

NOV 21 2022

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESDepartment 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. 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?
29-13108 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
29-12875 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Doug, David, Dorothy Potter

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): ~~Doug Potter~~ DOUG L. POTTER

New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or

PO Box 64

Bancroft

ID

83217

Mailing address

City

State

Zip

208-229-1812

farmboyid@yahoo.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: 10/26/2022

6. Do you own the land identified as the water right place of use? Yes ☐ No ☐
- ☐ 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):
- ☐ \$25 per *undivided* water right.
 - ☐ \$100 per *split* water right.
 - ☐ 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 # 29-12875

8. Signature: *Douglas L. Potter* Title, if applicable: _____ Date: 11-21-22

Signature of new owner/claimant

Title, if applicable

Date

Print name

Signature: _____ Title, if applicable: _____ Date: _____

Signature of new owner/claimant

Title, if applicable

Date

Print name

Received by *M. Fetter* Date 11-21-22 For IDWR Office Use Only: Receipt No. E048745 Receipt Amt. 50.00

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 _____ Approved by *JB* Processed by *JB* Date 11/22/2022

NOV 22 2022

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT REPORT

11/21/2022

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 29-13108

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DOUG POTTER PO BOX 64 BANCROFT, ID 83217 2083391812
Current Owner	DAVID POTTER
Current Owner	DOROTHY POTTER PO BOX 41 LAVA HOT SPRINGS, ID 83246 2087765349

Priority Date: 04/01/1940

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
SPRING	SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	4/01	10/31	0.02 CFS	
Total Diversion			0.02 CFS	

Location of Point(s) of Diversion:

SPRING | NENWNE | Sec. 23 | Township 09S | Range 38E | BANNOCK County

Place(s) of use:

Place of Use Legal Description: STOCKWATER BANNOCK 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>
09S	38E	24		NESW										

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NOV 22 2022

Conditions of Approval:

1. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
2. STOCKWATER, 50 CATTLE
3. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
4. 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.

Dates:

Licensed Date:

Decreed Date: 03/22/2004

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: OR

Water District Number: 29

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

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NOV 22 2022

QUITCLAIM DEED

FOR VALUE RECEIVED,

David L. Potter, a single person

do(es) hereby convey, release, remise and forever quitclaim unto

Douglas L. Potter, a single person

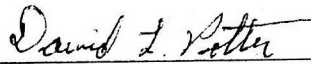
whose current address is: PO BOX 64, Bancroft, ID 83217

the following described premises:

See attached Exhibit 'A'

TO HAVE AND TO HOLD the said premises, unto the said grantees, heirs and assigns forever.

Dated: October 26, 2022

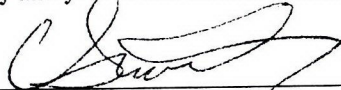


David L. Potter

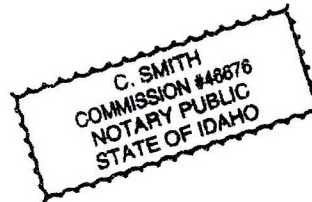
State of Idaho } ss
County of Bannock }

On this 26th day of October, 2022, before me, the undersigned, a Notary Public in and for said state, personally appeared David L. Potter, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within Instrument and acknowledged to me that he/she/they executed 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.



Notary Public for the State of Idaho
Residing at: Inkom
Commission Expires: March 1, 2024



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NOV 22 2022

QUITCLAIM DEED

Recorded Electronically	
ID	22217054
County	Bannock
Date	10/26/2022
Time	4:14 PM
Simplifile.com 800.460.5637	

FOR VALUE RECEIVED,

David L. Potter, a single person

do(es) hereby convey, release, remise and forever quitclaim unto

Douglas L. Potter, a single person

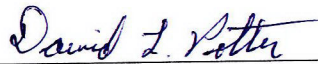
whose current address is: PO BOX 64, Bancroft, ID 83217

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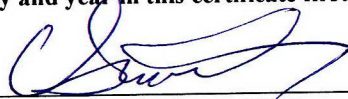


David L. Potter

State of Idaho } ss
County of Bannock }

On this 26th day of October, 2022, before me, the undersigned, a Notary Public in and for said state, personally appeared David L. Potter, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within Instrument and acknowledged to me that he/she/they executed 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.



Notary Public for the State of Idaho
Residing at: Inkom
Commission Expires: March 1, 2024



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NOV 22 2022

Exhibit 'A'

Parcel 1:

The E ½ of the SW ¼ of Section 24, Township 9 South, Range 38 East of the Boise Meridian, Bannock County, Idaho

EXCEPTING THEREFROM any portion lying northerly of the Southerly right of way line of Highway 30

ALSO EXCEPTING THEREFROM:

A parcel of land located in section 24 and 25, Township 9 South, Range 38 East of Boise Meridian, Bannock County and further described as follows:

Beginning at the Northwest corner of said Section 25;
thence N 89°59'00" East 572.38 feet along the North line of said Section 25 to a 5/8" rebar with cap labeled AA HUDSON PLS 4735 set on the southerly right-of-way of Fish Creek Road, the TRUE POINT OF BEGINNING;
thence N 77°34'42" East 201.63 feet along said right-of-way to the PC of a 683.20 feet radius curve to the right;
thence Easterly along said curve through a central angle of 12°24'00" a distance of 147.86 feet to the PT;
thence N 89°58'42" East 295.20 feet along said right-of-way to the PC of a 603.62 feet radius curve to the right;
thence Southeasterly along said curve through a central angle of 58°30', a distance of 616.31 feet to the PT, which is a Bannock County right-of-way monument;
thence South 31°31'18" East 342.99 feet to a 5/8" rebar with cap set on said right-of-way;
thence South 74°39'26" West 88.62 feet along a fence to a 5/8" rebar with a cap set at a fence angle point;
thence North 43°37'08" West 178.04 feet along said fence to a 5/8" rebar with cap set at a fence angle point;
thence N 82°33'19" West 256.81 feet along said fence to a 5/8" rebar with cap set at a fence angle point;
thence South 83°17'21" West 123.51 feet to a 5/8" rebar with cap set on the 1/16th line of said Section 25;
thence N 00°04'47" East 396.91 feet along said 1/16th line to the West 1/16th corner on the North line of said Section 25;
thence South 89°59'00" West 747.87 feet along said North line to the TRUE POINT OF BEGINNING.;

ALSO EXCEPTING THEREFROM:

A parcel of land located in Section 24 and 25, Township 9 South, Range 38 East of Boise Meridian, Bannock County and further described as follows:

Beginning at the Northwest corner of said Section 25;
thence North 89°59'00" East 572.38 feet along the North line of said section 25 to a 5/8" rebar with cap labeled AA HUDSON PLS 4735 set on the Southerly right-of-way of Fish Creek Road;
thence North 02°07'58" West 67.08 feet to a 5/8" rebar with cap set on the Northerly right-of-way of said road, the TRUE POINT OF BEGINNING;
thence North 18°10'17" East 300.65 feet (North 18°32'35" East 304.47 feet by record) along the right-of-way of US Highway 30 to a right-of-way monument;
thence South 88°58'48" East 595.74 feet (South 89°05'13" East 600 feet by record) along said right-of-way to a right-of-way monument;
thence South 60°23'11" East 469.59 feet (South 59°43'45" East 458.91 feet by record) along said right-of-way to a right-of-way monument;
thence South 09°26'06" East 199.21 feet to a 5/8" rebar with cap set on the Northerly right-of-way of Fish Creek Road; said point is on a 669.62 feet radius nontangent curve whose center point bears South 46°53'12" West;
thence Northwesterly along said curve through a central angle of 46°54'31", a distance of 548.22 feet to the PT, which is a Bannock County right-of-way monument;
thence South 89°58'42" West 295.20 feet along said right-of-way to the PC of a 749.20 feet radius curve to the left;
thence Westerly along said curve through a central angle of 12°24'00", a distance of 162.14 feet to the PT;
thence South 77°34'42" West 189.65 feet along said right-of-way to the TRUE POINT OF BEGINNING.

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NOV 22 2022

Parcel 2:

Township 9 South, Range 38 East, Boise Meridian, Bannock County, Idaho.

Section 23:

Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$, and the East $\frac{1}{2}$ of the Southeast $\frac{1}{4}$.

Except the following:

A tract of land in the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 23 and Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 24, Township 9 South, Range 38 East, Boise Meridian, Bannock County, Idaho.

BEGIN at the Southwest corner of Section 24, Township 9 South, Range 38 East, Boise Meridian, said point being the TRUE POINT OF BEGINNING;

Thence East along the South line of said Section 24, 385.0 feet more or less;

Thence North $13^{\circ}24'38''$ West 19.0 feet more or less to a point in the South line of U.S. Highway No. 30 Project No. F-1481 (25) which point in a line parallel with and 100 feet Southwesterly from the centerline and opposite Station 0+94.21 of County Road No. 1 Survey;

Thence North $13^{\circ}24'38''$ West 20.04 feet to a point opposite station 1+14.25 of said County Road No. 1 Survey;

Thence Northwesterly along a 99.99 foot radius curve left 108.73 feet to a point opposite station 3+42.47 of said County Road Survey;

Thence North $82^{\circ}52'25''$ West leaving said last parallel line 589.78 feet to a point that bears South $7^{\circ}30'37''$ East 300.0 feet from station 111+00 of U.S. Highway No. 30, Highway Survey;

Thence North $7^{\circ}30'37''$ West 150 feet to a point in line parallel with and 150 Southeasterly from the centerline and opposite Station 111+00 of said U.S. Highway No. 30 Highway Survey;

Thence Southwesterly along said last parallel line being a 3669.72 foot radius curve left 428.85 feet to a point opposite Station 106+53.62 of said U.S. Highway No. 30 Highway Survey;

Thence South $74^{\circ}32'15''$ West 245.08 feet to a point in a line parallel with 150.0 feet Southeasterly from the centerline and radially from Station 104+03.62 of said U.S. Highway No. 30 Highway Survey;

Thence South $73^{\circ}55'08''$ West along said last parallel line 303.62 feet to a point opposite Station 101+00 of said U.S. Highway No. 30 Highway Survey;

Thence South $63^{\circ}42'54''$ West 67.02 feet to a point in the West line of Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 23, Township 9 South, Range 38 East, Boise Meridian and which point bears South $16^{\circ}04'52''$ East 161.88 feet from Station 100+34.05 of said U.S. Highway No. 30 Highway Survey;

Thence South along the West line of the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 23, 75 feet more or less to the Southwest corner of the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 23, Township 9 South, Range 38 East, Boise Meridian.

Thence East along the South line of said Section 23, 1320 feet more or less to the TRUE POINT OF BEGINNING.

Section 24:

Southwest $\frac{1}{4}$, and the South $\frac{1}{2}$ of the Northwest $\frac{1}{4}$.

Excepting the following:

All that portion of the Southwest $\frac{1}{4}$ lying South of the South boundary line of Highway 30.

Also Except from Sections 23 and 24 as follows:

A parcel of land being on both sides of the centerline of U.S. Highway No. 30, Project No. F-1481(25) Highway survey as shown on the plans thereof now on file in the office of the Division of Highways of the State of Idaho, and being a portion of the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 23 and the South $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of Section 24, Township 9 South, Range 38 East, Boise Meridian, described as follows, to-wit:

COMMENCING at the South $\frac{1}{4}$ corner of Section 24, Township 9 South, Range 38 East, Boise Meridian;

Thence North $0^{\circ}07'00''$ West along the center section line of said Section 24, a distance of 168.35 feet to a point in a line parallel with and 300.0 feet Southerly from the centerline and radially from Station 140+73.64 of said U.S. Highway No. 30, Project No. F-1481(25) Highway Survey and being the REAL POINT OF BEGINNING;

Thence Westerly along said parallel line being a 6,029.58 foot radius curve right 124.47 feet to a point opposite Station 139+55.36 of said Highway Survey;

Thence South $85^{\circ}54'07''$ West - 858.64 feet to a point that bears South $0^{\circ}54'47''$ West - 375.0 feet from Station 131+00 of said Highway Survey;

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NOV 22 2022

Thence North 59°43'45" West - 458.94 feet to a point in a line parallel with and 150.0 feet Southerly from the centerline and bears South 0°54'47" West from Station 127+00 of said Highway Survey;

Thence North 89°05'13" West along said last parallel line 600.0 feet to a point opposite Station 121+00 of said Highway Survey;

Thence South 18°32'35" West - 304.47 feet to a point in the Northwestern right of way line of an existing Easterly and Westerly County Road, which point bears North 76°35'22" East - 100.0 feet from Station 0+94.21 of the County Road No. 1 survey as shown on the plans of said U.S. Highway No. 30 Highway Survey;

Thence South 76°35'22" West along said Northwestern County Road right of way line 200.0 feet to a point in a line parallel with and 100.0 feet Southwesterly from the centerline and opposite station 0+94.21 of said County Road No. 1 Survey;

Thence along said last parallel line as follows:

North 13°24'33" West - 20.04 feet to a point opposite station 1+14.25 of said County Road No. 1 Survey;

Northwesterly along a 90.99 foot radius curve left 108.73 feet to a point opposite Station 3+42.47 of said County Road No. 1 Survey;

Thence North 82°52'25" West leaving said last parallel line 589.78 feet to a point that bears South 7°30'37" East - 300.0 feet from Station 111+00 of said U.S. Highway No. 30 Highway Survey;

Thence North 7°30'37" West - 150.0 feet to a point in a line parallel with and 150.0 feet Southeasterly from the centerline and opposite Station 111+00 of said U.S. Highway No. 30 Highway Survey;

Thence Southwesterly along said last parallel line being a 3669.72 foot radius curve left 428.85 feet to a point opposite Station 106+53.62 of said U.S. Highway No. 30 Highway Survey;

Thence South 74°52'15" West - 245.08 feet to a point in a line parallel with and 150.0 feet Southeasterly from centerline and radially from Station 104+03.62 of said U.S. Highway No. 30 Highway Survey;

Thence South 73°55'08" West along said last parallel line 303.62 feet to a point opposite Station 101+00 of said U.S. Highway No. 30 Highway Survey;

Thence South 63°42'54" West - 67.02 feet to a point in the West line of the Southeast ¼ of the Southeast ¼ of Section 23, Township 9 South, Range 38 East, Boise Meridian, and which point bears South 16°04'52" East - 161.88 feet from Station 100+34.05 of said U.S. Highway No. 30 Highway Survey;

Thence North 0°07'07" West along said West line 538.29 feet to a point that bears North 16°04'52" West - 354.79 feet from Station 101+81.83 of said U.S. Highway No. 30 Highway Survey;

Thence North 64°35'22" East - 119.46 feet to a point that bears North 16°04'52" West 375.0 feet from Station 103+00 of said U.S. Highway No. 30 Highway Survey;

Thence South 81°17'42" East - 562.22 feet to a point in a line parallel with and 150.0 feet Northwesterly from the centerline and radially from Station 105+00 of said U.S. Highway 30 Highway Survey;

Thence Northeasterly along said last parallel line being a 3969.72 foot radius curve right 357.28 feet to a point opposite Station 111+43.78 of said U.S. Highway No. 30 Highway Survey;

Thence North 5°24'38" West - 251.26 feet to a point that bears South 84°35'22" West - 100.00 feet from Station 14+00 of said County Road No. 1 Survey;

Thence North 84°35'22" East - 200.0 feet;

Thence South 5°24'38" East - 251.26 feet to a point in a line parallel with and 150.0 feet Northerly from the centerline and radially from Station 113+36.22 of said U.S. Highway No. 30 Highway Survey;

Thence Easterly along said last parallel line being a 3969.72 foot radius curve right 208.21 feet to a point opposite Station 115+36.50 of U.S. Highway No. 30 Highway Survey;

Thence South 89°43'00" East - 254.89 feet to a point that bears North 0°54'47" East - 150.0 feet from Station 117+86.56 of said U.S. Highway No. 30 Highway Survey;

Thence North 77°43'44" East 219.21 feet to a point that bears North 0°54'47" East - 200.0 feet from Station 120+00 of said U.S. Highway 30 Highway Survey;

Thence North 05°43'07" East - 552.27 feet to a point that bears North 0°54'47" East - 250.0 feet from Station 125.50 of US Highway No. 30 Highway Survey;

Thence South 76°33'29" East - 460.98 feet to a point in a line parallel with and 150.0 feet northerly from the centerline and bears North 0°54'47" w from station 130+00 of said U.S. Highway No. 30 Highway Survey;

Thence along said last parallel line as follows: South 89°05'13" East - 955.36 feet to a point opposite station 139+55.36 of said US highway No. 30 highway survey, Easterly along a 5579.58 foot radius curve left 116.40 feet to a point in the east line of the Southeast ¼ of the Southwest ¼ of said Section 24, and Opposite Station 140+74.89 of said US highway 30 highway survey;

Thence South 0°07'00" East along said East line - 450.0 feet to the Real Point of BEGINNING

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NOV 22 2022

Also Excepting Therefrom: That portion of the above described land deeded to the State of Idaho for highway purposes by Warranty Deed recorded February 10, 1975 in Book 274 as Instrument No. 532942 and by right of way Deed recorded April 30, 1943 In Book 87 at page No. 394

Also Excepting Therefrom: That portion of the above described land deeded to Bannock County by Warranty Deed recorded July 1, 1954 as Instrument No. 301390 and by Quitclaim Deed recorded March 3, 1950 as Instrument No.: 271414

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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

November 22, 2022

DOUGLAS L POTTER
PO BOX 64
BANCROFT ID 83217-0064

Re: Change in Ownership for Water Right No(s): 29-13108, 29-12875

Dear Water Right Holder(s):

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

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)

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NOV 22 2022