

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESRECEIVED
MAR 22 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?
31-10074 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
31-113 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
31-25 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: RAY SANDERS (31-10074) DEAN ZOLLINGER (31-113 & 31-25)

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): J&D POCOCC LLC

New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or ☐ and/or453 BUSINESS LOOPSUGAR CITY

ID

83448-2601

Mailing address

City

State

ZIP

208-359-1401

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: 10/17/2018

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.

SUPPORT DATA

IN FILE # 31-25

- ☐ 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: *Justin Pocco* Member 3/22/2019

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 3/22/19 Receipt No. E044790 Receipt Amt. \$75.-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 JBProcessed by CRDate 5/8/2019

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

3/22/2019

Water Right 31-25

<u>Owner Type</u>	<u>Name</u>
Current Owner	DEAN W ZOLLINGER
Original Owner	RAY SANDERS
Original Owner	GENEVA SANDERS
Security Interest	THE BANK OF COMMERCE

Priority Date: 6/1/1898

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
WEST CAMAS CREEK	CAMAS CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	05/01	10/31	2.000 CFS	
STOCKWATER	05/01	10/31	0.090 CFS	
	<u>Total Diversion</u>		2.000 CFS	

Source and Point(s) of Diversion

WEST CAMAS CREEK	NWNWNE	Sec. 36, Twp 13N, Rge 38E, CLARK County
WEST CAMAS CREEK	SESWNW	Sec. 31, Twp 13N, Rge 39E, CLARK County

Place Of Use

IRRIGATION within CLARK County

T13N R39E S31	NESE	9.0
T13N R39E S31	NWSE	38.0
T13N R39E S31	SWSE	29.0
T13N R39E S31	SESE	24.0
POU Total Acres:		100.0

STOCKWATER Same as IRRIGATION

Conditions of Approval:

1. E55 USE OF THIS RIGHT WITH RIGHT NO. 31-00113 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 100 ACRES IN A SINGLE IRRIGATION SEASON.
2. STOCKWATER 350 CATTLE SAME POU AS IRRIGATION
3. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
4. N08 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
5. E51 USE OF THIS RIGHT WITH RIGHT NO. 31-00113 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.0 CFS.
6. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
7. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

3/22/2019

8. C02 SECTION 42-1425, IDAHO CODE.
RIGHT INCLUDES ACCOMPLISHED CHANGE IN SOURCE PURSUANT TO
SECTION 42-1425, IDAHO CODE.

Combined Use Limits

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
2.000		100.0
31-25 ,31-113		

SubCase:

N/A

Water Supply Bank:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

3/22/2019

Water Right 31-113

Owner Type **Name**
Current Owner DEAN W ZOLLINGER
Original Owner RAY SANDERS
Original Owner GENEVA SANDERS
Security Interest THE BANK OF COMMERCE
Priority Date: 6/1/1890
Basis: Decreed
Status: Active

Source **Tributary**
WEST CAMAS CREEK CAMAS CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	05/01	10/31	2.000 CFS	
STOCKWATER	05/01	10/31	0.090 CFS	
	<u>Total Diversion</u>		2.000 CFS	

Source and Point(s) of Diversion

WEST CAMAS CREEK	SESWNW	Sec. 31, Twp 13N, Rge 39E,	CLARK County
WEST CAMAS CREEK	NWNWNE	Sec. 36, Twp 13N, Rge 38E,	CLARK County

Place Of Use

STOCKWATER within CLARK County

T13N R39E S31	NESE
T13N R39E S31	NWSE
T13N R39E S31	SWSE
T13N R39E S31	SESE

IRRIGATION within CLARK County

T13N R39E S31	NESE	9.0
T13N R39E S31	NWSE	38.0
T13N R39E S31	SWSE	29.0
T13N R39E S31	SESE	24.0
POU Total Acres:		100.0

Conditions of Approval:

1. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. E55 USE OF THIS RIGHT WITH RIGHT NO. 31-00025 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 100 ACRES IN A SINGLE IRRIGATION SEASON.
3. P31 THE REMAINDER OF THIS RIGHT WAS FORFEITED FOR NON-USE FROM 1982 TO 1987.
4. STOCKWATER 350 CATTLE SAME POU AS IRRIGATION
5. E51 USE OF THIS RIGHT WITH RIGHT NO. 31-00025 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.0 CFS.
6. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

3/22/2019

NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

7. C09 PORTION OF RIGHT FORFEITED/ABANDONED.
8. N08 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

Combined Use Limits

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
2.000		100.0
31-25 ,31-113		

SubCase:

N/A

Water Supply Bank:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

3/22/2019

Water Right 31-10074

Owner Type **Name**
Current Owner RAY SANDERS
Current Owner GENEVA SANDERS
Security Interest THE BANK OF COMMERCE
Priority Date: 6/1/1890
Basis: Decreed
Status: Active

Source **Tributary**
KELSON CREEK CAMAS CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	6/01	11/15	0.020 CFS	
	<u>Total Diversion</u>		0.020 CFS	

Source and Point(s) of Diversion

KELSON CREEK	NESE	Sec. 31, Twp 13N, Rge 39E, CLARK County(B)
KELSON CREEK	SESE	Sec. 31, Twp 13N, Rge 39E, CLARK County(E)

Place Of Use

STOCKWATER within CLARK County

T13N R39E S31	NESE
T13N R39E S31	SESE

Conditions of Approval:

1. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. PARCEL NO. RP13N39E317210A STOCKWATER, 350 RANGE CATTLE

Combined Use Limits

N/A

SubCase:

N/A

Water Supply Bank:

N/A

WARRANTY DEED

Alliance Title & Escrow Corp. Order No.:407467

FOR VALUE RECEIVED

Zollinger Brothers, LLC and the Estate of Dean W. Zollinger

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

J&D Pocock, LLC, an Idaho limited liability company, as to Parcels 1 and 2

whose current address is

**756 S 7th W
Sugar City, ID 83448**

the grantee(s), the following described premises, in Clark County, Idaho, TO WIT:

Parcel 3

**Township 13 North, Range 39 East, Boise Meridian, Clark County, Idaho.
Section 31: Southeast Quarter**

Parcel 4

**Township 12 North, Range 39 East, Boise Meridian, Clark County, Idaho.
Section 6: Lots 3, 4 and 5; and Southeast Quarter Northwest Quarter**

**ALSO: A portion of the Southwest Quarter Northeast Quarter described as:
Beginning at the Southeast Corner of the Southeast Quarter of the Northwest
Quarter of Section 6, and running thence East 21 rods; thence North 80 rods;
thence West 21 rods; thence South 80 rods to the point of beginning.**

**EXCEPTING THEREFROM: Beginning at a point 1012 feet East of the Northwest
Corner of Lot 4, said point also being the Northwest corner of said Section 6, and
running thence**

East 400 feet; thence

South 300 feet; thence

West 400 feet; thence North 300 feet to the POINT OF BEGINNING.

**ALSO EXCEPTING THEREFROM: Beginning at the Northwest Corner of Lot 4,
said point also being the Northwest Corner of said Section 6, and running thence**

East 1012 feet; thence

South 861 feet; thence

West 1012 feet; thence

North 861 feet to the POINT OF BEGINNING.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: October 15, 2018

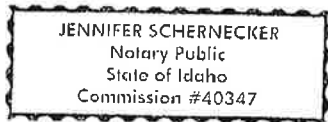
Zollinger Brothers, LLC

[Signature]
Ned A. Zollinger, Manager

State of ID } ss
County of Madison }

On this 16 day of October, in the year 2018, before me, the undersigned, a Notary Public in and for said state, personally appeared Ned A. Zollinger known or identified to me to be the Managing Member in the Limited Liability Company known as Zollinger Brothers LLC who executed the foregoing instrument, and acknowledged to me that he/she executed the same in said LLC name.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



[Signature]
Notary Public for the State of ID
Residing at: Ryghy ID
Commission Expires: 7-15-21

The Estate of Dean W. Zollinger

[Signature], personal representative of the Estate of Dean W. Zollinger
Ned A. Zollinger, personal representative of the estate of Dean W. Zollinger

State of ID } ss.
County of Madison }

On this 16 day of October, in the year 2018, before me, the undersigned, a Notary Public in and for said state, personally appeared Ned A. Zollinger known or identified to me to be the person whose name is subscribed to the foregoing instrument as Personal Representative of the estate of Dean W. Zollinger, and acknowledged to me that he executed the same as Personal Representative.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

[Signature]
Notary Public for the State of ID
Residing at: Ryghy ID
Commission Expires: 7-15-21

JENNIFER SCHERNECKER
Notary Public
State of Idaho
Commission #40347



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 08, 2019

J & D POCOCK LLC
453 BUSINESS LOOP
SUGAR CITY ID 83448-2601

Re: Change in Ownership for Water Right No(s): 31-25, 31-113, 31-10074

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: The Bank of Commerce
Jefferson Clark Ground Water District
Water District 31
Water District 110