

OCT 01 2018

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCESDepartment 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? |
|-----------------------|-----------------------------------------|------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|------------------------------|
| 29-13871 OK           | Yes <input checked="" type="checkbox"/> | Yes <input type="checkbox"/> | 29-13871 (split into 29-13871-Yates & 29-14283-Rojo)<br>29-13873 (Split into 29-13873-Yates & 29-14284-Rojo)<br>29-13875 (Split into 29-13875-Yates & 29-14285-Rojo) |        |                              |
| 29-13873 OK           | Yes <input checked="" type="checkbox"/> | Yes <input type="checkbox"/> |                                                                                                                                                                      |        |                              |
| 29-13875 OK           | Yes <input checked="" type="checkbox"/> | Yes <input type="checkbox"/> |                                                                                                                                                                      |        |                              |
|                       | Yes <input type="checkbox"/>            | Yes <input type="checkbox"/> |                                                                                                                                                                      |        |                              |
|                       | Yes <input type="checkbox"/>            | Yes <input type="checkbox"/> |                                                                                                                                                                      |        |                              |

2. Previous Owner's Name: John and Shelley Demucha  
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Brad and Jill Yates TRUST  
New owner(s) as listed on the conveyance document
- Mailing address: 10645 S Dempsey Creek Rd  
City: Lava Hot Springs State: ID ZIP: 83246
- Telephone: (208) 237-2051 Email: pokybrad@hotmail.com

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: 6/7/18
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: Bradley Yates Title, if applicable: Trustee Date: 9/25/18  
Signature of new owner/claimant
- Signature: \_\_\_\_\_ Title, if applicable: \_\_\_\_\_ Date: \_\_\_\_\_  
Signature of new owner/claimant

## For IDWR Office Use Only:

Received by: JB Date: 10/1/2018 Receipt No.: E044412 Receipt Amt.: \$300.-

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: 11/13/2018

# Water Rights 29-13871, 29-13873 and 29-13875 POU

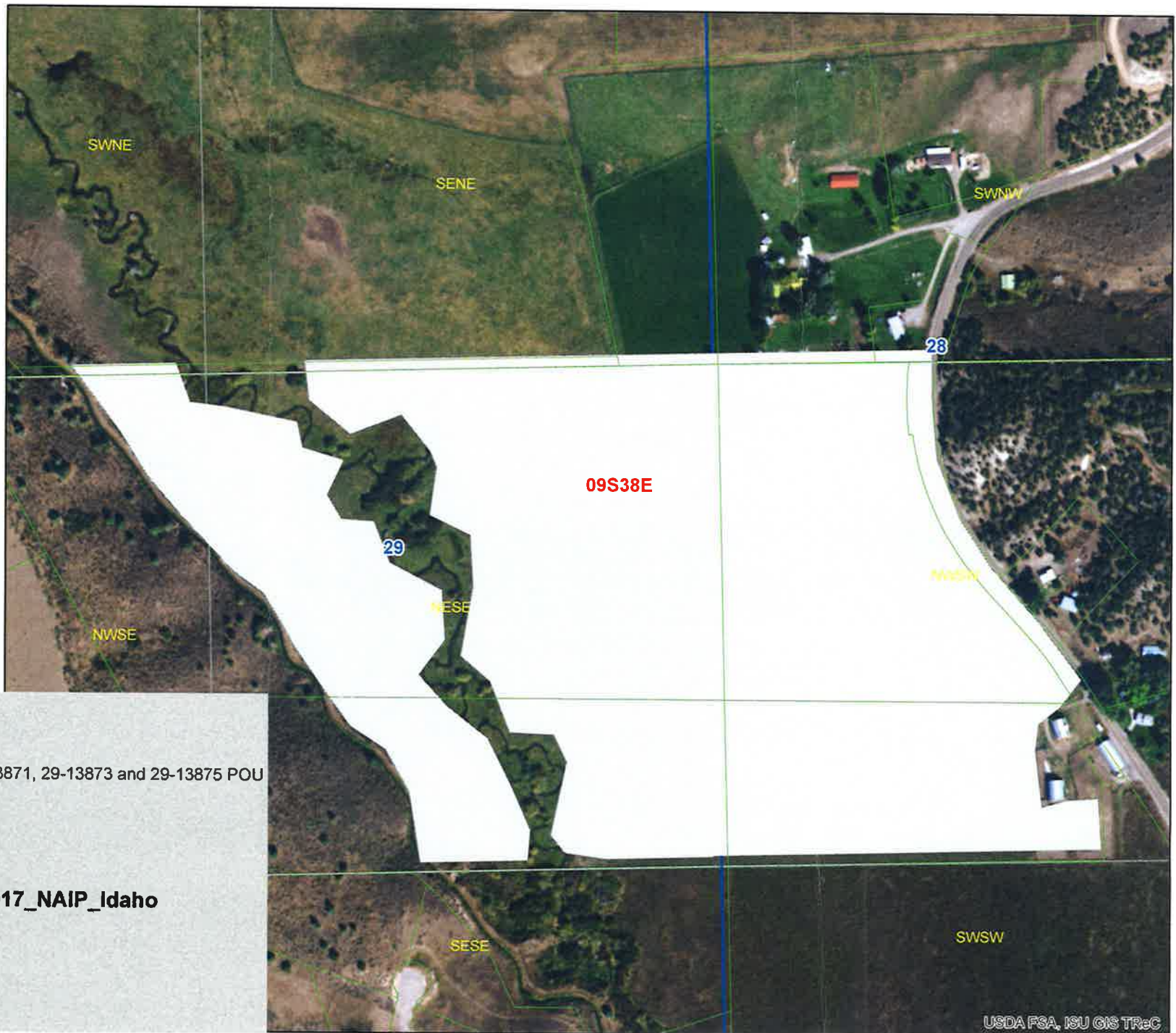
## Legend

- Parcels
- Water Right 29-13871, 29-13873 and 29-13875 POU
- Township/Range
- Sections
- QQ

ISU\_GIS\_TReC\_2017\_NAIP\_Idaho

## RGB

- Red: Band\_1
- Green: Band\_2
- Blue: Band\_3



First American Title - Pocatello

21808107

2018 Jun 06 PM 02:01:22

Electronically Recorded by Simplifile

**RECORDING REQUESTED BY**  
First American Title Company

**AND WHEN RECORDED MAIL TO:**  
First American Title Company  
223 North 15th Avenue  
Pocatello, ID 83201

Space Above This Line for Recorder's Use Only

**WARRANTY DEED**

File No.: **673725-P (sg)**

Date: **April 03, 2018**

For Value Received, **John E. Demucha and Shelley Demucha**, ~~husband and wife~~, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto ~~Bradley and Jill Yates, husband and wife~~ **BRADLEY AND JILL YATES TRUST**, hereinafter called the Grantee, whose current address is **10645 S. Dempsey Creek, Lava Hot Springs, ID 83246**, the following described premises, situated in **Bannock County, Idaho**, to-wit: **Legal Description attached hereto as Exhibit A, and by this referenced incorporated herein.** *by JP*

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.

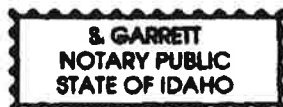
TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from 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.

*[Signature]*  
John E. Demucha

*[Signature]*  
Shelley Demucha

STATE OF Idaho )  
ss.  
COUNTY OF Bannock )

On this 22 day of May, 2018, before me, a Notary Public in and for said State, personally appeared **John E. Demucha and Shelley Demucha**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.



*[Signature]*  
Notary Public for the State of Idaho

Residing at:

My Commission Expires:

State of Idaho

Residing: Inkom, Idaho

Comm. Expires: 09/30/2023

FEE 16.00 DEPUTY JM  
RECORDED AT REQUEST OF

**21808107**

2018 Jun 06 PM 02:01:22

**AND WHEN RECORDED MAIL TO:**  
First American Title Company  
223 North 15th Avenue  
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**Date: April 03, 2018**

For Value Received, **John E. Demucha and Shelley Demucha** husband and wife, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Bradley and Jill Yates** husband and wife, hereinafter called the Grantee, whose current address is **10645 S. Dempsey Creek, Lava Hot Springs, ID 83246**, the following described premises, situated in **Bannock County, Idaho**, to-wit: **Legal Description attached hereto as Exhibit A, and by this referenced incorporated herein.**

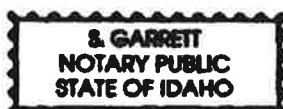
**SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.**

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.

## Shelley Demucha

STATE OF Idaho )  
 ) ss.  
COUNTY OF Bannock )

On this 22 day of <sup>May</sup>~~June~~, 2018, before me, a Notary Public in and for said State, personally appeared **John E. Demucha and Shelley Demucha**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.



Notary Public for the State of Idaho

Residing at:

**My Commission Expires:** \_\_\_\_\_

**State of Idaho**

~~Residing: Inkom, Idaho~~

Comm. Expires: 09/30/2023

## **EXHIBIT A**

**A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 9 SOUTH, RANGE 38 EAST, BOISE MERIDIAN, BANNOCK COUNTY, IDAHO, DESCRIBED AS FOLLOWS:**

**BEGINNING AT THE WEST QUARTER CORNER OF SAID SECTION 28; THENCE SOUTH 89°51'55" EAST 519.39 FEET ALONG THE EAST-WEST CENTER SECTION LINE TO THE WESTERLY RIGHT-OF-WAY OF DEMPSEY CREEK ROAD; THENCE SOUTHEASTERLY ALONG SAID RIGHT-OF-WAY THROUGH THE FOLLOWING COURSES: SOUTH 11°04'33" WEST 21.61 FEET TO THE POINT OF CURVATURE OF A 754.61 FOOT RADIUS CURVE TO THE LEFT; THENCE SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 12°56'53", A DISTANCE OF 170.53 FEET TO A 5/8" REBAR CAP LABELED HUDSON PLS 4735; THENCE NORTH 83°40'46" EAST 10.00 FEET TO A 5/8" REBAR WITH PLASTIC CAP ON A 744.61 FOOT RADIUS NONTANGENT CURVE WHOSE CENTER POINT BEARS NORTH 83°40'46" EAST; THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 35°00'00", A DISTANCE OF 454.86 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 41°19'14" EAST 178.61 FEET TO THE POINT OF CURVATURE OF A 599.34 FOOT RADIUS CURVE TO THE RIGHT; THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 09°09'27", A DISTANCE OF 95.79 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 32°09'48" EAST 211.13 FEET TO A 5/8" REBAR WITH CAP; THENCE LEAVING SAID RIGHT-OF-WAY AND GOING SOUTH 58°07'40" WEST 55.35 FEET TO A 5/8" REBAR WITH CAP; THENCE SOUTH 31°11'53" EAST 113.12 FEET TO A 5/8" REBAR WITH CAP; THENCE SOUTH 00°00'54" EAST 208.84 FEET TO A 5/8" REBAR WITH CAP SET ON THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 28; THENCE NORTH 89°48'44" WEST 1003.64 FEET TO THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER; THENCE NORTH 00°03'00" WEST 1322.25 FEET TO THE TRUE POINT OF BEGINNING.**

**ALSO:**

**THE N1/2 OF THE SE1/4 OF SECTION 29, TOWNSHIP 9 SOUTH, RANGE 38 EAST, BOISE MERIDIAN, BANNOCK COUNTY, IDAHO.**

**EXCEPTING THEREFROM:**

**A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 9 SOUTH, RANGE 38 EAST, BOISE MERIDIAN, BEING A PORTION OF THE LAND DESCRIBED IN INSTRUMENT 91000064 OF THE RECORDS OF BANNOCK COUNTY, IDAHO, DESCRIBED AS FOLLOWS:**

**BEGINNING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (THE SOUTH 1/16 CORNER OF THE MERIDIONAL CENTERLINE) OF SECTION 29, TOWNSHIP 9 SOUTH, RANGE 38 EAST, BOISE MERIDIAN; THENCE NORTH ALONG THE MERIDIONAL CENTERLINE FOR A DISTANCE OF 1320 FEET, MORE OR LESS, TO THE CENTER QUARTER CORNER OF SECTION 29; THENCE EAST ALONG THE LATITUDINAL CENTERLINE OF SECTION 29 FOR A DISTANCE OF 660.0 FEET; THENCE SOUTHEASTERLY THROUGH THE SAID NORTHWEST QUARTER OF THE SOUTHEAST QUARTER TO THE SOUTHEAST 1/16TH CORNER OF SECTION 29; THENCE WEST ALONG THE LATITUDINAL CENTERLINE OF SECTION 29 FOR A DISTANCE OF 1320 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.**

**ALSO EXCEPTING THEREFROM:**

**A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 28 AND THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 9 SOUTH, RANGE 38 EAST, BOISE MERIDIAN, BANNOCK COUNTY, IDAHO, DESCRIBED AS FOLLOWS:**

**COMMENCING AT THE WEST QUARTER CORNER OF SECTION 28; THENCE SOUTH 0°03'00" EAST, ALONG THE WEST LINE OF SECTION 28, A DISTANCE OF 1322.25 FEET TO THE SOUTH**

1/16 CORNER OF THE WEST LINE OF SECTION 28 BEING THE TRUE POINT OF BEGINNING; THENCE SOUTH 89°48'44" EAST ALONG THE SOUTH 1/16 LINE OF SECTION 28, A DISTANCE OF 1003.64 FEET TO THE ADJOINING PROPERTY LINE; THENCE NORTH 0°00'54" WEST, ALONG THE SAID ADJOINING PROPERTY LINE, A DISTANCE OF 208.84 FEET; THENCE NORTH 31°11'53" WEST, ALONG THE SAID ADJOINING PROPERTY LINE, A DISTANCE OF 113.12 FEET; THENCE NORTH 58°07'40" EAST, ALONG THE SAID ADJOINING PROPERTY LINE, A DISTANCE OF 55.35 FEET, TO A POINT ON DEMPSEY CREEK ROAD; THENCE NORTH 32°09'48" WEST, ALONG THE SOUTHWESTERLY LINE OF DEMPSEY CREEK ROAD, A DISTANCE OF 115.88 FEET TO THE ADJACENT PROPERTY LINE; THENCE SOUTH 67°03'37" WEST, ALONG SAID ADJACENT PROPERTY LINE, A DISTANCE OF 23.95 FEET; THENCE NORTH 88°36'41" WEST, A DISTANCE OF 2480.19 FEET, TO A POINT ON THE ADJACENT PROPERTY LINE; THENCE SOUTH 26°48'57" EAST, ALONG THE ADJACENT PROPERTY LINE, A DISTANCE OF 537.41 FEET, TO THE SOUTHWEST 1/16 CORNER OF SECTION 29; THENCE SOUTH 89°57'59" EAST, ALONG THE SOUTH 1/16 LINE OF SECTION 29, A DISTANCE OF 1328.77 FEET TO THE TRUE POINT OF BEGINNING.

NO 8-1-17 31-1-17

ALLIANCE  
TITLE & ESTATE CORP.



10645 S Dempsey Creek  
Lava Hot Springs, ID 83246

THIS MAP IS FURNISHED AS AN  
ACCOMMODATION STRICTLY FOR THE  
PURPOSES OF GENERALLY LOCATING THE  
LAND. IT DOES NOT REPRESENT A SURVEY OF  
THE LAND OR IMPLY ANY REPRESENTATIONS  
AS TO THE SIZE, AREA OR ANY OTHER FACTS  
RELATED TO THE LAND SHOWN THEREOF





## State of Idaho

### DEPARTMENT OF WATER RESOURCES

900 N Skyline Dr., Ste A, Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 FAX: (208) 525-7177 [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

November 16, 2018

Brad & Jill Yates Trust  
10645 S Dempsey Creek Rd  
Lava Hot Springs ID 83245

RE: Change of Ownership for Water Rights 29-13871 (split into 29-13871-Yates & 29-14283-Rojo), 29-13873 (Split into 29-13873-Yates & 29-14284-Rojo) & 29-13875 (Split into 29-13875-Yates & 29-14285-Rojo)

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](http://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: Water District 29  
Anthony Rojo