

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

## Notice of Change in Water Right Ownership

RECEIVED  
SEP 29 2020  
DEPARTMENT OF  
WATER RESOURCES

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?
35-9067	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
35-7639	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: Key Property Rentals Blackfoot LLC, an Idaho limited liability company  
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Idle Wheels Cat LLC, an Idaho limited liability company  
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 755 W. Front Street, Attn: Chap Todd Boise ID 83702  
Mailing address City State ZIP  
(208)866-0900 Chap.Todd@colliers.com; Clay.Anderson@colliers.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: 9/25/2020
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):  
    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

SUPPORT DATA

IN FILE # 35-7639

8. Signature: [Signature] Member 9/23/2020  
Signature of new owner/claimant Title, if applicable Date  
Signature: [Signature] Member 09/23/2020  
Signature of new owner/claimant Title, if applicable Date


**For IDWR Office Use Only:**

Received by KM Date 9-29-2020 Receipt No. C109314 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 \_\_\_\_\_ Processed by [Signature] Date 9-30-2020

AFTER RECORDING MAIL TO:

Idle Wheels Cat LLC  
c/o Chap Todd Colliers  
755 W. Front Street, Suite 300  
Boise, ID 83702

ELECTRONICALLY RECORDED - DO NOT  
REMOVE THE COUNTY STAMPED FIRST  
PAGE AS IT IS NOW INCORPORATED AS  
PART OF THE ORIGINAL DOCUMENT.

I hereby certify this to be a true  
and exact copy of the original  
FIRST AMERICAN TITLE CO.  
By: 

Instrument # 722839  
BINGHAM COUNTY, IDAHO  
2020-09-25 01:14:00 PM No. of Pages: 3  
Recorded for: FIRST AMERICAN TITLE AND ESCRO  
PAMELA W. ECKHARDT Fee: \$15.00  
Ex-Officio Recorder Deputy JPulley  
Index To: DEED  
Electronically Recorded by Simplifile

## WARRANTY DEED

File No.: 4106-3511428 (RR)

Date: **September 02, 2020**

For Value Received, **Key Property Rentals Blackfoot LLC, an Idaho limited liability company**, hereinafter referred to as Grantor, does hereby grant, bargain, sell and convey unto **Idle Wheels Cat LLC, an Idaho limited liability company**, hereinafter referred to as Grantee, whose current address is **755 W. Front Street, Suite 300, Boise ID 83702** the following described premises, situated in **Bingham County, Idaho**, to wit:

**LEGAL DESCRIPTION:** Real property in the County of Bingham, State of Idaho, described as follows:

**See attached Exhibit "A"**

APN: **RP0344500**

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto 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.

APN: RP0344500

Warranty Deed  
- continued

File No.: 4106-3511428 (RR)  
Date: 09/02/2020

Key Property Rentals Blackfoot LLC, an Idaho  
limited liability company

By: Mark Capener

Name: Mark Capener

Title: Member and Manager

By: Sally Capener

Name: Sally Capener

Title: Member and Manager

STATE OF Idaho )  
COUNTY OF Bonneville )  
ss.

On This 23 day of September, in the year 2020, before me, the undersigned notary, a Notary Public in and for said State, personally appeared **Mark Capener and Sally Capener**, known or identified to me to be the persons whose names are subscribed to the within Instrument as the **Members and Managers of Key Property Rentals Blackfoot LLC, an Idaho limited liability company**, which is known or identified to me to be the entity whose name is subscribed to the within Instrument and acknowledged to me that they executed the same in said Limited Liability Company's name.



Amanda J Bunn  
Signature of Notary Public  
My Commission Expires: 8/17/26  
Resides at: Shelley, ID

## EXHIBIT A

**LEGAL DESCRIPTION:** Real property in the County of Bingham, State of Idaho, described as follows:

### PARCEL 1:

Part of the NE $\frac{1}{4}$  of Section 32, Township 2 South, Range 35 E.B.M., Bingham County, Idaho, described as: Beginning at a point on the East-West half Section line that is S. 00°29'27" E. along said line 367.00 feet from the N $\frac{1}{4}$  corner of said Section 32; thence N. 89°46'38" E. 237.00 feet; thence S. 00°29'27" E. 1161.66 feet; thence N. 54°42'00" W. along the Northerly right-of-way line of U.S. Highway 26, 292.18 feet; thence N. 00°29'27" W. along the East-West half Section line 991.88 feet to the point of beginning.

### PARCEL 2:

A portion of the W $\frac{1}{2}$ NE $\frac{1}{4}$  of Section 32, Township 2 South, Range 35 E.B.M., Bingham County, Idaho, more particularly described as follows: Beginning at a point that lies along the Northerly right-of-way line of U. S. Highway 26 N. 75°27'00" W. 1369.10 feet and N. 54°42'00" W. 1286.50 feet from the E $\frac{1}{4}$  corner of Section 32, and running thence N. 54°42'00" W. 48.92 feet; thence N. 00°01'47" W. 300.32 feet; thence East 178.34 feet; thence South 160.53 feet; thence West 19.33 feet; thence S. 35°18'00" W. 205.80 feet to the Point of Beginning.

ALSO the South 720.3 feet of the following parcel:

Beginning at a point that lies N. 89°46'33" E. 414.65 feet along the section line from the N $\frac{1}{4}$  corner of said Section 32, and running thence S. 00°01'53" W. 500.00 feet; thence S. 720.30 feet; thence W. 178.34 feet; thence N. 00°01'47" W. 1219.60 feet; thence N. 89°46'33" E. 178.70 feet to the Point of Beginning.

State of Idaho  
Department of Water Resources

# Water Right 35-9067

DOMESTIC

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.

35E



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

0 0.0425 0.085 0.17 Miles



State of Idaho  
Department of Water Resources

**Water Right**  
**35-7639**

DOMESTIC

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

322 E FRONT ST STE 648 PO BOX 83720 • BOISE, ID 83720-0098

Phone: (208)287-4800 • Fax: (208)287-6700 • Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

Brad Little  
Governor

Gary Spackman  
Director

September 30, 2020

IDLE WHEELS CAT LLC  
ATTN CHAP TODD  
755 W FRONT ST STE 300  
BOISE ID 83702-5802

Re: Change in Ownership for Water Right No(s): 35-7639 & 35-9067

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) 287-4942.

Sincerely,

Jean Hersley  
Technical Records Specialist 2

Enclosure(s)

c: Water District No. 120