

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
DEC 28 2020
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?
34-14789 <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: Bank of Idaho Trustee, Leslie A Ball Trust

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Moore Water & Sewer Association

New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or ☐ and/or

PO Box 638

Moore

ID

83255

Mailing address

City

State

ZIP

208-554-3412

pearsonlhas@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: October 2020

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: *Jim H. Pearson* *Vice Pres.* *10-29-20*
Signature of new owner/claimant Title, if applicable Date

Signature: *Arline Pearson* *Secretary* *10-29-20*
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by *JB* Date *12/29/20* Receipt No. *E046537* 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 *1/11/2021*

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

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

NO. 58748
RECORDED
OCT 29 2020
DEC 20 2017
14:30
A.M. P.M.
BUTTE COUNTY RECORDER
Kim Smith

(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 Moore Water & Sewer Association whose address is PO Box 638 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 29 day of October, 2020.

"GRANTOR"

Bank of Idaho Trustee, Leslie A. Ball IRA

Jeanna Nance
by: Jeanna Nance, Vice President & Trust Officer

STATE OF IDAHO)
)ss.
County of Booneville)

On the 24th day of October, 2020, 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.



Lynette D Stone
Notary Public for Idaho
Residing at: Idaho Falls, ID
Commission Expires: 6/05/26

EXHIBIT A
WATER RIGHT DESCRIPTION

IDAHO Department of
Water Resources



WATER RIGHT REPORT

10/19/2020

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 34-14789

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BANK OF IDAHO C/O TRUSTEE LESLIE A BALL IRA 781 S RIVER RD SAINT ANTHONY, ID 83445-5510 2083134386
Original Owner	HINTZE FARMS PO BOX 125 MACKAY, ID 83251-0125 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>
MUNICIPAL	4 / 01	10 / 31	0.49 CFS	109 AFA
Total Diversion			0.49 CFS	109 AFA

Location of Point(s) of Diversion:

GROUND WATER	SENW	Sec. 28	Township 05N	Range 26E	CUSTER County
GROUND WATER	SENW	Sec. 28	Township 05N	Range 26E	CUSTER County
GROUND WATER	SENW	Sec. 28	Township 05N	Range 26E	CUSTER County

Place(s) of use: Large POU Info

Conditions of Approval:

1. 126 Place of use is within the service area of Moore Water & Sewer Association as provided for under Idaho law. The place of use is generally described as Section 21, 28, and 33, Township 05N, Range 26E.
2. 180 A map generally depicting the service area for this water right at the time of this approval is attached to this document for illustrative purposes.
3. 228 Municipal use is for irrigation of 31.2 acres within the authorized place of use in a single irrigation season.
4. 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.
5. 214 Prior to the diversion and use of water under Transfer approval 84122, 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.
6. 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.
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:



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

January 11, 2021

MOORE WATER & SEWER ASSN
PO BOX 638
MOORE ID 83255-0638

Re: Change in Ownership for Water Right No(s): 34-14789

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: BIG LOST RIVER GROUND WATER DISTRICT