

RECEIVED

MAY 23 2022

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESDepartment of Water Resources
Eastern Region

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, see #7 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
20-2070 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
29-2110 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
29-2129 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
29-2142 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
29-4244 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Little Red Hen Inc.
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Wildhorse Springs LLC
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or
- 1300 Cahina Way Pocatello ID 83204
Mailing address City State Zip
- 208-251-6048 andyakers@d-s.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: 11/05/2021
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: Andy Akers Owner 5/19/2022
 Signature of new owner/claimant Title, if applicable Date
Andy Akers
 Print name

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

Received by JB Date 5/23/2022 For IDWR Office Use Only: Receipt No. E048173 Receipt Amt. \$125.-

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 JB Date 6/3/2022

IN FILE # 29-2070

JUN 07 2022

ELECTRONICALLY RECORDED - DO NOT
REMOVE THE COUNTY STAMPED FIRST
PAGE AS IT IS NOW INCORPORATED AS
PART OF THE ORIGINAL DOCUMENT.

Instrument # 22125208
Bannock County, Pocatello, Idaho
11/12/2021 02:02:27 PM No. of Pages: 3
Recorded for: FIRST AMERICAN TITLE AND ESCROW COMPANY
Jason C. Dixon Fee: \$15.00
Deputy vhall
Electronically Recorded

3820592-TD

WARRANTY DEED

Little Red Hen, Inc., an Idaho corporation, c/o James P. McDevitt, of P.O. Box 4260, Pocatello, Idaho 83205, as to Parcel 1, and *James McDevitt, not individually but as Trustee of the Thomas J. McDevitt Family Trust*, of P.O. Box 4213, Pocatello, Idaho 83205, as to Parcel 2 (collectively, "Grantors"), for and in consideration of \$10.00 and other good and valuable consideration, hereby transfers, grants, conveys, and warrants unto Wildhorse Springs LLC, an Idaho limited liability company, of 2900 Wildhorse Ridge, Pocatello, Idaho 83204 ("Grantee"), the following described real property located in Bannock County, Idaho, to wit:

PARCEL 1:

TOWNSHIP 7 SOUTH, RANGE 34 EAST, BOISE MERIDIAN, BANNOCK COUNTY, IDAHO:

SECTION 13: SOUTH 1/2

SECTION 14: SOUTH 1/2 SOUTHEAST 1/4.

SECTION 23: GOVT. LOTS 1 AND 2, SOUTHWEST 1/4 NORTHEAST 1/4, NORTHWEST 1/4 SOUTHEAST 1/4.

SECTION 24: NORTH 1/2, NORTHWEST 1/4 SOUTHEAST 1/4.

TOWNSHIP 7 SOUTH, RANGE 35 EAST, BOISE MERIDIAN, BANNOCK COUNTY, IDAHO:

SECTION 18: GOVT. LOTS 3 AND 4

PARCEL 2:

TOWNSHIP 7 SOUTH, RANGE 34 EAST, BOISE MERIDIAN, BANNOCK COUNTY, IDAHO:

SECTION 23: SOUTHEAST 1/4 NORTHEAST 1/4; NORTHEAST 1/4 SOUTHEAST 1/4.

SECTION 24: NORTH 1/2 SOUTHWEST 1/4.

Together with:

All and singular the tenements, hereditaments, and appurtenances, and improvements thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues, and profits thereof; and all estate, right, title, and interest in and to the said property, as well in law as in equity.

Subject to:

All easements, encumbrances, rights of way, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, all facts and circumstances that would be revealed by inspection of the property of inquiry of

persons in possession thereof, and payment of present year's property taxes, which are an accruing lien not yet due.

Grantors, for themselves, their heirs, successors, and assigns, warrant and represent as follows:

Grantors have the legal right to transfer the real property described herein.

Grantors are the owners of the real property described in this Warranty Deed and have the legal right to convey said real property to Grantee.

The real property described in this deed is free from all liens, encumbrances, and defects in title, except as otherwise shown in this deed or of record.

Grantors will forever warrant and defend the quiet and peaceful possession of real property granted by this warranty deed to Grantee, its successors in interest, heirs, and assigns against all lawful claims.

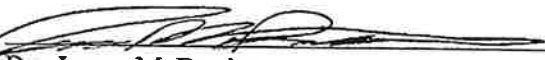
Date: November 5, 2021

LITTLE RED HEN, INC., AN IDAHO CORPORATION



By: James P. McDevitt
Its: Secretary/Treasurer

THOMAS J. MCDEVITT FAMILY TRUST



By: James McDevitt
Its: Trustee

State of IDAHO

ss.

County of BANNOCK

On this 5 day of November, 2021, before me, the undersigned, a notary public, personally appeared James P. McDevitt, in his capacity as Secretary/Treasurer for Little Red Hen, Inc., an Idaho corporation, known or identified to me to be the person whose name is subscribed to the above Warranty Deed, and acknowledged to me that said corporation executed the same.



Notary Public for Idaho

Residing at: 1110 Yellowstone Ave Pocatello, ID 83201

(Seal) exp 11/12/2025



State of IDAHO

ss.

County of BANNOCK

On this 5 day of November, 2021, before me, the undersigned, a notary public, personally appeared James McDevitt, in his capacity as Trustee of the Thomas J. McDevitt Family Trust, known or identified to me to be the person whose name is subscribed to the above Warranty Deed, and acknowledged to me that he executed the same as trustee of said trust.



Notary Public for Idaho

Residing at: 1110 Yellowstone Ave Pocatello, ID 83201

(Seal) exp 11/12/2025



WD_29D_Surface_2018: 181

1. Spatial Data ID:	234,740
2. Examiner:	Water Master for District 29D
2b. Other Examiner	
3. Visit Date:	7/27/2018, 4:46 PM
4. Purpose of the Inventory:	Inventory
4b. Other Survey Purpose	
5. Water District:	29D
6. Source:	UNNAMED STREAM
7. Tributary:	JOHNNY CREEK
8. Diversion Name:	McDevitt Spring diversion
9. Township:	07S
10. Range:	34E
11. Section:	13
12. QQ or Government Lot:	SWSE
15. Latitude collected last year:	
16. Longitude collected last year:	
18. Current Year GPS Latitude (in Decimal Degrees)	42.48271
19. Current Year GPS Longitude (in Decimal Degrees)	-112.25320
21. Comments about directions and access to the diversion:	West up dirt road from McDevitt cabin.
23. Site Tag Number:	
24. Tag Location	
25. Diversion Type:	Open Channel
26. Describe diversion:	Spring that flows to Johnny Creek.
28. Was the diversion active at the time of the visit?	No
29. Does the diversion appear active this season?	No
30. Possible Reason for not Diverting	Not_in_use
30b. Other Reason for not Diverting	
30c. Approximate Turn On Date	
30d. Approximate Turn Off Date	
31. Number of water rights that use this diversion:	1
32 - WR 1. Please Provide more information about this water right:	29-2070. LITTLE RED HEN INC. Priority Date= 1908-05-09. Maximum Overall Diversion Rate = 0.12. Acre Limit = . Total Acres = 6. Use = IRRIGATION. Total number of diversions that deliver to this water right%3A 1
WR 1. Irrigation Type:	Flood
Other Irrigation Type	
WR 1. Use Description:	

Other System Use:

WR 1. Comments:

Diversion not in use. Johnny Creek doesn't always reach the Portneuf River. This is a candidate for a futile call.

35. Is there an existing headgate? No

36. Is the headgate lockable?

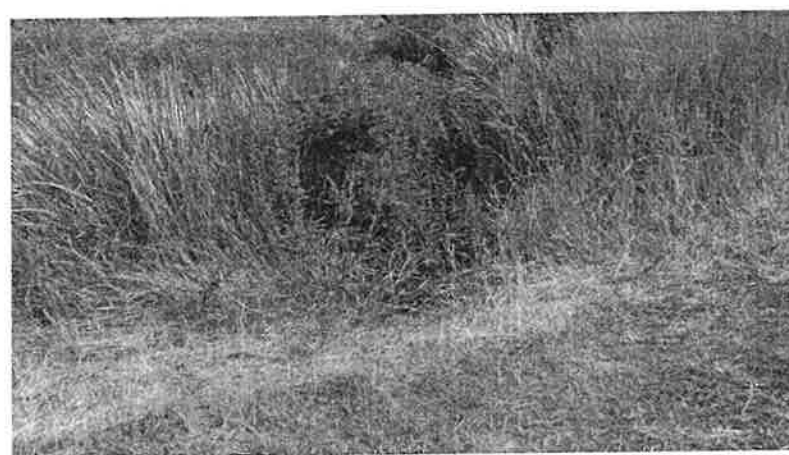
37. Describe the adequacy of the control structure:

38. Is there a fish screen present? No

48. Type of Open Channel Measuring Device: None

54. Additional Comments or information: Very little water reaches Johnny Creek.





WD_29D_Surface_2018: 179

1. Spatial Data ID: 234,268

2. Examiner: Water Master for District 29D

~~2b. Other Examiner~~

3. Visit Date: 7/27/2018, 12:15 PM

4. Purpose of the Inventory: Inventory

4b. Other Survey Purpose

5. Water District: 29D

6. Source: UNNAMED STREAM

7. Tributary: GIBSON JACK

8. Diversion Name: Trickle Stream diversion

9. Township: 07S

10. Range: 34E

11. Section: 23

12. QQ or Government Lot: SENE

15. Latitude collected last year:

16. Longitude collected last year:

18. Current Year GPS Latitude (in Decimal Degrees) 42.47597

19. Current Year GPS Longitude (in Decimal Degrees) -112.26335

21. Comments about directions and access to the diversion: Top South side of McDevitt property. Follow gps coordinates.

23. Site Tag Number:

24. Tag Location

25. Diversion Type: Open Channel

26. Describe diversion: Trickle of water flowing. Not enough water for irrigation.

28. Was the diversion active at the time of the visit? No

29. Does the diversion appear active this season? No

30. Possible Reason for not Diverting: Not_in_use

32 - WR 1. Please Provide more information about this water right: 29-2110. LITTLE RED HEN INC. Priority Date= 1910-12-06. Maximum Overall Diversion Rate = 0.02. Acre Limit = 4. Total Acres = 8. Use = IRRIGATION. Total number of diversions that deliver to this water right%3A 1

WR 1. Irrigation Type:

Other Irrigation Type

WR 1. Use Description:

Other System Use:

WR 1. Comments: Not in use. Not enough water for irrigation. This stream is a candidate for a futile call. Just a trickle of water was flowing at time of visit.

35. Is there an existing headgate? No

SCANNED

JUN 07 2022

36. Is the headgate lockable?

37. Describe the adequacy of the control structure:

38. Is there a fish screen present? No

48. Type of Open Channel Measuring Device: None

54. Additional Comments or information: This stream doesn't always reach Gibson Jack Creek. This diversion is a candidate for a futile call.





WD_29D_Surface_2018: 180

1. Spatial Data ID: 234,587

2. Examiner: Water Master for District 29D

2b. Other Examiner:

3. Visit Date: 7/27/2018, 1:12 PM

4. Purpose of the Inventory:

4b. Other Survey Purpose:

5. Water District: 29D

6. Source: UNNAMED STREAM

7. Tributary: JOHNNY CREEK

8. Diversion Name: Apple Orchard diversion

9. Township: 07S

10. Range: 34E

11. Section: 24

12. QQ or Government Lot: NENW

15. Latitude collected last year:

16. Longitude collected last year:

18. Current Year GPS Latitude (in Decimal Degrees) 42.48260

19. Current Year GPS Longitude (in Decimal Degrees) -112.26077

21. Comments about directions and access to the diversion: Top of apple orchard.

23. Site Tag Number:

24. Tag Location:

25. Diversion Type: Open Channel

26. Describe diversion: Water diverted from small stream to irrigate apple orchard.

28. Was the diversion active at the time of the visit? No

29. Does the diversion appear active this season? No

32 - WR 1. Please Provide more information about this water right: 29-2129. LITTLE RED HEN INC. Priority Date= 1911-08-24. Maximum Overall Diversion Rate = 0.01. Acre Limit = . Total Acres = 8. Use = IRRIGATION. Total number of diversions that deliver to this water right%3A 1

WR 1. Irrigation Type: Flood

WR 1. Comments: Not in use. Water does not reach apple orchard mid to late Summer. This is a candidate for a futile call.

35. Is there an existing headgate? No

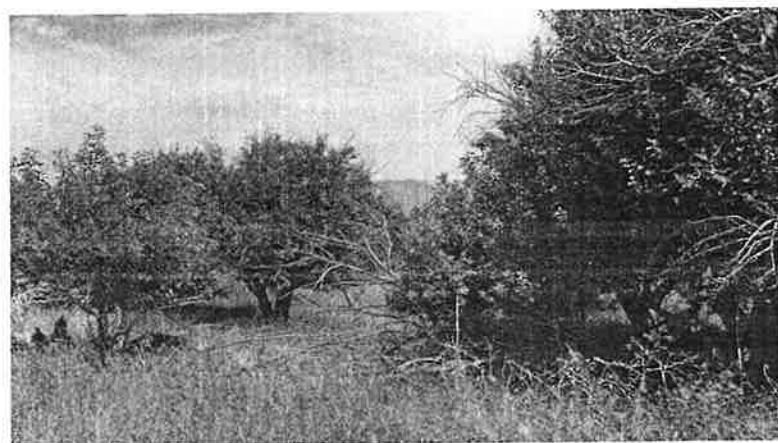
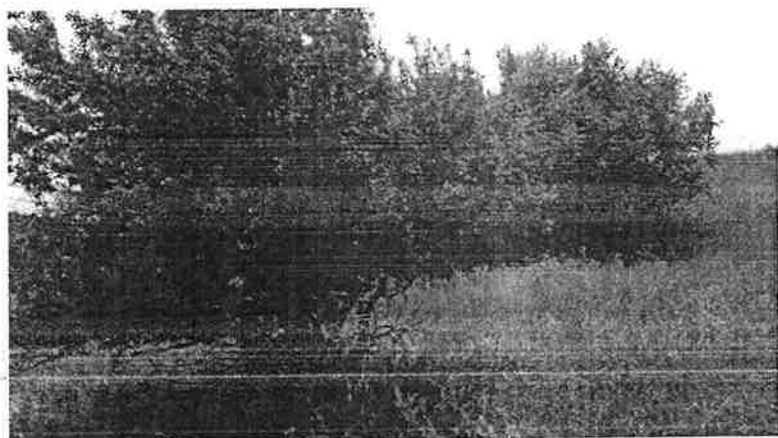
36. Is the headgate lockable?

37. Describe the adequacy of the control structure:

38. Is there a fish screen present? No

54. Additional Comments or information: There was little or no water present in bottom part of orchard at time of visit.







WD_29D_Surface_2018: 178

1. Spatial Data ID: 234,079

2. Examiner: Water Master for District 29D

2b. Other Examiner:

3. Visit Date: 7/27/2018, 11:17 AM

4. Purpose of the Inventory: Inventory

4b. Other Survey Purpose

5. Water District: 29D

6. Source: UNNAMED STREAM

7. Tributary: JOHNNY CREEK

8. Diversion Name: Dry Creek diversion

9. Township: 07S

10. Range: 34E

11. Section: 23

12. QQ or Government Lot: L 2

15. Latitude collected last year:

16. Longitude collected last year:

18. Current Year GPS Latitude (in Decimal Degrees) 42.48029

19. Current Year GPS Longitude (in Decimal Degrees) -112.26516

21. Comments about directions and access to the diversion: Toward top of McDevitt property - follow gps coordinates.

23. Site Tag Number:

24. Tag Location

25. Diversion Type: Open Channel

26. Describe diversion: Dry creek bed and ditch. No water present.

28. Was the diversion active at the time of the visit? No

29. Does the diversion appear active this season? No

30. Possible Reason for not Diverting No_water_present

32 - WR 1. Please Provide more information about this water right: 29-2142. LITTLE RED HEN INC. Priority Date= 1912-06-21. Maximum Overall Diversion Rate = 0.14. Acre Limit = . Total Acres = 7. Use = IRRIGATION. Total number of diversions that deliver to this water right%3A 1

WR 1. Irrigation Type: Flood

Other Irrigation Type

WR 1. Use Description:

Other System Use:

WR 1. Comments: No water present. Candidate for a futile call. Doesn't always reach Johnny Creek except in Spring runoff or a flash flood.

35. Is there an existing headgate? No

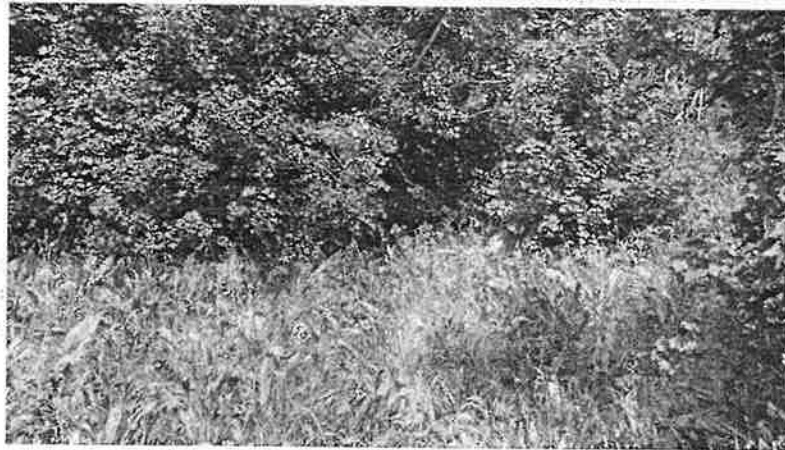
36. Is the headgate lockable?

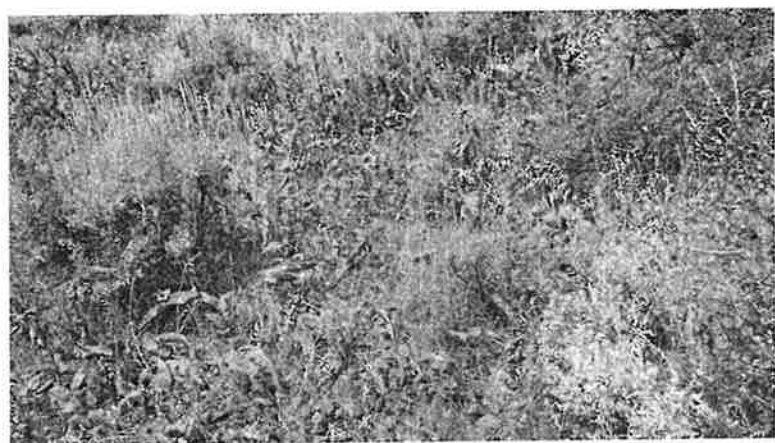
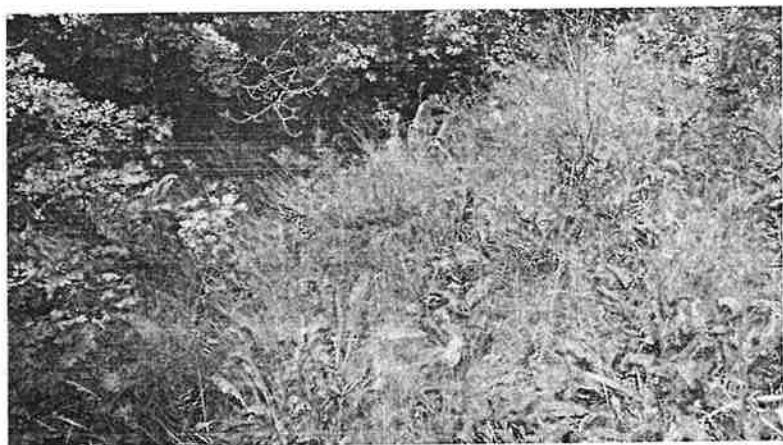
37. Describe the adequacy of the control structure:

38. Is there a fish screen present? No

48. Type of Open Channel Measuring Device: None

54. Additional Comments or information: Creek bed is completely dry. Probably flows during Spring runoff.







WD_29D_Surface_2018: 183

1. Spatial Data ID: 234,753

2. Examiner: Water Master for District 29D

2b. Other Examiner

3. Visit Date: 7/27/2018, 5:24 PM

4. Purpose of the Inventory: Inventory

4b. Other Survey Purpose

5. Water District: 29D

6. Source: JOHNNY CREEK

7. Tributary: PORTNEUF RIVER

8. Diversion Name: McDevitt Johnny Creek diversion

9. Township: 07S

10. Range: 34E

11. Section: 13

12. QQ or Government Lot: SWSE

15. Latitude collected last year:

16. Longitude collected last year:

18. Current Year GPS Latitude (in Decimal Degrees) 42.48257

19. Current Year GPS Longitude (in Decimal Degrees) -112.25317

21. Comments about directions and access to the diversion: West up dirt road to area of small reservoir.

23. Site Tag Number:

24. Tag Location

25. Diversion Type: Open Channel

26. Describe diversion: Divert water to reservoir pond for irrigation.

28. Was the diversion active at the time of the visit? No

29. Does the diversion appear active this season? No

30. Possible Reason for not Diverting Not_in_use

30b. Other Reason for not Diverting

30c. Approximate Turn On Date

30d. Approximate Turn Off Date

31. Number of water rights that use this diversion: 1

32 - WR 1. Please Provide more information about this water right: 29-4244. LITTLE RED HEN INC. Priority Date= 1970-12-31. Maximum Overall Diversion Rate = 0.38. Acre Limit = . Total Acres = 50. Use = IRRIGATION. Total number of diversions that deliver to this water right%3A 4

WR 1. Irrigation Type: Flood

Other Irrigation Type

WR 1. Use Description:

Other System Use:

WR 1. Comments:

Diversion not in use. Creek low at time of visit. Johnny Creek doesn't always reach the Portneuf River. This is a candidate for a futile call.

35. Is there an existing headgate? No

36. Is the headgate lockable?

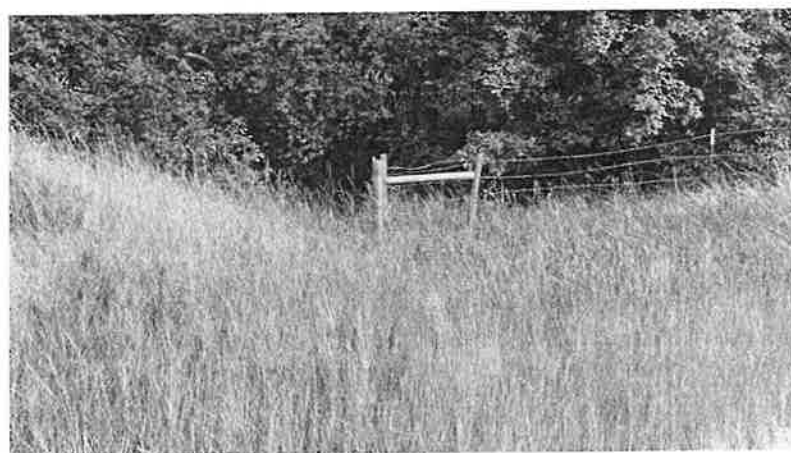
37. Describe the adequacy of the control structure:

38. Is there a fish screen present? No

48. Type of Open Channel Measuring Device: None

54. Additional Comments or information: This diversion has no indication of usage.





WD_29D_Surface_2018: 184

1. Spatial Data ID: 234,766

2. Examiner: Water Master for District 29D

~~2b. Other Examiner~~

3. Visit Date: 7/27/2018, 5:38 PM

4. Purpose of the Inventory: Inventory

4b. Other Survey Purpose

5. Water District: 29D

6. Source: JOHNNY CREEK

7. Tributary: PORTNEUF RIVER

8. Diversion Name: McDevitt Reservoir diversion

9. Township: 07S

10. Range: 34E

11. Section: 13

12. QQ or Government Lot: SWSE

15. Latitude collected last year:

16. Longitude collected last year:

18. Current Year GPS Latitude (in Decimal Degrees) 42.48267

19. Current Year GPS Longitude (in Decimal Degrees) -112.25294

21. Comments about directions and access to the diversion: West up dirt road from McDevitt cabin.

23. Site Tag Number:

24. Tag Location

25. Diversion Type: Open Channel

26. Describe diversion: Water from Johnny Creek flows into reservoir then diverted for flood irrigation.

28. Was the diversion active at the time of the visit? No

29. Does the diversion appear active this season? No

30. Possible Reason for not Diverting Not_in_use

30b. Other Reason for not Diverting

30c. Approximate Turn On Date

30d. Approximate Turn Off Date

31. Number of water rights that use this diversion: 1

32 - WR 1. Please Provide more information about this water right: 29-4244. LITTLE RED HEN INC. Priority Date= 1970-12-31. Maximum Overall Diversion Rate = 0.38. Acre Limit = . Total Acres = 50. Use = IRRIGATION. Total number of diversions that deliver to this water right%3A 4

WR 1. Irrigation Type: Flood

Other Irrigation Type

WR 1. Use Description:

Other System Use:

WR 1. Comments:

Johnny Creek diverted into a reservoir. Headgate controls water to creek and irrigation system. Not in use.

35. Is there an existing headgate?

Yes

36. Is the headgate lockable?

Yes

37. Describe the adequacy of the control structure:

Good

38. Is there a fish screen present?

No

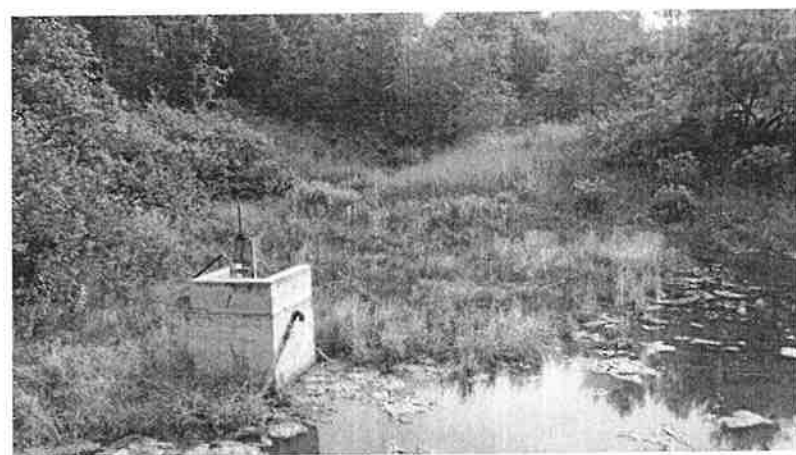
48. Type of Open Channel Measuring Device:

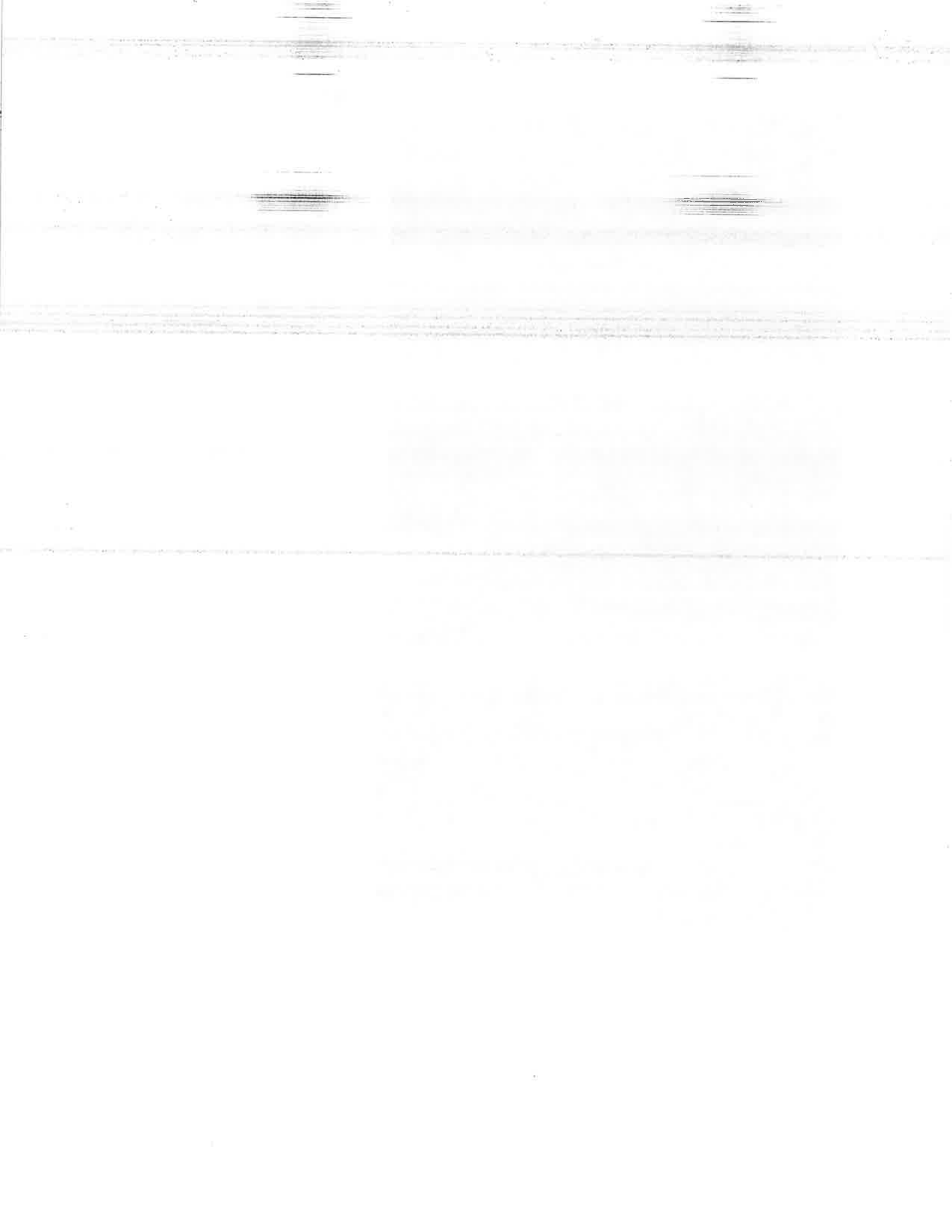
None

54. Additional Comments or information:

Johnny Creek doesn't always reach the Portneuf River. This diversion is a candidate for a futile call.







WD_29D_Surface_2018: 185

1. Spatial Data ID: 234,928

2. Examiner: Water Master for District 29D

2b. Other Examiner

3. Visit Date: 7/27/2018, 6:16 PM

4. Purpose of the Inventory: Inventory

4b. Other Survey Purpose

5. Water District: 29D

6. Source: JOHNNY CREEK

7. Tributary: PORTNEUF RIVER

8. Diversion Name: McDevitt Lower Johnny Creek diversion

9. Township: 07S

10. Range: 34E

11. Section: 13

12. QQ or Government Lot: SESE

15. Latitude collected last year:

16. Longitude collected last year:

18. Current Year GPS Latitude (in Decimal Degrees) 42.48296

19. Current Year GPS Longitude (in Decimal Degrees) -112.25148

21. Comments about directions and access to the diversion: Southeast of McDevitt cabin.

23. Site Tag Number:

24. Tag Location

25. Diversion Type: Open Channel

26. Describe diversion: Divert water to irrigate field, pasture and orchard.

28. Was the diversion active at the time of the visit? No

29. Does the diversion appear active this season? No

30. Possible Reason for not Diverting: Not_in_use

30b. Other Reason for not Diverting

30c. Approximate Turn On Date

30d. Approximate Turn Off Date

31. Number of water rights that use this diversion: 1

32 - WR 1. Please Provide more information about this water right: 29-4244. LITTLE RED HEN INC. Priority Date= 1970-12-31. Maximum Overall Diversion Rate = 0.38. Acre Limit = . Total Acres = 50. Use = IRRIGATION. Total number of diversions that deliver to this water right%3A 4

WR 1. Irrigation Type: Flood

Other Irrigation Type

WR 1. Use Description:

Other System Use:

WR 1. Comments:

Not in use. Johnny Creek doesn't always reach the Portneuf River. This diversion is a candidate for a futile call.

35. Is there an existing headgate?

No

36. Is the headgate lockable?

37. Describe the adequacy of the control structure:

38. Is there a fish screen present?

No

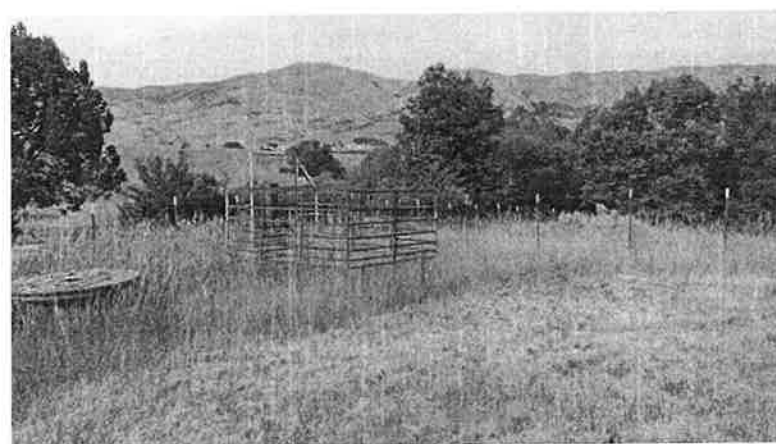
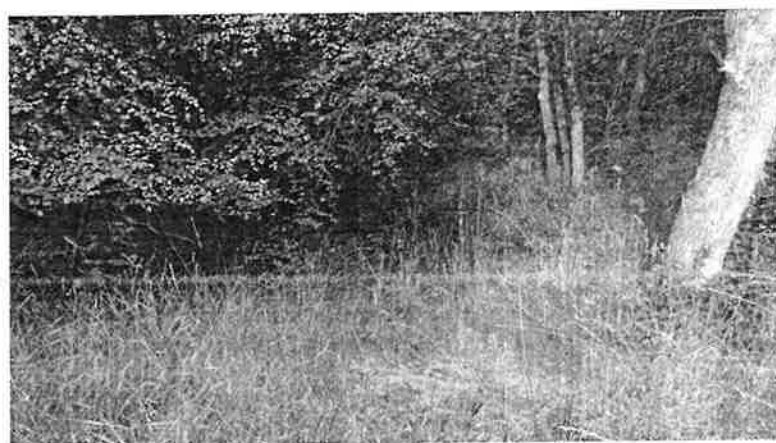
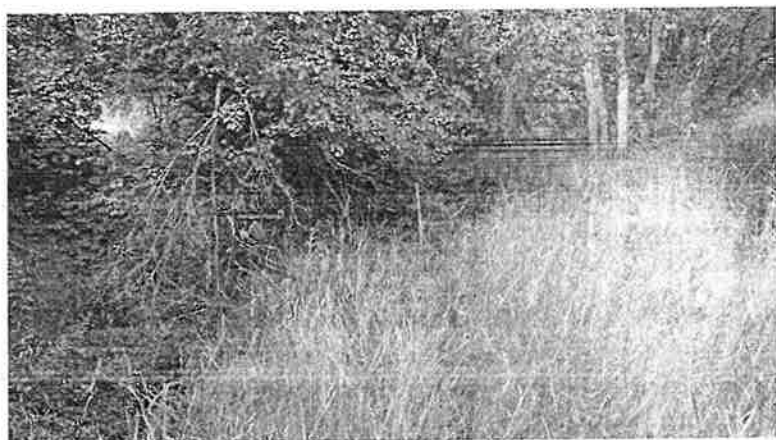
48. Type of Open Channel Measuring Device:

None

54. Additional Comments or information:

This diversion is a candidate for a futile call.







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 Gary Spackman

June 03, 2022

WILDHORSE SPRINGS LLC
1300 CAHINA WAY
POCATELLO ID 83204-4666

Re: Change in Ownership for Water Right No(s): 29-2070, 29-2110, 29-2129, 29-2142, 29-4244

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) 497-3787.

Sincerely,

Jonie Barg
Technical Records Specialist 1

Enclosure(s)

cc: WATER DISTRICT 29D