

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED
JAN 22 2019
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.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
34-13959 <i>OK</i>	Yes ☒		Yes ☐		Yes ☐
34-13957 <i>OK</i>	Yes ☒		Yes ☐		Yes ☐
34-13957 (Split into 34-13957 & 34-14703)			Yes ☐		Yes ☐
34-13959 (Split into 35-13959 & 34-14704)			Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Milt Butler
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Tyler W. Kerr and Randi L. Kerr
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or ☐ and/or

325 Lisa St
Mailing address

Chubbuck
City

ID 83202
State ZIP

(208) 252-4049
Telephone

T.Kerr@Cateequipment.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: June 20, 2018

6. If the water right described herein has been rented from the Water Supply Bank, rental proceeds will be disbursed in the following manner regardless of any arrangements between the buyer(s) and seller(s) to the contrary:

- Rental payments will go to the lessor(s) of record at the beginning of the rental season.
- If a change in ownership is processed by the Department during a rental season, rental payment will be made to the person or entity who is the lessor of record at the beginning of that rental season.
- New lessor(s) of record will receive payment after the following rental season.

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.

SUPPORT DATA

IN FILE # 34-13957

8. Signature: [Signature] Title, if applicable: _____ Date: 1-16-19

Signature: Randi Kerr Title, if applicable: _____ Date: 1/16/19

Signature of new owner/claimant

For IDWR Office Use Only:

Received by JB Date 1/22/2019 Receipt No. E044659 Receipt Amt. \$200.-

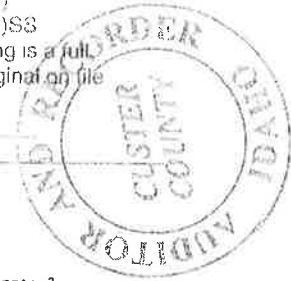
Approved by JB Processed by JB Date 3/7/2019

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
168 West Pacific Street/PO Box 868
Blackfoot, ID 83221

STATE OF IDAHO)
COUNTY OF CUSTER)SS
I hereby certify that the foregoing is a full,
true and correct copy of the original on file
in this office.

Date 2/16/2019
Lura H. Baker
Deputy Clerk



Instrument # 254925
CHALLIS, CUSTER, IDAHO
06-25-2018 01:20:28 No. of Pages: 2
Recorded for: FIRST AMERICAN TITLE - BLACKFOOT
Lura H. Baker Fee: \$15.00
Ex-Officio Recorder Deputy: LK

RECEIVED
FEB 11 2019
Department of Water Resources
Eastern Region

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **680574-B (1d)**

Date: **June 20, 2018**

For Value Received, **Buster K Ranch, LLC, an Arizona limited liability company**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Tyler W. Kerr and Randi L. Kerr, husband and wife**, hereinafter called the Grantee, whose current address is **619 North 12th, Pocatello, ID 83201**, the following described premises, situated in **Custer County, Idaho**, to-wit:

PARCEL I:

A parcel of land located in the SE $\frac{1}{4}$ of Section 30, Township 9 North, Range 22 E.B.M., Custer County, Idaho, more particularly described as follows: Commencing at the NE corner of said SE $\frac{1}{4}$; thence along the Northerly boundary of said SE $\frac{1}{4}$, S. 89°57'54" W. 665 feet; thence S. 0°18'45" E. 1779.53 feet; thence S. 66°37'00" W. 152.51 feet; thence S. 52°10'34" W. 264.35 feet to the REAL POINT OF BEGINNING; thence N. 51°43'48" W. 439.93 feet; thence 101.39 feet along the arc of a curve to the right, and having a radius of 600 feet and a central angle of 9°40'54" and a chord which bears S. 43°06'39" W. 101.27 feet; thence 331.08 feet along the arc of a curve to the left, and having a radius of 600 feet and a central angle of 31°36'56" and a chord which bears S. 32°08'38" W. 326.90 feet; thence S. 16°20'09" W. 510.82 feet; thence N. 52°10'34" E. 926.94 feet to the REAL POINT OF BEGINNING.

PARCEL II:

TOGETHER WITH AND SUBJECT TO: A roadway and utility easement located in the SE $\frac{1}{4}$ of Section 30, Township 9 North, Range 22 E.B.M., Custer County, Idaho, more particularly described as follows: A continuous 50 foot wide strip of land lying 25 feet on each side of the following described line; Commencing at the NE corner of said SE $\frac{1}{4}$; thence along the Northerly boundary of said SE $\frac{1}{4}$ S. 89°57'54" W. 665 feet; thence S. 0°18'45" E. 2635.82 feet to the Southerly boundary of said SE $\frac{1}{4}$; thence along the Southerly boundary of said SE $\frac{1}{4}$, S. 89°48'18" W. 1179.39 feet to the REAL POINT OF BEGINNING; thence said line running N. 30°50'00" E. 281.51 feet; thence N. 16°20'09" E. 331.06 feet; thence 331.08 feet along the arc of a curve to the right, and having a radius of 600 feet and a central angle of 31°36'56" and a chord which bears N. 32°08'38" E. 326.90 feet; thence 418.88 feet along the arc of a curve to the left, and having a radius of 600 feet and a central angle of 40°00'00" and a chord which bears N. 27°57'06" E. 410.42 feet; thence N. 7°57'06" E. 899.38 feet to the point of terminus;

ALSO TOGETHER WITH: A 50 foot radius circle for a roadway cul-de-sac easement which radius point of said circle is same as the above described point of terminus.

Date: 06/20/2018

Warranty Deed
- continued

File No.: 680574-B (1d)

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.

Buster K Ranch, LLC, an Arizona limited liability company

By: X

Name: Bruce Taylor Butler
Title: Managing Member

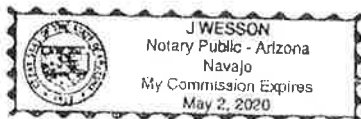
By: X

Name: Kim Marie Butler
Title: Managing Member

Notarize

STATE OF Arizona)
COUNTY OF Navajo) ss.

On this 20 day of June, 2018, before me, a Notary Public in and for said State, personally appeared **Bruce Taylor Butler and Kim Marie Butler**, known or identified to me to be the person whose name is subscribed to the within Instrument as one of the Managers/Members of the **Buster K Ranch, LLC**, which is known or identified to me to be the entity whose name is subscribed to the within instrument and acknowledged to me that they executed the same in said Limited Liability Company's name.



J WESSON
Notary Public of Arizona
Residing at: Shaw (over)
Commission Expires: 5/2/20

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
168 West Pacific Street/PO Box 868
Blackfoot, ID 83221

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INITIAL HERE
TK Rik

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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

BRAD LITTLE
Governor

GARY SPACKMAN
Director

March 7, 2019

Tyler Kerr
Randi Kerr
325 Lisa St
Chubbuck ID 83202

RE: Change of Ownership for Water Rights 34-13957 (Split into 34-13957 & 34-14703) and 34-13959 (Split into 35-13959 & 34-14704)

Dear Water Right Holder:

The department acknowledges receipt of correspondence changing ownership and splitting the above referenced water right. The department has modified its records to reflect the changes and has enclosed computer-generated reports for your records.

Your portion of the water right has a specified point of diversion, nature of use and place of use. If you plan on changing any of these, including adding a new point of diversion, then an Application for Transfer on your portion of this right is required. If you do not plan on changing any items on your water right, then no further action is required at this time.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing an ownership change notice, the department does not review the history of water use to determine if the right has been deliberately abandoned or forfeited 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 Sections 42-222 and 42-223, Idaho Code.

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 this office if you have any questions regarding this matter.

Sincerely,

Jonie Barg
Technical Records Specialist

Enclosures

cc: Milt Butler
Water District 34