

RECEIVED

AUG 14 2026

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. No WD

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
15-07124	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: Colton Land and Cattle LLC
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): David L Colton Trust

New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or
500 North 500 West Malad Idaho 83252
Mailing address City State Zip
208-221-1797 dvdcltn55@gmail.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: 20 October 2014
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: David L. Colton Trust Trustee of the David L Colton Trust
Signature of new owner/claimant Title, if applicable Date
David L. Colton 8/10/22
Print name

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

For IDWR Office Use Only:
Received by JB Date 8/31/2026 Receipt No. E051887 Receipt Amt. \$25 -
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 me Date 8/31/2026

David L. Colton, Trustee
500 North 500 West
Malad City, ID 83252

Instrument # 160479
MALAD, ONEIDA, IDAHO
12-2-2020 03:00:00 PM No. of Pages: 4
Recorded for : DAVID COLTON
MATTHEW L COLTON
Ex-Officio Recorder Deputy Fee: 15.00

WARRANTY DEED

Corrected: to correct Warranty Deed 159526

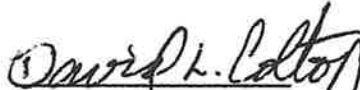
David L. Colton, Trustee of the Colton Land and Cattle LLC,

Grantor(s) of Malad City, County of Oneida, State of Idaho, here by CONVEY AND WARRANT to David L. Colton, Trustee of the David L. Colton Living Trust, dated May 9, 2012 and any amendments thereto Grantee(s) of Oneida, State of Idaho, for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION, the following described tract of land in Oneida County, State of ID:

See Attached Description

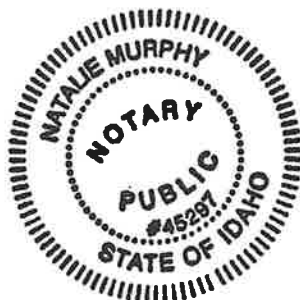
Subject to easements, declarations of covenants and restrictions, rights of way of record, and taxes for the current year and thereafter.

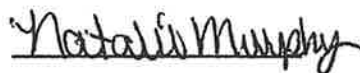
Witness, the hand(s) of said Grantor this December 2, 2020.


David L. Colton

State of: Idaho
County of: Oneida

On December 2, 2020 before me the undersigned, a Notary Public in and for said state, personally appeared **David L. Colton**, known or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and duly acknowledged to me that he executed the same, IN WITNESS WHEREOF I have set my hand and official seal on the date shown above.





Notary Public

Residing: Malad, ID

Commission Expiration: 09/06/2023

EXHIBIT A

A. Boise Meridian, Idaho, Township 13 South, Range 36 East, Section 10, South $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, East $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 15, East $\frac{1}{2}$ West $\frac{1}{2}$ NE $\frac{1}{4}$. The area described contains 130.00 acres, according to the Official Plat of the Survey of said land, on file in the Bureau of Land Management: NOW KNOW YE, That the UNITED STATES OF AMERICA, in consideration of the premises, HAS GIVEN AND GRANTED, and by these presents DOES GIVE AND GRANT, unto the said LaVern W. Colton and Joyce T. Colton, and to their heirs, the tract above described; TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the said LaVern W. Colton and Joyce T. Colton, and to their heirs and assigns forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted a right-of-way thereon for the ditches or canals constructed by the authority of the United States. Reserving, also, to the United States all minerals in the land above described, with the right to mine and remove the same in accordance with the provisions of said Act of February 28, 1925. Subject to a right-of-way for a strip of land 33 feet wide being 16 $\frac{1}{2}$ feet on each side of the centerline of existing road across the East $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ and SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ said Section 10 in accordance with the provisions of said Act of February 28, 1925, Oneida County, Idaho.

B. Township 13 South, Range 37 East, Boise Meridian: Section 18: Lots 4, 5 and 8, NE $\frac{1}{4}$ SW $\frac{1}{4}$. Oneida County, Idaho

C. The SE $\frac{1}{4}$ NW $\frac{1}{4}$, the East $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, except 11 acres commencing at NW corner of NESE of Section 11, Township 13 South, Range 36 EBM run South 45 rods; West 13 rods; Northwesterly 59 rods to pt. 40 rods East and 3 rods South of NW corner NWSE Section 11, Township and Range the same; West 40 rods; North 3 rods; East 80 rods to place of beginning, of Section 11, Township 13 South, Range 36 East, Boise Meridian; Also the West half of the SW $\frac{1}{4}$ of Section 11, the Lots 3 and 4, of Section 10 and the North half of the Northwest quarter of Section 14, Township 13 South, Range 36 East, Boise Meridian; Commencing at the Northwest Corner of the Southeast quarter of the Southeast quarter of Section 11, Township 13 South, Range 36 East, Boise Meridian; thence running North 35 rods, thence East 8 rods, thence Southeasterly 45 rods to a point 40 rods East of the place of beginning, thence West 40 rods to the place of beginning. TOGETHER, with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all estates, right title and interest in and to the said property, as well in law as in equity, of the said parties of the first part. Oneida County, Idaho.

D. The SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 10, and the East half of the NW $\frac{1}{4}$, the West half of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ and the West half of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 15, in Township 13 South of Range 36 East of the Boise Meridian, Idaho, containing 160 acres. Oneida County, Idaho.

Excepting therefrom the southwest quarter of the southeast quarter of Section 11, Township 13 South, Range 36 East, Boise Meridian

parcel E

A parcel of land being a part of the right of way of Fifth Street North, located between Blocks 23 and 20 of the Malad City Townsite as recorded in the official records of Oneida County, and is located in Section 21, Township 14 South, Range 36 East, Boise Meridian, Oneida County, Idaho and being more particularly described as follows:

Commencing at the North quarter corner of said Section 21, located North $89^{\circ} 44' 17''$ East 2655.63 feet from the Northwest corner of said Section 21;
Thence South $89^{\circ} 44' 17''$ West 292.18 feet along the North boundary of Section 21;
Thence South 1143.79 feet to the Southwest corner of said Block 23, the TRUE POINT OF BEGINNING.

Thence South $88^{\circ} 50' 21''$ East 221.88 feet along the South boundary of Block 23 to the West boundary of the parcel of land surveyed as shown on instrument number 114562;

Following said survey line the following three (3) courses:

Thence South $00^{\circ} 06' 00''$ West 93.68 feet to a $5/8''$ rebar and cap;

Thence South $87^{\circ} 19' 33''$ West 48.00 feet to a $5/8''$ rebar and cap;

Thence South $04^{\circ} 10' 25''$ West 2.13 feet more or less to the North boundary of Block 20;

Thence North $88^{\circ} 50' 21''$ West 174.85 feet to the Northwest corner of Block 20;

Thence North $00^{\circ} 43' 00''$ East 99.00 feet to the TRUE POINT OF BEGINNING.

Containing approximately 0.50 acres.

A parcel of land located in Block 23 of the Malad City Townsite as recorded in the official records of Oneida County, and located in Section 21, Township 14 South, Range 36 East, Boise Meridian, Oneida County, Idaho and more particularly described as follows:

Commencing at the North quarter corner of said Section 21, located North 89° 44' 17" East 2655.63 feet from the Northwest corner of said Section 21;
Thence South 89° 44' 17" West 69.81 feet along the North boundary of Section 21;
Thence South 848.95 feet to a 5/8" rebar and cap set on the West boundary of a parcel of land surveyed as shown on instrument number 114562;
Thence North 73° 02' 43" West 71.04 feet to a 5/8" rebar and cap set at a fence corner, the TRUE POINT OF BEGINNING.
Thence South 02° 55' 38" West 20.40 feet along a fence line to a 5/8" rebar and cap set at a fence corner;
Thence North 89° 35' 40" West 152.09 feet to a 5/8" rebar and cap set at the Westerly boundary of said Block 23;
Thence North 00° 14' 48" East 65.90 feet along said Westerly boundary to a 5/8" rebar and cap set at an existing fence line;
Thence South 73° 02' 43" East 159.79 feet along said fence line to the TRUE POINT OF BEGINNING.

Containing approximately 0.15 acres.

Parcel ~~16~~ G

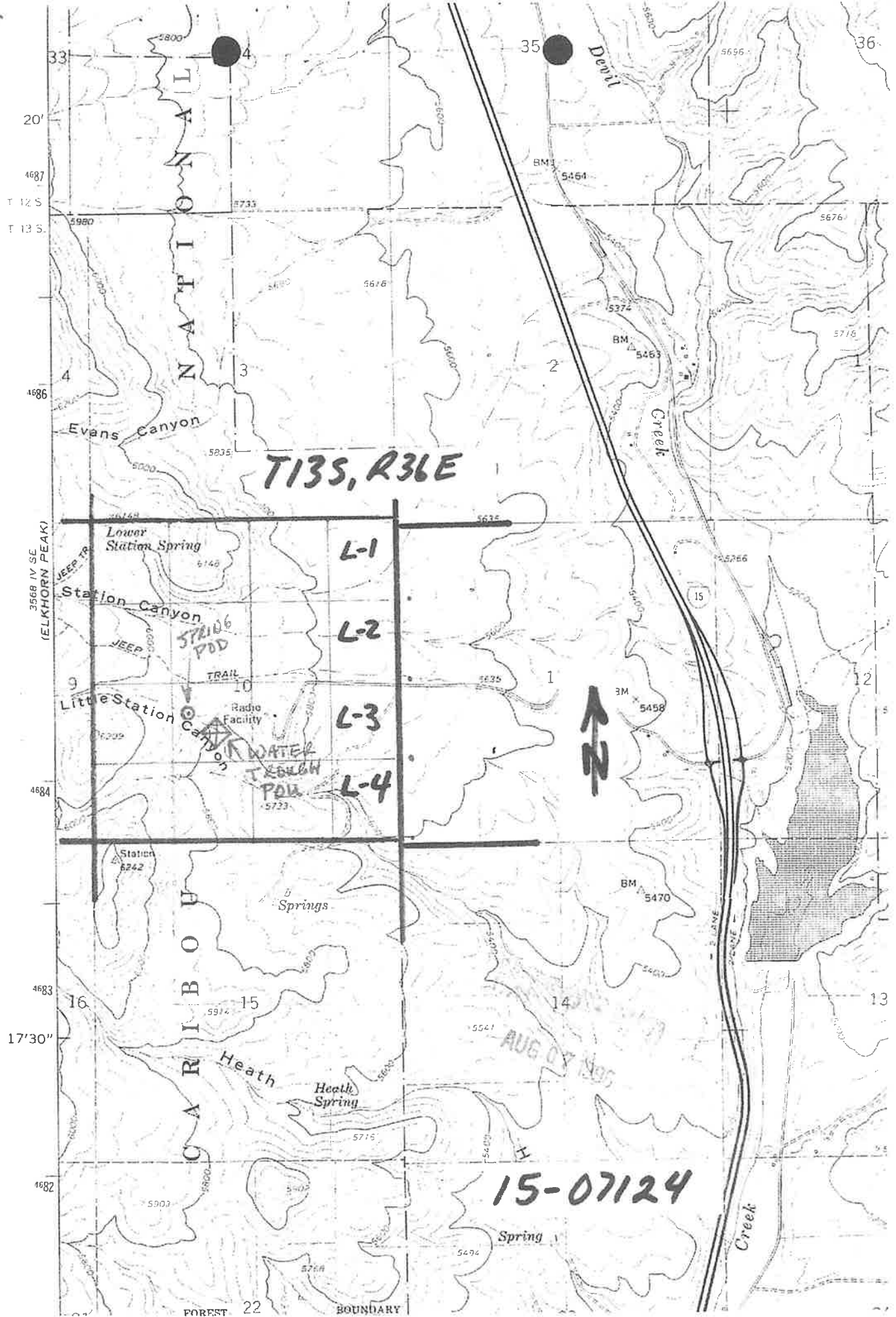
Commencing at a point 74 rods and 9 feet South and 9 rods West of the Southeast corner of Southwest Quarter of Section 15, Township 14 South, Range 36 East, Boise Meridian; thence West 9 rods, thence running 24 rods and 9 feet North, thence running East 18 rods, thence running South 1 rod, thence running West 9 rods, thence running South 23 rods and 9 feet to the point of beginning, containing 1 acre and 1/3 of land more or less.

Commencing at a point 74 rods and 9 feet South of the Southeast corner of the Southwest quarter of Section 16, Township 14, Range 36 East of the Boise Meridian, Thence West 9 rods, thence North 23 rods and 9 feet thence East 9 rods, thence South 23 rods and 9 feet to point of beginning. Excepting the 4.5 rods. Oneida County Idaho.

Certification of Trust for the David L. Colton Living Trust dated August 23, 2019

Pursuant to Idaho Statutes, this Certification of Trust is signed by all the currently acting Trustees of the David L. Colton Living Trust dated May 9, 2012, who declare:

1. The Grantor of the trust is David L. Colton. The trust is revocable by the Grantor.
2. The Trustee of the trust is David L. Colton, whose address is 500 N. 500 W., Malad, Idaho 83252.
3. The Successor Trustees of the trust are:
Upon Incapacity or Death:
Monica P. Lifferth, then
Erica C. Vanbebber
4. The tax identification number of the trust is the Social Security number of David L. Colton.
5. Title to assets held in the trust will be titled as:
David L. Colton, Trustee of the David L. Colton Living Trust dated May 9, 2012, and any amendments thereto.
6. An alternative description is effective to title assets in the name of the trust or to designate the trust as a beneficiary if the description includes the name of at least one initial or successor Trustee, any reference indicating that property is being held in a fiduciary capacity, and the date of the trust.
7. Excerpts from the trust document that establish the trust, designate the Trustee, and set forth the powers of the Trustee will be provided upon request. The powers of the Trustee include the power to acquire, sell, assign, convey, pledge, encumber, lease, borrow, manage, and deal with real and personal property interests.
8. The terms of the trust provide that a third party may rely upon this Certification of Trust as evidence of the existence of the trust and is specifically relieved of any obligation to inquire into the terms of this trust or the authority of my Trustee, or to see to the application that my Trustee makes of funds or other property received by my Trustee.
9. The trust has not been revoked, modified, or amended in any way that would cause the representations in this Certification of Trust to be incorrect.





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

August 31, 2026

DAVID L COLTON LIVING TRUST
500 N 500 W
MALAD CITY ID 83252-1073

Re: Change in Ownership for Water Right No(s): 15-7124

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 208-525-7161.

Sincerely,

Misty Pettis
Office Specialist 2

Enclosure(s)



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

August 13, 2026

DAVID COLTON TRUST
500 N 500 W
MALAD ID 83252

RE: Change in Ownership Water Right No. 15-7124

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. information required is indicated below:

**** **Evidence of Ownership/Filing Fee:** On August 14, 2026, you filed a Notice of Change in Water Right Ownership for the water rights listed above. In order for the department to update the ownership evidence of ownership and the filing fee are required. Please supply a copy of the recorded Warranty Deed, Quit Claim Deed or other legal document indicating your ownership and the filing fee of \$25.00 *per water right* if a split is not required or \$100.00 *per water right* if this ownership change will result in a split.

The active status of a water right is not maintained by updating the ownership record. Department records indicate this/these water rights have not been claimed in the Bear River Basin Adjudication (BRBA). **You must claim this/these water rights in the BRBA, otherwise the water right(s) will be forfeited and lost.** The BRBA is conducted during a limited timeframe and it is important that you file the water right claim(s) promptly.

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