

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAR 03 2025

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

DEPT. 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?
34-147D 34-14962 > 34-147D OK	Yes ☒	Yes ☐		Yes ☐	Yes ☐
34-148D OK	Yes ☒	Yes ☐		Yes ☐	Yes ☐
<u>34-148D</u> <u>34-14962</u>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Jerry Flynt, Cynthia and Mitchell Myers and Tom Page
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Alexander Deatherage
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or
- 5514 N 5975 W Mackay ID 83251
Mailing address City State Zip
- 208-852-6027 alexdeatherage3@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: July 12 2018
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

SUPPORT DATA

IN FILE

34-147D

8. Signature: Alexander J. Deatherage Title, if applicable: _____ Date: March 3, 2025
Signature of new owner/claimant Date

Alexander J. Deatherage
Print name

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

Print name

For IDWR Office Use Only:

Received by M. Peltis Date 3-3-25 Receipt No. E050685 Receipt Amt. 200.00
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 3/7/2025

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
**INSTRUCTIONS FOR FILING A
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

This form has been prepared to assist all claimants and owners of water rights to comply with the requirements of Idaho Code §§ 42-248 and 42-1409(6). All persons owning or claiming ownership of a water right or claim are required to provide notice to the Department of Water Resources (IDWR) of any change in ownership of any part of the water right or claim or of any change in the owner's mailing address within 120 days of the change. Forms to report ownership changes and/or to update an address are available on IDWR's website at www.idwr.idaho.gov/forms/water-rights.html. In addition, all new owners of water rights within a pending general adjudication area must inquire whether a notice of claim has been filed and, if not, shall file a notice of claim if necessary.

A notice is required for changes in ownership from one individual to another, from an individual to a business entity (even if the business is owned by the individual), or from one business entity to another (even if both businesses are owned by the same individual). Adding or removing a name is considered an ownership change which requires the submission of evidence to support the change and the filing fee.

Separate brochures describing the adjudication of water rights and the ownership change notice requirement are available from IDWR. Please contact your nearest IDWR office if you would like more information or need help completing this form. A list of IDWR offices is on page 2 of these instructions, or you can call 1-800-451-4129. Water right information can be found on the IDWR's website using the [Water Right and Adjudication Search](#).

Please note:

- Unlike licensed or decreed water rights and water right permits, which are real property, applications for new water right permits, applications to transfer existing water rights, and other applications are considered the personal property of the applicants. Applicants must assign their interest in an application to the new applicant. Assignment forms are available on the IDWR's website at www.idwr.idaho.gov/forms/water-rights.html, or from any IDWR office. There is no charge for assignments of applications.
- If you want to change or add a point of diversion, place of use, season of use, or purpose of use of a water right, you must file an Application for Transfer. The ownership of a water right can also be updated through the transfer process.
- The combined portions of a divided ("split") water right cannot exceed the total flow rate, volume, or period of use of the original right.
- IDWR has no jurisdiction concerning easements, rights-of-way, and zoning matters. The buyer and seller must make these provisions where necessary.
- Any action by IDWR updating the ownership of a water right in IDWR's records is not a determination of water right ownership. Water right ownership disputes arising from a notice of change in water right ownership must be resolved in a water rights adjudication or in an action to quiet title.

LINE INSTRUCTIONS:

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). You may have purchased only a portion of the water right(s) held by the seller. If so, the water right(s) held by the seller may need to be divided ("split") to provide you your share of each right. Mark the box "Yes" if a division of the water right is required.

If you receive water from a municipal provider, an irrigation district or other water delivery organization, and the water rights are held by the organization, please do not use this form to record a change. Please contact the water delivery organization to determine if any action is necessary.

If you or the seller believes there are water rights for the property but you do not know the numbers, you may contact IDWR for assistance in identifying the water rights for the property in question. If adjudication claims for the rights are required and have not been filed, IDWR will so advise you.

2. Fill in the name of the current water right holder/claimant.
3. Fill in each name as listed on the conveyance document and complete the current contact information. For water rights, IDWR will update the ownership to the individual(s)/entities listed on the conveyance document. For active adjudication claims, IDWR will update the claimant information to match the conveyance document unless the new claimant provides good cause for the variance.
4. You may have acquired only a portion of the water right(s) held by the seller. If you did not acquire the entire water right/property, please check the appropriate box. Water rights are often conveyed as an appurtenance to the land where they are used, and the conveyance document for the land often does not have specific language regarding the water right. Please read your deed or other conveyance document carefully to be sure. When the conveyance document does not specifically address water rights, it will be assumed that the water rights are to be split proportionate to the amount of land acquired.

Water Right Report : 34-148-D (Decreed/Active)

Water Right Owners

Owner Type	Name	Address	City	State	Postal Code
Current Owner	FLYNT, JERRY	PO BOX 3823	KETCHUM	ID	83340-3801
Current Owner	MYERS, CYNTHIA	PO BOX 3823	KETCHUM	ID	83340-3801
Current Owner	MYERS, MITCHELL	PO BOX 3823	KETCHUM	ID	83340-3801
Current Owner	PAGE, TOM	PO BOX 3823	KETCHUM	ID	83340-3801
Directors Report Owner	BUTLER, MILT	PO BOX 27	MACKAY	ID	83251

Water Right Status

Priority Date : 3/1/1902

Basis : Decreed

Status : Active

Water Source

Source	Source Qualifier	Tributary	Tributary Qualifier
BIG LOST RIVER		SINKS	

Points Of Diversion (Location)

Source	Township	Range	Section	Govt. Lot	QQQ	QQ	Q	County	Diversion Type
BIG LOST RIVER	08N	21E	12	0	NE	NW	NW	CUSTER	

Water Uses

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	5/01	10/15	0.20 CFS	
TOTAL			0.20 CFS	

Places of Use



Place of Use Legal Description : IRRIGATION (CUSTER county)

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
09N	22E	30			NW	SE	6.0
09N	22E	30			SW	SE	5.0

Irrigation Totals

Total Acres Acre Limit

11.00

Conditions

Code Conditions

S34 THE PERIOD OF USE FOR IRRIGATION DESCRIBED ABOVE MAY BE EXTENDED IN SEASONS OF UNUSUAL CHARACTERISTICS TO A BEGINNING DATE OF 04-20 AND AN ENDING DATE OF 10-31 AT THE DISCRETION OF THE DIRECTOR OF THE IDAHO DEPARTMENT OF WATER RESOURCES.

USE OF THIS RIGHT WITH RIGHT NO. 34-00147D IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 11 ACRES IN A SINGLE IRRIGATION SEASON.

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.

WATER DELIVERED THROUGH CHILLY CANAL

Dates

Other Information

Licensed Date :
Decreed Date : 1/29/2002
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:

State or Federal : S
Water District Number : 34
Generic Max Rate Per Acre : 0
Generic Max Volume Per Acre : 0
Combined Acre Limit : 11.00
Combined Volume Limit:
Combined Rate Limit:
Civil 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

3/3/2025

Water Right Report : 34-147-D (Decreed/Active)

Water Right Owners

Owner Type	Name	Address	City	State	Postal Code
Current Owner	FLYNT, JERRY	PO BOX 3823	KETCHUM	ID	83340-3801
Current Owner	MYERS, CYNTHIA	PO BOX 3823	KETCHUM	ID	83340-3801
Current Owner	MYERS, MITCHELL	PO BOX 3823	KETCHUM	ID	83340-3801
Current Owner	PAGE, TOM	PO BOX 3823	KETCHUM	ID	83340-3801
Directors Report Owner	BUTLER, MILT	PO BOX 27	MACKAY	ID	83251

Water Right Status

Priority Date : 2/5/1913

Basis : Decreed

Status : Active

Water Source

Source	Source Qualifier	Tributary	Tributary Qualifier
BIG LOST RIVER		SINKS	

Points Of Diversion (Location)

Source	Township	Range	Section	Govt. Lot	QQQ	QQ	Q	County	Diversion Type
BIG LOST RIVER	08N	21E	12	0	NE	NW	NW	CUSTER	

Water Uses

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	5/01	10/15	0.07 CFS	
TOTAL			0.07 CFS	

Places of Use



Place of Use Legal Description : IRRIGATION (CUSTER county)

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
09N	22E	30			NW	SE	6.0
09N	22E	30			SW	SE	5.0

Irrigation Totals

Total Acres Acre Limit

11.00

Conditions

Code Conditions

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WATER DELIVERED THROUGH CHILLY CANAL

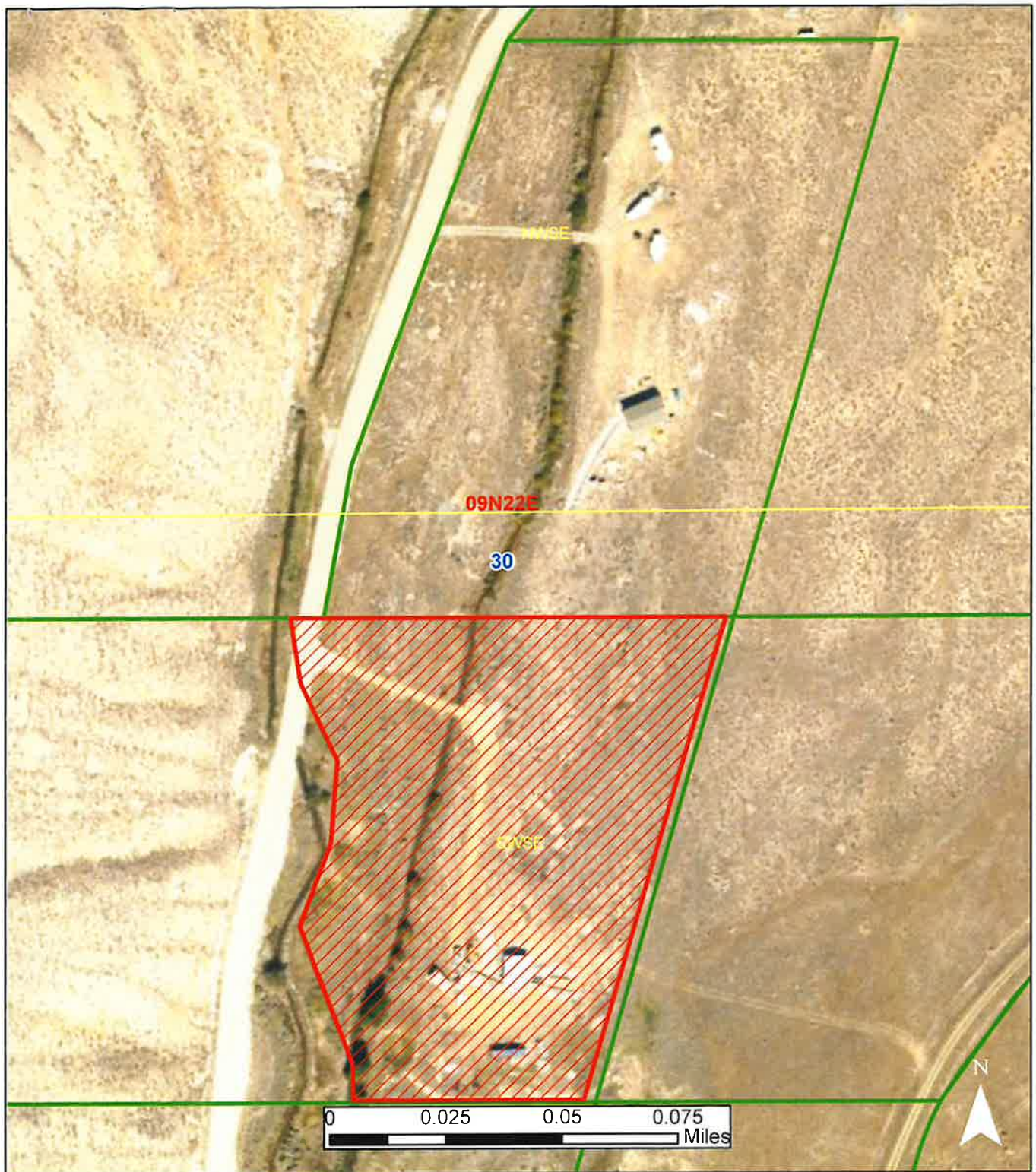
Dates

Other Information

Licensed Date :	State or Federal : S
Decreed Date : 1/25/2002	Water District Number : 34
Permit Proof Due Date :	Generic Max Rate Per Acre : 0
Permit Proof Made Date :	Generic Max Volume Per Acre : 0
Permit Approved Date :	Combined Acre Limit : 11.00
Permit Moratorium Expiration Date :	Combined Volume Limit:
Enlargement Use Priority Date :	Combined Rate Limit:
Enlargement Statute Priority Date :	Civil Case Number :
Application Received Date:	Decree Plaintiff :
Protest Deadline Date:	Decree Defendant :
	Swan Falls Trust or Nontrust :
	Swan Falls Dismissed :
	DLE Act Number :
	Cary Act Number :
	Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES

3/3/2025



Legend

-  Intersected QQ
-  Township/Range
-  Sections
-  QQ
-  Parcels

Deatherage Ownership Change

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
168 West Pacific Street/PO Box 868
Blackfoot, ID 83221

Instrument # 255046

CHALLIS, CUSTER, IDAHO
07-18-2018 01:38:41 No. of Pages: 2
Recorded for: FIRST AMERICAN TITLE - BLACKFOOT
Lura H. Baker Fee: \$15.00
Ex-Officio Recorder Deputy: LK

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **689433-B (Id)**

Date: **July 12, 2018**

For Value Received, **Jerry E. Flynt, a married man as his sole and separate property and Susan R. Flynt, Trustee of the Susan R. Flynt Revocable Trust dated May 22, 2013**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Alexander J. Deatherage, an unmarried man**, hereinafter called the Grantee, whose current address is **8906 N Whispering Pines Rd., Pocatello, ID 83201**, the following described premises, situated in **Custer County, Idaho**, to-wit:

A parcel of land located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 30, Township 9 North, Range 22 E.B.M., Custer County, Idaho, more particularly described as follows:

Commencing at the Northeast corner of said SE $\frac{1}{4}$, thence along the Northerly boundary of said SE $\frac{1}{4}$, S. 89°57'54" W. 1385.10 feet, thence S. 15°53'43" W. 1499.46 feet to the Real Point of Beginning.

thence S. 15°53'43" W. 571.86 feet;

thence S. 90°00'00" W. 687.78 feet to a point on the Westerly boundary of said SE $\frac{1}{4}$;

thence N. 00°16'45" W. 550.00 feet along the Westerly boundary of said SE $\frac{1}{4}$;

thence N. 90°00'00" E. 847.08 feet to the Real Point of Beginning.

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, reductions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

RECORDING REQUESTED BY

First American Title Company

AND WHEN RECORDED MAIL TO:First American Title Company
168 West Pacific Street/PO Box 868
Blackfoot, ID 83221**E-RECORDED** simplifile[®]ID: 255046County: CLUSTERDate: 7-18-18 Time: 1:35am

Space Above This Line for Recorder's Use Only

WARRANTY DEEDFile No.: **689433-B (Id)**Date: **July 12, 2018**

For Value Received, **Jerry E. Flynt, a married man as his sole and separate property and Susan R. Flynt, Trustee of the Susan R. Flynt Revocable Trust dated May 22, 2013**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Alexander J. Deatherage, an unmarried man**, hereinafter called the Grantee, whose current address is **8906 N Whispering Pines Rd., Pocatello, ID 83201**, the following described premises, situated in **Custer County, Idaho**, to-wit:

A parcel of land located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 30, Township 9 North, Range 22 E.B.M., Custer County, Idaho, more particularly described as follows:

Commencing at the Northeast corner of said SE $\frac{1}{4}$, thence along the Northerly boundary of said SE $\frac{1}{4}$, S. 89°57'54" W. 1385.10 feet, thence S. 15°53'43" W. 1499.46 feet to the Real Point of Beginning.

thence S. 15°53'43" W. 571.86 feet;

thence S. 90°00'00" W. 687.78 feet to a point on the Westerly boundary of said SE $\frac{1}{4}$;

thence N. 00°16'45" W. 550.00 feet along the Westerly boundary of said SE $\frac{1}{4}$;

thence N. 90°00'00" E. 847.08 feet to the Real Point of Beginning.

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.

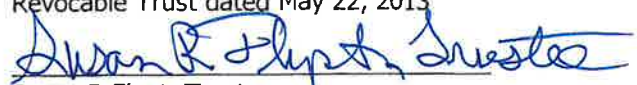
Date: 07/11/2018

Warranty Deed
- continued

File No.: 689433-B (Id)

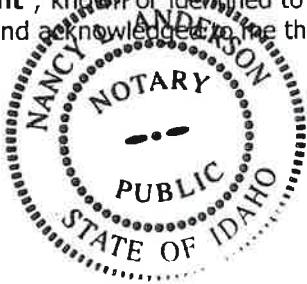

Jerry E. Flynt

Susan R. Flynt, Trustee of the Susan R. Flynt
Revocable Trust dated May 22, 2013


Susan R Flynt, Trustee

STATE OF Idaho)
COUNTY OF ~~Custer~~ Blaine)
SS.

On this 16th day of July, 2018, before me, a Notary Public in and for said State, personally appeared **Jerry E. Flynt**, 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.




Nancy L. Anderson

Notary Public for the State of Idaho

Residing at: Hailey, ID

My Commission Expires: 10-27-20

STATE OF Idaho)
COUNTY OF ~~Custer~~ Blaine)
SS.

On this 17th day of July, 2018, before me, a Notary Public in and for said State, personally appeared **Susan R Flynt**, known or identified to me to be the person(s) whose name(s) is subscribed to the within instrument as Trustee of the **Susan R Flynt Revocable Trust** Trust, and acknowledged to me that she executed the same as such Trustee.




Nancy L. Anderson

Notary Public of Idaho

Residing at: Hailey, ID

Commission Expires: 10-27-20



255046 Jerry E Flynt TO Alexander Deatherage

3/4/2025

Scale: 1 inch= 600 feet

File:

Tract 1: 9.6897 Acres (422082 Sq. Feet), Closure: n00.0000e 0.00 ft. (1/999999), Perimeter=2657 ft.

01 /ne,se,30,9n,22e
02 /s89.5754w 1385.10
03 /s15.5343w 1499.46
04 s15.5343w 571.86
05 s90.0000w 687.78
06 n00.1645w 550.00

07 n90.0000e 847.08



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 Mathew Weaver

March 07, 2025

ALEXANDER DEATHERAGE
5514 N 5975 W
MACKAY ID 83251-4407

Re: Change in Water Right Ownership: 34-147 D (Split into 34-147 D and 34-14962), 34-148 D (Split into 34-148 D and 34-14963),

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 Bailly
Technical Records Specialist 1

Enclosure(s)

cc: WATER DISTRICT 34
TOM PAGE
CYNTHIA MYERS
MITCHELL MYERS
JERRY FLYNT