

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

MAY 27 2021

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.

| Water Right/Claim No. | Split?                       | Leased to Water Supply Bank? | Water Right/Claim No. | Split?                       | Leased to Water Supply Bank? |
|-----------------------|------------------------------|------------------------------|-----------------------|------------------------------|------------------------------|
| 34-14817 <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"/> |
|                       | 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: Bank of Idaho c/o Trustee Leslie A Ball IRA  
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): City of Moore  
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or  
PO Box 925 Moore ID 83255  
Mailing address City State ZIP  
cityofmoore@actnet.net  
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 20, 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: *Bob Kline* *Mayor* *5/20/2021*  
Signature of new owner/claimant Title, if applicable Date

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

For IDWR Office Use Only:

Received by *JB* Date *5/27/2021* Receipt No. *E047017* Receipt Amt. *\$25. - for this app*

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 *6/3/2021*

RECORDING REQUESTED BY AND  
WHEN RECORDED RETURN TO:

Rocky Mountain Environmental Associates,  
482 Constitution Way, Suite 303  
Idaho Falls, ID 83402

Instrument # 59373 # Pages: 5  
BUTTE COUNTY, Idaho  
May 20, 2021 1:33:45 pm Fee: \$ 22.00  
For: CITY OF MOORE  
SHELLY BLACKNER, Recorder  
KIM, Deputy

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(Space Above for Recorder's Use)

### SPECIAL WARRANTY DEED FOR WATER RIGHTS

**Bank of Idaho c/o Trustee Leslie A Ball IRA**, whose address is 781 S River Rd, St. Anthony, ID 83445-5510 (hereinafter "Grantor") does hereby grant, bargain, sell, assign, and convey unto **City of Moore**, whose address is PO Box 925, Moore, Idaho 83255 (hereinafter "Grantee") and to Grantee's heirs and assigns forever, all of Grantor's right, title, and interest in water right 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 20 day of May 2021.

**"GRANTOR"**

**Bank of Idaho Trustee, Leslie A. Ball IRA**

*Jeanna Nance*

by: Jeanna Nance, Vice President & Trust Officer

STATE OF IDAHO                     )  
                                                      )ss.  
County of Bonneville                     )

On the 20 day of May 2021, before me, the undersigned, a notary public in and for said State, personally appeared **Jeanna Nance**, known or identified to me to be the persons whose names are subscribed to the foregoing instrument as a Trust Officer of the Bank of Idaho, and acknowledged to me that she executed the same as a Trust Officer.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.



*Kristin Moore*  
Notary Public for Idaho  
Residing at: Boise, ID  
Commission Expires: June 29, 2022

**EXHIBIT A**  
**WATER RIGHT DESCRIPTION**



**WATER RIGHT REPORT**

5/12/2021

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 34-14817

| <u>Owner Type</u> | <u>Name and Address</u>                                                                                        |
|-------------------|----------------------------------------------------------------------------------------------------------------|
| Current Owner     | BANK OF IDAHO<br>C/O TRUSTEE LESLIE A BALL IRA<br>781 S RIVER RD<br>SAINT ANTHONY, ID 83445-5510<br>2083134386 |
| Original Owner    | HINTZE FARMS<br>PO BOX 125<br>MACKAY, ID 83251-0125<br>2085882849                                              |

Priority Date: 02/11/1955

Basis: Decreed

Status: Active

| <u>Source</u> | <u>Tributary</u> |
|---------------|------------------|
| GROUND WATER  |                  |

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 4 / 1       | 10 / 31   | 0.28 CFS              | 62.3 AFA      |
| Total Diversion       |             |           | 0.28 CFS              | 62.3 AFA      |

Location of Point(s) of Diversion:

|              |      |         |              |           |              |
|--------------|------|---------|--------------|-----------|--------------|
| GROUND WATER | SENW | Sec. 28 | Township 05N | Range 26E | BUTTE County |
| GROUND WATER | SENW | Sec. 28 | Township 05N | Range 26E | BUTTE County |
| GROUND WATER | SENW | Sec. 28 | Township 05N | Range 26E | BUTTE County |

IRRIGATION Use:

Acre Limit: 17.8

Place(s) of use:

Place of Use Legal Description: IRRIGATION BUTTE County

| Township | Range | Section | Lot | Tract   | Acres | Lot | Tract   | Acres | Lot | Tract   | Acres | Lot | Tract | Acres |
|----------|-------|---------|-----|---------|-------|-----|---------|-------|-----|---------|-------|-----|-------|-------|
| 05N      | 26E   | 21      |     | SWSW 2  |       |     | SESW 3  |       |     |         |       |     |       |       |
|          |       |         |     | NENE 1  |       |     | NWNE 20 |       |     | SWNE 27 |       |     |       |       |
|          |       |         |     | NENW 40 |       |     | NWNW 1  |       |     | SENE 40 |       |     |       |       |
|          |       |         |     | NESW 40 |       |     | NWSW 2  |       |     |         |       |     |       |       |
|          |       |         |     | NWSE 17 |       |     | SWSE 4  |       |     |         |       |     |       |       |
|          |       | 33      |     | NWNE 10 |       |     |         |       |     |         |       |     |       |       |
|          |       |         |     | NENW 1  |       |     |         |       |     |         |       |     |       |       |
|          |       |         |     |         |       |     |         |       |     |         |       |     |       |       |
|          |       |         |     |         |       |     |         |       |     |         |       |     |       |       |
|          |       |         |     |         |       |     |         |       |     |         |       |     |       |       |

Total Acres: 208

Conditions of Approval:

1. 206 This right is limited to the irrigation of a specific 17.8 acres within the 208 acre place of use authorized by this right in a single irrigation season. The specific 17.8 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 17.8 acres to be irrigated within the 208 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
2. 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. 34.
3. 214 Prior to the diversion and use of water under Transfer approval 84555, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
4. 213 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.
5. E01 Use of this right is combined with privately held water rights from the Big Lost River.
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. 004 This right does not grant any right-of-way or easement across the land of another.

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.
10. T19 Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Dates:

Licensed Date:

Decreed Date: 02/13/2002

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: S

Owner Name Connector:

Water District Number: 34

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 03, 2021

CITY OF MOORE  
PO BOX 925  
MOORE ID 83255-0925

Re: Change in Ownership for Water Right No(s): 34-14817

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 34  
BIG LOST RIVER GROUND WATER DISTRICT