

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED
FEB 25 2019
Department of Water Resources
Eastern Region

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?
29-7906 <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: DEG Enterprises 3 LLC
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Power County Board of Commissioners
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 543 Bannock Ave. American Falls ID 83211
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: 12/18/2018
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: *Paul C. Bulger* *Attorney-in-Fact - Owner* *12/18/18*
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 *JTB* Date *2/25/2019* Receipt No. *E044733* 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 *2/27/2019*

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Randall C. Budge, Attorney
RACINE OLSON, PLLP
P.O. Box 1391; 201 E. Center Street
Pocatello, Idaho 83204-1391

Instrument # 213807

POWER COUNTY, IDAHO

2-19-2019 02:15:49 PM No. of Pages: 2

Recorded for : RACINE OLSON

SHAREE SPRAGUE

Ex-Officio Recorder Deputy Fee: 15.00

(Space Above for Recorder's Use)

SPECIAL WARRANTY DEED FOR WATER RIGHT

DEG Enterprises 3 LLC, and Idaho limited liability company (hereinafter "Grantor") does hereby grant, bargain, sell, assign, and convey unto **Power County Board of Commissioners**, whose address is c/o Ron Funk, Power County Commission Chairman, 543 Bannock Ave., American Falls, Idaho 83211 (hereinafter "Grantee"), and to Grantee's heirs and assigns forever, all of Grantor's right title and interest in Water Right No. 29-7906 (the "Purchased Water Right").

Grantor hereby covenants and warrants to Grantee as follows:

- (A) Grantor is the owner of the Purchased Water Right;
- (B) Grantor has not conveyed any of the Purchased Water Right to anyone other than Grantee;
- (C) The Purchased Water Right is free from all liens, claims, or encumbrances; and
- (D) Grantor has the authority to convey the Purchased Water Right to Grantee.

Grantor makes no other covenants or warranties as to the Purchased Water Right. No land is included in this conveyance.

IN WITNESS WHEREOF, the undersigned has caused his name to be hereunto subscribed.

DATED this 18th day of December, 2018.

DEG ENTERPRISES 3 LLC

By: [Signature]
DAVE GEBO, Manager/Member

By: [Signature]
EMMA GEBO, Manager/Member

STATE OF IDAHO)
) ss.
County of Bannock)

This record was acknowledged before me on this 18 day of December, 2018, by Dave Gebo and Emma Gebo as Manager and Members of DEG Enterprises 3 LLC.



[Signature]
NOTARY PUBLIC FOR IDAHO
My Commission Expires: 3/11/20



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

February 27, 2019

POWER COUNTY BOARD OF COMMISSIONERS
543 BANNOCK AVE
AMERICAN FLS ID 83211-1200

Re: Change in Ownership for Water Right No(s): 29-7906

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: Aberdeen American Falls Ground Water District
Water District 01
Water District 120



RANDALL C. BUDGE
rcb@racinelaw.net

February 21, 2019

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

RECEIVED
FEB 25 2019
Department of Water Resources
Eastern Region

Re: Notice of Change in Water Right Ownership

To whom it may concern:

Enclosed please find the original and extra copy of a Notice of Change in Water Right Ownership, together with a check in the amount of \$25 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 dark ink that reads 'Randall C. Budge'.

RANDALL C. BUDGE

RCB:ts
Enclosures