

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

SEP 06 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?
35-12806 <i>OK</i>	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: J. Chris Hoag
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): The Blue Heron Living Trust, dated August 26, 2022, and any amendments
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or
- 2846 N. Pleasant Valley Rd. American Falls ID 83211
Mailing address City State Zip
(208) 221-0944 jchris.hoag@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: 08/26/2022
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: *J. Christopher Hoag* Trustee 08/29/2022
Signature of new owner/claimant Title, if applicable Date
J. Christopher Hoag
Print name

Signature: *Gail S. Hoag* Trustee 08/29/2022
Signature of new owner/claimant Title, if applicable Date
Gail S. Hoag
Print name

For IDWR Office Use Only:

Received by JB Date 9/10/2022 Receipt No. E048476 Receipt Amt. \$25.-
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 JB Approved by JB Processed by JB Date 9/9/2022



ESTATE PROTECTION
& PLANNING PLLC

Curry D. Andrews
Macy M. White
Lesley N. Casner
Attorneys at Law
202 Idaho Street
American Falls, ID 83211
(208) 226-5138 Office
curryandrews@gmail.com
macymwhite.jd@gmail.com
lesleycasnerlaw@gmail.com

NOTICE OF OWNERSHIP CHANGE: REVOCABLE TRUST FUNDING
THE BLUE HERON LIVING TRUST, DATED AUGUST 26, 2022 AND ANY AMENDMENTS

Details Attached to Notice of Change in Water Right Ownership Form

Water Right No.	Deed/Instrument No.	Additional Notes
35-12806	220805	Power County

Enclosures:

Check for \$25 (\$25 per Water Right);

Certificate of Trust and Trustee Affidavit (showing Trustee authority);

Print out from IDWR website –Report & Water Maps(using map tool);

Instrument No. 220805 (conveyance document)

*For questions or additional information, please contact Estate Protection & Planning, PLLC.
202 Idaho Street, American Falls, ID 83211
(208) 226-5138*

Certification of Trust for the Blue Heron Living Trust dated August 26, 2022

Pursuant to Idaho Code Ann. § 68-114, this Certification of Trust is signed by all the currently acting Trustees of the Blue Heron Living Trust dated August 26, 2022, who declare:

1. The Grantors are J. Christopher Hoag, also known as Jon Christopher "Chris" Hoag, and Gail S. Hoag, also known as Gail Suzanne Hoag. The trust is revocable by the Grantors, acting jointly and not separately.
2. The Trustees of the trust are J. Christopher Hoag and Gail S. Hoag. The signature of one Trustee is sufficient to exercise the powers of the Trustee.
3. The Successor Trustees of the trust are:

Upon Incapacity or Death:

The non-incapacitated or surviving spouse will serve as sole Trustee. If he or she is unable to serve or to continue to serve for any reason, then the following will serve as successor Trustee, in the order named:

Jebadiah James Hoag
Mackenzie Maxwell Hoag

4. The tax identification number of the trust is the Social Security number of J. Christopher Hoag.
5. Title to assets held in the trust will be titled as:

J. Christopher Hoag and Gail S. Hoag, Trustees of the Blue Heron Living Trust
dated August 26, 2022, and any amendments thereto.
6. An alternative description will be effective to title assets in the name of the trust or to designate the trust as a beneficiary if the description includes the name of at least one initial or successor Trustee, any reference indicating that property is being held in a fiduciary capacity, and the date of the trust.
7. Excerpts from the trust document that establish the trust, designate the Trustee, and set forth the powers of the Trustee will be provided upon request. The powers of the Trustees include the power to acquire, sell, assign, convey, pledge, encumber, lease, borrow, manage, and deal with real and personal property interests.
8. The terms of the trust provide that a third party may rely upon this Certification of Trust as evidence of the existence of the trust and is specifically relieved of any obligation to inquire

into the terms of this trust or the authority of my Trustee, or to see to the application that my Trustee makes of funds or other property received by my Trustee.

9. The trust has not been revoked, modified, or amended in any way that would cause the representations in this Certification of Trust to be incorrect.

August 26, 2022


J. Christopher Hoag, Trustee

August 26, 2022


Gail S. Hoag, Trustee

STATE OF IDAHO

)

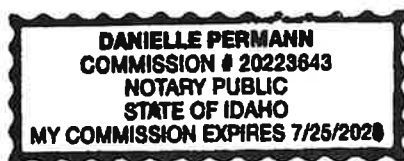
) ss.

COUNTY OF POWER

)

On this day, August 26, 2022, before me Danielle Permann, a notary public, personally appeared J. Christopher Hoag and Gail S. Hoag, as Trustees, personally known to me (or proved to me on the basis of satisfactory evidence) to be the persons whose names are subscribed to the within Certification of Trust, and acknowledged that they executed the same.

[Seal]




Danielle Permann, Notary Public
202 Idaho St.
American Falls, Idaho 83211
My commission expires: July 25, 2028

Certification of Trust for the Blue Heron Living Trust

Page 2

ESTATE PROTECTION & PLANNING, PLLC, 202 IDAHO ST., AMERICAN FALLS, IDAHO 83211 | (208) 226-5138

Trustee Affidavit

J. Christopher Hoag and Gail S. Hoag, being first duly sworn upon oath, depose and say:

1. Affiants are the Trustees of the Revocable Living Trust named below and as such have the authority to execute this Trustee Affidavit.
2. This Trustee Affidavit relates to the Blue Heron Living Trust, dated August 26, 2022.
3. The names of the currently serving Trustees of the above-described trust are:

J. Christopher Hoag

Gail S. Hoag

4. Selected provisions of the trust, including the pages naming the initial Trustees, creating the trust, stating the relevant trustee powers, stating the revocability of the trust, designating successor Trustees, as well as a copy of the signature pages, may be attached to this Trustee Affidavit or are available upon request.
5. Under the terms of the trust, any person may rely upon this Trustee Affidavit as evidence of the existence of the trust and is relieved of any obligation to verify that any transaction entered into by a Trustee or successor Trustee is consistent with the terms and conditions of the trust.
6. The other provisions of the trust are of a personal nature and set forth the distribution of trust property. They do not modify the powers of the Trustee.
7. The trust has not been revoked.

Dated: August 26, 2022


J. Christopher Hoag, Trustee

Gail S Hoag
Gail S. Hoag, Trustee

STATE OF IDAHO

)

) ss.

COUNTY OF POWER

)

Subscribed and sworn to (or affirmed) before me this day, August 26, 2022 by J. Christopher Hoag and Gail S. Hoag, as Trustees.

[Seal]



[Signature]
Danielle Permann, Notary Public
202 Idaho St.
American Falls, Idaho 83211
My commission expires: July 25, 2028

Water Right Report : 35-12806(Decreed/Active)

Water Right Owners

Owner Type	Name	Address	City	State	Postal Code
Current Owner	HOAG, J CHRIS	2846 W N PLEASANT VALLEY RD	AMERICAN FALLS	ID	83211

Water Right Status

Priority Date : 1/1/1935
 Basis : Decreed
 Status : Active

Water Source

Source	Source Qualifier	Tributary	Tributary Qualifier
GROUND WATER			

Points Of Diversion (Location)

Source	Township	Range	Section	Govt. Lot	QQQ	QQ	Q	County	Diversion Type
GROUND WATER	07S	31E	5	2	NW	NW	NE	POWER	

Water Uses

Beneficial Use	From	To	Diversion Rate	Volume
STOCKWATER	1/01	12/31	0.02 CFS	
DOMESTIC	1/01	12/31	0.04 CFS	
TOTAL			0.06 CFS	

Places of Use

[Printable View](#)
[Paged View](#)

Place of Use Legal Description : STOCKWATER (POWER county)

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
07S	31E	5	2		NW	NE	

Place of Use Legal Description : DOMESTIC (POWER county)

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
07S	31E	5	2		NW	NE	

Conditions

Code Conditions

N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

PARCEL NO. RP D0758-00 STOCKWATER, 40 COWS AND CALF, 2 HORSES

Dates

Other Information

Licensed Date :
Decreed Date : 11/28/1997
Permit Proof Due Date :
Permit Proof Made Date :
Permit Approved Date :
Permit Moratorium Expiration Date :
Enlargement Use Priority Date :
Enlargement Statute Priority Date :
Application Received Date:
Protest Deadline Date:

IDAHO DEPARTMENT OF WATER RESOURCES

State or Federal : S
Water District Number : EXC
Generic Max Rate Per Acre : 0
Generic Max Volume Per Acre : 0
Civil Case Number :
Decree Plaintiff :
Decree Defendant :
Swan Falls Trust or Nontrust :
Swan Falls Dismissed :
DLE Act Number :
Cary Act Number :
Mitigation Plan: False

8/29/2022

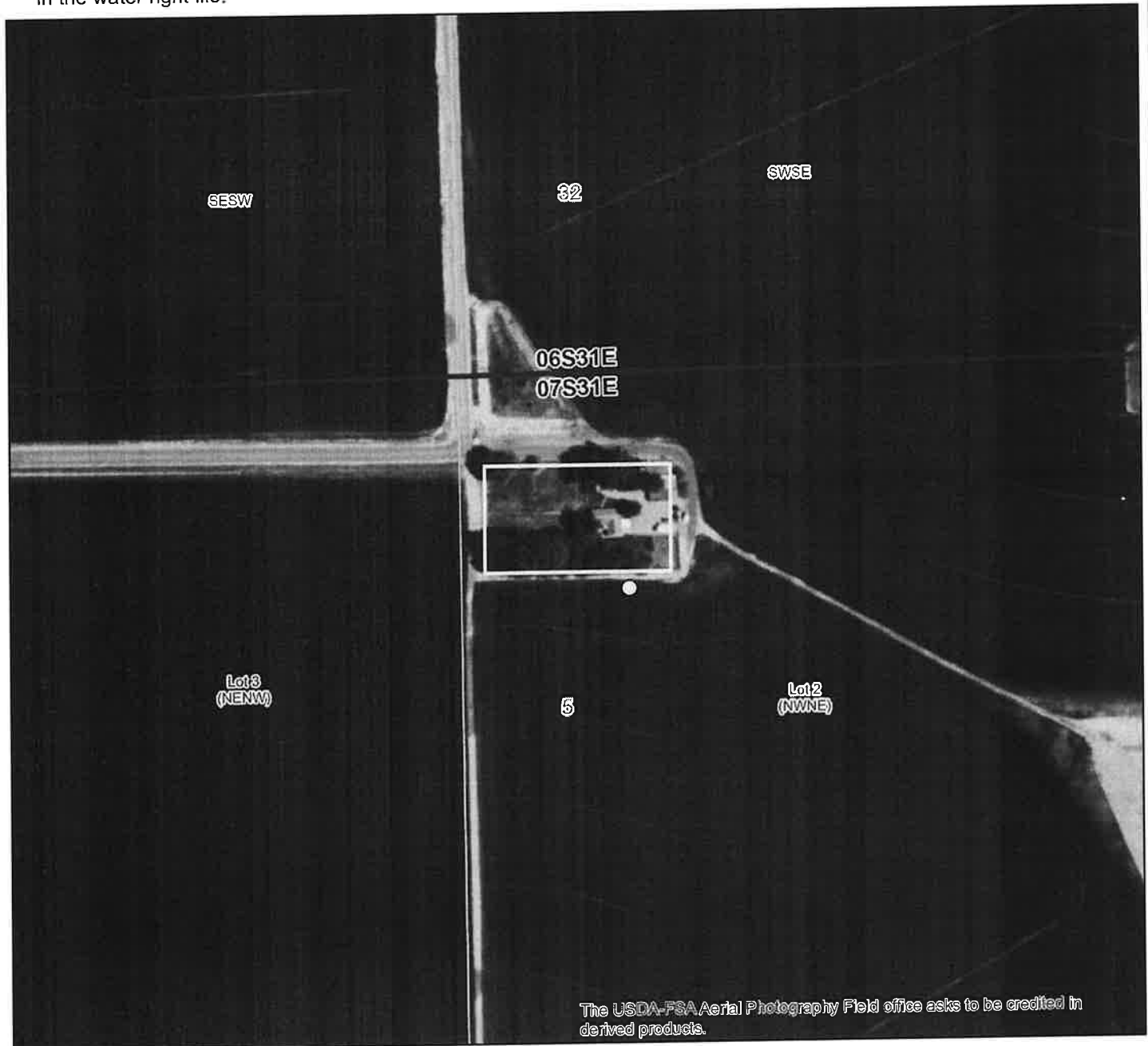
State of Idaho
Department of Water Resources

Water Right

35-12806

DOMESTIC

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.



The USDA-FSA Aerial Photography Field office asks to be credited in derived products.



Legend

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



Date created: 8/29/2022

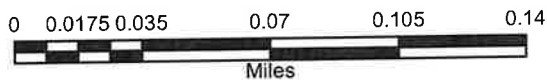
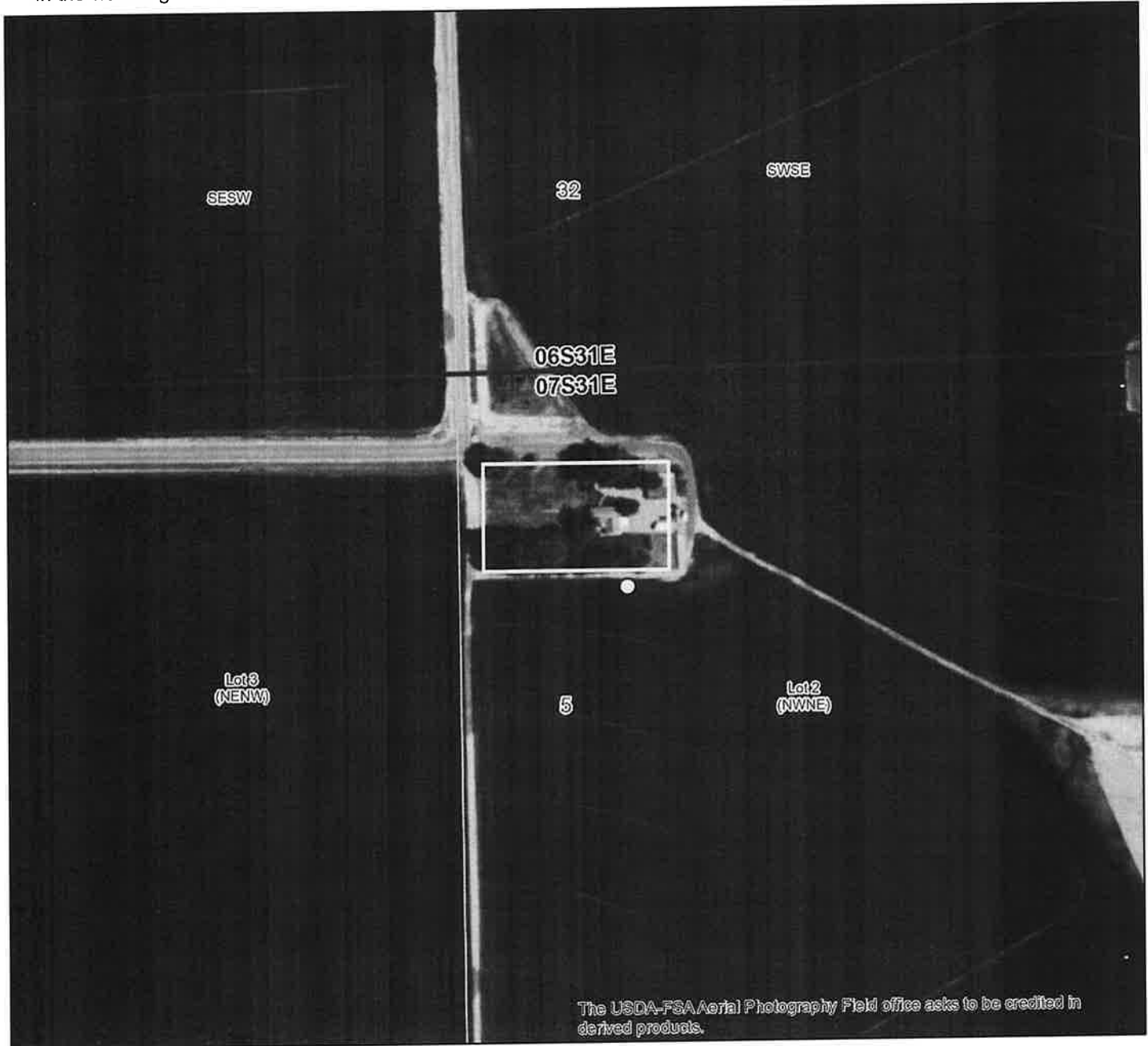
State of Idaho
Department of Water Resources

Water Right

35-12806

STOCKWATER

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.



Legend

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



Date created: 8/29/2022

AFTER RECORDING, PLEASE RETURN TO:

Curry D. Andrews, Attorney at Law
Estate Protection & Planning, PLLC
202 Idaho St., American Falls, ID 83211
(208) 226-5138 Office

Send Tax Statements to:

The Blue Heron Living Trust
Attn. Chris & Gail Hoag, Trustees
2846 N. Pleasant Valley Rd.
American Falls, ID 83211
(208) 221-0944

Instrument # 220805

POWER COUNTY, IDAHO
08-29-2022 02:33:27 PM No. of Pages: 3
Recorded for: ESTATE PROTECTION & PLANNING,
SHAREE SPRAGUE Fee: \$15.00
Ex-Officio Recorder Deputy: Chelsy Fehringer
Electronically Recorded by Simplifile

GRANTORS: J. CHRIS HOAG and GAIL M. HOAG, HUSBAND AND WIFE
GRANTEE: J. Christopher Hoag and Gail S. Hoag, Trustees of the Blue Heron Living Trust
dated August 26, 2022, and any amendments thereto
PARCEL NO: RPD0758-00 (Residence)

WARRANTY DEED

THE UNDERSIGNED Grantors, J. CHRIS HOAG and GAIL M. HOAG, HUSBAND AND WIFE, hereby grant, bargain, sell, convey and confirm their undivided interest as transferred under Instrument No. 145492 to J. Christopher Hoag and Gail S. Hoag, Trustees of the Blue Heron Living Trust dated August 26, 2022, and any amendments thereto, the following property, legally described as:

SEE ATTACHED EXHIBIT "A" LEGAL DESCRIPTION

TOGETHER WITH ALL APPURTENANCE AND SUBJECT TO: TAXES, EASEMENTS, RESTRICTIONS, COVENANTS, ENCUMBRANCES AND ASSESSMENTS AS SHOWN OF RECORD.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that the premises are free from all encumbrances and that the said Grantors will warrant and defend the same from all lawful claims whatsoever.

DATED this 26 day of August, 2022.



J. CHRIS HOAG, GRANTOR



GAIL M. HOAG, GRANTOR

STATE OF IDAHO)
) ss.
COUNTY OF POWER)

On this day personally appeared before me J. CHRIS HOAG and GAIL M. HOAG to me known to be the individuals described herein and who executed the within and foregoing instrument, and acknowledged that he and she signed the same as his and her free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 26th day of August, 2022



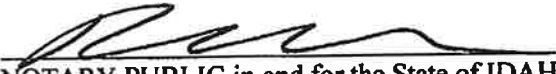

NOTARY PUBLIC in and for the State of IDAHO,
Residing in: American Falls, Idaho.
My Commission Expires: July 25, 2028

EXHIBIT "A"
LEGAL DESCRIPTION

PARCEL 1:

BEGINNING AT A POINT 36 FEET EAST OF THE NORTHWEST CORNER OF LOT 2, SECTION 5, TOWNSHIP 7 SOUTH, RANGE 31 EAST, BOISE MERIDIAN; THENCE EAST ALONG THE NORTH LINE OF SAID LOT 2 A DISTANCE OF 288 FEET TO A POINT; THENCE SOUTH A DISTANCE OF 222 FEET TO A POINT; THENCE WEST A DISTANCE OF 288 FEET TO A POINT; THENCE NORTH A DISTANCE OF 222 FEET, MORE OR LESS, TO THE POINT OF BEGINNING...

PARCEL 2:

BEGINNING AT A POINT 324 FEET EAST OF THE NORTHWEST CORNER OF LOT 2, SECTION 5, TOWNSHIP 7 SOUTH, RANGE 31 EAST, BOISE MERIDIAN; THENCE SOUTH 222 FEET; THENCE EAST 59 FEET; THENCE NORTH 182 FEET; THENCE WEST 4 FEET; THENCE NORTH 40 FEET, MORE OR LESS, TO THE NORTH BOUNDARY LINE OF SAID LOT 2; THENCE WEST ALONG SAID NORTH BOUNDARY LINE 55 FEET TO THE POINT OF BEGINNING...

RESERVING OF THE GRANTORS, THEIR HEIRS AND ASSIGNS FOREVER A 40 FOOT RIGHT-OF-WAY FOR ROAD EASEMENT PURPOSES ON THE NORTH SIDE OF THE DESCRIBED PREMISES.



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 09, 2022

THE BLUE HERON LIVING TRUST
2846 N PLEASANT VALLEY RD
AMERICAN FLS ID 83211-5140

Re: Change in Ownership for Water Right No(s): 35-12806

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)