

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
JUL 09 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?
29-2295F <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: Diamond T Ranch LLC
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Potter Creek Ranch, L.C.
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- | | | | |
|------------------------|-------------------------------------|-----------|--------------|
| <u>P.O. Box 540478</u> | <u>North Salt Lake</u> | <u>UT</u> | <u>84054</u> |
| Mailing address | City | State | ZIP |
| <u>801-599-4397</u> | <u>crobinson@theensigngroup.com</u> | | |
| 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: January 14, 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.

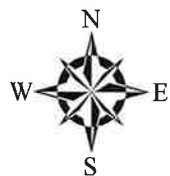
- | | | |
|--|---------------------------------|-----------------|
| 8. Signature: <u>By: Christopher T. Robinson</u> | <u>Manager of GP of Manager</u> | <u>7/7/2020</u> |
| Signature of new owner/claimant | Title, if applicable | Date |
| Signature: _____ | _____ | _____ |
| Signature of new owner/claimant | Title, if applicable | Date |

For IDWR Office Use Only:

Received by JB Date 7/9/20 Receipt No. E046087 Receipt Amt. \$25. -
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 CR Date 7/17/2020

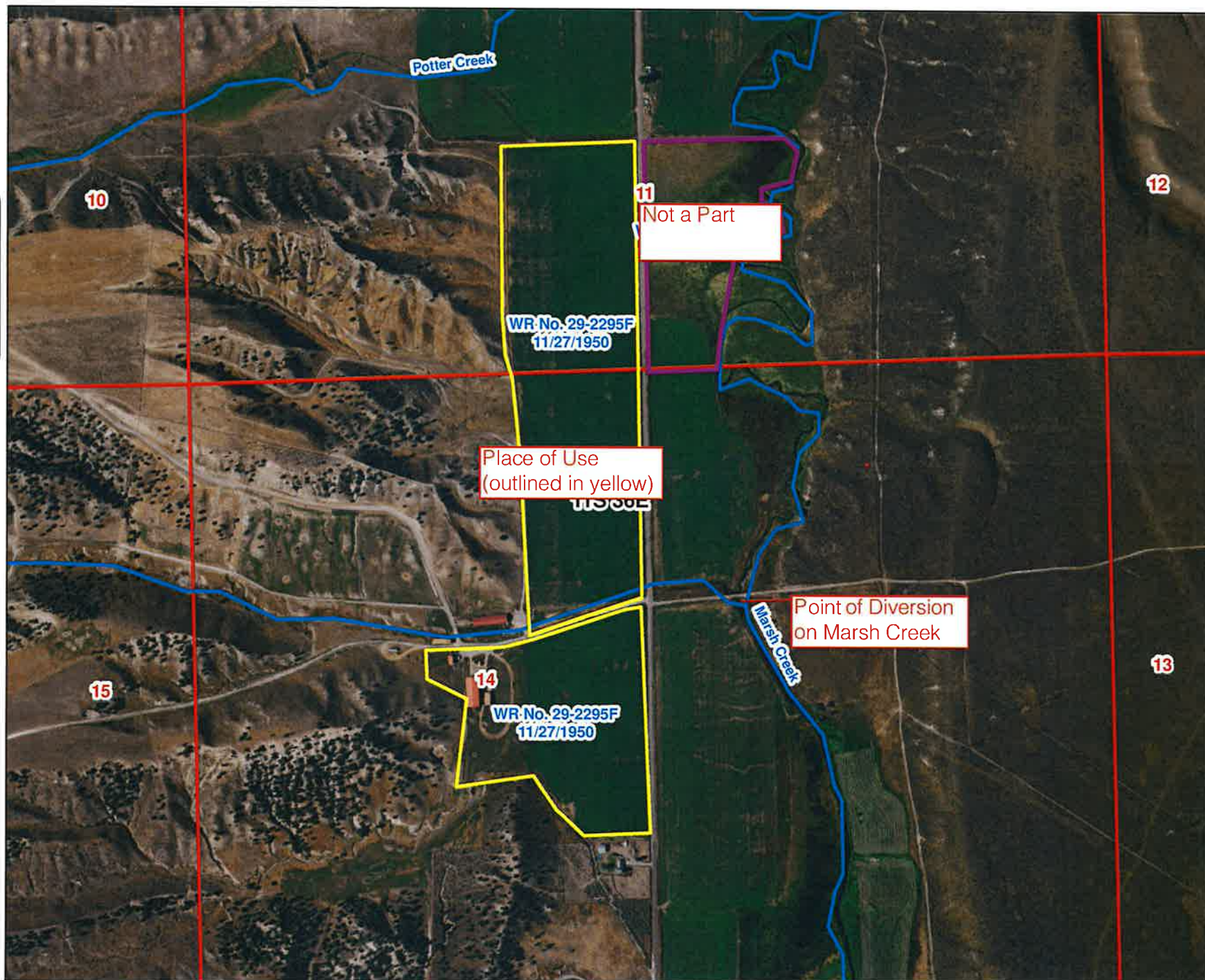
WD 29H

POTTER CREEK RANCH



Legend

- Egan Potter Creek POU
- Arimo Corp Marsh Creek POU
- Rivers_streams
- TR Lines
- Section Lines



2019 NAIP Photo



Prepared by:
Luke H. Marchant
5/29/2020

22000795

2020 Jan 14 PM 04:24

Electronically Recorded by Simplifile

AFTER RECORDING MAIL TO:

Potter Creek Ranch, L.C.
P.O. Box 540478, 925 West 100 North, Suite F
North Salt Lake, UT 84054

SPECIAL WARRANTY DEED

File No.: **876042-P (sw)**

Date: **January 13, 2020**

For Value Received, **Diamond T Ranch, a Utah limited liability company**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Potter Creek Ranch, L.C.**, hereinafter called the Grantee, whose current address is **P.O. Box 540478, 925 West 100 North, Suite F, North Salt Lake, UT 84054**, the following described premises, situated in **Bannock County, Idaho**, to-wit:

Legal Description attached hereto as Exhibit A, and by this referenced incorporated herein.
ALL OF WATER RIGHT 29-2295F HAVING AS TIS SOURCE MARSH CREEK

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances unto the said Grantee(s), their heirs and assigns forever. And the said Grantor(s) do hereby covenant to and with the said Grantee(s), that they are the owners in fee simple of said premises. The Grantor(s) warrants that said premises are free and clear of all encumbrances suffered or created by the Grantor(s), except such warranty does not apply to all taxes, assessments, and charges to be paid by the Grantee(s) and any lien or encumbrance revived or placed on said premises by, through or under the Grantee(s), his heirs and assigns.

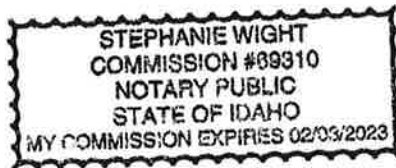
C712
JBL

Diamond T Ranch, a Utah limited liability company

By: J. Phillip Adams
Name: J. Phillip Adams
Title: Managing Member

STATE OF Idaho)
SS.
COUNTY OF Bannock)

On this **Thirteenth day of January, 2020**, before me, a Notary Public in and for said State, personally appeared **J. Phillip Adams**, known or identified to me to be the person whose name is subscribed to the within Instrument as one of the Managers/Members of the **Diamond T Ranch, a Utah 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 he executed the same in said Limited Liability Company's name.



Stephanie Wight
Notary Public of Idaho
Residing at: Bozeman, ID
Commission Expires: 2-3-2023

0212
10/9

EXHIBIT A

PARCEL 1:

TOWNSHIP 10 SOUTH, RANGE 36 EAST, BOISE MERIDIAN, BANNOCK COUNTY, IDAHO:

A PORTION OF SECTIONS 31 AND 32:

BEGINNING AT A POINT ON THE WEST LINE OF THE NORTHEAST $\frac{1}{4}$ OF THE SOUTHEAST $\frac{1}{4}$ OF SECTION 31 THAT IS SOUTH 5978.24 FEET AND WEST 1302.10 FEET OF THE WEST $\frac{1}{4}$ CORNER OF SECTION 29; THENCE SOUTH $87^{\circ}32'$ EAST 2371.5 FEET; THENCE NORTH $65^{\circ}56'$ EAST 611.72 FEET; THENCE SOUTH $88^{\circ}38'$ EAST 198.22 FEET; THENCE SOUTH $77^{\circ}31'$ EAST 816.3 FEET, MORE OR LESS, TO THE EAST LINE OF THE SOUTHWEST $\frac{1}{4}$ OF SECTION 32; THENCE SOUTH 1907.9 FEET, MORE OR LESS, TO THE SOUTH LINE OF SECTION 32; THENCE WEST 3958.68 FEET, MORE OR LESS, TO THE EAST $\frac{1}{16}$ LINE OF SECTION 31; THENCE NORTH 1942 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

TOWNSHIP 11 SOUTH, RANGE 36 EAST, BOISE MERIDIAN, BANNOCK COUNTY, IDAHO:

SECTION 4: THE NORTHWEST $\frac{1}{4}$ OF THE SOUTHWEST $\frac{1}{4}$; THE SOUTH $\frac{1}{2}$ OF THE SOUTHWEST $\frac{1}{4}$; THE WEST $\frac{1}{2}$ OF THE NORTHEAST $\frac{1}{4}$ OF THE SOUTHWEST $\frac{1}{4}$; THE WEST $\frac{1}{2}$ OF THE EAST $\frac{1}{2}$ OF THE NORTHEAST $\frac{1}{4}$ OF THE SOUTHWEST $\frac{1}{4}$; THE SOUTH $\frac{1}{2}$ OF THE SOUTHWEST $\frac{1}{4}$ OF THE SOUTHEAST $\frac{1}{4}$; THE SOUTH $\frac{1}{2}$ OF THE NORTH $\frac{1}{2}$ OF THE SOUTHWEST $\frac{1}{4}$ OF THE SOUTHEAST $\frac{1}{4}$; THE WEST $\frac{1}{2}$ OF THE SOUTHWEST $\frac{1}{4}$ OF THE SOUTHEAST $\frac{1}{4}$ OF THE SOUTHEAST $\frac{1}{4}$; THE SOUTHEAST $\frac{1}{4}$ OF THE SOUTHWEST $\frac{1}{4}$ OF THE SOUTHEAST $\frac{1}{4}$ OF THE SOUTHEAST $\frac{1}{4}$.

SECTION 5: GOVERNMENT LOTS 1, 2, 3, 4, 5, 6 AND 7; THE SOUTHWEST $\frac{1}{4}$ OF THE NORTHEAST $\frac{1}{4}$; THE SOUTHEAST $\frac{1}{4}$ OF THE NORTHWEST $\frac{1}{4}$; THE EAST $\frac{1}{2}$ OF THE SOUTHWEST $\frac{1}{4}$; THE SOUTHWEST $\frac{1}{4}$ OF THE SOUTHEAST $\frac{1}{4}$.

SECTION 8: THE NORTHEAST $\frac{1}{4}$; THE EAST $\frac{1}{2}$ OF THE NORTHWEST $\frac{1}{4}$; THE NORTHEAST $\frac{1}{4}$ OF THE SOUTHWEST $\frac{1}{4}$; THE NORTH $\frac{1}{2}$ OF THE SOUTHEAST $\frac{1}{4}$.

SECTION 8: GOVERNMENT LOT 4; THE SOUTHWEST $\frac{1}{4}$ OF THE SOUTHEAST $\frac{1}{4}$.

SECTION 9: THE EAST $\frac{1}{2}$ OF THE SOUTHEAST $\frac{1}{4}$; THE SOUTHEAST $\frac{1}{4}$ OF THE NORTHEAST $\frac{1}{4}$.

SECTION 9: THE SOUTH $\frac{1}{2}$ OF THE SOUTHWEST $\frac{1}{4}$.

SECTION 9: THE NORTHWEST $\frac{1}{4}$; THE NORTH $\frac{1}{2}$ OF THE SOUTHWEST $\frac{1}{4}$; THE NORTH $\frac{1}{2}$ OF THE NORTHEAST $\frac{1}{4}$; THE SOUTHWEST $\frac{1}{4}$ OF THE NORTHEAST $\frac{1}{4}$; THE WEST $\frac{1}{2}$ OF THE SOUTHEAST $\frac{1}{4}$.

SECTION 10: THE SOUTH $\frac{1}{2}$ OF THE SOUTHEAST $\frac{1}{4}$.

SECTION 10: THE SOUTHWEST $\frac{1}{4}$ OF THE NORTHWEST $\frac{1}{4}$; THE WEST $\frac{1}{2}$ OF THE SOUTHWEST $\frac{1}{4}$; THE SOUTHEAST $\frac{1}{4}$ OF THE SOUTHWEST $\frac{1}{4}$.

SECTION 10: THE SOUTHEAST $\frac{1}{4}$ OF THE NORTHWEST $\frac{1}{4}$; THE NORTHEAST $\frac{1}{4}$ OF THE SOUTHWEST $\frac{1}{4}$; THE NORTHWEST $\frac{1}{4}$ OF THE SOUTHEAST $\frac{1}{4}$.

SECTION 10: THE SOUTH $\frac{1}{2}$ OF THE NORTHEAST $\frac{1}{4}$; THE NORTHEAST $\frac{1}{4}$ OF THE SOUTHEAST $\frac{1}{4}$.

EXCEPT FROM ALL THE ABOVE, ALL LAND USED OR DEEDED FOR PUBLIC ROADS, ALL

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SITUATED IN BANNOCK COUNTY, STATE OF IDAHO.

SECTION 11: THE SOUTHWEST $\frac{1}{4}$ OF THE NORTHWEST $\frac{1}{4}$; THE NORTHWEST $\frac{1}{4}$ OF THE SOUTHWEST $\frac{1}{4}$.

SECTION 11: THE SOUTH $\frac{1}{2}$ OF THE SOUTHWEST $\frac{1}{4}$.

SECTION 14: THE NORTHWEST $\frac{1}{4}$ OF THE SOUTHWEST $\frac{1}{4}$; THE SOUTHWEST $\frac{1}{4}$ OF THE SOUTHWEST $\frac{1}{4}$; THE NORTH $\frac{1}{2}$ OF THE NORTHWEST $\frac{1}{4}$; THE SOUTHEAST $\frac{1}{4}$ OF THE NORTHWEST $\frac{1}{4}$.

SECTION 15: THE NORTHEAST $\frac{1}{4}$; THE EAST $\frac{1}{2}$ OF THE SOUTHWEST $\frac{1}{4}$; THE SOUTHEAST $\frac{1}{4}$.

SECTION 15: THE WEST $\frac{1}{2}$ OF THE SOUTHWEST $\frac{1}{4}$.

SECTION 15: THE NORTHWEST $\frac{1}{4}$.

SECTION 16: THE SOUTHEAST $\frac{1}{4}$; THE EAST $\frac{1}{2}$ OF THE SOUTHWEST $\frac{1}{4}$; THE NORTHWEST $\frac{1}{4}$ OF THE NORTHWEST $\frac{1}{4}$.

SECTION 16: THE SOUTHEAST $\frac{1}{4}$ OF THE NORTHEAST $\frac{1}{4}$; THE NORTHEAST $\frac{1}{4}$ OF THE NORTHEAST $\frac{1}{4}$.

SECTION 16: THE WEST $\frac{1}{2}$ OF THE NORTHEAST $\frac{1}{4}$; THE EAST $\frac{1}{2}$ OF THE NORTHWEST $\frac{1}{4}$; THE SOUTHWEST $\frac{1}{4}$ OF THE NORTHWEST $\frac{1}{4}$; THE WEST $\frac{1}{2}$ OF THE SOUTHWEST $\frac{1}{4}$.

SECTION 17: THE EAST $\frac{1}{2}$; THE SOUTHEAST $\frac{1}{4}$ OF THE NORTHWEST $\frac{1}{4}$.

SECTION 20: THE NORTHEAST $\frac{1}{4}$ OF THE NORTHEAST $\frac{1}{4}$.

SECTION 22: THE NORTH $\frac{1}{2}$ OF THE NORTHEAST $\frac{1}{4}$; THE SOUTHEAST $\frac{1}{4}$ OF THE NORTHEAST $\frac{1}{4}$.

EXCEPTING THEREFROM:

BEGINNING AT A POINT ON THE EAST BOUNDARY LINE OF THE SE $\frac{1}{4}$ NE $\frac{1}{4}$ OF SECTION 22, ABOUT 400 FEET NORTH OF THE SE CORNER OF SAID QUARTER QUARTER WHEREAT IS CENTER CROSS SECTION OF DAM FOR SAID RESERVOIR, BEING CENTERLINE OF NORTH REESE CREEK CANYON; THENCE UP SAID CANYON WESTERLY A DISTANCE OF 60 RODS AND EXTENDING ON EITHER SIDE OF SAID CANYON LINE TO SAID CANYON WALL.

ALSO EXCEPTING THEREFROM THE RIGHT OF WAY DEEDED TO BANNOCK COUNTY, IDAHO, AS DISCLOSED BY DEED RECORDED IN BOOK 48, PAGE 17, RECORDS OF BANNOCK COUNTY, IDAHO.

SECTION 23: THE WEST $\frac{1}{2}$ OF THE NORTHWEST $\frac{1}{4}$.

PARCEL 2:

TOWNSHIP 10 SOUTH, RANGE 36 EAST, BOISE MERIDIAN, BANNOCK COUNTY, IDAHO.

SECTION 29: THE SOUTHWEST $\frac{1}{4}$ OF THE NORTHWEST $\frac{1}{4}$; THE WEST $\frac{1}{2}$ OF THE SOUTHWEST $\frac{1}{4}$.

SECTION 32: THE NORTHWEST $\frac{1}{4}$ OF THE NORTHWEST $\frac{1}{4}$; ALL THAT PORTION OF THE SOUTHWEST $\frac{1}{4}$ OF THE NORTHWEST $\frac{1}{4}$ LYING NORTH OF THE VIRGINIA-HAWKINS ROAD.

SECTION 32: THE SOUTH $\frac{1}{2}$ OF THE SOUTHEAST $\frac{1}{4}$

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LESS THE FOLLOWING: A PARCEL OF LAND LOCATED IN THE SOUTHEAST ¼ OF THE SOUTHEAST ¼ OF SECTION 32, TOWNSHIP 10 SOUTH, RANGE 36 EAST, BOISE MERIDIAN, BANNOCK COUNTY, IDAHO AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 32, LOCATED SOUTH 00°03'02" EAST 2644.97 FEET FROM THE EAST ¼ CORNER OF SECTION 32; THENCE NORTH 00°03'02" WEST 438.42 FEET ALONG THE EAST BOUNDARY OF SECTION 32 TO A 5/8" REBAR AND CAP LABELED "BRIAN ALLEN, PLS 9163", THE TRUE POINT OF BEGINNING:

THENCE SOUTH 89°42'29" WEST 319.04 FEET TO A 5/8" REBAR AND CAP; THENCE NORTH 00°03'02" WEST 674.33 FEET TO A 5/8" REBAR AND CAP; THENCE NORTH 89°42'29" EAST 305.00 FEET TO A 5/8" REBAR AND CAP SET ON THE WEST EDGE OF AN ACCESS ROAD; THENCE NORTH 01°05'32" WEST 170.97 FEET TO A 5/8" REBAR AND CAP SET ON THE SOUTHERLY RIGHT OF WAY LINE OF THE VIRGINIA-HAWKINS ROAD (S-1754(2)); THENCE SOUTH 85°27'50" EAST 17.21 FEET ALONG SAID RIGHT OF WAY LINE TO A 5/8" REBAR AND CAP SET AT THE EAST BOUNDARY OF SECTION 32; THENCE SOUTH 00°03'02" EAST 843.83 FEET ALONG THE EAST BOUNDARY OF SECTION 32 TO THE TRUE POINT OF BEGINNING.

PARCEL 3:

TOWNSHIP 10 SOUTH, RANGE 35 EAST, BOISE MERIDIAN, BANNOCK COUNTY, IDAHO.

SECTION 35: THE EAST ½ OF THE SOUTHWEST ¼; THE NORTH ½ OF THE SOUTHEAST ¼

EXCEPT:

BEGINNING AT A POINT IN THE LATITUDINAL CENTERLINE OF SECTION 35, WHICH BEARS NORTH 89°45' WEST, 1261 FEET DISTANCE FROM THE EAST ¼ SECTION CORNER OF SECTION 35; THENCE RUNNING SOUTH 16½° WEST 383 FEET; THENCE SOUTH 85° WEST 267 FEET; THENCE SOUTH 79° WEST 155 FEET; THENCE SOUTH 73° WEST 211.50 FEET; THENCE SOUTH 85° WEST 269 FEET; THENCE SOUTH 87° WEST 97 FEET; THENCE NORTH 5°35' WEST 75 FEET; THENCE NORTH 59½° EAST 141 FEET; THENCE NORTH 11°05' WEST 162 FEET; THENCE NORTH 2° WEST 134 FEET; THENCE NORTH 18½° WEST 45.75 FEET; THENCE SOUTH 89°45' EAST 1134.50 FEET TO THE PLACE OF BEGINNING.

ALSO EXCEPT:

BEGINNING AT A POINT 1227 FEET SOUTH 81°56' WEST FROM THE EAST ¼ CORNER OF SECTION 35; THENCE 300 FEET SOUTH 16°33' WEST; THENCE 368 FEET SOUTH 31°5' EAST; THENCE 595 FEET NORTH 20° EAST AND FROM THIS POINT 298½ FEET NORTH 83°30' WEST BACK TO THE STARTING POINT.

SECTION 36: THE NORTH ½ OF THE SOUTHWEST ¼.

ALSO, BEGINNING AT A POINT 1731.4 FEET WEST OF THE EAST ¼ CORNER; THENCE WEST 889.5 FEET, MORE OR LESS, TO THE CENTER OF SECTION 36; THENCE SOUTH 1320 FEET; THENCE EAST 889.5 FEET; THENCE NORTH 1320 FEET TO THE POINT OF BEGINNING.

CJR
[Signature]



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

July 17, 2020

POTTER CREEK RANCH LC
PO BOX 540478
N SALT LAKE UT 84054-0478

Re: Change in Ownership for Water Right No(s): 29-2295F

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) 497-3779.

Sincerely,

Cher Ramos
Technical Records Specialist

Enclosure(s)

cc: Water District 29H