

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

DEC 07 2023

Notice of Change in Water Right Ownership

DEPT OF WATER RESOURCES
SOUTHERN 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?
37-13368	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: David A. McElhinny, Trustee of the WDM 2019 Trust dated July 3, 2019
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): David A. McElhinny, Tstee of the David A. McElhinny Living Trust dtd 3/28/06, as amended
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or ☐ and/or
- PO Box 4892 Ketchum ID 83340
Mailing address City State ZIP
207-838-4143 dmcelhinny53@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: May 1, 2021
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:  Trustee 11/30/23
Signature of new owner/claimant Title, if applicable Date

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

For IDWR Office Use Only:

Received by SG Date 12/7/2023 Receipt No. 5040013 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 _____ Processed by dm Date 1/3/2024

RETURNED / DUPLICATE FILING

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

AMBER R. MYRICK, P.A.
1087 W. RIVER ST., STE. 150
P.O. BOX 7363
BOISE, ID 83707-1363
(208) 982-0005

Instrument # 683533

HAILEY, BLAINE, IDAHO
6-14-2021 02:52:58 PM No. of Pages: 2
Recorded for : AMBER R MYRICK, PC
JOLYNN DRAGE Fee: 15.00
Ex-Officio Recorder Deputy
Index to: MISC DEEDS

JB

(SPACE ABOVE LINE FOR RECORDER'S USE)

BARGAIN AND SALE DEED

* * * * *

FOR VALUE RECEIVED, DAVID A. MCELHINNY, Trustee of the WDM2019 TRUST, dated July 3, 2019, as Grantor, does hereby grant, bargain, sell and convey unto DAVID A. MCELHINNY, Trustee of the DAVID A. MCELHINNY LIVING TRUST, dated March 28, 2006, as amended and restated, as Grantee, whose current address is 189 Gomez Road, Hobe Sound, Florida 33455, all that certain real property located in Blaine County, Idaho, more commonly known as 138 Lake Creek Meadows Road, Ketchum, Idaho 83340, and more particularly described as follows:

Lot 10, Block 1 of Lake Creek Meadows Subdivision, No. 2, Blaine County, Idaho, according to the official plat thereof, on file in the office of the County Recorder, recorded December 18, 1986, as Instrument No. 280203, records of Blaine County, Idaho.

TOGETHER WITH all improvements, easements, hereditaments and appurtenances thereto, and subject to such rights, easements, covenants, restrictions and zoning regulations as appear of record or based upon the premises.

IN WITNESS WHEREOF, Grantor has hereunto subscribed its name to this instrument effective the first day of May, 2021.

GRANTOR:

WDM 2019 TRUST, dated July 3, 2019

BY:

[Signature]

DAVID A. MCELHINNY, TRUSTEE

STATE OF MAINE

COUNTY OF

Oxford

)
SS.
)

The foregoing instrument was acknowledged before me this May 21, 2021 by
DAVID A. MCELHINNY, as Trustee.

Letitia M Genest

LETITIA M GENEST

Notary Public, State of Maine

My Commission Expires Mar. 22, 2026



Water Right
37-13368

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.



-
- A horizontal number line representing distance in miles. The line starts at 0 on the left and ends at 0.14 on the right. There are major tick marks labeled 0, 0.035, 0.07, and 0.14 Miles. Between each of these major labels, there are four smaller, unlabeled tick marks, dividing each 0.035-mile segment into five equal parts of 0.007 miles each.





IDAHO DEPARTMENT OF
WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858

Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

January 3, 2024

MYRICK LAW
TESSA O'DONNELL
PO BOX 7363
BOISE ID 83707-1363

Re: Change in Ownership for Water Right No(s): 37-13368
(David A Mc Elhinny Living Trust)

Dear Ms. O'Donnell:

The Department recently received a Notice of Change in Water Right Ownership that was filed on behalf of David A Mc Elhinny Living Trust. We are returning the Notice because this appears to be a duplicate filing. After further research, it was discovered that the water right records are already in the name of David A Mc Elhinny Living Trust, David A Mc Elhinny Trustee; per a Notice of Change in Water Right Ownership processed in July, 2021.

I have enclosed a copy of the Ownership Change filed in 2021, as well as the water right record for your reference. Please note, a refund request in the amount of \$25.00 has been submitted for processing and will be sent to your office.

A separate item that may need to be addressed is that James Speck is listed as attorney of record on this water right. If necessary, the department can remove Mr. Speck from the water right record with written authorization from either Mr. Mc Elhinny; your firm as Mr. Mc Elhinny's representative; or from Mr. Speck.

If you have any questions regarding this matter, please contact me at (208) 293-9908.

Sincerely,

Denise Maline
Administrative Assistant 1

Enclosure(s)

c: David A Mc Elhinny, Trustee of David A Mc Elhinny Living Trust (without enclosures)

Maline, Denise

From: Maline, Denise
Sent: Wednesday, January 3, 2024 5:08 PM
To: IdwrPayable
Subject: Refund Request for Myrick Law
Attachments: Refund Request - Myrick Law.pdf

Good afternoon,

Attached please find a refund request being submitted for processing.

Please let me know if there are any questions.

Thank you,

Denise @ Southern



Denise Maline, Administrative Assistant I
Idaho Dept. of Water Resources, Southern Region
650 Addison Ave W Ste 500
Twin Falls ID 83301-5858
(208) 293-9908
denise.maline@idwr.idaho.gov

Idaho Department of Water Resources Receipt

Receipt ID: S040013

Payment Amount	\$25.00	Date Received	12/7/2023	Region	SOUTHERN
Payment Type	Check	Check Number	1608		
Payer	MYRICK LAW, P.A.				
Comments	CHANGE OF OWNERSHIP FROM: DAVID A MCELHINNY, TRUSTEE. TO: DAVID A MCELHINNY, TRUSTEE OF DAVID A MCELHINNY LIVING TRUST. WR#37-13368. DOCUMENT NUMBER: D3488				

Fee Details

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$25.00	OWNERSHIP CHANGES/SECURITY INTERESTS	64140	0229	21		1155

Copy / *DM*

Signature Line (Department Representative)

Change in Water Right Ownership *Returned*: 37-13368

This is a duplicating filing. Ownership change was received and processed in 2021 and water right records are already up to date.

Please issue a \$25 refund to:

Myrick Law
PO Box 7363
Boise ID 83707-1363
(208) 982-0005

DM 1/3/2024



Tax | Business Planning | Estate Planning

Amber R. Myrick, J.D., L.L.M. (Tax), CPA, CTFA

*Licensed to practice law in
Washington, Idaho, Oregon,
Utah, California and Nevada.*

Tessa A. O'Donnell, Paralegal

RECEIVED
DEC 07 2023
DEPT OF WATER RESOURCES
SOUTHERN REGION

December 5, 2023

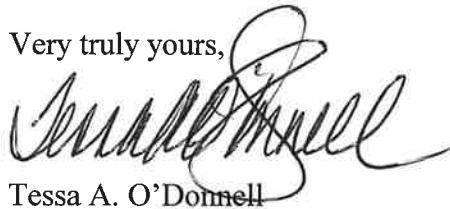
IDWR Southern Region
650 Addison Ave. W., Ste. 500
Twin Falls, ID 83301-5858

Re: Water Right No. 37-13368

To Whom It May Concern:

Enclosed for filing is an original Notice of Change in Water Right Ownership, the documentation of ownership and a plat map for the above-referenced Water Right, along with a copy for conforming. Also enclosed is a check in the amount of \$25.00 in payment of the associated fee. Once the document has been processed, please return the conformed copy in the enclosed envelope. If you have any questions, please call.

Very truly yours,



Tessa A. O'Donnell

/tao
Enclosures