

# Working Through the Water Right Title Update Process

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Smith Hartvigsen, PLLC



# Reasons for ROC Rejection

## **125 Reports of Conveyance rejected in 2012**

Incomplete chain of title – 42

Appurtenance issues – 39

Mapping problems – 16

Signature issues – 9

Recording issues – 7

Sole supply issues – 4

Ownership discrepancies – 4

Name discrepancies – 4

Other – 17

# Report of Conveyance Checklist

Criteria	Correct	
	Yes	No
Section A: (1st Conveyance Summary)		

**WATER RIGHT: 75-222**      APPLICATION/CLAIM NO.: U7849      CERT. NO.:

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OWNERSHIP\*\*\*\*\*

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NAME: Reed L. Orton  
 ADDR: P.O. Box 285  
       Parowan UT 84761  
 INTEREST: 100%

The deeds / Assignments / Affidavits have been		
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**WARRANTY DEED**

REED L. ORTON and ALEEN H. ORTON, Trustees of THE REED L. ORTON and ALEEN H. ORTON LIVING TRUST, dated the 13<sup>th</sup> day of March, 1996, GRANTORS, of Parowan, Utah Iron County, State of Utah, for the sum of TEN (\$10) Dollars and other good and valuable consideration, hereby by CONVEY AND GRANT to:

Filing fee submitted.		
Water Right Number listed on ROC?		

# Report of Conveyance Checklist

Criteria	Correct	
	Yes	No
<b>Section A:</b> (1st Conveyance Summary) * Grantor (Same person shown to be owner of record on the Divisions of Water Rights Database)		

## Section B (100% and Portions).

\* New Owner must sign the ROC as the preparer or identify the professional that was retained.

\* If a professional was retained to prepare the ROC they too must sign the ROC as the preparer. A professional must be retained if appurtenancy needs to be established. (Authorized Professionals: Attorney, Engineer, Title Insurance Agent, or Land Surveyor)

<b>ROC's based on Portions</b> * New Owner(s) needs to sign under Section B. * Mailing Address of the new owner. * Beneficial Uses will need to be listed, shown in acre-foot, Cubic feet per second, or percentages. * Diversion Limit. * <i>Only if a Change Application has been filed*</i> *Beneficial Uses will need to be listed, shown in acre-foot, Cubic feet per second, or percentages.		
<b>Filing fee submitted?</b>		
<b>Water Right Number listed on ROC?</b>		

# Signatures on Report of Conveyance

**REPORT OF WATER RIGHT CONVEYANCE** \$40 Fee Rec'd BY \_\_\_\_\_  
 Receipt # \_\_\_\_\_

USE THIS CONVEYANCE REPORT FORM WHEN 100% OF THE WATER RIGHT IS CONVEYED

- Must be signed by new owner
- If owner is an entity, indicate the title of the person signing

1. Date Signed \_\_\_\_/\_\_\_\_/\_\_\_\_ Date Recorded \_\_\_\_/\_\_\_\_/\_\_\_\_  
 Book \_\_\_\_\_ Page # \_\_\_\_\_ Recorder's # \_\_\_\_\_

Must be signed by professional (attorney, engineer, land surveyor, or title agent) if conveyance by appurtenance

2. Date Signed \_\_\_\_/\_\_\_\_/\_\_\_\_ Date Recorded \_\_\_\_/\_\_\_\_/\_\_\_\_  
 Book \_\_\_\_\_ Page # \_\_\_\_\_ Recorder's # \_\_\_\_\_

All signatures must be original

5. Mailing Address : \_\_\_\_\_  
 6. Special Conditions of Conveyance \_\_\_\_\_

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1. Assignment \_\_\_ Warranty Deed \_\_\_ Quitclaim Deed \_\_\_ Sheriff's Deed \_\_\_ Trustee's Deed \_\_\_ Water Deed \_\_\_  
 Other : \_\_\_\_\_

2. Date Signed \_\_\_\_/\_\_\_\_/\_\_\_\_ Date Recorded \_\_\_\_/\_\_\_\_/\_\_\_\_  
 Book \_\_\_\_\_ Page # \_\_\_\_\_ Recorder's # \_\_\_\_\_

3. Grantor \_\_\_\_\_

4. Grantee(s) \_\_\_\_\_

5. Mailing Address : \_\_\_\_\_  
 6. Special Conditions of Conveyance \_\_\_\_\_

*Report of Water Right Conveyance*

**REPORT OF WATER RIGHT CONVEYANCE**

WATER RIGHT # \_\_\_\_\_

**SECTION B. CERTIFICATION**  
 I, \_\_\_\_\_, certify that I retained \_\_\_\_\_ to prepare and submit this Report of Water Right Conveyance on my behalf as the owner (grantee) described in Section A or as the representative of the current owners described in Section A. If this report was prepared as authorized by Administrative Rule R655-3-3, I further certify that the information contained herein or attached hereto is true and accurate to the best of my knowledge.

Signature \_\_\_\_\_ Date \_\_\_\_\_ Phone # \_\_\_\_\_

**FOR LICENSED PROFESSIONALS ONLY**  
 I, \_\_\_\_\_, certify that I am licensed as \_\_\_\_\_ in the State of Utah, that my license number is \_\_\_\_\_, that I have reviewed the attached documents and have prepared this Report of Water Right Conveyance or that it was done under my direct supervision, and that the information contained herein or attached hereto is true and accurate to the best of my knowledge. I further certify that the documents attached hereto evidence the ownership interest of the "New Owner(s)", named in Section A, in the water right interest listed in Section A:

Signature \_\_\_\_\_ Date \_\_\_\_\_ Phone # \_\_\_\_\_  
 Address: \_\_\_\_\_

This report was prepared for the purpose of updating the records of the Division of Water Rights. This report is not a title opinion based on a complete title search. It does not warrant or guarantee title to water rights.

**SECTION C. DIVISION OF WATER RIGHTS - FOR OFFICIAL USE ONLY**

Received: \_\_\_\_/\_\_\_\_/\_\_\_\_ Filed: \_\_\_\_/\_\_\_\_/\_\_\_\_ Reviewed By: \_\_\_\_\_  
 Database Changed: \_\_\_\_/\_\_\_\_/\_\_\_\_ By: \_\_\_\_\_  
 File Changed: \_\_\_\_/\_\_\_\_/\_\_\_\_ By: \_\_\_\_\_  
 New File Number based on Segregation \_\_\_\_\_  
 Remarks: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

AMOUNT OF WATER RIGHT RETAINED \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

No agency of the State of Utah warrants or guarantees title to certain water rights. The water right ownership information of record in the Division of Water Rights concerning this water is based on the information which has been submitted by this Report of Water Right Conveyance.

**REPORT OF WATER RIGHT CONVEYANCE**

# Report of Conveyance Checklist

Criteria	Correct	
	Yes	No
<b>Section A:</b> <b>(1st Conveyance Summary)</b> * Grantor (Same person shown to be owner of record on the Divisions of Water Rights Database or Decree/ Proposed Determination ownership * Grantee(s) (New owner / owner in transit) Usually the last grantee in the chain of title would be the new owner. (Sometimes the professionals complete the chain of title backwards. Hint: Look at the date of the deeds) * Mailing Address		
<b>Section B (100% and Portions)</b>		

## Supporting Documentation

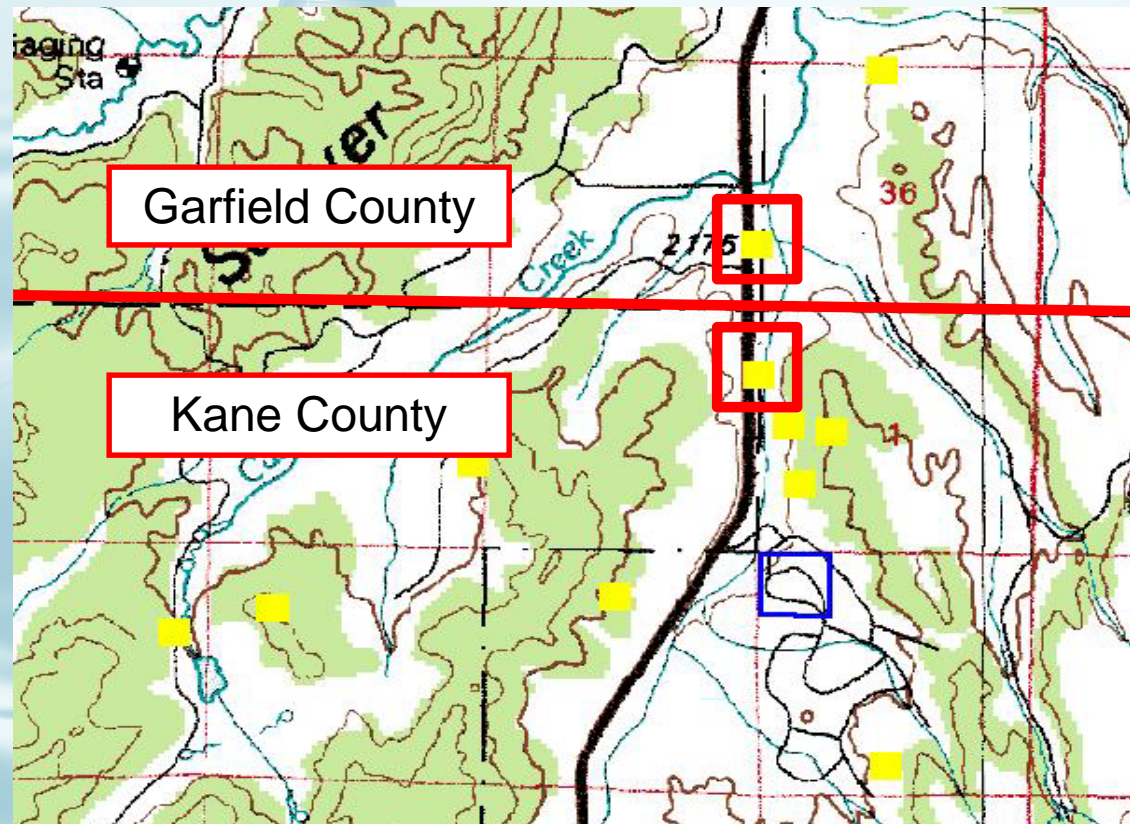
The deeds / Assignments / Affidavits have been submitted with the ROC.

<b>Maps</b> If <i>any</i> of the deeds fail to mention the Water Right Number a map must be submitted to establish appurtenancy.		
<b>ROC's based on Portions</b> * New Owner(s) needs to sign under Section B. * Mailing Address of the new owner. * Beneficial Uses will need to be listed, shown in acre-foot, Cubic feet per second, or percentages. * Diversion Limit. * <i>Only if a Change Application has been filed*</i> *Beneficial Uses will need to be listed, shown in acre-foot, Cubic feet per second, or percentages.		
<b>Filing fee submitted?</b>		
<b>Water Right Number listed on ROC?</b>		

# Where to Record a Water Deed

Utah Code section 73-1-10

“A water right . . . shall be transferred by deed in substantially the same manner as is real estate. The deed must be recorded in the office of the recorder of the county where the point of diversion of the water is located and in the county where the water is used.”



# Assignment of Water Rights

Unperfected water rights may be conveyed by assignment.

Perfected water rights: water rights evidenced by a decree, a certificate of appropriation, a diligence claim (or underground water claim), or a water user's claim filed in a general adjudication

Assignment with original signatures must be filed with the Utah Division of Water Rights

Does not need to be recorded, but can be

Form available at [www.waterrights.utah.gov/forms](http://www.waterrights.utah.gov/forms)



# Assignment of Water Rights

## WATER RIGHT ASSIGNMENT STATE OF UTAH

For valuable consideration, \_\_\_\_\_,  
\_\_\_\_\_, as assignor(s)  
hereby assign(s) \*Water Right Number \_\_\_\_\_, and all water rights evidenced  
thereby to the following assignee(s) for the following amounts:

### SECTION C. DIVISION OF WATER RIGHTS - FOR OFFICIAL USE ONLY

Received: \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_ Filed: \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_ Reviewed By: \_\_\_\_\_

Database Changed: \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_ By: \_\_\_\_\_

File Changed: \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_ By: \_\_\_\_\_

New File Number based on Segregation \_\_\_\_\_

Remarks: *Assignment does not convey a perfected water right. Will need to submit a Deed to convey.*

(SEAL)

NOTARY PUBLIC

Commission Expires:

Residing at:

\_\_\_\_\_, 20\_\_\_\_.

Note: If several parties are being assigned the water right, it is suggested that one person be appointed power of attorney to handle processing of the water right.

\*If this is an Exchange or Change Application, documentation for the underlying right must be attached.

Assignment

# Convey by “Deed and Assignment”

When Recorded Return to:

Jane Doe  
126 North 500 West  
Salt Lake City, UT 8411

## WATER RIGHT QUITCLAIM DEED AND ASSIGNMENT

John Doe, GRANTOR, hereby quitclaims and assigns to Jane Doe, GRANTEE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, all of Grantor’s right, title, and interest in and to the following water right in Salt Lake County, Utah:

Water Right No. 57-1184, as identified of record with the Utah Division of Water Rights, including Change Application a47821 and all other applications pertaining thereto.

DATED this 15th day of March, 2012.

\_\_\_\_\_  
John Doe

State of Utah            }  
                                  :ss.  
County of Salt Lake    }

On this 12th day of March, 2012, personally appeared before me John Doe, a Grantor herein, whose identity has been satisfactorily established to me, who did duly acknowledge that he voluntarily executed this Water Right Quitclaim Deed and Assignment for the purpose stated therein.

\_\_\_\_\_  
Notary Public

# Name Discrepancies

Problem: Water right in name of A.O. Christensen. First deed in chain of title is from Alvin Oscar Christensen. How do you establish that A.O. and Alvin Oscar are the same person

- 1 – Look for quitclaim deeds already filed
- 2 – Look for affidavits already filed
- 3 – Name affidavit by someone who knew the person
- 4 – Look at other recorded documents (deed of trust, reconveyance, etc.)
- 5 – Look at genealogy records or other records

# Look for Quit-Claim Deeds Already Filed

QUITCLAIM DEED

JOHN AAGARD and MARY F. AAGARD, his wife, VANCE W. AAGARD

## QUIT-CLAIM DEED

**Anne Jackson**

grantors, hereby QUIT-CLAIM to

**Joseph W. Jackson Properties, LC**

grantee of **3449 Navajo Lane, Provo, UT 84604**

for the sum of **Ten Dollars and other good and Valuable considerations**  
the following described tract(s) of land in **Utah** County, State of Utah;

Grantee S., of 3449 Navajo Lane, Provo Utah Utah  
Street Address City County State

for the sum of ten and no/100 Utah Utah DOLLARS  
and for other good & valuable consideration  
the following described tract of land in Utah County,

# Look for Affidavits Already Filed

Water right titled in **Shasta Marie Merrill**

Grantor in first deed in chain of title: **Marie W. Merrill**

**AFFIDAVIT**

**WATER RIGHTS  
SALT LAKE**

STATE OF UTAH       )  
                                  ) SS.  
COUNTY OF CACHE )

ENT 662669 Bk 754 Pg 915  
DATE 24-JUN-1997 2:32PM FEE 18.00  
MICHAEL L GLEED, RECORDER - FILED BY JH  
**CACHE COUNTY, UTAH**  
FOR JERRY MERRILL

I, Ned Low, being first duly sworn on oath, depose and say:  
That I am a citizen of the United States of America over the age of 21 years and a resident of  
Smithfield, County of Cache, State of Utah;  
That I was well and personally acquainted with MARIE MERRILL during her lifetime. I know  
of my own knowledge that MARIE MERRILL went by several variations of her name during her  
lifetime which included:

MARIE W. MERRILL  
SHASTA MARIE MERRILL  
MARIE WEST MERRILL

and that the said MARIE MERRILL aka MARIE W. MERRILL aka SHASTA MARIE MERRILL aka  
MARIE WEST MERRILL were all one and the same person.  
This Affidavit is given to help clarify the record of title to the following described property:



# Look at Other Recorded Documents

## QUIT-CLAIM DEED

### TRUST DEED

#### WITH ASSIGNMENT OF RENTS

THIS TRUST DEED, made this 23rd day of September, 1968, between

\* \* \* LILLIE RASMUSSEN BURGI, fka Lillie Rasmussen,

....., as TRUSTOR,

whose address is 2120 Major Street, Salt Lake City, Utah

(STREET AND NUMBER)

(CITY)

(STATE)

WESTERN STATES TITLE COMPANY, a Title Company, authorized to do business in Utah, under the laws of Utah, and in such capacity herein called TRUSTEE, and THE LOCKHART COMPANY, a Utah Corporation, and in such capacity herein called BENEFICIARY, for whose benefit this Trust Deed is given,

Deceased. )

Probate No. 55885

# Research Genealogy and Other Records

Example:

Water right decreed to **Jane Doe**

Grantor in first deed in chain of title: **Jane Doe Smith**

Researched genealogy records and discovered that Jane Doe married John Smith in between the decree and the deed

Prepared affidavit of expert to present research findings, and included printouts from two genealogy databases evidencing marriage



# Joint Tenancy

Husband and Wife owned property and water rights as joint tenants. Husband has passed away.

Utah Code section 57-1-5.1

## AFFIDAVIT

I, (name of affiant), being of legal age and being first duly sworn, depose and state as follows:

(The name of the deceased person), the decedent in the attached certificate of death or other document witnessing death is the same person as (the name of the deceased person) named as a party in the document dated (date of document) as entry \_\_\_\_\_ in book \_\_\_\_\_, page \_\_\_\_\_ in the records of the (name of county) County Recorder.

This affidavit is given to terminate the decedent's interest in the following described property located in \_\_\_\_\_ County, State of Utah: (description of the property).

# Joint Tenancy

Division's database shows owners as Husband and Wife, without any indication as to whether the water right is held as joint tenants or tenants in common.

Grantor in the first deed in the chain of title is Wife only.

An affidavit is most likely already recorded, and perhaps already on the Division's water right file

# Joint Tenancy

## AFFIDAVIT TO EVIDENCE TERMINATION OF JOINT TENANCY

STATE OF ILLINOIS)

County of Chane ) : ss.

Personally appeared Jacquelyn Dibble, who, being first duly sworn, on her oath, deposes and says as follows:

1. Affiant is the surviving wife of Donald Charles Dibble who died on June 15, 2008, and is the decedent in the State of Illinois Certificate of Death, Local File Number 751, a certified copy of which is attached to the Affidavit to Terminate Joint Tenancy dated May 30, 2012 and recorded in the Grand County, Utah recorder's office on June 1, 2012 in Book 783, at

## WARRANTY DEED

**MAXINE V. WILLIAMS AND MARK S. WILLIAMS** Grantors, hereby CONVEYS and WARRANTS to **DONALD C. DIBBLE AND JACQUELYN DIBBLE** as joint tenants, Grantee's, of, ELBURN ILLINOIS for the sum of ten dollars and other good and valuable consideration, the following described tract of land in Grand County, State of Utah, to-wit:

# Divorce

1530949

Attest: Alvin Keddington, Clerk  
By: J. Harold Call, Deputy Clerk  
Filed in the Clerk's Office

MAR 21 1957

Recorded at Request of Lilly Rasmussen  
at 2:07 P M Fee paid \$ 3.70 Hazel Toggart Chase, Recorder Salt Lake County, Utah  
By [Signature] Dep. Rec. 2120 Major St.

IN THE DISTRICT COURT OF SALT LAKE COUNTY, STATE OF UTAH

S. R. RASMUSSEN,

Plaintiff,

v.

LILLIE RASMUSSEN,

Defendant.

D E C R E E

No. 94928

4. That defendant is hereby awarded as her sole and separate property the following:


(a) Home at 2120 Major St., Salt Lake City, Utah, subject to the unpaid balance thereon, which home property is more particularly described as follows:

All of Lots 27 and 28, Block 2, South Boulevard Addition, and known as 2120 Major Street.

# Foreclosures

If there is a foreclosure, you need to include more than just the Trustee's Deed 

Include:

- Deed of Trust
  - Appointment of Successor Trustee
  - Notice of Default
  - Trustee's Deed
- 

# 100% ROC Form vs. Portion ROC Form

Two forms:

--100% form

--Portion form

Note: Use 100% form if all of grantor's interest in the water right is conveyed, even if it is less than 100% of the total water right

Example:

Water right is for 20 acre-feet

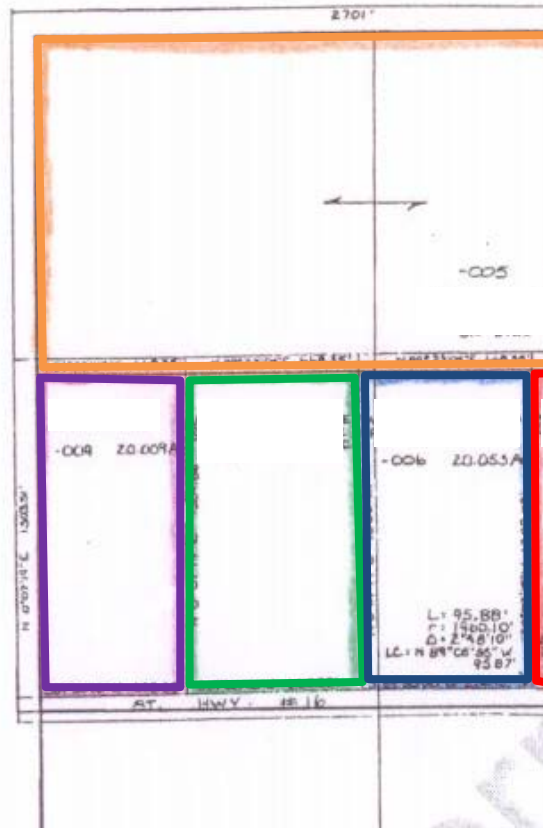
A owns 10 acre-feet and B owns 10 acre-feet

If B conveys 10 acre-feet to C, use 100% form

If B conveys 5 acre-feet to C, use portion form

# Multiple Parcels

RICH  
SECTION 15, T.



## EXHIBIT A

### Parcel 1 (County Parcel ID No. 19-15-00-005)

North half of the North West Quarter; North half of the North East Quarter; South West Quarter of the North East Quarter; North half of the South East Quarter of the North East Quarter; of Section 15, Township 9 North, Range 7 East, of the Salt Lake Base and Meridian. Containing 220 Acres.

### Parcel 2 (County Parcel ID No. 19-15-00-007)

Part of the West half of the North half of Section 15, Township 9 North, Range 7 East of the Salt Lake Base and Meridian, described as follows:

Commencing at the West Quarter Corner of said Section 15 and running thence North  $07^{\circ}19''$  East along the West boundary of said Section 15, 50.42 feet, said point being located on the North right-of-way line of Utah State Highway 16; thence North  $89^{\circ}30'00''$  East along said right-of-way line, 668.35 feet to the point of beginning of the tract of land herein described, thence North  $07'19''$  East parallel with the West boundary of said Section 15, 1,304.86 feet; thence North  $89^{\circ}23'04''$  East parallel with the East-West centerline of said Section 15, 668.35 feet; thence South  $0^{\circ}07'19''$  West parallel with the West boundary of said Section 15, 1,306.21 feet to a point located on said North right-of-way line of Highway 16; thence South  $89^{\circ}30'00''$  West along said North right-of-way line, 668.35 feet to the point of beginning. Containing 20.029 acres, more or less.

# Water Rights Addendum (“Deed Rider”)

Utah Code section 57-3-109

H.B. 314, 2010

Became effective July 1, 2011

Two forms:

Water Rights Addendum to Land Deeds

Water Rights Addendum to Water Deeds

Forms available at [www.waterrights.utah.gov/form](http://www.waterrights.utah.gov/form)



# Water Rights Addendum to Land Deeds

Select whether all, a portion, or no water rights are being conveyed with land

**WATER RIGHTS ADDENDUM TO LAND DEEDS**

Grantor: \_\_\_\_\_  
 Grantee: \_\_\_\_\_  
 Tax ID Number(s): \_\_\_\_\_

In connection with the conveyance of the above referenced parcel(s), Grantor hereby conveys to Grantee without warranty, except for a warranty of title as to all claiming title by or through Grantor, the following interests in water and/or makes the following disclosures:

**Check one box only**

<input checked="" type="checkbox"/> All of Grantor's water rights used on Grantor's Parcel(s) are being conveyed.	Proceed to Section A
<input type="checkbox"/> Only a portion of Grantor's water rights are being conveyed.	B
<input type="checkbox"/> No water rights are being conveyed.	C
<input type="checkbox"/> Water rights are being conveyed by separate deed.	C

(County Recorder should forward a copy of this form to the Utah Division of Water Rights if box 1 or 2 above is checked)

**Important Notes**  
(see other side)

Section		
A	The water right(s) being conveyed include Water Right No(s). _____	N1
	along with all applications pertaining to the water right(s) listed in this Section A, and all other appurtenant water rights. (Proceed to Section C)	N2 N3
B	Only the following water rights are being conveyed: (check all boxes that apply)	N1
	<input type="checkbox"/> All of Water Right No(s). _____	N4
	<input type="checkbox"/> _____ acre-feet from Water Right No. _____ for: _____ families; _____ acres of irrigated land; stock water for _____ Equivalent Livestock Units; and/or for the following other uses _____	N5
C	Disclosures by Grantor: (check all boxes that apply)	
	<input type="checkbox"/> Grantor is endorsing and delivering to Grantee stock certificates for _____ share(s) of stock in the following water company: _____	N6
	<input type="checkbox"/> Culinary water service is provided by: _____	N7
	<input type="checkbox"/> Outdoor water service is provided by: _____	N8
	<input type="checkbox"/> There is no water service available to Grantor's Parcel(s).	N9
	<input type="checkbox"/> Other water related disclosures: _____	N10

Attach and sign additional copies of this form if more space is needed.

The undersigned acknowledge sole responsibility for the information contained herein even though they may have been assisted by employees of the Utah Division of Water Rights, real estate professionals, or other professionals, except to the extent that title insurance or a legal opinion concerning such information is obtained.

Grantor's Signature: \_\_\_\_\_  
 Grantee's Acknowledgment of Receipt: \_\_\_\_\_  
 Grantee's Mailing Address: \_\_\_\_\_

**NOTE: GRANTEE MUST KEEP A CURRENT ADDRESS ON FILE WITH THE UTAH DIVISION OF WATER RIGHTS**

Complete additional information and disclosures

Must be signed by both Grantor and Grantee

# Water Rights Addendum to Water Deeds

Select the type of deed

**WATER RIGHTS ADDENDUM TO WATER DEEDS**

Grantor: \_\_\_\_\_  
Grantee: \_\_\_\_\_  
Water Right No(s): \_\_\_\_\_

In connection with the foregoing water rights conveyance, Grantor hereby assigns to Grantee all water rights listed which are not yet capable by law of being conveyed by deed (e.g., pending or unapproved water rights) and all applications pertaining to the water rights listed (e.g., all change applications, extension applications, non-use applications, etc.). Grantor also makes the following declarations and disclosures:

**SECTION 1 - TYPE OF DEED** *Check one box only. Must match language in the deed.*

- The foregoing deed is a warranty deed. (Grantor is making all standard warranties.)
- The foregoing deed is a special warranty deed. (Grantor is only warranting that Grantor has not previously conveyed title to others, i.e., a warranty of title as to all claiming by or through Grantor.)
- The foregoing deed is a quit claim deed. (Grantor is making no warranties.)
- The language in the foregoing deed is controlling as to the type of deed and associated warranties, if any. (County Recorder should forward a copy of this form to the Utah Division of Water Rights if any box above is checked.)

**SECTION 2 - APPURTENANT WATER RIGHTS** *Check one box only*

- All of Grantor's water rights approved for use on the following described parcel(s) are being conveyed.
- In addition to any specifically identified rights, all other water rights owned by Grantor and approved for use on the following described parcel(s) are being conveyed. \_\_\_\_\_
- No water rights other than those specifically identified by water right number are being conveyed.

**SECTION 3 - WATER RIGHTS CONVEYED IN WHOLE OR IN PART** *Check all applicable boxes*

- 100% of the following water rights described in the deed are being conveyed. Water Right Nos. \_\_\_\_\_
- Only the portion indicated of the following water rights described in the deed are being conveyed.  
\_\_\_\_\_ acre-feet from Water Right No. \_\_\_\_\_ for: \_\_\_\_\_ families; \_\_\_\_\_ acres of irrigated land; stock water for \_\_\_\_\_ Equivalent Livestock Units; and/or for the following other uses: \_\_\_\_\_  
\_\_\_\_\_ acre-feet from Water Right No. \_\_\_\_\_ for: \_\_\_\_\_ families; \_\_\_\_\_ acres of irrigated land; stock water for \_\_\_\_\_ Equivalent Livestock Units; and/or for the following other uses: \_\_\_\_\_  
\_\_\_\_\_ acre-feet from Water Right No. \_\_\_\_\_ for: \_\_\_\_\_ families; \_\_\_\_\_ acres of irrigated land; stock water for \_\_\_\_\_ Equivalent Livestock Units; and/or for the following other uses: \_\_\_\_\_
- The language in the foregoing deed is controlling as to quantity, if any.

**SECTION 4 - OTHER DISCLOSURES** *Check all applicable boxes*

- Grantor is endorsing and delivering to Grantee stock certificates for \_\_\_\_\_ shares of stock in the following water company: \_\_\_\_\_
- Other water related disclosures: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*The undersigned acknowledge sole responsibility for the information contained herein even though they may have been assisted by employees of the Utah Division of Water Rights, real estate professionals, or other professionals, except to the extent that title insurance or a legal opinion concerning such information is obtained.*

Grantor's Signature: \_\_\_\_\_  
Grantee's Acknowledgment of Receipt: \_\_\_\_\_  
Grantee's Mailing Address: \_\_\_\_\_

**NOTE: GRANTEE MUST KEEP A CURRENT ADDRESS ON FILE WITH THE UTAH DIVISION OF WATER RIGHTS**

Complete additional information and disclosures

Must be signed by both Grantor and Grantee

# Water Rights Addendum (“Deed Rider”)

## Advantages:

- Makes buyer and seller think about water rights
- Clarifies if appurtenant water rights are being conveyed
- Don’t have to file a Report of Conveyance (if grantee is the person listed as the owner of the water right on the Division of Water Rights’ database)

# Water Right Addendum (“Deed Rider”)

When Recorded Return to:

Jane Doe  
126 North 500 West  
Salt Lake City, UT 8411

## WATER RIGHT QUITCLAIM DEED AND ASSIGNMENT

**John Doe**, GRANTOR, hereby quitclaims and assigns to **Jane Doe**, GRANTEE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, all of Grantor’s right, title, and interest in and to the following water right in Salt Lake County, Utah:

Water Right No. 57-1184, as identified of record with the Utah Division of Water Rights, including Change Application a47821 and all other applications pertaining thereto.

DATED this 15th day of March, 2012.

WATER RIGHT: 57-1184 APPLICATION/CLAIM NO.: A17971

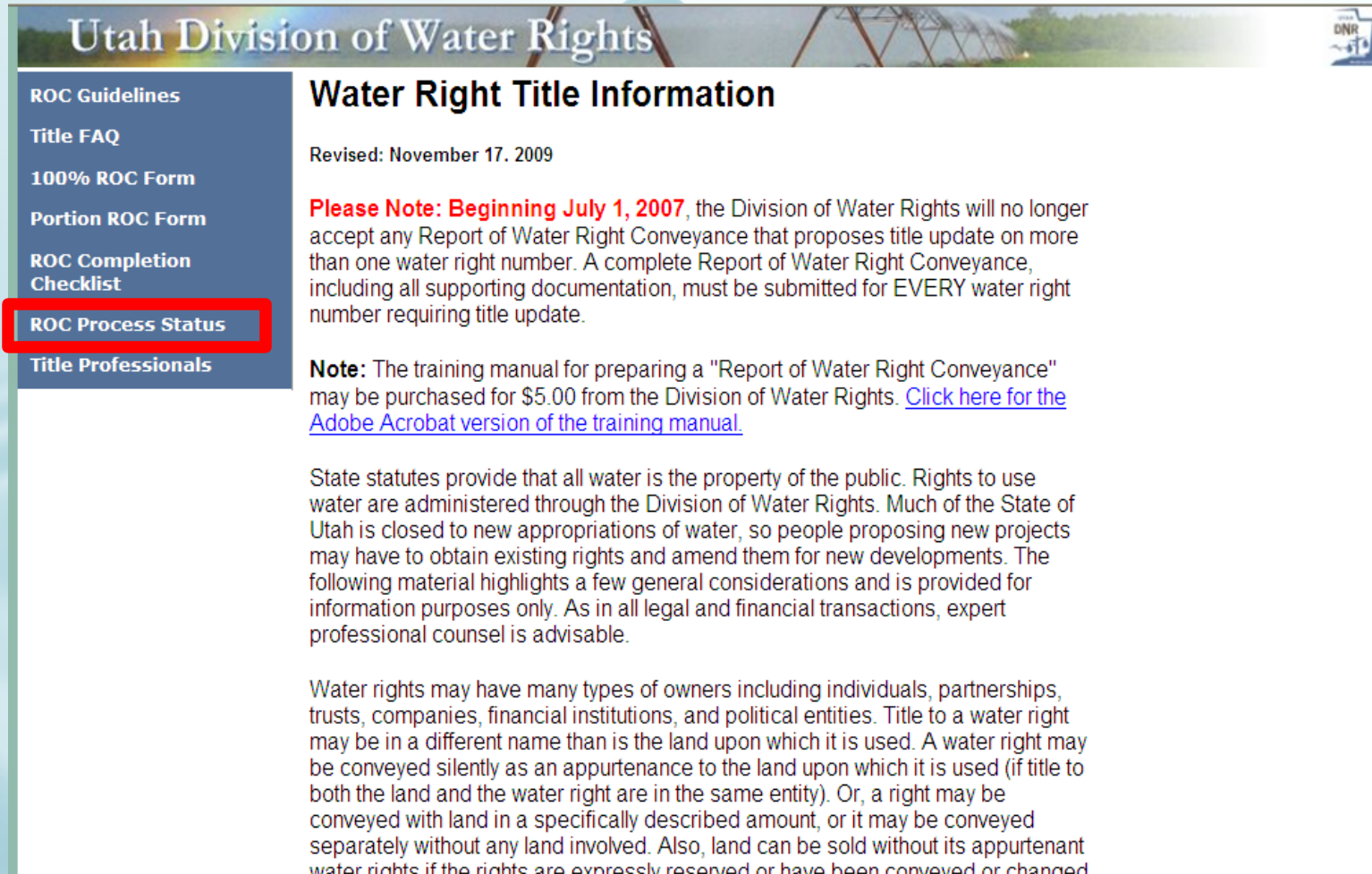
-----  
OWNERSHIP\*\*\*\*\*  
-----

NAME: **G.M. Thaxton**  
ADDR: 113 West Oakland Avenue  
Salt Lake City UT

-----  
DATES, ETC.\*\*\*\*\*  
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# Report of Conveyance Status

<http://waterrights.utah.gov/titleinfo/>



Utah Division of Water Rights

**Water Right Title Information**

Revised: November 17, 2009

**Please Note: Beginning July 1, 2007**, the Division of Water Rights will no longer accept any Report of Water Right Conveyance that proposes title update on more than one water right number. A complete Report of Water Right Conveyance, including all supporting documentation, must be submitted for EVERY water right number requiring title update.

**Note:** The training manual for preparing a "Report of Water Right Conveyance" may be purchased for \$5.00 from the Division of Water Rights. [Click here for the Adobe Acrobat version of the training manual.](#)

State statutes provide that all water is the property of the public. Rights to use water are administered through the Division of Water Rights. Much of the State of Utah is closed to new appropriations of water, so people proposing new projects may have to obtain existing rights and amend them for new developments. The following material highlights a few general considerations and is provided for information purposes only. As in all legal and financial transactions, expert professional counsel is advisable.

Water rights may have many types of owners including individuals, partnerships, trusts, companies, financial institutions, and political entities. Title to a water right may be in a different name than is the land upon which it is used. A water right may be conveyed silently as an appurtenance to the land upon which it is used (if title to both the land and the water right are in the same entity). Or, a right may be conveyed with land in a specifically described amount, or it may be conveyed separately without any land involved. Also, land can be sold without its appurtenant water rights if the rights are expressly reserved or have been conveyed or changed

ROC Guidelines  
Title FAQ  
100% ROC Form  
Portion ROC Form  
ROC Completion Checklist  
**ROC Process Status**  
Title Professionals

# Report of Conveyance Status

Menu		Title Processing Status											
Pending		Completed		Held		Searching		Returned		Addendums			
#	Water Right Number	Submitting Party		Receipt Date		Amended By		Date Amended		ROC Type		Receipt #	
1	51-5404	PRO TITLE & ESCROW, INC.		01/15/2013						Full		13-00167	
2	56-7219	EVANS CREEK, LLC		01/15/2013						Full		13-00168	
3	55-1976	ROBERT C FILLERUP		01/16/2013						Full		13-00189	
4	57-1072	FIRST AMERICAN TITLE COMPANY, LLC		01/16/2013						Full		13-00187	
5	65-2433	Central Utah Title		01/16/2013						Full		13-00183	
6	35-10113	Coalition Title		01/17/2013						Full		13-00197	
7	51-3666	Jens P Nielson		01/22/2013						Full		13-00238	
8	51-4959	Jens P Nielson		01/22/2013						Full		13-00237	
9	67-180	Dean G. and Connie H. Larsen		01/22/2013						Full		13-00233	
10	67-688	Dean G. and Connie H. Larsen		01/22/2013						Full		13-00233	
11	35-1565	FIRST AMERICAN TITLE COMPANY, LLC		01/23/2013						Full		13-00259	
12	51-4630	FIRST AMERICAN TITLE COMPANY, LLC		01/23/2013						Full		13-00260	
13	65-1112	Central Utah Title		01/23/2013						Full		13-00269	
14	65-1373	Central Utah Title		01/23/2013						Full		13-00270	
15	65-233	Central Utah Title		01/23/2013						Full		13-00268	
16	15-4375	Vernie L Loveless		01/28/2013						Full		13-00317	
17	15-4621	Douglas Freeman		01/29/2013						Full		13-00337	
18	25-572	NORTHERN TITLE COMPANY		01/29/2013						Full		13-00341	
19	45-4259	Real Property Management		01/29/2013						Full		13-00331	
20	55-4293	Leland Swaner III		01/29/2013						Part		13-00334	
21	59-3070	Kendel Vaughn Malmstrom		01/29/2013						Full		13-00326	
22	66-102	JUAN TITLE & ABSTRACT COMPANY		01/29/2013						Full		13-00340	
23	51-2794	REX GALLOWAY WATER CONSULTING		01/30/2013						Full		13-00367	
24	51-8272	PEBBLE RIDGE HOMES & DEVELOPMENT INC		01/30/2013						Full		13-00368	
25	90-89	JLW Ranches		01/30/2013						Full		13-00359	
26	90-90	JLW Ranches		01/30/2013						Full		13-00359	
27	90-91	JLW Ranches		01/30/2013						Full		13-00359	
28	90-92	JLW Ranches		01/30/2013						Full		13-00359	

# Additional Information on Reports of Conveyance

- Utah Administrative Code R655-3
- Division of Water Rights title information page  
<http://www.waterrights.utah.gov/titleinfo>
- Training Manual  
[www.waterrights.utah.gov/titleinfo/trainman.pdf](http://www.waterrights.utah.gov/titleinfo/trainman.pdf)
- Randy Tarantino or Sue Glenn at Utah Division of Water Rights (801-538-7240)

# Questions?

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