

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED
JAN 30 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?
35-7494 OK	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: Leonard Phillips
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): MPD Holding LLC
New owner(s) as listed on the conveyance document

Mailing address: 2935 W. 2050 S. City: Aberdeen State: ID ZIP: 83210
Telephone: 208-221-4352 Email: daryl@mpdvi.com

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: July 5, 2016
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.

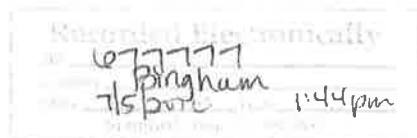
8. Signature: [Signature] Title, if applicable: Member Date: 1-23-19
Signature of new owner/claimant

Signature: _____ Title, if applicable: _____ Date: _____
Signature of new owner/claimant

For IDWR Office Use Only:

Received by: JB Date: 1/30/2019 Receipt No.: E044677 Receipt Amt.: \$100.-
 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: VB Processed by: CR Date: 2/5/2019

1/14/2019



WARRANTY DEED

Alliance Title & Escrow Corp. Order No.:305301

FOR VALUE RECEIVED

Keith M. Phillips, Kenneth J. Phillips and Paul H. Phillips as co-trustees of The Bernice Phillips Trust

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

MPD Holding, LLC

whose current address is

**2935 West 2050 South
Aberdeen, ID 83210**

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

Parcel 1:

Part of Section 22 and Section 15, Township 5 South, Range 31 East, B.M., Bingham County, Idaho described as:

Beginning at a point on the east line of said Section 22, point being S00°07'00"W 117.72 feet from the NE corner of said Section 22, running thence along said east line S00°07'00"W 948.31 feet; thence S88°31'34"W 592.56 feet; thence S00°31'42"E 248.08 feet to the south line of the N1/2NE1/4 of said Section 22; thence along said south line S89°52'22"W 2062.18 feet to SW corner of said N1/2SE1/4; thence along the west line of said N1/2SE1/4 N00°03'05"W 1325.00 feet to the south line of said Section 15; thence along said south line N89°48'30"E 677.89 feet to the south bank of the Aberdeen Springfield Canal; thence along said bank the following ten (10) courses, (1) N65°24'41"E 80.23 feet; thence (2) N67°48'55"E 221.36 feet; (3) N69°56'26"E 127.48 feet; thence (4) N89°24'57"E 226.72 feet; thence (5) N84°44'59"E 203.69 feet; thence (6) N66°40'47"E 130.42 feet; thence (7) N48°57'50"E 95.28 feet; thence (8) N68°12'42"E 110.67 feet; thence (9) N89°03'41"E 141.38 feet; thence (10) N71°44'35"E 128.55 feet; thence S00°08'25"W 603.37 feet; thence N89°41'28"E 452.12 feet; thence N00°09'51"E 110.25 feet; thence N89°57'00"E 141.45 feet to the Point of Beginning.

Parcel 2:

Part of the S1/2NE1/4 of Section 22, Township 5 South, Range 31 East, B.M., Bingham County, Idaho described as:

Commencing at the NE corner of said S1/2NE1/4 Section 22 point being S00°07'00"W 1327.99 feet from the NE corner of said Section 22, running thence along the north line of said S1/2NE1/4 S89°52'22"W 2651.72 feet to the NW corner of said S1/2NE1/4; thence along the west line of said S1/2NE1/4 S00°03'05"E 11.00 feet to a fence line; thence along said fence line N89°53'28"E 2651.68 feet to the east line of said Section; thence along said east line N00°07'00"E 11.85 feet to the point of commencement.

EXCEPTING the East 541 feet.

The grantor, Keith M. Phillips, Kenneth J. Phillips, and Paul H. Phillips as co-trustees of the Bernice Phillips Trust, extends to the buyer an easement and access to the irrigation pump to do any repairs or work on the pump as dictated by prudent farming practices.

The domestic well and pump sits on the eighty acres. The pump furnishes water to two homes and the potato storages. The homes will maintain the

water system with no charge to the potato storages. The potato storages can use water with no maintenance or power.

The buyers have an easement to do any work needed on potato storages.

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: July 1, 2016

The Bernice Phillips Trust

Keith M. Phillips
Keith M. Phillips, Co-Trustee

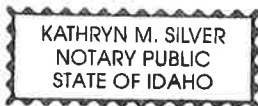
Kenneth J. Phillips
Kenneth J. Phillips, Co-Trustee

Paul H. Phillips, Co-Trustee

State of ID} ss.
County of Bingham}

On this 1 day of July, before me, the undersigned, a Notary Public in and for said state, personally appeared Keith M. Phillips and Kenneth J. Phillips, known or identified to me to be the persons whose name is subscribed to the foregoing instrument as co-trustees of the Bernice Phillips Trust, and acknowledged to me that he executed the same as Trustee.

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



Kathryn M. Silver
Notary Public for the State of ID
Residing at: Bozeman, ID
Commission Expires: 5-6-2022

State of TX} ss.
County of _____}

On this _____ day of July, 2016 before me, the undersigned, a Notary Public in and for said state, personally appeared Paul H. Phillips known or identified to me to be the person whose name is subscribed to the foregoing instrument as trustee of the Bernice Phillips Trust, and acknowledged to me that he executed the same as Trustee.

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

Notary Public for the State of TX
Residing at: _____
Commission Expires: _____



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 05, 2019

MPD HOLDING LLC
2935 W 2050 S
ABERDEEN ID 83210-4922

Re: Change in Ownership for Water Right No(s): 35-7494

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 120