



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

February 5, 2019

John Telford
Jera Telford
821 E Presto Rd
Firth ID 83236

RE: Notice of Change in Water Right Ownership
Water Rights: 27-11009, 27-11946 & 27-12217

Dear Sir/Madam:

On April 30, 2018, you filed a Notice of Change in Water Right Ownership (ownership change) with the Idaho Department of Water Resources (IDWR), seeking to update the ownership records for the water rights listed above. After an initial review, we determined that you needed to provide additional evidence of ownership, specifically a chain of deeds tracing from the owner currently listed on the water rights to you. Also a filing fee of \$150.00 is required. On December 14, 2018 we sent a letter requesting the additional information. The additional information was to be provided within 30 days.

IDWR has never received a response to the request for additional information. Without the requested documents, we cannot verify ownership of the water right and cannot complete the ownership change. We are therefore returning your original ownership change.

Please feel free to re-file your ownership change any time in the future when you have collected the requested documentation of ownership. Because your filing fee is being refunded, you will need to determine and provide the proper filing fee at the time you re-file the ownership change.

If you have any questions, feel free to contact me at (208) 525-7161.

Respectfully submitted,

Jonie Barg
Technical Records Specialist

Enclosure(s)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED
APR 30 2018

Department of Water Resources

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?
#27-11009	Yes ☒	Yes ☐		Yes ☐	Yes ☐
#27-11946	Yes ☐	Yes ☐		Yes ☐	Yes ☐
#27-12217	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Kenneth Wernette
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): John B. and Jera L. Telford
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 821 E Presto Rd Firth ID 83236
Mailing address City State ZIP
- 208-681-6048 jbtelfor@gmail.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: March 14 2018
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.

SUPPORT DATA

IN FILE # 27-11009

8. Signature: [Signature] 4/25/18
Signature of new owner/claimant Title, if applicable Date
- Signature: [Signature] 4/25/18
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Returned Unprocessed

Received by _____ Date _____ Receipt No. _____ Receipt Amt. _____

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 _____ Date _____

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
670 South Woodruff
Idaho Falls, ID 83401

Instrument # 695180
BINGHAM COUNTY, IDAHO
2018-03-16 01:37:16 PM No. of Pages: 2
Recorded for: FIRST AMERICAN TITLE - BLACKFO
PAMELA W. ECKHARDT Fee: \$15.00
Ex-Officio Recorder Deputy JPulley
Index To: WARRANTY DEED
Electronically Recorded by Simplifile

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **668478-IF (mlm)**

Date: **March 14, 2018**

For Value Received, **Olivia Wernette, as Personal Representative of the Estate of Kenneth F. Wernette, deceased and Olivia Wernette, an unmarried woman**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **John Telford and Jera Lin Telford, husband and wife**, hereinafter called the Grantee, whose current address is **821 E Presto Rd, Firth, ID 83236**, the following described premises, situated in **Bingham County, Idaho**, to-wit:

Part of the Northeast ¼ Section 12 Township 2 South Range 36 East B.M. Bingham County, Idaho described as:

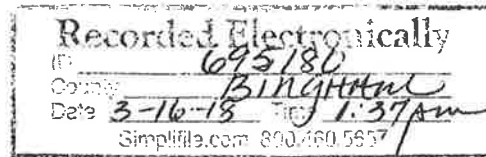
Commencing at the Northeast corner of Section 12; Thence, S 89°46'43" W 343.24 feet along the North line of said Section to the Point of Beginning; Thence, S 11°51'33" W 348.92 feet; Thence, S 78°52'38" E 203.50 feet; Thence, N 78°59'18" E 223.65 feet along an existing fence line extended to a point on the East line of the Northeast ¼ said Section; Thence, S 00°43'16" E 1810.67 feet along the East line of said Section; Thence, N 35°12'35" W 452.14 feet; Thence, N 46°11'11" W 276.92 feet; Thence, N 55°40'15" W 184.06 feet; Thence, N 64°46'24" W 135.43 feet; Thence, N 74°39'50" W 341.48 feet; Thence, N 81°55'42" W 206.71 feet; Thence, S 84°04'39" W 391.74 feet; Thence, N 39°37'53" W 123.56 feet; Thence, N 45°46'04" E 472.74 feet; Thence, N 22°16'00" E 462.28 feet; Thence, N 06°50'02" E 494.66 feet; Thence N 89°46'43" E 794.43 feet along the North line of said Section to the Point of Beginning.

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
670 South Woodruff
Idaho Falls, ID 83401



Space Above This Line for Recorder's Use Only

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Date: 03/14/2018

Warranty Deed
- continued

File No.: 668478-IF (mim)

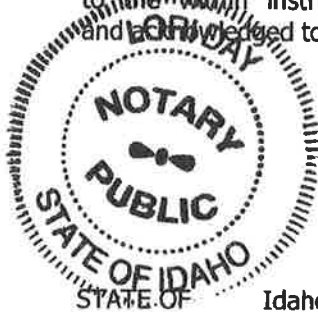
The Estate of Kenneth F. Wernette, deceased

By *Olivia Wernette*
Olivia Wernette, Personal Representative

Olivia Wernette
Olivia Wernette

STATE OF Idaho)
SS.
COUNTY OF Bingham)

On this **16th day of March, 2018**, before me, a Notary Public in and for said State, personally appeared **Olivia Wernette**, known or identified to me to be the person(s) whose name(s) is subscribed to the within instrument as Personal Representative of the Estate of **Kenneth F. Wernette**, and acknowledged to me that she executed the same as such Personal Representative.



Lori Day
Notary Public of Idaho
Residing at: *Blackfoot, Idaho*
Commission Expires: *11/27/2021*

STATE OF Idaho)
SS.
COUNTY OF Bingham)

On this 16th day of March, 2018, before me, a Notary Public in and for said State, personally appeared **Olivia Wernette**, known or identified to me to be the person(s) whose name(s) is subscribed to the within instrument, and acknowledged to me that she executed the same.



Lori Day
Notary Public of Idaho
Residing at: *Blackfoot, Idaho*
Commission Expires: *11/27/2021*

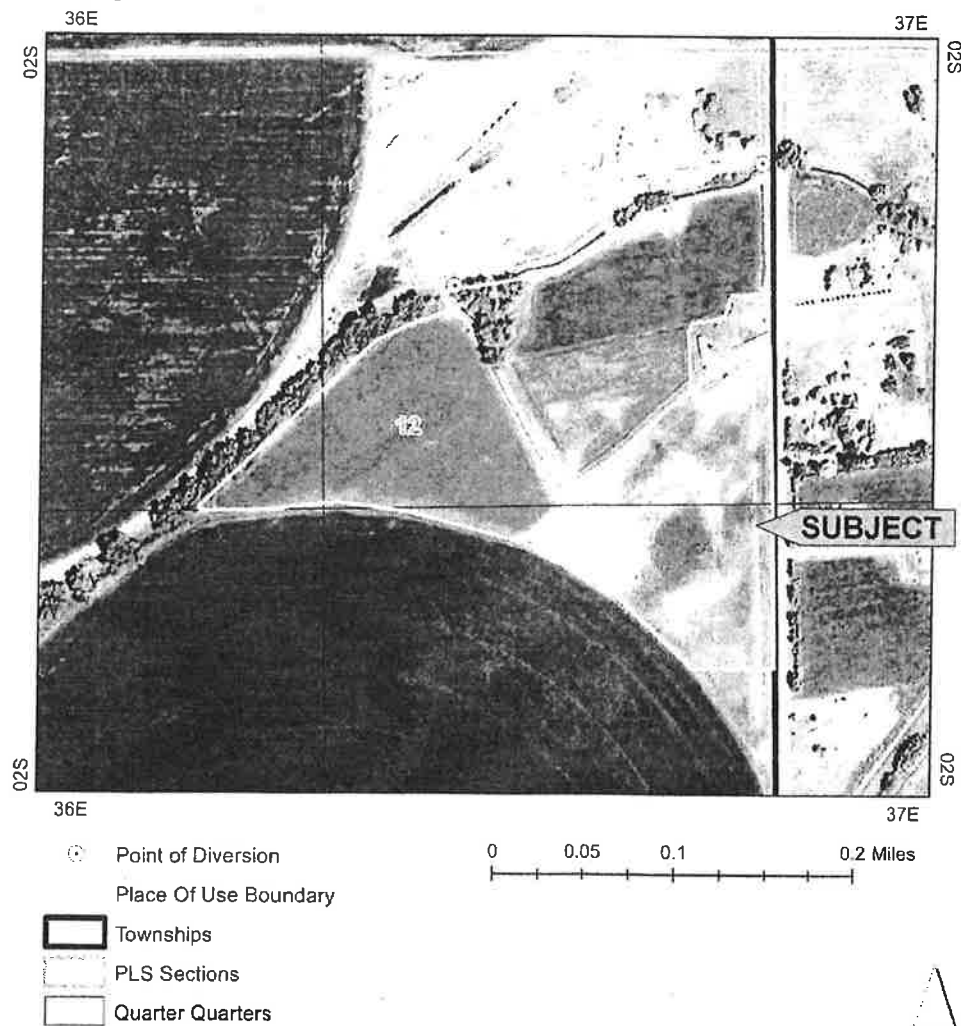
Water Rights

State of Idaho
Department of Water Resources

Water Right
27-12217

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Map produced on February 22, 2018

Water Rights

State of Idaho
Department of Water Resources

Water Right 27-11009

STOCKWATER

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Map produced on February 22, 2018

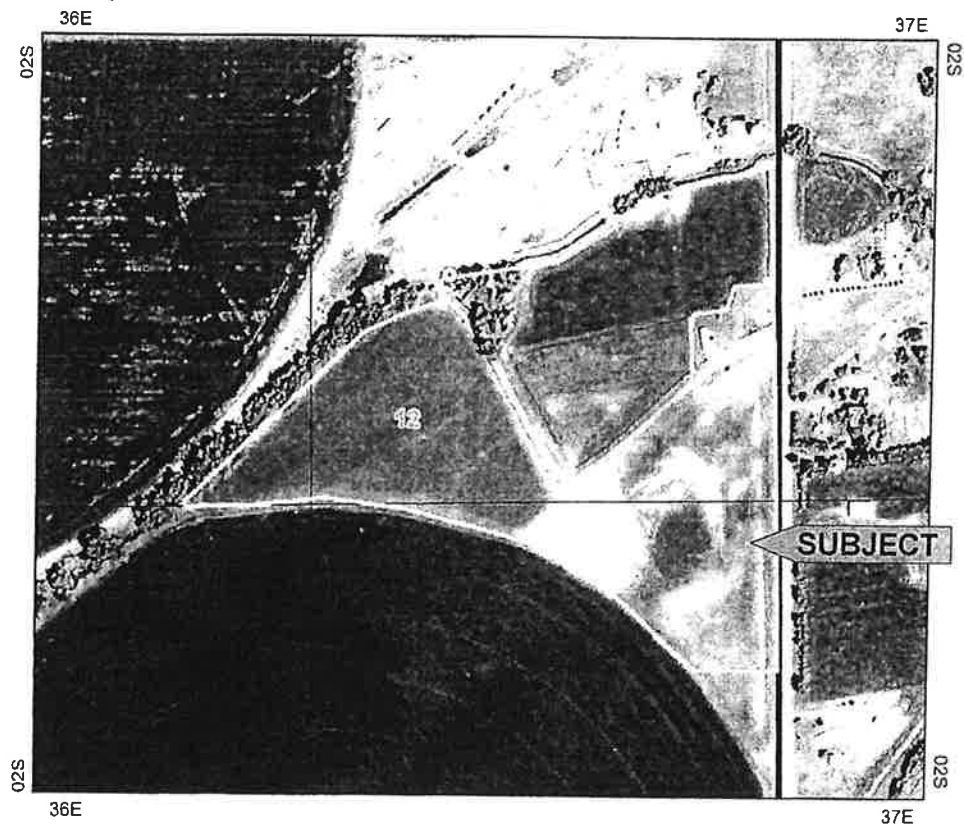
Water Rights

State of Idaho
Department of Water Resources

Water Right 27-11946

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



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

0 0.05 0.1 0.2 Miles



Map produced on February 22, 2018