

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
MAR 31 2025
DEPT. OF WATER RESOURCES
EASTERN 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. WD 72D

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
72-230R <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: K F & LILLIAN B MORGAN REVOCABLE TRUST - Intermountain Central Entry & LLC
 Name of current water right holder/claimant
 3. New Owner(s)/Claimant(s): Idaho Construction and Excavation LLC

New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or

594 Wooten Way Blackfoot ID 83221
 Mailing address City State Zip
208-680-5159 wayne@idahoconexc.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: March 12, 2025
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: *TOAHO Construction and Excavation* *Owner* *3/27/25*
 Signature of new owner/claimant Title, if applicable Date
MARCUS Muckelsen
 Print name

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

 Print name

For IDWR Office Use Only:
 Received by *m. Petta* Date *4-1-25* Receipt No. *E050762* 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 *4/10/2025*

266605

Custer County Rec. of
Custer County T.H.
Time 3:28 PM Date 3/10/2025
Lura H. Baker, Clerk
Dallin Nelson \$ 15.00
Deputy

WARRANTY DEED

For Value Received, INTERMOUNTAIN CENTRAL ENTRY LLC, an Idaho limited liability company, does hereby grant, bargain, sell and convey unto IDAHO CONSTRUCTION AND EXCAVATION LLC., AN IDAHO LIMITED LIABILITY COMPANY, whose address is: 594 Wooten Way, Blackfoot, ID 83221

the following described premises in CUSTER County, Idaho, to-wit:

Lot 31, Block 2, The East Fork, Custer County, Idaho, as shown by the Official Plat thereof, now on file in the office of the said County Recorder.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that they are the owners of said premises; and that they are free from all encumbrances and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: 3/10/2025

Cindy S. Kuttler
INTERMOUNTAIN CENTRAL ENTRY LLC.
BY: CINDY S. KUTTLER
ITS MEMBER

State of Idaho
County of Power

On this 10 day of March, 2025, before me, Dallin Nelson, a notary public for the State of Idaho personally appeared CINDY S. KUTTLER, known or identified to me be the manager or a member of the limited liability company that executed the instrument or the person who executed the instrument on behalf of said limited liability company, and acknowledged to me that such limited liability company executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Dallin Nelson (Seal) Signature of Notary Public

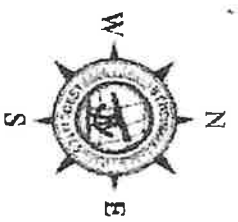
Dallin Nelson Printed Name of Notary Public Commission

Expiration Date: 1/24/31



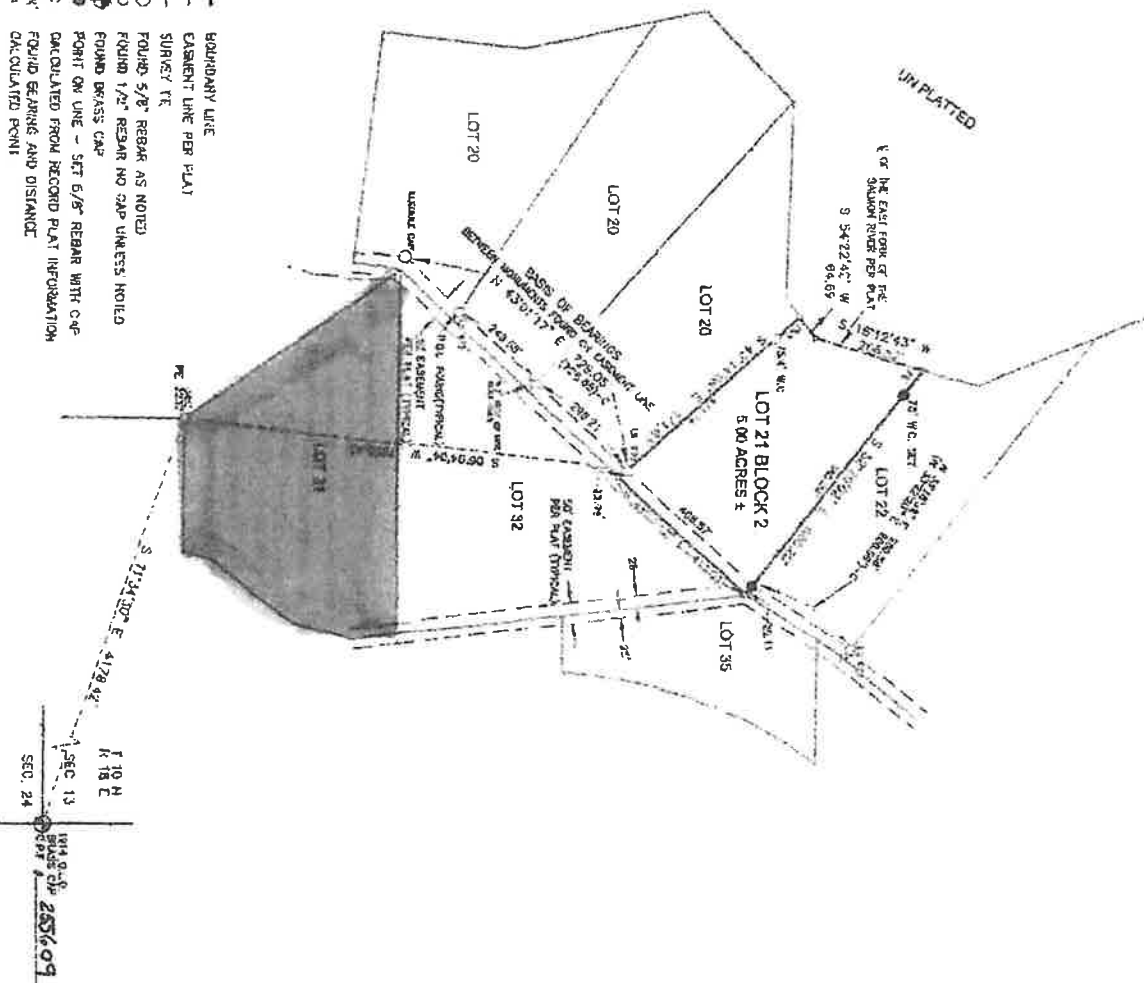
A RECORD OF SURVEY OF: THE EAST FORK, LOT 21 BLOCK 2.

LOCATED WITHIN:
SECTION 13, TOWNSHIP 10 NORTH, RANGE 18 EAST, B.M. CUSTER COUNTY, IDAHO
NOVEMBER, 2018.



Custer County Title

This sketch is made solely for the purpose of assisting in locating certain premises and no liability is assumed for variations, if any, in dimensions and locations ascertained by actual survey.



- LEGEND**
- BOUNDARY LINE
 - - - EASEMENT LINE PER PLAT
 - SURVEY TIE
 - FOUND 5/8" REBAR AS NOTED
 - FOUND 1/2" REBAR NO CAP UNLESS NOTED
 - FOUND BRASS CAP
 - POINT ON LINE - SET 5/8" REBAR WITH CAP
 - CALCULATED FROM RECORD PLAT INFORMATION
 - FOUND BEARINGS AND DISTANCE
 - CALCULATED POINT
- S XXXX.XX' E XXX.XX' A
(XXXXX)-C

NOTES:

1. THE PURPOSE OF THIS RECORD OF SURVEY IS TO SHOW EASEMENTS THAT WERE SET DURING A SURVEY OF THE EAST FORK SUBDIVISION AS SHOWN ON THAT PLAT RECORDED AS INSTRUMENT 188301 HARRIS, RECORDS OF CUSTER COUNTY, IDAHO.
2. EXCEPT AS SPECIFICALLY STATED ON THIS MAP, THIS SURVEY DOES NOT PURPORT TO REFLECT ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT OF THIS RECORD: EASEMENTS OTHER THAN THOSE SHOWN OR LISTED HEREON, BUILDING SETBACK LIMITS, RESTRICTIONS, SUBDIVISION RESTRICTIONS, ZONING, FLOOD POTENTIAL, WETLANDS, WETLANDS, BARRIERS OR ANY OTHER LAND-USE REGULATIONS.
3. REFER TO THE PLAT OF THE EAST FORK, A CURRENT TITLE REPORT AND CCR'S FOR NOTES, ADDITIONAL EASEMENTS, RESTRICTIONS WHICH MAY AFFECT THE PROPERTY SHOWN HEREON.
4. REFERENCE SURVEYS: PLAT OF THE EAST FORK, INSTRUMENT 34094442288.

SURVEYORS' CERTIFICATE:
I HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR IN THE STATE OF IDAHO AND THAT THIS MAP IS A TRUE AND ACCURATE MAP OF THE LAND SURVEYED UNDER MY DIRECT SUPERVISION AND THAT IT IS IN CONFORMANCE WITH THE IDAHO STATE CODE.



STEVEN W. SCHWARTZ - PLS 8006

255810

PREPARED BY BENCHMARK ASSOCIATES P.A.
P.O. BOX 733
KETCHUM, IDAHO 83340
(208) 720-8512



A RECORD OF SURVEY OF:
THE EAST FORK LOT 21
BLOCK 2
SECTION 13, TOWNSHIP 10 NORTH, RANGE 18 EAST,
B.M. CUSTER COUNTY, IDAHO
PREPARED FOR COLLIER/COURT
DATE: 11/15/2018
DRAWN BY: [Signature]
CHECKED BY: [Signature]

 First American Title™	ALTA Commitment for Title Insurance ISSUED BY First American Title Insurance Company
Schedule A	

Transaction Identification Data for reference only:

Issuing Agent: Custer County Title, Inc.

Issuing Office's ALTA® Registry ID:

Commitment No.: 14268

Property Address: No Known Address, Clayton, ID 83227

Revision No.: 1

Issuing Office:

Loan ID No.:

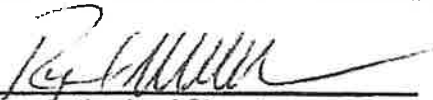
Issuing Office File No.: 14268

SCHEDULE A

1. Commitment Date: FEBRUARY 28, 2025 8:00 A.M.
2. Policy to be issued:
 - (a) ☒ ALTA® Owner's Policy
 Proposed Insured: IDAHO CONSTRUCTION AND EXCAVATION LLC.
 Proposed Policy Amount: \$ 140,000.00 Premium Amount: \$ 824.00
 - (b) ☐ ALTA® Lender's Policy (Endorsements: 8.1, 9, 22)
 Proposed Insured:
 Proposed Policy Amount: \$ Premium Amount: \$
 - (c) ☐ ALTA® Policy
 Proposed Insured:
 Proposed Policy Amount: \$
3. The estate or interest in the Land described or referred to in this Commitment is FEE SIMPLE.
4. The Title is, at the Commitment Date, vested in: INTERMOUNTAIN CENTRAL ENTRY LLC., AN IDAHO LIMITED LIABILITY COMPANY
5. The Land is described as follows: No Known Address, Clayton Idaho 83227

SEE ATTACHED SCHEDULE C

FIRST AMERICAN TITLE INSURANCE COMPANY

By: 
 Authorized Signatory

This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by First American Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

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First American Title™

ALTA Commitment for Title Insurance

ISSUED BY

First American Title Insurance Company

Schedule C

Commitment No.: 14268

LEGAL DESCRIPTION

Lot 31, Block 2, The East Fork, Custer County, Idaho, as shown by the Official Plat thereof, now on file in the office of the said County Recorder.



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

April 10, 2025

IDAHO CONSTRUCTION & EXCAVATION LLC
594 WOOTEN WAY
BLACKFOOT ID 83221-1570

Re: Change in Ownership for Water Right No(s): 72-230R

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 Baily
Technical Records Specialist 1

Enclosure(s)

cc: WATER DISTRICT 72D



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

April 2, 2025

IDAHO CONSTRUCTION AND EXCAVATION LLC
594 WOOTEN WAY
BLACKFOOT ID 83221

RE: Change in Ownership Water Right No. 72-230R

Dear Sir/Madam:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership.

Our review of your notice indicates that additional information is required before we can process the change. The information required is indicated below:

**** **Evidence of Ownership:** In order for the department to update the ownership of water rights, a copy of the recorded Warranty Deed or other legal document indicating your ownership in the water right or property is required. The department acknowledges receipt of a portion of a commitment for title insurance. This is a preliminary document and cannot be used to update the ownership. Please submit a full copy of the recorded Warranty Deed or other legal document indicating your ownership in the water right listed above.

Because the Department cannot process the ownership change without proper documentation/fees, we will hold any action on your notice pending receipt of the necessary information/fees. **If we do not receive the necessary information/fees within 30 days we will return your notice and all attachments and your notice will not be processed.**

Please note that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.idaho.gov.

Please feel free to contact the Department if you have any questions.

Sincerely,

Jonie Bailly
Technical Records Specialist

SCANNED
APR 02 2025