

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

NOV 07 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 #6](#) of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
1-10535 OK	Yes ☒	Yes ☐		Yes ☐	Yes ☐
1-10537 OK	Yes ☒	Yes ☐		Yes ☐	Yes ☐
1-10539 OK	Yes ☒	Yes ☐		Yes ☐	Yes ☐
1-10535 (Split into 1-10535 and 1-10710)	☐	Yes ☐		Yes ☐	Yes ☐
1-10537 (Split into 1-10537 and 1-10711)	☐	Yes ☐		Yes ☐	Yes ☐
1-10539 (Split into 1-10539 and 1-10712)	☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: R Gene Scott

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): David Joseph and Candace Elliot

New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or ☒ and/or

Mailing address

City

State

ZIP

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: 9-11-2003

6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed [IRS Form W-9](#) for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed [Lessor Designation](#) form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).

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: David J Elliot

Signature of new owner/claimant

Title, if applicable

Date

- Signature: Candace J Elliot

Signature of new owner/claimant

Title, if applicable

Date

For IDWR Office Use Only:

Received by JBDate 11/7/2023Receipt No. E049600Receipt Amt. \$300.-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 JBProcessed by JBDate 11/15/2023

WARRANTY DEED

Order No.: 3060314396

325573

FOR VALUE RECEIVED

R. Gene Scott, an unmarried person

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

David J. Elliott and Candace L. Elliott, Husband and Wife

whose current address is

320 Bob-O-Link
 Idaho Falls, ID 83401
 the grantee(s), the following described premises, in Jefferson County, Idaho, TO WIT:

A parcel of land situated in Jefferson County, State of Idaho, Township 4 North, Range 40 East of the Boise Meridian, Section 29. More particularly described as follows: Beginning at the Northeast Corner of Section 29, Township 4 North, Range 40 East of the Boise Meridian.

Thence S 00°00'00" W along the East line of Section 29 for a distance of 2625.07 feet to the East Quarter Corner of Section 29;

Thence N 89°53'49" W along the East/West Centerline of Section 29 for a distance of 992.08 feet to the true point of beginning.

Thence S 00°12'56" E for a distance of 1313.90 feet to the South line of the North Half of the Southeast Quarter of Section 29;

Thence N 89°58'30" W along said South line for a distance of 331.50 feet;

Thence N 00°12'56" W along an existing fence line for a distance of 1314.35 feet to East/West Centerline of Section 29;

Thence S 89°53'49" E along said East/West Centerline for a distance of 331.50 feet to the true point of beginning.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: 9-11-03

R. Gene Scott
 R. Gene Scott

State of Idaho

} ss.

County of Jefferson

On this
 appeared

9/11/03

R. Gene Scott

Instrument # 325573

RIGBY, JEFFERSON, IDAHO

2003-09-11

04:45:00 No. of Pages: 1

Recorded for: ALLIANCE TITLE & ESCROW

CHRISTINE BOULTER

Fee: 3.00

Ex-Officio Recorder Deputy

Index to: WARRANTY DEED

before me, a Notary Public in and for said state, personally

known or identified to me to be the person(s) whose name(s) subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day and year first above written.



Kellie Mordal
 Notary Public for the State of Idaho

Residing at:

Commission Expires: Residing in Jefferson County
 Commission Expires: 07-17-09

RECEIVED BY
 ASSESSOR

For PLATTING

Date 9/11/03 Time 4:45

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

11/1/2023

8. T19 acres in a single irrigation season. Combined Right Nos.: 01-10535, 01-10537, 01-10539.
Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Dates and Other Information:

Decreed Date: 1/14/2009

Civil Case Number: 39576

Judicial District: FIFTH

State or Federal: S

Water District Number: 01

Generic Max Rate Per Acre: 0.020

Generic Max Volume Per Acre: 4.0

Mitigation Plan: False

Combined Use Limits:

Rate

Volume

Acres

Water Rights

49.6

1-10535 ,1-10537 ,1-10539

SubCase:

N/A

Water Supply Bank:

N/A

11/1/2023

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	R GENE SCOTT 4644 E 185 N RIGBY, ID 83442-5901 (208) 538-7431

Status: Active

Tributary
COLUMBIA RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	0.620 CFS	
STOCKWATER	04/01	10/31	0.040 CFS	
	Total Diversion		0.620 CFS	

Snake River	SWNE	Sec. 29, Twp 04N, Rge 40E, JEFFERSON County
Snake River	NESWNW	Sec. 28, Twp 04N, Rge 40E, JEFFERSON 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
04N	40E	29								X					X	X			

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N	40E	29								0.9					35.0	8.7			44.6

Right Acre Limit: 16.70
POU Total Acres: 44.6

1.	K06	This right is limited to the irrigation of 16.7 acres within the place of use described above in a single irrigation season.
2.	E56	The rights listed below are limited to the irrigation of a combined total of 44.6 acres in a single irrigation season. Combined Right Nos.: 01-10535, 01-10537, 01-10539.
3.	R05	Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

11/1/2023

- | | | |
|-----|-----|---|
| 4. | T18 | District No. 01.
The right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster. |
| 5. | 004 | This right does not grant any right-of-way or easement across the land of another. |
| 6. | N08 | The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use. |
| 7. | | Water is delivered from the Dry Bed. |
| 8. | | This right is a split from former right 1-177B. |
| 9. | R60 | This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the lands above. |
| 10. | T19 | Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014. |
| 11. | X35 | Rights 1-10537 and 1-10677 when combined shall not exceed a total diversion rate of 0.04 cfs for stockwater, |

Dates and Other Information:

Decreed Date: 1/14/2009

Civil Case Number: 39576

Judicial District: FIFTH

State or Federal: S

Owner Name Connector: OR

Water District Number: 01

Generic Max Rate Per Acre: 0.020

Generic Max Volume Per Acre: 4.0

Mitigation Plan: False

Combined Use Limits:

Rate

Volume

Acres

Water Rights

49.6

1-10535 ,1-10537 ,1-10539

SubCase:

N/A

Water Supply Bank:

N/A

11/1/2023

1-10539

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

11/1/2023

- | | | |
|----|-----|---|
| 4. | | This right is a split from former right 1-326 . |
| 5. | F01 | Water is delivered through Steele Canal. |
| 6. | X02 | Water Right 1-10539 and 1-10678 for stockwater use is limited to 165 range cattle. |
| 7. | N08 | The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use. |
| 8. | 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. |
| 9. | X35 | Rights 1-10539 and 1-10678 when combined shall not exceed a total diversion rate of 0.04 cfs, for stockwater. |

Dates and Other Information:

Decreed Date: 1/14/2009

Civil Case Number: 39576

Judicial District: FIFTH

State or Federal: S

Owner Name Connector: OR

Water District Number: 01

Generic Max Rate Per Acre: 0.020

Generic Max Volume Per Acre: 4.0

Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Water Rights</u>
		49.6	1-10535 ,1-10537 ,1-10539

SubCase:

N/A

Water Supply Bank:

N/A

Split Required



David J + Candace Elliot

11/7/2023

Scale: 1 inch= 500 feet

File: 1-10535, 1-10537, 1-10539

Tract 1: 10.0006 Acres, Closure: n00.0000e 0.00 ft. (1/999999), Perimeter=3291 ft.

01 /ne.29.4n.40e

07 s89.5349e 331.50

02 /s00.0000w 2625.07

03 /n89.5349w 992.08

04 s00.1256e 1313.90

05 n89.5830w 331.50

06 n00.1256w 1314.35



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

November 15, 2023

DAVID J ELLIOT
4676 E 150 N
RIGBY ID 83442-5915

Re: Change in Water Right Ownership: 1-10535 (Split into 1-10535 and 1-10710), 1-10537 (Split into 1-10537 and 1-10711), 1-10539 (Split into 1-10539 and 1-10712)

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 Baily
Technical Records Specialist 1

Enclosure(s)

cc: R GENE SCOTT
WATER DISTRICT 01