEN
39 Exchange Place, Suite 100
Salt Lake City, Utah 84111-2705

TETON CO., ID
CLERK RECORDER

FILED

AT THE REQUEST OF

John Knapp Baird
AT 06 MINUTES PAST 4 P.M.
DATE *Jan. 28, 1997*
Ada J. Drake
CLERK OF RECORD
BY *Nora L. Lundy*
DEPUTY

126282

WARRANTY DEED

Phyllis Evelyn Warnberg Davis Kunz, grantor, of Teton County, state of Idaho, hereby CONVEYS and WARRANTS to The Davis Family Trust, grantee, for the sum of Ten Dollars (\$10) and other good and valuable consideration the following described tract of land in Teton County, state of Idaho:

COMMENCING AT THE CENTER 1/4 CORNER OF SECTION 5, TWP 3 N, RNG 45 E; THENCE N 00°10'45" W 642.30 FT; THENCE N 89°56'22" E 1321.14 FT; THENCE S 00°07'43" E 650.91 FT; THENCE N 89°41'13" W 1320.61 FT TO POINT OF COMMENCEMENT.

TOGETHER WITH 50 percent of the existing water rights associated with the property.

SUBJECT TO any restrictive covenants, zoning regulations, utility or other easements or rights-of-way, government patents, taxes of record, reservations, restrictions, conditions, exceptions, encumbrances, other matters of record, association dues and assessments, if any;

TOGETHER WITH, all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining unto said Grantee and to Grantee's heirs, executors, administrators and assigns.

WITNESS the hand of said grantor this 10 day of April, 1996.

Phyllis Evelyn Warnberg Davis Kunz
Phyllis Evelyn Warnberg Davis Kunz, Grantor

STATE OF UTAH)

) ss.

County of Salt Lake)

Wayne Ross Barry

The foregoing instrument was acknowledged before me this 10th day of April, 1996, by Phyllis Evelyn Warnberg Davis Kunz.

[Signature]
Notary Public
Residing at:

OSD\1804.6\WARRANT2.DEE

126282



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 26, 2019

JAMES K DAVIS
7487 S 3500 W
VICTOR ID 83455-4633

Re: Change in Water Right Ownership: 22-11524 (Split into 22-11524 and 22-14365),

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of a portion of the above referenced water right(s) 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(s) 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) 497-3787.

Sincerely,

Jonie Barg
Technical Records Specialist 1

Enclosure(s)

cc: Ross Kunz
Phyllis Kunz
Water District 01



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls ID 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177

Website: idwr.idaho.gov • Email: easterninfo@idwr.idaho.gov

RECEIVED

NOV 25 2019

Department of Water Resources
Eastern Region

BRAD LITTLE
Governor

GARY SPACKMAN
Director

August 28, 2019

James Davis
Lora Davis
7487 S 3500 S
Victor ID 83455

RE: Change in Ownership Water Right No. 22-11524

Dear Sir/Madam:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership.

Our review of your notice indicates that additional information is required before we can process the change. The information required is indicated below:

**** **Evidence of Water Right Ownership:** a full chain of title. According to the records filed with the department the current owner of the above mentioned water right is Phyllis and Ross Kunz, the deed we received with your application is from The Davis Family Trust. Please supply a chain of title from Phyllis and Ross Kunz to The Davis Family Trust.

**** **Filing Fee:** Also according to the Warranty Deed filed with the department this ownership change will require a split. The fee for a split ownership change is \$100.00 per water right. Please review the map attached if you believe a split is required please submit an additional \$75.00 (the department has already received \$25.00)

Because the Department cannot process the ownership change without proper documentation/fees, we will hold any action on your notice pending receipt of the necessary information/fees. If we do not receive the necessary information/fees within 30 days we will return your notice and all attachments and your notice will not be processed.

Please note that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.idaho.gov.

Please feel free to contact the Department if you have any questions.

Sincerely,


Jonie Barg
Technical Records Specialist

Enclosure(s)

Jonie,
I have not received
the original request back so
I'm hoping you still have it
on file. If not, let me know
and we can start over.
Thank you.
Lora Davis