

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JAN 18 2022

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?
17-2002	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: ALEXANDER H RICHARDS
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Cripple Creek Ranch LLC.
New owner(s) as listed on the conveyance document
- 4607 W. 16800 N.
Mailing address
435-458-3589
Telephone
- Fielding
City
garncattle@hotmail.com
Email
- Name connector ☐ and ☐ or
UT
State
84311
Zip
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: 10/2/2015
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.

8. Signature:  Member 1/18/2023
Signature of new owner/claimant Title, if applicable Date
Whyatt Garn
Print name
- Signature: _____ Title, if applicable _____ Date _____
Signature of new owner/claimant
Print name

Received by JB Date 1/18/2023 For IDWR Office Use Only: \$25. - for this app.
Active in the Water Supply Bank? Yes ☐ No ☐ Receipt No. E048855 Receipt Amt. \$150. -
Name on W-9 Per applicant request Returned Unprocessed 1/24/2023 Refund Requested W-9 received? Yes ☐ No ☐
Approved by _____ Processed by _____ Date _____

When Recorded Mail To:

Hallock & Hallock, a professional corporation
40 West Cache Valley Blvd., Suite 9A
Logan, Utah 84341

Send Tax Notices To:

Cripple Creek Ranch, LLC
P.O. Box 43
Fielding, Utah 84311

153132
16 October 15
2:00 pm
Tataniel Murphy
16:00
Hallock & Hallock

WARRANTY DEED

Kevin O. Garn, Jeri Garn, Michael L. Garn, and Cynthia M. Garn, grantors, of P.O. Box 43, Fielding, County of Box Elder, State of Utah, do hereby grant, bargain, sell, warrant and convey to **Cripple Creek Ranch, LLC**, an Idaho limited liability company of P.O. Box 43, Fielding, Utah, grantee, for the sum of ONE DOLLAR, their undivided interest in the following described real estate in Oneida County, State of Idaho:

See Exhibit "A" attached hereto.

Together with all improvements, water, water rights, ditches, ditch rights, easements, hereditaments and appurtenances thereto.

Witness in the hands of said grantors this 2 day of October 2015.


Kevin O. Garn


Jeri Garn


Michael L. Garn


Cynthia M. Garn

STATE OF UTAH)
 :SS
COUNTY OF Cache)

On the 2 day of October 2015, before me, the undersigned Notary, personally appeared Kevin O. Garn, who is personally known to me or who proved to me his identity through documentary evidence to be the person who signed the preceding document in my presence and who swore to me that his signature is voluntary and document truthful.


Notary Public
Residing at: Cache
My commission expires: 08/11/2015



STATE OF UTAH)
 :SS
 COUNTY OF Cache)

On the 2 day of October 2015, before me, the undersigned Notary, personally appeared Jeri Garn, who is personally known to me or who proved to me her identity through documentary evidence to be the person who signed the preceding document in my presence and who swore to me that her signature is voluntary and document truthful.

Rebecca J Williams
 Notary Public
 Residing at: Cache
 My commission expires: 08/11/2017



STATE OF UTAH)
 :SS
 COUNTY OF Cache)

On the 5 day of October 2015, before me, the undersigned Notary, personally appeared Michael L. Garn, who is personally known to me or who proved to me his identity through documentary evidence to be the person who signed the preceding document in my presence and who swore to me that his signature is voluntary and document truthful.

Rebecca J Williams
 Notary Public
 Residing at: Cache
 My commission expires: 08/11/2015



STATE OF UTAH)
 :SS
 COUNTY OF Cache)

On the 7 day of October 2015, before me, the undersigned Notary, personally appeared Cynthia M. Garn, who is personally known to me or who proved to me her identity through documentary evidence to be the person who signed the preceding document in my presence and who swore to me that her signature is voluntary and document truthful.

Rebecca J Williams
 Notary Public
 Residing at:
 My commission expires:



EXHIBIT "A"

Township 13 South, Range 33 East, Boise Meridian, Oneida County, Idaho.

1. The Southeast Quarter of the Northeast Quarter and the East half of the Southeast Quarter of Section 20. Excepting therefrom all property lying West of the County Road in said Section 20. Excepting there from: A parcel of ground located in the Northeast Quarter of Section 20, Township 13 South, Range 33 East of the Boise Meridian. Described as follows: Commencing at the aluminum cap monument found at the Northeast Corner of Section 20, Township 13 South, Range 33 East of the Boise Meridian, from which the aluminum cap monument found at the Northeast Corner of Section 21 of said Township bears North 89°46'35" East 5311.90 feet; and running thence South 00°03'00" East 1320 feet; thence North 89°46'45" West 693.30 feet to a point on the West right of way line of Arbon Valley Road and the true point of beginning; and running thence South 18°12'26" West along said right of way 2002.17 feet; thence North 00°03'06" West 1904.35 feet; thence South 89°46'45" East 627.31 feet to the point of beginning.
2. All of Section 21.
3. The Southwest Quarter of the Northwest Quarter and the Northwest Quarter of the Southwest Quarter of Section 22.
4. The North half of the Northwest Quarter, the East half of the Northeast Quarter, the Northwest Quarter of the Northeast Quarter, and the Northeast Quarter of the Southeast Quarter of Section 28.
5. The Northeast Quarter of the Northeast Quarter and the South half of the Northeast Quarter of Section 29. Excepting therefrom 16 acres lying west of the County Road in the South half of the Northeast Quarter of Section 29, deeded to Arnold Hubbard (see 24 Deeds, page 93, Instrument Number 55900). More particularly described as follows: Commencing at the Southwest Corner of the Northeast Quarter of Section Twenty-nine (29) in Township Thirteen (13) South of Range Thirty-three (33) East of the Boise Meridian; and running thence North Eighty (80) rods; thence East Thirty-two (32) rods more or less to the County Road; thence in a Southerly direction along the West side of the County Road Eighty (80) rods, more or less, to a point Thirty-two (32) rods, more or less, East of the place of beginning; thence West Thirty-two (32) rods, more or less, to the place of beginning.
6. Commencing at the Southeast Corner of the Northwest Quarter of the Northeast Quarter of Section 29 and running thence West 44 rods 9 feet more or less to the center line of the County Highway; thence Northeasterly along the center line of said Highway to a point 11 rods 6.5 feet more or less West of the Northeast Corner of the Southwest Quarter of the Southeast Quarter of Section 20; thence East 11 rods 6.5 feet more or less to the Northeast Corner of the Southwest Quarter of the Southeast Quarter of said Section 20; thence South 160 rods to the point of beginning



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Map title: Water Rights

Layout: Letter ANSI A Portrait

Format: PDF

Advanced

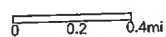
208

1.  Error, try again
2.  Error, try again

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Help and About



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Barg, Jonie

From: Barg, Jonie
Sent: Tuesday, January 24, 2023 8:32 AM
To: whyatt.garn@gmail.com
Subject: Ownership Change

Whyatt:

I did call and leave a message on January 23, 2023, but I thought I would also send an email.

This is regarding your ownership change for water right 17-2002. There are some discrepancies between the application, certificate of completion, report of engineer and water right license. The original application, certificate of completion and report of engineer show the water right place of use as SWSE Section 20 Township 13 South Range 33 East, WNE, SENE Section 29 Township 13 South Range 33 East. However, the license shows NWNE Section 20 Township 13 South Range 33 East, SNE Section 29 Township 13 South Range 33 East. It does appear there is a clear error in the license. However, it is uncertain whether Cripple Creek Ranch would own the entire water right or if a portion is owned by Hubbard Land and Livestock. There are a couple of options to remedy the issues. 1. File a joint transfer Cripple Creek Ranch and Hubbard Land and Livestock to correct the place of use. 2. Wait and claim it in the Bear River Basin Adjudication, as being used. With an ownership change the department does not look at forfeiture or nonuse, if a transfer is filed the department will look at nonuse. Please let me know how to proceed with your application. If you decide you want me to return this application, I will return it and you will be entitled to a refund.

Please let me know if you have any questions.

 IDAHO DEPARTMENT OF
WATER RESOURCES
Jonie Barg | Technical Records Specialist
900 N Skyline Drive Ste. A, Idaho Falls, ID 83402
Phone number: (208) 525-7161
Fax number: (208) 525-7177
Email: jonie.barg@idwr.idaho.gov
Website: www.idwr.idaho.gov



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 24, 2023

CRIPPLE CREEK RANCH LLC
4607 W 16800 N
FIELDING UT 84311

RE: Change in Ownership
Water Rights: 17-2002

Dear Sir/Madam:

On January 18, 2023, you filed a Notice of Change in Water Right Ownership (ownership change) with the Idaho Department of Water Resources (IDWR), seeking to update the ownership records for the water rights listed above. After an initial review, we determined that you needed to provide another application or additional information to correct discrepancies in the place of use. On January 24, 2023, we talked to you about the issues, and it was determined that the application should be returned unprocessed and a refund be issued.

We are therefore returning your original ownership change and have initiated a refund of your filing fee (\$25.00). The refund from the state of Idaho will arrive at the address listed above within a couple of weeks.

Please feel free to re-file your change in ownership any time in the future. Because your filing fee is being refunded, you will need to determine and provide the proper filing fee at the time you re-file the Assignment.

If you have any questions, feel free to contact me at (208) 525-7161.

Respectfully submitted,

Jonie Barg
Technical Records Specialist

Enclosure(s)

Barg, Jonie

From: Barg, Jonie
Sent: Tuesday, January 24, 2023 1:06 PM
To: IdwrPayable
Subject: Refund Request
Attachments: Receipt.PDF

Good afternoon!

I have a refund request as follows:

Receipt number: E048855
Amount: \$25.00
Payable to CRIPPLE CREEK RANCH
4607 W 16800 N
FIELDING UT 84311

Reason: Ownership Change filed for several water rights. There are some discrepancies between the place of use, as claimed, licensed, and owned. Contacted the applicant, he decided to have the application returned. Therefore, the application is being returned partially unprocessed, and the applicant is entitled to a partial refund.

Let me know if you have any questions or need additional information. Have a great day!!!



IDAHO DEPARTMENT OF
WATER RESOURCES

Jonie Barg | Technical Records Specialist
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Email: jonie.barg@idwr.idaho.gov
Website: www.idwr.idaho.gov