

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
April 9, 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?
33-10034	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>	33-2085	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
33-7151	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>	33-2123	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
33-66	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>	33-7006A	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
33-2024	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>	33-7057C	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
33-117	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>	33-2128	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>

2. Previous Owner's Name: Orville Nicholson Rea Nicholson
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Sunny Bar Ranch LLC
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 4950 N 2300 W Howe FD 83244
Mailing address City State ZIP
- (208) 521-2669 Sunnybar ranch@yahoo.com
Telephone Email (one word)

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: March 5, 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 # 33-66

8. Signature: [Signature] General Partner 4/9/2020
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 CA ph Date 4/9/2020 Receipt No. E045808 Receipt Amt. \$250.00
 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 JB Processed by JB Date 4/14/20

Special Warranty Deed

1 Date

March 5, 2020

2 Background

An Amendment to Certificate or Registration of Limited Partnership was filed on July 27, 2009. The Amendment changed Grantor's name and updated the public record as to who the general partner of the Grantor is. This instrument is being signed by the current general partner and is being recorded to reflect the current name of the limited partnership.

3 Parties

Grantor:

Sunny Bar Ranch Family Limited Partnership, an Idaho limited partnership.

Current address:

4950 N 2300 W, Howe, ID 83244-8722.

Grantee:

Sunny Bar Ranch LLLP, an Idaho limited partnership.

Current address:

4950 N 2300 W, Howe, ID 83244-8722

4 Property

Idaho County: Butte

Transferred interest: Grantors' entire interest in fee simple.

Description:

See attached Exhibit A.

Together with:

All improvements and appurtenances.

Subject to:

Rights of way for roads and ditches now existing on the property plus all easements and rights-of-way of record, if any, covenants, restrictions, reservations, applicable building and zoning ordinances, use regulations and restrictions, and accruing taxes.

Taxes and assessments for the current year and all subsequent years.

All facts, rights, claims and interest ascertainable by inspection of the property or by inquiry of persons in possession.

Unpatented mining claims, reservations and exceptions and patents or in acts authorizing their issuance.

5 Consideration

Ten Dollars and other good and valuable consideration, receipt of which is acknowledged.

6 Grant

Grantors, for the consideration listed above hereby grant, bargain, sell, convey and confirm to Grantee, its heirs, successors and assigns, the transferred interest in the property described in this deed.

7 Warranties

Grantors, for themselves, their heirs, successors and assigns, covenant with Grantee, its heirs, successors and assigns as follows:

Grantors are currently the owner of the property as described in this deed.

Grantors have good right to convey the property described in this deed to Grantee.

The property described in this deed is free from all encumbrances, except as otherwise shown in this deed or of record.

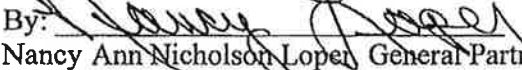
Grantors and their heirs and successors will forever warrant and defend the quiet and peaceful possession of the property granted by this deed to Grantee, its heirs, successors and assigns against the lawful claims of all persons.

The warranty in this deed is limited to the coverage the Grantors have under any policy of title insurance or damages of \$10.00 (whichever is greater).

8 Construction

In construing this deed, and where the context so requires, the singular includes the plural and the masculine, the feminine and the neuter.

Sunny Bar Ranch Family Limited Partnership


By: 
Nancy Ann Nicholson Loper, General Partner

State of Idaho

ss.

County of Bonneville

On this 5th day of March, 2020, before me Gregory C. Calder, an Idaho notary public, personally appeared Nancy Ann Nicholson Loper, acting in her capacity as general partner of Sunny Bar Ranch Family Limited Partnership, and known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same in her authorized capacity.


Notary Public for Idaho
Residing at: Idaho Falls
Commission Expires: 04/24/2020
(Seal)

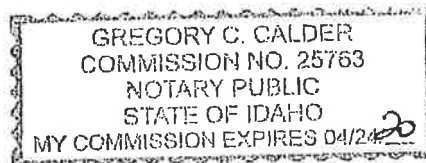


Exhibit A

Parcel 1:

Boise Meridian, Idaho, T. 8N., R. 28E., Section 20, S1/2SW1/4, SW1/4SE1/4, Section 29, NW1/4NE1/4.

Parcel 2:

The Northwest Quarter (NW1/4) and the West half of the South West Quarter (W1/2SW1/4) Section 29, Township 8 North, Range 28, E.B.M. and the West half of the Northwest Quarter (W1/2NW1/4) Section 32, Township 8 North Range 28 E.B.M. and the Southwest Quarter (SW1/4) of Section 26, Township 8 North, Range 28 E.B.M.

Parcel 3:

Boise Meridian, Idaho, T. 8N., R. 28 E., Section 30, E1/2.

Parcel 4:

Boise Meridian, Idaho, T. 8N., R. 28 E., Section 19, Lot 4, SE1/4SW1/4, S1/2SE1/4; Section 30, Lots 1 and 2, E1/2NW1/4; containing 315.25 acres.

QUITCLAIM DEED**1. Date**December 12, 1996**2. Parties**

Transferor: Orville Nicholson and Rea Nicholson, husband and wife

Current address: Sunny Bar Ranch, Box 40, Howe, ID 83244

Transferee: Sunny Bar Ranch Family Limited Partnership

Current address: c/o Nancy Ann Nicholson Loper, Trustee of the Sunny Bar Ranch Management Trust, General Partner, 5630 E. 129 N., Idaho Falls, ID 83401

3. Property

Transferred interest: Fee simple absolute

Idaho County: Butte

Approximate acres: 160

Description: Boise Meridian, Idaho, T. 8 N., R. 28 E., Section 20, S $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$; Section 29, NW $\frac{1}{4}$ NE $\frac{1}{4}$.

Together with:

(1) All improvements, water, water rights, ditches, ditch rights, easements, tenements, hereditaments, appurtenances, reversions, remainders, rents, issues, and profits.

4. Consideration

Ten dollars and other good and valuable consideration receipt of which is acknowledged.

5. Quitclaim

For the consideration stated, transferors remise, release, and forever quitclaim to transferee the transferred interest in the property described in this deed.

6. Warranties

None.

7. Construction

In construing this deed, and where the context so requires, the singular includes the plural and the masculine, the feminine and the neuter.

Orville Nicholson
Orville Nicholson

Rea Nicholson
Rea Nicholson

STATE OF IDAHO

County of Bonneville

SS

On December 18 1996, before me, Janine Hall, an Idaho notary public, personally appeared Orville Nicholson and Rea Nicholson, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

In witness, I have set my hand and affixed my official seal the day and year in this certificate first above written.

Janine Hall
Notary Public for Idaho

Residing at:

Commission expires:

Idaho Falls, ID
4-1-99



NO. 030942
RECORDED

JAN 15 1997

11:00 AM
BLAINE COUNTY RECORDER
Ch. K. Kelly

030943

QUITCLAIM DEED

1. Date

December 18, 1996

2. Parties

Transferor: Orville Nicholson and Rea Nicholson, husband and wife

Current address: Sunny Bar Ranch, Box 40, Howe, ID 83244

Transferee: Sunny Bar Ranch Family Limited Partnership

Current address: c/o Nancy Ann Nicholson Loper, Trustee of the Sunny Bar Ranch Management Trust, General Partner, 5630 E. 129 N., Idaho Falls, ID 83401

3. Property

Transferred Interest: Fee simple absolute

Idaho County: Butte

Approximate acres: 318.20

Description: The Northwest Quarter (NW $\frac{1}{4}$) and the West half of the South West Quarter (W $\frac{1}{2}$ SW $\frac{1}{4}$) Section 29, Township 8 North, Range 28, E.B.M. and the West half of the Northwest Quarter (W $\frac{1}{2}$ NW $\frac{1}{4}$) Section 32, Township 8 North Range 28 E.B.M. and the Southwest Quarter (SW $\frac{1}{4}$) of Section 26, Township 8, North Range 28 E.B.M. Subject to rights-of-way for ditches and roads and together with all improvements thereon, and all water and water rights, ditches and ditch rights. All Taylor Grazing Rights appertaining to the above described premises subject to approval of the U.S. Department of Land Management.

Together with:

(1) All improvements, water, water rights, ditches, ditch rights, easements, tenements, hereditaments, appurtenances, reversions, remainders, rents, issues, and profits.

4. Consideration

Ten dollars and other good and valuable consideration receipt of which is acknowledged.

5. Quitclaim

For the consideration stated, transferors remise, release, and forever quitclaim to transferee the transferred interest in the property described in this deed.

6. Warranties

None.

7. Construction

In construing this deed, and where the context so requires, the singular includes the plural and the masculine, the feminine and the neuter.

Orville Nicholson
Orville Nicholson

Rea Nicholson
Rea Nicholson

STATE OF IDAHO

ss

County of Bonneville

On December 18 1996, before me, Janine Hall an Idaho notary public, personally appeared Orville Nicholson and Rea Nicholson, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

In witness, I have set my hand and affixed my official seal the day and year in this certificate first above written.

Janine Hall
Notary Public for Idaho

Residing at: Idaho Falls, ID

Commission expires: 11-99



NO. 030943
RECORDED

JAN 15 1997

11:01 AM PM
BUTTE COUNTY RECORDER
Annalys

QUITCLAIM DEED**1. Date**

December 18, 1996

2. Parties

Transferor: Orville Nicholson and Rea Nicholson, husband and wife

Current address: Sunny Bar Ranch, Box 40, Howe, ID 83244

Transferee: Sunny Bar Ranch Family Limited Partnership

Current address: c/o Nancy Ann Nicholson Loper, Trustee of the Sunny Bar Ranch Management Trust, General Partner, 5630 E. 129 N., Idaho Falls, ID 83401

3. Property

Transferred interest: Fee simple absolute

Idaho County: Butte

Approximate acres: 320

Description: Boise, Meridian, Idaho, T. 8N., R. 28 E., Section 30, E½.

Together with:

(1) All improvements, water, water rights, ditches, ditch rights, easements, tenements, hereditaments, appurtenances, reversions, remainders, rents, issues, and profits

4. Consideration

Ten dollars and other good and valuable consideration receipt of which is acknowledged.

5. Quitclaim

For the consideration stated, transferors remise, release, and forever quitclaim to transferee the transferred interest in the property described in this deed.

6. Warranties

None.

7. Construction

In construing this deed, and where the context so requires, the singular includes the plural and the masculine, the feminine and the neuter.

Orville Nicholson
Orville Nicholson

Rea Nicholson
Rea Nicholson

STATE OF IDAHO

County of Bonneville

On December 11, 1996, before me, Janine Hall an Idaho notary public, personally appeared Orville Nicholson and Rea Nicholson, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

In witness, I have set my hand and affixed my official seal the day and year in this certificate first above written.

Janine Hall

Notary Public for Idaho

Residing at:

Commission expires:



NO. 030944
RECORDED

JAN 15 1997

IDAHO
BLAKE COUNTY RECORDER
Janine Hall

QUITCLAIM DEED**1. Date**December 18, 1996**2. Parties****Transferor:** Orville Nicholson and Rea Nicholson, husband and wife**Current address:** Sunny Bar Ranch, Box 40, Howe, ID 83244**Transferee:** Sunny Bar Ranch Family Limited Partnership**Current address:** c/o Nancy Ann Nicholson Loper, Trustee of the Sunny Bar Ranch Management Trust, General Partner, 5630 E. 129 N., Idaho Falls, ID 83401**3. Property****Transferred interest:** Fee simple absolute**Idaho County:** Butte**Approximate acres:** 315.25**Description:** Boise Meridian, Idaho, T. 8 N., R. 28 E., Section 19, Lot 4, SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$; Section 30, Lots 1 and 2, E $\frac{1}{4}$ NW $\frac{1}{4}$; containing 315.25 acres.**Together with:****(1)** All improvements, water, water rights, ditches, ditch rights, easements, tenements, hereditaments, appurtenances, reversions, remainders, rents, issues, and profits.**Reservations:**

1. A right-of-way thereon for ditches and canals constructed by the authority of the United States. Act of August 30, 1890, 26 Stat. 391; 43 U.S.C. 945; and
2. A road right-of-way to the United States over and across a strip of land 33 $\frac{1}{2}$ feet wide measured parallel and adjacent to the north boundary of Lot 4, SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, Section 19, and the east side of the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 19, for public access and use of the people of the United States generally, in accordance with the permission executed October 19, 1972, and filed in case record, I-1689.

Subject to those rights for powerline purposes as have been granted to Utah Power and Light Company, its successors

4. Consideration

Ten dollars and other good and valuable consideration receipt of which is acknowledged.

5. Quitclaim

For the consideration stated, transferors remise, release, and forever quitclaim to transferee the transferred interest in the property described in this deed.

6. Warranties

None.

7. Construction

In construing this deed, and where the context so requires, the singular includes the plural and the masculine, the feminine and the neuter.

Orville Nicholson
Orville Nicholson

Rea Nicholson
Rea Nicholson

STATE OF IDAHO

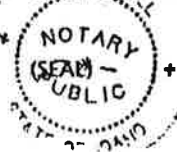
SS

County of Bonneville

On December 11, 1996, before me, Janine Hall, an Idaho notary public, personally appeared Orville Nicholson and Rea Nicholson, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

In witness, I have set my hand and affixed my official seal the day and year in this certificate first above written.

Janine Hall
Notary Public for Idaho
Residing at: Idaho Falls, ID
Commission expires: 4-1-99

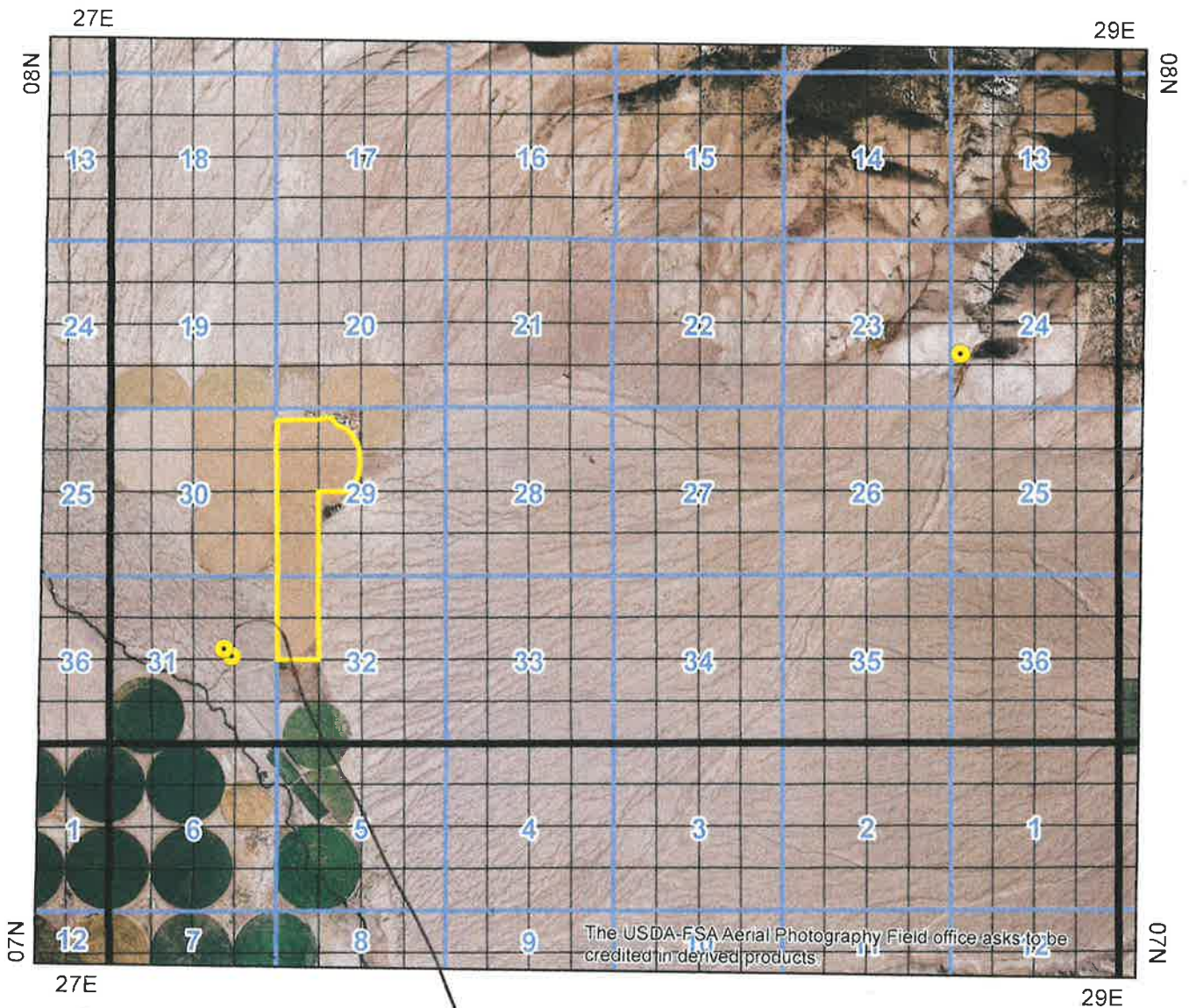


NO. 030945
RECORDED

JAN 15 1997

11:02 AM
BUTTE COUNTY RECORDER
Conrad

State of Idaho
Department of Water Resources
Water Right License
33-2128



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






0 0.5 1 2 Miles

Remove
One of the
Yellow dots
There is only one
pump here!



State of Idaho
Department of Water Resources
Water Right License
33-10034



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

0 0.045 0.09 0.18 Miles





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

April 14, 2020

SUNNY BAR RANCH LLLP
4950 N 2300 W
HOWE ID 83244-8722

Re: Change in Ownership for Water Right No(s): 33-66, 33-117, 33-2024, 33-2085, 33-2123, 33-2128, 33-7006A, 33-7057C, 33-7151 and 33-10034

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.

Please note your request to remove a POD (Point of Diversion) from 33-2128 could not be complete. The PODs on this water right are an exchange POD. However the department did make a couple corrections so that the POD shapefiles so they would reflect the original decree. A map for your review is attached.

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)

From: [sunnybarranch Ranch](#)
To: [Barg, Jonie](#)
Subject: Re: Ownership Change
Date: Monday, April 13, 2020 9:38:31 AM

Pod 1 should be deleted please

On Apr 13, 2020, at 9:11 AM, Barg, Jonie <Jonie.Barg@idwr.idaho.gov> wrote:

Nancy:

For water right number 33-2128, you asked that I delete one of the PODs in a specific quarter quarter (SWNE 31, Township 8 North Range 28 East) because there is only one pump there, however there are 2 PODs in the same quarter quarter. I am not sure which one you would like me to delete, please specify and I will get it deleted, I have labeled them 1 and 2 so you can easily notify me. I have attached a close up view of the PODs and a copy of your original request. I also want you to know the review is complete and your ownership change should be completed before the end of the week. Thank you for all of work on this. Have a wonderful day!

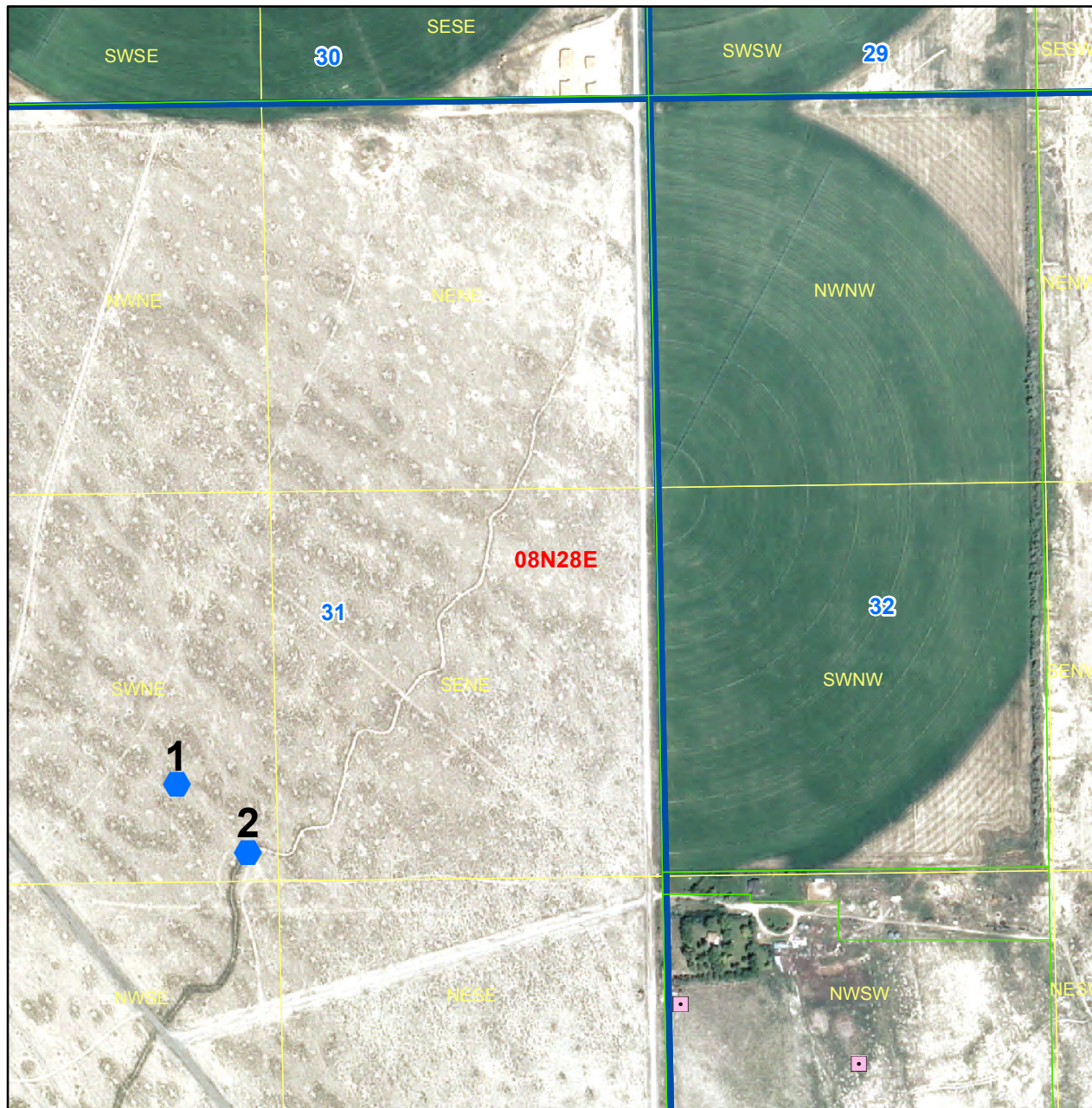
Jonie Barg

Jonie Barg
Idaho Department of Water Resources
900 N Skyline Ste A
Idaho Falls ID 83402
phone: (208) 525-7161
fax: (208) 525-7177
email: jonie.barg@idwr.idaho.gov






Protect your Enthusiasm from the Negativity of others. ~ H Jackson Brown Jr. ~

<Sunny Bar Ranch.pdf>
<Sunny Bar Ranch Ownership Change 13.pdf>

Idaho Department of Water Resources



Legend

-  POD TO REMOVE 33-2128
-  Parcels
-  Township/Range
-  Sections
-  QQ

