

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES\$200. -
RECEIVED

NOV 02 2015

Notice of Change in Water Right Ownership

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?
22-14054	Yes ☒	Yes ☐		Yes ☐	Yes ☐
22-14053	Yes ☒	Yes ☐		Yes ☐	Yes ☐
22-14055 22-14108	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

Split into
22-14054
22-14107
22-14108

2. Previous Owner's Name:

Robert Kincaid
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s):

Robert Kincaid

New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or ☐ and/or

PO Box 336

Victor

ID

8355

Mailing address

City

State

ZIP

208-313-1439

RK5@lda.net

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: _____
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 # 22-14053

* 8. Signature: 

Signature of new owner/claimant

Title, if applicable

Oct 29, 2015
Date

Signature:

Signature of new owner/claimant

Title, if applicable

Date

For IDWR Office Use Only:

Received by JB Date 11-2-15Receipt No. E041596Receipt Amt. \$200. -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 JBProcessed by JBDate 11/3/2015

Instrument # 237739

TETON COUNTY, IDAHO

8-26-2015 01:15:00 PM No. of Pages: 2

Recorded for : KINCAID, BOB

MARY LOU HANSEN

Fee: 13.00

Ex-Officio Recorder Deputy

Index to: AMENDMENT

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Faren Z. Eddins

Moulton Law Office

60 E. Wallace Ave. (P.O. Box 631)

Driggs, ID 83422

(Space Above For Recorder's Use)

AMENDED GIFT DEED

WHEREAS, A gift deed was recorded from Donors to Donee on June 25, 2015 in Teton County, Idaho with Instrument number 237016;

WHEREAS, said gift deed contained an incorrect property description;

And WHEREAS, Donors and Donees desire to correct said incorrect property description,

NOW THEREFORE

For and in consideration of the natural love and affection that Robert F. Kincaid and Yvonne M. Kincaid, ("Donors"), bear for Robert J. Kincaid, ("Donee"), whose current address is PO Box 336, Victor, Idaho 83455, Donors, a married couple as their sole and separate property does hereby give, grant and convey unto Donee, a married man as his sole and separate property, and his successors and assigns forever, the following described real property situated in Teton County, State of Idaho:

Open Area 1, Fox Creek Village PUD, Sec 25 T4N R45E

This conveyance shall include 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 herein described.

Donors covenant that prior to the execution of the Gift Deed, Donors have not conveyed this real property to any other person, and at the time of execution, the real property is free from encumbrances done, made, or suffered by the Donors.

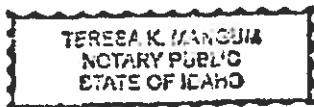
IN WITNESS WHEREOF, the Donors have executed this instrument this 26 day of August, 2015.

Robert F. Kincaid
Robert F. Kincaid
Yvonne M. Kincaid
Yvonne M. Kincaid

STATE OF Idaho)
) ss.
County of Teton)

On this 26 day of August, 2015, before me Teresa K. Mangum personally appeared Robert F. Kincaid, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he 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.

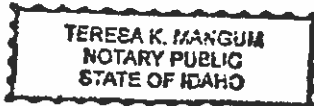


Teresa K. Mangum
NOTARY PUBLIC FOR IDAHO
Residing at Driggs ID
My Commission Expires 07-24-21

STATE OF Idaho)
) ss.
County of Teton)

On this 26 day of August, 2015, before me Teresa K. Mangum personally appeared Yvonne M. Kincaid, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he 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.



Teresa K. Mangum
NOTARY PUBLIC FOR IDAHO
Residing at Driggs ID
My Commission Expires 07-24-21

RECORDING REQUESTED BY
First American Title Company

182331

RECEIVED

OCT 13 2006

TETON CO., ID
CLERK RECORDS

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

Instrument # 182331

DRIGGS, TETON, IDAHO

2006-11-09 01:49:23 No. of Pages: 2

Recorded for : FIRST AMERICAN

NOLAN G. BOYLE

Ex-Officio Recorder Deputy

Index to: DEED WARRANTY

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **136981-T (lb)**

Date: **October 12, 2006**

For Value Received, **Fox Development, LLC, a Wyoming Limited Liability Company**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Robert J. Kincaid and Kimberly Kincaid, Husband and wife**, hereinafter called the Grantee, whose current address is **P.O. Box 336, Victor, ID 83455**, the following described premises, situated in **Teton County, Idaho**, to-wit:

Lot 17, Block 1, Fox Creek Country Club Estates, Teton County, Idaho, as the same appears on the official plat thereof recorded June 24, 1983 as Instrument No. 92749.

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.

182331

Date: 10/12/2006

Warranty Deed
- continued

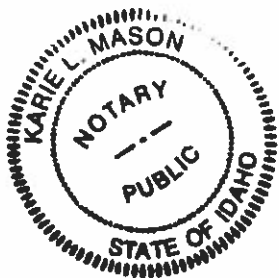
File No.: 136981-T (1b)

By: Robert Kincaid
Robert Kincaid, Member

By: Tom Hunter
Tom Hunter, Member

STATE OF Idaho)
SS.
COUNTY OF Teton)

On this **Thirtieth day of October, 2006**, before me, a Notary Public in and for said State, personally appeared **Robert Kincaid and Tom Hunter**, 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 **Fox Development, LLC**, which is known or identified to me to be the entity whose name is subscribed to the within Instrument and acknowledged to me that they executed the same in said Limited Liability Company's name.



Karie L. Mason
Notary Public of Idaho
Residing at: Victor, ID
Commission Expires: 8-19-2010



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

November 4, 2015

Robert J Kincaid
Kimberly Kincaid
PO Box 336
Victor ID 83455

RE: Change of Ownership for Water Rights 22-14054 (Split into 22-14054, 22-14167 & 22-14169) and 22-14053 (Split into 22-14053 & 22-14169)

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.

Please note the department is required to list ownership as the conveyance document reads. Therefore water right 22-14167 is in the name of Robert J Kincaid; and water right 22-14169 is in the name of Robert J Kincaid and Kimberly Kincaid.

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: Jeremy Kincaid
Robert F Kincaid
Water District 01