

NOV 07 2019

Department of Water Resources
Eastern RegionSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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?
11-7478 <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: Providence, L.L.C.
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Providence Bear Lake, LLC
New owner(s) as listed on the conveyance document
- PO Box 89
Mailing address
801-541-5208
Telephone
- Midway
City
jeanbrown@mstar.net
Email
- Name connector ☐ and ☐ or ☐ and/or
UT 84049
State ZIP
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: May 21, 2019
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.
8. Signature: Jean Q Brown Manager (owner) 10/30/2019
 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 11/7/2019 Receipt No. E045438 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 11/14/2019

WARRANTY DEED

FOR VALUE RECEIVED, Providence, L.L.C., a defunct Utah limited liability company, acting through its two Members, Jean D. Brown and Steven R. Brown, hereinafter referred to as "Grantor", does hereby grant, bargain, sell and convey unto Providence Bear Lake, LLC, a Utah limited liability company, hereinafter referred to as Grantee, whose current address is 2590 Snake Creek Canyon Road, Midway, UT 84049, the following described premises, in Bear Lake County, Idaho, to wit:

See attached Exhibit

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, and Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises, that they are free from all encumbrances except: (a) current taxes, ordinances and federal and state rights and reservations, including, without limitation, patents, oil, gas, and minerals; (b) conflicts and boundary lines, shortage in area, encroachments, or any other fact that a correct survey would disclose; (c) easements or claims of easement not shown by the public record; (d) use restrictions and building and zoning regulations and ordinances of any governmental unit. Subject to the foregoing exceptions, Grantor will warrant and defend the property against any and all lawful claims whatsoever.

Dated: May 18, 2019.

Providence, L.L.C., a defunct Utah limited liability company, acting through its two Members

By:


Jean D. Brown, Member

By:

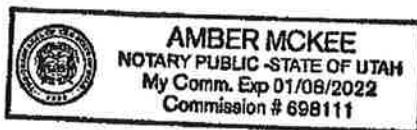

Steven R. Brown, Member

STATE OF UT)County of Rich)

:SS

This record was acknowledged before me on 18 day of May,
2019 by Jean D. Brown, a Member of Providence, L.L.C., a defunct Utah limited liability
company.

(seal)



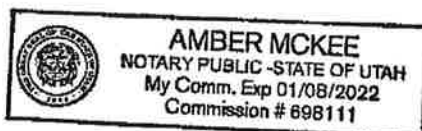
Amber McKee
NOTARY PUBLIC - STATE OF Utah
My commission Expires: 01/08/2022

STATE OF UT)County of Rich)

:SS

This record was acknowledged before me on 18 day of May,
2019 by Steven R. Brown, a Member of Providence, L.L.C., a defunct Utah limited liability
company.

(seal)



Amber McKee
NOTARY PUBLIC - STATE OF Utah
My commission Expires: 01/08/2022

EXHIBIT A

TOWNSHIP 15 SOUTH, RANGE 44 EAST OF THE BOISE MERIDIAN

176512

Section 18 Lots 3, 4 and 5 SW1/4NW1/4

ALSO Beginning at a point 916 feet South of the South Quarter Corner of Section 7, and running thence South 467 feet, thence West 1906 feet, thence North 51°10' East 492 feet, thence North 81°30' East 900 feet, thence South 85°20' East 600 feet to the Point of Beginning

ALSO Beginning at the Southeast Corner of the NE1/4NW1/4 of said Section 18, and running thence East 1320 feet, thence North 1190 feet, thence South 44°50' West 190 feet, thence South 22°45' West 805 feet, thence South 88°20' West 875 feet, thence South 407 feet, more or less, to the Point of Beginning

ALSO A tract of land situate in the W1/4NW1/4 of Section 18, Township 15 South, Range 44 East, Boise Meridian, described as follows

Beginning on the West line of the said NW1/4 of Section 18, Township 15 South, Range 44 East, Boise Meridian at a point being South (basis of bearing) 2044.7 feet along the said West line from the Northwest Corner of said NW1/4, and running thence North 44°20' East 910.7 feet to a point on an existing fence line, thence South 51°19' West 266.4 feet to a corner of the said existing fence line, thence South 48°07' West 285.0 feet to a corner of the said existing fence line, thence South 37°02' West 333.1 feet to the Southwesterly prolongation of the said existing fence line and the said West line of the NW1/4, thence South 16.2 feet along the said West line to the point of beginning

EXCEPT A tract of land situated in the W1/4SW1/4 of Section 18, Township 15 South, Range 44 East, Boise Meridian, Idaho, and further described as follows to wit

Beginning on the West Line of the said Northwest Quarter of Section 18, Township 15 South, Range 44 East, Boise Meridian at a point being South (basis of bearing) 952 feet along the said West Line from the Northwest Corner of the said Northwest Quarter and running thence South 1078.5 feet along the said West Line in the Southwesterly prolongation of an existing fence line, thence North 37°02' East 331.1 feet to a corner of said existing fence line, thence North 48°07' East 285 feet to a corner of the said existing fence line, thence North 51°19' East 1003.7 feet to a point on the Northeastly prolongation of the said existing fence line, thence South 69°40' West 1158 feet to the Point of Beginning

ALSO EXCEPT A parcel of land located in Section 18, Township 15 South, Range 44 East, Boise Meridian, Bear Lake County, Idaho, and more particularly described as follows

Commencing at the North Quarter Corner of said Section 18, located North 89°54'33" West 1516.45 feet from the Northeast Meander Corner of said Section 18, thence South 89°54'33" East 1319.05 feet along the North boundary of Section 18 to the Northwest Corner of Lot 1, Section 18, thence South 00°01'27" West 1072.19 feet along the West boundary of said Lot 1 to a point on the South right of way line of Hot Springs Road; thence North 84°08'55" West 2.45 feet to a 5/8" rebar with cap, THE TRUE POINT OF BEGINNING; thence South 00°03'39" East 1201.80 feet along a fence line to the high water line of Bear Lake, following said high water line the following nineteen (19) courses: thence South 75°12'54" West 85.81 feet, thence South 33°19'21" West 46.14 feet, thence South 66°41'19" West 87.39 feet, thence South 88°45'35" West 89.18 feet, thence South 60°57'22" West 101.11 feet, thence South 83°15'32" West 70.61 feet, thence South 61°01'53" West 102.89 feet, thence South 76°58'38" West 87.90 feet, thence South 65°24'24" West 97.48 feet, thence South 76°58'01" West 44.80 feet, thence South 69°05'29" West 45.11 feet, thence South 07°31'34" West 28.20 feet, thence South 67°14'32" West 155.30 feet, thence South 73°26'48" West 98.60 feet, thence South 66°00'26" West 59.24 feet, thence South 70°24'14" West 127.28 feet, thence South 74°07'56" West 60.38 feet, thence South 70°19'09" West 117.83 feet, thence South 70°23'35" West 87.75 feet, thence North 00°01'27" East 1873.04 feet to a point on said South right of line, following said South right of way line the next 3 courses thence Southeastly along a 5689.58 foot radius non-tangent curve concave to the Southwest whose center bears South 02°56'05" West through a central angle of 1°05'48", a distance of 108.89 feet, (chord bears South 86°31'01" East 108.88 feet) thence South 84°25'08" East 184.01 feet, thence South 84°08'55" East 1177.02 feet to the True Point of Beginning

ALSO EXCEPT A parcel of land located in the NW1/4NE1/4 of Section 18, Township 15 South, Range 44 East, Boise Meridian, Bear Lake County, Idaho and more particularly described as follows

Commencing at the North Quarter Corner of said Section 18, located North 89°54'33" West 1516.45 feet from the Northeast Meander Corner of said Section 18, thence South 89°54'33" East 1319.05 feet along the North boundary of Section 18 to the Northwest Corner of Lot 1, Section 18; thence South 00°01'27" West 128.24 feet along the West boundary of said Lot 1, thence West 2.30 feet to a 5/8" rebar and cap labeled "BRIAN ALLEN, PLS 5163" set at an existing fence line the TRUE POINT OF BEGINNING, thence South 00°00'34" East 861.33 feet along said fence line to the Northerly right of way line of Hot Springs Road, thence North 84°08'55" West 421.15 feet along said right of way line to a 5/8" rebar and cap, thence North 22°45'00" East 743.53 feet to a 5/8" rebar and cap, thence North 44°50'00" East 126.73 feet to the TRUE POINT OF BEGINNING

SUBJECT TO THE FOLLOWING DESCRIBED RIGHT OF WAY: A parcel of land located in Section 18, Township 16 South, Range 44 East, Blue Mountain, Hot Lake County, Idaho and more particularly described as follows:

Commencing at the North Quarter Corner of said Section 18, located North 89° 54' 33" West 1519.45 feet from the Northeast Quarter Corner of said Section 18, thence South 89° 54' 33" East 1519.05 feet along the North boundary of Section 18 to the Northwest Corner of Lot 1, Section 18, thence South 00° 01' 27" West 1072.19 feet along the West boundary of said Lot 1 to a point on the South right of way line of Hot Springs Road, thence North 84° 06' 55" West 2.45 feet to a 5/8" rebar with cap, THE TRUE POINT OF BEGINNING, thence South 00° 03' 38" East 109.07 feet along a fence line, thence North 84° 06' 55" West 1197.64 feet to a point on a 5454.56 foot radius curve, thence Northwest along said curve through a central angle of 2° 50' 38" a distance of 272.47 feet, (chord bears North 85° 32' 14" West 272.44 feet), thence North 00° 01' 27" East 260.27 feet to a point on said South right of way line, following said South right of way line the next 3 courses, thence Southeast along a 5669.34 foot radius non-tangent curve concave to the Southwest whose center bears South 02° 58' 05" West, through a central angle of 1° 05' 48", a distance of 108.89 feet, (chord bears South 88° 31' 01" East 108.89 feet), thence South 84° 25' 09" East 184.01 feet, thence South 84° 06' 55" East 1177.02 feet to the True Point of Beginning.

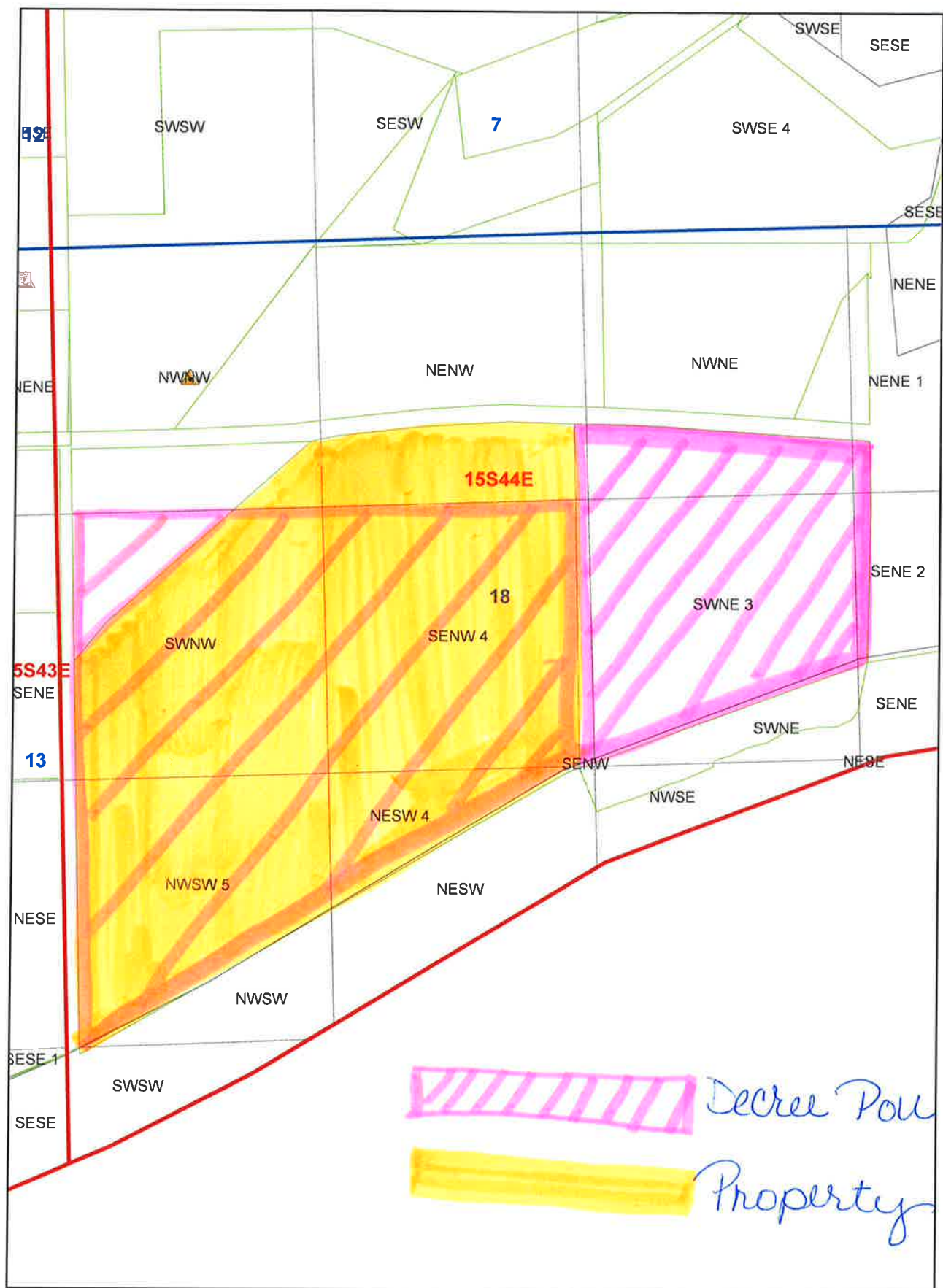
STIPULATED FINDING OF WATER RIGHTS (Cont.)

No.	Name and Address	Priority	Amount, acre feet per annum	Maximum Rate of Diversion, cubic feet per second	Point of Diversion	Period of Use		Purpose	Lands Irrigated		Remarks
						From	To		Acres	Description	
10	Lorenzo H. & Robert (Continued)								20.7	NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 7	11 1048 cont
									14.0	SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 7	
									7.0	SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 7	
								total	64.3	T. 15S, R. 44E	
11	Robert H. Homert St. Charles, Idaho	3-1-1894	50	0.52	NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 7 T. 15S, R. 44E	4-15	6-30 8-15 9-15	Irrigation	4.8	SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 7	map B
								total	5.0	SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 7	11 1049
									7.8	T. 15S, R. 44E	
12	Glenn Michaelson St. Charles, Idaho	4-5-1940	129 not spec in permit	1.26	NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 2 T. 15S, R. 43E	4-15	10-31	Irrigation	30.0	NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 2	map A
								total	35.0	SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 2	Permit 18965
									63.0	T. 15S, R. 43E	11-2097
13	Patience Payne St. Charles, Idaho	3-1-1894	300.0	13.27	NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13 T. 15S, R. 43E	4-15	7-15 8-15 9-15	Irrigation	122.38	SW $\frac{1}{4}$ NW $\frac{1}{4}$ & Lots 3, 4 & 5 of Sec. 18, T. 15S, R. 44E	map C Claim 11-1005
13a	Patience Payne St. Charles, Idaho	1-1-1965	15.5	0.10	NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 14 T. 15S, R. 43E	4-15	7-15 8-15 9-15	Irrigation	4.5	NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 14 T. 15S, R. 43E	11 1051
14	Bertha A. Peterson St. Charles, Idaho	3-1-1894	73	0.97	NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 7 T. 15S, R. 44E	4-15	6-30 8-15 9-15	Irrigation	17.1	NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 1	map A
								total	7.3	SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 1	11 1052
									24.4	T. 15S, R. 43E	
15	Weldon J. Peterson St. Charles, Idaho	3-1-1894	122	1.63	NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 7 T. 15S, R. 44E	4-15	6-30 8-15 9-15	Irrigation	22.0	SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 1	Flooded
								total	18.7	SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 1	map A
									40.7	T. 15S, R. 43E	11 1052

Notes in the Backfile show the department knew the split was not proportionate but was agreed upon. I DID NOT SEE an agreement. I updated the Pou to reflect Pou per Report description 11-4005 (11-7477 (61.19) & 11-7478 (61.19))

PRIORITY INDEX
STIPULATED FINDING OF WATER RIGHTS

Entry No.	Name	Priority	Amount, acre feet per annum	Maximum Rate of Diversion, cubic feet per second	Entry No.	Name	Priority	Amount, acre feet per annum	Maximum Rate of Diversion cubic feet per second
7	City of st. Charles	3-11-1893	135.0	1.0	18	Leon C. Swenson	3-1-1894	35.0	0.24
17	St. Charles Irrig. Co.	3-11-1893	11,337.0	75.5	19	Ronald Thornock	3-1-1894	69.0	0.92
4	Ben Bateman	3-1-1894	402.0	5.35	20	Whitney J. Transtrum	3-1-1894	96.0	0.64
2	Ronald Thornock	3-1-1894	159.0	2.12	23	Utah Power & Light Co.	3-1-1894	97.5	0.50
3	Ray Bateman	3-1-1894	153.0	2.04	21	U.S. Forest Service	3-1-1894	5.0	0.07
5	Augusta P. Bunderson	3-1-1894	21.0	0.27	1	Cleneth E. Arnell	8-29-1903	6.0	0.2
8	J. Hulme Dunford	3-1-1894	744.0	9.92	22	U.S. Forest Service	5-28-1906	22.0	0.5
9	Dwight H. & Hervin L. Hemmert	3-1-1894	291.0	3.88	6	Iola Bunderson	4-15-1916	53.0	0.36
10	Lorenzo H. & Robert Hemmert	3-1-1894	193.0	2.57	12	Glenn Michaelson	4-3-1940	129.0	1.26
11	Robert H. Hemmert	3-1-1894	30.0	0.32	1	Cleneth E. Arnell	5-12-1945	6.8 or 6200.0 gpd	0.02
13	Patience Payne	3-1-1894	366.0	13.27	13a	Patience Payne	1-1-1965	13.5	0.10
14	Bertha A. Peterson	3-1-1894	73.0	0.97					
15	Weldon J. Peterson	3-1-1894	122.0	1.63					
16	Vivian Lamont Pugmire	3-1-1894	49.0	0.65					





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

November 14, 2019

PROVIDENCE BEAR LAKE LLC
PO BOX 89
MIDWAY UT 84049

Re: Change in Ownership for Water Right No(s): 11-7478

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 1

Enclosure(s)

cc: Jean D Brown
Water District 11
Thomas Holmes, attorney



Thomas J. Holmes

203 S Garfield ■ Pocatello, ID 83204
Phone (208) 232-5911 ■ Fax (208) 232-5962
tholmes@beardstclair.com

RECEIVED

NOV 07 2019

Department of Water Resources
Eastern Region

November 4, 2019

IDWR Eastern Region
900 N. Skyline Drive Suite A
Idaho Falls, ID 83402-1718

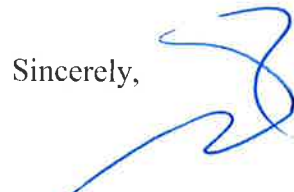
Re: Water Right 11-7478

Dear Department:

Enclosed please find:

1. Notice in change of Water Right Ownership with attached Deed transferring the underlying real estate from Providence, LLC to Providence Bear Lake, LLC.
2. Our check for \$25.00 for the fee.

Sincerely,


Thomas J. Holmes

TJH/lk
brown110419.ltr water

Enclosures

cc: client

Attorneys licensed in					
Idaho	Colorado	Montana	North Dakota	Washington	Wyoming Utah
Jared W. Allen	John M. Avondet	Michael W. Brown	Jeffrey D. Brunson	Gregory C. Calder	
Dan C. Dummer	Joseph D. Fairbank	Jarin O. Hammet	Herbert J. Heimerl III	Melissa O. Heimerl	
Thomas J. Holmes	Megan J. Hopfer	Lindsay M. Lofgran	Kristopher D. Meek	Lance J. Schuster	
Michael D. Gaffney of Counsel	F. Scott Lee of Counsel	Jack H. Robison of Counsel	John G. St. Clair of Counsel	Julie Stomper of Counsel	