

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
DEC 04 2017

Notice of Change in Water Right Ownership

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. 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. DK ✓

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
25-13404 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
25-14098 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Roderick Celestin Drewien and Ruth Elizabeth Shea
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): The Kevin J. Keller and Nancy Lyn Keller Family Trust
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☒ and/or
- PO Box 464 Soda Springs ID 83276
Mailing address City State ZIP
- 208-221-7016 kevgasman@gmail.com
Telephone Email

4. If the water rights and/or adjudication claims were split, how did the division occur?
- NA* ☐ 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: September 15, 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.
- NA* ☐ 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.
- NA* ☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
- NA* ☐ 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 # 25-13404

8. Signature: [Signature] Trustee 11-27-2017
Signature of new owner/claimant Title, if applicable Date
- Signature: Nancy Lyn Keller Trustee 11-27-2017
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by [Signature] Date 12/4/2017 Receipt No. E043594 Receipt Amt. \$50. -

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 [Signature] Processed by [Signature] Date 12/7/2017

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
241 S Main Street Suite 1
Soda Springs, ID 83276

Instrument # 197801

CARIBOU COUNTY, IDAHO
09-20-2016 16:20:56 No. of Pages: 6
Recorded for: FIRST AMERICAN TITLE CO, INC - SODA
Denise Horsley Fee: \$22.00
Ex-Officio Recorder Deputy Denise Horsley
Index to: WARRANTY DEED

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **604520SOD (ch)**

Date: **September 15, 2016**

For Value Received, **Roderick Celestin Drewien and Ruth Elizabeth Shea, The Trustees of the Roderick Celestin Drewien and Ruth Elizabeth Shea Living Trust, dated May 31, 2011 and Restated the 30th day of October, 2015**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Kevin J. Keller and Nancy Lyn Keller, Trustees of The Kevin J. and Nancy Lyn Keller Family Trust, dated March 27, 2009**, hereinafter called the Grantee, whose current address is **P.O. Box 464, Soda Springs, ID 83276**, the following described premises, situated in **Caribou 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.

EXHIBIT A**Parcel I:**

A parcel of land located in the Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$), Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$) and in the Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 13, Township 5 South, Range 43 East, Boise Meridian, the same being a portion of the lands described in Correction Warranty Deed Instrument No. 116573, together with all of the lands described in Warranty Deed Instrument Nos. 190450 and 190451, as recorded in the official records of Caribou County, Idaho, and depicted upon that Record of Survey Instrument No. 174496, more particularly described as follows:

Commencing at the Northwest corner of the Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 13, Township 5 South, Range 43 East, Boise Meridian, the same being marked and witnessed by a 2" Aluminum cap affixed to a 5/8" rebar with cap tagged, "GVS, PLS 9169", and being North 83°44'03" East from the West Quarter corner of said Section 13 a distance of 1230.91 feet, basis of bearings; Thence South 01°02'06" East along the Westerly boundary line of the Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$) of said Section 13 for a distance of 33.91 feet to a 5/8" rebar with cap tagged, "GVS, PLS 9169", the True Point of Beginning;
Thence North 84°40'28" East for a distance of 12.65 feet to a 5/8" rebar with cap tagged, "GVS, PLS 9169" set on the fence line;
Thence South 01°26'53" East along said fence line for a distance of 36.51 feet to a point on the Northerly boundary line of the lands described in Warranty Deed Instrument No. 116573 as recorded in the official records of Caribou County, Idaho;
Thence South 01°26'53" East along said fence line for a distance of 6.03 feet to a 5/8" rebar with cap tagged, "GVS, PLS 9169" set at a fence corner;
Thence South 59°31'08" East along said fence line for a distance of 605.48 feet to a 5/8" rebar with cap tagged, "GVS, PLS 9169" set at a fence angle point;
Thence South 71°58'25" East along said fence line for a distance of 712.06 feet to a 5/8" rebar with cap tagged, "GVS, PLS 9169" set at a fence corner;
Thence South 48°24'28" East for a distance of 19.33 feet to a 5/8" rebar with cap tagged, "GVS, PLS 9169" set on the East boundary line of said Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$);
Thence South 48°24'28" East for a distance of 11.82 feet to a 5/8" rebar with cap tagged, "GVS, PLS 9169";
Thence South 06°15'48" East for a distance of 578.98 feet to a 5/8" rebar with cap tagged, "GVS, PLS 9169" set on the East-West fence line;
Thence South 82°03'56" West along said fence line for a distance of 69.44 feet to a 5/8" rebar with cap tagged, "GVS, PLS 9169" set at the Southeast corner of said Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$), the same being the Southeast corner of the lands described in said Warranty Deed Instrument No. 116573;
Thence South 83°41'10" West along said fence line, the same being the South boundary line of said Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$), for a distance of 1097.48 feet to a 5/8" rebar with cap tagged, "GVS, PLS 9169" set at a fence corner;

Thence North 38°51'03" West along said fence line for a distance of 189.27 feet to a point on the West boundary line of the Northeast Quarter of the Southwest Quarter (NE¼SW¼);
Thence North 38°51'03" West along said fence line for a distance of 63.34 feet to a 5/8" rebar with cap tagged, "GVS, PLS 9169" set at a fence corner coursing North and Southeast;
Thence North 00°19'14" East along said fence line for a distance of 1097.16 feet to a 5/8" rebar with cap tagged, "GVS, PLS 9169" set at a fence corner;
Thence North 83°33'54" East for a distance of 12.95 feet, to the True Point of Beginning.

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Parcel II:

An Easement interest as created by that certain Easement, dated October 15, 2012, recorded October 23, 2012, as Instrument No. 190452, in the records of Caribou County, Idaho, more particularly described as follows:

A parcel of land located in the West one-half (W½) of Section 13 and in the East one-half (E½) of Section 14, Township 5 South, Range 43 East of the Boise Meridian, the same being a portion of the lands described in Warranty Deed Instrument No. 171311, as recorded in the official records of Caribou County, Idaho, more particularly described as follows:

Commencing at the Northeast corner of the Southeast Quarter (SE¼) of Section 14, Township 5 South, Range 43 East, Boise Meridian, the same being marked and witnessed by a 1 1/2" Brass cap affixed to a 1/2" rebar with cap tagged, "Stoor, LS 1252" and recorded in that Corner Perpetuation and Filing Record, Instrument No. 150522 in the official records of Caribou County, Idaho, the same being North 01°45'24" West from the Southeast corner of said Section 14 a distance of 2683.68 feet;

Thence along fence line angle points marked with a 5/8" reinforcement bar with cap tagged, "GVS PLS 9169", for the following four (4) courses:

1. Thence North 84°32'45" East for a distance of 403.11 feet;
2. Thence North 83°20'20" East for a distance of 827.86 feet;
3. Thence North 83°20'20" East for a distance of 12.43 feet;
4. Thence South 01°26'53" East for a distance of 34.19 feet;

Thence South 84°06'48" West for a distance of 25.59 feet to a 5/8" reinforcement bar with cap tagged, "GVS PLS 9169" set at a fence corner;

Thence South 83°36'48" West along a fence line for a distance of 827.71 feet to a 5/8" reinforcement bar with cap tagged, "GVS PLS 9169";

Thence South 84°43'38" West along a fence line for a distance of 411.00 feet to a 5/8" reinforcement bar with cap tagged "GVS PLS 9169" set at a fence corner;

Thence South 89°42'19" West for a distance of 263.72 feet to a 5/8" reinforcement bar with cap tagged, "GVS PLS 9169" set at a fence corner on the South side of a lane, the same marking the Northeast corner of the lands described in Warranty Deed Instrument No. 158485 as recorded in the official records of said county:

Thence South $89^{\circ}55'20''$ West along a fence line marking the South side of a lane, the same being the North boundary line of said lands for a distance of 1162.32 feet (N $89^{\circ}31'$ E 1169.9' by record) to a 5/8" reinforcement bar with cap tagged, "GVS PLS 9169" set on the intersection of said boundary line with the East right of way line of State of Idaho Highway No 34 per that Idaho Transportation Department Deed Instrument No. 90576 as recorded in the official records of Caribou County, Idaho, and depicted upon the Project No. FHP 40-1(7) Highway Survey plans, the same being 80.00 feet perpendicular distant from the centerline station 1056+97.54 of said survey plans, the same being a point on a 7719.42 foot radius nontangent curve whose center bears South $84^{\circ}47'36''$ West;

Thence Northwesterly along said curve, parallel to and 80.00 feet perpendicular distant from said centerline, to the left through a central angle of $00^{\circ}14'08''$ for an arc distance of 31.74 feet (cb N $05^{\circ}05'20''$ W 31.74") to a 5/8" reinforcement bar with cap tagged "GVS PLS 9169" set at the intersection of said right of way line with the North line of a lane, as marked by a fence line, the same being the Southwest corner of the lands described in Warranty Deed Instrument No. 161999, as recorded in the official records of said county;

Thence South $89^{\circ}48'08''$ East along the South boundary line of said lands for a distance of 478.50 feet to a 5/8" reinforcement bar with cap tagged, "GVS PLS 9169" set at the Southeast corner thereof;

Thence North $89^{\circ}51'57''$ East for a distance of 686.01 feet to a 5/8" reinforcement bar with cap tagged, "GVS PLS 9169";

Thence North $89^{\circ}35'53''$ East for a distance of 263.82 feet to a 5/8" reinforcement bar with cap tagged, "GVS PLS 9169" set at a fence corner coursing North and East;

Thence North $88^{\circ}59'35''$ East for a distance of 21.05 feet, to the True Point of Beginning.

TOGETHER WITH: Water Right No. 25-13404: spring, .02 cfs, not to exceed 13,000 gallons/day; stock water and domestic; priority date 9/10/70 and Water Right No. 25-14098: ground water, 0.04 cfs, not to exceed 13,000 gallons/day; domestic; priority date 6/09/1988.



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

December 8, 2017

C.L. "BUTCH" OTTER
Governor

The Kevin J Keller & Nancy Lyn Keller Family Trust
PO Box 464
Soda Springs ID 83276

GARY SPACKMAN
Director

RE: Change of Ownership for Water Right No(s). 25-13404 & 25-14098

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right(s) to you. The department has modified its records to reflect the change in ownership and has enclosed computer-generated reports for your records.

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.

Also, 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

Enclosure(s)

cc: Water District 01