

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

FEB 25 2022

Notice of Change in Water Right Ownership Department of Water Resources
Eastern Region

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 #6 of the instructions. **DB✓**

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
✓ 35-13824 <i>OK</i>	Yes ☒	Yes ☐	✓ 35-13834 <i>OK</i>	Yes ☒	Yes ☐
✓ 35-13826 <i>OK</i>	Yes ☒	Yes ☐	✓ 35-13836 <i>OK</i>	Yes ☒	Yes ☐
✓ 35-13828 <i>OK</i>	Yes ☒	Yes ☐	35-13824 (Split into 35-13824 and 35-14779), ☐		
✓ 35-13830 <i>OK</i>	Yes ☒	Yes ☐	35-13826 (Split into 35-13826 and 35-14780), ☐		
✓ 35-13832 <i>OK</i>	Yes ☒	Yes ☐	35-13828 (Split into 35-13828 and 35-14781), ☐		
			35-13830 (Split into 35-13830 and 35-14782), ☐		
			35-13832 (Split into 35-13824 and 35-14783), ☐		
			35-13834 (Split into 35-13834 and 35-14784), ☐		
			35-13836 (Split into 35-13836 and 35-14785), ☐		

2. Previous Owner's Name: Howard Taylor & Sons, Inc.
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Wayne Properties LLC
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- P.O. Box 2906 Idaho Falls ID 83401
Mailing address City State ZIP
208-569-8194
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: November 19, 2021
6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed IRS Form W-9 for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed Lessor Designation form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).
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):
 ☐ \$25 per undivided water right.
 ☐ \$100 per split water right.
 ☐ 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: *Robert L. Harris* Attorney February 22, 2022
Signature of new owner/claimant Title, if applicable Date

Signature: _____ Title, if applicable Date

For IDWR Office Use Only:

Received by JB Date 2/25/2022 Receipt No. E047846 Receipt Amt. \$ 700.-
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 JC Date 5/27/2022

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Robert L. Harris

Holden, Kidwell, Hahn & Crapo, P.L.L.C.

PO Box 50130

Idaho Falls, ID 83405

Instrument # 1707011

Bonneville County, Idaho Falls, Idaho

11/19/2021 04:35:07 PM No. of Pages: 4

Recorded for: HOLDEN KIDWELL

Penny Manning Fee: \$15.00

Ex-Officio Recorder Deputy

Index to: DEED, WARRANTY

(Space Above for Recorder's Use)

SPECIAL WARRANTY DEED FOR WATER RIGHTS

Double T Farms LLC, an Idaho limited liability company, whose address is PO Box 51780, Idaho Falls, Idaho 83405 (hereinafter "Grantor") does hereby grant, bargain, sell, assign, and convey unto Wayne Properties LLC, a Delaware trust, whose address is 9914 South Henry Creek Road, Idaho Falls, Idaho 83401 (hereinafter "Grantee") and to Grantee's heirs and assigns forever, the following described portion of Grantor's right, title, and interest in the water rights described on Exhibit A. The described water right portions are depicted on Exhibit B attached hereto, and are hereinafter referred to as the "Water Rights":

Grantor hereby covenants and warrants to Grantee as follows:

- (A) Grantor is the owner of the Water Rights;
- (B) Grantor has not conveyed any of the Water Rights to anyone other than Grantee;
- (C) The Water Rights are free from all liens, claims, or encumbrances; and
- (D) Grantor has the authority to convey the Water Rights to Grantee.

Grantor makes no other covenants or warranties as to the Water Rights.

IN WITNESS WHEREOF, the undersigned authorized officer of Grantor, acting on behalf of Grantor, has caused his name to be hereunto subscribed.

DATED this 15th day of November, 2021.

Double T Farms LLC

Carl Taylor
By: Carl Taylor, Member

STATE OF IDAHO)
)ss.
County of Bonneville)

This record was acknowledged before me on the 15th day of November, 2021, by Carl Taylor in his capacity as a member of Double T Farms LLC.

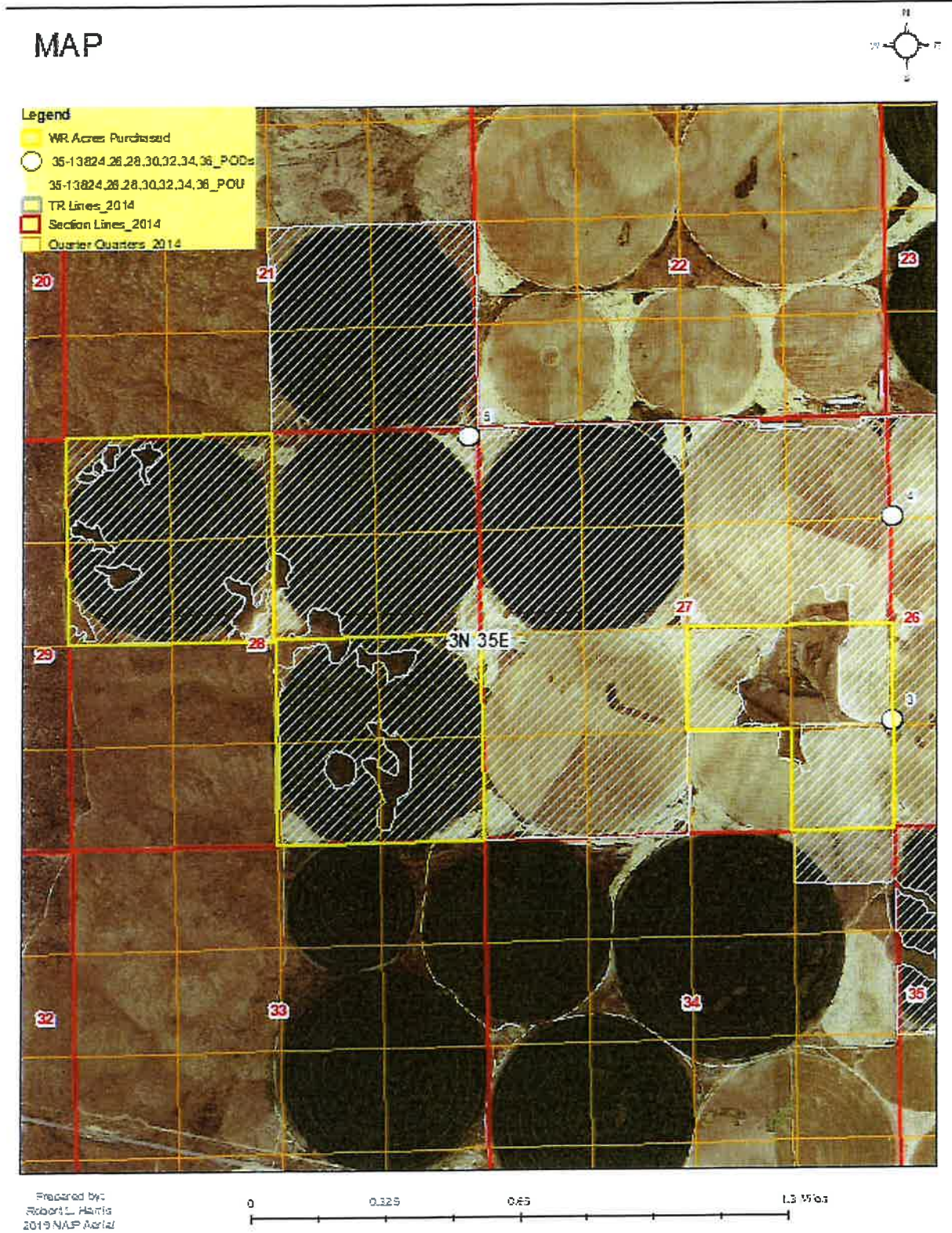


Robert L. Harris
Notary Public for Idaho
My Commission Expires: 11/15/2022

EXHIBIT A **WATER RIGHT DESCRIPTION**

WAYNE PROPERTIES LLC PORTION												Percentage (364/698)	0.521489971
Water Right No.	Name on Water Right	Basis	Priority Date	Source	Beneficial Use	Individual Diversion Rate Limitation (cfs)	Combined Diversion Rate Limitation (cfs)	Combined Volume Limitation (AFA)	Individual Acre Limitation	Combined Acre Limitation	Point of Diversion	Notes	
35-13824 (portion)	Howard Taylor & Sons, Inc.	Decreed	02/09/1961	Ground water	Irrigation	0.68	6.11	1456	70	364	SWNWNW, Sec. 26, 03N, 35E SWNWSW, Sec. 26, 03N, 35E SWNWSE, Sec. 26, 03N, 35E NENENE, Sec. 28, 03N, 35E SENENW, Sec. 35, 03N, 35E		
35-13826 (portion)		Decreed	03/25/1964	Ground water	Irrigation	0.95			67				
35-13828 (portion)		Decreed	07/01/1975	Ground water	Irrigation	1.36			96				
35-13830 (portion)		Decreed	08/15/1975	Ground water	Irrigation	0.95			75				
35-13832 (portion)		Decreed	08/15/1975	Ground water	Irrigation	0.98			49				
35-13834 (portion)		Decreed	08/27/1976	Ground water	Irrigation	0.97			65				
35-13836 (portion)		Decreed	08/15/1977	Ground water	Irrigation	1.31			18				
Number of Authorized Irrigated Acres									364				

EXHIBIT B
WATER RIGHTS MAP



Instrument # 1692880
Bonneville County, Idaho Falls, Idaho
07/14/2021 03:27:43 PM No. of Pages: 3
Recorded for: FIRST AMERICAN TITLE - IDAHO FALLS
Penny Manning Fee: \$15.00
Ex-Officio Recorder Deputy Dwoolf
Index to: DEED, WARRANTY

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

Recording Requested By and
When Recorded Return to:
Double T Farms LLC
Attn: Carl B. Taylor
P.O. Box 51780
Idaho Falls, Idaho 83405

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

GRANT DEED

This Grant Deed is made this 13th day of July, 2021, between Howard Taylor & Sons, Inc., an Idaho corporation ("Grantor"), and Double T Farms LLC, an Idaho limited liability company, whose mailing address is P.O. Box P.O. Box 5170 Idaho Falls, ID 83405 ("Grantee"), witnesseth:

That Grantor, for and in consideration of the sum of Ten Dollars and No Cents (\$10.00), and other good and valuable consideration, the receipt whereof is hereby acknowledged, does, by these presents, grant, bargain, sell and convey unto Grantee and its successors and assigns forever, all the following described real estate situated in the County of Bonneville, State of Idaho:

SEE SCHEDULE I ATTACHED HERETO AND INCORPORATED HEREIN

Together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, the rents, issues and profits thereof; all estate, right, title and interest in and to the property, as well in law as in equity, except as expressly provided otherwise herein, and the water rights identified in Schedule II, attached hereto and incorporated herein.

Grantor's covenants or warranties with respect to title, express or implied, are those, and only those, implied by use of the word "grant" as set forth in Idaho Code § 55-612 and that the above-described real property is free from all monetary liens or encumbrances created, granted, caused or suffered by Grantor. Excepting all monetary liens created, granted, caused or suffered by Grantor, the grant herein is subject (i) reservations or restrictions in federal patents or state or railroad deeds or in laws providing for such patents or deeds; (ii) building and zoning regulations and ordinances of any governmental entity; (iii) location in a special flood hazard area; (iv) the lien of real property taxes not yet due and payable; (v) all tenancies, leases, easements, rights of way, claims of easements, covenants, restrictions and encumbrances that would be disclosed by or apparent from an ALTA survey or a visual inspection of the Property; and (vii) the title exceptions identified in Schedule III, attached hereto and incorporated herein..

THE PROPERTY IS SOLD AND CONVEYED TO GRANTEE AS IS, WHERE IS, AND WITH ALL FAULTS, INCLUDING BOTH LATENT AND PATENT DEFECTS. OTHER THAN AS

First American Title Co.
670 S. Woodruff
Idaho Falls, ID 83401



Recording Requested By and
When Recorded Return to:
Double T Farms LLC
Attn: Carl B. Taylor
P.O. Box 51780
Idaho Falls, Idaho 83405

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That Grantor, for and in consideration of the sum of Ten Dollars and No Cents (\$10.00), and other good and valuable consideration, the receipt whereof is hereby acknowledged, does, by these presents, grant, bargain, sell and convey unto Grantee and its successors and assigns forever, all the following described real estate situated in the County of Bonneville, State of Idaho:

SEE SCHEDULE I ATTACHED HERETO AND INCORPORATED HEREIN

Together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, the rents, issues and profits thereof; all estate, right, title and interest in and to the property, as well in law as in equity, except as expressly provided otherwise herein, and the water rights identified in Schedule II, attached hereto and incorporated herein.

Grantor's covenants or warranties with respect to title, express or implied, are those, and only those, implied by use of the word "grant" as set forth in Idaho Code § 55-612 and that the above-described real property is free from all monetary liens or encumbrances created, granted, caused or suffered by Grantor. Excepting all monetary liens created, granted, caused or suffered by Grantor, the grant herein is subject (i) reservations or restrictions in federal patents or state or railroad deeds or in laws providing for such patents or deeds; (ii) building and zoning regulations and ordinances of any governmental entity; (iii) location in a special flood hazard area; (iv) the lien of real property taxes not yet due and payable; (v) all tenancies, leases, easements, rights of way, claims of easements, covenants, restrictions and encumbrances that would be disclosed by or apparent from an ALTA survey or a visual inspection of the Property; and (vii) the title exceptions identified in Schedule III, attached hereto and incorporated herein..

THE PROPERTY IS SOLD AND CONVEYED TO GRANTEE AS IS, WHERE IS, AND WITH ALL FAULTS, INCLUDING BOTH LATENT AND PATENT DEFECTS. OTHER THAN AS

First American Title Co.
670 S. Woodruff
Idaho Falls, ID 83401

EXPRESSLY SET FORTH HEREIN, NO WARRANTIES, EXPRESS OR IMPLIED, ARE MADE BY GRANTOR CONCERNING THE PREMISES. GRANTEE, BY ACCEPTING THIS DEED, RELEASES GRANTOR FROM ANY AND ALL LIABILITY RELATING TO ANY ASPECT (EXCEPT THE WARRANTIES AND COVENANTS IN THE PRECEDING PARAGRAPH) OR CONDITION OF THE PROPERTY, KNOWN OR UNKNOWN, FORESEEABLE OR UNFORESEEABLE, ACTUAL OR CONTINGENT, ARISING BY STATUTE, COMMON LAW OR OTHERWISE.

IN WITNESS WHEREOF, this Grant Deed has been duly executed by and on behalf of Grantor as of the date first set forth above.

GRANTOR:

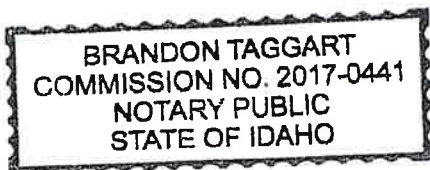
Howard Taylor & Sons. Inc., an Idaho corporation

By: L. Kent Taylor
L. Kent Taylor, Vice President

STATE OF IDAHO)
County of Bonnerille) ss.

On this 13th day of July, 2021, before me, Brandon Taggart, a Notary Public in and for said State, personally appeared L. Kent Taylor, known or identified to me to be the Vice President of Howard Taylor & Sons, Inc., the corporation that executed the within instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation 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.



Brandon Taggart
Notary Public for Idaho
Residing at Idaho Falls, ID
My Commission Expires 9/5/2023

SCHEDULE I

LEGAL DESCRIPTION

BEGINNING AT A POINT THAT IS SOUTH 00°27'08" EAST ALONG THE SECTION LINE 926.47 FEET FROM THE NORTHEAST CORNER OF SECTION 2, TOWNSHIP 2 NORTH, RANGE 35 EAST OF THE BOISE MERIDIAN, BONNEVILLE COUNTY, IDAHO; RUNNING THENCE SOUTH 00°27'08" EAST 850.00 FEET, MORE OR LESS, TO THE NORTHERLY RIGHT-OF-WAY LINE OF A HIGHWAY; THENCE NORTH 77°43' WEST ALONG SAID RIGHT-OF-WAY LINE 1000.00 FEET; THENCE NORTH 00°27'08" WEST 629.55 FEET; THENCE NORTH 89°32'52" EAST 975.40 FEET TO THE POINT OF BEGINNING

LESS AND EXCEPTING THEREFROM:

BEGINNING AT A POINT THAT IS SOUTH 00°27'08" EAST ALONG THE SECTION LINE 926.47 FEET FROM THE NORTHEAST CORNER OF SAID SECTION 2; RUNNING THENCE SOUTH 00°27'08" EAST ALONG THE SECTION LINE 55.85 FEET; THENCE SOUTH 89°32'52" WEST 345.52 FEET; THENCE NORTH 00°27'08" WEST 55.85 FEET; THENCE NORTH 89°32'52" EAST 345.52 FEET TO THE POINT OF BEGINNING

ALSO ADDING THERETO:

TOWNSHIP 3 NORTH, RANGE 35 EAST OF THE BOISE MERIDIAN, BONNEVILLE COUNTY, IDAHO

SECTION 21: SOUTHEAST QUARTER

SECTION 27: EAST HALF OF THE SOUTHEAST QUARTER; NORTHWEST QUARTER OF THE SOUTHEAST QUARTER

SECTION 28: NORTH HALF; SOUTHEAST QUARTER



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

May 27, 2022

WAYNE PROPERTIES LLC
PO BOX 2906
IDAHO FALLS ID 83403-2906

Re: Change in Water Right Ownership: 35-13824 (Split into 35-13824 and 35-14779), 35-13826 (Split into 35-13826 and 35-14780), 35-13828 (Split into 35-13828 and 35-14781), 35-13830 (Split into 35-13830 and 35-14782), 35-13832 (Split into 35-13824 and 35-14783), 35-13834 (Split into 35-13834 and 35-14784), 35-13836 (Split into 35-13836 and 35-14785)

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of a portion of the above referenced water right(s) to you. The Department has modified its records based on the information received and has enclosed a computer-generated report for you.

Your portion of each water right(s) has a specified point of diversion, nature of use and place of use. If you plan to change the authorized point of diversion, nature of use, or place of use, including adding a new point of diversion, you must file an Application for Transfer of Water Right. If you do not plan to change any elements of your water right, then no further action is required at this time.

The portion of the water right retained by the original right holder retains the original water right number. The Department is sending the original right holder a copy of this letter and a computer-generated report showing the changes to the original water right.

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: HOWARD TAYLOR & SONS INC
RABO AGRIFINANCE LLC
WATER DISTRICT 120
BONNEVILLE JEFFERSON GROUND WATER DISTRICT



Holden Kidwell
Hahn & Crapo P.L.L.C.
L A W O F F I C E S

Established in 1896

1000 Riverwalk Drive, Suite 200
PO Box 50130
Idaho Falls, Idaho 83405
Tel: (208) 523-0620
Fax: (208) 523-9518
www.holdenlegal.com
rharris@holdenlegal.com

February 22, 2022

RECEIVED

FEB 25 2022

Department of Water Resources
Eastern Region

Jonie Barg
Idaho Department of Water Resources
900 N. Skyline Dr., Ste A
Idaho Falls, ID 83402

Re: *Notice of Change in Water Right Ownership for Portions of WR Nos. 35-13824, 35-13826, 35-13828, 35-13830, 35-13832, 35-13834, and 35-13836.*

Dear Jonie:

Enclosed for processing is a *Notice of Change in Water Right Ownership* for the above-referenced water rights. The water rights are currently in the name of Howard Taylor & Sons Inc., but as evidenced by the enclosed Grant Deed, they conveyed their interest in the water rights to Double T Farms LLC in July of 2021. Double T Farms LLC has now sold the water rights to Wayne Properties LLC. All of the water rights are being split, and therefore, we have included a filing fee in the amount of \$700.00 as required. A summary of the split water rights and a map of the split rights are attached to the *Special Warranty Deed for Water Rights*. If you have any questions or concerns, please let me know.

Best regards,

Robert L. Harris
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

Enclosures