

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 28 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?
35-2376 OK	Yes ☐		Yes ☐		Yes ☐
35-8785 OK	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name

Samuel Murray Matthews

Name of current water right holder/claimant

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

Larry Tim &/or Lucille Pierce

New owner(s) as listed in the conveyance document

Name Connector ☐ and ☐ or ☒ and/or

46 Windriver Lane

Lindon

Utah

84042

Mailing address

City

State

ZIP

(801) 554-9885

ltimpierce@gmail.com

Telephone

Email:

Prepared by: Keith C. Wilson c/o Rocky Mountain Environmental Assoc. Inc.

Email: kwilson@rockymountainenvironmental.com



482 Constitution Way, Suite 303, Idaho Falls, ID 83402

(208) 524-2353 / (208) 524-1795 Fax

4. If the water rights and/or adjudication claims were split, how did the division occur? N/A

- ☐ 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 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: N/A

- 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 of 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 photography 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.

SUPPORT DATA

IN FILE #

35-2376

7. Signature:

Larry Tim Pierce
Signature of New owner/claimant

Title if applicable

4-24-14
Date

Signature:

Lucille Pierce
Signature of New owner/claimant

Title if applicable

4-24-14
Date

For IDWR Office Use Only:

Received by [Signature]

Date 4/29/14

Receipt No. E039771

Receipt Amt. \$50. -

Approved by [Signature]

Processed by [Signature]

Date May 7, 2014

WATER RIGHT NO. 35-2376

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SAMUEL MURRAY MATTHEWS
	1420 W 800 S
	PINGREE, ID 83262
	(208)684-3286

Priority Date: 04/30/1954

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	10/31	1.56 CFS	312 AFA
Total Diversion			1.56 CFS	

Location of Point(s) of Diversion:

GROUND WATER	NESWSE	Sec. 10	Township 04S	Range 33E	BINGHAM County
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Place of Use Legal Description: IRRIGATION BINGHAM County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
04S	33E	10		NWSE	20		SWSE	30		SESE	28			

Total Acres: 78

Conditions of Approval:

1.	C18	THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
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Decreed Date: 01/31/2002

Water District Number: 120

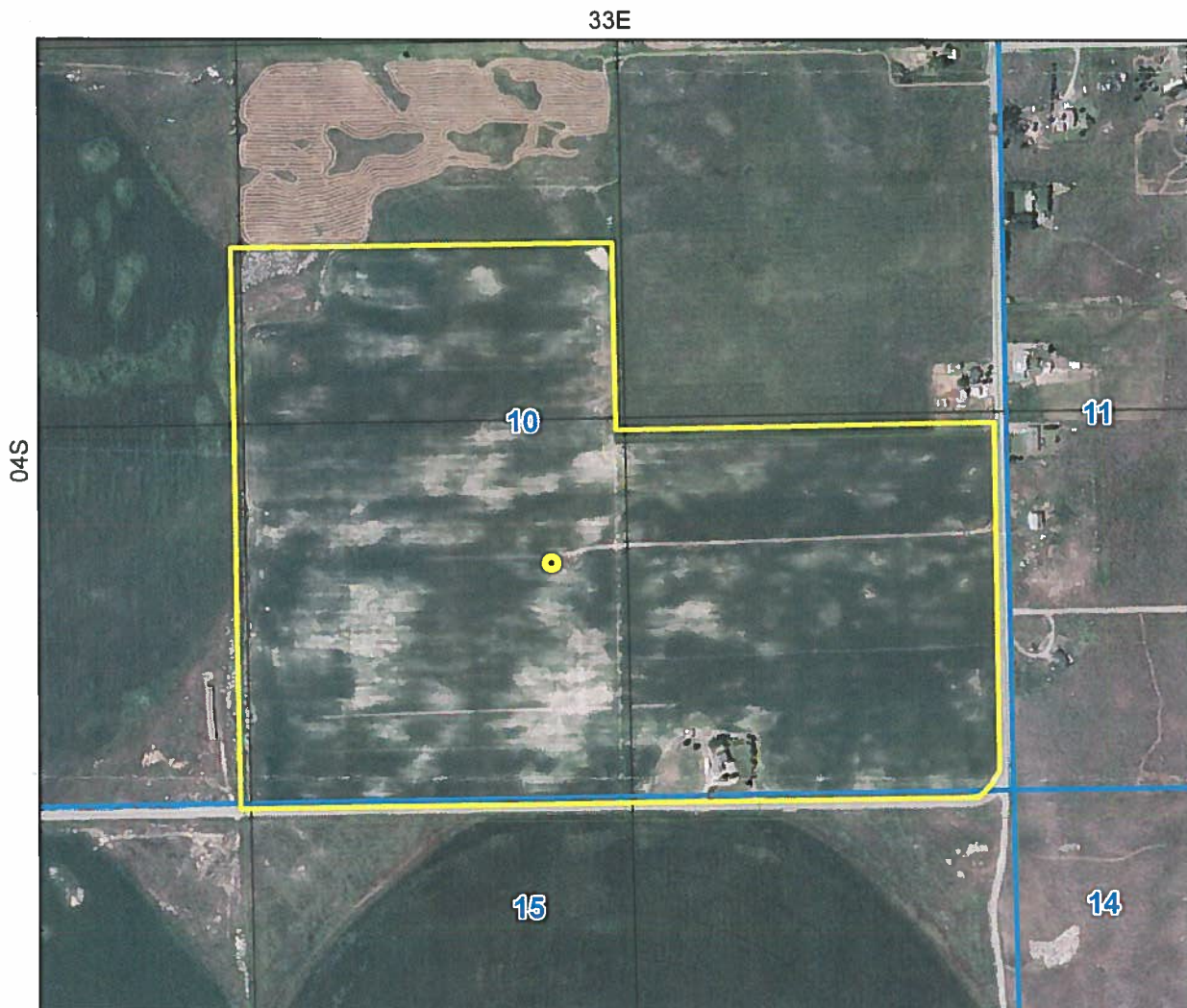
Combined Rate Limit: 1.7

State of Idaho
Department of Water Resources

Water Right
35-2376

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters
- Taxlots

0 0.075 0.15 0.3 Miles



WATER RIGHT NO. 35-8785

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SAMUEL MURRAY MATTHEWS
	1420 W 800 S
	PINGREE, ID 83262
	(208)684-3286

Priority Date: 06/23/1989

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	10/31	0.44 CFS	88 AFA
Total Diversion			0.44 CFS	

Location of Point(s) of Diversion:

GROUND WATER	SWSE	Sec. 10	Township 04S	Range 33E	BINGHAM County
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Licensed Diversion Capacity: 1.7

Place of Use Legal Description: IRRIGATION BINGHAM County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
04S	33E	10		SWSE	10		SESE	12						

Total Acres: 22

Conditions of Approval:

1.		Rights 35-02376 and 35-08785 when combined shall not exceed a total diversion rate of 1.70 cfs. Right 35-02376 is also diverted through the point(s) of diversion described above.
2.	049	The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
3.	048	The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
4.	R64	This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

Licensed Date: 03/09/1998

Water District Number: 120

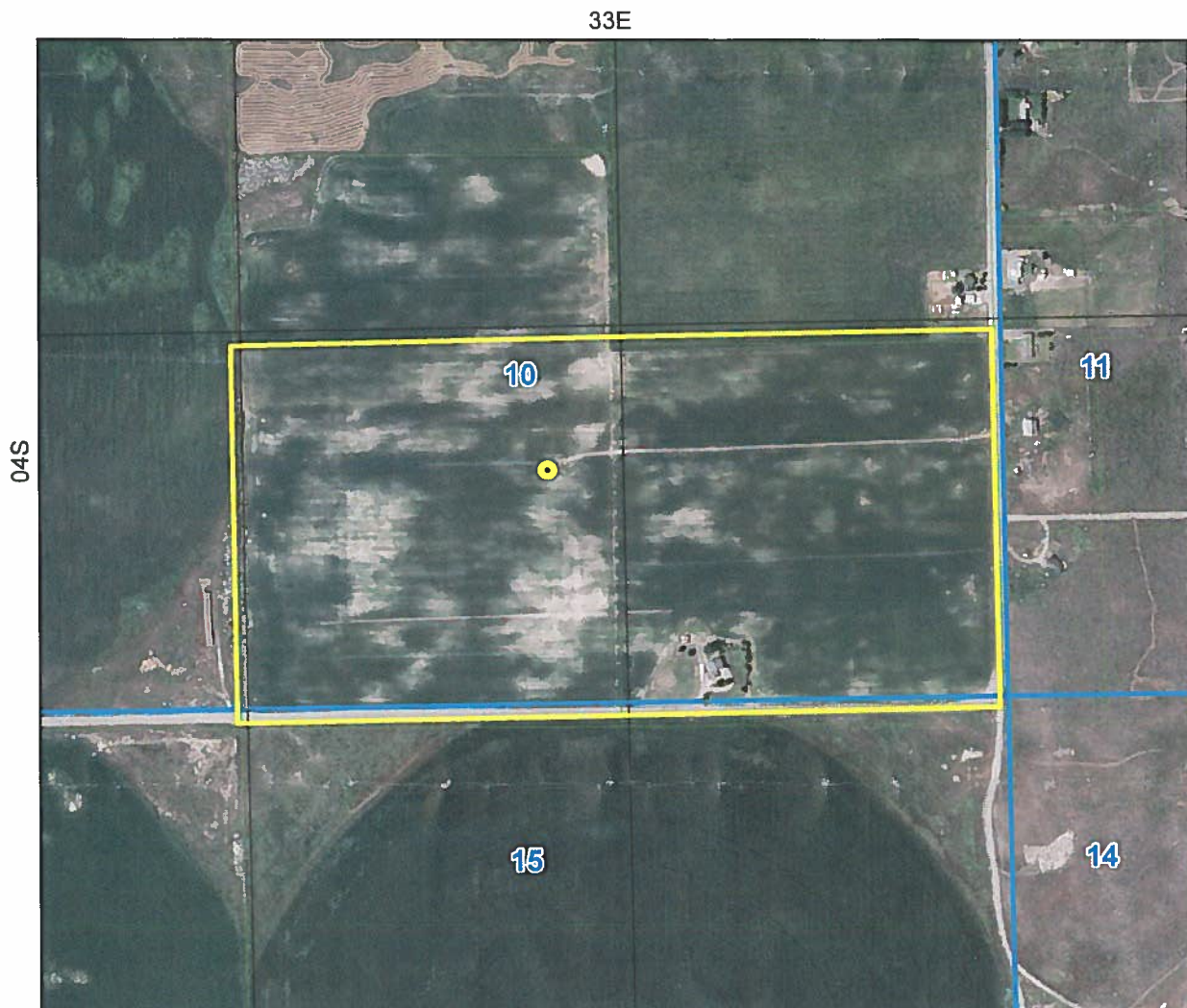
Combined Rate Limit: 1.7

State of Idaho
Department of Water Resources

Water Right 35-8785

IRRIGATION

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- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters
- Taxlots

0 0.075 0.15 0.3 Miles



536160

 BINGHAM COUNTY, IDAHO
 BLACKFOOT, IDAHO
 FILE 300 DEP. MP

WARRANTY DEED

2004 JAN -2 PM 5:01

 For Value Received **Cydnie Capson and Christine Jenkins as trustees of the Katherine Matthews Family Trust**

 RECORDED AT THE REQUEST OF
 FIRST AMERICAN TITLE COMPANY

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

L. Tim Pierce and Lucille Pierce, husband and wife

 whose address is: **46 North Wind River Lane, Lndon, UT 84042**

Hereinafter called the Grantee, the following described premises situated in Bingham County, Idaho, to-wit:

The S $\frac{1}{2}$ SE $\frac{1}{4}$ and the S $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 10, Township 4 South, Range 33 E.B.M., Bingham County, Idaho EXCEPTING THEREFROM: Part of the Southeast Quarter of Section 10, Township 4 South, Range 33 East Boise Meridian., Bingham County, Idaho, described as follows: Beginning at a point that is South 90°00'00" West 880.11 feet along the section line from the Southeast corner of said Section 10 and running thence South 90°00'00" West 457.97 feet along said section line; thence North 00°40'05" East 331.29 feet; thence South 90°00'00" East 453.18 feet; thence South 00°09'43" East 331.27 feet to the Point of Beginning. ALSO EXCEPTING roads along the S. and E.

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.

Dated: December 31, 2003

Kathryn Matthews Family Trust

 BY: Cydnie Capson
 Cydnie Capson, Trustee

Christine Jenkins
 Christine Jenkins, Trustee

STATE OF Idaho

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COUNTY OF BINGHAM

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On this 12/31/2003, before me Michelle Kofoed, personally appeared Cydnie Capson and Christine Jenkins, known or identified to me (or proved to me on the oath of), to be the person(s) whose name(s) are subscribed to the within instrument as Trustees, and acknowledged to me that they executed the same as such Trustees.

of the Katherine Matthews Family Trust

Michelle Kofoed
 Notary Public of Idaho
 Residing at Blackfoot, Idaho
 Commission Expires: 04/14/06



536160