

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

SEP 04 2000

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?
1-7006 <i>OK</i>	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
1-10011 <i>OK</i>	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
1-7087 <i>OK</i>	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
25-7106 <i>OK</i>	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
25-10069 <i>OK</i>	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>

2. Previous Owner's Name: Covington Brothers Ltd Partnership
 Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Covington Brothers LLC
 New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or

<u>P.O. Box 183</u>	<u>Rexburg</u>	<u>ID</u>	<u>83440</u>
Mailing address	City	State	ZIP
<u>Telephone</u>		<u>Email</u>	

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: August 31, 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.

SUPPORT DATA
IN FILE # 1-7006

8. Signature: <u><i>Robert L. Francis</i></u>	<u>Attorney</u>	<u>September 4, 2020</u>
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 JB Date 9/4/20 Receipt No. E046260 Receipt Amt. \$125.-
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 9/9/20

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Robert L. Harris, Esq.
Holden, Kidwell, Hahn & Crapo, PLLC
PO Box 50130
Idaho Falls, ID 83405-0130

Instrument # 433607

REXBURG, MADISON, IDAHO

1-31-2020 03:09:11 PM No. of Pages: 4

Recorded for : HOLDEN KIDWELL HAHN & CRAPO

KIM H. MUIR

Fee: 15.00

Ex-Officio Recorder Deputy

SH

(Space Above for Recorder's Use)

QUITCLAIM DEED FOR WATER RIGHTS

THIS INDENTURE is made this 14th day of August, 2020, between **Covington Brothers Limited Partnership**, referred to herein as the "GRANTOR" and **Covington Brothers LLC**, an Idaho limited liability company, whose mailing address is P.O. Box 183, Rexburg, Idaho 83440, referred to herein as the "GRANTEE".

WITNESSETH, that the GRANTOR, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) lawful money of the United States of America and other good and valuable consideration to GRANTOR, in hand paid by the GRANTEE, the receipt whereof is hereby acknowledged, does by these presents remise, release, and forever QUITCLAIM unto the GRANTEE, and to GRANTEE's successors and assigns forever, all right, title and interest now owned or hereafter acquired by the Grantor of **Water Right Nos. 25-7106, 25-10069, 1-7087, 1-10011, and 1-7006**.

TOGETHER, with the tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining, and any reversions, remainders, or rents, issues and profits therefrom.

TO HAVE AND TO HOLD the said water rights unto the GRANTEE, and to GRANTEE's successors and assigns forever.

In construing this Quitclaim Deed and where the context so requires, the singular includes the plural.

[SIGNATURES AND NOTARY BLOCKS ON FOLLOWING PAGE]

"GRANTOR"

COVINGTON BROTHERS LIMITED
PARTNERSHIP



By: LESLIE COVINGTON-TAFT
Its: PR OF JAYCE J COVINGTON ESTATE
" " E. BLAIR COVINGTON TRUST

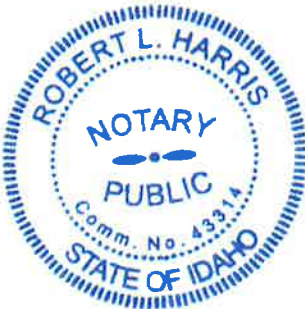
COVINGTON BROTHERS LIMITED
PARTNERSHIP

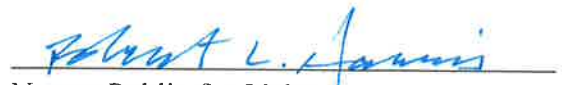


By: Jay Brent Covington
Its: PR of Brent E. Covington Estate

STATE OF IDAHO)
)ss.
County of BONNEVILLE)

This record was acknowledged before me on the 19th day of August, 2020, by Leslie Covington-Taft as the Personal Representative of of Covington Brothers Limited Partnership. the Joyce J. Covington Estate and the Personal Representative of the E. Blair Covington Trust




Notary Public for Idaho
My Commission Expires: 11/18/2022

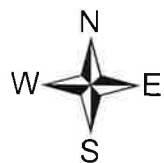
STATE OF IDAHO)
)ss.
County of BONNEVILLE)

This record was acknowledged before me on the _____ day of August, 2020, by _____
Jay Brent Covington as the Personal Representative of Covington Brothers
Limited Partnership. of the Brent E. Covington Estate



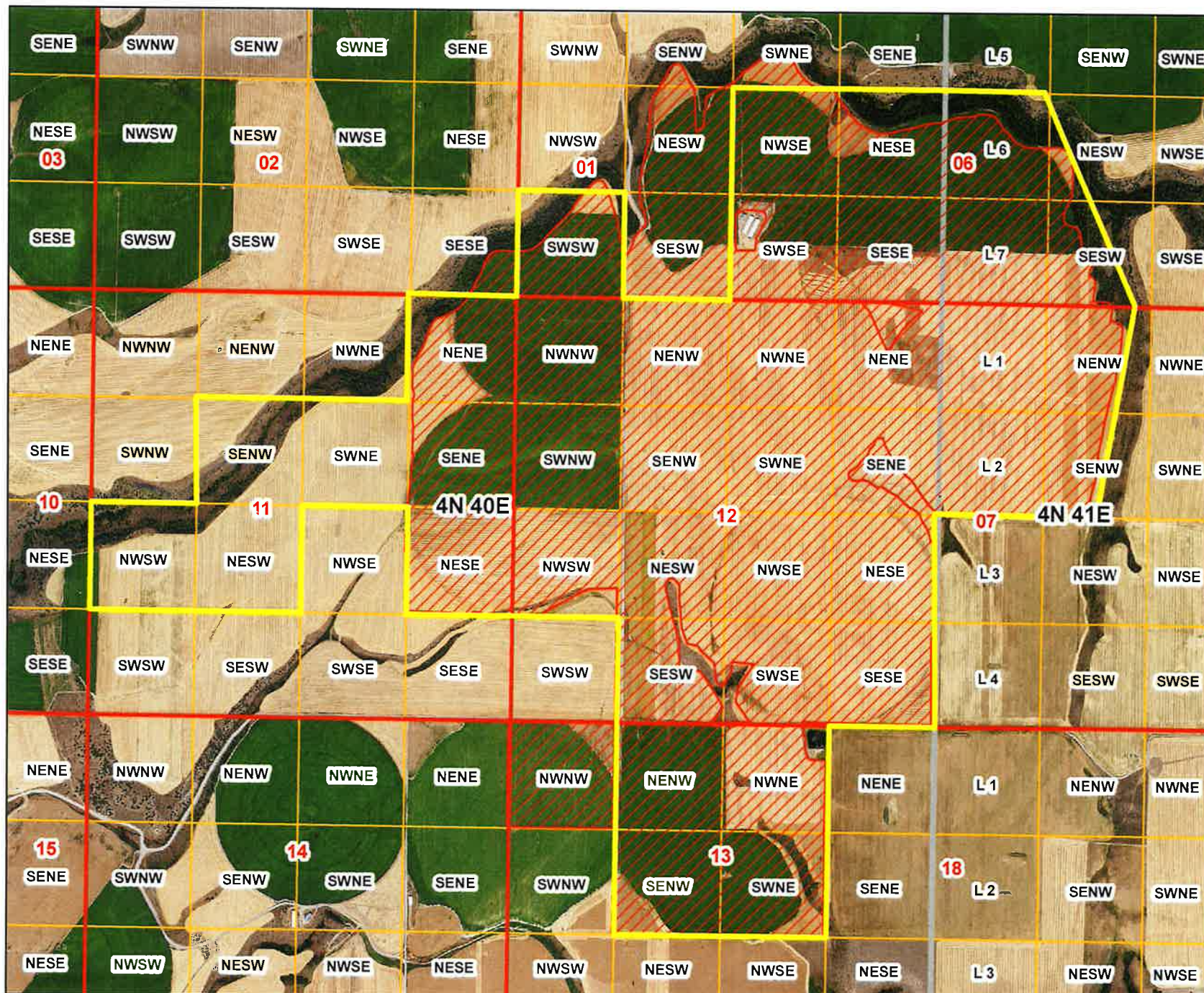
Robert L. Harris
Notary Public for Idaho
My Commission Expires: 11/18/2022

COVINGTON PROPERTY



Legend

- Exchange Well
- ▲ River_POD
- Covington_Property_Line
- Covington_POU
- TR Lines_2014
- Section Lines_2014
- Quarter Quarters_2014



Prepared by:
Robert L. Harris
February 25, 2020



2 1038

CERTIFICATE OF CANCELLATION OF LIMITED PARTNERSHIP

Secretary of State
Corporations Division
700 West Jefferson Room 203
PO Box 83720
Boise ID 83720-0080

94 NOV 15 AM 9 07



1. The name of the limited partnership is: Covington Brothers Limited Partnership

2. The date on which its certificate of limited partnership was filed with the Secretary of State:

Original Certificate File December 18, 1985

3. The limited partnership hereby cancels its certificate of limited partnership.

4. The effective date of cancellation, if other than the date of filing, is: _____

5. The reason for the cancellation is:

(Leave blank if effective date is to be date of filing.)

Converted Limited Partnership to Limited Liability Company

6. Other matters (optional):

7. Signatures of all general partners;

Brent Covington
Brent Covington

Joyce Covington
Joyce Covington, Personal
Representative of the Estate of E.
Blair Covington

Secretary of State use only

IDAH0 SECRETARY OF STATE
19941115 0900 41962 3
CK #: 56403 CUST# 2367

CORP
1@ 30.00= 30.00

10628
**ARTICLES OF ORGANIZATION
LIMITED LIABILITY COMPANY**

To the Secretary of State of Idaho,
Statehouse, Boise, Idaho 83720



94 NOV 15 AM 9 07

1. The name of the limited liability company is: Covington Brothers Limited Liability Company
2. The address of the initial registered office is: 1890 Niagara Drive
(not a PO Box)
Idaho Falls, Idaho 83404 and the name of the initial registered agent at that address is: Brent E. Covington

Signature of registered agent : _____

3. The latest date certain on which the limited liability company will dissolve: Dec. 31, 2040
4. Is management of the limited liability company vested in a manager or managers?
☒ Yes ☐ No (check appropriate box)

5. If management is vested in one or more manager(s), list the name(s) and address(es) of at least one initial manager. If management is vested in the members, list the name(s) and address(es) of at least one initial member.

Name:

Address:

Brent E. Covington

1890 Niagara Drive
Idaho Falls, Idaho 83404

Joyce J. Covington,

221 South 3rd East
Rexburg, Idaho 83440

6. Signature of at least one person listed in #5 above:

Brent E. Covington
Joyce J. Covington

Secretary of State use only

IDAHO SECRETARY OF STATE

19941115 0900 41962 2

CK #: 56403 CUST#: 2367

CORP

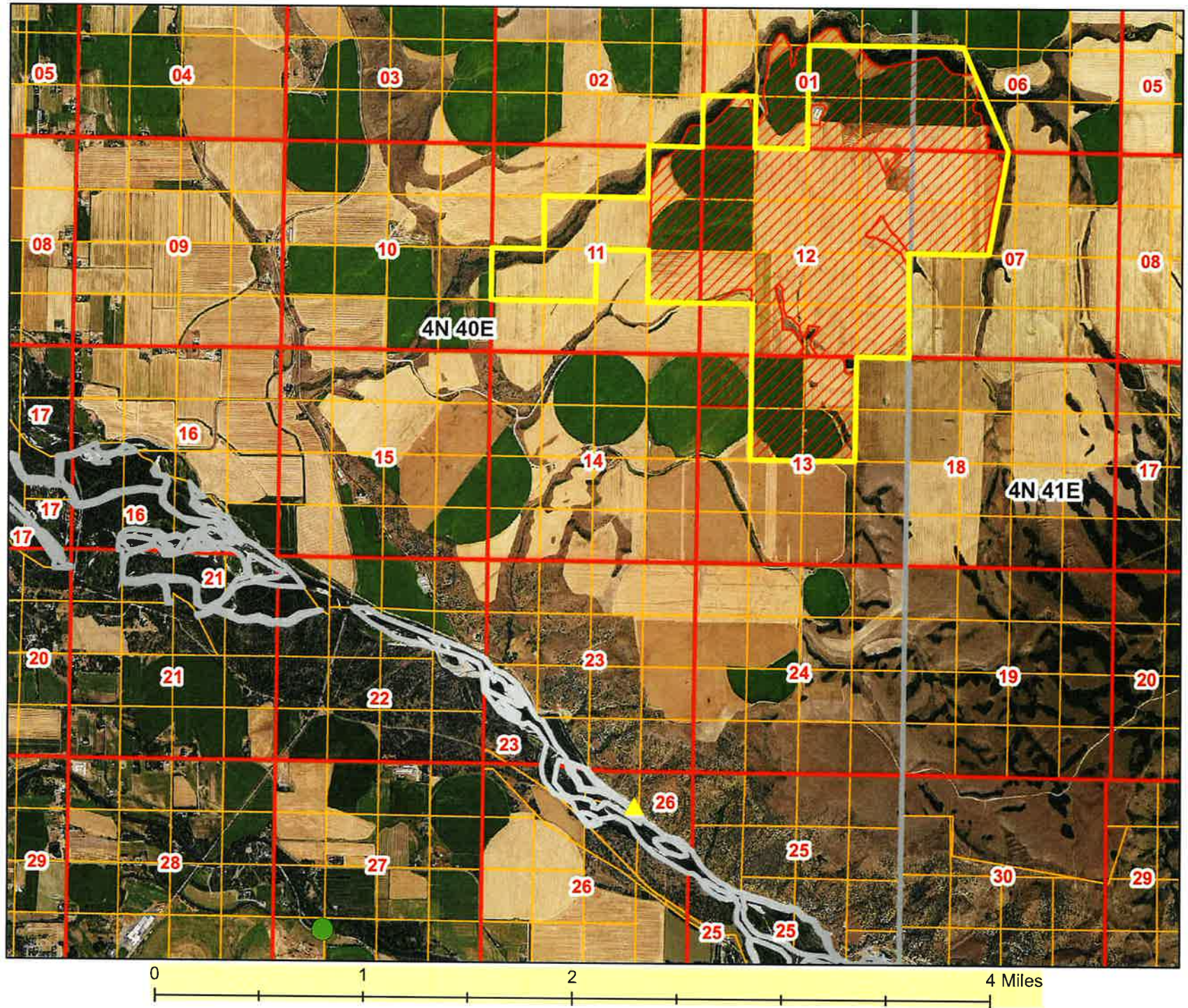
1@ 100.00= 100.00

COVINGTON PROPERTY



Legend

- Exchange Well
- River_POD
- Covington_Property_Line
- Covington_POU
- TR Lines_2014
- Section Lines_2014
- Quarter Quarters_2014



Prepared by:
Robert L. Harris
February 25, 2020

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 19576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 01-07006

NAME AND ADDRESS: COVINGTON BROS LTD
C/O JOYCE COVINGTON
221 SOUTH 3RD E
REXBURG, ID 83440

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 7.38 CFS
3132.60 APY

The rights listed below are limited to a total combined
diversion rate of 7.38 cfs and to a total combined annual
diversion volume of 3147.2 AF. Combined Right Nos.: 01-7006,
01-10011.

PRIORITY DATE: 11/12/1974

POINT OF DIVERSION: T04N R40E S26 LOT 9 (NWNE) Within Madison County

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Irrigation 04-01 TO 11-01 7.38 CFS
3132.60 APY

PLACE OF USE: Irrigation Within Madison County
T04N R40E S01 SWNE 6.0 SENW 2.0
NESW 28.0 NWSW 1.0
SWSW 29.0 SESW 36.0
NESE 27.0 NWSE 40.0
SWSE 36.0 SESE 40.0
S02 SESE 5.0
S11 NENE 32.0 SENE 38.0
NESE 39.0
S12 NENE 40.0 NWNE 40.0
SWNE 40.0 SENE 40.0
NENW 39.0 NWNW 39.0
SWNW 39.0 SENW 39.0
NESW 37.0 NWSW 35.0
SESW 34.0 NESE 40.0
NWSE 40.0 SWSE 36.0
SESE 39.0
S13 NWNE 37.0 SWNE 40.0
NENW 39.0 NWNW 39.0
SENE 40.0
R41E S06 NESW 5.0 LOT 6 (NWSW) 26.0
LOT 7 (SWSW) 40.0 SESW 16.0
S07 NENW 28.0 LOT 1 (NWNW) 40.0
LOT 2 (SWNW) 40.0 SENW 22.0
1348.0 Acres Total

The rights listed below are limited to the irrigation of a
combined total of 1348 acres in a single irrigation season.
Combined Right Nos.: 01-7006, 01-10011, 25-07106, 25-10069
This right is limited to the irrigation of 960 acres within the
place of use described above in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

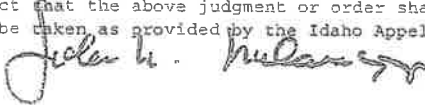
OTHER PROVISIONS (continued)

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. 01.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Case No. 39576

Water Right 01-10011

NAME AND ADDRESS: COVINGTON BROS LTD
C/O JOYCE COVINGTON
221 SOUTH 3RD E
REXBURG, ID 83440

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 2.07 CFS

The rights listed below are limited to a total combined
diversion rate of 7.38 cfs and to a total combined annual
diversion volume of 3147.2 AF. Combined Right Nos.: 01-7005,
01-10011

PRIORITY DATE: 07/01/1985

This water right is subordinate to all water rights with a
priority date earlier than April 12, 1994, that are not decreed
as enlargements pursuant to Section 42-1426, Idaho Code. As
between water rights decreed as enlargements pursuant to Section
42-1426, Idaho Code, the earlier priority right is the superior
right.

POINT OF DIVERSION: T04N R40E S26 LOT 9 (NWNE) Within Madison County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE
Irrigation

PERIOD OF USE
04-01 TO 10-31

QUANTITY
2.07 CFS

PLACE OF USE:

Irrigation

Within Madison County

T04N R40E S01	SWNE 6.0	SENE 2.0
	NESW 28.0	NWSW 1.0
	SWSW 29.0	SESW 36.0
	NESE 27.0	NWSE 40.0
	SWSE 36.0	SESE 40.0
S02	SESE 5.0	
S11	NENE 32.0	SENE 38.0
	NESE 39.0	
S12	NENE 40.0	NWNE 40.0
	SWNE 40.0	SENE 40.0
	NENW 39.0	NWNW 39.0
	SWNW 39.0	SENE 39.0
	NESW 37.0	NWSW 35.0
	SESW 34.0	NESE 40.0
	NWSE 40.0	SWSE 36.0
	SESE 39.0	
S13	NWNE 37.0	SWNE 40.0
	NENW 39.0	NWNW 39.0
	SENE 40.0	
R41E S06	NESW 5.0	LOT 6 (NWSW) 26.0
LOT 7	(SWSW) 40.0	SESW 16.0
S07	NENW 28.0	LOT 1 (NWNW) 40.0
LOT 2	(SWNW) 40.0	SENE 22.0
1348.0 Acres Total		

The rights listed below are limited to the irrigation of a
combined total of 1348 acres in a single irrigation season.
Combined Right Nos.: 01-7006, 01-10011, 25-7106, 25-10069

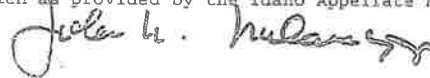
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This right is based upon an enlargement of Right No. 01-7006 pursuant to Section 42-1426, Idaho Code. 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. 01.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 25-07106

2005 JUN -6 PM 1:31

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: COVINGTON BROS LTD
C/O JOYCE COVINGTON
221 SOUTH 3RD E
IDAHO FALLS, ID 83404

SOURCE: GROUND WATER

POINT OF INJECTION INTO DRY BED, POINT OF REDIVERSION FROM SOUTH
FORK SNAKE RIVER.

QUANTITY: 5.31 CFS
2254.00 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 5.31 CFS AND TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 2264 AF. COMBINED RIGHT NOS.:
25-07106, 25-10069

PRIORITY DATE: 04/15/1977

POINT OF DIVERSION: T04N R40E S26 LOT 9 (NWNE) (Rediversion) Within Jefferson County
S27 SWSW
SWSW (Injection)

WATER DIVERTED UNDER THIS RIGHT IS EXCHANGED BY INJECTING WATER
DIVERTED UNDER THIS RIGHT INTO THE DRY BED AT THE POINT OF
INJECTION DESCRIBED ABOVE, AND DIVERTING AN EQUAL AMOUNT FROM
SOUTH FORK SNAKE RIVER AT THE POINT OF REDIVERSION DESCRIBED
ABOVE.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation		04-01 TO 11-01	5.31 CFS 2254.00 AFY

PLACE OF USE:	Irrigation		Within Madison County
	T04N R40E S01	SWNE 6.0	SENE 2.0
		NESW 28.0	NWSW 1.0
		SWSW 29.0	SESW 36.0
		NESE 27.0	NWSE 40.0
		SWSE 36.0	SESE 40.0
	S02	SESE 5.0	
	S11	NENE 32.0	SENE 38.0
		NESE 39.0	
	S12	NENE 35.0	NWNE 40.0
		SWNE 40.0	SENE 32.0
		NENW 39.0	NWNW 39.0
		SWNW 39.0	SENE 39.0
		NESW 37.0	NWSW 35.0
		SESW 34.0	NESE 39.0
		NWSE 40.0	SWSE 36.0
		SESE 39.0	
	S13	NWNE 37.0	SWNE 40.0
		NENW 39.0	NWNW 39.0
		SENE 40.0	
	R41E S06	NESW 5.0	LOT 5 (NWSW) 26.0
	LOT 7	(SWSW) 40.0	SESW 16.0
	S07	NENW 28.0	LOT 1 (NWNW) 40.0

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

PLACE OF USE (continued)

LOT 2 (SWNW)40.0 SENW 22.0
1334.0 Acres Total

USE OF THIS RIGHT WITH RIGHT NO. 25-10069 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1334 ACRES IN A SINGLE IRRIGATION SEASON.

This right is limited to the irrigation of 960 acres within the place of use described above in a single irrigation season.

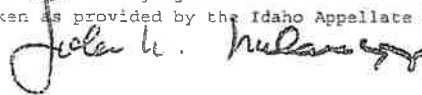
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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. 01.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. I.R.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 25-10069

2005 JUN -6 PM 1:32

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS:

COVINGTON BROS LTD
C/O JOYCE COVINGTON
221 SOUTH 3RD E
IDAHO FALLS, ID 83404

SOURCE:

GROUND WATER

POINT OF INJECTION INTO DRY BED. POINT OF REDIVERSION FROM SOUTH
FORK SNAKE RIVER.

QUANTITY:

0.10 CFS
10.00 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 5.31 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 2264 AF. COMBINED RIGHT NOS.: 25-07106,
25-10069

PRIORITY DATE:

07/01/1985

THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A
PRIORITY DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT DECREED
AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE. AS
BETWEEN WATER RIGHTS DECREED AS ENLARGEMENTS PURSUANT TO SECTION
42-1426, IDAHO CODE, THE EARLIER PRIORITY RIGHT IS THE SUPERIOR
RIGHT.

POINT OF DIVERSION:

T04N R40E S26 LOT 9 (NWNE) (Rediversion) Within Jefferson County
S27 SWSW
SWSW (Injection)

WATER DIVERTED UNDER THIS RIGHT IS EXCHANGED BY INJECTING WATER
DIVERTED UNDER THIS RIGHT INTO THE DRY BED AT THE POINT OF
INJECTION DESCRIBED ABOVE, AND DIVERTING AN EQUAL AMOUNT FROM
SOUTH FORK SNAKE RIVER AT THE POINT OF REDIVERSION DESCRIBED
ABOVE.

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation	04-01 TO 10-31	0.10 CFS 10.00 AFY

PLACE OF USE:

PLACE OF USE:	QUANTITY
Irrigation	
T04N R40E S01	SWNE 6.0 NESW 28.0 SWSW 29.0 NESE 27.0 SWSE 36.0
S02	SESE 5.0
S11	NESE 39.0 NENE 32.0 SENE 38.0
S12	NENE 35.0 SWNE 40.0 NENW 39.0 SNNW 39.0 NESW 37.0 SESW 34.0 NWSE 40.0
Within Madison County	SENE 2.0 NWSW 1.0 SESW 36.0 NWSE 40.0 SESE 40.0 NWNE 40.0 SENE 32.0 NWNW 39.0 SENE 39.0 NWSW 35.0 NESE 39.0 SWSE 36.0

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

PLACE OF USE (continued)

	SESE 39.0		
S13	NWNE 37.0		SWNE 40.0
	NENW 39.0		NWNW 39.0
	SENE 40.0		
R41E S06	NESW 5.0	LOT 6	(NWSW)26.0
LOT 7	(SWSW)40.0		SESW 16.0
S07	NENW 28.0	LOT 1	(NWNW)40.0
LOT 2	(SWNW)40.0		SENE 22.0
1334.0 Acres Total			

USE OF THIS RIGHT WITH RIGHT NO. 25-7106 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1334 ACRES IN A SINGLE IRRIGATION SEASON.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

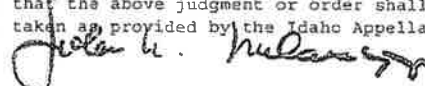
Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.

THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 25-07106 PURSUANT TO SECTION 42-1425, IDAHO CODE.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 1-07087

Priority: July 01, 1985

Maximum Diversion Rate: 4.60 CFS

It is hereby certified that COVINGTON BROS LTD
C/O JOYCE COVINGTON
221 SOUTH 3RD E
REXBURG ID 83440 has complied with the terms and conditions of the
permit, issued pursuant to Application for Permit dated July 01, 1985; and has submitted Proof of
Beneficial Use on October 15, 1990; and a water right has been established as follows:

SOURCE

SNAKE RIVER

Tributary: COLUMBIA RIVER

BENEFICIAL USE

IRRIGATION

PERIOD OF USE

04/01 to 10/31

DIVERSION RATE

4.60 CFS

**ANNUAL
DIVERSION VOLUME****LOCATION OF POINT(S) OF DIVERSION:**

SNAKE RIVER L9 (NW¼NE¼) Sec. 26 Twp 04N Rge 40E, B.M. JEFFERSON County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	40E	1			8.0				2.0	28.0	1.0	29.0	36.0	27.0	40.0	36.0	40.0		245.0
04N	40E	2															5.0		5.0
04N	40E	11	32.0			38.0								39.0					109.0
04N	40E	12	40.0	40.0	40.0	40.0	39.0	39.0	39.0	39.0	37.0	35.0		34.0	40.0	40.0	36.0	39.0	577.0
04N	40E	13		37.0	40.0		39.0	39.0		40.0									195.0
04N	41E	6								5.0	26.0	40.0	16.0						87.0
04N	41E	7					28.0	40.0	40.0	22.0		L 6	L 7						130.0
							L 1	L 2											

Total Acres: 1348

CONDITIONS OF APPROVAL

1. Rights 01-7006, 01-7087, 01-10011, 25-7106 and 25-10069 when combined shall not exceed the irrigation of 1348 acres.
2. Rights 01-7006, 01-7087 and 01-10011 when combined shall not exceed a total diversion rate of 8.69 cfs and the irrigation of 1348 acres.
3. This right is limited to the irrigation of 230 acres within the authorized place of use in a single irrigation season.

SCANNED

DEC 21 2011

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 1-07087

4. 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. 01.
5. 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).
6. The issuance of this right does not grant any right-of-way or easement across the land of another.
7. No water may be diverted under this right until adequate supplemental water is obtained for the irrigation season when the natural flow is not available.
8. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
9. 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 place of use.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed this 20th day of December, 2011.


for GARY SPACKMAN
Interim Director

SCANNED
DEC 21 2011



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

September 09, 2020

COVINGTON BROS LLC
PO BOX 183
REXBURG ID 83440-0183

Re: Change in Ownership for Water Right No(s): 1-7006, 1-7087, 1-10011, 25-7106 & 25-10069

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: HOLDEN KIDWELL HAHN & CRAPO
WATER DISTRICT 01
WATER DISTRICT 100
MADISON GROUND WATER DISTRICT



Holden Kidwell
Hahn & Crapo P.L.L.C.
LAW OFFICES

1000 Riverwalk Drive, Suite 200
PO Box 50130
Idaho Falls, Idaho 83405

RECEIVED
SEP 04 2020
Department of Water Resources
Eastern Region

Tel: (208) 523-0620
Fax: (208) 523-9518
www.holdenlegal.com

Email: rharris@holdenlegal.com

September 4, 2020

Jonie Barg
Idaho Department of Water Resources
900 N. Skyline Dr., Ste. A
Idaho Falls, ID 83402-1718

**Re: Notice of Change in Water Right Ownership for WR 1-7006, WR 1-10011,
WR 1-7087, WR 25-7106, and WR 25-10069.**

Dear Jonie:

Enclosed for processing is a *Notice of Change in Water Right Ownership* for the above-entitled water rights. We are submitting this change in ownership to correct an oversight in the decree of ownership in the Snake River Basin Adjudication and in the licensing of WR 1-7087. The above water rights were originally owned and claimed by Covington Brothers Limited Partnership, which ceased existing on November 15, 1994, after this entity was converted to Covington Brothers Limited Liability Company. We have included a copy of the *Certificate of Cancellation of Limited Partnership* as well as the *Articles of Organization for a Limited Liability Company* that were filed with the Secretary of State's office confirming this change in entity structure. Originally, the Covington Brothers Partnership consisted of Brent and Blair Covington, who were brothers. They and their spouses have now all passed away and in the process of finalizing some estate issues, this is an issue that needs to be addressed. Accordingly, the enclosed *Quitclaim Deed for Water Rights* conveys title from the limited partnership to the LLC. As you can see from the signature lines in the deed, the deeds were signed by the personal representatives of the estates for both brothers.

We have also included a map showing the location of the water rights' points of diversion, place of use, as well as the Covington Brothers LLC property boundary. You will see that these water rights were decreed and licenses on a couple of places on property not owned by the Covingtons. These are lands that were or are currently being leased by Covington. We have included a copy of the partial decrees and the license for 1-7087 for each of these water rights for your reference. We also have included the required \$125.00 filing fee to update ownership on these five (5) water rights, as none of them are being split.

Please let me know if you have any questions or concerns.

Established in 1896

Jonie Barg
September 4, 2020
Page 2 of 2

Best regards,



Robert L. Harris
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

Enclosures

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