

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUN 26 2025

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?
22-14167 ✓	Yes ☐	Yes ☐		Yes ☐	Yes ☐
22-14169 ✓	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

remove Robert J.
See death cert.

2. Previous Owner's Name: Robert J. Kincaid

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Kimberly D. Kincaid

New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or

PO Box 336

Mailing address

208-313-1437

Telephone

Victor

City

ID

State

83455

Zip

rks@id2.net

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: 4/3/2020 Spouse death cert.

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 #

22-14167

8. Signature: Kimberly Kincaid Title, if applicable: _____ Date: 6/23/2025

Signature of new owner/claimant

Print name

Signature of new owner/claimant

Print name

For IDWR Office Use Only:

Received by BM Date 6-26-25 Receipt No. 2121818

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 BM

Date 10-7-25

MOULTON LAW OFFICE
Sean R. Moulton, Esq. [Bar No 6653]
60 East Wallace Ave.
P.O. Box 631
Driggs, Idaho 83422
(208) 354-2345
(208) 354-2346 [facsimile]
office@tetonvalleylaw.com

ATTORNEY FOR PETITIONER

IN THE DISTRICT COURT OF THE SEVENTH DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TETON

IN THE MATTER OF THE ESTATE OF

ROBERT JOHN KINCAID,

Deceased.

Case No. CV41-20-111

DECREE VESTING ESTATE IN
SURVIVING SPOUSE

(I.C. 15-3-1205)

Upon consideration of the Petition for Summary Administration of Estate of
Which Surviving Spouse is Sole Beneficiary filed by Sean R. Moulton of Moulton Law
Office on behalf of KIMBERLY DAWN KINCAID on the 28th day of April 2020, the
Court finds that:

1. The facts set forth in the petition are true.
2. The required notice has been given or waived.
3. The decedent, ROBERT JOHN KINCAID, died on April 3, 2020 domiciled in Teton County, Idaho.
4. Venue is proper.
5. The decedent and KIMBERLY DAWN KINCAID were duly married Teton County, Idaho, on February 25, 1995 and remained married until the date of decedent's death.
6. The surviving spouse, KIMBERLY DAWN KINCAID, is the sole heir or devisee of the decedent.

DECREE VESTING ESTATE IN SURVIVING SPOUSE

7. The decedent died intestate, leaving Petitioner as the decedent's surviving spouse and sole heir.
8. The schedule of property attached to this Decree is a full and complete inventory of the property owned by the decedent and properly characterized the property as community property.

THEREFORE, it is hereby ordered, adjudged and decreed as follows:

1. KIMBERLY DAWN KINCAID is the surviving spouse of the decedent and is the sole heir or devisee of the decedent.
2. The property of the decedent described on the schedule attached to this Decree is hereby vested in and distributed to KIMBERLY DAWN KINCAID free and clear of all right, title, claim or demand of any person or persons claiming or attempting to claim under the estate of the decedent as heir, devisee, or otherwise, except as a proper creditor.
3. The surviving spouse shall assume and be liable for any and all indebtedness that might be a claim against the estate of the decedent.
4. There shall be no administration of the estate of the decedent.

Signed: 4/28/2020 02:03 PM



HONORABLE JASON D. WALKER
Magistrate



2020_04_27 Kincaid, R - CVDIGITAL

MOULTON LAW OFFICE
Sean R. Moulton, Esq. [Bar No 6653]
60 East Wallace Ave.
P.O. Box 631
Driggs, Idaho 83422
(208) 354-2345
(208) 354-2346 [facsimile]
office@tetonvalleylaw.com

Walker, Jason D.

RECEIVED

Oct 07, 2025

DEPARTMENT OF
WATER RESOURCES

ATTORNEY FOR PETITIONER

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL STRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF TETON

IN THE MATTER OF THE ESTATE OF

ROBERT JOHN KINCAID,

Deceased.

Case No. CV41-20-0111

PETITION FOR SUMMARY
ADMINISTRATION OF ESTATE
WHERE SURVIVING SPOUSE IS
SOLE BENEFICIARY

(I.C. 15-3-1205)

Fee Category: A-6
Filing Fee: \$166.00

PETITIONER, KIMBERLY DAWN KINCAID, STATES AND REPRESENTS TO
THE COURT THAT:

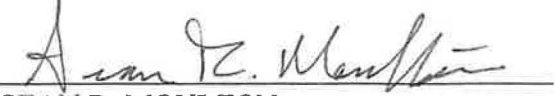
1. Petitioner's interest in this matter is that of the surviving spouse of the decedent.
2. The decedent, ROBERT JOHN KINCAID, died on April 3, 2020.
3. Venue is proper because at the time of death the decedent was domiciled in this county.
4. The decedent and KIMBERLY DAWN KINCAID were duly married in Teton County, Idaho on February 25, 1995 and remained married until the date of decedent's death.

5. The decedent died intestate leaving Petitioner as the decedent's surviving spouse and sole heir.
6. The schedule of property attached to this petition is a full and complete inventory of the property owned by the decedent. The nature of the property set forth in the schedule is community property.
7. The surviving spouse of the decedent is the sole heir of the decedent and is therefore entitled to have all of the interest and estate of the decedent distributed to and vested in the surviving spouse, free and clear of the claims of any person or persons claiming or attempting to claim under the estate of the decedent as heir, devisee, or otherwise, except as a proper creditor.
8. The required notice has been given or waived.

WHEREFORE, PETITIONER REQUESTS THAT:

1. That the Court enter its Decree that the decedent and the surviving spouse were duly married and that the surviving spouse is the sole heir of the decedent and vested with all of the interest and estate of the decedent, free of the claims of any person or persons claiming or attempting to claim under the estate of the decedent as heir, devisee, or otherwise, except as a proper creditor.

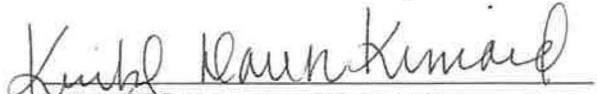
DATED this 27 day of April 2020.


SEAN R. MOULTON
Attorney for Petitioner

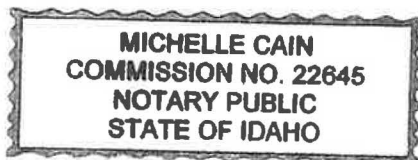
VERIFICATION

STATE OF IDAHO)
 : ss.
County of Teton)

The Petitioner, being sworn, having read the foregoing says that the facts set forth herein are true, accurate, and complete to the best of petitioner's knowledge and belief.


KIMBERLY DAWN KINCAID
Petitioner

SUBSCRIBED AND SWORN to before me this 27th day of April 2020.




Notary Public for Idaho
Residing at: Teton
My Commission Expires: 9.18.24

2020_04_27 - Kincaid, R - CVDIGITAL

Schedule of Property

1. House – 1859 Bryan Dr Victor ID 83455
2. Property 1559 E. 1920 S. Driggs, ID 83422
3. Property - 1001 W 1000 S Victor ID 83455
4. Bare Land Fox Creek (15.670 Acres)
 Sec 23 T4N R45E
5. Bare Land (19.240 Acres)
 Sec33 T4N R45E
6. Cattle – 52 pair, 4 bulls, 6 heifers
7. U.S. Bank Accounts
 Teton Custom Homes 1868
 Kincaid Investments 9123
 Personal bank accounts 6199 & 5878
 Savings accounts 9394 & 9386
8. 2002 Red snowmobile trailer
9. 2001 Horse trailer
10. 2006 Bumper pull dump trailer
11. 2004 Mirage work trailer
12. 2004 Enclosed Snowmobile trailer
13. 2004 Camper
14. 2006 North River boat
15. 2009 Yamaha Grizzly
16. New Holland skid steer
17. 2003 PJ trailer
18. 2012 PJ trailer
19. 2007 Blazer trailer
20. 1990 boat
21. 2016 Chevy Duramax
22. 2016 Toyota Tacoma
23. 1998 Chevy Pickup
24. 1997 Dodge
25. 1999 Chevy van
26. 2001 Dodge
27. 1995 Toyota truck
28. 1994 Toyota truck
29. 2006 Buick
30. 2017 Beta
31. 2014 KTM
32. 2015 Wildcat
33. 2005 Arctic Cat
 Snowmobiles
34. 2015 Arctic Cat 800
35. 2018 Arctic Cat 600 Sno Pro

36. 2018 Arctic Cat 800
37. 2018 Arctic Cat 800
38. 2018 Arctic Cat 800
39. 2019 Arctic Cat 800
40. 2019 Arctic Cat 800
41. 2019 Arctic Cat 800
42. 2019 Arctic Cat 800
43. 2020 Arctic Cat 800
44. 2020 Arctic Cat 800

Instrument # 237016

TETON COUNTY, IDAHO

6-25-2015 03:45:00 PM No. of Pages: 2

Recorded for : KINCAID, ROBERT

MARY LOU HANSEN

Fee: 13.00

Ex-Officio Recorder Deputy

Index to: DEED, GIFT

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Faren Z. Eddins

Moulton Law Office

60 E. Wallace Ave. (P.O. Box 631)

Driggs, ID 83422

(Space Above For Recorder's Use)

GIFT DEED

For and in consideration of the natural love and affection that Robert F. Kincaid and Yvonne M. Kincaid, ("Donors"), bear for Robert J. Kincaid, ("Donee"), whose current address is PO Box 336, Victor, Idaho 83455, Donors, a married couple as their sole and separate property does hereby give, grant and convey unto Donee, a married man as his sole and separate property, and his successors and assigns forever, the following described real property situated in Teton County, State of Idaho:

Open Area 3, Fox Creek Village PUD, Sec 25 T4N R45E

This conveyance shall include any and all estate, right, title, interest, appurtenances, tenements, hereditaments, reversions, remainders, easements, rents, issues, profits, rights-of-way and water rights in anywise appertaining to the property herein described.

Donors covenant that prior to the execution of the Gift Deed, Donors have not conveyed this real property to any other person, and at the time of execution, the real property is free from encumbrances done, made, or suffered by the Donors.

IN WITNESS WHEREOF, the Donors have executed this instrument this 25th day of June, 2015.

Robert F. Kincaid
Robert F. Kincaid

Yvonne M. Kincaid
Yvonne M. Kincaid

STATE OF Idaho)
) ss.
County of Teton)

On this 25th day of June, 2015, before me Michelle Cain,
personally appeared Robert F. Kincaid, known or identified to me to be the person whose name
is subscribed to the within instrument, and acknowledged to me that he 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.



Michelle Cain
NOTARY PUBLIC FOR IDAHO
Residing at Tetonia ID
My Commission Expires 9-18-18

STATE OF Idaho)
) ss.
County of Teton)

On this 25th day of June, 2015, before me Michelle Cain,
personally appeared Yvonne M. Kincaid, known or identified to me to be the person whose name
is subscribed to the within instrument, and acknowledged to me that he 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.



Michelle Cain
NOTARY PUBLIC FOR IDAHO
Residing at Tetonia ID
My Commission Expires 9-18-18

STATE OF IDAHO

CERTIFICATION OF VITAL RECORD

STATE OF IDAHO

IDAHO DEPARTMENT OF HEALTH AND WELFARE
BUREAU OF VITAL RECORDS AND HEALTH STATISTICS

DATE FILED BY STATE REGISTRAR

State of Idaho CERTIFICATE OF DEATH

STATE FILE NO. 2020-03741

04/07/2020

ON A COPY OF THIS CERTIFICATE OF DEATH TO BE FILED WITH THE DEPARTMENT OF HEALTH AND WELFARE, BUREAU OF VITAL RECORDS AND HEALTH STATISTICS, AND TO BE FILED IN THE DEPARTMENT OF HEALTH AND WELFARE, BUREAU OF VITAL RECORDS AND HEALTH STATISTICS.

Local Reg. No.

DECEDENT TYPE OR PRINT OR PERMANENT BLACK INK DO NOT USE FELT TIP PEN FOR INSTRUCTIONS SEE HANDBOOKS PARENTS INFORMANT DISPOSITION PLACE OF DEATH DATE OF DEATH CAUSE OF DEATH CERTIFIER IF DEATH WAS DUE TO OTHER THAN NATURAL CAUSES, THE CLERK MUST COMPLETE AND SIGN THE CERTIFICATE REGISTRAR	1. DECEDENT'S LEGAL NAME (Include AKA's if any) (First, Middle, Last, Suffix) ROBERT JOHN KINCAID 2. SEX MALE 3. SOCIAL SECURITY NUMBER [REDACTED] 4a. AGE-Last Birthday 46 4b. UNDER 1 YEAR 4c. UNDER 1 DAY 5. DATE OF BIRTH (Mo/Day/Yr) 04/16/1973 6. BIRTHPLACE (City and State, Territory, or Foreign Country) STURGIS, MICHIGAN 7a. RESIDENCE - STATE OR FOREIGN COUNTRY IDAHO 7b. COUNTY TETON 7c. CITY OR TOWN VICTOR 7d. STREET AND NUMBER 1859 BRYAN DRIVE 7e. APT. NO. 7f. ZIP CODE 83455 7g. INSIDE CITY LIMITS? ☒ Yes ☐ No 8. MARITAL STATUS AT TIME OF DEATH ☒ Married ☐ Married but separated ☐ Widowed ☐ Divorced ☐ Never married ☐ Unknown 9. SURVIVING SPOUSE'S NAME (if wife give maiden name) KIMBERLY DAWN DAYTON 10. EVER IN U.S. ARMED FORCES? ☐ Yes ☒ No 11a. FATHER'S NAME (First, Middle, Last, Suffix) ROBERT FRANCIS KINCAID 11b. BIRTHPLACE (State, Territory, or Foreign Country) ILLINOIS 12a. MOTHER'S MAIDEN NAME (First, Middle, Last, Suffix) YVONNE MARIE DECKARD 12b. BIRTHPLACE (State, Territory, or Foreign Country) MICHIGAN 13a. INFORMANT'S NAME (Type or print) KIMBERLY DAWN KINCAID 13b. RELATIONSHIP TO DECEDENT WIFE 13c. MAILING ADDRESS (Street and Number, City, State, Zip Code) 1859 BRYAN DRIVE VICTOR, ID 83455 14. METHOD OF DISPOSITION ☒ Burial ☐ Cremation ☐ Donation ☐ Entombment ☐ Removal from Idaho ☐ Other (Specify) _____ 15. PLACE OF DISPOSITION (Name and address of cemetery, crematory, other place) CEDRON CEMETERY VICTOR, IDAHO 83455 16. NAME AND COMPLETE ADDRESS OF FUNERAL FACILITY ECKERSELL MEMORIAL CHAPEL 101 WEST MAIN STREET RIGBY, IDAHO 83442 17a. SIGNATURE OF FUNERAL SERVICE LICENSEE OR PERSON ACTING AS SUCH 17b. LICENSE NUMBER (Of licensee) M0831 18. WAS CORONER CONTACTED DUE TO CAUSE OF DEATH? ☒ Yes ☐ No 19a. IF DEATH OCCURRED IN A HOSPITAL 19b. IF DEATH OCCURRED SOMEWHERE OTHER THAN A HOSPITAL 20. FACILITY NAME (If not facility, give street and number) 43.382663 -111.092689 21. CITY, TOWN, OR LOCATION OF DEATH, AND ZIP CODE RURAL BONNEVILLE COUNTY, ID 00000 22. COUNTY OF DEATH BONNEVILLE 23. DATE OF DEATH (Mo/Day/Yr) (Spell month) April 3, 2020 24. TIME OF DEATH (24hr) Estimated 14:00 - 14:50 25. DATE PRONOUNCED DEAD (Mo/Day/Yr) (Spell month) April 4, 2020 26. TIME PRONOUNCED DEAD (24hr) 09:00 27. CAUSE OF DEATH IMMEDIATE CAUSE (Final disease or condition resulting in death) a. ANOXIC BRAIN INJURY DUE TO (or as a consequence of) _____ b. ASPHYXIA DUE TO (or as a consequence of) _____ c. AVAILANCE DUE TO (or as a consequence of) _____ d. _____ 28a. WAS AN AUTOPSY PERFORMED? ☐ Yes ☒ No 28b. WERE AUTOPSY FINDINGS AVAILABLE TO COMPLETE THE CAUSE OF DEATH? ☐ Yes ☒ No 29. DID TOBACCO USE CONTRIBUTE TO DEATH? ☐ Yes ☐ Probably ☒ No 30. IF FEMALE (Ages 15-54) ☐ Not pregnant within past year ☐ Not pregnant, but pregnant 43 days to 1 year before death ☐ Pregnant at time of death ☐ Not pregnant, but pregnant within 42 days of death ☒ Unknown if pregnant within the past year 31. MANNER OF DEATH ☐ Nature ☐ Accident ☐ Suicide ☐ Homicide ☐ Pending investigation ☐ Could not be determined 32. DATE OF INJURY (Mo/Day/Yr) (Spell month) April 3, 2020 33. TIME OF INJURY (24hr) Estimated 14:00 - 16:00 34. PLACE OF INJURY (Dependent's home, farm, street, construction site, nursing home, restaurant, hotel, etc.) MOUNTAIN 35. INJURY AT WORK? ☐ Yes ☒ No 36. LOCATION OF INJURY State IDAHO City/Town or County RURAL BONNEVILLE COUNTY, BONNEVILLE Zip Code 00000 Street and Number or Location 43.382663 -111.0926 Apartment Number _____ 37. DESCRIBE HOW INJURY OCCURRED. IF TRANSPORTATION INJURY, STATE THE TYPE(S) OF VEHICLE(S) INVOLVED (Automobile, pickup, motorcycle, ATV, bicycle, etc.) SUNJECT WAS CAUGHT IN AN AVALANCHE NEAR AUSTIN CANYON 38a. WAS DECEDENT ☐ Driver/Operator ☐ Passenger 38b. WHAT SAFETY DEVICES(S) DID DECEDENT USE/EMPLOY? INJURY ONLY ☐ Pedestrian ☐ Other (Specify) _____ ☐ Seat belt ☐ Child safety seat ☐ Fire net ☐ Air bag ☐ None ☐ Unknown 39a. CERTIFIER (Check only one based on official capacity for this certificate) ☐ PHYSICIAN ☐ PHYSICIAN ASSISTANT ☐ ADVANCED PRACTICE REGISTERED NURSE ☒ CORONER To the best of my knowledge, death occurred at the time, date, and place, and due to the cause(s) and manner stated. Signature and Title of Certifier: ELECTRONICALLY SIGNED: GREG BLACK NAME, ADDRESS, AND ZIP CODE OF CERTIFIER (Type or print): GREG BLACK, 605 N CAPITAL AVENUE IDAHO FALLS, ID 83402 39b. LICENSE NUMBER 39c. DATE SIGNED 4 / 6 / 2020 MM DD YYYY 40a. REGISTRAR'S SIGNATURE James B. Gaydelotte 40b. DATE SIGNED 4 / 7 / 2020 MM DD YYYY
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This is a true and correct reproduction of the document officially registered and placed on file with the IDAHO BUREAU OF VITAL RECORDS AND HEALTH STATISTICS

APRIL 07, 2020

DATE ISSUED:

This copy not valid unless prepared on engraved border displaying state seal and signature of the Registrar

JAMES B. GAYDELOTTE
STATE REGISTRAR





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

October 07, 2025

KIMBERLY KINCAID
PO BOX 336
VICTOR ID 83455-0336

Re: Change in Ownership for Water Right No(s): 22-14167, 22-14169

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 208-287-4921.

Sincerely,

Debra Mansfield

Debra Mansfield
Technical Records Specialist 1

Enclosure(s)

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

10/7/2025

Water Right 22-14167

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	KIMBERLY KINCAID PO BOX 336 VICTOR, ID 83455-0336 (208) 313-1437
Original Owner	TOM HUNTER PO BOX 760 DRIGGS, ID 83422 (307) 733-1143
Original Owner	DEBBIE HUNTER PO BOX 760 DRIGGS, ID 83422 (307) 353-2236
Previous Owner	ROBERT J KINCAID PO BOX 336 VICTOR, ID 83455 (208) 313-1439

Priority Date: 6/1/1890

Basis: Decreed

Status: Active

Source
FOX CREEK

Tributary
TETON RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	10/31	0.250 CFS	
	<u>Total Diversion</u>		0.250 CFS	

Source and Point(s) of Diversion:

FOX CREEK L4(SWSWNE) Sec. 29, Twp 04N, Rge 46E, TETON County

Place Of Use:

IRRIGATION within TETON County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	45E	23													11.4	0.2			11.6

POU Total Acres: 11.6

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

10/7/2025

Conditions of Approval:

- | | | |
|----|-----|--|
| 1. | 048 | The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference. |
| 2. | T19 | Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree. |
| 3. | T07 | The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval. |
| 4. | T08 | Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer. |
| 5. | F01 | Water is delivered through Upper Fox Creek Canal. |
| 6. | 004 | This right does not grant any right-of-way or easement across the land of another. |
| 7. | R43 | The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s). |
| 8. | R63 | This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use. |
| 9. | R05 | Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 1. |

Comments:

1	jbarg	11/3/2015	Change of Ownership
Water Right 22-14054 was split into 22-14054, 22-14167 and 22-14168			

2	jbarg	11/3/2015	POU
Updated Shape			

Dates and Other Information:

Decreed Date: 11/24/2008
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: 01
Generic Max Rate Per Acre: 0.020
Generic Max Volume Per Acre: 3.5
Mitigation Plan: False

Combined Use Limits:

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

10/7/2025

N/A

SubCase:

N/A

Water Supply Bank:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

10/7/2025

Water Right 22-14169

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	KIMBERLY KINCAID PO BOX 336 VICTOR, ID 83455-0336 (208) 313-1437
Original Owner	TOM HUNTER PO BOX 760 DRIGGS, ID 83422 (307) 733-1143
Original Owner	DEBBIE HUNTER PO BOX 760 DRIGGS, ID 83422 (307) 353-2236
Previous Owner	ROBERT J KINCAID PO BOX 336 VICTOR, ID 83455 (208) 313-1439

Priority Date: 6/1/1890

Basis: Decreed

Status: Active

Source
FOX CREEK

Tributary
TETON RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	10/31	0.010 CFS	
	<u>Total Diversion</u>		0.010 CFS	

Source and Point(s) of Diversion:

FOX CREEK L4(SWSWNE) Sec. 29, Twp 04N, Rge 46E, TETON County

Place Of Use:

IRRIGATION within TETON County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N	45E	23													0.5				0.5

POU Total Acres: 0.5

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

10/7/2025

Conditions of Approval:

1. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Comments:

- | | | | |
|--|------------------|-----------|---------------------|
| 1 | jbarg | 8/9/2012 | Change of Ownership |
| Split from Water Right 22-13540 | | | |
| 2 | jbarg | 8/9/2012 | POD |
| Updated Shape | | | |
| 3 | jbarg | 8/9/2012 | POU |
| Updated Shape | | | |
| 4 | jbarg | 9/9/2013 | Change of Ownership |
| Water Right number 22-14053 was split into 22-14053 and 22-14098 | | | |
| 5 | jbarg | 9/9/2013 | POU |
| Updated Shape | | | |
| 6 | kmathews | 1/24/2014 | Ownership change |
| Water right 22-14053 was split to 22-14053 and 22-14108. | | | |
| 7 | kmathews | 1/24/2014 | POD |
| Updated Shape | | | |
| 8 | kmathews | 1/24/2014 | POU |
| Updated Shape | | | |
| 9 | Ownership Change | 6/10/2015 | Split Right |
| Right 22-14053 was split into 22-14053, 22-14157 and 22-14158. | | | |
| 10 | bjordan | 6/11/2015 | POU |
| Updated Shape | | | |
| 11 | jbarg | 6/25/2015 | Ownership Change |
| water right 22-14053 was split into 22-14053 and 22-14160 | | | |
| 12 | jbarg | 6/25/2015 | POU |
| Updated Shape | | | |
| 13 | jbarg | 10/5/2015 | Change of Ownership |
| water right 22-14053 was split into 22-14053 and 22-14165 | | | |

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

10/7/2025

14	jbarg	10/5/2015	POU
Updated Shape			
15	jbarg	11/3/2015	Ownership Change
water right 22-14053 was split into 22-14053 & 22-14169			
16	jbarg	11/3/2015	POU
Updated Shape			

Dates and Other Information:

Decreed Date: 11/24/2008
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: AND
Water District Number: TBD
Generic Max Rate Per Acre: 0.020
Generic Max Volume Per Acre: 3.5
Mitigation Plan: False

Combined Use Limits:

N/A

SubCase:

N/A

Water Supply Bank:

N/A

Mansfield, Debra

From: Cortney Byman <CByman@teton.idcourts.gov>
Sent: Tuesday, October 7, 2025 10:54 AM
To: Mansfield, Debra
Subject: schedule of property
Attachments: Petition for Summary Administration of Estate.pdf

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Cortney Byman
Deputy Clerk
Teton County Idaho
150 Courthouse Dr, #307
Driggs, Idaho 83422
(208) 776-8210



Schedule of Property

1859 Bryan Drive Victor ID
Lot 13 Humble Creek Ranches
Sec 10 T3N R45E

Open Area 1
Fox Creek Village PUD
Sec 23 T4N R45E

1560 E 1920 S Driggs
Lot 2 Blk 8
Darby Townsite
SEC 6 T3N R46 E

1559 E 1920 S Driggs
Lot 1 Blk 8
Darby Townsite
SEC 6 T46 E

Ranch
N2NE4SE4
SEC 33 T45E

Vehicles/Trailers
2016 Chevy Duramax
2017 Dodge Ram
2001 Dodge Ram
1995 Toyota Tacoma
2016 Arctic Cat Havoc
2015 Arctic Cat ATV
2009 Yamaha ATV
2006 Trailer
2004 Camper
2004Mirage Trailer
2001 Titan Horse Trailer
New Holland Skidsteer
2 Place snowmobile Trailer
2006 North River Boat

RECEIVED

Sep 17, 2025

DEPARTMENT OF
WATER RESOURCES

Mansfield, Debra

From: rks@ida.net
Sent: Wednesday, September 17, 2025 1:17 PM
To: kira.weston@idwr.idaho.gov
Subject: Re: Change in Ownership for Water Rights
Attachments: Schedule of Property.pdf

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Here is a PDF
Thank You

On Wed, 17 Sep 2025 17:13:22 +0000, Kira Weston <kira.weston@idwr.idaho.gov> wrote:

Hello Kimberly,

Thank you for your submission. Unfortunately, the Department cannot accept your documents as filed. The Department's Rules of Procedure, [IDAPA 37.01.01.053](#), require documents to be filed as text-searchable PDFs no larger than 15 mb. Please re-submit your document as a PDF for receipt and processing by the Department. For PDFs larger than 15 mb, you may split the submission into multiple emails.

If you have questions, please do not hesitate to call our office at (208) 287-4800.

Best,
Kira Weston

Office Specialist 2
Idaho Department of Water Resources
P: (208) 287-4802



From: rks@ida.net <rks@ida.net>
Sent: Wednesday, September 17, 2025 10:58 AM
To: IDWR File <file@idwr.idaho.gov>
Subject: RE: Change in Ownership for Water Rights

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Here is the requested information for water rights change of ownership for 22-14167 & 22-14169

Thank You

Kimberly Kincaid

208-313-1437



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

August 06, 2025

KIMBERLY KINCAID
PO BOX 336
VICTOR ID 83455-0336

RE: Change in Ownership for Water Right No(s): 22-14167 & 22-14169

Dear Interested Parties:

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

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

- Evidence of Water Right Ownership: copy of Deed, Title Policy, Contract of Sale, or other legal document indicating your ownership of the property and/or water rights in question

The Decree Vesting Estate In Surviving Spouse that you provided to the Department is incomplete. We will need to review the "schedule of property" that was originally attached to the decree. This property description is listed as number 8 within the court's findings in the decree. *We have included a copy of your document with this letter, for your reference.*

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

Regarding Water Right 22-14169: The Department has removed Robert J Kincaid as a Holder of Record from Water Right 22-14169. Please find enclosed a Department report for Water Right 22-14169 reflecting this change.

Also, please note that water right holders are required to report any change of ownership and/or mailing address to the Department within 120 days of the change. Forms to update ownership or update your address are available from any office of the Department or on the Department's website.

If you have any questions regarding this matter, please contact me at 208-287-4800.

Sincerely,

Debra Mansfield

Debra Mansfield
Technical Records Specialist 1

Enclosure(s)