

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAR 07 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?
35-8016 <i>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: Robert C. Hammond

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): The Sheltered Trust under the Robert C. Hammond and Lorna O. Hammond Family Trust - 50 %
Lorna O. Hammond - 50 % New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or

5561 W. 17th South

Idaho Falls

ID

83402

Mailing address

City

State

ZIP

X 208-993-0081

lohammond33@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: December 4, 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: *Lorna O. Hammond* Lorna O. Hammond, Owner 3-1-16
 Signature of new owner/claimant Title, if applicable Date

Signature: _____ Title, if applicable _____ Date _____
 Signature of new owner/claimant

For IDWR Office Use Only:

Received by: *JB* Date: 3/7/2016 Receipt No. E041892 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: 3/23/2016

Instrument # 1513867

IDAHO FALLS, BONNEVILLE, IDAHO

12-14-2015 02:45:05 PM No. of Pages: 4

Recorded for : MARTIN & ESKELSO PLLC

RONALD LONGMORE

Fee: 19.00

Ex-Officio Recorder Deputy

Index to: DEED, WARRANTY

CS

WARRANTY DEED

THIS INDENTURE is made this 4th day of December, 2015, between Lorna O. Hammond, not individually, but as sole successor trustee of **THE ROBERT C. HAMMOND AND LORNA O. HAMMOND FAMILY TRUST**, created August 26, 1991, the "Grantor," and (i) **LORNA O. HAMMOND**, a single woman, as her sole and separate property, including the rents, issues and profits, as to an undivided fifty percent (50%) interest; and (ii) Lorna O. Hammond, not individually, but as trustee of **THE SHELTERED TRUST** created by The Robert C. Hammond and Lorna O. Hammond Family Trust, dated August 26, 1991, whose mailing address is 5561 W. 17th South, Idaho Falls, ID 83402, the (collectively "Grantee").

WITNESSETH:

That the Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) lawful money of the United States of America, and other good and valuable consideration, to the Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, sold, and by these presents does grant, bargain, sell, convey and confirm unto the Grantee, and to the Grantee's heirs and assigns forever, all of the following described property in the County of Bonneville, State of Idaho, to-wit:

See Exhibit "A" attached hereto and by this reference incorporated herein.

SUBJECT to all existing easements or claims of easements, patent reservations, rights of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, encroachments, overlaps, boundary line disputes and other matters which would be disclosed by an accurate survey or inspection of the premises.

TOGETHER with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversions, any remainders, rents, issues and profits therefrom; and all estate, right, title and interest in and to the property, as well in law as in equity, of the Grantor.

TO HAVE AND TO HOLD the premises and the appurtenances unto the Grantee, and to the Grantee's heirs and assigns forever. The Grantor and the Grantor's heirs shall warrant and defend the premises in the quiet and peaceable possession of the Grantee and the Grantee's heirs and assigns, against the Grantor and the Grantor's heirs, and against

every person whomsoever who lawfully holds (or who later lawfully claims to have held) rights in the premises as of the date hereof.

In construing this Warranty Deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the Grantor has executed the within instrument the day and year first above written.

**THE ROBERT C. HAMMOND AND
LORNA O. HAMMOND FAMILY TRUST**

By: *Lorna O. Hammond*
LORNA O. HAMMOND, trustee

Utah *(initials)*
STATE OF ~~IDAHO~~
washington *(initials)* ss.
County of ~~Bonneville~~)

On the *4th* day of *December*, 2015, before me, the undersigned, a Notary Public, in and for the State of Idaho, personally appeared **LORNA O. HAMMOND**, known or identified to me to be the person whose name is subscribed to the within instrument as trustee of **THE ROBERT C. HAMMOND AND LORNA O. HAMMOND FAMILY TRUST** and acknowledged to me that she executed the same as such trustee.

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)



Denine Lee Weekes-Nelson
Notary Public for ~~Idaho~~ *Utah* *(initials)*
Residing at ~~Idaho Falls, Idaho~~ *St. George, Utah*
My Commission Expires: *02/12/2019*

EXHIBIT "A"

Part of Lot 2, Section 5, Township 1 North, Range 37, East Boise Meridian, Bonneville County, Idaho described as:

Beginning at a point on the East line of said Lot 2 that is North 89°29'44" West 1325.68 feet along the Section line to the Northeast corner of said Lot 2 and South 0°01'23" West 270.46 feet along said East line from the Northeast corner of said Section 5 and running thence South 0°01'23" West 1057.01 feet to the Southeast corner of said Lot 2; thence North 89°13'12" West 1164.45 feet along the South line of said Lot 2 to a point on the Northerly bank of the Sidehill Canal; thence along the meanders of said bank the following four (4) courses: North 48°16'35" East 362.45 feet; thence North 59°46'14" East 226.81 feet; thence North 47°16'16" East 852.45 feet; thence North 33°53'24" East 129.30 feet to the point of beginning.

ALSO: Part of Lots 2 and 3, Section 5, Township 1 North, Range 37 East, Boise Meridian, Bonneville County, Idaho, described as:

Beginning at a point that is North 89°29'44" West 2043.88 feet along the Section line from the Northeast corner of said Section 5 and running South 1°22'28" West 525.18 feet; thence South 89°52'23" East 257.71 feet to the Easterly bank of the Hansen ditch; thence South 37°02'33" West 26.63 feet along said bank; thence South 50°25'32" West 429.89 feet along said bank; thence West 505.84 feet to a point on the East line of said Lot 3; thence North 0°02'47" East 1.08 feet along said East line; thence North 89°29'44" West 1325.80 feet to a point on the West line of said Lot 3; thence North 0°03'18" East 825.00 feet along West line to the Northwest corner of said Lot 3; thence South 89°29'44" East 1325.68 feet along the Section line to the North Quarter corner of said Section 5; thence South 89°29'44" East 578.73 feet along the Section line to the point of beginning.

SE1/4, NE1/4, and SE1/4NW1/4, Section 30, Township 2 North, Range 37 East, Boise Meridian, less the East 25 feet of Section 30 for road right-of-way.

LESS AND EXCEPTING part of Section 30, Township 2 North, Range 37 East, Boise Meridian, Bonneville County, Idaho, described as: Commencing at the East Quarter corner of said Section 30 and running thence South 66.67 feet along the section line; thence North 88°58'41" West 109.97 feet to a point on the East toe of an irrigation canal; thence along said East toe the following four courses: North 36°34'00" West 111.10 feet; thence North 14°02'20" West 86.28 feet; thence North 0°37'19" West 47.76 feet; thence 76°01'23" East 209.61 feet to a point on said section line; thence south 206.20 feet along said section line to the point of beginning.

LESS AND EXCEPTING part of the NE1/4 of Section 30, Township 2 North, Range 37 East, Boise Meridian, Bonneville County, Idaho, described as: Beginning at a point on the center line of the Capital Hill Lateral Canal that is N89°51'10"W 880.95 feet along the section line from the NE corner of said Section 30 and running thence along the center line of said Canal the following twenty-three (23) courses: S08°37'40"W 51.24 feet; thence S04°00'18"W 52.60 feet; thence S09°07'46"W 66.73 feet; thence S05°11'04"E 44.30 feet; thence S10°21'15"E 38.81 feet; thence S13°07'01"E 80.63 feet; thence S05°20'47"E 47.27 feet; thence S08°06'54"W 42.94 feet; thence S03°19'19"W 66.82 feet; thence S15°27'51"E 29.88 feet; thence S47°06'58"E 33.73 feet; thence S67°56'37"E 67.90 feet; thence S82°42'10"E 58.39 feet; thence S85°36'24"E 108.90 feet; thence S65°55'07"E 49.03 feet; thence S45°49'55"E 32.64 feet; thence S05°56'30"E 36.79 feet; thence S13°44'04"W 125.61 feet; thence S44°24'13"W 36.80 feet; thence S50°45'27"W 65.04 feet; thence S29°58'41"W 46.51 feet; thence S08°51'28"W 68.78 feet; thence S12°37'58"W 52.17 feet; thence S76°09'13"W 489.99 feet; thence N00°51'27"W 1,138.74 feet; thence S89°51'10"E 295.87 feet to the point of beginning.

LESS AND EXCEPTING part of the NE1/4 of Section 30, Township 2 North, Range 37 East, Boise Meridian, Bonneville County, Idaho, described as: Beginning at a point that is thence N89°51'51"W 1,176.82 feet along the section line from the NE corner of Section 30 and running thence S00°51'27"E 1,138.74 feet; thence S76°10'01"W 9.00 feet; thence N68°33'22"W 10.24 feet; thence N38°03'06"W 212.74 feet; thence N60°59'23"W 116.53 feet; thence N84°11'34"W 204.21 feet; thence N00°57'20"W 893.60 feet to the north line of said Section 30; thence S89°51'10"E 452.34 feet along the section line to the point of beginning.

Parcel contains 10.00 acres.

LESS AND EXCEPTING part of the SE1/4, SE1/4 of Section 30, Township 2 North, Range 37 East, B.M., Bonneville County, Idaho, described as:

Commencing at the SE corner of said Section 30 and running thence N89°18'15"W 485.75 feet along the south section line; thence N00°36'59"W 943.31 feet; thence S89°00'04"E 485.79 feet to a point on the east section line; thence S00°37'03"E 956.27 feet along said east section line to the point of beginning.

Parcel contains 10.67 acres and is subject to the county road right-of-way along the east and south sides.

M : \ M & E
MFiles\ID2\E38B6975-6C0C-4158-B207-62DF8B23AD12\0\81000-81999\81507\LA\Deed-Warranty(Trust;Lorna-ShelteredTrust;Bonneville
County) (ID 81507).wpd



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

March 25, 2016

The Sheltered Trust
5561 W 17th S
Idaho Falls ID 83402

Lorna O Hammond
5561 W 17th S
Idaho Falls ID 83402

RE: Change of Ownership for Water Right No(s). 35-8016

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 120
Bonneville Jefferson Ground Water District

Law Offices of
MARTIN & ESKELSON, PLLC

Stephen E. Martin, E-mail: stephen@martineskelson.com
Scott P. Eskelson, E-mail: scott@martineskelson.com

P.O. BOX 3189
IDAHO FALLS, ID 83403-3189
PHONE: (208) 523-6644
FAX: (208) 522-0791

RECEIVED
MAR 07 2016
Department of Water Resources
Eastern Region

OFFICES
425 S. HOLMES
IDAHO FALLS, ID 83401

March 1, 2016

Department of Water Resources
Eastern Regional Office
900 N. Skyline Dr., Ste. A
Idaho Falls, ID 83402-1718

Re: Water Right 35-8016

Ladies and Gentlemen:

Enclosed with this letter please find a "Notice of Change in Water Right Ownership" form for the above referenced water right. Also included will be the deed distributing the same from the Robert Hammond Trust in equal shares to the following:

1. Lorna O. Hammond, a single woman.
2. Lorna O. Hammond, as trustee of the Sheltered Trust created by the Robert C. Hammond and Lorna O. Hammond Family Trust.

Also included will be our check in the amount of \$25.00 for the necessary fee. Will you please process this and return it to my attention.

Very truly yours,



Scott P. Eskelson

Enclosures

M:\M&E MFiles\Browse Client\7835\Unclassified document\16mar1-DepofWaterResources.wpd