

RECEIVED

AUG 09 2024

DEPARTMENT OF
WATER RESOURCESSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

DE MAY 16 2024

WATER RESOURCES
WESTERN REGION

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?
65-11391A	Yes ☐	Yes ☐		Yes ☐	Yes ☐
65-22500	Yes ☒ - not split!	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Bill Elam Joan Elam

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Kenneth Wade Llewellyn

New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or

PO Box 50965

Mailing address

Sparks

City

NV

State

89435

Zip

775-832-2566

Telephone

KL Masonry @ Yahoo. Com

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: 2/15/2024
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):
- ☒ \$25 per undivided water right.
- ☒ \$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.

SUPPORT DATA

IN FILE # 65-11391A

8. Signature: Kenneth Wade Llewellyn Title, if applicable: _____ Date: 8/15/2024

Signature of new owner/claimant

Kenneth Wade Llewellyn

Print name

Title, if applicable

Date

Signature: _____ Title, if applicable: _____ Date: _____

Signature of new owner/claimant

Title, if applicable

Date

Print name

Received by: CC Date: 5-16-24 For IDWR Office Use Only: Receipt No. W051968 Receipt Amt. \$125.00

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: gmh Date: 9-4-24

Instrument # 285437
IDAHO CITY, BOISE COUNTY, IDAHO
02-15-2024 14:44:06 PM No. of Pages: 3
Recorded for: TITLEONE BOISE
MARY T. PRISCO Fee: \$15.00
Ex-Officio Recorder Deputy shirley george
Index to: DEEDS
Electronically Recorded by Simplifile



TitleOne
a title & escrow co.

Order Number: 24491810

Warranty Deed

For value received,

Billy L. Elam and Joan A. Elam, husband and wife

the grantor, does hereby grant, bargain, sell, and convey unto

Kenneth Wade Llewellyn, a single man

whose current address is 2171 Banks Lowman Rd, Garden Valley, ID 83622

the grantee, the following described premises, in Boise County, Idaho, to wit:

See Exhibit A, attached hereto and incorporated herein.

To have and to hold the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

Remainder of page intentionally left blank.



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Remainder of page intentionally left blank.

Dated: February 13, 2024

Billy L. Elam
Billy L. Elam

Joan A. Elam
Joan A. Elam

State of Idaho, County of Ada, ss.

On this 14 day of February in the year of 2024, before me, the undersigned, a Notary Public in and for said State, personally appeared Billy L. Elam and Joan A. Elam, known or identified to me to be the person(s) whose name(s) are subscribed to the within instrument and acknowledged to me that they executed the same.

Dianna L. Stork
Notary Public

Residing In: Meridian, ID

My Commission Expires:
(seal)



EXHIBIT A
LEGAL DESCRIPTION OF THE PREMISES

A part of Homestead Entry Survey no. 407 lying in the West half of Section 31, Township 9 North, Range 6 East, and also lying in the East half of Section 36, Township 9 North, Range 5 East, Boise Meridian, Boise County, Idaho, being more particularly described as follows:

Beginning at a Brass Cap at the East quarter corner of Section 36, Township 9 North, Range 5 East, Boise Meridian, said corner lies

South 00°14'27" West 929.44 feet (previously recorded as South 935.22 feet) from a brass cap at the West quarter corner of Section 31, Township 9 North, Range 6 East, Boise Meridian, Boise County, Idaho; thence

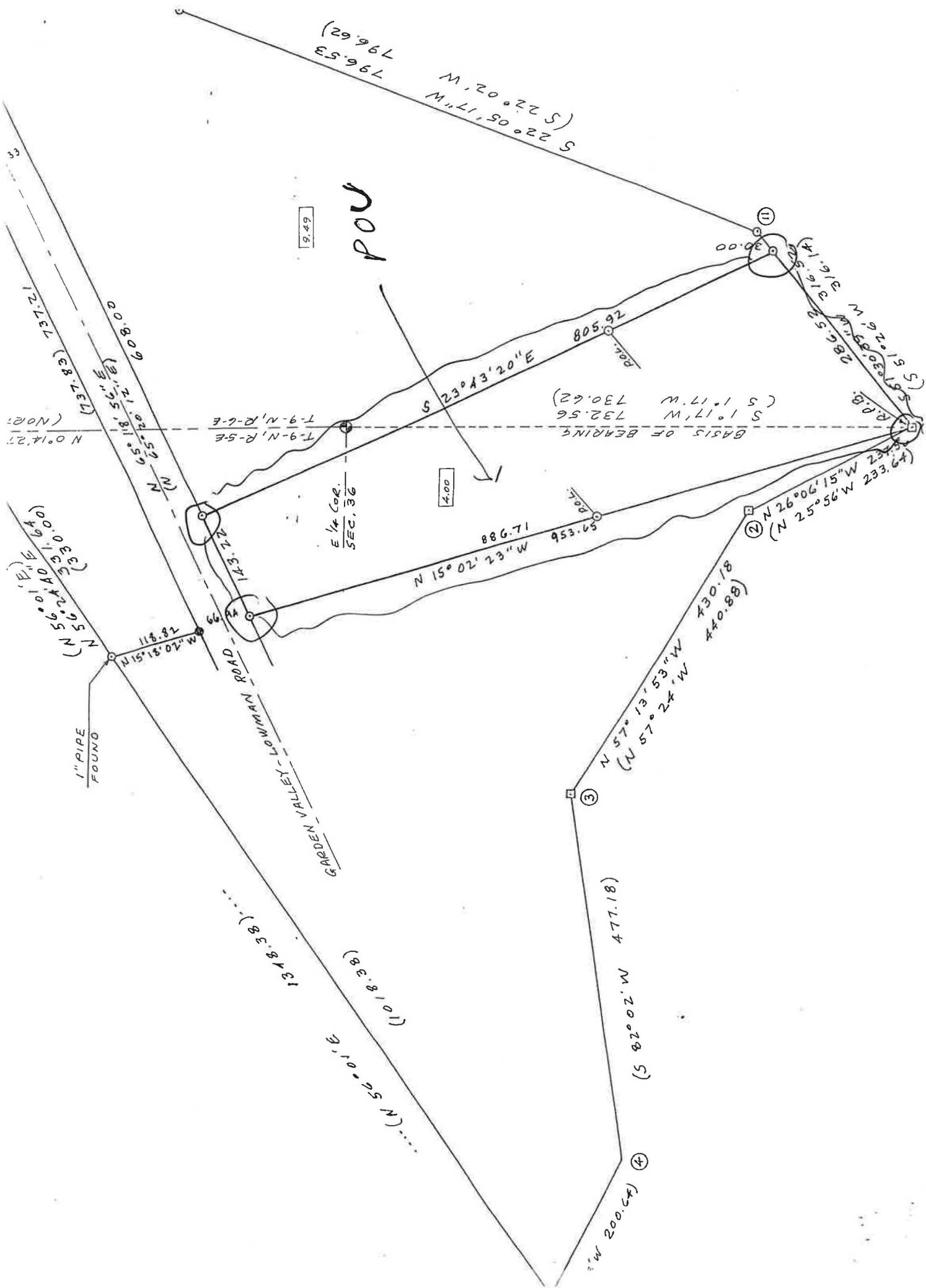
South 01°17'00" West, 732.56 feet (previously South 01°17'00" West 730.62 feet) to a point, a stone marked HES (Homestead Entry Survey) 407 No. 1 and the Real Point of Beginning; thence

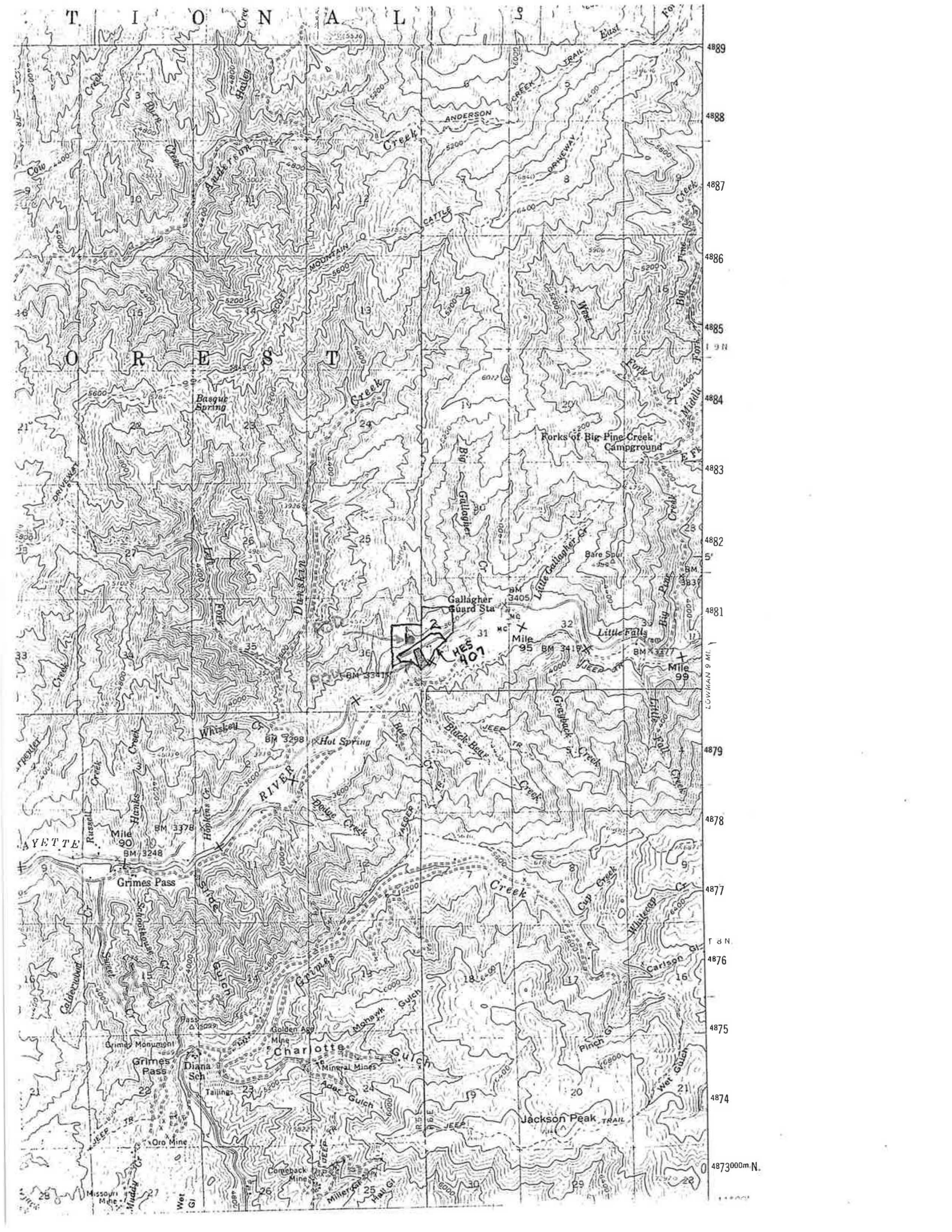
North 15°02'23" West 886.71 feet to a point on the South side of the Garden Valley-Lowman Road; thence

North 65°18'56" East 143.22 feet along the South side of the Garden Valley-Lowman Road to a point; thence

South 23°43'20" East 805.92 feet to a point in the last course of HES 407; thence

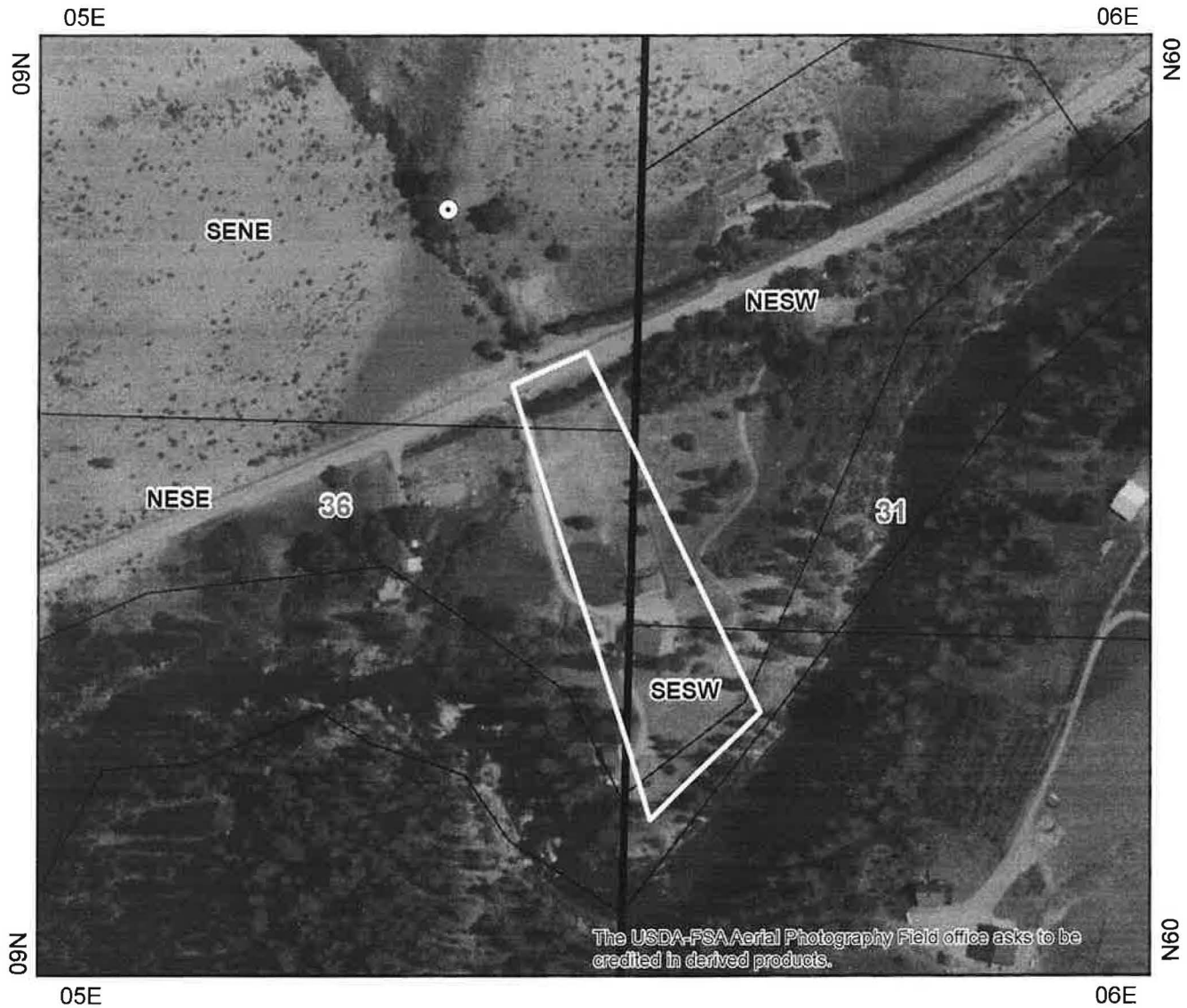
South 51°30'39" West 286.52 feet (previously South 51°26' West) along the last course of HES 407 to a point, the Real Point of Beginning.





State of Idaho
Department of Water Resources
Attachment to Water Right
65-11391A

This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



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

0 0.0425 0.085 0.17 Miles

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



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

200 SEP 13 PM 12:16

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 65-11391A

FILED
TWIN FALLS CO., IDAHO

NAME AND ADDRESS: BILLY ELAM
JOAN ELAM
301 WALNUT AVE
KUNA, ID 83634

SOURCE: UNNAMED STREAM TRIBUTARY: PAYETTE RIVER, SOUTH FORK

QUANTITY: 0.09 CFS

THIS RIGHT SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE AT THE
FIELD HEADGATE.

PRIORITY DATE: 05/21/1916

POINT OF DIVERSION: T09N R05E S36 LOT 01 (SENE) Within Boise County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 11-01	0.09 CFS
	Domestic 1 HOME	01-01 TO 12-31	0.04 CFS

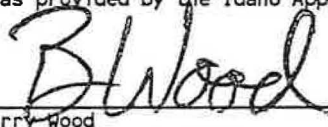
PLACE OF USE: Irrigation Within Boise County
T09N R05E S36 LOT 01 (NESE) 2.0
R06E S31 LOT 02 (NESW) 2.0
4.0 Acres Total

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

RIGHT NUMBER: 65-11391A

NAME AND ADDRESS: BILLY ELAM
JOAN ELAM
RT 3
KUNA ID 83634

SOURCE: UNNAMED STREAM TRIBUTARY: PAYETTE RIVER, SOUTH FORK

QUANTITY: 0.09 CFS

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

THIS RIGHT SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE AT THE
FIELD HEADGATE.

PRIORITY-DATE: 05/21/1916

POINT OF DIVERSION T09N R05E S36 LOT 1 (SENE) Within BOISE County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	04-01 11-01	0.09 CFS
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: IRRIGATION Within BOISE County
T09N R05E S36 LOT 1 (NESE) 2
R06E S31 LOT 2 (NESW) 2
4 ACRES TOTAL

Place of use for DOMESTIC is same as IRRIGATION

OTHER MATTERS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE

RIGHT NO. 65-11390 IS ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE.

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A65-11391A
Date Received: 3/01/1989
Receipt No: X999999
Received By: JP

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BILLY ELAM 208-922-5571
Address: RT. 3
KUNA, ID 83634

AND/OR
Name: JOAN ELAM 208-922-5571
Address: RT. 3
KUNA, ID 83634

2. Date of Priority: MAY 21, 1916

3. Source: UNNAMED STREAM Trib. to: PAYETTE RIVER, SOUTH FORK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09N	05E	36	SE	NE		1	BOISE

5. Description of diverting works:
CONCRETE DAM, PIPELINE TO PLACE OF USE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.090		
DOMESTIC	01/01	12/31	0.040		

7. Total Quantity Appropriated is:
0.130 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 10.0 Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSEHOLD

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
09N	05E	36		1	IRR	2.0
					Section Acres	2.0
	06E	31		2	IRR	2.0
					Section Acres	2.0
					Total Acres	4.0

11. Place of use in counties: BOISE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

A NEW WELL IS BEING COMPLETED FOR DOMESTIC USE

14. Remarks:

PROPERTY UNDER THIS WATER RIGHT IS A PART OF HOMESTEAD ENTRY
SURVEY #407

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

STATE OF IDAHO

Decree Plaintiff

vs

A & C CORP., ET AL.

Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do do not wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 2

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Billy R. Elam Date: 3-1-89
_____ Date: _____

State of Idaho)
County of ADA) ss.

Subscribed and sworn (or affirmed) before me this 1ST day
of MARCH 19 89

 Jeff Peppersack
Notary Public

Seal

Residing at _____
My Commission Expires _____

Jeff Peppersack, Notary Public
Residing at Boise, Idaho
My Commission Expires Nov. 8, 1994

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 65-22500

NAME AND ADDRESS: BILLY ELAM
301 WALNUT AVE
KUNA ID 83634

JOAN ELAM
301 WALNUT AVE
KUNA ID 83634

SOURCE: UNNAMED STREAM

TRIBUTARY: SOUTH FORK PAYETTE RIVER

QUANTITY: 0.020 CFS

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

THE APPROPRIATOR IS ENTITLED TO THE QUANTITY OF WATER DESCRIBED FOR
STOCK WATER PURPOSES AT A POINT OF MEASUREMENT WHERE THE DELIVERY
DITCH ENTERS THE PLACE OF USE DESCRIBED.

USE OF THIS RIGHT WITH RIGHT NO. 65-11391A IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF .09 CFS.

PRIORITY DATE: 05/21/1916

POINT OF
DIVERSION:

T09N R05E S36 SENE Lot 1 Within BOISE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE: STOCKWATER Within BOISE County

T09N R05E S31	NESW	T09N R05E S36	NESE
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OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

ASSOCIATED WITH 65-11391A

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 65-22500
Date Received: 5/25/01
Receipt No: X999999
Received By:

COPY FOR YOUR FILES

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

BILLY ELAM Phone: (208)922-5571

301 WALNUT AVE
KUNA ID USA 83634

JOAN ELAM Phone: (208)922-5571

301 WALNUT AVE
KUNA ID USA 83634

2. Date of Priority: 05/21/1916

3. Source: UNNAMED STREAM Trib. to: PAYETTE RIVER SOUTH FORK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
09N	05E	36	SE NE 1	BOISE	

5. Description of diverting works:

Weir box diversion point to sprinkler irrigation system.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	01/01	12/31	0.02	

7. Total Quantity Appropriated is:
0.02 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
09N	05E	31	NE	SW	STOCKWATER	
09N	05E	36	NE	SE	STOCKWATER	

11. Place of use in counties: BOISE

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

This claim is based on right no. 65-11391A.

15. Basis of Claim: Decreed



IDAHO DEPARTMENT OF
WATER RESOURCES

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098
Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

September 04, 2024

KENNETH WDE LLEWELLYN
PO BOX 50965
SPARKS NV 89435-0965

Re: Change in Ownership for Water Right No(s): 65-11391A and 65-22500

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.

Water Right 65-22500 did not need to be split. According to the adjudication claim backfile, water right 65-22500 has the same place of use as 65-11391A. The shape has been updated. A refund of \$75 has been requested and will be sent to under separate cover from the Idaho State Controller's office within 10 days.

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) 287-4942.

Sincerely,

Jean Hersley
Technical Records Specialist 2

Enclosure(s)

c: Water District No. 65

Idaho Department of Water Resources Receipt
Receipt ID: W051968

Payment Amount	\$125.00	Date Received	5/16/2024	Region	WESTERN
Payment Type	Check	Check Number	138		
Payer	LLEWELLYN, KENNETH				
Comments	CHANGE IN WATER RIGHT OWNERSHIP FOR KENNETH LLEWELLYN WR NO(S): 65-11391A, 65-22500 DOCUMENT NUMBER: D6847				

Fee Details						
Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$125.00	OWNERSHIP CHANGES/SECURITY INTERESTS	62140	0229	21		1155

Signature Line (Department Representative)

Please refund \$75 to:

Kenneth Llewellyn
PO Box 50965
Sparks NV 89435

Water right 65-22500 was not split.

Thank you.

Jean



Hersley, Jean

From: Hersley, Jean
Sent: Wednesday, September 4, 2024 12:19 PM
To: IdwrPayable
Subject: refund
Attachments: Llewellyn.docx

Please process the attached refund. Thank you.



*Jean Hersley
Technical Records Specialist II
Idaho Dept Water Resources
(208) 287-4942*