

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

1/13/2023

Water Right 24-10779

After Split

Owner Type **Name and Address**
Current Owner JARED ERICKSON
 PO BOX 332
 THAYNE, WY 83127-0332
 (307) 880-8444

Current Owner TENNILLE ERICKSON
 PO BOX 332
 THAYNE, WY 83127-0332
 (307) 880-8444

Priority Date: 8/29/1923

Basis: Decreed

Status: Active

Source

DALE CREEK
BUTTER SPRING
FERN SPRING
DEER CREEK

Tributary

SINKS
DALE CREEK
DALE CREEK
SALT RIVER

Beneficial Use

IRRIGATION
STOCKWATER
COMMERCIAL

From **To**
04/15 10/31
01/01 12/31
01/01 12/31

Diversion Rate
1.870 CFS
0.030 CFS
0.030 CFS

Volume

Total Diversion 1.930 CFS

Source and Point(s) of Diversion:

DALE CREEK	SWNWSE	Sec. 22, Twp 05S, Rge 46E, CARIBOU County
BUTTER SPRING	SWSESW	Sec. 22, Twp 05S, Rge 46E, CARIBOU County
FERN SPRING	SESESE	Sec. 21, Twp 05S, Rge 46E, CARIBOU County
DEER CREEK	SWSENE	Sec. 28, Twp 05S, Rge 46E, CARIBOU County

Place Of Use:

IRRIGATION within CARIBOU County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S	46E	22									36.0	28.0	6.1	13.0		10.0 L3	0.6 L4		93.7

POU Total Acres: 93.7

STOCKWATER within CARIBOU County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S	46E	22															X L3		

COMMERCIAL within CARIBOU County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S	46E	22															X L3		

Conditions of Approval:

SCANNED

JAN 13 2023

SCANNED

JAN 13 2023

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

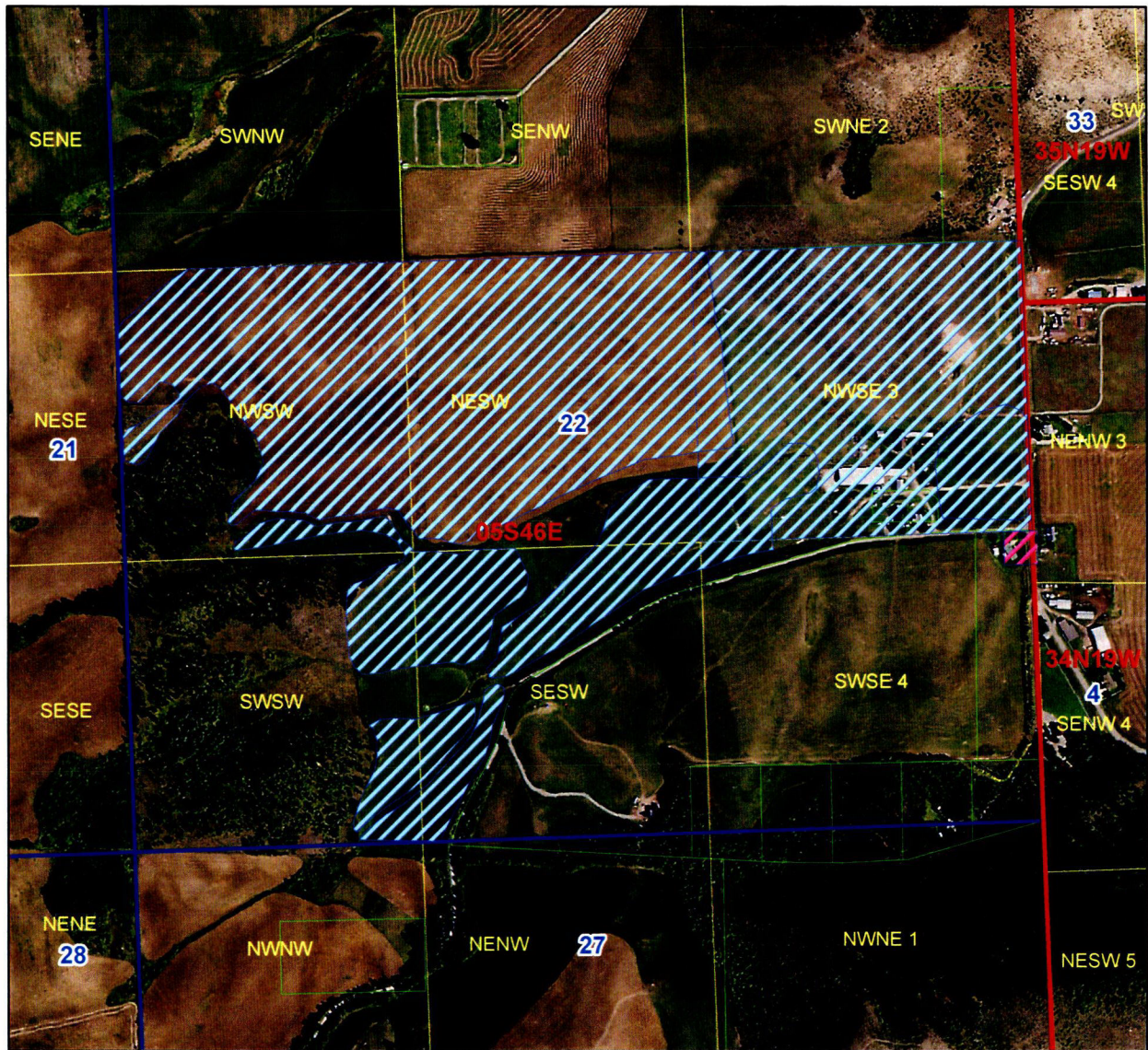
1/13/2023

- | | | |
|----|-----|---|
| 1. | X02 | Stockwater use is for 210 dairy cows. |
| 2. | C04 | Right includes accomplished change in purpose of use pursuant to Section 42-1425, Idaho Code. |
| 3. | 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. |
| 4. | X01 | Commercial use is for dairy. |

Comments:

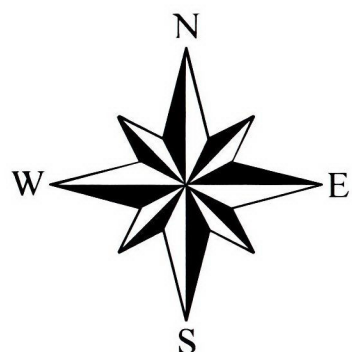
4 jbarg 1/13/2023 Ownership Change
Water right 24-10779 was split into 24-10779 and 24-10808.

Idaho Department of Water Resources



Legend

-  POU 24-10808
-  POU 24-10779 After Split
-  Township/Range
-  Sections
-  QQ
-  Parcels



SCANNED

JAN 13 2023

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

1/13/2023

Water Right 24-10779

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Priority Date: 8/29/1923

Basis: Decreed

Status: Active

Source

DALE CREEK
BUTTER SPRING
FERN SPRING
DEER CREEK

Tributary

SINKS
DALE CREEK
DALE CREEK
SALT RIVER

Beneficial Use

IRRIGATION
STOCKWATER
COMMERCIAL
DOMESTIC

From **To**
04/15 10/31
01/01 12/31
01/01 12/31
01/01 12/31

Diversion Rate
1.870 CFS
0.030 CFS
0.030 CFS
0.020 CFS

Volume

Total Diversion 1.950 CFS

Source and Point(s) of Diversion:

DALE CREEK	SWNWSE	Sec. 22, Twp 05S, Rge 46E, CARIBOU County
BUTTER SPRING	SWSESW	Sec. 22, Twp 05S, Rge 46E, CARIBOU County
FERN SPRING	SESESE	Sec. 21, Twp 05S, Rge 46E, CARIBOU County
DEER CREEK	SWSENE	Sec. 28, Twp 05S, Rge 46E, CARIBOU County

Place Of Use:

IRRIGATION within CARIBOU County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S	46E	22									36.0	28.0	6.1	13.0		10.0 L3	0.6 L4		93.7

POU Total Acres: 93.7

STOCKWATER within CARIBOU County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S	46E	22														X L3			

DOMESTIC within CARIBOU County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S	46E	22															X L4		

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

1/13/2023

COMMERCIAL within CARIBOU County

			NE				NW				SW				SE					
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals	
05S	46E	22																		X L3

Conditions of Approval:

1. X02 Stockwater use is for 210 dairy cows.
2. C04 Right includes accomplished change in purpose of use pursuant to Section 42-1425, Idaho Code.
3. 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.
4. X01 Domestic use is for 1 home. Commercial use is for dairy.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JAN 03 2023

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP Department of Water Resource
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 #7 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
24-10779	Yes ☐	Yes ☐		Yes ☐	Yes ☐
24-10779 24-10808 domestic only	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Jared Erickson / Laroc Jenkins
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): MATTHEW + Jen Jenkins
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or

3827 STATELINE Rd TITAYNE WY 83127
Mailing address City State Zip
307-880-4001 jenkinsfreaks@gmail.com
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: 12-22-2022

6. Do you own the land identified as the water right place of use? Yes ☒ No ☐
o If no, attach evidence that written notice of the change of water right ownership has been delivered to the landowner of record.

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.

SUPPORT DATA

IN FILE # 24-10779

8. Signature: [Signature] 12-29-2022
Signature of new owner/claimant Title, if applicable Date
MATTHEW JENKINS

Signature: [Signature] 12/29/22
Signature of new owner/claimant Title, if applicable Date
JENNIFER JENKINS

Received by JB Date 1/3/2023 For IDWR Office Use Only: E048840 \$75.-
Receipt No. E048825 Receipt Amt. \$25.-

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 JB Approved by JB Processed by JB Date 1/13/2023

JAN 13 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

**INSTRUCTIONS FOR FILING A
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

This form has been prepared to assist all claimants and owners of water rights to comply with the requirements of Idaho Code §§ 42-248 and 42-1409(6). All persons owning or claiming ownership of a water right or claim are required to provide notice to the Department of Water Resources (IDWR) of any change in ownership of any part of the water right or claim or of any change in the owner's mailing address within 120 days of the change. Forms to report ownership changes and/or to update an address are available on IDWR's website at www.idwr.idaho.gov/forms/water-rights.html. In addition, all new owners of water rights within a pending general adjudication area must inquire whether a notice of claim has been filed and, if not, shall file a notice of claim if necessary.

A notice is required for changes in ownership from one individual to another, from an individual to a business entity (even if the business is owned by the individual), or from one business entity to another (even if both businesses are owned by the same individual). Adding or removing a name is considered an ownership change which requires the submission of evidence to support the change and the filing fee.

Separate brochures describing the adjudication of water rights and the ownership change notice requirement are available from IDWR. Please contact your nearest IDWR office if you would like more information or need help completing this form. A list of IDWR offices is on page 2 of these instructions, or you can call 1-800-451-4129. Water right information can be found on the IDWR's website using the [Water Right and Adjudication Search](#).

Please note:

- Unlike licensed or decreed water rights, which are real property, water right permits, applications for new water rights, and applications to transfer existing water rights are considered the personal property of the permit holders/applicants. Permit holders and applicants must assign their interest in a permit and/or application to the new owner. Assignment forms are available on the IDWR's website at www.idwr.idaho.gov/forms/water-rights.html, or from any IDWR office. The fee for an Assignment of Permit is \$25. There is no charge for an Assignment of Application for Permit or Application for Transfer.
- If you want to change or add a point of diversion, place of use, season of use, or purpose of use of a water right, you must file an Application for Transfer. The ownership of a water right can also be updated through the transfer process.
- The combined portions of a divided ("split") water right cannot exceed the total flow rate, volume, or period of use of the original right.
- IDWR has no jurisdiction concerning easements, rights-of-way, and zoning matters. The buyer and seller must make these provisions where necessary.
- Any action by IDWR updating the ownership of a water right in IDWR's records is not a determination of water right ownership. Water right ownership disputes arising from a notice of change in water right ownership must be resolved in a water rights adjudication or in an action to quiet title.

LINE INSTRUCTIONS:

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). You may have purchased only a portion of the water right(s) held by the seller. If so, the water right(s) held by the seller may need to be divided ("split") to provide you your share of each right. Mark the box "Yes" if a division of the water right is required.

If you receive water from a municipal provider, an irrigation district or other water delivery organization, and the water rights are held by the organization, please do not use this form to record a change. Please contact the water delivery organization to determine if any action is necessary.

If you or the seller believes there are water rights for the property but you do not know the numbers, you may contact IDWR for assistance in identifying the water rights for the property in question. If adjudication claims for the rights are required and have not been filed, IDWR will so advise you.

2. Fill in the name of the current water right holder/claimant.
3. Fill in each name as listed on the conveyance document and complete the current contact information. For water rights, IDWR will update the ownership to the individual(s)/entities listed on the conveyance document. For active adjudication claims, IDWR will update the claimant information to match the conveyance document unless the new claimant provides good cause for the variance.
4. You may have acquired only a portion of the water right(s) held by the seller. If you did not acquire the entire water right/property, please check the appropriate box. Water rights are often conveyed as an appurtenance to the land where they are used, and the conveyance document for the land often does not have specific language regarding the water right. Please read your deed or other conveyance document carefully to be sure. When the conveyance document does not specifically address water rights, it will be assumed that the water rights are to be split proportionate to the amount of land acquired.

RECORDING REQUESTED BY
Flying S Title and Escrow of Idaho, Inc.

AND WHEN RECORDED MAIL TO:
Flying S Title and Escrow of Idaho, Inc.
241 S Main Street Suite 1
Soda Springs, ID 83276

Instrument # 210643

CARIBOU COUNTY, IDAHO
12-22-2022 11:38:52 No. of Pages: 3
Recorded for: FLYING S TITLE AND ESCROW - SODA SPRING
Denise Horsley Fee: \$15.00
Ex-Officio Recorder Deputy Denise Horsley
Index to: WARRANTY DEED

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **1074993SOD (ku)**

Date: **December 19, 2022**

For Value Received, **LaVor Ray Jenkins and Barbara Jenkins, Trustees of the LaVor Ray Jenkins and Barbara Jenkins Joint Trust, dated August 25, 2022**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Matthew Jenkins and Jennifer Jenkins, husband and wife**, hereinafter called the Grantee, whose current address is **3827 State Line Rd, Thayne, WY 83127**, the following described premises, situated in **Caribou County, Idaho**, to-wit: **Legal Description attached hereto as Exhibit A, and by this referenced incorporated herein.**

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.

SCANNED

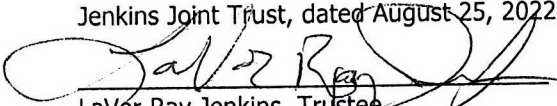
JAN 13 2023

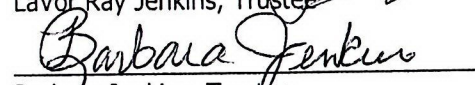
Date: 12/19/2022

Warranty Deed
- continued

File No.: 1074993SOD (ku)

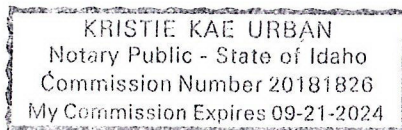
LaVor Ray Jenkins and Barbara Jenkins,
Trustees of the LaVor Ray Jenkins and Barbara
Jenkins Joint Trust, dated August 25, 2022

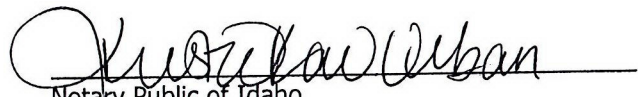

LaVor Ray Jenkins, Trustee


Barbara Jenkins, Trustee

STATE OF Idaho)
ss.
COUNTY OF Caribou)

On this **Twenty-second day of December, 2022**, before me, a Notary Public in and for said State, personally appeared **LaVor Ray Jenkins and Barbara Jenkins**, known or identified to me to be the person(s) whose name(s) are subscribed to the within instrument as Trustees of the **LaVor Ray Jenkins and Barbara Jenkins Joint Trust, dated August 25, 2022**, and acknowledged to me that they executed the same as such Trustees.




Notary Public of Idaho
Residing at: Soda Springs, Idaho
Commission Expires: 09-21-2024

Date: 12/19/2022

Warranty Deed
- continued

File No.: 1074993SOD (ku)

EXHIBIT A

Tract I:

Township 5 South, Range 46 East of the Boise Meridian, Caribou County, Idaho:

Section 22: Beginning at a point 1317 feet North of the Southeast Corner of said Section 22, and running

Thence South 150 feet;

Thence West 150 feet;

Thence North 150 feet;

Thence East 150 feet,

To the Point of Beginning.

Tract II:

Township 5 South, Range 46 East of the Boise Meridian, Caribou County, Idaho:

Section 22: That part of GLO Lot 4, described as follows:

Beginning at the Northeast point of that tract of record in the Office of the Recorder of Caribou County with Instrument No. 141441, on the East line of said GLO Lot 4, North 00°39'00" East 280.00 feet from the Southwest Corner of said GLO Lot 4;

Thence North 89°09'34" West 291.33 feet along the North line of said tract with Instrument No. 141441 to a point;

Thence North 00°44'47" East 1011.51 feet to a point on the South right of way line of Deer Creek County Road;

Thence North 00°32'18" West 30.01 feet to a position on the centerline of said Deer Creek County Road;

Thence South 89°17'10" East 290.25 feet along said centerline to a position on the East line of said GLO Lot 4;

Thence South 00°39'00" West 1042.15 feet along said East line,

To the Point of Beginning.

EXCEPT THEREFROM, Beginning at a point 1317 feet North of the Southeast Corner of Section 22, and running

Thence South 150 feet;

Thence West 150 feet;

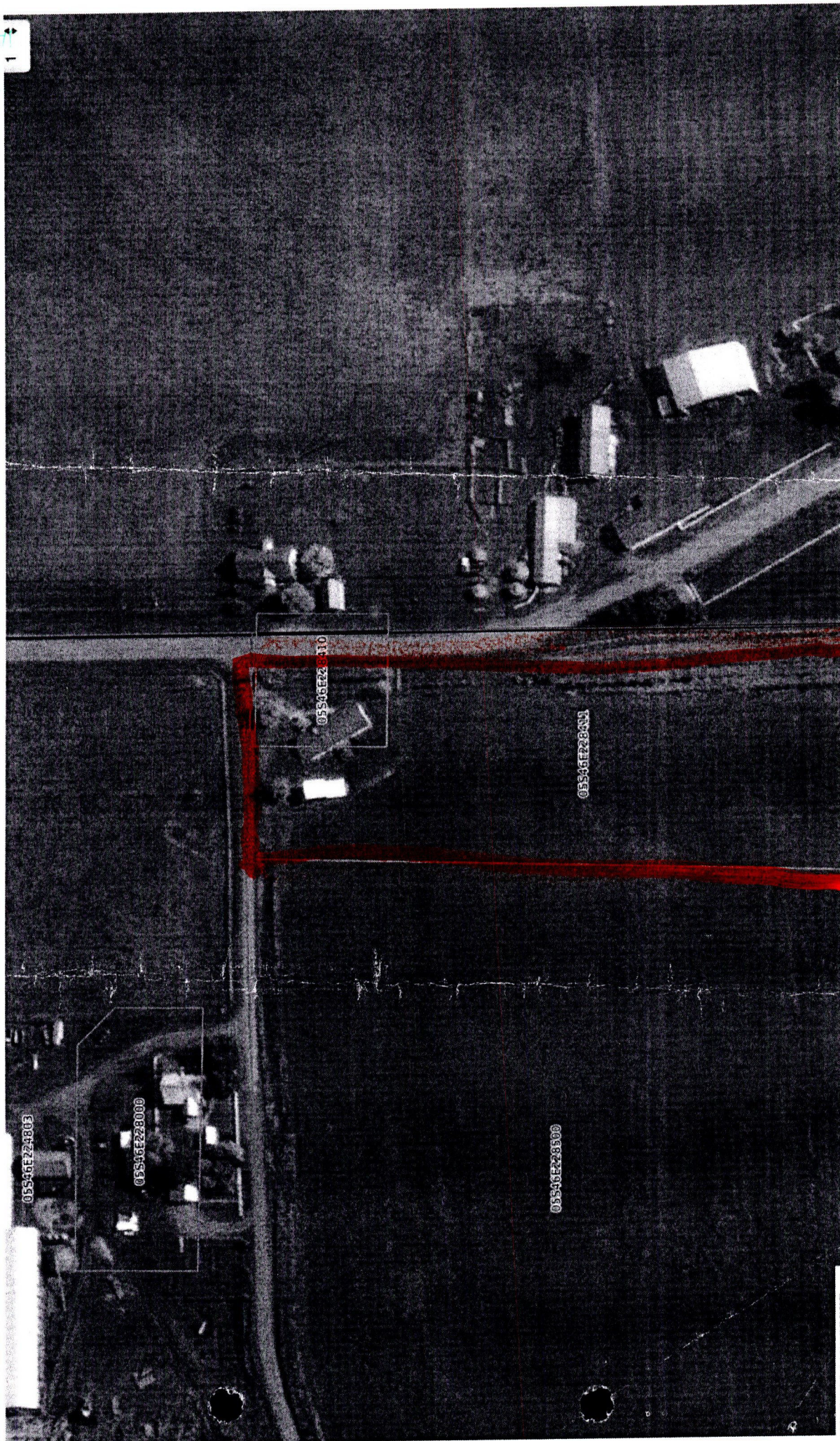
Thence North 150 feet;

Thence East 150 feet,

to the Point of Beginning.

JAN 18 2023

UNCLASSIFIED





Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

January 13, 2023

MATTHEW JENKINS
3827 STATE LINE RD
THAYNE WY 83127-8711

Re: Change in Water Right Ownership: 24-10779 (Split into 24-10779 and 24-10808),

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of a portion of the above referenced water right(s) to you. The Department has modified its records based on the information received and has enclosed a computer-generated report for you.

Your portion of each water right(s) has a specified point of diversion, nature of use and place of use. If you plan to change the authorized point of diversion, nature of use, or place of use, including adding a new point of diversion, you must file an Application for Transfer of Water Right. If you do not plan to change any elements of your water right, then no further action is required at this time.

The portion of the water right retained by the original right holder retains the original water right number. The Department is sending the original right holder a copy of this letter and a computer-generated report showing the changes to the original water right.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned 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 Idaho Code §§ 42-222 and 42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department, or from the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208) 497-3787.

Sincerely,

Jonie Barg
Technical Records Specialist 1

Enclosure(s)

cc: JARED ERICKSON
TENNILLE ERICKSON

SCANNED

JAN 13 2023



IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

January 5, 2023

MATTHEW JENKINS
JENNIFER JENKINS
3827 STATELINE RD
THAYNE WY 83127

RE: Change in Ownership Water Right No. 24-10779

Dear Sir/Madam:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership.

Our review of your notice indicates that additional information is required before we can process the change. The information required is indicated below:

**** **Filing fee:** Filing fee for a split ownership change is \$100.00 per water right. According to our review a split of this water right is required. The department already received \$25.00 therefore an additional \$75.00 is required. Please review the map attached to verify a split is required.

Because the Department cannot process the ownership change without proper documentation/fees, we will hold any action on your notice pending receipt of the necessary information/fees. **If we do not receive the necessary information/fees within 30 days we will return your notice and all attachments and your notice will not be processed.**

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 the Department if you have any questions.

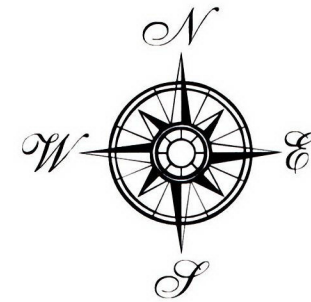
Sincerely,

Jonie Barg
Technical Records Specialist

SCANNED
JAN 13 2023

SCANNED
JAN 05 2023

Idaho Department of Water Resources



Legend

- Matthew and Jennifer Jenkins Property
- 24-10779 POU
- Parcels
- Township/Range
- Sections
- QQ

JAN 18 2023
JAN 05 2023