

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
MAR 11 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?
35-2765 <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: Gardner Farms, an Idaho general partnership
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): D. Cooper, LLC and D. Case, LLC
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or ☐ and/or
- 578 N. 100 W. Blackfoot ID 83221
Mailing address City State ZIP
- _____
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: September 11, 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):
 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: *David Cooper* David Cooper, Manager 3-7-19
Signature of new owner/claimant Title, if applicable Date

Signature: *Doug Case* Doug Case, Manager 3-7-19
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by *JB* Date 3/11/2019 Receipt No. E0447166 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 3/11/2019

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Lee Radford
PARSONS BEHLE & LATIMER
900 Pier View Drive, Suite 206
Idaho Falls, Idaho 83402
(208) 522-6700

Instrument # 700352

BINGHAM COUNTY, IDAHO
2018-09-12 01:16:56 PM No. of Pages: 4
Recorded for: PARSONS BEHLE & LATIMER IDAHO
PAMELA W. ECKHARDT Fee: \$15.00
Ex-Officio Recorder Deputy JPulley
Index To: WARRANTY DEED
Electronically Recorded by Simplifile

(Space Above For Recorder's Use)

WARRANTY DEED

For value received **GARDNER FARMS**, an Idaho general partnership ("Grantor"), conveys, grants, bargains, and sells to **D. COOPER, LLC**, an Idaho limited liability company, whose address is 578 N. 100 W., Blackfoot, Idaho 83221, and to **D. CASE, LLC**, an Idaho limited liability company, whose address is 198 W. 500 N., Blackfoot, Idaho 83221, as tenants in common (together referred to as "Grantee"), and their successors and assigns forever, the following described real property situated in Bingham County, State of Idaho:

Township 1 South; Range 34 East, Boise Meridian, Bingham County, Idaho.

Section 1 Southwest Quarter

Section 2 Southeast Quarter

SUBJECT TO taxes and assessments for the year 2018 and all previous and subsequent years, together with any and all existing easements, rights-of-way, reservations, restrictions, and encumbrances of record, to any existing tenancies, to all zoning laws and ordinances, and to any state of facts an accurate survey or inspection of the premises would show.

This conveyance shall include any and all estate, right, title, interest, appurtenances, tenements, hereditaments, reversions, remainders, easements, rents, issues, profits, rights-of-way, and water rights in anywise appertaining to the real property herein described.

The Grantor covenants to the Grantee that Grantor is the owner in fee simple of said real property, that the real property is free from all encumbrances, excepting those as may be herein set forth, and excepting those of record and those revealed on any survey or inspection of the premises, and that Grantor will warrant and defend the same from all lawful claims.

IN WITNESS WHEREOF, the Grantor has executed this instrument on this 11th day of September, 2018.

GRANTOR:

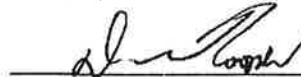
GARDNER FARMS, a general partnership



L. Gardner, LLC

By: Lance Gardner

Its: Member



D. Cooper, LLC

By: David Cooper

Its: Member



D. Case, LLC

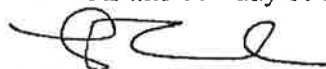
By: Doug Case

Its: Member

STATE OF IDAHO)
)
COUNTY OF Bingham)

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared **LANCE GARDNER**, the Member of **L. GARDNER, LLC**, known to me to be the person whose name is subscribed to the foregoing Warranty Deed dated September 11, 2018, and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed, in the capacity therein stated and as the act and deed of said corporation.

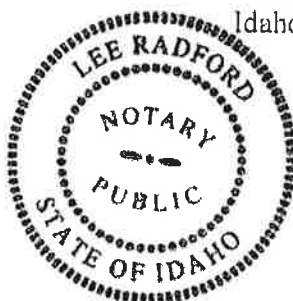
GIVEN UNDER MY HAND AND SEAL OF OFFICE this 11th day of September 2018.



Notary Public, in and for the State of
Idaho

My Commission Expires:

11/6/2023



STATE OF IDAHO)
)
COUNTY OF Bingham)

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared **DAVID COOPER**, the Member of **D. COOPER, LLC**, known to me to be the person whose name is subscribed to the foregoing Warranty Deed dated September 11, 2018, and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed, in the capacity therein stated and as the act and deed of said corporation.

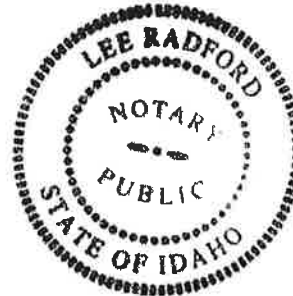
GIVEN UNDER MY HAND AND SEAL OF OFFICE this 11th day of September 2018.



Notary Public, in and for the State of
Idaho

My Commission Expires:

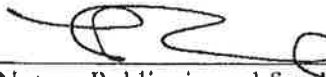
11/6/2023



STATE OF IDAHO)
)
COUNTY OF Bingham)

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared **DOUG CASE**, the Member of **D. CASE, LLC**, known to me to be the person whose name is subscribed to the foregoing Warranty Deed dated September 11, 2018, and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed, in the capacity therein stated and as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 11th day of September 2018.



Notary Public, in and for the State of
Idaho

My Commission Expires: 11/6/2023





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

March 11, 2019

D COOPER LLC
578 N 100 W
BLACKFOOT ID 83221-5714

D CASE LLC
198 W 500 N
BLACKFOOT ID 83221-5736

Re: Change in Ownership for Water Right No(s): 35-2765

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: Bingham Ground Water District
Water District 120



March 8, 2019

Idaho Department of Water Resources
Eastern Regional Office
900 North Skyline Drive, Suite A
Idaho Falls, Idaho 83402-1718

RECEIVED
MAR 11 2019
Department of Water Resources
Eastern Region

Re: Notice of Change in Water Right Ownership

To whom it may concern:

Enclosed please find an original and extra copy of a Notice of Change in Water Right Ownership for water right no. 35-2765, together with a check in the amount of \$25.00 for the filing fee. Please file the original and conform stamp the extra copy and return it to me in the enclosed stamped and addressed return envelope.

Thank you for your assistance.

Sincerely,

A handwritten signature in black ink, appearing to read 'T.J. Budge', is written over the printed name.

T.J BUDGE