



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

June 26, 2015

Jay Van Orden
Shelli Van Orden
933 W Hwy 39
Blackfoot ID 83224

RE: Notice of Change in Water Right Ownership
Water Rights: 35-8609A & 35-11905

Dear Sir/Madam:

On January 27, 2014, you 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, specifically a deed for your property located at 933 W Hwy 39. On March 7, 2014 and July 7, 2014, we sent a letter requesting the additional information. The additional information was to be provided within 30 days.

IDWR has never received a response to the request for additional information. Without the requested documents, we cannot verify ownership of the water right and cannot complete the ownership change. We are therefore returning your original ownership change and have initiated a refund of your filing fee (\$25.00). The refund from the state of Idaho will arrive at the address listed above within 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)

SUPPORT DATA
IN FILE # 35-8609A

Barg, Jonie

From: Barg, Jonie
Sent: Friday, June 26, 2015 3:24 PM
To: Carlos, Rhea
Subject: Refund Request
Attachments: E039477.pdf

Rhea,

Good afternoon!!

I have a refund request as follows:

Receipt number: E039477
Amount: \$125.00
Payable to: Jay Van Orden
933 W Hwy 39
Blackfoot ID 83221

Reason: Total filing fee received \$125.00 for ownership change for 2 water right. The department cannot complete the ownership change therefore a full 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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JAN 27 2014

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.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
35-11905	Yes ☐		Yes ☐		Yes ☐
35-8609A	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name:

Jennie L Williams Family

Name of current water right holder/claimant

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

Jay C VanDusen

Name of each new owner as listed on the conveyance document

Michael Allen

New owner continued

Name connector

☐ and

☐ or

☐ and/or

933w Hwy 39

Mailing address

Blackfoot

City

604-6601

Telephone

Idaho 83224

State

ZIP

Quarter Circle C @ 6 Mile

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. 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.

7. Signature:

Signature of new owner/claimant

Title, if applicable

Date Jan 27, 2014

Signature:

Signature of new owner/claimant

Title, if applicable

Date

For IDWR Office Use Only:

Received by

Date

Receipt No.

Receipt Amt.

Approved by

Processed by

Date

Rerecorded to correct
legal description

523597

522930

WARRANTY DEED

FOR VALUE RECEIVED the Jennie L. Williams Family Limited Partnership, the Grantor, does hereby grant, bargain, sell, and convey unto Jay VanOrden and Shelli VanOrden, of 933 W Hwy 39, Blackfoot, Idaho 83221, the Grantees, the following described premises, to wit:

Part of Section 4, Township 3 South, Range 34, E.B.M., Bingham County, Idaho, described as:

Beginning at a point on the East line of the property as described in Instrument No. 160198 that is N 89°33'47" W 1996.17 feet along the section line; thence S 00°00'55" E 217.60 feet; thence S 89°33'47" E 400.00 feet; thence N 00°00'57" W 217.60 feet; thence N 89°33'43" W 400.00 feet to the point of beginning.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

Subject to all existing rights-of-ways for public highways, protective covenants, utility lines, existing roadways, irrigation ditches and all building, zoning and other restrictions of use and all encumbrances of record.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that it is the owner in fee simple of said premises; that said premises are free from all encumbrances except as hereinabove set forth and that it will warrant and defend the same from all lawful claims whatsoever.

DATED this 17th day of February, 2002.

JENNIE L. WILLIAMS TRUST, created under the Last Will and Testament of C.L. Williams, General Partner of the Jennie L. Williams Family Limited Partnership

By LeGrande R. Williams

LeGrande R. Williams, Trustee

BINGHAM COUNTY RECORDER
BLACKFOOT, IDAHO

522930-523597
FEE

2003 FEB 18 PM 4:51

RECORDED AT THE REQUEST OF

LeGrande R. Williams
PO Box 597
Blackfoot ID 83221

STATE OF OR)
) ss.
County of Washington

On this 17th day of February, 2002, before me, the undersigned, Notary Public in and for said State, personally appeared LeGrande R. Williams, the Trustee of the Jennie L. Williams Trust created under the Last Will and Testament of C.L. Williams, known to me to be the General Partner of the Jennie L. Williams Family Limited Partnership, who subscribed the partnership name to the foregoing instrument, and acknowledged to me that he executed the same in the partnership name.

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



Katherine Wolper
Notary Public
Residing at Hillsboro, OR
My Commission Expires: Jan. 29, 2007

522930

523597

RECORDED AT THE REQUEST OF
Buckley & Davis
PO BOX 594
Buckley - DD 83221

2003 MAR -6 PM 4:51

SENGHAM COUNTY RECORDER
BLACKFOOT, IDAHO
FILED
LEW DEP
JUL 2006

517652

518230

WARRANTY DEED

3020003480-L

FOR VALUE RECEIVED the Jennie L. Williams Family Limited Partnership, the Grantor, docs hereby grant, bargain, sell, and convey unto Jay VanOrden and Shelli VanOrden, of 933 W Hwy 39, Blackfoot, Idaho 83221, the Grantees, the following described premises, to wit:

Part of Section 4, Township 3 South, Range 34, E.B.M., Bingham County, Idaho, described as:

Parcel 1 - N $\frac{1}{2}$ S $\frac{1}{2}$ NE $\frac{1}{4}$

Parcel 2 - Lot 1

LESS: Beginning at a point that lies S 00°11'12" E 332.56 feet along the Section line from the Northeast corner of Section 4, Township 3 South, Range 34 E.B.M., Bingham County, Idaho, and running thence S 00°11'12" E 208.72 feet along said county road right of way; thence N 89°27'30" W 208.72 feet; thence N 00°11'12" W 208.72 feet; thence S 89°27'30" E 208.72 feet to the point of beginning.

Containing 1.00 acres

Subject to a county road right of way along the easterly side of the above described parcel.

ALSO LESS: Commencing at a point where the South side of the right of way of Highway 39, a highway running East and West along the North side of said section, is intersected by the West side of the right of way of the highway running North and South along the East side of said section; thence South 300 feet along the West right of way line of said highway running North and South; thence West 500 feet; thence North 300 feet more or less to the South side of said Highway 39 right of way; thence East along said South right of way line 500 feet, more or less, to the point of beginning.

Parcel 3 - Part of Lot 1 described as:

Beginning at a point on the northerly right of way of State Highway 39 that lies N 89°34'42" W 316.54 feet along the section line, and S 00°11'12" E 31.99 feet from the Northeast corner of Section 4, Township 3 South, Range 34 E.B.M., Bingham County, Idaho, and running thence N 89°27'30" W 35.41 feet along said Highway 39 right of way to a point monumented with an Idaho State Transportation Department brass cap right of way monument for Station 921+50.6; thence S 00°11'12" E 10.00 feet to a point monumented with an Idaho State Department of Transportation brass cap right of way monument for Station 921+50.6; thence N 89°27'30" W 174.15 feet; thence S 00°11'12" E 290.00 feet; thence S 89°27'30" E 209.56 feet; thence N 00°11'12" W 300.00 feet to the point of beginning.

Containing 1.40 acres

Parcel 4 - Lot 2

LESS: Beginning at a point on the East line of the property as described in Instrument No.160198 that is N 89°33'47" W 1996.17 feet along the section line and S 00°00'55" E 217.60 feet from the Northeast corner of said Section 4 and running

thence S 00°00' 55" E 435.60 feet along the East line of said property as described in Instrument No. 160198 to the true point of beginning; thence S 00°00'55" E 297.86 feet along the East line of said property described in Instrument No. 160198; thence S 89°33'47" E 400.00 feet; thence N 00° 00'57" W 297.86 feet; thence N 89°33'43" W 400.00 feet to the point of beginning.

ALSO LESS: Beginning at a point on the East line of the property as described in Instrument No. 160198 that is N 89°33'47" W 1996.17 feet along the section line and S 00°00'55" E 217.60 feet from the Northeast corner of said Section 4 and running thence S 00°00' 55" E 435.60 feet along the East line of said property as described in Instrument No. 160198; thence S 89°33' 47" E 400.00 feet; thence N 00°00'57" W 435.60 feet; thence N 89°33'43" W 400.00 feet to the point of beginning.

ALSO LESS: Beginning at a point on the East line of the property as described in Instrument No. 160198 that is N 89°33'47" W 1996.17 feet along the section line; thence S 00°00'55" E 217.60 feet; thence S 89°33' 47" E 400.00 feet; thence N 00°00'57" W 217.60 feet; thence N 89°33'43" W 400.00 feet to the point of beginning.

ALSO LESS: Beginning at the Northwest corner of said Lot 2, and running thence East on the section line 40 rods; thence South parallel with the West line of said Section 40 rods; thence West parallel with the North section line 40 rods; thence North on the section line 40 rods more or less to the point of beginning.

ALSO LESS: Commencing at the Southwest corner of the present cemetery as determined by that certain deed recorded as Instrument No. 160193 in the records of Bingham County, and proceeding thence in a Southerly direction along the half section line a distance of 330 feet; thence Easterly on a line parallel to the North section line of Section 4 a distance of 660 feet; thence Northerly on a line parallel to the half section line 330 feet; thence Westerly on a line parallel to the North section line 660 feet to the point of beginning.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

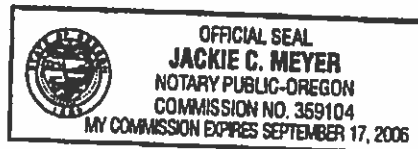
Subject to all existing rights-of-ways for public highways, protective covenants, utility lines, existing roadways, irrigation ditches and all building, zoning and other restrictions of use and all encumbrances of record.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that it is the owner in fee simple of said premises; that said premises are free from all encumbrances except as hereinabove set forth and that it will warrant and defend the same from all lawful claims whatsoever.

JENNIE L. WILLIAMS TRUST, created under the Last Will and Testament of C.L. Williams, General Partner of the Jennie L. Williams Family Limited Partnership

STATE OF OREGON)
 -) ss.
County of WASHINGTON)

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



Jackie C. Mayer
Notary Public
Residing at Humboldt
My Commission Expires: 9-17-06

RECORDED AT THE REQUEST OF
2002 OCT 21 AM 11:50
FEE FOR DEP C
BANGHAM CO. 111 RECORDER
BLACKFOOT, IDAHO
5187500

RECORDED AT THE REQUEST OF
 Baker & Harris
 PO Box 577
 Blackfoot ID 83221

2002 OCT -2 PM 4:43

BINGHAM COUNTY RECORDER
 BLACKFOOT, IDAHO
 REC'D 10/20/356
 FILE 7- DEP

Exhibit "A"

Real property in the County of Bingham, State of Idaho, described as follows:

Part of Section 4, Township 3 South, Range 34 E.B.M., Bingham County, Idaho, described as:
PARCEL 1: N $\frac{1}{2}$ S $\frac{1}{2}$ 2NE $\frac{1}{4}$

PARCEL 2: Lot 1

LESS: Beginning at a point that lies S 00°11'12" E 332.56 feet along the Section line from the Northeast corner of Section 4, Township 3 South, Range 34 E.B.M., Bingham County, Idaho, and running thence S 00°11'12" E 208.72 feet along said county road right of way; thence N 89°27'30" W 208.72 feet; thence N 00°11'12" W 208.72 feet; thence S 89°27'30" E 208.72 feet to the point of beginning.

ALSO LESS: Commencing at a point where the South side of the right of way of Highway 39, a highway running East and West along the North side of said section, is intersected by the West side of the right of way of the highway running North and South along the East side of said section; thence South 300 feet along the West right of way line of said highway running North and South; thence West 500 feet; thence North 300 feet more or less to the South side of said Highway 39 right of way; thence East along said South right of way line 500 feet, more or less, to the point of beginning,

PARCEL 3: Part of Lot 1 described as:

Beginning at a point on the northerly right of way of State Highway 39 that lies N 89°34'42" W 316.54 feet along the section line, and S 00°11'12" E 31.99 feet from the Northeast corner of Section 4, Township 3 South, Range 34 E.B.M., Bingham County, Idaho, and running thence N 89°27'30" W 35.41 feet along said Highway 39 right of way to a point monumented with an Idaho State Transportation Department brass cap right of way monument for Station 921+50.6; thence S 00°11'12" E 10.00 feet to a point monumented with an Idaho State Department of Transportation brass cap right of way monument for Station 921+50.6; thence N 89°27'30" W 174.15 feet; thence S 00°11'12" E 290.00 feet; thence S 89°27'30" E 209.56 feet; thence N 00°11'12" W 300.00 feet to the point of beginning.

PARCEL 4: Lot 2

LESS: Beginning at a point on the East line of the property as described in Instrument No. 160198 that is N 89°33'47" W 1996.17 feet along the section line and S 00°00'55" E 217.60 feet from the Northeast corner of said Section 4 and running thence S 00°00'55" E 435.60 feet along the East line of said property as described in Instrument No. 160198 to the true point of beginning; thence S 00°00'55" E 297.86 feet along the East line of said property described in Instrument No. 160198; thence S 89°33'47" E 400.00 feet; thence N 00°00'57" W 297.86 feet; thence N 89°33'43" W 400.00 feet to the point of beginning.

ALSO LESS: Beginning at a point on the East line of the property as described in Instrument No. 160198 that is N 89°33'47" W 1996.17 feet along the section line and S 00°00'55" E 217.60 feet from the Northeast corner of said Section 4 and running thence S 00°00'55" E 435.60 feet along the East line of said property as described in Instrument No. 160198; thence S 89°33'47" E 400.00 feet; thence N 00°00'57" W 435.60 feet; thence N 89°33'43" W 400.00 feet to the point of beginning.

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ALSO LESS: Beginning at the Northwest corner of said Lot 2, and running thence East on the section line 40 rods; thence South parallel with the West line of said Section 40 rods; thence West parallel with the North section line 40 rods; thence North on the section line 40 rods more or less to the point of beginning.

ALSO LESS: Commencing at the Southwest corner of the present cemetery as determined by that certain deed recorded as Instrument No. 160193 in the records of Bingham County, and proceeding thence in a Southerly direction along the half section line a distance of 330 feet; thence Easterly on a line parallel to the North section line of Section 4 a distance of 660 feet; thence Northerly on a line parallel to the half section line 330 feet; thence Westerly on a line parallel to the North section line 660 feet to the point of beginning.

PARCEL 5:

Part of Lot 2, Section 4, Township 3 South, Range 34, E.B.M., Bingham County, Idaho, described as:

Beginning at a point on the East line of the property as described in Instrument No. 160198 that is N 89°33'47" W 1996.17 feet along the section line and S 00°00'55" E 217.60 feet from the Northeast corner of said Section 4 and running thence S 00°00'55" E 435.60 feet along the East line of said property as described in Instrument No. 160198 to the true point of beginning; thence S 00°00'55" E 297.86 feet along the East line of said property described in Instrument No. 160198; thence S 89°33'47" E 400.00 feet; thence N 00°00'57" W 297.86 feet; thence N 89°33'43" W 400.00 feet to the point of beginning