

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAY 13 2016

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?
22-4046	Yes ☒	Yes ☐		Yes ☐	Yes ☐
<u>22-4046</u>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
<u>22-4046 + 22-14200</u>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Dale Daw
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): W. Jeffrey Walters, Mona Walters, Shawn J. Walters, Patrice Walters
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or ☐ and/or
- PO Box 156 Newdale ID 83436
Mailing address City State ZIP
208-458-4656
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: December 1, 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

SUPPORT DATA

IN FILE #

22-4046

8. Signature: Shawn J. Walters owner 5-3-16
Signature of new owner/claimant Title, if applicable Date
- Signature: _____
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by SB Date 4/21/2016 Receipt No. E042037 Receipt Amt. (740.00 for transfer)
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 BJ Processed by BJ Date 5/5/2016

Exhibit 2

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Robert L. Harris, Esq.
Holden, Kidwell, Hahn & Crapo, PLLC
PO Box 50130
Idaho Falls, ID 83405-0130

Microfilm No. **556294**
7 Day Dec 20 15
At 11:38 O'Clock A.M.
ABBIE MACE
FREMONT CO RECORDER
Fee \$ 22 Deputy
Recorded at Request of
Shawn Walters

(Space Above for Recorder's Use)

CORRECTION SPECIAL WARRANTY DEED FOR WATER RIGHT

(To correct an error by including a specific description and map of the acres to which the conveyed water rights are appurtenant on Instrument # 542941 recorded in the records of Fremont County, Idaho.)

DALE D. DAW and BRANDI L. DAW, husband and wife, of 2650 East 300 North, St. Anthony, ID 83445, and ACE D. DAW and SHIRLEY DAW, husband and wife, of 225 N. 2600 E., St. Anthony, Idaho 83445 (collectively "Grantors"), do hereby grant, bargain, sell, assign, and convey unto and W. JEFFREY WALTERS and MONA WALTERS, husband and wife, of 1250 South 2nd East, Rexburg, Idaho 83440, and SHAWN J. WALTERS and PATRICE WALTERS, husband and wife, of P.O. Box 178 Newdale, Idaho 83436 (collectively, "Grantees") and to Grantees' heirs and assigns forever, a portion of Grantors' right title and interest in Water Right No. 22-4046 as described in Exhibit A hereto (the "Water Right").

Grantors hereby covenant and warrant to Grantees as follows:

- (A) Grantors are the owners of the Water Right;
- (B) Grantors have not conveyed any of the Water Right to anyone other than Grantees;
- (C) The Water Right is free from all liens, claims, or encumbrances; and
- (D) Grantors have the authority to convey the Water Right to Grantees.

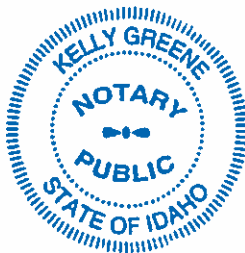
Grantors make no other covenants or warranties as to the Water Right. Only the Water Right is conveyed herein. No land is conveyed pursuant to this deed.

556294

IN WITNESS WHEREOF, the Grantors have caused his name to be hereunto subscribed.

DATED this 1st day of Dec, 2015.

"GRANTORS"



STATE OF IDAHO
COUNTY OF FREMONT
CITY OF ST. ANTHONY

On this 3rd day of Dec, 2015
before me a notary public in and for said State personally
appeared Brandi L. Daw

(person/persons) whose (name/names) (is/are) subscribed to
the within instrument and acknowledged to me that (he/she,they)
executed the same.

My Commission expires 6-6-2020

Kelly Greene

Dale D. Daw
Dale D. Daw

Brandi L. Daw
Brandi L. Daw

Ace D. Daw
Ace D. Daw

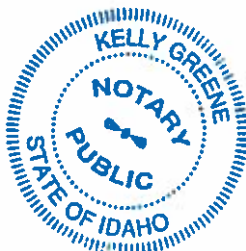
Shirley Daw
Shirley Daw

STATE OF IDAHO)
County of Fremont) ss.

On this 1st day of Dec, 2015, before me, a Notary Public for said
County and State, personally appeared DALE D. DAW and ~~BRANDI L. DAW~~, husband and
wife, known or identified to me to be the persons whose names are subscribed to the within
instrument and acknowledged to me they 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.

(seal)



Kelly Greene
Notary Public for Idaho
Residing at: St. Anthony
My commission expires: 6-6-2020

STATE OF IDAHO)
County of Fremont) ss.

On this 15 day of Dec, 2015, before me, a Notary Public for said County and State, personally appeared ACE D. DAW and SHIRLEY DAW, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me they 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.



Kelly Greene
Notary Public for Idaho

Residing at: St Anthony

My commission expires: 6-6-2020

GRANTEE CONSENT

The undersigned, Grantees under the foregoing Correction Special Warranty Deed for Water Right, hereby consents to the terms and provisions of the foregoing Correction Special Warranty Deed for Water Right and accepts the same in substitution for, and in replacement of, that certain Special Warranty Deed for Water Right recorded on March 13, 2013 as Instrument No. 542941 in the Official Records of Fremont County, Idaho.

"GRANTEES"

W. Jeffrey Walters
W. Jeffrey Walters

Mona Walters
Mona Walters

Shawn J. Walters
Shawn J. Walters

Patrice Walters
Patrice Walters

556294

STATE OF IDAHO)
) ss.
County of Madison)

On this 4 day of December, 2015, before me, the undersigned, a Notary Public for said County and State, personally appeared W. JEFFREY WALTERS and MONA WALTERS, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me they 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.

(seal)

MELISSA MOSS
NOTARY PUBLIC
STATE OF IDAHO

Melissa Moss
Notary Public for Idaho

Residing at: Madison County
My commission expires: 5-23-21

STATE OF IDAHO)
) ss.
County of Madison)

On this 4 day of December, 2015 before me, the undersigned, a Notary Public for said County and State, personally appeared, SHAWN J. WALTERS and PATRICE WALTERS, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me they 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.

(seal)

MELISSA MOSS
NOTARY PUBLIC
STATE OF IDAHO

Melissa Moss
Notary Public for Idaho

Residing at: Madison County
My commission expires: 5-23-21

556296

EXHIBIT A
WATER RIGHT DESCRIPTION

WATER RIGHT NO. 22-4046

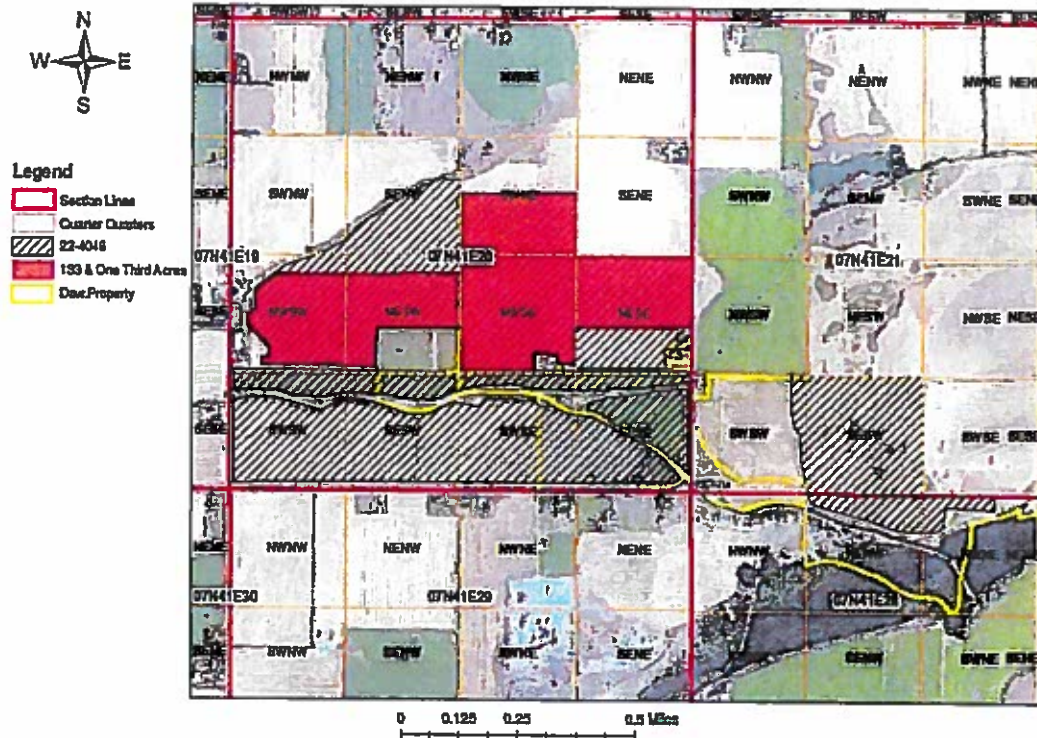
Diversion Rate: 2.67 cfs (allocated at .02 cfs per acre)

Diversion Volume: 466.67 acre-feet per year
(allocated at 3.5 acre-feet per year per acre)

Irrigated Acres: 133 1/3 acres appurtenant to the following described acres
located in Township 7N, Range 41E, which are also
depicted on the below map:

Section 20: SW1/4NE1/4 (21 acres); NW1/4SW1/4 (24.27 acres);
NE1/4SW1/4 (22.9 acres); NW1/4SE1/4 (38 acres); and
NE1/4SE1/4 (27.16 acres).

EXHIBIT A MAP



000492

EXHIBIT A
WATER RIGHT DESCRIPTION

WATER RIGHT NO. 22-4046

Diversion Rate: 1.67 cfs (allocated at .02 cfs per acre)

Diversion Volume: 291.67 acre-feet per year
(allocated at 3.5 acre-feet per year per acre)

Irrigated Acres: 83 1/3 acres appurtenant to the following described acres
located in Township 7N, Range 41E, which are also
depicted on the below map:

- Section 20: SW1/4NW1/4 (0.5 acres); SE1/4NW1/4 (18 acres); NE1/4SW1/4
(6.1 acres); and NW1/4SW1/4 (2.73 acres).
Section 21: SW1/4SW1/4 (3.1 acres); SE1/4SW1/4 (40 acres).
Section 28: NW1/4NE1/4 (4.4 acres); NE1/4NW1/4 (8.5 acres).

EXHIBIT A MAP

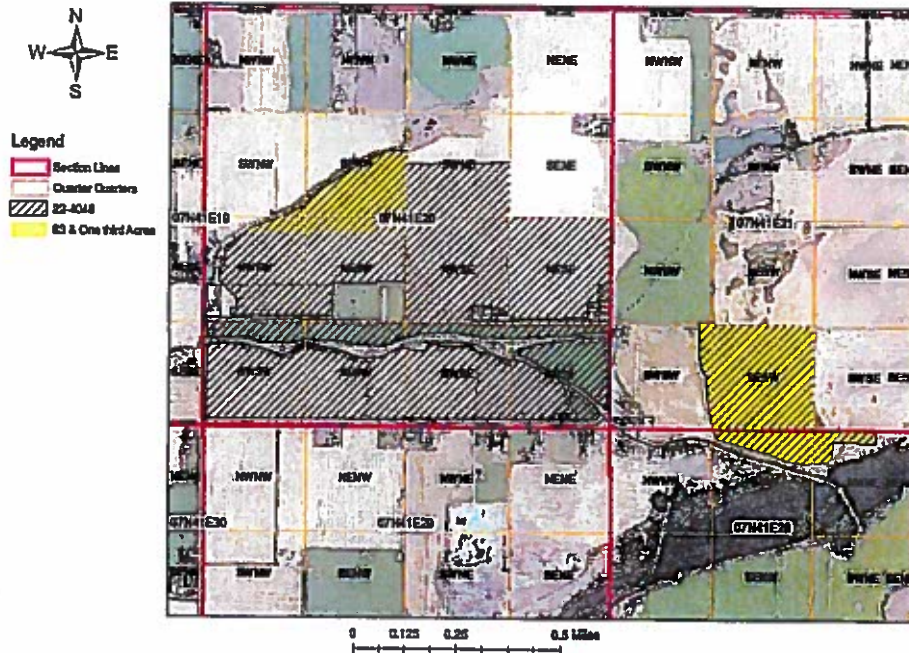


Exhibit 3

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Robert L. Harris, Esq.
Holden, Kidwell, Hahn & Crapo, PLLC
PO Box 50130
Idaho Falls, ID 83405-0130

Microfilm No. 556296
Day Dec 20 15
At 11:50 O'Clock A M
ABBIE MACE
FREMONT CO RECORDER
Fee \$ 19.- Deputy
Recorded at Request of
Shawn Walters

(Space Above for Recorder's Use)

SPECIAL WARRANTY DEED FOR WATER RIGHT

DALE D. DAW and BRANDI L. DAW, husband and wife, of 2650 East 300 North, St. Anthony, ID 83445, and ACE D. DAW and SHIRLEY DAW, husband and wife, of 225 N. 2600 E., St. Anthony, Idaho 83445 (collectively "Grantors"), do hereby grant, bargain, sell, assign, and convey unto and W. JEFFREY WALTERS and MONA WALTERS, husband and wife, of 1250 South 2nd East, Rexburg, Idaho 83440, and SHAWN J. WALTERS and PATRICE WALTERS, husband and wife, of P.O. Box 178 Newdale, Idaho 83436 (collectively, "Grantees") and to Grantees' heirs and assigns forever, a portion of Grantors' right title and interest in Water Right No. 22-4046 as described in Exhibit A hereto (the "Water Right").

Grantors hereby covenant and warrant to Grantees as follows:

- (A) Grantors are the owners of the Water Right;
- (B) Grantors have not conveyed any of the Water Right to anyone other than Grantees;
- (C) The Water Right is free from all liens, claims, or encumbrances; and
- (D) Grantors have the authority to convey the Water Right to Grantees.

Grantors make no other covenants or warranties as to the Water Right. Only the Water Right is conveyed herein. No land is conveyed pursuant to this deed.

SPECIAL WARRANTY DEED FOR WATER RIGHT - 1

556296

IN WITNESS WHEREOF, the Grantors have caused his name to be hereunto subscribed.

DATED this 1st day of Dec, 2015.



STATE OF IDAHO
COUNTY OF FREMONT
CITY OF ST. ANTHONY

On this 1st day of Dec, 2015
before me a Notary Public in and for said State personally
appeared Brandi L. Daw

(person/persons) whose (name/names) (is/are) subscribed to
the within instrument and acknowledge to me that (he/she,they)
executed the same.
My Commission expires 6-6-2020

Kelly Greene

DALE D. DAW
DALE D. DAW

BRANDI L. DAW
Brandi L. Daw

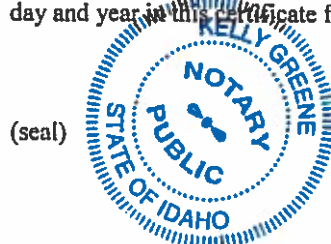
ACE D. DAW
Ace D. Daw

SHIRLEY DAW
Shirley Daw

STATE OF IDAHO)
County of Fremont) ss.

On this 1st day of Dec, 2015, before me, a Notary Public for said
County and State, personally appeared DALE D. DAW and ~~BRANDI L. DAW~~, husband and
wife, known or identified to me to be the persons whose names are subscribed to the within
instrument and acknowledged to me they 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.



Kelly Greene
Notary Public for Idaho
Residing at: St Anthony
My commission expires: 6-6-2020

556296

STATE OF IDAHO)
County of Teton) ss.

On this 16 day of Dec, 2015, before me, a Notary Public for said County and State, personally appeared ACE D. DAW and SHIRLEY DAW, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me they 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.

(seal)



Kelly Greene
Notary Public for Idaho

Residing at: St Anthony

My commission expires: 6-6-2020



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

May 17, 2016

W Jeffrey & Mona Walkers
Shawn and Patrice Walters
PO Box 156
Newdale ID 83436

RE: Change of Ownership for Water Rights 22-4046 (Split into 22-4046 & 22-14206)

Dear Water Right Holder:

The department acknowledges receipt of correspondence changing ownership and splitting the above referenced water right. The department has modified its records to reflect the changes and has enclosed computer-generated reports for your records.

Your portion of the water right has a specified point of diversion, nature of use and place of use. If you plan on changing any of these, including adding a new point of diversion, then an Application for Transfer on your portion of this right is required. If you do not plan on changing any items on your water right, then no further action is required at this time.

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.

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

Enclosures

cc: Dale Daw
Water District 100