

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 1#81763
RECEIVED
JUL 03 2017
Department of Water Resources
Eastern RegionName of Applicant(s) JORDAN MARSHALL ^{And} KEELIE MARSHALLPhone 208-241-9201Mailing address 8683 N. PARKS RD. POCATELLO, ID. 83201Email JM133@YMAIL.COM

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☒ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☒ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative _____ Phone _____

Mailing address _____ Email _____

- ☐ Send all correspondence for this application to the representative and not to the applicant.
OR
- ☐ Send original correspondence to the applicant and copies to the representative.
- ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
- ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

- ☒ Change point of diversion
☐ Change nature of use
 ☐ Add diversion point(s)
☐ Change period of use
 ☒ Change place of use
☐ Other _____
- Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**.
 Water right was originally intended to be in this QQ, but was claimed in the wrong QQ during the adjudication.
 Applicant wishes to transfer the POD and POU to match the intended POU and POD.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

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B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☒ ☐	29-11171	0.04 cfs	Domestic	01/01 to 12/31	Ground Water
☒ ☐	29-11171	0.04 cfs	Stock Water	01/01 to 12/31	Ground Water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 0.04 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 0.04 cubic feet per second and/or _____ acre-feet per year.

3. Point(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it Attachment #5.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
			Se	NW	20	06S	35E	Bannock	Ground Water	

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	35E	20								D/S									
Total Acres (for irrigation use)																			

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PART 1 Continued

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5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:
The groundwater is obtained via a well pump, runs through the basement of the house, where there is an expansion tank, and is used for a single hose spicket, occasionally. There is currently no measuring device, but could install on inline when needed.

- b. Who owns the property at the point(s) of diversion? Jordon Marshall
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
The controls for the well pump are in the basement. The spicket is on the outside of the house, assessable from the driveway.

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
If yes, ☒ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: Yes, there is a mortgage on the home.

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?
If yes, ☐ complete Attachment WSB.
- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:
Place of use will remain the same as it was originally intended to be filed in the adjudication.

- f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:
Water right 29-4431 is also diverted out of the same POD. This water right is for the irrigation of 1 acre on the same POU.

- g. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- ☐ ☒ undergone a period of five or more consecutive years of non-use,
☐ ☒ currently leased to the Water Supply Bank,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right, or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe:

Page _____ of _____

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 29-11171

Current Owner: F O PAUL
MILDRED PAUL
Priority Date: 6/1/1964
Origin: Water Right
Status: Active
Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	1/01 to 12/31	0.04 CFS	
STOCKWATER	1/01 to 12/31	0.04 CFS	
	<u>Total Diversion</u>	0.04 CFS	

Location of Point(s) of Diversion

GROUND WATER

NE1/4SW1/4NW1/4

Sec. 20, Twp 06S, Rge 35E B.M.

BANNOCK County

Place of Use

DOMESTIC Within BANNOCK County

T06S R35E S20 SWNW

STOCKWATER Within BANNOCK County

T06S R35E S20 SWNW

Conditions of Approval:

1. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
2. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
3. PARCEL NO. R3851019600 STOCKWATER, 5 RANGE CATTLE

Decreed Date: 6/17/1998

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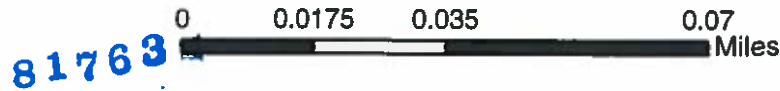


Attachment 7B



Legend

- 29-11171 Point of Diversion
- ▭ 29-11171 Place of Use
- ▭ Township/Range
- ▭ Sections
- ▭ QQ



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
JUN 12 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?
29-11171 <i>? 100</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
29-4431 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: F O Paul
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Jordan Marshall & Keelie Marshall
New owner(s) as listed on the conveyance document Name connector ☐ and ☒ or ☐ and/or
- 8683 N. Parks Rd. Pocatello ID 83201
Mailing address City State ZIP
- 208-241-9201 jm133@ymail.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: Purchase property
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: [Signature] Title, if applicable: _____ Date: 6/8/17
 Signature of new owner/claimant

Signature: Keelie Marshall Title, if applicable: _____ Date: 6/8/17
 Signature of new owner/claimant

For IDWR Office Use Only:

Received by: [Signature] Date: 6/12/2017 Receipt No. E043088 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 _____ Processed by _____ Date _____

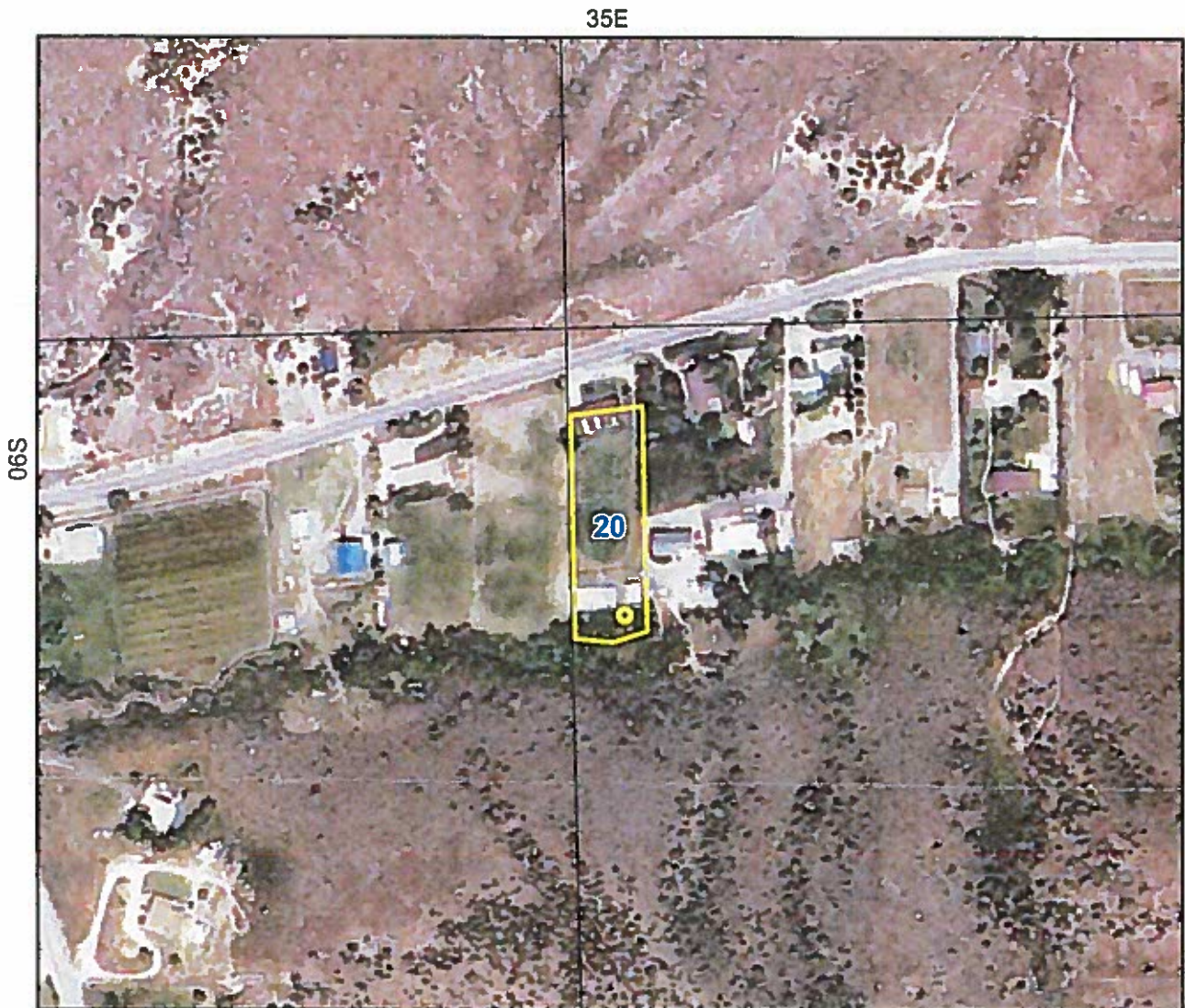
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State of Idaho
Department of Water Resources

Water Right 29-4431

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 0.035 0.07 0.14 Miles



OFFICIAL RECORDS BOOK 996
BANNOCK COUNTY IDAHO

FEE 16.00 DEPUTY DM
RECORDED AT REQUEST OF

First American Title - Pocatello

21513889

2015 Sep 29 PM 04:10:00

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.: 563248-P (sg)

Date: September 21, 2015

For Value Received, **William Clarence Paul and Kathy Paul, husband and wife**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Jordon Marshall and Keelie Marshall, husband and wife**, hereinafter called the Grantee, whose current address is

8683 N Parks 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.

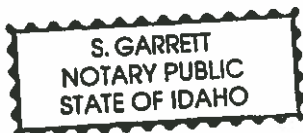
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William Clarence Paul
William Clarence Paul

Kathy Paul
Kathy Paul

STATE OF Idaho)
COUNTY OF Bannock)
SS.

On this 29 day of September, 2015, before me, a Notary Public in and for said State, personally appeared **William Clarence Paul and Kathy Paul**, 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: Inkom, ID
My Commission Expires: 9-30-17

EXHIBIT A

BEGINNING AT THE NW 1/16 CORNER OF SECTION 20 TOWNSHIP 6 SOUTH, RANGE 35 E.B.M., BANNOCK COUNTY, IDAHO, AS MARKED BY AN IRON PIN MARKED "INDIAN ALLOTMENT 1912", NORTH HALF MARKED BY PATENTED, SOUTHWEST CORNER MARKED 53, SOUTHEAST CORNER MARKED 54; AND RUNNING THENCE WEST ALONG THE NORTH 1/16TH LINE OF SAID SECTION A DISTANCE OF 69 FEET; THENCE AT RIGHT ANGLES SOUTH 1320 FEET, MORE OR LESS, TO THE SOUTH LINE OF THE SW 1/4 NW 1/4 OF SAID SECTION; THENCE EAST ALONG THE SOUTH LINE OF THE S 1/2 NW 1/4 OF SAID SECTION FOR A DISTANCE OF 125 FEET; THENCE AT RIGHT ANGLES NORTH FOR A DISTANCE OF 1320 FEET, MORE OR LESS, TO THE NORTH LINE OF THE SE 1/4 NW 1/4 OF SAID SECTION; THENCE WEST ALONG THE SAID NORTH LINE TO THE SE 1/4 NW 1/4 OF SAID SECTION A DISTANCE OF 56 FEET TO THE POINT OF BEGINNING.

JM
run
W.C.P.
H

21503926

PERSONAL REPRESENTATIVE'S DEED

THIS DEED, made by William Clarence Paul and Sidney Frank Paul, as Co-Personal Representatives of the Estate of Mildred Marie Paul, deceased, Grantors, grant, convey and quitclaim to: William Clarence Paul, Grantee, whose current address is 12534 N. Laughran, Pocatello, Idaho 83202.

WHEREAS, Grantors are the qualified Co-Personal Representatives of said estate, filed as Case No CV-2015-867-IE, in Bannock County, Idaho.

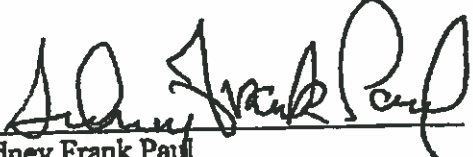
THEREFORE, for valuable consideration received, the Grantors quitclaim, transfer and convey to Grantee the property located at 8825 W Pocatello Creek Road, Pocatello, ID 83201, and described as:

Beginning at the NW 1/16 corner of Section 20 Township 6 South, Range 35 E.B.M., Bannock County, Idaho, as marked by an iron pin marked "Indian Allotment 1912", North half marked by Patented, Southwest corner marked 53, Southeast corner marked 54'; and running thence West along the North 1/16th line of said Section a distance of 69 feet; thence at right angles South 1320 feet, more or less, to the south line of the SW 1/4 NW 1/4 of said sed.; thence East along the South line of the S 1/2 NW 1/4 of said Section for a distance of 125 feet; thence at right angles North for a distance of 1320 feet, more or less, to the North line of the SE 1/4 NW 1/4 of said Section; thence West along the said North line to the SE 1/4 NW 1/4 of said Section a distance of 56 feet to the point of beginning.

With all appurtenances.

EXECUTED this 2 day of April, 2015.

No. 21503926
 Recorded at request of:
Margaret P. Perroch
 Date: 4/2/15 Time: 1:27
 Official Record Book 990
 Bannock County Recorder
 Fee 13 Deputy 14


 Sidney Frank Paul
 Co-Personal Representative of the
 Estate of Mildred Paul, deceased

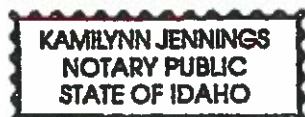
2-2

21503926

STATE OF IDAHO)
) ss
COUNTY OF Bannock)

On this 2 day of April, 2015, before me, the undersigned, a notary public in and for the said state, personally appeared, Sidney Frank Paul, known or identified to me to be the person whose name is subscribed to the within instrument, as Co-Personal Representative of the Estate of Mildred Marie Paul, deceased, and acknowledged to me that he executed the same as such Co-Personal Representative.

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



Kamilynn Jennings
NOTARY PUBLIC
Residing at Pocatello, Idaho
My Commission Expires: 2-13-18

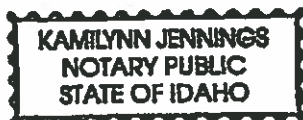
EXECUTED this 2 day of April, 2015.

William Clarence Paul
William Clarence Paul
Co-Personal Representative of the
Estate of Mildred Paul, deceased

STATE OF IDAHO)
) ss
COUNTY OF Bannock)

On this 2 day of April, 2015, before me, the undersigned, a notary public in and for the said state, personally appeared, William Clarence Paul, known or identified to me to be the person whose name is subscribed to the within instrument, as Co-Personal Representative of the Estate of Mildred Marie Paul, deceased, and acknowledged to me that he executed the same as such Co-Personal Representative.

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



Kamilynn Jennings
NOTARY PUBLIC
Residing at Pocatello, Idaho
My Commission Expires: 2-13-18

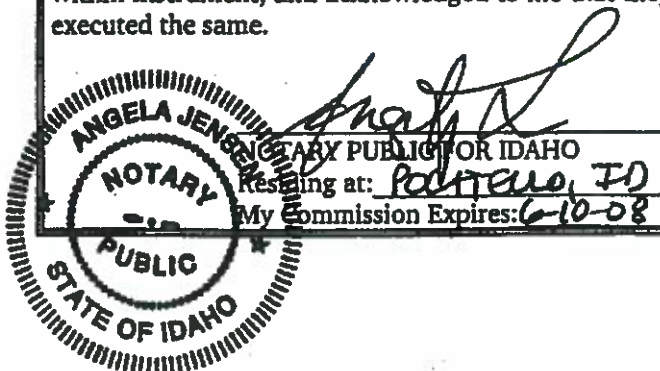
20522337

QUITCLAIM DEED

Effective Date:	County and State where Real Property is located: Bannock County, Idaho
Grantors (Name, Address, Zip Code) Frank Otto Paul Ashley Manor Pocatello Idaho 83201	Grantee (Name, Address, Zip Code) Mildred M. Paul 8825 W. Pocatello Creek Rd. Pocatello Idaho 83201
Subject Real Property (Address) 8825 W. Pocatello Creek Rd. Pocatello Idaho 83201	Legal Description Proofed by Persons Whose Initials Are Below 1. <u>SP</u> 2. <u>W.C.P.</u> 3.
Subject Real Property (Legal Description) Beginning at the NW 1/16 corner of Section 20, Township 6 South, Range 35 E. B.M., Bannock County, Idaho, as marked by an iron pin marked "Indian Allotment 1912, North half marked by Patented, Southwest corner marked 53, Southeast corner marked 54"; and running thence West along the North 1/16th line of said Section a distance of 69 feet; thence at right angles South 1320 feet; more or less to the south line of the SW 1/4 NW1/4 of said sed., thence East along the South line of the S 1/2 NW1/4 of said Section for a distance of 125 feet; thence at right angles North for a distance of 1320 feet; more or less, to the North line of the SE 1/4 NW1/4 of said Section; thence West along the said North line fo the SE 1/4 NW1/4 of said Section a distance of 56 feet to the point of beginning. For valuable consideration, Grantor does hereby convey, release, remise and forever quit claim unto Grantee all right, title and interest of Grantor in Subject Real Property together with all rights and privileges appurtenant or to become appurtenant to Subject Real Property on effective date. <i>FRANK OTTO PAUL by Sidney Paul William Paul</i> FRANK OTTO PAUL By: Sidney Paul and William Paul, Legal Conservators Grantor	

STATE OF IDAHO)
)ss
County of Bannock)

On this 3rd day of October 2005, before me, a notary public in and for said State, personally appeared Sidney Paul and William Paul, known to me to be the legal Guardians and Conservators for Frank Otto Paul and the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.



NOTARY PUBLIC FOR IDAHO
Residing at: Pocatello, ID
My Commission Expires: 6-10-08

ST

Co 20522337

re Sidney Paul
RECORDED AT REQUEST OF
of
FEE 3 DEPUTY BP

the
ock
my
No.

2005 OCT 17 AM 11 59
OFFICIAL RECORD BK# 874
RECORDER
BANNOCK COUNTY IDAHO

81763