

RECEIVED

Form 42-248/42-1409(6) Rev. 1/15

AUG 26 2021

STATE OF IDAHO DEPARTMENT OF WATER RESOURCES

Department 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 #6](#) of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
22-628A	Yes ☐	Yes ☐		Yes ☐	Yes ☐
22-13781	Yes ☐	Yes ☐		Yes ☐	Yes ☐
update Pou	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Idaho Ranch Subdivision LLC
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): HESTENBECK LLC LARS MAGNUSSON
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- Po Box 109 VICTOR ID 83455
Mailing address City State ZIP
- 307 413 5450 lmp@bixtco.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: Aug. 3, 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):
 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: [Signature] MEMBER 8/26/2021
Signature of new owner/claimant Title, if applicable Date
- Signature: _____
Signature of new owner/claimant Title, if applicable Date

SUPPORT DATA

22-628A

For IDWR Office Use Only:

Received by m. Pettes Date 8-26-21 Receipt No. E047302 Receipt Amt. 50.00
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 10/7/2021

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
81 North Main Street/P.O. Box 42
Driggs, ID 83422

Microfile No. 442815
6 DAY Aug 2021
At 10 O'Clock 43 AM
KIM H. MUIR
MADISON CO RECORDER
Fee \$15.00
Deputy
Recorded at Request of
FIRST AMERICAN TITLE - REXBURG

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: 908203-T (jw)

Date: July 15, 2021

For Value Received, **Idaho Ranch Subdivision, LLC** limited liability company, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Hestenberg LLC**, an **Idaho limited liability company**, hereinafter called the Grantee, whose current address is **PO Box 109, Victor, ID 83455**, the following described premises, situated in **Madison County, Idaho**, to-wit:

MADISON COUNTY:

Tract 1:

West Half of Section 29 and the North Half Northwest Quarter of Section 32, Township 6 North, Range 43 East, Boise Meridian, Madison County, Idaho.

Tract 2:

That part of the following described legal lying in Madison County.

Part of the Southeast Quarter of Section 32, Township 6 North, Range 43 East, Boise Meridian, in Madison County, Idaho, and part of the West Half Southwest Quarter of Section 33, Township 6 North, Range 43 East, Boise Meridian, in Teton County, Idaho, described as follows:

Commencing at a point (which is at a fence at the bottom of Dry Gulch Canyon) 858 feet East of the Southwest corner of Section 33, and running thence Northwesterly in a straight line (generally along the fence line in Dry Gulch Canyon), to a point 165 feet South of the Northwest corner of the Southeast Quarter of Section 32; thence North 165 feet, thence East 2640 feet to the Northeast corner of the Southeast Quarter of Section 32; thence East 1320 feet; thence South 2640 feet; thence West 462 feet to the point of beginning.

LESS:

A Parcel of land situated in Madison and Teton Counties, State of Idaho, Township 5 North, Range 43 East of the Boise Meridian, Section 4: Township 6 North, Range 43 East of the Boise Meridian, Sections 32 and 33, more particularly described as follows: Beginning at the Southwest corner of Section 33, Township 6 North, Range 43 East, Boise Meridian, thence South 89°54'50" East along the South line of Section 33 for a distance of 722.99 feet to the Intersection of Dry Gulch Canyon, said point also being the true point of beginning; thence North 38°14'53" West along the lowest point in Dry Gulch Canyon for a distance of 115.24 feet; thence North 33°26'31" West along the lowest point in Dry Gulch Canyon for a distance of 532.79 feet; thence North 58°17'42" West along the lowest point in Dry Gulch Canyon for a distance of 733.75 feet; thence North 46°45'37" West along the lowest point in Dry Gulch Canyon for a distance of 471.06 feet; thence North 50°59'15" West along the lowest point in Dry Gulch Canyon for a distance of 637.26 feet; thence North 72°56'36" West along the lowest point in Dry Gulch Canyon for a distance of 255.52 feet; thence North 47°38'25" West along the lowest point in Dry Gulch Canyon for a distance of 551.96 feet; thence North

70°28'03" West along the lowest point in Dry Gulch Canyon for a distance of 730.83 feet; thence North 55°13'08" West along the lowest point in Dry Gulch Canyon for a distance of 241.04 feet to the North/South Center line of Section 32, Township 6 North, Range 43 East, thence North 00°05'29" West along said line for a distance of 145.00 feet to the Northwest corner of the Southeast Quarter of Section 32; thence North 89°52'46" East along the North line of said Southeast Quarter for a distance of 1216.00 feet; thence South 50°30'23" East for a distance of 480.38 feet; thence South 53°57'01" East for a distance of 464.94 feet; thence South 52°24'41" East for a distance of 392.73 feet; thence South 43°09'41" East for a distance of 794.69 feet; thence South 62°51'27" East for a distance of 638.74 feet; thence South 53°48'37" East for a distance of 275.19 feet; thence South 54°33'39" East for a distance of 763.34 feet; thence South 42°39'55" East for a distance of 449.38 feet to the North line of Government Lot 3, Township 5 North, Range 43 East, Section 4; thence North 89°54'50" West along the North line of said Government Lot 3 for a distance of 333.70 feet to the Northwest corner of said Government Lot 3; thence South 00°01'38" East along the West line of said Government Lot 3 for a distance of 940.00 feet to the bottom of Dry Gulch Canyon; thence North 50°22'45" West along the lowest point in Dry Gulch Canyon for a distance of 230.97 feet; thence North 60°21'34" West along the lowest point in Dry Gulch Canyon for a distance of 390.96 feet; thence North 19°33'22" West along the lowest point in Dry Gulch Canyon for a distance of 378.83 feet; thence North 38°14'52" West along the lowest point in Dry Gulch Canyon for a distance of 310.23 feet to the true point of beginning.

Tract 3:

Township 6 North, Range 43 East, Boise Meridian, Madison County, Idaho.

Section 20: The East Half Southeast Quarter

Section 29: The Northeast Quarter; the North Half Southeast Quarter; the Southeast Quarter Southeast Quarter;

TETON COUNTY:

PARCEL 1: Township 6 North, Range 43 East, Boise Meridian, Teton County, Idaho.

Section 34: The Northwest Quarter Northeast Quarter, the North Half Northwest Quarter; and the Southwest Quarter Northwest Quarter.

PARCEL 2: Township 6 North, Range 43 East, Boise Meridian, Teton County, Idaho.

Section 33: The East Half Southeast Quarter; the Northwest Quarter Northwest Quarter; the Southeast Quarter

Northwest Quarter, the Southwest Quarter Northeast Quarter; and the South Half Southeast Quarter Northeast Quarter.

PARCEL 4: Township 6 North, Range 43 East, Boise Meridian, Teton County, Idaho.

Section 21: The North Half South Half; the South Half Southeast Quarter; the Southwest Quarter Northeast Quarter

Section 28: The Northeast Quarter; the North Half Southeast Quarter

PARCEL 5: Township 6 North, Range 43 East, Boise Meridian, Teton County, Idaho.

Section 21: The South Half Southwest Quarter

Section 28: The Northwest Quarter; the North Half Southwest Quarter, the South Half South Half

Section 33: The North Half Northeast Quarter; the North Half Southeast Quarter Northeast Quarter; the Northeast Quarter Northwest Quarter.

PARCEL 7: That part of the following described legal lying in Teton County.
Part of the Southeast Quarter of Section 32, Township 6 North, Range 43 East, Boise Meridian, in Madison County, Idaho and part of the West Half Southwest Quarter of Section 33, Township 6 North, Range 43 East, Boise Meridian, in Teton County, Idaho, described as follows: Commencing at a Point (which is at a fence at the bottom of Dry Gulch Canyon) 858 feet East of the Southwest corner of Section 33, and running thence Northwesterly in a straight line (generally along the fence line in Dry Gulch Canyon), to a point 165 feet South of the Northwest corner of the Southeast Quarter of Section 32; thence North 165 feet; thence East 2640 feet to the Northeast corner of the Southeast Quarter of Section 32; thence East 1320 feet thence South 2640 feet; thence West 462 feet to the Point of Beginning.

PARCEL 8: (Teton County): Southwest Quarter Northwest Quarter, East Half Southwest Quarter, West Half Southeast Quarter of Section 33, Township 6 North, Range 43 East, Boise Meridian, Teton County, Idaho.

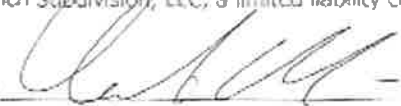
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Date: 07/15/2021

Warranty Deed
Continued

File No.: 908203-T (jw)

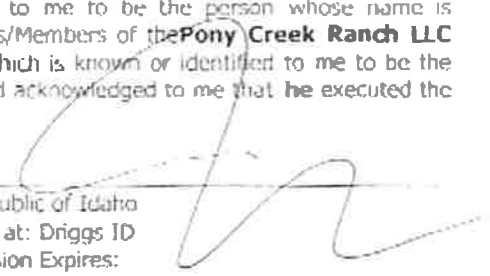
Pony Creek Ranch, LLC formerly known as Idaho
Ranch Subdivision, LLC, a limited liability company

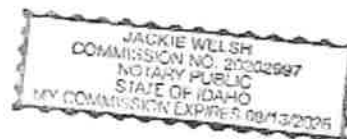
By: 

Name: Herb Heimerl
Title: Manager

STATE OF Idaho)
COUNTY OF Madison)

On this **Sixth day of August, 2021**, before me, a Notary Public in and for said State, personally appeared **Herb Heimerl, Manager**, known or identified to me to be the person whose name is subscribed to the within Instrument as one of the Managers/Members of the **Pony Creek Ranch LLC formerly known as Idaho Ranch Subdivision, LLC**, which is known or identified to me to be the entity whose name is subscribed to the within instrument and acknowledged to me that he executed the same in said Limited Liability Company's name.


Notary Public of Idaho
Residing at: Driggs ID
Commission Expires:



RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
31 North Main Street/P.O. Box 42
Driggs, ID 83422

Instrument # 270249
TETON COUNTY, IDAHO
08/04/2021 10:31:00 No. of Pages: 5
Recorded for: FIRST AMERICAN TITLE - DRIGGS
KIM KEELEY Fee: \$15.00
Ex-Officio Recorder Deputy: Kim Keeley
Index to: DEED, WARRANTY

Space Above This Line for Recorder's Use Only

WARRANTY DEED

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Date: July 15, 2021

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West along the lowest point in Dry Gulch Canyon for a distance of 310.23 feet to the true point of beginning.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region • 900 N SKYLINE DR STE A • IDAHO FALLS, ID 83402-1718
Phone: (208)525-7161 • Fax: (208)525-7177 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

October 06, 2021

HESTENBECK LLC
PO BOX 109
VICTOR ID 83455-0109

Re: Change in Ownership for Water Right No(s): 22-628A, 22-13781

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 01