



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

January 13, 2016

Connor Jacobs
Kimberly Jacobs
1552 N 1600 E
Terreton ID 83450

RE: Notice of Change in Water Right Ownership
Water Rights: 31-7026 & 31-12230

Dear Sir/Madam:

On February 24, 2014, Holden Kidwell Hahn and Crapo filed a Notice of Change in Water Right Ownership (ownership change) with the Idaho Department of Water Resources (IDWR), seeking to update the ownership records for the water rights listed above. After an initial review, we determined that you needed to provide additional evidence of ownership, I know you have been working diligently to correct the discrepancies but rather than continuing to hold your application and fees the department is returning your application. Once the property boundary issues are fixed please resubmit your application.

We are returning your original ownership change and have initiated a refund of your filing fee (\$125.00). The refund from the state of Idaho will be sent to Holden Kidwell Hahn and Crapo in a couple of weeks.

Please feel free to re-file your ownership change any time in the future when you have collected the requested documentation of ownership. Because your filing fee is being refunded, you will need to determine and provide the proper filing fee at the time you re-file the ownership change.

If you have any questions, feel free to contact me at (208) 525-7161.

Respectfully submitted,

Jonie Barg
Technical Records Specialist

Enclosure(s)

cc: Holden Kidwell Hahn & Crapo

SUPPORT DATA
IN FILE # 31-7026

Barg, Jonie

From: Barg, Jonie
Sent: Wednesday, January 13, 2016 10:26 AM
To: Carlos, Rhea
Subject: Refund Request
Attachments: E039575.pdf

Rhea,

Good morning!!

I have a refund request as follows:

Receipt number: E039575
Amount: \$125.00
Payable to: Holden Kidwell Hahn & Crapo
PO Box 50130
Idaho Falls ID 83405

Reason: Total filing fee received \$125.00 for an ownership change. Additional information was required to complete all of the ownership changes. Because the application could not be complete a refund is required.

Let me know if you need additional information.

Thank you so much for your time. Let me know if you have any questions.

Have a great day!!!

Jonie Barg

Jonie Barg
Technical Records Specialist
Idaho Department of Water Resources
900 N Skyline Ste A
Idaho Falls ID 83402
phone: (208) 525-7161
fax: (208) 525-7177
email: jonie.barg@idwr.idaho.gov



Holden Kidwell
Hahn & Crapo P.L.L.C.
LAW OFFICES

RECEIVED

FEB 26 2014

Department of Water Resources
Eastern Region

1000 Riverwalk Drive, Suite 200
PO Box 50130
Idaho Falls, Idaho 83405

Tel: (208) 523-0620
Fax: (208) 523-9518
www.holdenlegal.com

Email: lmarchant@holdenlegal.com

February 24, 2014

Jonie Barg
Idaho Department of Water Resources
900 N. Skyline Drive, Suite A
Idaho Falls, ID 83402-1718

RE: Notice of Change of Ownership for Water Right Nos. 31-7026 and 31-12230

Dear Jonie:

Enclosed for processing is a Notice of Change of Water Right Ownership form for Water Right Nos. 31-7026 and 8.3 acres of 31-12230. We have included a Warranty Deed conveying the property and the water rights from the previous owner to the Jacobs as well as the necessary filing fee.

If you have any questions, or if I can be of any assistance, please do not hesitate to contact me.

Best Regards,

Luke H. Marchant
Holden, Kidwell, Hahn & Crapo, P.L.L.C.

Enclosures

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RECEIVED

FEB 26 2014

Department of Water Resources
Eastern RegionSTATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF 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.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
31-7026	Yes ☐		Yes ☐		Yes ☐
31-12230	Yes ☒		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Estella R. Stallings
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Connor H. Jacobs and Kimberly Jacobs
New owner(s) as listed on the conveyance document ☐ and ☐ or ☐ and/or

1552 North 1600 East Terreton ID 83450
Mailing Address City State Zip
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: February 20, 2014
6. If the water right described herein has been rented from the Water Supply Bank, rental proceeds will be disbursed in the following manner regardless of any arrangements between the buyer(s) and seller(s) to the contrary:

- Rental payments will go to the lessor(s) of record at the beginning of the rental season.
- If a change in ownership is processed by the Department during a rental season, rental payment will be made to the person or entity who is the lessor of record at the beginning of that rental season.
- New lessor(s) of record will receive payment after the following rental season.

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. (\$25)
 - \$100 per *split* water right. (\$100)
 - No fee is required for pending adjudication claims.

8. Signature: [Signature] Attorney 2/24/2014
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 [Signature]
Approved by _____

Date 2/27/2014
Processed by _____

Receipt No. E039575

Date _____
Receipt Amt. \$125 -

FIRST AMERICAN TITLE
441473-RT

Instrument # 410086
RIGBY, JEFFERSON, IDAHO
02-21-2014 03:18:08 PM No. of Pages: 2
Recorded for FIRST AMERICAN TITLE - RIGBY
CHRISTINE BOULTER Fee: \$13.00
Ex-Officio Recorder Deputy: LK
Index To: WARRANTY DEED
Electronically Recorded by Simplifile

WARRANTY DEED

THIS INDENTURE is made this 20th day of February, 2014, by Karen Katie Raymond, as Personal Representative of the Estate of Estella R. Stallings, the "Grantor", to CONNER H. JACOBS and KIMBERLY JACOBS, husband and wife, whose address is 1552 North 1600 East, Terreton, Idaho 83450, the "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, successors, and assigns forever, all of the following described real property in the County of Jefferson, State of Idaho, to-wit:

Parcel I:

W1/2NW1/4, Section 27, Township 8 North, Range 36 EBM, JEFFERSON COUNTY, IDAHO

Parcel II:

E1/2NE1/4 lying East of the railroad track, Section 28, Township 8 North, Range 36 EBM, JEFFERSON COUNTY, IDAHO.

SUBJECT TO all real property taxes and assessments, all existing patent reservations, easements, rights of way, and restrictive covenants, all applicable zoning ordinances, building codes, laws and regulations, all encroachments, overlaps, boundary line disputes, claims of easements and other matters that would be disclosed by an accurate survey or inspection of the property.

TOGETHER WITH any and all estate, right, title, interest, appurtenances, tenements, hereditaments, reversions, remainders, easements, rents, issues, profits, rights-of-way and water rights, in anywise appertaining to the property, as well in law as in equity, including, but not limited to, Water Right No. 31-7026 and the portion of Water Right No. 31-12230 which is appurtenant to the above described property,

ALSO TOGETHER WITH any and all wells, casings, pumps, pivot systems, electrical panels, and other irrigation equipment located on such property.

TO HAVE AND TO HOLD the property and the appurtenances unto the Grantee, and to the Grantee's heirs, successors, and assigns forever. The Grantor and the Grantor's heirs and

successors shall warrant and defend the property in the quiet and peaceable possession of the Grantee and the Grantee's heirs, successors, and assigns, against the Grantor and the Grantor's heirs and successors, and against every person whomsoever who lawfully holds (or who later lawfully claims to have held) rights in the property as of the date hereof, subject to the matters set forth above.

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.

GRANTOR:

X *Karen Katie Raymond as Personal Representative of the Estate of Estella R. Stallings*

Karen Katie Raymond, as Personal Representative of the Estate of Estella R. Stallings

STATE OF UTAH)

County of DAVIS) ss.

On the 19 day of Feb, 2014, before me, the undersigned, a notary public in and for said State, personally appeared, Karen Katie Raymond, known or identified to me to be the person whose name is subscribed to the within instrument as Personal Representative of the Estate of Estella R. Stallings, and acknowledged to me that she executed the same as such Personal Representative.

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



[Signature]
Notary Public for Utah

Residing at Davis

My Commission Expires: 7-20-2014