

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

JUN 21 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. **DEV**

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
✓ 13-7661	Yes ☒	Yes ☐	13-7661	Yes ☐	Yes ☐
	Yes ☐	Yes ☐	13-8105	Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: EL RAY BALLS

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): TRAVIS K. ASHBY and DAWN ASHBY

New owner(s) as listed on the conveyance document

Name connector ☒ and ☐ or

5775 W HWY 36

WESTON

ID 83286

Mailing address

City

State

Zip

(208) 339-0788

ashbytravis0@gmail.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: 05/20/2022
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 # 13-7661

8. Signature: 
- Signature of new owner/claimant
- TRAVIS K. ASHBY
- Print name

Title, if applicable

Date

6-15-2022

- Signature: 
- Signature of new owner/claimant
- DAWN ASHBY
- Print name

Title, if applicable

Date

June 15, 2022

For IDWR Office Use Only:

E049390

\$75.00

Received by Cx dh Date 6/21/22

Receipt No. E048250

Receipt Amt. \$25.00

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 9/15/2022

June 10, 2022

Attn: Water Right Transfers
IDWR
900 N Skyline Dr, Ste A
Idaho Falls ID 83402-1718

To Whom It May Concern:

This letter will confirm my father, El Ray Balls, is deceased and 130 acres of farm ground, and the associated Water Right #13-7661 have been sold to Travis K. Ashby and Dawn Ashby.

A handwritten signature in black ink that reads "B. Balls". The signature is cursive and stylized, with the first letter of the last name being a large, prominent capital 'B'.

Brian Balls, Successor Trustee
5139 W Hwy 36
Weston ID 83286
(208) 705-8331 cell
jblivestock@gmail.com

NTF-118360
Travis Kevin Ashby
5775 West Highway 36
Weston, ID 83286

291425

Page 1 of 2

Recorded at the request of
Northern Title Company of Idaho
05 25 2022 03:14 PM Fee: \$15.00
CAMILLE LARSEN, RECORDER
By H. Lar Deputy
FRANKLIN COUNTY IDAHO

WARRANTY DEED

Brian Balls and Michael Balls, as successor co-trustees of the The Elray and Janice Balls Revocable Trust, dated May 12, 2011

Grantor(s) of Weston, County of Franklin, State of Idaho, hereby **CONVEY AND WARRANT** to

~~K.~~
Travis ~~Kevin~~ Ashby and Dawn ~~Dayton~~ Ashby, Husband and Wife

Grantee(s) of Weston, County of Franklin, State of Idaho, for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION, the following described tract of land in Franklin County, State of ID:

*SEE ATTACHED EXHIBIT "A"

Subject to easements, declarations of covenants and restrictions, rights of way of record, and taxes for the current year and thereafter.

Witness, the hand(s) of said Grantor(s), this May 20, 2022.

B. Balls
Brian Balls, Successor Co-Trustee

Michael Balls
Michael Balls, Successor Co-Trustee

State of Idaho)
County of Franklin)§

On this May 20, 2022, personally appeared before me Brian Balls and Michael Balls, who, being by me duly sworn, did say that THEY ARE the Successor Co-Trustee(s) of The Elray and Janice Balls Revocable Trust, dated May 12, 2011, and that said instrument was signed in behalf of said Trust by the authority of its Trust Agreement, and the aforesaid individual(s) acknowledged to me that said Trust executed the same.

Melanie Olsen
Notary Public

EXHIBIT "A"

PARCEL 1:

Township 16 South, Range 38 East, Boise Meridian, Franklin County, Idaho

Section 10: The Southeast Quarter of the Southeast Quarter; and the West Half of the Southeast Quarter

Also;

Section 11, Township 16 South, Range 38 East, Boise Meridian, Franklin County, Idaho and described as follows:
Beginning 484.04 feet North of the Southwest corner of said Section 11 along the existing section line thence North 835.96 feet continuing along section line thence East 618 feet along existing fence line thence 873 feet southwesterly along fence line to a 5/8 rebar and cap on the fence line; thence West 482.12 feet to the true point of beginning.

Grantor hereby reserves and retains a Right of Way Easement for ingress and egress for the purpose of accessing, repairing, and the right to maintain the existing waterline and water valves . Lee Balls water valve is located approximately 568 feet from the East fence Line. Brian Balls water valve is located approximately 305 feet from the West line of said parcel. This easement shall run with the land and is transferable to any heirs, successors and/or assigns of the Grantors.

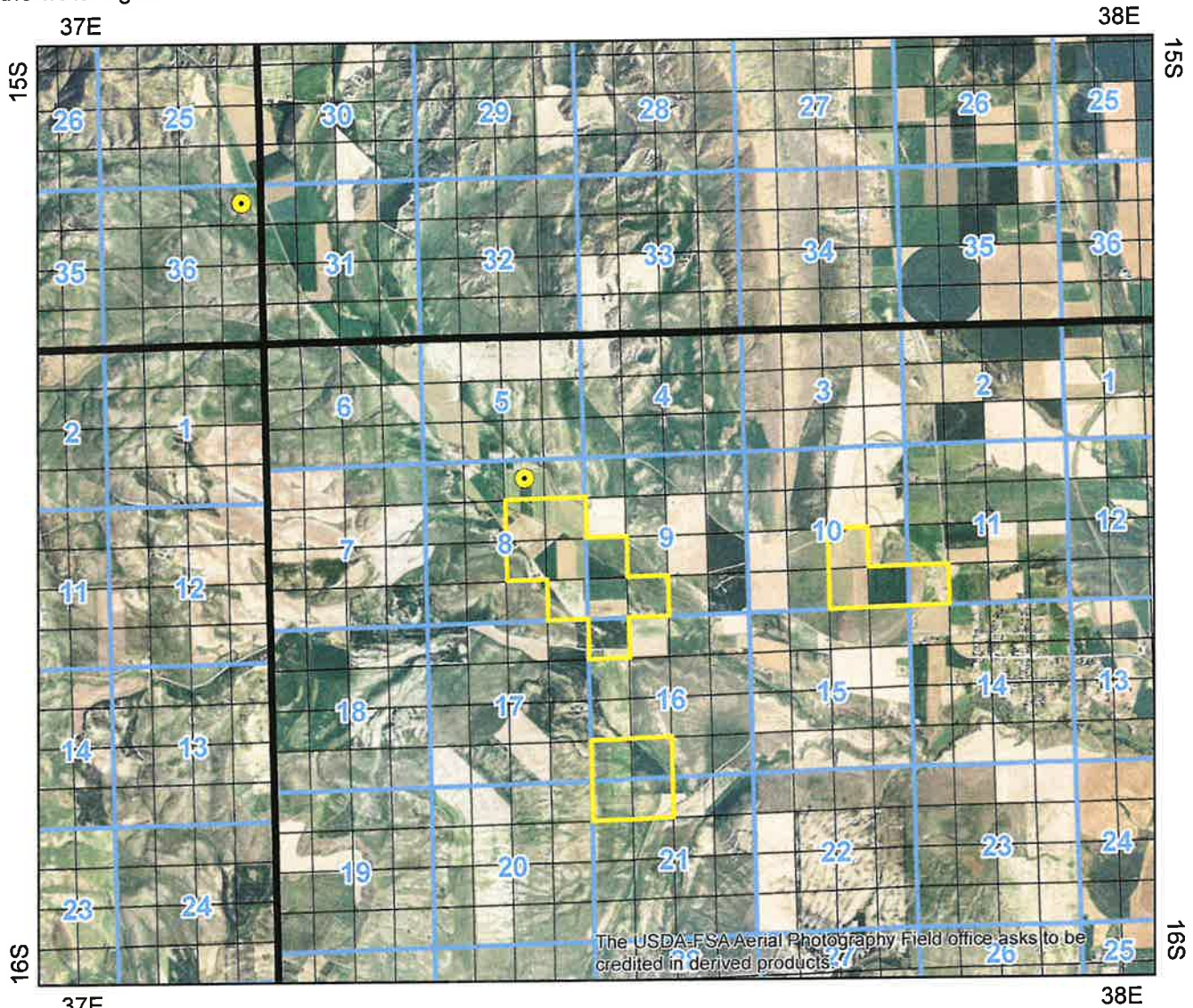
Together with 111 Shares of Weston Creek Water and Together with Idaho Water Right No. 13-7661

State of Idaho
Department of Water Resources

Water Right 13-7661

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

0 0.5 1 2 Miles



After recording, please return to:
Dustin D. Ericson
ERICSON & SHAW, LLP
88 WEST CENTER STREET
Logan, UT 84321

252543

Recorded at the request of
Dustin D. Ericson

a.m. AUG 15 2011 p.m. 3:12

SHAUNA T. GEDDES, RECORDER
By Ruth Lawrence Deputy
FRANKLIN COUNTY, IDAHO

**CORRECTED
QUIT CLAIM DEED**

RE: Instrument # 252141

ELRAY BALLS and JANICE S. BALLS Grantors of 203 North Westside Highway, City of Weston, State of Idaho, 83286 hereby QUIT CLAIM to the ELRAY AND JANICE BALLS REVOCABLE TRUST, with ELRAY BALLS and JANICE BALLS as trustees, established by a Declaration of Trust dated the 12th day of May, 2011, Grantees, of 203 North Westside Highway, City of Weston, State of Idaho, 83286 for the sum of TEN DOLLARS and other good and valuable consideration the following described tract of land in Franklin County, State of Idaho:

The Southeast Quarter of the Southeast Quarter and the West Half of the Southeast Quarter of Section 10, and the Southwest Quarter of the Southwest Quarter of Section 11, Township 16 South, Range 38 East, Boise Meridian.

Also, commencing at a point 587 feet East of the Northwest corner of the Northwest Quarter, Section 14, Township 16 South, Range 38 East, Boise Meridian; thence running East 660 feet; thence South 37 feet; thence West 660 feet; thence North 37 feet to place of beginning.

Together with all appurtenances thereon or thereunto appertaining.

WITNESS, the hands of said grantors, this 1 day of Aug., 2011.

ElRay Balls
ELRAY BALLS

Janice Balls
JANICE BALLS

STATE OF UTAH)
 :SS.
County of Cache)

On the 1st day of Aug., 2011, personally appeared before me ELRAY BALLS and JANICE BALLS the signers of the within instrument, who duly acknowledged to me that they executed the same.

D D E
Notary Public



252141

After recording, please return to:
Dustin D. Ericson
ERICSON & SHAW, LLP
88 WEST CENTER STREET
Logan, UT 84321

Recorded at the request of
Ericson & Shaw

 a.m. JUN 20 2011 p.m. 1:52

SHAUNA T. GEDDES, RECORDER
By [Signature] Deputy
FRANKLIN COUNTY, IDAHO

QUIT CLAIM DEED

ELRAY BALLS and JANICE BALLS Grantors of 203 North Westside Highway, City of Weston, State of Idaho, 83286 hereby QUIT CLAIM to the ELRAY AND JANICE BALLS REVOCABLE TRUST, with ELRAY BALLS and JANICE BALLS as trustees, established by a Declaration of Trust dated the 12th day of May, 2011, Grantees, of 203 North Westside Highway, City of Weston, State of Idaho, 83286 for the sum of TEN DOLLARS and other good and valuable consideration the following described tract of land in Franklin County, State of Idaho:

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Also, commencing at a point 587 feet East of the Northwest corner of the Northwest Quarter, Section 14, Township 16 South, Range 38 East, Boise Meridian; thence running East 660 feet; thence North 37 feet to place of beginning.

Together with all appurtenances thereon or thereunto appertaining.

WITNESS, the hands of said grantors, this 13 day of June, 2011.

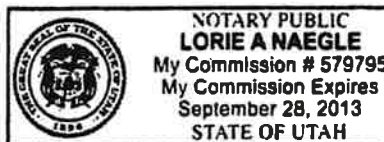
[Signature]
ELRAY BALLS

[Signature]
JANICE BALLS

STATE OF UTAH)
 :SS.
County of Cache)

On the 13th day of June, 2011, personally appeared before me ELRAY BALLS and JANICE BALLS the signers of the within instrument, who duly acknowledged to me that they executed the same.

[Signature]
Notary Public





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

September 15, 2022

TRAVIS K ASHBY
5775 W HIGHWAY 36
WESTON ID 83286-5197

Re: Change in Water Right Ownership: 13-7661 (Split into 13-7661 and 13-8105)

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 Barg
Technical Records Specialist 1

Enclosure(s)

cc: JAY N FONNESBECK
EL RAY BALLS

Cefalo, James

From: Cefalo, James
Sent: Thursday, July 14, 2022 6:17 PM
To: ashbytravis0@gmail.com
Subject: Notice of Change in Water Right Ownership - Water Right 13-7661

Dear Property Owners,

Our office recently received your Notice of Change in Water Right Ownership, proposing to update the ownership records for water right 13-7661 from El Ray Balls to Travis and Dawn Ashby. After an initial review of the notice, I have determined that the notice is deficient. This email is intended to describe the deficiencies and give you an opportunity to provide additional information.

Water right 13-7661 is a joint claim for a water right filed by Jay Fannesbeck and El Ray Balls, covering 475 irrigated acres. Based on the deed provided with your notice, you only own approximately 126 acres of the 475-acre irrigation place of use. Therefore, the water right must be split. The filing fee for updating the ownership of a water right to be divided is \$100. You have already paid \$25 for the ownership change notice. Please provide the additional \$75 required to split the right.

The deed included with your notice is from The El Ray and Janice Balls Revocable Trust. However, water right 13-7661 is currently held in the name of El Ray Balls. Please provide a copy of the deed conveying the subject property from El Ray Balls to the El Ray and Janice Balls Revocable Trust. This deed can likely be obtained from the Franklin County Recorder's Office.

Please provide the additional filing fee and the additional deed (from El Ray Balls to the El Ray and Janice Balls Revocable Trust) within 30 days of this email or I will return your ownership change and filing fee to allow you additional time to assemble the required documents.

Feel free to call with any questions.

 IDAHO DEPARTMENT OF
WATER RESOURCES
James Cefalo | Regional Manager
900 N Skyline Drive, Idaho Falls, ID 83402
(208) 525-7161 | www.idwr.idaho.gov