

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

AUG 24 2017

Department 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?
29-10869- <i>29-10868 OK</i>	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: BRIAN STEWART, LESLIE STEWART

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): JONATHAN FARRELL, HEATHER FARRELL

New owner(s) as listed on the conveyance document

Name connector

☒ and

☐ or

☒ and/or

5909 W POCATELLO CREEK RD

POCATELLO

ID

83201

Mailing address

City

State

ZIP

208-221-2806 OR 801-712-4000

jonbay@gmail.com or heatherlady@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: 17 AUGUST 2017

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):

o \$25 per *undivided* water right.

o \$100 per *split* water right.

o 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: *Jonathan Farrell*

Signature of new owner/claimant

Title, if applicable

Date

8/21/2017

Signature: *Heather Farrell*

Signature of new owner/claimant

Title, if applicable

Date

8/21/2017

For IDWR Office Use Only:

Received by *JB*

Date

8/24/2017

Receipt No.

E043318

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 *JB*

Processed by *JB*

Date

8/28/2017

First American Title - Pocatello

21712006

2017 Aug 17 PM 12:54:00

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.: **642882-P (mh)**

Date: **August 07, 2017**

For Value Received, **Gregory W. Cole and Laurie Marie Cole, husband and wife**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Jonathan Bay Farrell and Heather Lynne Thomas Farrell, husband and wife**, hereinafter called the Grantee, whose current address is **5909 W Pocatello Creek Rd, Pocatello, ID 83201**, 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.


Gregory W. Cole


Laurie Marie Cole

STATE OF Idaho)
) ss.
COUNTY OF Bannock)

On this **Seventeenth day of August, 2017**, before me, a Notary Public in and for said State, personally appeared **Gregory W. Cole and Laurie Marie Cole**, 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.

S. GARRETT
NOTARY PUBLIC
STATE OF IDAHO

Notary Public for the State of Idaho
Residing at:
My Commission Expires:

State of Idaho
Residing: Inkom, Idaho
Comm. Expires: 09/30/2017

EXHIBIT A

PARCEL 1:

**THE EAST 165 FEET OF THE WEST 495 FEET OF THE NW1/4 SW1/4 OF SECTION 14,
TOWNSHIP 6 SOUTH, RANGE 35 E.B.M., BANNOCK COUNTY, IDAHO.**

PARCEL 2:

**THE EAST 82.5 FEET OF THE WEST 330 FEET OF THE NW1/4 SW1/4 OF SECTION 14,
TOWNSHIP 6 SOUTH, RANGE 35 E.B.M., BANNOCK COUNTY, IDAHO.**

[Handwritten signature] *[Handwritten initials]*

C523

WARRANTY DEED

91008983

FOR VALUE RECEIVED

BRIAN E. STEWART AND LESLIE R. STEWART,
husband and wife

the grantor s do hereby grant, bargain, sell, and convey unto

GREGORY W. COLE AND LAURIE MARIE COLE,
husband and wife

the grantee s , whose current address is 5909 W POCATELLO CREEK ROAD - POCATELLO, IDAHO 83201

the following described premises, to-wit:

PARCEL 1: The East 165 feet of the West 495 feet of the NW 1/4 SW 1/4 of
Section 14, Township 6 South, Range 35 E.B.M., BANNOCK COUNTY, IDAHO.PARCEL 2: The East 82.5 feet of the West 330 feet of the NW 1/4 SW 1/4 of
Section 14, Township 6 South, Range 35 E.B.M., BANNOCK COUNTY, IDAHO.Subject to Reservations in United States and State Patents, existing and recorded
rights of way and easements, zoning and building ordinances, use restrictions of
record, if any and taxes and assessments as prorated between the parties hereto.TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee s
their heirs and assigns forever. And the said Grantor s do hereby covenant to and
with the said Grantee s that they are the owner s in fee simple of said premises; that said
premises are free from all incumbrances except as hereinabove set forth and that they will warrant
and defend the same from all lawful claims whatsoever.

Dated: JULY 8, 1991

x *Brian E. Stewart*
BRIAN E. STEWARTx *Leslie R. Stewart*
LESLIE R. STEWARTSTATE OF IDAHO, COUNTY OF ADA
On this 19th day of JULY, 1991.
before me, a notary public in and for said State, personally
appearedBRIAN E. STEWART AND
LESLIE R. STEWART

Notary Seal

knows to me to be the persons
subscribed to the within instrument, and acknowledged to
me that THEY executed the same*Jay Capel*
Notary Public
Residing at Boise
Comm. Expires 6-30-9791008983
FIRST AMERICAN TITLE

91 JUL 10 P435

OFFICIAL RECORD IN NO. 545
BANNOCK COUNTY, IDAHO
LARRY AL SMITH RECORDER
TEL. 392 DEPUTY

INSTRUMENT NO.

First American Title Company of Pocatello, Inc.

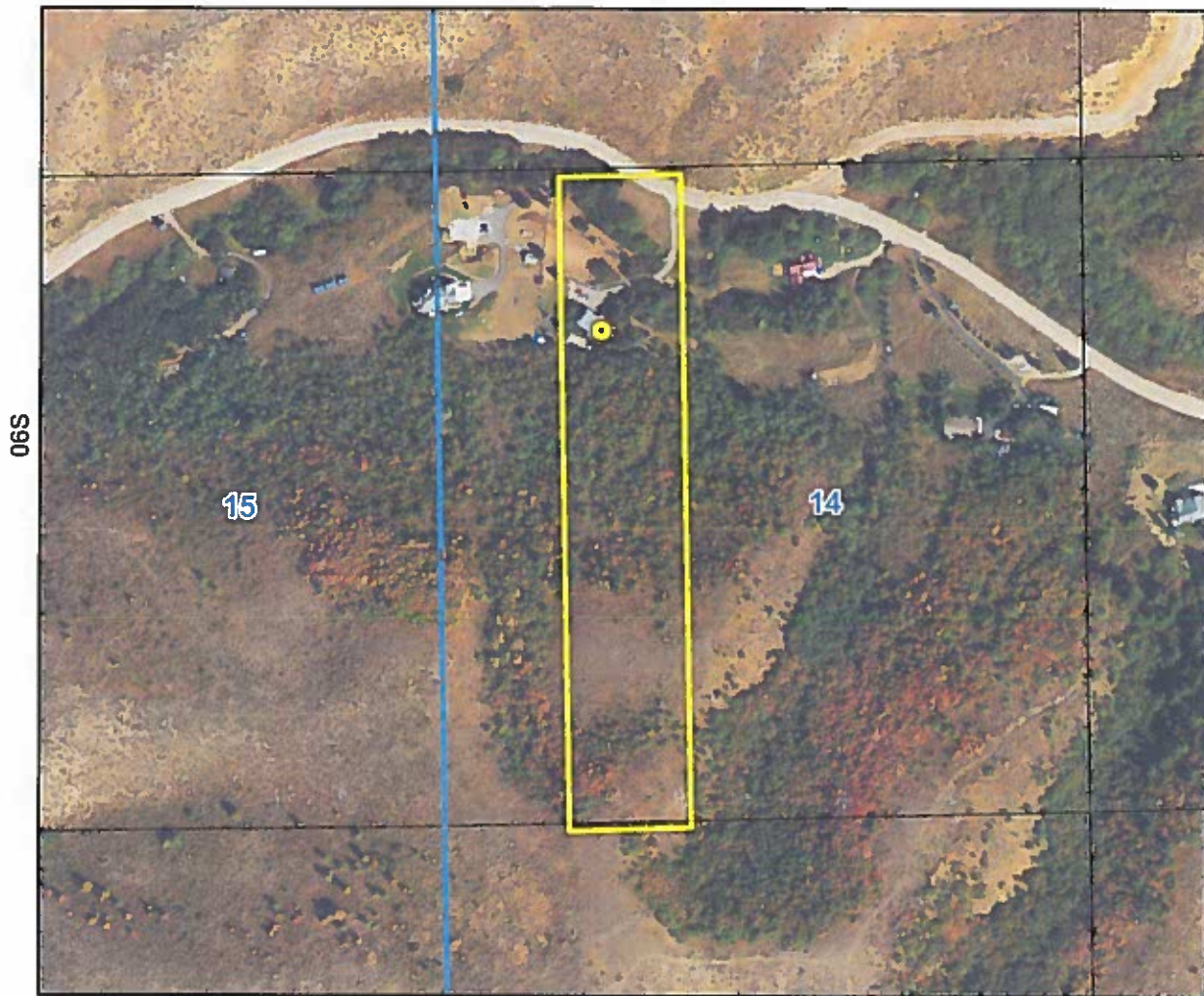
State of Idaho
Department of Water Resources

Water Right
29-10868

DOMESTIC

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.

35E



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

0 0.045 0.09 0.18 Miles



IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

8/21/2017

WATER RIGHT NO. 29-10868

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BRIAN STEWART
Current Owner	LESLIE STEWART
	5909 POCA TELLO CREEK RD
	POCA TELLO, ID 83201
	2082342290

Priority Date: 12/31/1979

Basis: Decreed

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	1/01	12/31	0.05 CFS	
Total Diversion			0.05 CFS	

Location of Point(s) of Diversion:

GROUND WATER|NWSW|Sec. 14|Township 06S|Range 35E|BANNOCK County

Place(s) of use:

Place of Use Legal Description: DOMESTIC BANNOCK 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>
06S	35E	14		NWSW										

Conditions of Approval:

1. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. PARCEL NO. R3851005101

Dates:

Licensed Date:

Decreed Date: 06/17/1998

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: OR

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



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

August 31, 2017

C.L. "BUTCH" OTTER
Governor

Jonathan Farrell
Heather Farrell
5909 W Pocatello Creek Rd
Pocatello ID 83201

GARY SPACKMAN
Director

RE: Change of Ownership for Water Right No(s). 29-10868

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 29A