

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

OCT 31 2018

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.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
47-17614	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Douglas L. Elam and Carolyn Elam
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Jay C. Hormel and Luanne Hormel, Trustees of the Jay C. Hormel Living Trust Dated March 24, 2011
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or ☐ and/or
- 6020 Jay Road Boulder CO 80301
Mailing address City State ZIP
- 303-530-0133 jchormel@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: 10/18/2018

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.

8. Signature: X JCH X TRUSTEE X 10/19/2018
Signature of new owner/claimant Title, if applicable Date
- Signature: X LH X Trustee X 10/19/2018
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by DM Date 10/31/2018 Receipt No. 5037022 Receipt Amt. \$25-

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 DM Date 1-8-2019

TWIN FALLS COUNTY
RECORDED FOR:
TITLEFACT, INC.
03:13:04 PM 10-22-2018

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Case No. 71896TS

2018016863
NO. PAGES 2 FEE: \$15.00
KRISTINA GLASCOCK
COUNTY CLERK

TitleFact, Inc.

163 Fourth Avenue North
P.O. Box 486
Twin Falls, Idaho 83303

DEPUTY: CA
Electronically Recorded by Simplifile

**** SPACE ABOVE FOR RECORDER ****

WARRANTY DEED

FOR VALUE RECEIVED DOUGLAS L. ELGAN and CLARELYN ELGAN, husband and wife, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto JAY C. HORMEL and LUANNE HORMEL, Trustees of the JAY C. HORMEL LIVING TRUST DATED MARCH 24, 2011, hereinafter called Grantee, whose address is: 6020 Jay Road, Boulder, CO 80301, the following described premises in Twin Falls County, Idaho; to-wit:

Township 08 South, Range 14 East, Boise Meridian, Twin Falls County, Idaho
Section 33: A parcel of land in Lot 2 and being more specifically described as follows:
COMMENCING at the West Quarter corner of Section 33, Township 08 South, Range 14 East, Boise Meridian;
THENCE on a bearing of North 00°03'41" West a distance of 2090.61 feet along the West boundary of said Section 33 to the REAL POINT OF BEGINNING;
THENCE from this REAL POINT OF BEGINNING and continuing along said West boundary of Section 33 on a bearing of North 00°03'41" West a distance of 550.00 feet to the Section corner common to Sections 28, 29, 32, and 33;
THENCE from said Section Corner and along the North boundary of Section 33 on a bearing of South 89°56'54" East a distance of 1652.67 feet to a Meander Corner on the Westerly bank of the Snake River;
THENCE along the approximate mean high water line of the Snake River the following courses and distances:
South 22°25'16" East 148.92 feet;
South 05°07'28" East 85.90 feet;
South 15°38'29" East 142.71 feet;
South 56°25'25" West 146.91 feet;
South 24°07'41" West 93.52 feet;
THENCE departing from said approximate mean high water line on a bearing of North 84°52'12" West a distance of 351.71 feet;
THENCE on a bearing of South 03°21'37" West a distance of 53.94 feet;
THENCE on a bearing of North 89°56'54" West a distance of 1240.94 feet to the REAL POINT OF BEGINNING.
SUBJECT TO a right-of-way 25.00 feet in width for the purpose of a public road along the West boundary thereof.

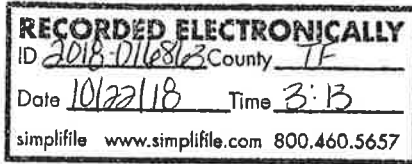
TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except as described above; and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: October 18, 2018

Case No. 71896TS

TitleFact, Inc.

163 Fourth Avenue North
P.O. Box 486
Twin Falls, Idaho 83303



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Dated: October 18, 2018

X Douglas L. Elgan
DOUGLAS L. ELGAN

X Clarelyn Elgan
CLARELYN ELGAN

BY: X Duane J. Elgan Attorney in Fact
DUANE J. ELGAN, Attorney in Fact

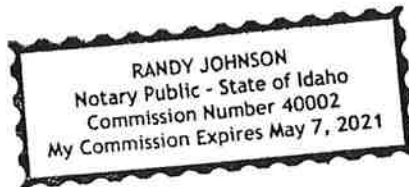
* * * * *

STATE OF IDAHO
County of Caribou

On this 19 day of October, 2018, before me, a Notary Public in and for said State, personally appeared **DUANE J. ELGAN**, known or identified to me to be the person whose name is subscribed to the within instrument as the **Attorney in Fact** of **DOUGLAS L. ELGAN** and **CLARELYN ELGAN** and acknowledged to me that he subscribed the names of **DOUGLAS L. ELGAN** and **CLARELYN ELGAN** thereto as principal, and his own name as Attorney in Fact.

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

Randy Johnson
Notary Public for Idaho
Residing at: Soda Springs
Commission Expires: 5-7-21



TWIN FALLS COUNTY
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TITLEFACT, INC.
03:12:58 PM 10-22-2018
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NO. PAGES 2 FEE: \$25.00
KRISTINA GLASCOCK
COUNTY CLERK

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PART OF THE ORIGINAL DOCUMENT

71896-TS

LIMITED POWER OF ATTORNEY

KNOWN ALL PERSONS by these presents, that I, **DOUGLAS L. ELGAN**, of Buhl, Idaho hereby name, constitute and appoint **DUANE J. ELGAN**, of Soda Springs, Idaho, my true and lawful attorney in fact for me and in my name, place and stead, giving unto said **DUANE J. ELGAN** my full power to do and perform all and every act that I may legally do through an attorney in fact, and every proper power necessary to carry out the purposes for which this power is granted, with full power of substitution and revocation, hereby ratifying and affirming that which he shall lawfully do or cause to be done. Provided, however, that this grant of power of attorney is limited to acts necessary to complete the sale by me of the real property described as follows:

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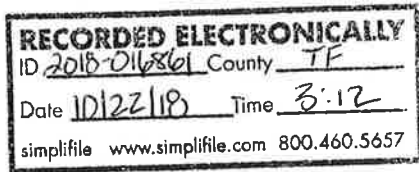
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This Power of Attorney shall terminate when such SALE shall be completed.

Dated: October 17, 2018


DOUGLAS L. ELGAN



71896 TS

LIMITED POWER OF ATTORNEY

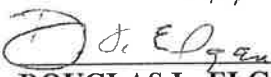
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DOUGLAS L. ELGAN

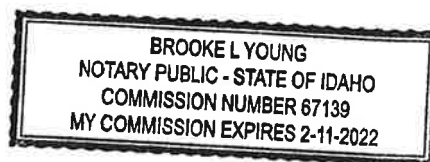
STATE OF IDAHO

County of Caribou

On this 17 day of October, 2018, before me, a Notary Public in and for said State, personally appeared **DOUGLAS L. ELGAN**, known or identified to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that ~~she~~^{he} executed the same. *he

IN WITNESS WHEREOF I have hereunto set my hand and official seal the day and year first above written.

Brooke L Young
Notary Public for Idaho
Residing at Caribou County ID
Commission Expires: 2-11-22



TWIN FALLS COUNTY
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2018016862
NO. PAGES 2 FEE: \$25.00
KRISTINA GLASCOCK
COUNTY CLERK

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71896-~~TS~~ DEPUTY: CA
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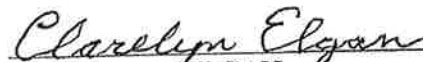
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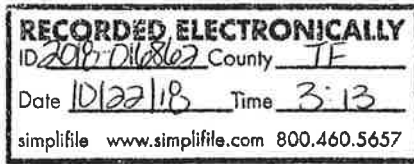
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Dated: October 17, 2018


CLARELYN ELGAN



71896-15

LIMITED POWER OF ATTORNEY

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Clarelyn Elgan
CLARELYN ELGAN

STATE OF IDAHO

County of Caribou

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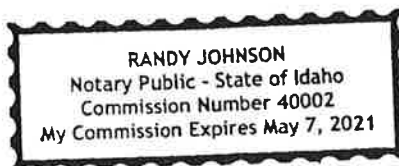
IN WITNESS HEREOF I have hereunto set my hand and official seal the day and year first above written.

Randy Johnson

Notary Public for Idaho

Residing at Soda Springs

Commission Expires: 5-7-21



Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

10/18/2018

WATER RIGHT NO. 47-17614

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CLARELYN ELGAN
Current Owner	DOUGLAS L ELGAN
	PO BOX 544
	SODA SPRINGS, ID 83276
	2085436322

Please initial that you have
reviewed this document for
the water rights

X JEK

X EL

Priority Date: 10/15/2013
Basis: License
Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DOMESTIC	01/01	12/31	0.03 CFS	
Total Diversion			0.03 CFS	

Location of Point(s) of Diversion:

GROUND WATER|NENW Lt 2|Sec. 33|Township 08S|Range 14E|TWIN FALLS County

DOMESTIC Use:
Number of homes: 1

Place(s) of use:

Place of Use Legal Description: DOMESTIC TWIN FALLS County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
08S	14E	33	2	NENW		2	NWNW							

Conditions of Approval:

1. 071 The domestic use authorized under this right shall not exceed 13,000 gallons per day.
2. X10 Low temperature geothermal water diverted under this right shall not be used for irrigation purposes unless it is first used for heating purposes.
3. 187 The irrigation occurring under this domestic use shall not exceed 1/2 acre.
4. Domestic use is for one home and shop and may include heating use.
5. Upon specific notification by the Department, the right holder shall install and maintain an acceptable measuring device at the authorized point of diversion, in accordance with Department specifications.
6. 004 This right does not grant any right-of-way or easement across the land of another. Specifically this right does not create or confirm any rights-of-way or other interest in the lands of others and does not authorize diversions from any well located on the lands of others including the well providing water to right 47-7841 located on the land currently owned by Busmann. The diversion and use of water described in this right may be subject to additional conditions and limitations agreed to by the protestant and the right holder under a separate agreement to which the Department is not a party. Because the Department is not a party, the Department is not responsible for enforcement of any aspect of the agreement not specifically addressed in other conditions herein. Enforcement of those portions of the agreement not specifically addressed in other conditions shall be the responsibility of the protestant and the water right holder.
7. 020

Dates:

Licensed Date: 08/22/2017

Decreed Date:

Permit Proof Due Date: 8/1/2017

Permit Proof Made Date: 7/17/2017

Permit Approved Date: 8/5/2014

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date: 10/15/2013

Protest Deadline Date: 11/25/2013

Number of Protests: 1

Other Information:

State or Federal:

Owner Name Connector: And

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

Douglas & Clarelyn Elgan to
Jay C Hormel Living Trust

09514E333020

LOT 2

1

TITLE FACT, INC.

A LAND TITLE COMPANY

While this is a photographic reproduction of
the subject area, TITLEFACT, INC., assumes
no liability for variations, if any, with a survey.



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

January 08, 2019

JAY C HORMEL LIVING TRUST
6020 JAY RD
BOULDER CO 80301-3079

Re: Change in Ownership for Water Right No(s): 47-17614

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) 736-3033.

Sincerely,

Denise Maline
Administrative Assistant 1

Enclosure(s)

c: TitleFact Inc., Twin Falls (File #71896TS)