

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED
JUL 05 2016
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.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
29-13650 ⁰²	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: JOSEPH K. SIMONS
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): RHONDA K. MALAN ^{only} ROBERT (BOB) MALAN
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☒ and/or
- RR 2 Box 157-K POCATELLO ID. 83202
Mailing address City State ZIP
- 208-237-5748 MALAN.DIAMONDM@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: APRIL 2, 2015
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: Rhonda K. Malan CO-Owner 6/30/16
Signature of new owner/claimant Title, if applicable Date

Signature: Bob Malan CO-OWNER 6/30/16
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by JB Date 7/5/2016 Receipt No. E-042250 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 8/23/2016

Legend

-  Water Right Place of Use
-  Recommendation Place of Use
-  Water Permit Place of Use
-  Irrigation Company

Search Type: Identify



State of Idaho
Department of Water
Resources
322 East Front Street
Boise, Idaho 83720-0098
Phone: (208) 287-4800
Fax: (208) 287-6700



Scale: 1" = 1040 feet



Search Results

Water Right Number	Process	Owner
29-13650	Water Right	JOSEPH K SIMONS

Disclaimer: Shapes represent an approximation of the water right extent. Please review each water right of interest either on-line (choose the Details link) or by contacting IDWR (208-287-4800).

3-1

QUITCLAIM DEED

21503921

FOR VALUE RECEIVED JOSEPH K. SIMONS

do hereby convey, release, remise and forever quit claim RHONDA KAY MALAN

unto SUBJECT TO THE LIFE ESTATE OF JOSEPH KAY SIMONS

whose address is

the following described premises, to-wit:

SEE ATTACHED LEGAL

See Exhibit A & B

21503921

OFFICIAL RECORD BK# 990
BANNOCK COUNTY IDAHO

RECORDED AT REQUEST OF
FEE \$2.00 DEPUTY CM

Rhonda Kay Malan
21503921 2015 APR -2 A 10:43

together with their appurtenances.

Dated: 12-13-10

Joseph K. Simons

STATE OF IDAHO, COUNTY OF Bannock

On this 13th day of December, 2010,
before me, a notary public in and for said State, personally
appeared

Joseph K Simons

known to me to be the person whose name is
subscribed to the within instrument, and acknowledged to
me that *ANTHA HYMAS* executed the same.

Antha Hyman
Notary Public
State of Idaho

Residing at Pocatello, Idaho
Comm. Expires June 5, 2015

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record
at the request of

at _____ minutes past _____ o'clock m.,
this _____ day of _____
19____, in my office, and duly recorded in Book
of Deeds at page _____

Ex-Officio Recorder

By _____ Deputy.

Fees \$
Mail to:

3.2

1-16698-K

Exhibit A

21503921

1135

DEED

513905

FOR VALUE RECEIVED, Western National Corporation

a corporation duly organized and existing under the laws of the State of Idaho, grantor, does hereby Grant, Bargain, Sell and Convey unto J. K. Simons and Betty Jean Simons, Husband and wife, 833 South 3rd, Pocatello

grantee, the following described real estate, to-wit: (Middle Parcel) A tract of land in the NW 1/4 SE 1/4, Section 7, T7S., R35E., B.M., Bannock County, Idaho, more particularly described as follows: Commencing at the south 1/16 corner, Section 7, T7S., R35E., B.M.; thence S89°35'E 267.00 feet; thence N00°09'W 90.00 feet to the True Point of Beginning; thence S89°35'E 548.40 feet, more or less, to the westerly right of way line of Portneuf River Dike; thence N03°02'40"E on the said westerly right of way line, 286.77 feet; thence northwesterly on a curve to the left with a radius of 103.24 feet, for an arc distance of 40.29 feet; thence N89°35'W 791.20 feet, more or less, to the east line of Cheyenne Avenue; thence S00°09'E on the said east line 241.5 feet; thence S89°35'E 242.00 feet; thence S00°09'E 90.00 feet, more or less, to the True Point of Beginning and contains 5.58 acres, more or less.

(North Parcel) A tract of land in the NW 1/4 SE 1/4, Section 7, T7S., R35E., B.M., Bannock County, Idaho, more particularly described as follows: Commencing at the South 1/16 corner, Section 7, T7S., R35E., B.M.; thence S89°35'E 25.00 feet, more or less, to the east line of Cheyenne Avenue; thence N00°09'W on the said east line 421.50 feet to the true point of beginning; thence N00°09'W on the said east line 9.71 feet; thence northwesterly on a curve to the right with a radius of 548.14 feet and a central angle of 43°04'40" for an arc distance of 411.96 feet; thence N42°54'40"E on the easterly line of Cheyenne Avenue 264.47 feet, more or less, to the westerly right of way line of Portneuf River Dike; thence S38°57'20"E on the said westerly right of way line 726.94 feet; thence on a curve on the said westerly right of way line with a radius of 103.24 feet for an arc distance of 35.39 feet; thence S89°35'E 791.20 feet, more or less, to the True Point of Beginning and contains 5.59 acres more or less.

Subject to: Those items of public record.

TO HAVE AND TO HOLD The said premises, with their appurtenances unto the said Grantee s their heirs and assigns forever.

IN WITNESS WHEREOF, The Grantor, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its President and its corporate seal to be affixed by its Secretary this September 4, 1973

Western National Corporation

By

Robert J. Duncan

PRESIDENT.

ATTEST:

Carol Jean Miller

SECRETARY.

STATE OF IDAHO, COUNTY OF Ada

On this 15th day of Sept, 1973, before me, a notary public in and for said State, personally appeared *Robert J. Duncan* and *Carol Jean Miller*, known to me to be the President and Secretary of the corporation that executed this instrument or the persons who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

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

NOTARY SEAL

Robert J. Duncan
Notary Public
Idaho

Residing at
Comm. Expires 2-21-77

STATE OF IDAHO, COUNTY OF

513905
RECORDED AT ADAMSVILLE
Am. Land Title Co.

SEP 18 11 53 AM '73

262

262

262

262

INSTRUMENT NO.

3-3

Exhibit B

QUITCLAIM DEED

21503921

20306746

For Value Received Joseph K. Simons, the Grantor, does hereby grant, bargain, sell and convey unto Judith Anne Krusen, whose current address is 405 E Putnam, Pocatello, Idaho 83201, the Grantees, the following described premises, in Bannock County, Idaho, to wit:

Less
Except

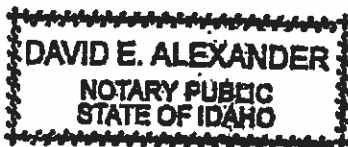
PART OF THE SOUTHEAST QUARTER OF SECTION 7, T.7S., R.35E., B.M., US SURVEY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE GRANTORS' LAND AND A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF THE PORTNEUF RIVER, SAID POINT BEING S89°35'E 267.00 FEET, N00°09'W 90.00 FEET, AND S89°35'E 548.40 FEET FROM THE SOUTH 1/16 CORNER OF SAID SECTION 7; THENCE ALONG SAID RIGHT-OF-WAY LINE THE FOLLOWING THREE (3) COURSES: (1) N03°02'40'E 286.77 FEET TO A POINT ON A 103.24-FOOT RADIUS CURVE, (2) NORTHWESTERLY ALONG SAID CURVE TO THE LEFT A DISTANCE 75.68 FEET, AND (3) N38°57'20"W 411.14 FEET; THENCE S51°03'23"W 417.72 FEET; THENCE S38°56'37"E 285.18 FEET; THENCE S00°25'W 189.11 FEET; THENCE S89°35'E 413.09 FEET TO THE POINT OF BEGINNING, CONTAINING 6.00 ACRES

TO HAVE AND TO HOLD the said premises, with its appurtenances unto the said Grantee, her heirs and assigns forever.

All liens, mortgages and loans are now satisfied and the property is free and clear.

DATED this 14th day of March, 2003.



JOSEPH K. SIMONS

PAGE 1 QUITCLAIM DEED

EXCEPT ANY ALTERATION OR ERASURE VOIDS THIS CERTIFICATE

2-2

OFFICIAL RECORD BK# 990
BANNOCK COUNTY IDAHO

21503922

RECORDED AT REQUEST OF
FEE 13 DEPUTY CM

Rhonda Kay Malan

21503922

2015 APR -2 A 10:43

STATE OF IDAHO County of Bannock

This copy of a death certificate was issued
by the District Health Department on behalf
of the Bureau of Vital Records and Health
Statistics.

[Signature]

Local Vital Statistics Registration Official



000155749

Pioneer Title Pocatello



21505611 2015 May 04 PM 04:49:00
Electronically Recorded by Simplifile

135 N. Arthur Ave.
Pocatello, ID 83204

ELECTRONICALLY RECORDED-DO NOT
REMOVE THE COUNTY STAMPED FIRST
PAGE AS IT IS NOW INCORPORATED AS
PART OF THE ORIGINAL DOCUMENT

File No. 571580 SK/LW

WARRANTY DEED

For Value Received

Rhonda Kay Malan,
a married person dealing with her sole and separate property
hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

Intermountain Gas Company

hereinafter referred to as Grantee, whose current address is 556 South Cole Road, Boise, ID 83709

The following described premises, to-wit:

A tract of land in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 7, Township 7 South, Range 35 East, Boise Meridian,
Bannock County, Idaho, more particularly described as follows:

Commencing at the South 1/16 corner on the Meridional Centerline of Section 7, thence N. 0°10'21" E.,
along the Meridional centerline a distance of 1000.58 feet; thence East a distance of 356.92 feet to an
intersection with the Southeasterly right-of-way line of Cheyenne Ave., and the Southwesterly right-of-
way line of the Portneuf River Flood Control Dike, the True Point of Beginning. Thence S. 43°08'53"
W., along the Southeasterly right-of-way line of Cheyenne Ave., a distance of 279.67 feet to the point of
curvature of a 548.14 foot radius curve concave to the Southeast having a central angle of 1°53'24", a
chord of 18.08 feet that bears S. 41°18'49" W.; thence along said curve in a Southwesterly direction
18.08 feet; thence S. 38°37'12" E., a distance of 274.29 feet to the Northwest line of Instr # 20306746;
thence along said Northwest line N. 51°23'52" E., a distance of 294.59 feet to an intersection with
Southwesterly right-of-way line of the Portneuf River Flood Control Dike; thence along said line N.
38°37'12" W. a distance of 317.58 feet to the intersection with the Southeasterly right-of-way of
Cheyenne Ave. and the True Point of Beginning. *R.K.M.*

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and
Grantees(s) heirs and assigns forever. And the said Grantor(s) does (do) hereby covenant to and with the
said Grantee(s), the Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are
free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those
made, suffered or done by the Grantee(s); and subject to U.S. Patent reservations, restrictions,
dedications, easements, rights of way and agreements, (if any) of record, and current years taxes, levies,
and assessments, includes irrigation and utility assessments, (if any) which are not yet due and payable,
and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: April 30, 2015

Rhonda Kay Malan
Rhonda Kay Malan

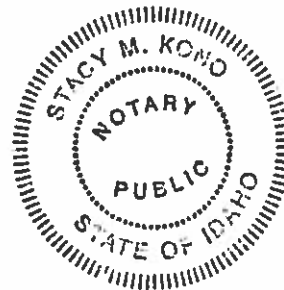
Bob Malan
Bob Malan

By my signature above I am conveying my homestead rights as set forth in the Idaho Code Section 55-1007 and for no other purpose as I have no interest in the subject property.

State of IDAHO, County of BANNOCK

On this 1st day of MAY in the year of 2015, before me, the undersigned, a Notary Public in and for said State, personally appeared Rhonda Kay Malan and Bob Malan known or identified to me to be the person/persons whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

Stacy M. Kono
STACY M. KONO
NOTARY PUBLIC of IDAHO
Residing at: POCA TELLO, ID
Commission Expires: 03/09/21





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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

August 26, 2016

Rhonda Malan
RR 2 Box 157 K
Pocatello ID 83202

RE: Change of Ownership for Water Right No(s). 29-13650

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 29D