

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
NOV 29 2018
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?
25-14468 <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: Todd and Jennifer Cook
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): HK Contractors Inc
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- PO Box 51450 Idaho Falls ID 83405-1450
Mailing address City State ZIP
- 208-523-6600
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 24, 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.
☐ 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.

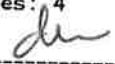
8. Signature: *[Signature]* *General manager* *10/16/2018*
Signature of new owner/claimant Title, if applicable Date

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

For IDWR Office Use Only:

Received by *[Signature]* Date *11-29-2018* Receipt No. *EO44542* Receipt Amt. *\$25.00*
 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 *12-4-18*

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Instrument # 1595684
Bonneville County, Idaho Falls, Idaho
11/06/2018 02:25:38 PM No. of Pages: 4
Recorded for: ROCKY MTN ENVIRONMENTAL
Penny Manning Fee: \$15.00
Ex-Officio Recorder Deputy 
Index to: DEED, WARRANTY

(Space Above for Recorder's Use)

SPECIAL WARRANTY DEED FOR WATER RIGHT

Todd Cook and Jennifer Cook, husband and wife, whose address is 796 N. 1800 W., Blackfoot, Idaho 83221 (hereinafter collectively "Grantor") does hereby grant, bargain, sell, assign, and convey unto **HK Contractors Inc.**, an Idaho Corporation, whose address is 6350 S. Yellowstone, Idaho Falls, Idaho (hereinafter "Grantee") and to Grantee's heirs and assigns forever, all of Grantor's right, title, and interest in the water right described on Exhibit A attached hereto (hereinafter the "Water Right").

Grantor hereby covenants and warrants to Grantee as follows:

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

Grantor makes no other covenants or warranties as to the Water Right.

IN WITNESS WHEREOF, the undersigned authorized officer of Grantor, acting on behalf of Grantor, has caused his name to be hereunto subscribed.

[SIGNATURES ON FOLLOWING PAGE]

DATED this 24 day of September, 2018.

"GRANTOR"



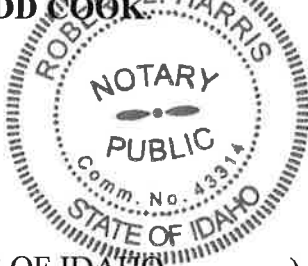
Todd Cook

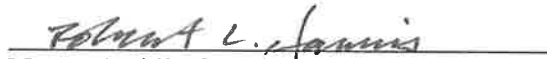


Jennifer Cook

STATE OF IDAHO)
)ss.
County of Bonneville)

This record was acknowledged before me on the 24th day of September, 2018,
by **TODD COOK**.




Notary Public for Idaho
My Commission Expires: 11/18/2022

STATE OF IDAHO)
)ss.
County of Bonneville)

This record was acknowledged before me on the 24th day of September, 2018,
by **JENNIFER COOK**.




Notary Public for Idaho
My Commission Expires: 11/18/2022

EXHIBIT A

WATER RIGHT DESCRIPTION

Page 4 of 7

WATER RIGHT NO. 25-14468

As Modified by Transfer No. 82499

In accordance with the approval of Transfer No. 82499, Water Right No. 25-14468 is now described as follows:

Right Holder: JENNIFER COOK AND
TODD COOK
796 N 1800 W
BLACKFOOT, ID 83221

Priority Date: 3/20/1959

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
DIVERSION TO STORAGE	4/1	to 10/31	0.020 cfs	
INDUSTRIAL	4/1	to 10/31	0.020 cfs	2.5 af
INDUSTRIAL STORAGE	1/1	to 12/31	0.020 cfs	0.8 af
				3.3 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SESW Sec 33 Twp 03N Rge 38E BONNEVILLE County

PLACE OF USE: INDUSTRIAL

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	38E	33												X		X			0.0

PLACE OF USE: INDUSTRIAL STORAGE

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	38E	33												X					0.0

CONDITIONS OF APPROVAL

1. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.
2. Prior to diversion and use of water under Transfer approval 82499, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.

Transfer No. 82499

WATER RIGHT NO. 25-14468
As Modified by Transfer No. 82499

CONDITIONS OF APPROVAL

3. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
4. Industrial use is for concrete batch plant.
5. This right includes 0.8 acre-feet for the replacement of losses due to seepage and evaporation from industrial storage pond.
6. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Transfer No. 82499



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

C.L. "Butch" Otter
Governor

Gary Spackman
Director

December 04, 2018

HK CONTRACTORS INC
PO BOX 51450
IDAHO FALLS ID 83405-1450

Re: Change in Ownership for Water Right No(s): 25-14468

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 I

Enclosure(s)

cc: AXA EQUITABLE LIFE INSURANCE CO
Water District 120
Water District 01
Bonneville Jefferson Water District