

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

DEC 26 2023

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 #7 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
29-276304	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Dana Blackburn

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Nicholas Waters Molly Waters

New owner(s) as listed on the conveyance document

Name connector ☒ and ☐ or

Mailing address

2352 N. Apple Ln

City

Pocatello

State

ID

Zip

83204

Telephone

208-420-8480

Email

mollywaters@kw.com

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: October 2023

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.

8. Signature: Nick Waters

Signature of new owner/claimant

Title, if applicable

Date

12-20-23

Print name

Nick Waters

- Signature: Molly S. Waters

Signature of new owner/claimant

Title, if applicable

Date

12-20-23

Print name

Molly S. WatersReceived by M. Jethro

Date

12-26-23

For IDWR Office Use Only:

Receipt No.

E049699

Receipt Amt.

25.00Active 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 JBProcessed by JB

Date

1/2/2024

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

AND WHEN RECORDED MAIL TO:
Flying S Title and Escrow of Idaho, Inc.
223 North 15th Avenue
Pocatello, ID 83201

Instrument # 22310708
Bannock County, Pocatello, Idaho
10/11/2023 03:35:56 PM No. of Pages: 3
Recorded for: FLYING S TITLE AND ESCROW - POCATELLO
Jason C. Dixon Fee: \$15.00
Deputy jmcDonald
Electronically Recorded

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **1111812-P (ap)**

Date: **October 10, 2023**

For Value Received, **Dana Avery, who acquired title as Dana Blackburn, an unmarried person,** hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Nicholas G. Waters and Molly S. Waters, husband and wife**, hereinafter called the Grantee, whose current address is **2352 N. Apple Lane, Pocatello, ID 83204**, the following described premises, situated in **Bannock County, Idaho**, to-wit:

PARCEL 1: LOT 4, APPLE ACRES, BANNOCK COUNTY, IDAHO, AS THE SAME APPEARS ON THE OFFICIAL PLAT THEREOF, RECORDED MARCH 21, 1974 AS INSTRUMENT NO. 520222.

PARCEL 2: LOT 6, APPLE ACRES, BANNOCK COUNTY, IDAHO, AS THE SAME APPEARS ON THE OFFICIAL PLAT THEREOF, RECORDED MARCH 21, 1974 AS INSTRUMENT NO. 520222.
EXCEPTING THEREFROM:

A PORTION OF LOT 6 OF APPLE ACRES, BANNOCK COUNTY, IDAHO, AS THE SAME APPEARS ON THE OFFICIAL PLAT THEREOF, FILED IN THE OFFICE OF THE COUNTY RECORDER OF BANNOCK COUNTY, IDAHO, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT MARKING THE SOUTHWEST 1/16 CORNER OF SAID SECTION 20, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE NORTH 89°19' EAST 98.81 FEET ALONG THE SOUTHERLY BOUNDARY OF LOT 6 OF SAID APPLE ACRES SUBDIVISION TO A POINT ON THE WEST BANK OF MINK CREEK; THENCE NORTH 23°55' EAST 176.47 FEET TO A POINT ON THE EAST BANK OF MINK CREEK; THENCE NORTH 42°26' WEST 123.61 FEET TO A POINT MARKING THE SOUTHWEST CORNER OF WELL SITE NO. 1 OF SAID APPLE ACRES SUBDIVISION; THENCE NORTH 2°13' EAST 57.36 FEET TO A POINT MARKING THE SOUTHEAST CORNER OF LOT 7 OF SAID APPLE ACRES SUBDIVISION; THENCE NORTH 79°24' WEST, 108.68 FEET TO A POINT MARKING THE SOUTHWEST CORNER OF SAID LOT 7, SAID POINT BEING ON THE WESTERLY BOUNDARY OF SAID NE1/4 OF THE SW1/4; THENCE SOUTH 3°3' EAST, 331.69 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH A 30-FOOT EASEMENT CONSISTING OF THAT PORTION OF APPLE ACRES SUBDIVISION, (AS FILED FOR RECORD IN THE OFFICE OF THE BANNOCK COUNTY RECORDER, POCATELLO, IDAHO, IN BOOK 9 OF PLATS AT PAGE 3). LYING WESTERLY OF AND ADJACENT TO THE WESTERLY BOUNDARY OF THE SOUTHERLY 87.9 FEET OF LOT 5 OF SAID APPLE ACRES SUBDIVISION AND THE WESTERLY BOUNDARY OF WELL SITE NO. 1 OF APPLE ACRES SUBDIVISION, CONSTITUTING AN EXTENSION OF THE WESTERLY 30 FEET OF APPLE LANE.

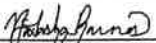
Page 1 of 3

**STATE OF IDAHO }
County of Bannock }**

I hereby certify that the foregoing is a full, true and correct copy of an instrument as the same now remains on file and of record in my office.

WITNESS my hand and official seal hereto affixed

this 13th day of November, 2023.
CLERK OF THE DISTRICT COURT,
EX OFFICIO AUDITOR AND RECORDER.

By: 

Date: **10/10/2023**

Warranty Deed
- continued

File No.: **1111812-P (ap)**

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.

Date: 10/10/2023

Warranty Deed
- continued

File No.: 1111812-P (ap)

Dana Avery
Dana Avery

STATE OF Tennessee)
COUNTY OF Williamson)

On this Oct. 10, 2023, before me, a Notary Public in and for said State, personally appeared **Dana Avery**, 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 the same.



Karen R. Campbell
Notary Public for the State
of Tennessee
Residing at: Antioch, TN
My Commission Expires: Sept. 8, 2025



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 Mathew Weaver

January 02, 2024

NICHOLAS WATERS
MOLLY WATERS
2352 N APPLE LN
POCATELLO ID 83204-7231

Re: Change in Ownership for Water Right No(s): 29-276B

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 Baily
Technical Records Specialist 1

Enclosure(s)

cc: WATER DISTRICT 29D