

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

DEC 24 2014

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?
22-10811 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
<i>298A > 14152</i> 22-298A <i>OK</i>	Yes ☒	Yes ☐		Yes ☐	Yes ☐
<i>299A > 14153</i> 22-299A <i>OK</i>	Yes ☒	Yes ☐		Yes ☐	Yes ☐
<i>300C > 14154</i> 22-300C <i>OK</i>	Yes ☒	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: John A. McKellar and Julie McKellar
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Peter J. McKellar, Sarah McKellar
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or ☐ and/or
- 1390 Horseshoe Lane Driggs ID 83422
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: September 19, 2014
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):
 o \$25 per *undivided* water right.
 o \$100 per *split* water right.
 o 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: *Peter J. McKellar* Attorney _____ 12/24/2014
Signature of new owner/claimant Title, if applicable Date
- Signature: _____ _____ _____
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

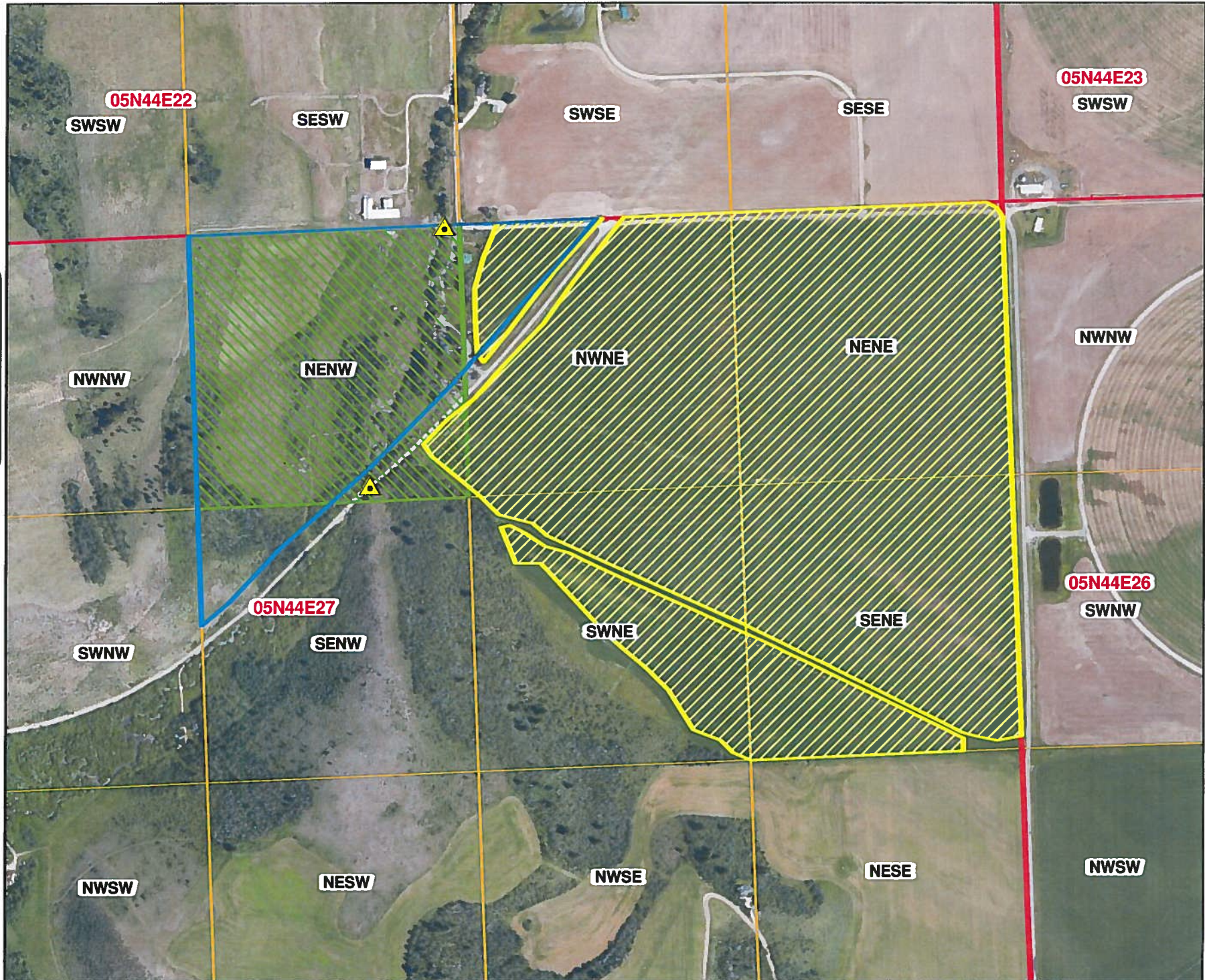
Received by JB Date 12/24/2014 Receipt No. E040523 Receipt Amt. \$325.-
 Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing
 Name on W-9 _____ Approved by JB Processed by JB Date 4/23/2015 W-9 received? Yes ☐ No ☐

PETER AND SARAH McKELLAR WR OWNERSHIP CHANGE



Legend

- Irrigation PODs
- Peter and Sarah McKellar Parcel
- 22-298A, 22-299A, and 22-300C POU
- 22-10811 POU
- Section Lines
- Quarter Quarters



ESRI Basemap



Prepared by:
Luke H. Marchant
12/12/2014

GRANT DEED WITH RESERVED LIFE ESTATE

THIS INDENTURE is made this 19 day of September, 2014, by John A. McKellar aka John McKellar and Julie Rose McKellar aka Julie McKellar, husband and wife, the "Grantor", to Peter J. McKellar and Sarah McKellar, husband and wife, whose mailing address is 1390 Horseshoe Lane, Driggs, Idaho, 83422, 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, and by these presents does grant and confirm unto the Grantee, and to Grantee's successors and assigns forever, all of the following described real property in the County of Teton, State of Idaho, to-wit:

That part of the E1/2 NW1/4 in Section 27, Twp. 5 N, Rng. 44 E.B.M., Teton County, Idaho that lies North and West of the Old Horseshoe County Road said tract being further described as: Commencing at the North Quarter (1/4) corner of said section 27 and running, thence S 89°48'31" E, 639.28 ft. along the North section line to the Old Horseshoe County Road right of way (R-O-W);

Thence S 39°36'32" W, 382.28 ft. along said Horseshoe Road R-O-W to a point;

Thence 786.38 ft. along a 5879.6 ft. radius curve to right with a 785.75 ft. chord which bears S 43°34'32" W to a point;

Thence S 47°32'31" W, 680.55 ft. along the Old Horseshoe Road R-O-W to a point;

Thence S 89°57'19" E, 14.80 ft. along the Old Horseshoe Road R-O-W to a point;

Thence S 47°32'31" W, 607.76 ft. along the Old Horseshoe Road R-O-W to a point;

Thence 303.65 ft. along a 2252.00 ft. radius curve to right with a 303.42 ft. chord which bears S 51°24'17" W to a point on a west line of the SE1/4 NW1/4;

Thence N 00°3'27" W, 1928.24 ft. along West line of the SE1/4 NW1/4 to the NW corner of the NE1/4 NW1/4;

Thence S 89°51'13" E, 1320.83 to the North 1/4 corner, the point of beginning.

Subject to a 30 foot wide county road easement along the North side.

TOGETHER WITH that portion of any and all water rights owned by the Grantor appurtenant to the above-described property, including, but not limited to, Water Right Nos. 22-298A, 22-299A, and 22-300C. ALSO INCLUDING all of Grantor's right, title and interest in and to Water Right No. 22-10811.

GRANT DEED WITH RESERVED LIFE ESTATE

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

RESERVING AND RETAINING UNTO GRANTOR A LIFE ESTATE IN THE ABOVE-DESCRIBED PROPERTY, WHICH RESERVED LIFE ESTATE SHALL AUTOMATICALLY TERMINATE ON THE DEATH OF THE SURVIVOR OF JOHN A. McKELLAR AND JULIE McKELLAR.

SUBJECT to all real property taxes and assessments, all existing patent reservations, easements, rights of way, restrictive covenants, and matters of record; all applicable zoning ordinances, building codes, laws, and regulations; all rights of tenants and other parties in possession; and 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.

AND ALSO SUBJECT TO THE FOLLOWING:

1. Exceptions and reservations contained in Warranty Deed dated June 6, 1945 from Dortha Howells Kelsy Formerly Dortha Howells to Fred H. Kay recorded June 28, 1945 in Book 77 at Page 45.

2. Terms, conditions and provisions contained in Resolution Declaring County Highways recorded May 16, 1980, as Instrument No. 85484 and Amended Resolution Declaring County Highways recorded May 23, 1989, as Instrument No. 104309.

3. Electric line right-of-way easement granted by John A. McKellar, to Fall River Rural Electric Cooperative, Inc., recorded November 26, 1996 recorder's No. 125685, records of Teton County, ID.

4. Agreement for electrical service between John A. McKellar, and Fall River Rural Electric Cooperative, Inc., recorded November 27, 1996 recorder's No. 125747 records of Teton County, ID.

5. All matters, covenants, conditions, restrictions, easements and any rights, interests or claims which may exist by reason thereof, disclosed by Record of Survey recorded March 3, 2014, as Instrument Number 231598.

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

In construing this 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

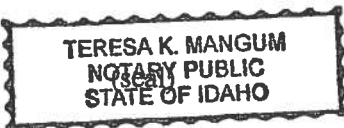
John A. McKellar
John A. McKellar aka John McKellar

Julie Rose McKellar
Julie Rose McKellar aka Julie McKellar

STATE OF Idaho)
)ss.
County of Teton)

On the 19 day of September, 2014, before me, the undersigned, a notary public in and for said State, personally appeared John A. McKellar aka John McKellar and Julie Rose McKellar aka Julie McKellar, known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that 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.



Teresa K. Mangum
Notary Public for Idaho
Residing at Driggs ID
My Commission Expires: 07-24-2015

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