

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

✓ **RECEIVED**

APR 09 2025

DEPT. OF WATER RESOURCES
SOUTHERN 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?
43-10113	Yes ☐	Yes ☐		Yes ☐	Yes ☐
43-10114	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Rosella M. Neddo, deceased spouse of Charles Alvin Neddo, deceased

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Kevin W. Tracy and Trudy Tracy

New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or

2262 E 1500 S

Malta

ID

83342

Mailing address

City

State

Zip

(208) 670-2995

trudytracy@atcnet.net

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: January 6, 2006

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 # 43-10113

8. Signature: Kevin W. Tracy Owner 4/4/25

Signature of new owner/claimant

Title, if applicable

Date

Kevin W. Tracy

Print name

Signature: Trudy Tracy Owner 4/4/25

Signature of new owner/claimant

Title, if applicable

Date

Trudy Tracy

Print name

Received by: SG Date: 4-9-2025 For IDWR Office Use Only: Receipt No. 5040599 Receipt Amt. \$50-

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: TW Date: 8/1/2025

AGREEMENT FOR TRANSFER OF WATER RIGHTS

This agreement entered the 4 day of April, 2025 by and between Trudy Tracy and Lynette Schwinn, the duly appointed personal representatives of the Estate of Rosella Margaret Neddo a/k/a Rosella M. Neddo a/k/a Rosella Neddo, deceased, and Kevin W. Tracy and Trudy Tracy, husband and wife of 2262 East 1500 South, Malta, Idaho 83342,

WITNESSETH:

WHEREAS, Charles Alvin Neddo and Rosella M. Neddo a/k/a Rosella Neddo were the owners of real property in Lots 6 and 7 in Section 6, Township 13 South, Range 27 East of the Boise Meridian, Cassia County, Idaho which they conveyed by warranty deed to Kevin W. Tracy and Trudy Tracy on the 9th day of January, 2006, recorded January 9, 2006 as Instrument No. 306100 Cassia County records, and

WHEREAS, Charles Alvin Neddo and Rosella M. Neddo a/k/a Rosella Neddo were owners of domestic water right 43-10113 and stock water right no. 43-10114, for ground water which had their points of diversion and places of use in Section 6, Township 13 South, Range 27 East of the Boise Meridian in Cassia County, Idaho which did not get transferred, and

WHEREAS, the personal representatives are distributing the Estate of Rosella M. Neddo a/k/a Rosella Neddo, the surviving spouse of Charles Alvin Neddo, who acquired all the right title and interest of Charles Alvin Neddo in real property in Cassia County, Idaho by Decree Vesting Estate in Surviving Spouse in Cassia County Case CV2011-270, and

WHEREAS, Trudy Tracy and Lynette Schwinn are co-personal representatives of Rosella M. Neddo in Cassia County Case CV16-24-00520.

IT IS HEREBY MUTUALLY AGREED AS FOLLOWS:

1. Trudy Tracy and Lynette Schwinn are executing the agreement to allow Kevin W. Tracy and Trudy Tracy, husband and wife to transfer water rights 43-10113 and 43-10114 to themselves. Kevin W. Tracy and Trudy Tracy agree to pay the transfer fees to the Idaho Department of Water Resources.

IN WITNESS WHEREOF the parties have executed this agreement on the date shown adjacent to their respective signatures.

ESTATE OF ROSELLA MARGARET NEDDO
A/K/A ROSELLA M. NEDDO A/K/A
ROSELLA NEDDO

By: *Trudy Tracy*
Trudy Tracy, Co-Personal
Representative

By: *Lynette Schwinn*
Lynette Schwinn, Co-Personal
Representative

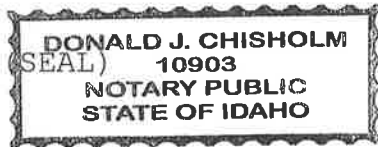
Trudy Tracy
Trudy Tracy

Kevin W. Tracy
Kevin W. Tracy

STATE OF IDAHO)
) ss.
County of Cassia)

On this 4th day of April, 2025, before me the undersigned notary public in and for said state, personally appeared Trudy Tracy, known to me to be the person whose name is subscribed to the within instrument individually and as personal representative of the Estate of Rosella Margaret Neddo a/k/a Rosella M. Neddo a/k/a Rosella Neddo, and acknowledged to me that she executed the same as such personal representative.

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

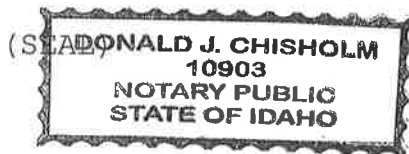


Donald J. Chisholm
Notary Public
Residing at Idaho
My Commission expires 2-14-2030

STATE OF IDAHO)
) ss.
County of Cassia)

On this 4th day of April, 2025, before me the undersigned notary public in and for said state, personally appeared Lynette Schwinn, known to me to be the person whose name is subscribed to the within instrument and as personal representative of the Estate of Rosella Margaret Neddo a/k/a Rosella M. Neddo a/k/a Rosella Neddo, and acknowledged to me that she executed the same as such personal representative.

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

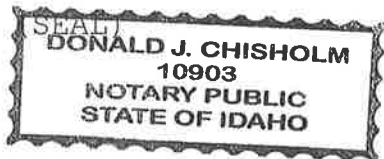


Donald J. Chisholm
Notary Public
Residing at Idaho
My Commission expires 2-14-2030

STATE OF IDAHO)
) ss.
County of Cassia)

On this 4th day of April, in the year of 2025,
before me the undersigned notary public in and for said state,
personally appeared Kevin W. Tracy, 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 first above written.



Donald J. Chisholm
Notary Public
Residing at Summit
My Commission expires 2-14-2030

CERTIFIED

Filed: 06/04/2024 11:03:30
Fifth Judicial District, Cassia County
Joseph W Larsen, Clerk of the Court
By: Deputy Clerk -Alanis, Noemi

Instrument # 2025001145

BURLEY, CASSIA, IDAHO

4-7-2025 09:01:43 AM No. of Pages: 3

Recorded for : DONALD J CHISHOLM

JOSEPH LARSEN

Fee: 16.00

Ex-Officio Recorder Deputy

Index to: LETTERS TESTAMENTARY

Cv

Donald J. Chisholm, Esquire
Chisholm Law Office
Attorney at Law
223 East Main Street
P.O. Box 1118
Burley, Idaho 83318
Telephone: (208) 678-9181
Facsimile: (208) 878-4998
Email: chisholm@pmt.org
ISB No. 1134

Attorney for Estate

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF CASSIA
MAGISTRATE DIVISION

IN THE MATTER OF THE
ESTATE OF:

CASE NO. CV16-24-00520

ROSELLA MARGARET NEDDO
A/K/A ROSELLA M. NEDDO
A/K/A ROSELLA NEDDO

LETTERS TESTAMENTARY

Deceased.

The Will of Rosella Margaret Neddo a/k/a Rosella M. Neddo a/k/a Rosella Neddo, deceased, having been proved and admitted to probate in the above-named Court in informal proceedings, Trudy Tracy and Lynette Schwinn are hereby appointed Co-Personal Representatives.

WITNESS: The Honorable Magistrate of the District Court, County of Cassia, State of Idaho, with the seal of the Court affixed: 6/4/2024 9:39:07 AM.

(SEAL)


Magistrate Judge
Jeremy Pittard

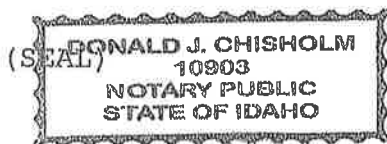
LETTERS TESTAMENTARY - PAGE 1

STATE OF IDAHO)
) ss.
County of Cassia)

I hereby accept the duties of Personal Representative of the Estate of Rosella Margaret Neddo and do solemnly swear that I will perform according to law, the duties of Co-Personal Representatives.

Trudy Tracy
Trudy Tracy

SUBSCRIBED AND SWORN TO before me this 30th day of May, 2024.



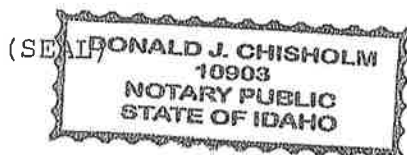
Donald J. Chisholm
Notary Public
Residing at Boise
My Commission expires 2-14-2030

STATE OF IDAHO)
) ss.
County of Cassia)

I hereby accept the duties of Personal Representative of the Estate of Rosella Margaret Neddo and do solemnly swear that I will perform according to law, the duties of Co-Personal Representatives.

Lynette Schwinn
Lynette Schwinn

SUBSCRIBED AND SWORN TO before me this 30th day of May, 2024.



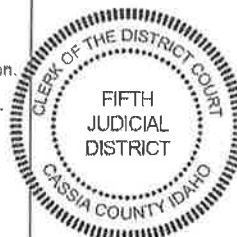
Donald J. Chisholm
Notary Public
Residing at Boise
My Commission expires 2-14-2030

LETTERS TESTAMENTARY - PAGE 2

State of Idaho }
County of Cassia } ss.

I hereby certify the foregoing to be full, true and correct copy of the original on file in the above entitled action.
Dated 6/4/2024

JOSEPH W. LARSEN
Clerk of District Court
By Naemi Aland
Deputy



CLERK'S CERTIFICATE OF SERVICE

I certify that on 6/4/2024 I served a true and correct copy of the foregoing LETTERS TESTAMENTARY upon the persons named below, as indicated:

Donald J. Chisholm
P.O. Box 1118
Burley, Idaho 83318

 U.S. Mail, postage prepaid, first class, Rupert, Idaho
addressed as above indicated.
 Attorney's Mail basket at the Minidoka County Courthouse,
Rupert, Idaho.
 By Fax to fax number: (208) 878-4998
 X By Email: chisholm@pmt.org; carolinerogers495@gmail.com

Clerk of the Court

By: Naemi Alands
Deputy Clerk



Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858
Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

August 01, 2025

KEVIN W TRACY
TRUDY TRACY
2262 E 1500 S
MALTA ID 83342-8628

Re: Change in Ownership for Water Right No(s): 43-10113 and 43-10114

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 208-293-9912.

Sincerely,

A handwritten signature in black ink, appearing to read "Tyler Wallace", is written over a light blue horizontal line.

Tyler Wallace
Engineer Associate

Enclosure(s)

C: Donald Chisholm

RECEIVED

APR 09 2025

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Donald J. Chisholm

Attorney at Law
223 East Main Street
P.O. Box 1118
Burley, Idaho 83318
Telephone (208) 678-9181
Fax: (208) 878-4998
Email: chisholm@pmt.org

April 7, 2025

Attn: Kent Aase
Idaho Department of Water Resources
650 Addison Ave. W., Ste 500
Twin Falls, Idaho 83301-5858

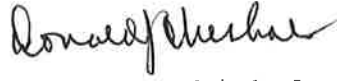
Re: Transfer of Water Right No. 43-10113 and 43-10114 to Kevin W.
Tracy and Trudy Tracy

Dear Kent:

When Kevin and Trudy Tracy bought property from Charles Alvin Neddo and Rosella Neddo in Section 6, Township 13 South, Range 27 East of the Boise Meridian, Cassia County, in 2006, Domestic Water Right 43-10113 and Stock Water Right 43-10114 did not get transferred to them. We recently discovered the oversight when distributing the estate of Rosella Neddo, the surviving spouse of Charles Alvin Neddo.

I am enclosing a notice in change in water right ownership executed by Kevin W. Tracy and Trudy Tracy, a copy of an agreement for transfer of water rights signed by Trudy Tracy and Lynette Schwinn, the personal representatives of the estate of Rosella Neddo, a certified copy of their letters testamentary for the Rosella Neddo estate and a check from Kevin Tracy to the Idaho Department of Water Resources for completion of the transfer. If anything else is needed, please let me know.

Very Truly Yours,

A handwritten signature in dark ink, appearing to read "Donald J. Chisholm". The signature is fluid and cursive, with the first name "Donald" being more prominent.

Donald J. Chisholm

DJC/cmr

Enc.

Cc: Kevin and Trudy Tracy