

RECEIVED

AUG 25 2025

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESDEPT. 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.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
35-38F <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: ALLAN LINCOLN DRISCOLL AND STEPHANIE DRISCOLL
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): THAYNE DRISCOLL AND ANDRA DRISCOLL
New owner(s) as listed on the conveyance document Name connector ☐ and ☒ or
- 2043 E Center St Pocatello ID 83201
Mailing address City State Zip
208-904-4049 thayne@driscollmc.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: November 28, 2008
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: Thayne Driscoll 8/14/25
Signature of new owner/claimant Title, if applicable Date
Print name
Signature: Andra Driscoll 8/14/25
Signature of new owner/claimant Title, if applicable Date
Print name

For IDWR Office Use Only:
 Received by M. Jettis Date 8-25-25 Receipt No. E051078 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 _____ Date _____

2013 Ownership change erroneously complete. Water Right was withheld on deed. This op is changing the ownership back to Thayne Driscoll

AMENDED WARRANTY DEED

For Value Received, **Thayne J. Driscoll and Andra D. Driscoll**, husband and wife, (AGrantsors@), do hereby grant, bargain, sell and convey unto **Allan Lincoln Driscoll and Stephanie Driscoll**, husband and wife, (AGrantees") the premises located in Bingham County, Idaho, and legally described in the attached Exhibit A. Grantees' address is provided below:

Lincoln and Stephanie Driscoll
2652 West 1100 South
Abcdeen, Idaho 83210

Instrument # **601489**

BINGHAM COUNTY
12-8-2008 03:25:41 No. of Pages: 3
Recorded for: #18923 MERRILL & MERRILL
SARA J. STAUB Fee: 9.00
Ex-Officio Recorder Deputy *WJ*

Grantors convey said premises, with their appurtenances, to Grantees and to their heirs and assigns to have and to hold forever. The Grantors do hereby covenant to and with the said Grantees, that Grantors own said premises in fee simple, that the premises are free from all encumbrances, except as otherwise provided below, and that they will forever warrant the title to said premises.

1. Notwithstanding the foregoing, Grantors shall retain that certain right to water from Danielson Creek pursuant to Idaho Department of Water Resources water right no. 35-38F.

2. This conveyance is further subject to federal patents; building or use restrictions; building and zoning regulations and ordinances of any governmental unit; all rights of way, ditch rights, and easements claimed, established or of record; accruing taxes and assessments; encumbrances which are not shown by public records and which were created prior to Grantors' ownership of the property; discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records; unpatented mining claims and claims or title to water or water rights.

This Amended Warranty deed replaces and supersedes that certain Warranty Deed, dated April 8, 2008 and recorded in the records of Bingham County, Idaho on April 24, 2008 as instrument no. 593590.

GRANTORS:

Date: Nov. 28, 08

Thayne J. Driscoll
Thayne J. Driscoll

Date: Nov. 28, 08

Andra D. Driscoll
Andra D. Driscoll

Allan Lincoln Driscoll and Stephanie Driscoll, hereby consent to and accept this Amended Warranty Deed with the understanding that it completely supersedes the Original Warranty Deed.

GRANTEES:

Date: Nov 28, 08

Allan Lincoln Driscoll
Allan Lincoln Driscoll

Date: Nov. 28, 08

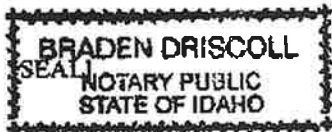
Stephanie Driscoll
Stephanie Driscoll

STATE OF IDAHO)

County of Power)

On this 28 day of ~~June~~^{Nov}, 2008, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Thayne J. Driscoll and Andra D. Driscoll, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they 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.



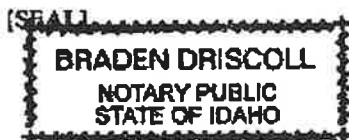

NOTARY PUBLIC FOR IDAHO
Residing at: Power County, Idaho
My Commission Expires: Oct 12, 2012

STATE OF IDAHO)

County of Power)

On this 28 day of ~~June~~^{Nov}, 2008, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Allan Lincoln Driscoll and Stephanie Driscoll, husband and wife, known to me to be the persons whose names are subscribed to the foregoing consent to Amended Warranty Deed, and acknowledged to me that they 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.




NOTARY PUBLIC FOR IDAHO
Residing at: Power County, Idaho
My Commission Expires: Oct 12, 2012

EXHIBIT "A"

The Southeast Quarter of the Northeast Quarter, the Northeast Quarter of the Southeast Quarter of Section Twenty-nine and the Southwest Quarter of the Northwest Quarter and the East Half of the Northwest Quarter of Section Twenty-eight, all in Township Four South, Range Thirty-two, East of Boise Meridian, in Bingham County, EXCEPTING THEREFROM the following:

1. Beginning at the Southeast corner of the Southeast Quarter of the Northwest Quarter of said Section Twenty-eight; thence South $89^{\circ}46'$ West along the South line of said Southeast Quarter of the Northwest Quarter 522.1 feet to a point; thence North $28^{\circ}20'$ East 280.8 feet to a point; thence North $42^{\circ}52'$ East a distance of 561.1 feet, more or less, to a point on the East line of said Southeast Quarter of the Northwest Quarter of said Section 28; thence South $0^{\circ}37'$ East along the East line of said Southeast Quarter of the Northwest Quarter 656.3 feet, more or less, to the Point of Beginning.

2. Part of the SE $\frac{1}{4}$ NE $\frac{1}{4}$, and Part of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 29 Township 4 South Range 32 East B.M. Bingham County, Idaho described as:

Commencing at the NE corner of Section 29; thence S $89^{\circ}54'14''$ W 1360.96 feet along the Section line to the NW corner of the NE $\frac{1}{4}$ NE $\frac{1}{4}$; thence S $00^{\circ}23'30''$ E 1321.73 feet to the NW corner of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ and the POINT OF BEGINNING. Thence S $89^{\circ}50'37''$ E 82.81 feet along the North line of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ to an existing fence line; thence following said fence line the following (8) Eight courses (1) S $01^{\circ}34'54''$ W 1110.32 feet; thence (2) S $00^{\circ}59'21''$ W 245.69 feet; thence (3) S $01^{\circ}05'47''$ W 282.10 feet; thence (4) S $46^{\circ}59'18''$ W 42.28 feet to a point on the West line of the NE $\frac{1}{4}$ SE $\frac{1}{4}$; thence (5) S $03^{\circ}44'37''$ E 151.58 feet; thence (6) S $02^{\circ}04'39''$ E 365.54 feet; thence (7) S $00^{\circ}28'03''$ W 398.68 feet; thence (8) S $00^{\circ}28'49''$ W 61.16 feet to the South line of the NE $\frac{1}{4}$ SE $\frac{1}{4}$; thence N $89^{\circ}20'02''$ W 12.12 feet to the SW corner of the NE $\frac{1}{4}$ SE $\frac{1}{4}$; thence N $00^{\circ}25'36''$ W 1321.25 feet to the NW corner of the NE $\frac{1}{4}$ SE $\frac{1}{4}$; thence N $00^{\circ}23'30''$ W 1321.73 feet to the POINT OF BEGINNING. This Parcel contains 2.39 acres more or less.

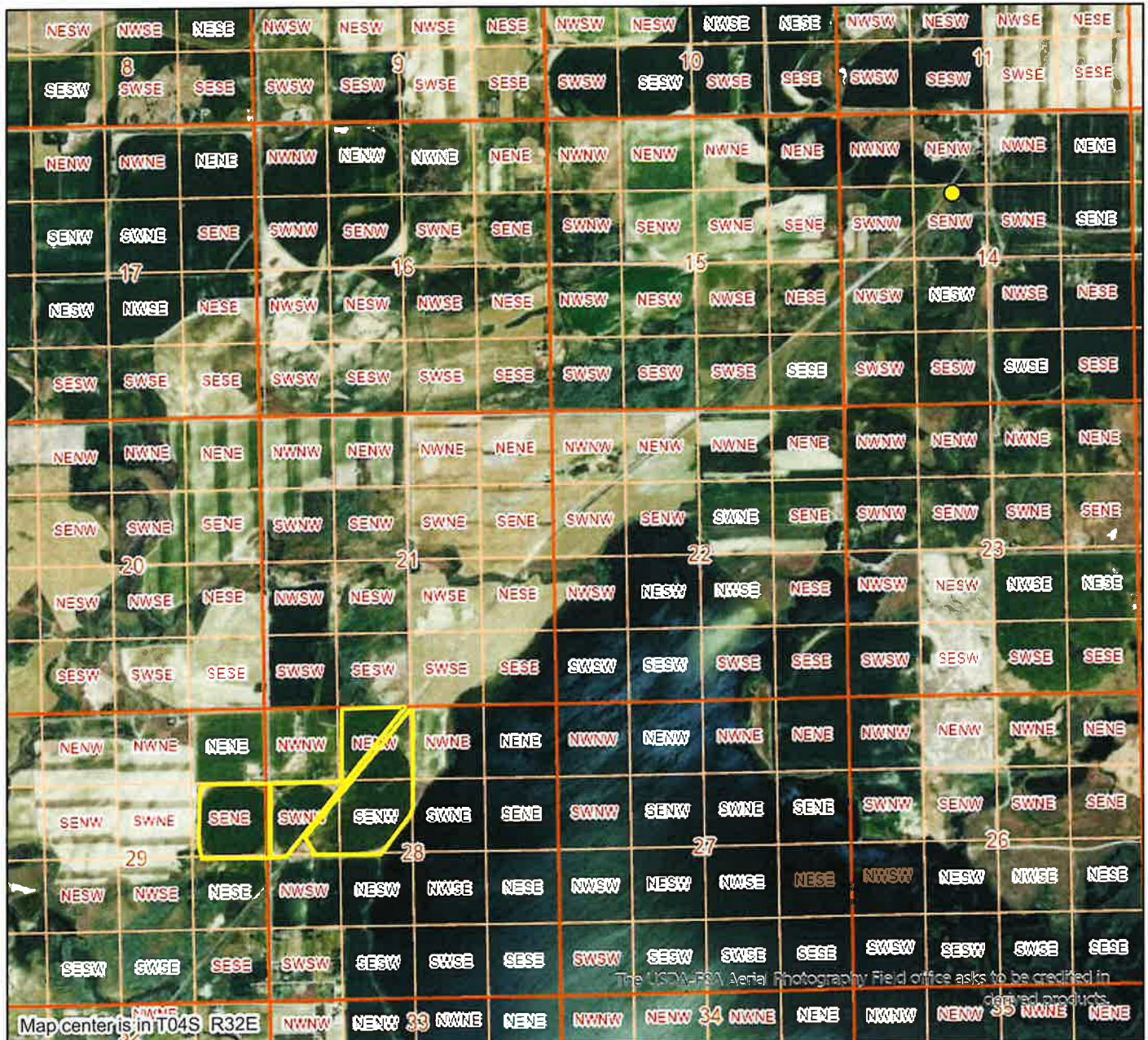
3. Right-of-Way of the Salmon River Railroad, Aberdeen Branch, as pr Warranty Deeds recorded in Book 14, Page 503, Book 21, Page 146; and Book 18, Page 30, records of said County.

State of Idaho
Department of Water Resources
Water Right

35-38F

IRRIGATION

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.



Date created: 8/20/2025



Legend

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



State of Idaho
Department of Water Resources
Water Right

35-38F

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Date created: 8/20/2025



Legend

- Quarter Quarters
- PLS Sections
- Townships
- Place of Use Boundary





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

September 12, 2025

THAYNE DRISCOLL
ANDRA DRISCOLL
2043 E CENTER ST
POCATELLO ID 83201-3300

Re: Change in Ownership for Water Right No(s): 35-38F

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.

This ownership change is a result in an error in a previous ownership change filed in 2013. The water right was erroneously updated to reflect Allan Lincoln Driscoll and Stephanie Driscoll. On deed instrument number 601489 the water right specifically withheld.

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: RABO AGRIFINANCE LLC
WATER DISTRICT 120
ABERDEEN AMERICAN FALLS GROUND WATER DISTRICT
ALLAN LINCOLN DRISCOLL
STEPHANIE DRISCOLL

**PARSONS
BEHLE &
LATIMER**

350 Memorial Drive, Suite 300
Idaho Falls, Idaho 83402
Main 208.522.6700
Fax 208.522.5111

A Professional
Law Corporation

Payton Hampton
Attorney at Law
Direct +1 208.528.5254
PHampton@parsonsbehle.com

August 21, 2025

Lincoln & Stephanie Driscoll
2652 West 1100 South
Aberdeen, ID 83210

RE: Notice of Change in Water Right Ownership

Lincoln & Stephanie:

Pursuant to Idaho Code § 42-248(6), please see the enclosed Notice of Change in Water Right Ownership for water right no. 35-38F, which we intend to submit to the Idaho Department of Water Resources.

Sincerely,

PARSONS BEHLE & LATIMER



Payton G. Hampton
Attorneys for Thayne & Ana Driscoll

PH:kb