

RECEIVED

JAN 11 2023

Form 42-248/42-10916
Department of Water Resources
Eastern RegionSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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?
21-7154 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
21-7155 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: One Source Partners, LLC and Karen Garlock / Thomas Garlock
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Keith Daniel Musante Trustee of the Keith Musante Living Trust
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or
1316 N Oquirrh Mountain Drive Heber City UT 84032-4744
Mailing address City State Zip
818-398-0893 kmusa00@outlook.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: April 9, 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.

8. Signature: *K Musante* TRUSTEE 1-6-23
Signature of new owner/claimant Title, if applicable Date
KEITH MUSANTE
Print name

Signature: _____
Signature of new owner/claimant Title, if applicable Date
Print name

Received by JB Date 1/12/2023 For IDWR Office Use Only: Receipt No. E048838 Receipt Amt. \$50.-
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 1/13/2023

SUPPORT DATA

IN FILE # 21-7154

**PLACE OF USE
WATER RIGHTS
21-7154 & 21-7155**

POD. WELL



0.16
AC.

0.6
AC.

44.5
AC.

0.05
AC.

0.08
AC.

0.05
AC.

9.32
AC.

0.27
AC.

0.09
AC.

0.3
AC.

0.46
AC.

0.75
AC.

0.09
AC.

8.0
AC.

East 1200

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
535 First American Circle
Rexburg, ID 83440

Instrument No. 593639
25 Day Apr 2022
At 02 O'Clock 13 PM
ABBIE MACE
FREMONT CO RECORDER
Fee \$15.00
EL Deputy
Recorded at Request of
First American Title - Rexburg

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **1007665-RX (ss)**

Date: **April 09, 2022**

For Value Received, **Thomas W. Garlock and Karen A. Garlock, husband and wife and One Source Partners, LLC, an Idaho limited liability company**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Keith Daniel Musante, Trustee of the Keith Musante Living Trust, dated August 28, 2003 and as amended and restated in total on August 15, 2018**, hereinafter called the Grantee, whose current address is **1316 N Oquirrh Mountain Dr., Heber City, UT 84032-4744**, the following described premises, situated in **Fremont 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.

Date: 04/09/2022

Warranty Deed
- continued

File No.: 1007665-RX (m)

PARCEL 1A:
TOGETHER WITH A 60 FEET WIDE NONEXCLUSIVE EASEMENT FOR INGRESS AND EGRESS AS DESCRIBED IN AGREEMENT FOR EASEMENT FOR INGRESS AND EGRESS RECORDED DECEMBER 31, 2003, AS INSTRUMENT NO. 486018.

PARCEL 2:
SITUATED IN THE STATE OF IDAHO, COUNTY OF FREMONT, PART OF SECTION 1, TWP. 8 N, RANGE 41 E, & PART OF SECTION 6, TWP. 8 N., RANGE 42 E, OF B.M., BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 1;

THENCE NORTH 00°04'59" WEST, A DISTANCE OF 1,849.91 FEET ALONG THE EAST LINE OF SAID SECTION 1 TO A POINT;

THENCE SOUTH 52°25'29" WEST, A DISTANCE OF 186.67 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 36°10'33" WEST, A DISTANCE OF 1,043.55 FEET TO A REBAR WITH A PLASTIC CAP SET STAMPED, "PLS 13856";

THENCE NORTH 52°25'29" EAST, A DISTANCE OF 1,043.55 FEET TO A REBAR WITH AN ALUMINUM CAP FOUND;

THENCE SOUTH 36°10'32" EAST, A DISTANCE OF 1,043.55 FEET TO A REBAR WITH A PLASTIC CAP SET STAMPED, "PLS 13856";

THENCE SOUTH 52°25'29" WEST, A DISTANCE OF 1,043.55 FEET TO THE POINT OF BEGINNING.

PARCEL 2A:
TOGETHER WITH A 60 FEET WIDE NONEXCLUSIVE EASEMENT FOR INGRESS AND EGRESS AS DESCRIBED IN AGREEMENT FOR EASEMENT FOR INGRESS AND EGRESS RECORDED DECEMBER 31, 2003, AS INSTRUMENT NO. 486018.

EXHIBIT A

PARCEL 1:

SITUATED IN THE STATE OF IDAHO, COUNTY OF FREMONT, PART OF SECTIONS 1 & 12, TWP. 8 N, RANGE 41 E, & PART OF SECTION 6, TWP. 8 N., RANGE 42 E, OF B.M., BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 1;

THENCE SOUTH 89°42'53" WEST, A DISTANCE OF 587.84 FEET ALONG THE SOUTH LINE OF SAID SECTION 1 TO A REBAR WITH AN ALUMINUM CAP FOUND;

THENCE SOUTH 52°51'57" WEST, A DISTANCE OF 581.99 FEET TO A REBAR WITH AN ALUMINUM CAP FOUND;

THENCE NORTH 37°07'42" WEST, A DISTANCE OF 1,067.66 FEET TO A REBAR WITH AN ALUMINUM CAP FOUND;

THENCE NORTH 52°51'57" EAST, A DISTANCE OF 983.86 FEET TO A REBAR WITH A PLASTIC CAP SET STAMPED, "PLS 13856";

THENCE NORTH 47°30'17" WEST, A DISTANCE OF 553.70 FEET TO A REBAR WITH AN ALUMINUM CAP FOUND ON THE EAST 16TH LINE OF SAID SECTION 1;

THENCE NORTH 00°02'16" WEST, A DISTANCE OF 687.23 FEET ALONG THE EAST 16TH LINE OF SAID SECTION 1 TO A REBAR WITH AN ALUMINUM CAP FOUND;

THENCE NORTH 52°25'29" EAST, A DISTANCE OF 699.02 FEET TO A REBAR WITH A PLASTIC CAP SET STAMPED, "PLS 13856";

THENCE SOUTH 36°10'33" EAST, A DISTANCE OF 1,043.55 FEET TO A REBAR WITH A PLASTIC CAP SET STAMPED, "PLS 13856";

THENCE NORTH 52°25'29" EAST, A DISTANCE OF 1,043.55 FEET TO A REBAR WITH A PLASTIC CAP SET STAMPED, "PLS 13856";

THENCE SOUTH 36°10'28" EAST, A DISTANCE OF 281.45 FEET TO A REBAR WITH AN ALUMINUM CAP FOUND AT THE ORDINARY HIGH WATER OF THE HENRYS FORK OF THE SNAKE RIVER;

THENCE ALONG THE ORDINARY HIGH WATER OF THE HENRYS FORK OF THE SNAKE RIVER THE FOLLOWING FIVE (5) COURSES:

- 1. SOUTH 48°47'37" WEST, A DISTANCE OF 152.48 FEET TO A POINT;**
- 2. SOUTH 28°08'28" WEST, A DISTANCE OF 102.26 FEET TO A POINT;**
- 3. SOUTH 08°22'48" WEST, A DISTANCE OF 454.91 FEET TO A POINT;**
- 4. SOUTH 23°06'02" WEST, A DISTANCE OF 708.28 FEET TO A POINT;**
- 5. SOUTH 21°27'53" WEST, A DISTANCE OF 916.66 FEET TO THE POINT OF BEGINNING.**

Date: 04/09/2022

Warranty Deed
- continued

File No.: 1007645-RX (as)

One Source Partners, LLC, an Idaho limited liability
company

By: Thomas W. Garlock
Thomas W. Garlock, Manager

STATE OF Ky)
COUNTY OF Harlan)

On this 13TH day of April, 2022, before me, a Notary Public in and for said State, personally appeared **Thomas W. Garlock**, known or identified to me to be the person whose name is subscribed to the within Instrument as one of the Managers/Members of the **One Source Partners, LLC**, which is known or identified to me to be the entity whose name is subscribed to the within instrument and acknowledged to me that he executed the same in said Limited Liability Company's name.

Jeffrey L. Hazle
Notary Public of Ky
Residing at: Elmhurst, Ky
Commission Expires: 2/6/2025



Date: 04/09/2022

Warranty Deed
- continued

File No.: 1007665-RX (ss)

By: Thomas W. Garlock
Thomas W. Garlock

By: Karen A. Garlock
Karen A. Garlock

STATE OF Ky)
COUNTY OF Harden) ss.

On this 13th day of April, 2022, before me, a Notary Public in and for said State, personally appeared **Thomas W. Garlock and Karen A. Garlock**, 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.

Jeffrey L. Hazle
Notary Public for the State of Ky
Residing at: Elizabeth
My Commission Expires: 2/6/2025



Water Rights

WATER RIGHT REPORT

10/4/2021

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 21-7155

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	KAREN A GARLOCK
Current Owner	THOMAS GARLOCK
	970 W BROADWAY #446
	JACKSON, WY 83001
Current Owner	ONE SOURCE PARTNERS LLC
	970 W BROADWAY STE E # 446
	PO BOX 30000
	JACKSON, WY 83001-6403
	8009142689
Directors Report Owner	J RICHARD NEDROW
	3280 E 1200 N
	ASHTON, ID 83420
	2086523392
Original Owner	JAMES R NEDROW
	3085 E 1200 N
	ASHTON, ID 83420
	2086523380
Original Owner	J RICHARD NEDROW
	3280 E 1200 N
	ASHTON, ID 83420
	2086523392

Priority Date: 06/29/1978

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
SAND CREEK	SINKS

Permit Proof Due Date: 8/1/1988
Permit Proof Made Date: 2/9/1987
Permit Approved Date: 8/11/1978
Permit Moratorium Expiration Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Water Supply Bank Enrollment Date Accepted:
Water Supply Bank Enrollment Date Removed:
Application Received Date: 06/29/1978
Protest Deadline Date:
Number of Protests: 0

Other Information:
State or Federal: S
Owner Name Connector: And
Water District Number: 100
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Combined Acres Limit: 91
Combined Volume Limit: 318.5
Combined Rate Limit: 1.82
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

Location of Point(s) of Diversion:

GROUND WATER	NWSWSW Lt 7	Sec. 06	Township 08N	Range 42E	FREMONT County
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Place(s) of use:

Place of Use Legal Description: IRRIGATION FREMONT County

<u>To</u> <u>wns</u> <u>hip</u>	<u>Ran</u> <u>ge</u>	<u>Sec</u> <u>tion</u>	<u>Lot</u>	<u>Tra</u> <u>ct</u>	<u>Acr</u> <u>es</u>	<u>Lot</u>	<u>Tra</u> <u>ct</u>	<u>Acr</u> <u>es</u>	<u>Lot</u>	<u>Tra</u> <u>ct</u>	<u>Acr</u> <u>es</u>	<u>Lot</u>	<u>Tra</u> <u>ct</u>	<u>Acr</u> <u>es</u>
08N	41E	1		SEN E	3.6									
				NES E	27		SES E	28						
		12	7	NEN E	2.5									
	42E	6	5	SW NW	3.6									
			6	NW SW	15	7	SWS W	0.8						

Total Acres: 80.5

Conditions of Approval:

1.	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.
2.	E60	Right Nos. 21-7155 and 21-7154 are limited to a total combined diversion rate of 1.82 cfs and to a total combined annual diversion volume of 318.5 AF.
3.	E55	Right Nos. 21-7155 and 21-7154 are limited to the irrigation of a combined total of 91 acres in a single irrigation season.

Dates:

Licensed Date:

Decreed Date: 02/01/2007

WATER RIGHT REPORT

10/4/2021

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 21-7154

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	KAREN A GARLOCK
Current Owner	THOMAS GARLOCK
	970 W BROADWAY #446
	JACKSON, WY 83001
Current Owner	ONE SOURCE PARTNERS LLC
	970 W BROADWAY STE E # 446
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	JACKSON, WY 83001-6403
	8009142689
Directors Report Owner	J RICHARD NEDROW
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	ASHTON, ID 83420
	2086523392
Original Owner	JAMES R NEDROW
	3085 E 1200 N
	ASHTON, ID 83420
	2086523380
Original Owner	J RICHARD NEDROW
	3280 E 1200 N
	ASHTON, ID 83420
	2086523392

Priority Date: 06/29/1978

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	1.48 CFS	
Total Diversion			1.48 CFS	

				NES E			NW SE								
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Place of Use Legal Description: STOCKWATER FREMONT County

<u>Tow</u> <u>nshi</u> <u>p</u>	<u>Ran</u> <u>ge</u>	<u>Sect</u> <u>ion</u>	<u>Lot</u>	<u>Trac</u> <u>t</u>	<u>Acr</u> <u>es</u>	<u>Lot</u>	<u>Trac</u> <u>t</u>	<u>Acr</u> <u>es</u>	<u>Lot</u>	<u>Trac</u> <u>t</u>	<u>Acr</u> <u>es</u>	<u>Lot</u>	<u>Trac</u> <u>t</u>	<u>Acr</u> <u>es</u>
08N	41E	1		SES E										

Total Acres: 91

Conditions of Approval:

1.	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.
2.	004	This right does not grant any right-of-way or easement across the land of another.
3.	E60	Right Nos. 21-7155 and 21-7154 are limited to a total combined diversion rate of 1.82 cfs and to a total combined annual diversion volume of 318.5 AF.
4.	E55	Right Nos. 21-7155 and 21-7154 are limited to the irrigation of a combined total of 91 acres in a single irrigation season.
5.	B09	This right is subject to regulation by the watermaster of Water District No. 1.
6.	01J	Prior to diversion of water under this right, the right holder shall install and maintain a measuring device and lockable controlling works of a type acceptable to the Department as part of the diverting works.

7.	18B	The storage of water under this right is contingent upon the certification of the dam and authorization of storage per the dam safety provisions of the Idaho Code.
8.	18A	The right holder shall install/maintain permanent measuring devices in such a manner that the amount of water entering the reservoir and the amount of water released from the reservoir can be measured.

Dates:

Licensed Date:

Decreed Date: 12/23/2009

Permit Proof Due Date: 12/1/1985

Permit Proof Made Date: 5/16/1985

Permit Approved Date: 12/11/1980

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date: 06/29/1978

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: AND

Water District Number: 01

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit: 91

Combined Volume Limit: 318.5

Combined Rate Limit: 1.82

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



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 13, 2023

KEITH MUSANTE LIVING TRUST
1316 N OQUIRRH MOUNTAIN DR
HEBER CITY UT 84032-4744

Re: Change in Ownership for Water Right No(s): 21-7154, 21-7155

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)

cc: WATER DISTRICT 01
WATER DISTRICT 100
HENRYS FORK GROUND WATER DISTRICT