

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUN 10 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?
25-14165	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"/>
Complete with an Assignment of Permit 7/2/20				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: LANDMARK Development Properties LLC
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Rocky Mountain Utility Company
New owner(s) as listed on the conveyance document
- Name connector ☐ and ☐ or ☐ and/or
- Mailing address: 2 N LANDMARK LN Ste 4 City: Rigby State: ID ZIP: 83442
- Telephone: 208-745-6443 Email: Silvercreek200@gmail.com

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: 6/11/15
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] Title, if applicable: Pres Date: 6-5-20
- Signature: [Signature] Title, if applicable: _____ Date: _____

For IDWR Office Use Only:

Received by _____ Date _____ Receipt No. _____ Receipt Amt. _____

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 _____ Date _____

[Close](#)IDAHO DEPARTMENT OF WATER RESOURCES
Water Permit Report

6/1/2015

WATER RIGHT NO. 25-14165

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LANDMARK DEVELOPMENT PROPERTIES LLC 3865 E 12N STE 1 RIGBY, ID 83442 (208) 520 2580

Priority Date: 01/25/2005
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>
COMMERCIAL	01/01	12/31	0.32 CFS	
DOMESTIC	01/01	12/31	1.61 CFS	
Total Diversion			1.93 CFS	

Location of Point(s) of Diversion:

GROUND WATER	SWSESE	Sec. 36	Township 04N	Range 38E	JEFFERSON County
GROUND WATER	SWSESE	Sec. 36	Township 04N	Range 38E	JEFFERSON County

COMMERCIAL Use:

Number of other uses: 8 commercial lots

DOMESTIC Use:

Number of homes: 249

Place(s) of use:

Place of Use Legal Description: COMMERCIAL JEFFERSON County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
04N	38E	36		SWSE										

Place of Use Legal Description: DOMESTIC JEFFERSON County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
04N	38E	36		NESE			NWSE			SWSE			SESE	

Conditions of Approval:

1. 26A Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which the permit holder had no control.
2. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
3. X59 Points of diversion are located within Lot 9, Blk. 4, Pepperwood Crossing Subdivision.
4. 067 The right holder shall record the quantity of water diverted and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
5. X01 Domestic use is for 249 homes.
6. Commercial use is for 8 commercial lots.
7. The commercial use authorized under this right shall not exceed 0.04 cfs and 2,500 gallons per day per commercial use.
8. 071 The domestic use authorized under this right shall not exceed 13,000 gallons per day per home.
9. 070 The irrigation occurring under this domestic use shall not exceed 1/2 acre within each platted subdivision lot upon which a home has been constructed. This right does not provide for irrigation of common areas or for irrigation of lots upon which homes have not been constructed.
10. 065 The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water for irrigation under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
11. 104

- If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used for irrigation without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
12. 106 Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.
13. X60 Place of use is located within Lots 1-24, Blk. 1; Lots 1-8, Blk. 2; Lots 1-11, Blk. 3; Lots 1-8, 10-29, Blk. 4; Lot 1, Blk. 5; Lots 1-19, Blk. 6; Lots 1-10, Blk. 7; and Lots 1-9, Blk. 8; and 139 lots with no designation; Pepperwood Crossing Subdivision.
14. 051 Any license issued by IDWR pursuant to the right or portion thereof for the use of trust water is subject to a term review of 20 years after the date of this approval to determine availability of water for the use and to re-evaluate the public interest at the end of the term.

Dates:

Proof Due Date: 04/01/2020

Proof Made Date:

Approved Date: 04/26/2005

Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Application Received Date: 01/14/2005

Protest Deadline Date: 02/22/2005

Number of Protests: 0

Field Exam Date::

Date Sent to State Off:

Date Received at State Off:

Other Information:

State or Federal:

Owner Name Connector:

Water District Number: 120

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Swan Falls Trust or Nontrust: T

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

FINAL PLAT

LOCATED IN THE SE 1/4 OF SECTION 36, TOWNSHIP 4 NORTH, RANGE 38 EAST, JEFFERSON COUNTY, IDAHO

Project Name: Jim Bernard
Job Number: 2004-53
Cadastral File: BernardJim(CntyRoad)
Date: February 28, 2005
Surveyor: K.L.T.
Drawn By: B.R.T.

Scale
1" = 100'
Sheet 2 Of 2

PEPPERWOOD CROSSING SUBDIVISION

DIVISION NO. 1
JEFFERSON COUNTY, IDAHO

LOCATED IN THE SE 1/4 OF SECTION 36, T4N R38E, B.M. NOTE:

No lot shall have Direct Access to County Line Road and 3900 East but will have access only through the Interior Subdivision Streets

TE THOMPSON ENGINEERING, INC.
CONSULTING ENGINEERS
RIGBY, IDAHO 83442

SURVEYOR Kevin L. Thompson, P.L.S.
154 East Main Street
Rigby, ID 83442
(208) 745-8771

LAND DEVELOPER Jim Bernard
2894 East 200 North
Rigby, ID 83442
(208) 745-7979

ACREAGE

Total Subdivision 31.53 Acres
Total Lots 22.74 Acres
Dedicated County Road 8.79 Acres

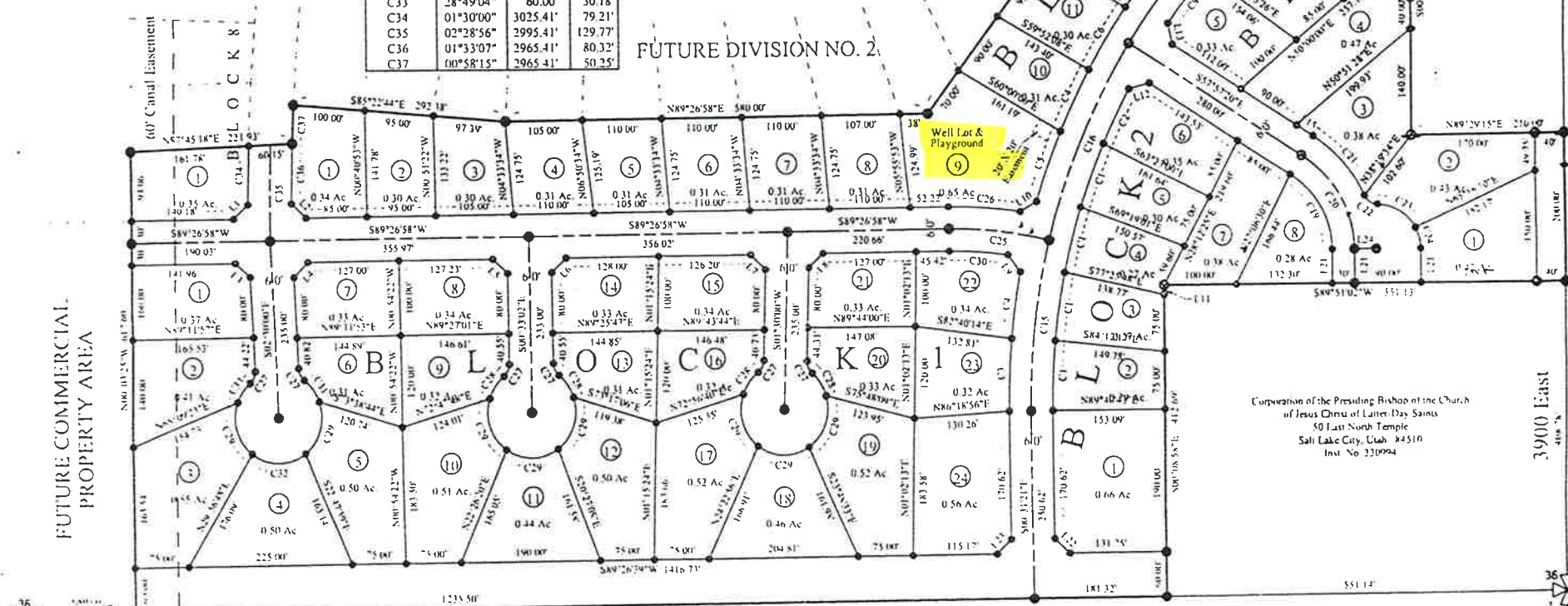
LEGEND

- Set 5/8" X 30" Iron Rod W/ Cap No. 10563
- Set 1 1/2" X 24" Iron Rod W/ Cap No. 10563
- Adjacent Property Line
- 12" Utility Easement

CURVE DATA			
Curve No.	Delta	Radius	Arc
C1	06°00'00"	870.00'	91.11'
C2	05°13'40"	870.00'	79.38'
C3	05°50'23"	930.00'	94.79'
C4	05°30'00"	930.00'	89.27'
C5	06°05'48"	930.00'	98.96'
C6	06°00'00"	930.00'	97.39'
C7	07°03'01"	930.00'	114.44'
C8	30°00'00"	120.00'	62.83'
C9	05°33'54"	870.00'	84.50'
C10	06°39'05"	870.00'	101.00'
C11	06°55'58"	870.00'	105.27'
C12	04°55'19"	870.00'	74.74'
C13	24°00'00"	180.00'	75.40'
C14	21°31'21"	180.00'	67.61'
C15	14°10'00"	900.00'	227.77'
C16	18°06'01"	900.00'	284.32'
C17	27°26'35"	900.00'	431.07'
C18	60°00'00"	150.00'	157.08'
C19	57°48'22"	120.00'	121.07'
C20	57°48'22"	150.00'	151.34'
C21	34°14'59"	180.00'	107.60'
C22	64°03'20"	20.00'	22.36'
C23	60°00'00"	60.00'	62.83'
C24	27°36'44"	60.00'	28.92'
C25	14°29'40"	548.17'	138.67'
C26	09°48'58"	578.17'	99.05'
C27	51°19'04"	20.00'	17.91'
C28	33°19'04"	60.00'	34.89'
C29	72°00'00"	60.00'	75.40'
C30	08°54'03"	518.17'	80.50'
C31	33°49'04"	60.00'	35.41'
C32	76°00'00"	60.00'	79.59'
C33	28°49'04"	60.00'	30.18'
C34	01°30'00"	3025.41'	79.21'
C35	02°28'56"	2995.41'	129.77'
C36	01°33'07"	2965.41'	80.32'
C37	00°58'15"	2965.41'	50.25'

LINE DATA		
Line No.	Bearing	Distance
L1	S44°55'21"W	28.05'
L2	N45°03'51"W	28.52'
L3	S46°31'31"E	27.80'
L4	N43°28'29"E	28.76'
L5	S45°33'02"E	28.28'
L6	N44°26'58"E	28.28'
L7	S44°31'31"E	28.79'
L8	N45°28'29"E	27.77'
L9	S35°25'58"E	28.88'
L10	S58°03'11"W	26.15'
L11	N00°08'58"W	12.69'
L12	N75°21'30"E	29.10'
L13	N11°16'10"W	29.10'
L14	S54°58'08"E	10.65'
L15	N57°57'20"W	26.53'
L16	S30°30'45"E	34.64'
L17	N51°43'35"E	24.49'
L18	S44°40'09"W	28.19'
L19	N45°19'52"W	28.37'
L20	N89°29'16"E	40.71'
L21	S00°08'58"E	46.41'
L22	N45°33'21"W	28.28'
L23	S44°26'39"W	28.28'
L24	N89°51'02"E	30.00'

Graphic Scale



County Line Road

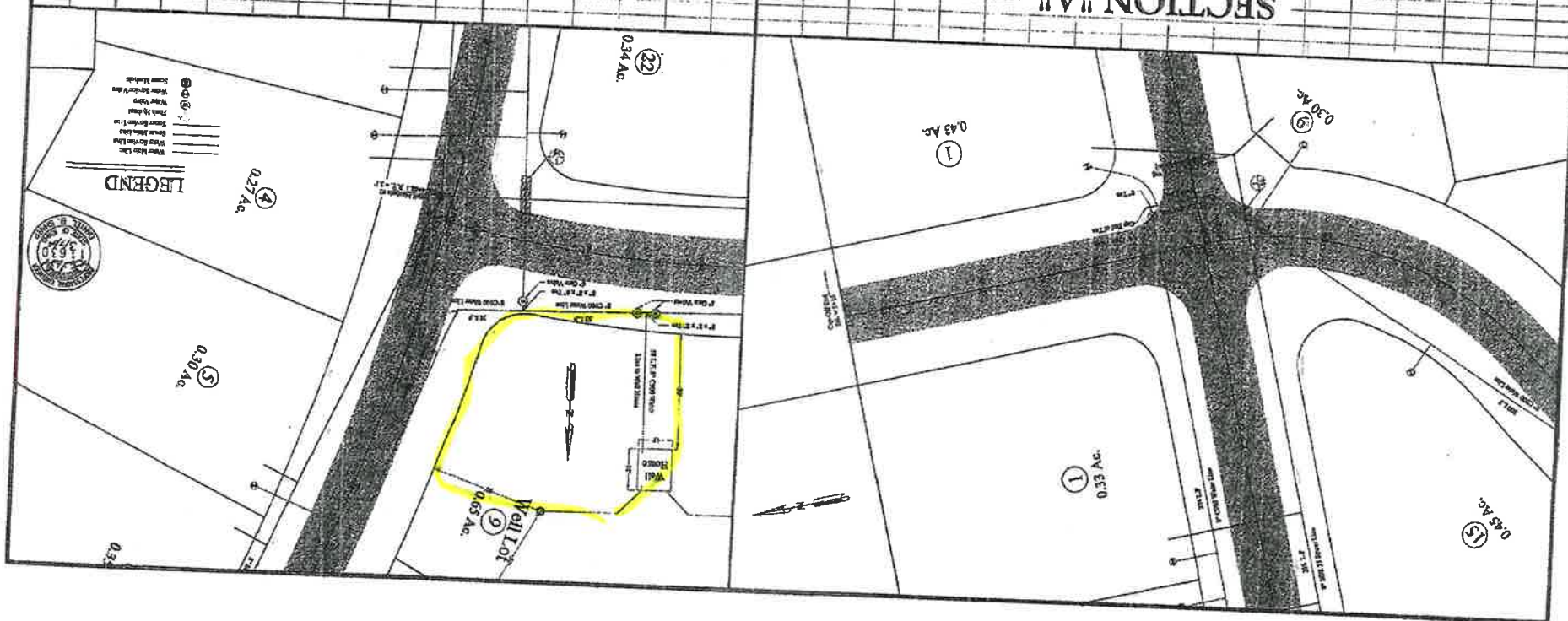
File & Return Check

Total Distance
589,260'W 200'W

File & Return Check

Dean & Traces Inc.

Red w/ A/C up
Dist No. 200994





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

June 18, 2020

Rocky Mountain Utility Co
2 N Landmark Ln Ste 4
Rigby ID 83442

RE: Change in Ownership Permit No. 25-14165

Dear Sir/Madam:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership.

Our review of your notice indicates that additional information is required before we can process the change. The information required is indicated below:

**** **FORM:** 25-14165 is still and active permit. A permit is considered personal property, in order for the department to update ownership for a permit an Assignment of Permit is required or a deed specifically deeding the permit. I have enclosed an Assignment of Permit, please have the current owner of the permit (Landmark Development Properties LLC) complete the assignment, sign and notarize the documents then return it to our office.

**** **FEES:** The fee to complete an Assignment of Permit is \$25.00, please provide the filing fee.

Because the Department cannot process the ownership change without proper documentation/fees, we will hold any action on your notice pending receipt of the necessary information/fees. If we do not receive the necessary information/fees within 30 days we will return your notice and all attachments and your notice will not be processed.

Please note that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.idaho.gov.

Please feel free to contact the Department if you have any questions.

Sincerely,

Jonie Barg
Technical Records Specialist

Enclosure(s)

SCANNED

JUN 18 2020