

RECEIVED

JUN 23 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 #6 of the instructions.

| Water Right/Claim No. | Split?                       | Leased to Water Supply Bank? | Water Right/Claim No. | Split?                       | Leased to Water Supply Bank? |
|-----------------------|------------------------------|------------------------------|-----------------------|------------------------------|------------------------------|
| 11-7597 <i>OK</i>     | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
| 11-7601 <i>OK</i>     | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
| 11-930 <i>OK</i>      | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |

2. Previous Owner's Name: Private Capital Group, Inc.  
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Glenn Transtrum and Linda Transtrum  
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or ☐ and/or
- P.O. Box 43 St. Charles ID 83272  
Mailing address City State ZIP  
208-945-2665 glenntranstrum@gmail.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: May 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: *Robert L. Jannis* Attorney June 18, 2021  
Signature of new owner/claimant Title, if applicable Date

Signature: \_\_\_\_\_ Title, if applicable Date

## For IDWR Office Use Only:

Received by JB Date 6/23/2021 Receipt No. E047109 Receipt Amt. \$75.-  
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 6/24/2021

**Instrument # 235061**  
BEAR LAKE COUNTY  
05-03-2021 09:55:11 No. of Pages: 9  
Recorded for: RACINE OLSON, PLLP  
Cindy Garner Fee: \$15.00  
Ex-Officio Recorder Deputy: JH  
Index to: WARRANTY DEED

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

(Space Above for Recorder's Use)

### SPECIAL WARRANTY DEED FOR WATER RIGHTS

**Private Capital Group, Inc.** whose principal address is 160 W Canyon Crest Rd., Alpine, Utah 84004 ("**Grantor**"), hereby sells and conveys unto **Glenn Transtrum and Linda Transtrum**, husband and wife, whose address is P.O. Box 43, St. Charles, Idaho 83272 (collectively "**Grantee**"), all of Grantor's right, title and interest in Idaho water right numbers 11-7597, 11-7601, and 11-930 as described in **Exhibit A** attached hereto (the "**Water Rights**").

Grantor hereby covenants and warrants to Grantee that: (a) Grantor is the owner in fee simple of the Water Rights; (b) Grantor has not conveyed any part of the Water Right to anyone other than Grantee; (c) the Water Rights are free from all liens, claims, or encumbrances; (d) Grantor has the authority to convey the Water Rights to Grantee. Grantor makes no other covenants or warranties as to the Water Rights.

DATED this 29<sup>th</sup> day of April, 2021.

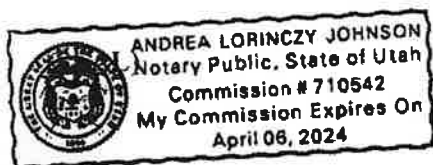
**PRIVATE CAPITAL GROUP**

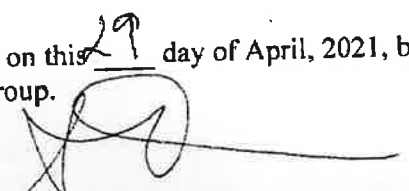
By:   
Ben Schramm, Vice President

# ACKNOWLEDGMENT

STATE OF UTAH                    )  
                                          : ss.  
County of Utah                    )

This record was acknowledged before me on this 29 day of April, 2021, by Ben Schramm, as Vice President of Private Capital Group.



  
\_\_\_\_\_  
NOTARY PUBLIC FOR UTAH  
My Commission Expires: 4/6/2024

## **EXHIBIT A**



IDWR offices are open to the public and following the CDC guidelines for wearing masks and observing social distancing. For in-person visits, we encourage you to call ahead for an appointment.

## WATER RIGHT REPORT

4/6/2021

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 11-7597

| <u>Owner Type</u> | <u>Name and Address</u>                                                              |
|-------------------|--------------------------------------------------------------------------------------|
| Current Owner     | PRIVATE CAPITAL GROUP INC<br>160 W CANYON CREST RD<br>ALPINE, UT 84004<br>7752200861 |

Original Owner OLA TRANSTRUM

Priority Date: 04/15/1877

Basis: Decreed

Status: Active

| <u>Source</u> | <u>Tributary</u> |
|---------------|------------------|
| BEAR RIVER    | GREAT SALT LAKE  |

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 04/15       | 07/01     | 10.03 CFS             |               |
| IRRIGATION            | 07/01       | 09/30     | 6.69 CFS              |               |
| Total Diversion       |             |           | 10.03 CFS             |               |

Location of Point(s) of Diversion:

BEAR RIVER | NWNE Lt 2 | Sec. 06 | Township 15S | Range 46E | BEAR LAKE County

IRRIGATION Use:

Acre Limit: 284.2

IRRIGATION Use:

Acre Limit: 284.2

Place(s) of use:

Place of Use Legal Description: IRRIGATION BEAR LAKE County

| <u>Township</u> | <u>Range</u> | <u>Section</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> |
|-----------------|--------------|----------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|
| 15S             | 45E          | 2              |            | NESW         | 21           |            | SESW         | 38           |            |              |              |            |              |              |
|                 |              |                |            | NWSE         | 4.1          |            | SWSE         | 38           |            | SESE         | 6.1          |            |              |              |
|                 |              | 11             |            | NENE         | 13           |            | NWNE         | 27           |            | SWNE         | 39.7         |            | SENE         | 32.5         |
|                 |              |                |            | NENW         | 39.6         |            | NWNW         | 3.6          |            | SENE         | 18.3         |            |              |              |
|                 |              | 12             |            | NWNW         | 8.1          |            |              |              |            |              |              |            |              |              |

Total Acres: 289

Conditions of Approval:

1. X27 This right is limited to the irrigation of 284.2 acres within the authorized place of use in a single irrigation season.
2. X35 Rights 11-7597 and 11-7601 when combined shall not exceed the irrigation of 289 acres.
3. R05 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. 11.
4. R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
5. 946 This right is a Meadow Right subject to the administration provisions set forth on page 19 of the Decree in Preston Montpelier Irr. Co. v. Dingle Irr. Co, et. al., (Mar. 7, 1924, 5th Jud. Dist. Ct.) (AKA "Terrell Decree").
6. Water is delivered through the Nuffer Ditch.
7. R59 This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
8. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Dates:

Licensed Date:

Decreed Date: 03/07/1924

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number: 11

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False



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## WATER RIGHT REPORT

4/6/2021

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 11-7601

| <u>Owner Type</u> | <u>Name and Address</u>                                                              |
|-------------------|--------------------------------------------------------------------------------------|
| Current Owner     | PRIVATE CAPITAL GROUP INC<br>160 W CANYON CREST RD<br>ALPINE, UT 84004<br>7752200861 |

Original Owner OLA TRANSTRUM

Priority Date: 04/15/1885

Basis: Decreed

Status: Active

| <u>Source</u> | <u>Tributary</u> |
|---------------|------------------|
| BEAR RIVER    | GREAT SALT LAKE  |

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 04/15       | 09/30     | 0.1 CFS               |               |
| Total Diversion       |             |           | 0.1 CFS               |               |

Location of Point(s) of Diversion:

BEAR RIVER | NWNE Lt 2 | Sec. 06 | Township 15S | Range 46E | BEAR LAKE County

IRRIGATION Use:

Acre Limit: 4.8

Place(s) of use:

Place of Use Legal Description: IRRIGATION BEAR LAKE County

| Township | Range | Section | Lot | Tract | Acres | Lot | Tract | Acres | Lot | Tract | Acres | Lot | Tract | Acres |
|----------|-------|---------|-----|-------|-------|-----|-------|-------|-----|-------|-------|-----|-------|-------|
| 15S      | 45E   | 2       |     | NESW  | 21    |     | SESW  | 38    |     |       |       |     |       |       |
|          |       |         |     | NWSE  | 4.1   |     | SWSE  | 38    |     | SESE  | 6.1   |     |       |       |
|          |       | 11      |     | NENE  | 13    |     | NWNE  | 27    |     | SWNE  | 39.7  |     | SENE  | 32.5  |
|          |       |         |     | NENW  | 39.6  |     | NWNW  | 3.6   |     | SENE  | 18.3  |     |       |       |
|          |       | 12      |     | NWNW  | 8.1   |     |       |       |     |       |       |     |       |       |

Total Acres: 289

Conditions of Approval:

1. X27 This right is limited to the irrigation of 4.8 acres within the authorized place of use in a single irrigation season.
2. X35 Rights 11-7597 and 11-7601 when combined shall not exceed the irrigation of 289 acres.
3. R05 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. 11.
4. R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
5. 947 This right is an Agricultural Right subject to the administration provisions set forth on page 19 of the Decree in Preston Montpelier Irr. Co. v. Dingle Irr. Co, et. al., (Mar. 7, 1924, 5th Jud. Dist. Ct.) (AKA "Terrell Decree").
6. R59 This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
7. Water is delivered through the Nuffer Ditch.
8. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Dates:

Licensed Date:

Decreed Date: 03/07/1924

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number: 11

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 3.5

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

✕

[illegible]

Total Acres: 30

Conditions of Approval:

1. R05 Use of water under this right will 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. 11.
2. R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
3. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. T07 The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
5. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Dates:

Licensed Date:

Decreed Date: 03/07/1924

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number: 11

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 3.5

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False



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](http://www.idwr.idaho.gov)

Brad Little  
Governor

Gary Spackman  
Director

June 24, 2021

GLENN J TRANSTRUM  
LINDA R TRANSTRUM  
PO BOX 43  
SAINT CHARLES ID 83272-0043

Re: Change in Ownership for Water Right No(s): 11-930, 11-7597 & 11-7601

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 11