

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAY 23 2025

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

DEPT. OF WATER RESOURCES

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired ~~as part of~~ ^{as part 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?
22-1640	Yes ☒	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
22-164 22-H663	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name:

SRC Family Trust
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s):

Frieda Mullowney
New owner(s) as listed on the conveyance documentName connector ☐ and ☐ or4507 Everett Drive
Mailing addressNashville TN 37215
City State Zip615 491 2099
Telephonefmullowney@mac.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:

Jan. 15, 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.

SUPPORT DATA

IN FILE # 22-164

8. Signature:

Frieda Mullowney
Signature of new owner/claimant
Print name

Title, if applicable

Date

5/20/25

Signature:

Signature of new owner/claimant

Title, if applicable

Date

Print name

Received by

JB

Date

5/23/2025

For IDWR Office Use Only:

Receipt No.

F050871

Receipt Amt

\$100. -

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 5/28/2025

RECORDING REQUESTED BY
Flying S Title and Escrow of Idaho, Inc.

AND WHEN RECORDED MAIL TO:
Flying S Title and Escrow of Idaho, Inc.
81 North Main Street/P.O. Box 42
Driggs, ID 83422

Instrument # 288356

TETON COUNTY, IDAHO
01-15-2025 09:00:00 No. of Pages: 3
Recorded for: FLYING S TITLE AND ESCROW - DRIGGS
KIM KEELEY Fee: \$16.00
Ex-Officio Recorder Deputy, Kim Keeley
Index to: DEED, WARRANTY

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **1165527-T (jw)**

Date: **December 30, 2024**

For Value Received, **Steven R. Condie as Trustee of the SRC Family Trust, dated February 17, 2015**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Frieda Mullowney and James Mullowney, wife and husband**, hereinafter called the Grantee, whose current address is **4507 Everett Drive, Nashville, TN 37215**, the following described premises, situated in **Teton County, Idaho**, to-wit:

Parcel 1:
Township 4 North, Range 45 East, Boise Meridian, Teton County, Idaho.
Section 3: Government Lot 1 (NE1/4 NE1/4).

Parcel 2:
Together with those easements recorded in Declaration of Road and Utility Easement Agreement, recorded April 20, 2023, as Instrument No. 280320.

TOGETHER with the following portion of a water right denoted as water right number 22-164 contained on the records of the Idaho Department of Water Resources subject to an agreement and covenant that the following split portion of water right number 22-164 shall only be authorized for diversion from the NW1/4NE1/4NE1/4 (Government Lot 1) of Section 3, Township 04N., Range 45E., Boise Meridian:

Dwner	Type	Basin	Sequence	Basin	Status	Priority Date	Div. Rate (cfs)	Div. Volume (AF)	Irrigated Acres	Pond Surface Area	Pond Volume (AF)	Source	Water Use
SRC FAMILY TRUST	WR	22	164	Decreed	Active	6/2/1879	0.22	N/A	29	N/A	N/A	SPRINGS, UNNAMED STREAM	IRRIGATION
SRC FAMILY TRUST	WR	22	164	Decreed	Active	6/2/1879	0.02	2.82	N/A	0.5	2	SPRINGS, UNNAMED STREAM	WILDLIFE STORAGE, RECREATION STORAGE, DIVERSION TO STORAGE

No other water rights, water right portions, or other water entitlements are conveyed under this deed.

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,

RECORDING REQUESTED BY
Flying S Title and Escrow of Idaho, Inc.

AND WHEN RECORDED MAIL TO:
Flying S Title and Escrow of Idaho, Inc.
81 North Main Street/P.O. Box 42
Driggs, ID 83422

Instrument # 288356

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01-15-2025 09:00:00 No. of Pages: 3
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SRC FAMILY TRUST	WR	22	164	Decreed	Active	6/1/1899	0.22	N/A	19	N/A	N/A	SPRINGS, UNNAMED STREAM	IRRIGATION
SRC FAMILY TRUST	WR	22	164	Decreed	Active	6/1/1899	0.02	2.82	N/A	0.5	2	SPRINGS, UNNAMED STREAM	WILDLIFE STORAGE, RECREATION STORAGE, DIVERSION TO STORAGE

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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,

Date: 12/30/2024

Warranty Deed
- continued

File No.: 1165527-T (jw)

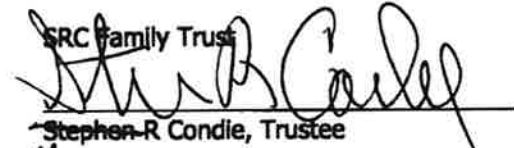
restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Unofficial Copy

Date: 12/30/2024

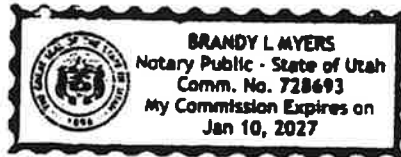
Warranty Deed
- continued

File No.: 1165527-T (jw)

SRC Family Trust

 Stephen R. Condle, Trustee
 Steven

STATE OF Utah)
) ss
 COUNTY OF Salt Lake)
 6th day of

On this 1st day of 2025, before me, a Notary Public in and for said State, personally appeared **Steven R. Condle**, known or identified to me to be the person(s) whose name(s) is subscribed to the within instrument as trustee of the **SRC Family Trust, dated February 17, 2015** Trust, and acknowledged to me that he executed the same as such trustee.




 Notary Public of Utah
 Residing at: 376 E. 400 S. Ste 120, Sec, UT 84111
 Commission Expires: Jan. 10, 2027

SJC Family Trust Property Water Right Summary

SJC Family Trust ("SJC") is the owner of certain property south of the City of Driggs (the "City"). The property is outlined in yellow on the attached map. A portion of the SJC property (Parcel No. RP05N45E356001) is being considered for annexation into the City. I have not been asked to evaluate the historical irrigation practices on the property, only to review and summarize the water rights.

The SJC property has two water rights appurtenant to it identified on the records of the Idaho Department of Water Resources ("IDWR" or "Department") as Water Right No. 22-164 ("WR 22-164") and Water Right No. 22-11696 ("WR 22-11696"). The Water Right Reports obtained from IDWR summarizing the elements of both water rights are attached.

WR 22-164

The source for WR 22-164 are several springs and unnamed streams located on the SJC property. The authorized locations where water under WR 22-164 is authorized for diversion is depicted with green dots on the attached map. WR 22-164 is authorized for two primary purposes: (1) Irrigation; and (2) Wildlife and recreational storage water ponds.

Irrigation

As for the irrigation component of WR 22-164, it authorizes the diversion of 1.27 cfs of total water from the collective nine points of diversion for the irrigation of 110 acres on the entire SJC property. The authorized irrigation place of use is depicted with yellow single-hatching on the attached maps.

Of the 110 authorized acres for irrigation, 55.1 of those acres are located on Parcel No. RP05N45E356001. If this portion of WR 22-164 were split off and conveyed to the City, the diversion rate is allocated pro rata based on the number of irrigated acres. The percentage of authorized irrigated acres on the parcel proposed for annexation is 50.09%, and at that percentage, the diversion rate allocated to this annexation parcel is 0.636 cfs.

Pond Storage

There is an existing pond on the property that is covered by the pond beneficial uses under WR 22-164, but the original extent of the proposed pond development has not been realized yet. When the amendment to WR 22-164 to allow for pond water use was originally made, IDWR included a condition in the approval of that amendment that provided that the requested changes had to be accomplished within one year. If the changes are not made within one year, the law is unclear about whether the water right holder can continue with the pond development. Under WR 22-164, storage of 24.1 acre-feet of water for ponds is authorized.

The water right does not specify the volume of water associated with ponds within each parcel, so that number will have to be agreed to between SJC and the City. Based on the



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

May 28, 2025

FRIEDA MULLOWNEY
4507 EVERETT DR
NASHVILLE TN 37215-4101

Re: Change in Water Right Ownership: 22-164 (Split into 22-164 and 22-14663)

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of a portion of the above-mentioned 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: SRC FAMILY TRUST
WATER DISTRICT 01