

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

OCT 07 2016

DEPARTMENT OF
WATER RESOURCES

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?
22-12198	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: _____

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): WILLIAM AND CAROLYN B. DEVELYN JOINT LIVING TRUST
 New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 2937 BONNIE BRAE AVE. SALT LAKE UT 84124
 Mailing address City State ZIP
- 801 580-1124 bill.develyn@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: 9/1/16

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: [Signature] Title, if applicable: _____ Date: 10/4/16
- Signature: _____ Title, if applicable: _____ Date: _____
- Signature of new owner/claimant

For IDWR Office Use Only:

Received by VC Date 10/19/2016 Receipt No. C102608 Receipt Amt. 25.00

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 [Signature] Date 10-19-16

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
81 North Main Street/P.O. Box 42
Driggs, ID 83422

Instrument # 242241

TETON COUNTY, IDAHO
08-31-2016 14:46:00 No. of Pages: 3
Recorded for: FIRST AMERICAN TITLE - DRIGGS
MARY LOU HANSEN Fee: \$16.00
Ex-Officio Recorder Deputy, Mary Lou Hansen
Index to: DEED, WARRANTY

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **604243-T (1b)**

Date: **August 26, 2016**

For Value Received, **Teton River Land Company LLC, a Delaware limited liability company**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **William L. and Carolyn B. D'Evelyn Joint Living Trust**, hereinafter called the Grantee, whose current address is **2937 E. Bonnie Brae Ave., Salt Lake City, UT 84124**, the following described premises, situated in Teton County, Idaho, to-wit:

TRACT A:

TOWNSHIP 3 NORTH, RANGE 45 EAST, BOISE MERIDIAN, TETON COUNTY, IDAHO

SECTION 5: W1/2NW1/4

TRACT B:

TOGETHER WITH A ROAD RIGHT OF WAY FOR INGRESS AND EGRESS OVER THE NORTH 20 FEET OF THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 3 NORTH, RANGE 45 EAST, BOISE MERIDIAN, TETON COUNTY, IDAHO.

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.

Date: 08/26/2016

Warranty Deed
- continued

File No.: 604243-T (1b)

Teton River Land Company LLC, a Delaware
limited liability company

By: A/D Enterprises, LP, an Idaho limited
partnership, by Richard G. Boyle,
Trustee of the A/D Enterprises
Management Trust, dated July 28, 1999,
General Partner, Member

By: Richard G. Boyle
Name: Richard G. Boyle
Title: General Partner

By: The Ferrin B. and Virginia B. Kinghorn
Family Limited Partnership, an Idaho
limited partnership, Member

By: Virginia B. Kinghorn
Name: Virginia B. Kinghorn
Title: General Partner

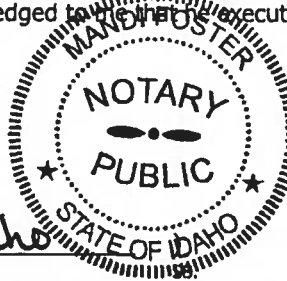
Date: 08/26/2016

Warranty Deed
- continued

File No.: 604243-T (1b)

STATE OF Idaho)
COUNTY OF Teton ^{mf} Jefferson)
August ^{mf}

On this 31st day of September, 2016, before me, a Notary Public in and for said State, personally appeared **Richard G. Boyle, Trustee of the A/D Enterprises Management Trust, dated July 28, 199, General Partner of A/D Enterprises, LP, an Idaho limited partnership**, known or identified to me to be the person whose name is subscribed to the within Instrument as one of the Managers/Members of the **Teton River Land Company LLC, a Delaware limited liability company**, which is known or identified to me to be the entity whose name is subscribed to the within instrument and acknowledged to me that he executed the same in said Limited Liability Company's name.

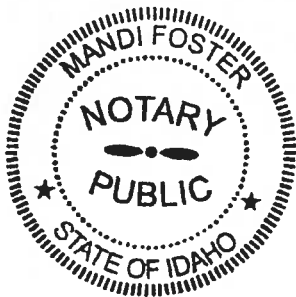


Mandi Foster
Notary Public of Idaho

Residing at: Idaho Falls, ID
Commission Expires: 3/28/17

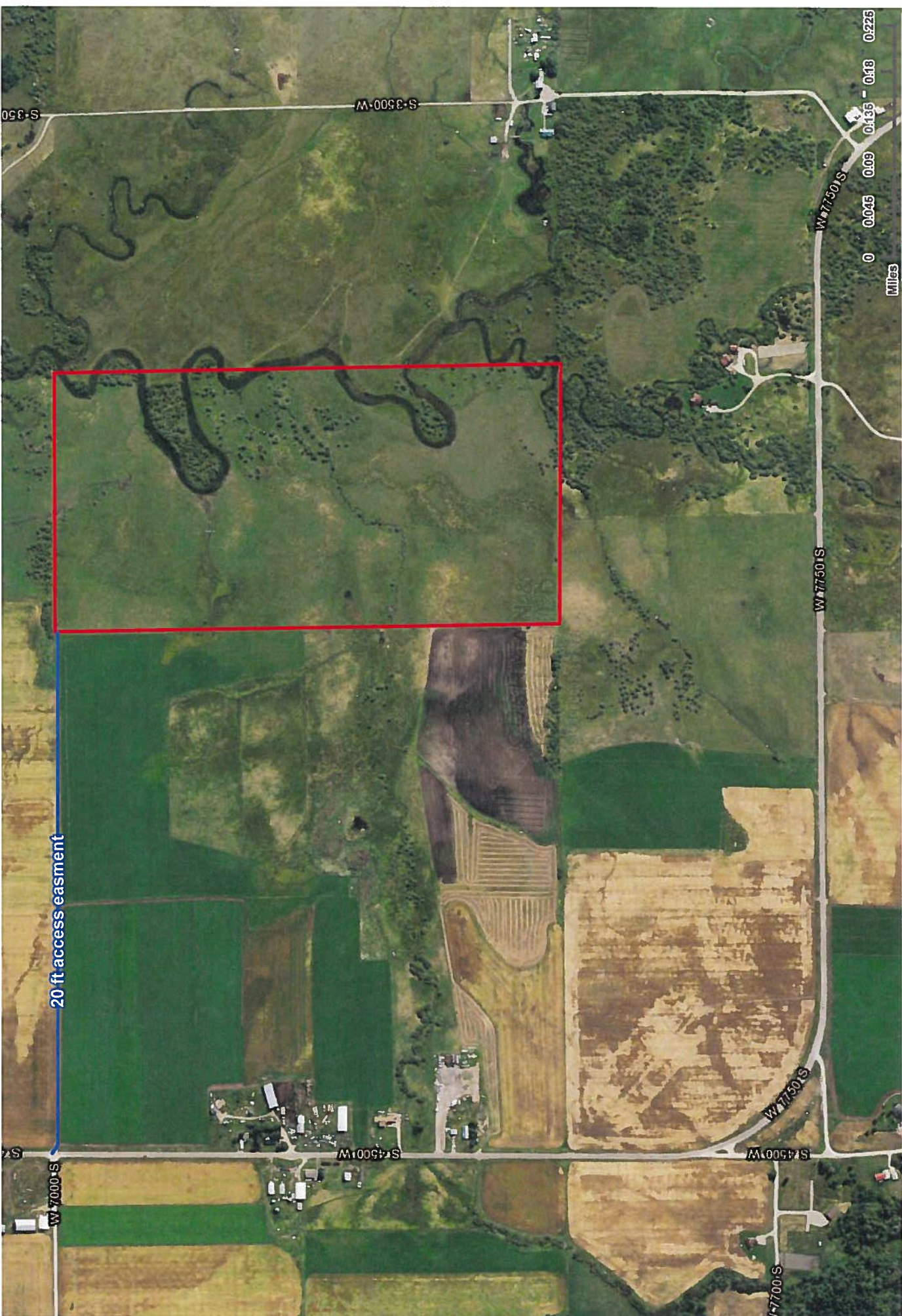
STATE OF Idaho
COUNTY OF Teton)

On this 30th day of August, 2016, before me, a Notary Public in and for said State, personally appeared **Virginia B Kinghorn, General Partner of The Ferrin B. and Virginia B. Kinghorn Family Limited Partnership, an Idaho limited partnership**, known or identified to me to be the person whose name is subscribed to the within Instrument as one of the Managers/Members of the **Teton River Land Company LLC, a Delaware limited liability company**, which is known or identified to me to be the entity whose name is subscribed to the within instrument and acknowledged to me that she executed the same in said Limited Liability Company's name.



Mandi Foster
Notary Public of

Residing at: Idaho Falls, ID
Commission Expires: 3/28/17



IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

9/27/2016

Water Right 22-12198

Owner Type **Name and Address**
Current Owner FERRIN B KINGHORN
 PO BOX 215
 RIGBY, ID 83442
 (208)745-6710

Current Owner VIRGINIA KINGHORN
 PO BOX 215
 RIGBY, ID 83442
 (208)745-6710

Priority Date: 12/31/1970

Basis: Decreed

Status: Active

Source
TETON RIVER
SPRINGS

Tributary
HENRYS FORK
TETON RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	1/01	12/31	0.020 CFS	
	<u>Total Diversion</u>		0.020 CFS	

Source and Point(s) of Diversion

TETON RIVER	L4(NWNW)	Sec. 5, Twp 03N, Rge 45E, TETON County(E)
SPRINGS	SWNW	Sec. 5, Twp 03N, Rge 45E, TETON County(B)
TETON RIVER	SWNW	Sec. 5, Twp 03N, Rge 45E, TETON County(B)
SPRINGS	L4(NWNW)	Sec. 5, Twp 03N, Rge 45E, TETON County(E)

Place Of Use

STOCKWATER within TETON County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	45E	5						X	X										
								L4											

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
2. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
3. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

9/27/2016

4. PARCEL NO. RP03N45E053000A STOCKWATER, 80 RANGE CATTLE

Comments:

1. DUNN1 1/23/1994 COPIED FROM REMARKS
THIS RIGHT IS FOR INSTREAM STOCKWATER FROM TETON RIVER AND THE
UNDEVELOPED SPRINGS THAT ARISE ON CLAIMANTS' LAND. THESE SPRINGS FEED
THE TETON RIVER IN CLAIMANTS' LAND.
2. AJU5-ECA 5/9/1998 AJU5 STOCK ONLY UPDATE
USE-NOT-IRRIGATION FIELD TEXT DELETED AND MADE EXP REMARK. CONDITION
CODES N11 AND N13 ADDED IF NOT ALREADY PART OF RECORD. ANY GEN REMARK
CHANGED TO EXP REMARK. IF BLM/USFS, DELETED L12.

Dates and Other Information

Decreed Date: 8/20/1999
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: OR
Mitigation Plan: False

Combined Use Limits

N/A

Verification Log

<u>Element</u>	<u>Date</u>	<u>User</u>	<u>Log Text</u>
POD	6/10/2013	mciscell	Bulk Generate Shape From PLS

SubCase:

N/A

Water Supply Bank:

N/A



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

October 19, 2016

WILLIAM L & CAROLYN B D EVELYN JOINT LIVING TRUST
2937 E BONNIE BRAE AVE
SALT LAKE CITY UT 84124

Re: Change of Ownership for Water Right/Permit No(s): 22-12198

Dear Water Right Holder(s):

The Department acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records to reflect this change in ownership and has enclosed a computer-generated report 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 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 § 42-222 and §42-223, Idaho Code.

Also note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right, to the Department. Notice of the change must be provided to the Department within **120 days** of the change. Water right forms are available from any office of the Department, or at www.idwr.idaho.gov.

If you have any questions concerning the enclosed information, please feel free to contact me at (208) 287-4942.

Sincerely,

Jean Hersley
Technical Records Specialist II

Enclosure(s)

c: Water District No. 01



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

October 7, 2016

WILLIAM L & CAROLYN B D'EVELYN JOINT LIVING TRUST
2937 E BONNIE BRAE AVE
SALT LAKE CITY UT 84124

RE: Change of Ownership for Water Right No(s): 22-12198

Dear Water Right holder(s):

The Department of Water Resources acknowledges receipt of the request for a Notice of Change in Water Right Ownership water rights 22-12198. However, a fee is needed before the Department can update the ownership of this right.

Effective July 1, 2000, the legislature enacted House Bill No. 545 requiring a filing fee for a change in water right ownership for rights that have been decreed in the SRBA. The fee is \$25 **per** water right, except for ownership changes resulting in the division of a water right, which is \$100 per water right. All ownership change notices received after June 30, 2000 must include the appropriate filing fees in order to be processed. We have determined that **\$25** is needed to complete this request.

Because the Department cannot process the request for Notice of Change in Water Right Ownership without the proper fees, we will hold any action on your notice pending receipt of the fees. If we do not receive the fees within 30 days we will return your notice and all attachments and your notice will not be processed.

If you have any questions concerning this letter, feel free to contact me at 287-4942.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jean Hersley', written over a large, stylized, handwritten number '7'.

Jean Hersley
Technical Records Specialist II