

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
MAY 08 2019
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?
29-2489A <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
29-2489B <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
29-2489C <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
29-10053 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
29-10054 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Kevin Loveland and Ann Loveland
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Shoshone-Bannock Agri-Business Corporation
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- | | | | |
|-----------------|------------------------|-------|-------|
| P.O. Box 368 | Fort Hall | ID | 83203 |
| Mailing address | City | State | ZIP |
| 208-235-2043 | mwadsworth@sho-ban.com | | |
| 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: May 2, 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):
 - ☐ \$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 # 29-2489A

8. Signature: *Dena Thompson* Chairwoman 5-2-19
 Signature of new owner/claimant Title, if applicable Date
- Signature: _____ Title, if applicable Date

For IDWR Office Use Only:

Received by *JB* Date 5/8/2019 Receipt No. E044951 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 *CR* Date 5/20/2019

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
223 North 15th Avenue
Pocatello, ID 83201

Instrument # 214151
POWER COUNTY, IDAHO
05-03-2019 10:50:43 AM No. of Pages: 3
Recorded for: FIRST AMERICAN TITLE - POCATEL
SHARIE SPRAGUE Fee: \$15.00
Ex-Officio Recorder Deputy: maureen schelske
Electronically Recorded by Simplifile

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **727489-P (sw)**

Date: **April 29, 2019**

For Value Received, **Kevin Loveland and Ann Loveland, husband and wife**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Shoshone-Bannock Agri-Business Corporation**, hereinafter called the Grantee, whose current address is **P.O. Box 368, Fort Hall, ID 83203**, the following described premises, situated in **Power County, Idaho**, to-wit: **Legal Description attached hereto as Exhibit A, and by this referenced incorporated herein.**

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. DX

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
223 North 15th Avenue
Pocatello, ID 83201

Recorded Electronically	
ID	<u>214151</u>
County	<u>POWER</u>
Date	<u>5-3-19</u> Time <u>10:50</u>
Simplify.com 800.460.5657	

Space Above This Line for Recorder's Use Only

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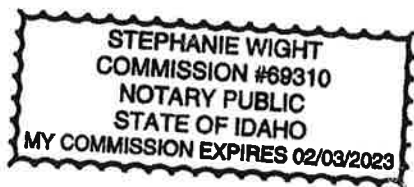
TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Kevin Loveland
Kevin Loveland

Ann Loveland
Ann Loveland

STATE OF Idaho)
COUNTY OF Bannock)
ss.

On this **Second day of May, 2019**, before me, a Notary Public in and for said State, personally appeared **Kevin Loveland and Ann Loveland**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.



Stephanie Wight
Notary Public for the State of Idaho
Residing at: Pocatello, ID
My Commission Expires: 02/03/23

EXHIBIT A

PARCEL 1:

SECTION 4, TOWNSHIP 6 SOUTH, RANGE 33 EAST, POWER COUNTY, IDAHO, SOUTH 1196.25 FEET OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, EAST HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER, NORTH 230 FEET OF THE WEST HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER

PARCEL 2:

SECTION 4, TOWNSHIP 6 SOUTH, RANGE 33 EAST, POWER COUNTY, IDAHO, SOUTHERLY 1196.25 FEET OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER; NORTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER

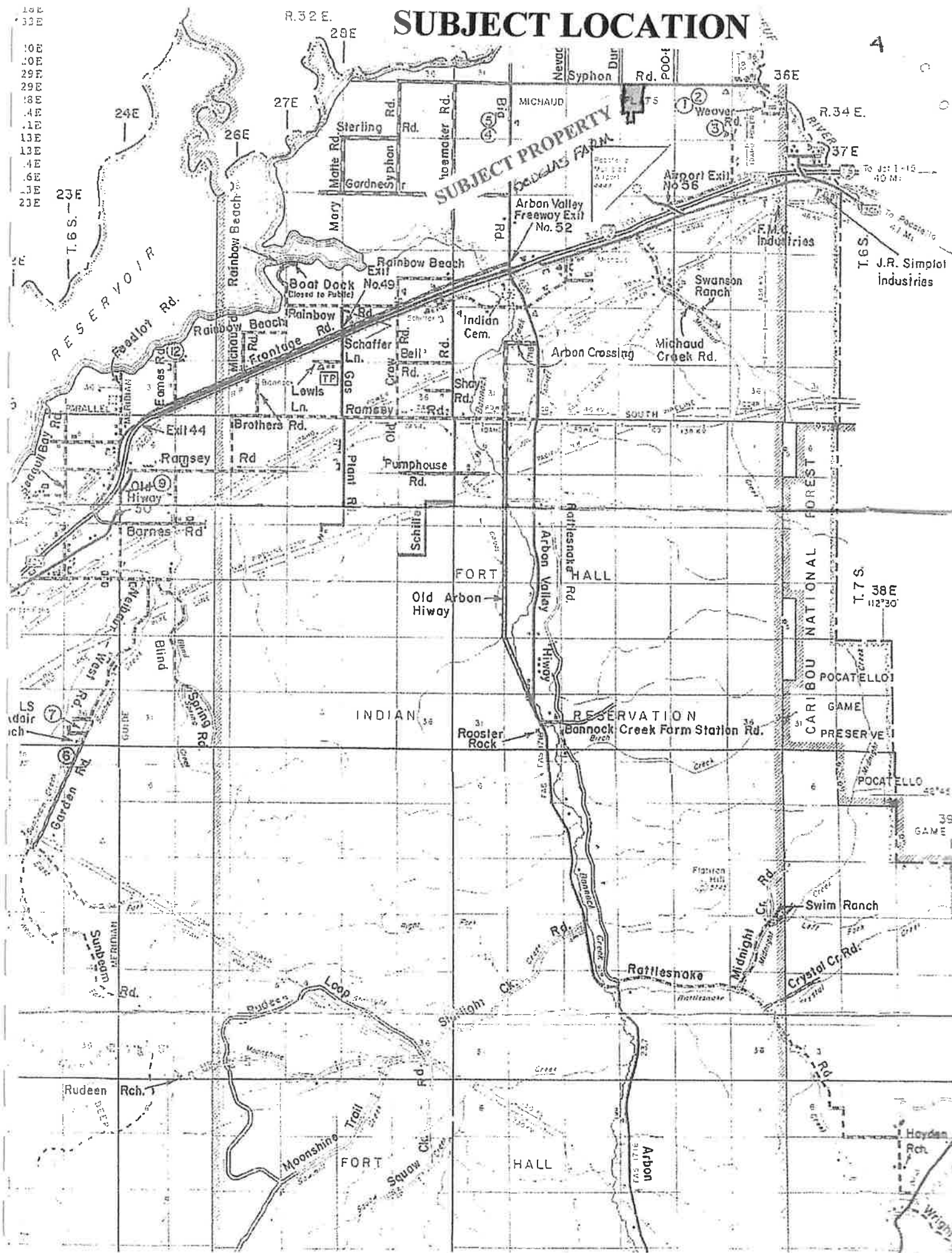
PARCEL 3:

SECTION 4, TOWNSHIP 6 SOUTH, RANGE 33 EAST, POWER COUNTY, IDAHO, LOTS 1 & 2; NORTH 123.72 FEET OF THE SOUTH HALF OF THE NORTHEAST QUARTER

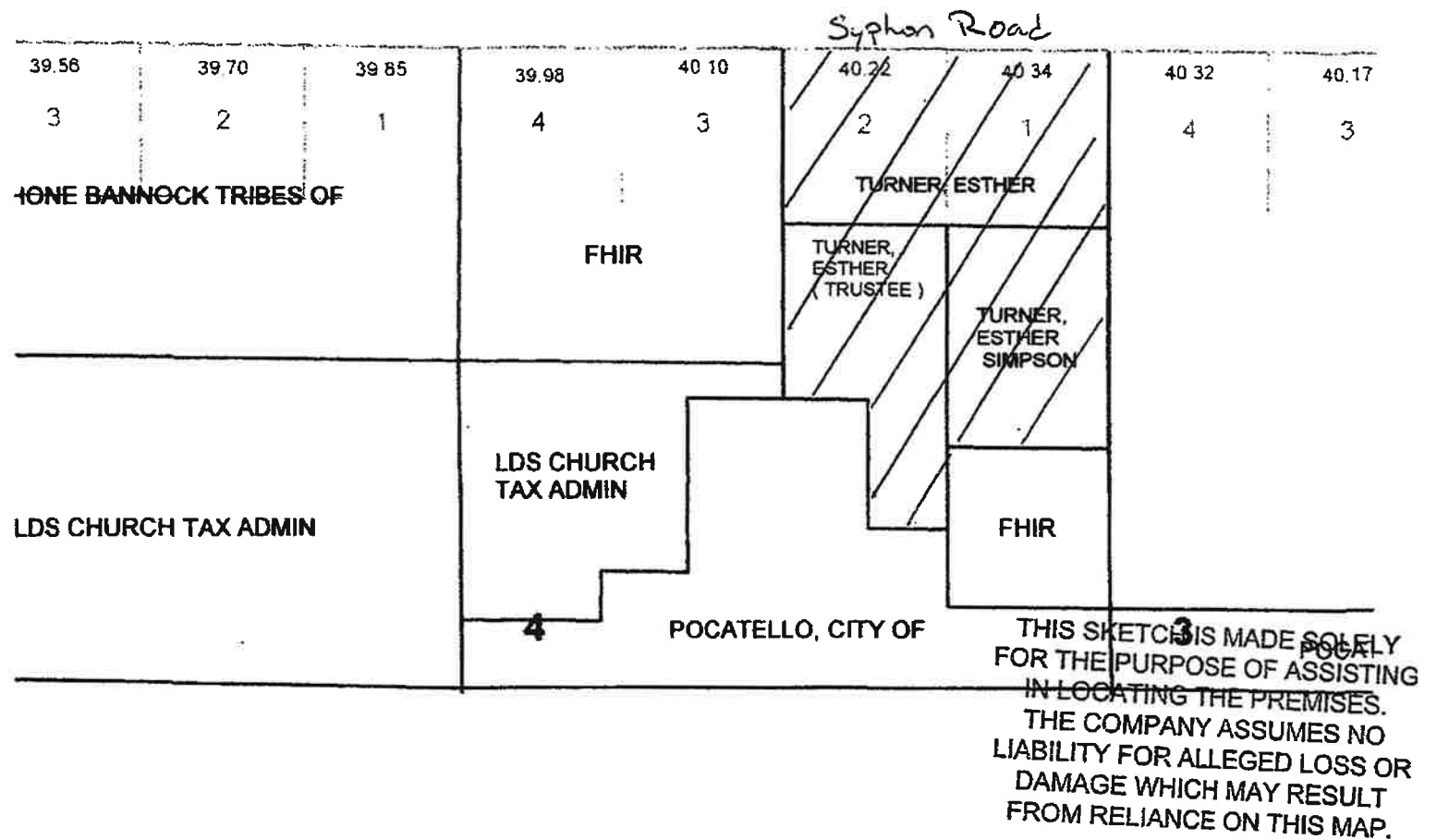
vd

*KHZ
AHJ*

4



TOWNSHIP 6 SO. RANGE 33 E.B.M





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

May 20, 2019

SHOSHONE-BANNOCK AGRI-BUSINESS CORPORATION
PO BOX 368
FORT HALL ID 83203-0368

Re: Change in Ownership for Water Right No(s): 29-2489A, 29-2489B, 29-2489C, 29-10053, 29-10054

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) 525-7161.

Sincerely,

Cher Ramos
Technical Records Specialist 1

Enclosure(s)

cc: Zions Bank
Water District 120



ECHO HAWK & OLSEN

MARK A. ECHO HAWK
ERIC L. OLSEN
JOSEPH T. PRESTON
PATRICK J. DAVIS
ATTORNEYS

505 PERSHING AVE., STE. 100
PO BOX 6119
POCATELLO, ID 83205-6119
208.478.1624
208.478-1670 FAX
WWW.ECHOHAWK.COM

May 3, 2019

RECEIVED
MAY 08 2019
Department of Water Resources
Eastern Region

IDWR Eastern Region
900 N Skyline Dr, Ste A
Idaho Falls, ID 83402-1718

Re: Transfer of Water Rights to Shoshone-Bannock Agri-Business Corporation

To Whom It May Concern:

Enclosed are the following documents needed to change the Water Right Ownership of rights 29-2489A, 29-2489B, 29-2489C, 29-10053 and 29-10054 from Kevin and Ann Loveland to the Shoshone-Bannock Agri-Business Corporation:

1. A completed Form 42-248/42-1409(6) Notice of Change in Water Right Ownership.
2. A \$125.00 check for the five undivided water right filing fees.
3. A copy of the Warranty Deed that was recorded today in Power County.
4. A copy of two maps that identify the subject property.

Please change the Water Right Ownership to Shoshone-Bannock Agri-Business Corporation and send the original rights to my office. Should you have any questions or concerns, please feel free to contact my office at (208) 478-1624.

Regards,

Joseph T. Preston

Enclosure JP/rjb

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