

NOV 10 2021

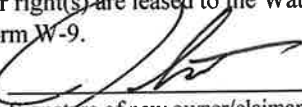
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESDepartment of Water Resources
Eastern Region

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?
25-14499 <i>ok</i>	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: Wayne Properties LLC
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Knife River Corporation Mountain West
New owner(s) as listed on the conveyance document
- 5450 W Gowen Rd Boise ID 83709-5625
Mailing address City State Zip
- 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: October 2021
6. Do you own the land identified as the water right place of use? Yes ☐ No ☐
☐ 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):
☐ \$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:  Jim Lauteren, President 10/22/21
Signature of new owner/claimant Title, if applicable Date
JIM LAUTEREN
Print name

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

For IDWR Office Use Only: \$25 - for this app.
Received by JB Date 11/10/2021 Receipt No. ED47519 Receipt Amt. \$100. -
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 11/16/2021

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

(Space Above for Recorder's Use)

SPECIAL WARRANTY DEED FOR WATER RIGHT

Wayne Properties LLC, a Delaware trust, whose address is 9914 South Henry Creek Road, Idaho Falls, Idaho 83401 (hereinafter collectively "Grantor") does hereby grant, bargain, sell, assign, and convey unto **Knife River Corporation-Mountain West**, a Delaware Corporation authorized to conduct business in Idaho, whose address is 5450 W. Gowen Rd., Boise, Idaho 83709 (hereinafter "Grantee") and to Grantee's heirs and assigns forever, all of Grantor's right, title, and interest in Water Right No. 25-14499 as described on Exhibit A attached hereto (hereinafter the "Water Right").

Grantor hereby covenants and warrants to Grantee as follows:

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

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

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

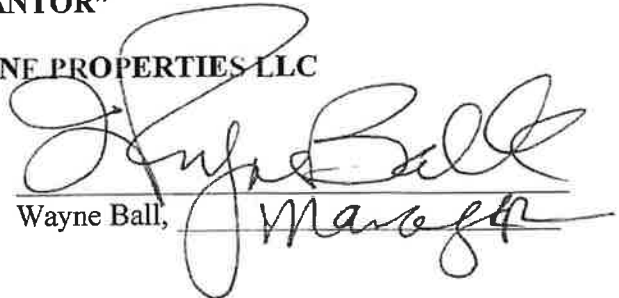
DATED this 27th day of October, 2021.

"GRANTOR"

WAYNE PROPERTIES LLC

By:

Wayne Ball,



STATE OF IDAHO)
)ss.
County of Bonneville)

This record was acknowledged before me on the 27th day of October, 2021,
by Wayne Ball in his capacity as a MANAGER of Wayne Properties LLC.



Robert L. Harris
Notary Public for Idaho
My Commission Expires: 11/18/2022

EXHIBIT A

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WATER RIGHT NO. 25-14499

As Modified by Transfer No. 85192

In accordance with the approval of Transfer No. 85192, Water Right No. 25-14499 is now described as follows:

Right Holder: WAYNE PROPERTIES LLC
PO BOX 2906
IDAHO FALLS, ID 83403-2906

Priority Date: 1/14/1983

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
INDUSTRIAL	01/01	to 12/31	0.070 cfs	17.1 af
			0.070 cfs	17.1 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NESW Sec 36 Twp 02N Rge 37E BONNEVILLE County

PLACE OF USE: INDUSTRIAL

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	37E	36							X	X	X	X	X	X					

CONDITIONS OF APPROVAL

1. The approval of transfer 85192 redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.
2. This right is for the use of trust water, and it is subject to review 20 years after its initial approval (10/18/1990) to re-evaluate the availability of trust water for the authorized use and to re-evaluate the public interest criteria for reallocating trust water.
3. This water right enjoys the benefit of subordination of hydropower water right nos. 02-00100, 02-4000A, 02-4001A, 02-02032A, 02-4000B, 02-4001B, 02-02032B, 02-02036, 02-02056, 02-02065, 02-02064, 02-10135, 02-02060, 02-02059, 02-02001B, 02-02001A, 02-02057, 37-02128, 37-02472, 37-02471, 37-20710, 37-20709, 36-02013, 36-02018 and 36-02026 only so long as the average daily flows as measured at the Murphy Gage station meet or exceed the minimum stream flows established by state action.
4. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.

Transfer No. 85192

WATER RIGHT NO. 25-14499
As Modified by Transfer No. 85192

CONDITIONS OF APPROVAL

5. Prior to diversion and use of water under Transfer approval 85192, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.
6. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
7. Industrial use is for a concrete mixing facility.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Transfer No. 85192



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

November 16, 2021

KNIFE RIVER CORPORATION MOUNTAIN WEST
5450 W GOWEN RD
BOISE ID 83709-5625

Re: Change in Ownership for Water Right No(s): 25-14499

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 120
BONNEVILLE JEFFERSON GROUND WATER DISTRICT