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AUG 05 2009

Department of Water Resources
Eastern Region

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form. Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case IDWR will produce new water right number(s) for the split(s).

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
PD 22-2251 OK					
WR 22-7493 OK					
WR 22-7495 OK					
WR 22-7513					
PD 22-7090 OK					
8-21-09 Kirt Sutton indicated this water right should be split.					

SUPPORT DATA

2. The following **REQUIRED** information must be submitted with this form:

IN FILE # 22-2251

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are on file with the county Planning and Zoning or Recorder's Office).
- OR
- D. If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency or equivalent **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The AERIAL PHOTO should be submitted in place of the PLAT OF PROPERTY or SURVEY MAP.

3. Name and Address of Former Owner/Claimant(s)

H LE ROY Zollinger ✓

WANDA Percival

LAVINIA Powell

4. New Owner/Claimant(s)

Kirt + Lori Sutton, Stanley + Pauline Sutton Living Trust

Name Connector (Check one): ☐ and, ☐ or, ☒ and/or

New Mailing Address

864 E 7156 S

City, State and ZIP Code

Rexburg Id. 83440.

New Telephone Number

(208) 356-6356

Email:

5. Date you acquired the property

7/27/06

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (you may copy this page, if necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

7. Signature(s) of New Owner(s) or Claimant(s)

Kirt Sutton Pres.

(title if applicable)

(title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

E035281 \$75.00**For IDWR Office Use Only:**
 Received by [Signature]
 Received by [Signature]
 Processed by _____ AJ

 Date 8-5-09
 Date 8-5-09
 Date _____

 Receipt Amt. 125.00
 Receipt No. E035252
 WR _____ Date _____

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 22-13969

WATER RIGHT NUMBER: 22-13969

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	KIRT SUTTON 864 E 7156 S REXBURG, ID 83440 (208)356-6356
Current Owner	LORI SUTTON 864 E 7156 S REXBURG, ID 83440 (208)356-3562
Current Owner	STAN & PAULINE SUTTON LIVING TRUST 578 E 7000 S REXBURG, ID 83440 (208) 356-3562

Priority Date: 06/25/1985

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>Annual Volume</u>
IRRIGATION	04/15 to 10/15	0.190 CFS	
	<u>Total Diversion:</u>	0.190 CFS	

Location of Point(s) of Diversion

GROUND WATER	SE1/4SW1/4	Sec. 27, Twp 05N, Rge 40E, B.M.
MADISON County		
GROUND WATER	NW1/4NW1/4	Sec. 33, Twp 05N, Rge 40E, B.M.
MADISON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	40E	33		12.0	2.0		8.0											22.0	

Total Acres: 22

Conditions of Approval:

- 004 The issuance of this right does not grant any right-of-way or easement across the land of another.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 22-13969

2. Use of this right with the rights listed below is limited to a total combined diversion rate of 9.11 cfs, a total combined annual diversion volume of 3324.8 af, and to the irrigation of a combined total of 1081 acres in a single irrigation season.
The combined rights include: 22-02251, 22-07493, 22-07495, 22-13968 and 22-07090.
The following rights are also diverted through the point(s) of diversion described above: 22-02251, 22-07493, 22-07495, 22-13968 and 22-07090.

Remarks:Comments:

1. j barg 10/30/2009 Change of Ownership
Comment: Split from Water Right 22-7513
2. j barg 10/30/2009 11:31:57 AM POD
Comment: Updated Shape
3. j barg 10/30/2009 11:33:11 AM POD
Comment: Updated Shape
4. j barg 10/30/2009 12:41:42 PM POU
Comment: Updated Shape
5. bjordan 11/3/2009 8:49:01 AM POU
Comment: Updated Shape
6. bjordan 11/3/2009 8:52:56 AM POU
Comment: Updated Shape

Dates and Other Information:

Licensed Date: 5/9/1994
Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector: And
Water District Number:
Generic Max Rate Per Acre: 0.02
Generic Max Volume Per Acre: 3.5
Decree Defendant:
Decree Plaintiff:
Civil Case Number:
Judicial District:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 22-7513

WATER RIGHT NUMBER: 22-7513

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	STANLEY SUTTON 578 E 7000 S REXBURG, ID 83440 (208)356-3562

Priority Date: 06/25/1985

Basis: License

Status: PARENT

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/15 to 10/15	0.800 CFS	
	<u>Total Diversion:</u>	0.800 CFS	

Location of Point(s) of Diversion

GROUND WATER	SE1/4SW1/4	Sec. 27, Twp 05N, Rge 40E, B.M.
MADISON County		
GROUND WATER	NW1/4NW1/4	Sec. 33, Twp 05N, Rge 40E, B.M.
MADISON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	40E	28											2.0						2.0
05N	40E	33			12.0	2.0		8.0	30.0						18.0	23.0			93.0

Total Acres: 95

Conditions of Approval:

- Use of this right with the rights listed below is limited to a total combined diversion rate of 9.11 cfs, a total combined annual diversion volume of 3324.8 af, and to the irrigation of a combined total of 1081 acres in a single irrigation season.
The combined rights include: 22-02251, 22-07493, 22-07495, and 22-07090.
The following rights are also diverted through the point(s) of diversion described above: 22-02251, 22-07493, 22-07495, and 22-07090.
- 004 The issuance of this right does not grant any right-of-way or easement across the land of another.

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 22-7513

Remarks:Comments:

1. VAULT 10/28/1991 Proof of Beneficial Use Rcvd
Comment: Proof of Beneficial Use Rcvd
2. VAULT 11/15/1991 Proof of Beneficial Use Rcvd
Comment: Proof of Beneficial Use Rcvd
3. Ownership Change 10/30/2009 9:14:05 AM Split Right
Comment: Split into 22-13968 and 22-13969.

Dates and Other Information:

Licensed Date: 5/9/1994
Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number:
Judicial District:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
9.11	3324.8	1081

Combined Water Rights: 22-7493 , 22-7495 , 22-7513

Water Supply Bank: