

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
JAN 19 2021
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?
29-4276 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
29-2344A <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Bingham Investments
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): City of Pocatello C/O Levi Adams
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 911 N 7th Ave, PO Box 4169 Pocatello ID 83201
Mailing address City State ZIP
- 208-234-6254 ladams@pocatello.us
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: 3.11.10
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: *[Signature]* Brian C. Blat, Mayor 1/8/21
Signature of new owner/claimant Title, if applicable Date

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

For IDWR Office Use Only:

Received by *[Signature]* Date 1/19/2021 Receipt No. E04165169 Receipt Amt. \$50. - 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 *[Signature]* Processed by *[Signature]* Date 2/5/2021

Admin.



135 N. Arthur Ave. / Pocatello, Idaho 83204
(208) 233-9394

Instrument # 197843

POWER COUNTY, IDAHO
03-12-2010 11:48:48 am No. of Pages: 3
Recorded for: PIONEER TITLE POCATELLO
CHRISTINE STENLUGHIT Fee: \$9.00
Ex-Office Recorder Deputy: Deanna L Curry
Electronically Recorded by Simplicity

Order No. 20100181 SC MH

WARRANTY DEED

For Value Received
Bingham Investments, a General Partnership

hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto
City of Pocatello

hereinafter referred to as Grantee, whose current address
911 G. 7th Pocatello ID 83201 following described premises, to-wit:

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF.

Together with: Idaho Department of Water Rights # 29-2344A and 29-4276

Seller retains the right to obtain an easement from the buyer, if necessary, for use of Idaho
Department of Water Rights #29-2344B.

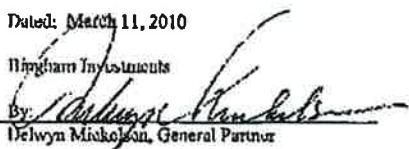
SUBJECT TO: An existing Farm Lease in favor of Kevin and Ann Loveland, Tenants dated April
10, 2001 Said Lease expires December 31, 2010

Acknowledged and approved by:
City of Pocatello Bingham Investments, a General Partnership
Brian C. Blad, Mayor Delwyn Mickelson, General Partner

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantee(s)
his heirs and assigns forever. And the said Grantor(s) does (do) hereby covenant to and with the said Grantee(s), that
the Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances
EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the
Grantee(s); and subject to U.S. Patent reservations, restrictions, dedications, easements, rights of way and
agreements, (if any) of record, and current years taxes, levies, and assessments, includes irrigation and utility
assessments, (if any) which are not yet due and payable, and that Grantor(s) will warrant and defend the same from
all claims whatsoever.

Dated: March 11, 2010

Bingham Investments

By: 
Delwyn Mickelson, General Partner

STATE OF IDAHO

COUNTY OF BANNOCK

On this 12 day of March, in the year of 2010, before me Stephanie Crowder, a notary public personally
appeared Delwyn Mickelson known or identified to me to be General Partner of the partners in a
partnership, of Bingham Investments, a General Partnership and the partner or one of the partners who
subscribed said partnership name to the foregoing instrument, and acknowledged to me that he executed the
same in said partnership name.



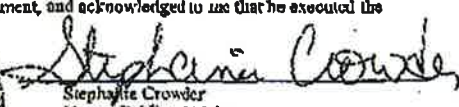

Stephanie Crowder
Notary Public of Idaho
Residing at Inkom Id
Commission expires: April 23, 2012

EXHIBIT A

PARCEL 1:

Township 6 South, Range 33 East, Boise Meridian, Power County, Idaho
Section 1: That portion of Section 1 referred to as Tax 1

Tax #1 (Included)

Beginning at a point 25 feet North of the Southeast corner of the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 1, Township 6 South, Range 33 E.R.M.; running thence due West 174 feet; thence Northeasterly a distance of 430.70 feet, more or less, to a point on the East line of said SE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 1, which point is 394 feet North of the point of beginning; thence South 394 feet to the point of beginning. All of the above described tract lying within SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 1, Township 6 South, Range 33 E.R.M.

Township 6 South, Range 34 East, Boise Meridian, Power County, Idaho
Section 6: Tax 12, Tax 23, Tax 26, excluding Tax 30

Tax #12 and Tax #23 (Included)

Commencing at the W $\frac{1}{4}$ corner of Section 6, Township 6 South, Range 34 East, Boise Meridian, Power County, Idaho; thence North along the West line of said Section 6 a distance of 894.75 feet to the point of beginning; thence South 79°09' East a distance of 567.71 feet; thence South 36°41' East a distance of 440.50 feet; thence South 25°37' East a distance of 415.00 feet; thence North 64°23' East a distance of 86.50 feet, more or less, to the center line of the Portneuf River; thence South 77 feet, more or less, to the intersection with the half line of said Section 6; thence West 1,090 feet, more or less, to the point of beginning.

Excepting therefrom:

Tax #30 (Excluded)

Commencing at the W $\frac{1}{4}$ corner of Section 6, Township 6 South, Range 34 East, Boise Meridian, Power County, Idaho; thence North along the West line of said Section 6 a distance of 894.75 feet; thence South 79°09' East a distance of 412.61 feet to the true point of beginning; thence along same line, 155.10 feet; thence South 36°41' East a distance of 238.7 feet; thence on a straight line back to the true point of beginning.

Tax #23 (included) is also known as:

A parcel of ground in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 6, Township 6 South, Range 34 East, Boise Meridian; more particularly described as: Beginning at a point at the Southwest corner of the SW $\frac{1}{4}$ NW $\frac{1}{4}$; thence East 220 feet; thence North 23 feet to the true point of beginning; thence East 285 feet; thence North 220 feet; thence on an angle in a Southwesterly direction 335 feet, more or less, to the true point of beginning.

Tax #26 (included)

A parcel of ground in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 6, Township 6 South, Range 34 East, Boise Meridian; more particularly described as: Beginning at a point at the Northwest corner of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ the true point of beginning; thence 220 feet East; thence 240 feet, more or less, along the roadway to a point where said intersects the roadway bounded by the Section line; thence North along the second line to the true point of beginning.

PARCEL 2:

A parcel of land located in the Southeast 1/4 of Section 1, Township 6 South, Range 33 East, Boise Meridian, being in a portion of the land described in deed instrument no. 195129 of the records of Power County, Idaho. More particularly described as follows:

Commencing at the East 1/4 corner of Section 1, Township 6 South, Range 33 East, Boise Meridian; Said corner being marked by a found Indian Allotment brass cap monument dated 1912; Thence South 00°13'11" West along the east line of said section 1, a distance of 1154.60 feet to The True Point of Beginning; Thence continuing South 00°13'11" West along said east line a distance of 1188.48 feet to the Northeast corner of the parcel of land described in Corporation deed instrument no. 185157 of the records of Power County, Idaho. Which point also being 300 feet north of the Northeast corner of said section 1; Thence North 89°18'57" West parallel with and 300 feet north of the south line of section 1, a distance of 326.99 feet; Thence North 81°51'40" West a distance of 248.64 feet; Thence North 39°22'25" West a distance of 669.18 feet; Thence North 01°05'07" East a distance of 280.00 feet; Thence North 76°06'11" West a distance of 307.55 feet; Thence South 01°05'07" West a distance of 894.76 feet to a point which is 300 feet north of the south line of said section 1; Thence North 89°18'57" West parallel with and 300 feet north of the south line of section 1, a distance of 1362.26 feet to a point on the Meridional centerline of section 1; Thence North 00°28'47" East along said centerline a distance of 1166.85 feet; Thence South 89°46'49" East a distance of 2664.78 feet to a point of the east line of said section 1, the Point of Beginning.

Reserving Therefrom a twelve (12) foot wide strip of land for ingress and egress lying six (6) feet on each side of the following described centerline:

Commencing at the East 1/4 corner of Section 1, Township 6 South, Range 33 East, Boise Meridian; Said corner being marked by a found Indian Allotment brass cap monument dated 1912; Thence South 00°13'11" West along the east line of said section 1, a distance of 2337.08 feet to a point which is 300 feet north of the southeast corner of section 1; Thence North 89°18'57" West a distance of 50 feet more or less to a point of the west right of way line of Weaver road (Tank Farm road). The True Point of Beginning; Thence continuing

North 89°18'57" West a distance of 276.55 feet; Thence North 81°51'40" West a distance of 345.92 feet;
 Thence North 39°22'25" West a distance of 664.63 feet;
 Thence North 01°05'07" East a distance of 282.58 feet; Thence North 76°06'11" West a distance of 319.86
 feet; Thence South 01°05'07" West a distance of 902.32 feet, to a point which is 300 feet north of the south
 line of section 1. Terminus of the easement being described
 The side lines of the above described strip of land shall be extended to terminate on the west
 right of way line of Weaver road (Tank Farm road) on the west end of said strip and on a line which is 100
 feet north of the south line of said section 1 on the south end of said strip.
 The East boundary of the above described parcel is subject to a public right of way easement for Weaver
 Road (Tank Farm Road).

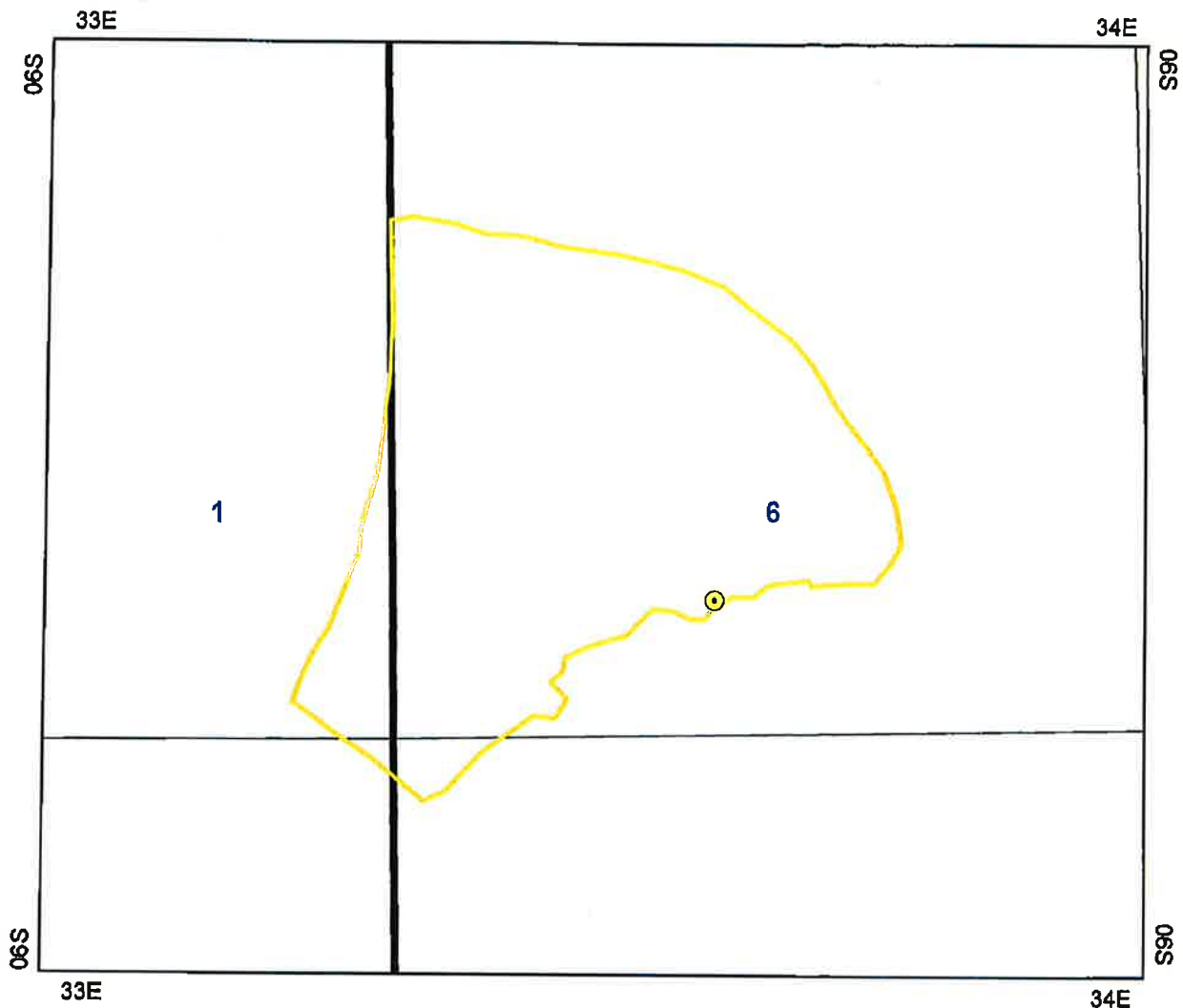


State of Idaho
Department of Water Resources

Water Right
29-4276

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

0 0.035 0.07 0.14 Miles

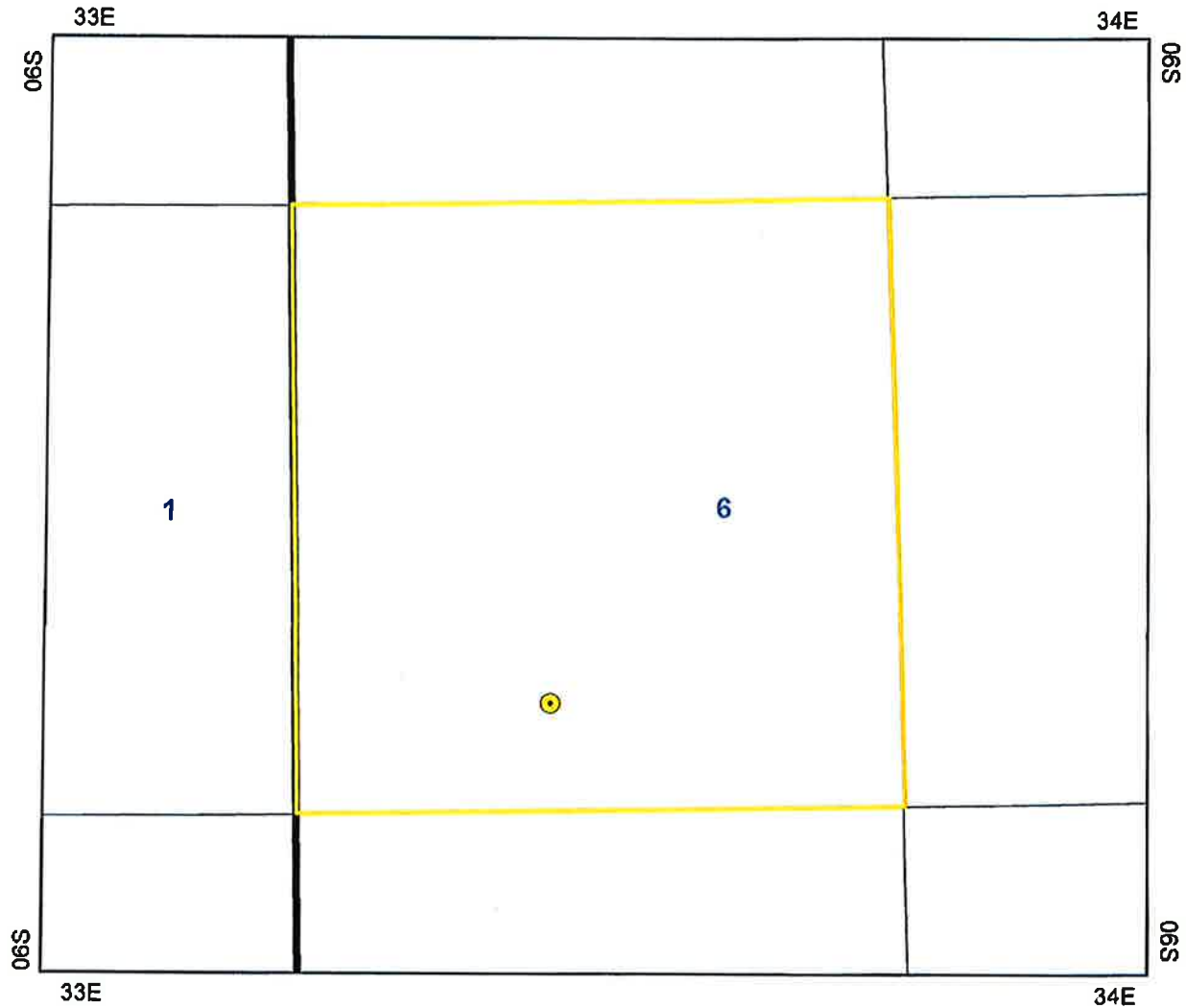


State of Idaho
Department of Water Resources

Water Right
29-4276

STOCKWATER

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.045 0.09 0.18 Miles



State of Idaho
Department of Water Resources

Water Right
29-2344A

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.075 0.15 0.3 Miles





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

February 05, 2021

CITY OF POCA TELLO
PO BOX 4169
POCA TELLO ID 83205-4169

Re: Change in Ownership for Water Right No(s): 29-4276 & 29-2344A

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