

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

OCT 17 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?
35-14245 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
<i>35-14245 35-14620</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: L. Leigh Bair Family Trust
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Delyn Porter, Wendy Porter
New owner(s) as listed on the conveyance document
- 320 North 1100 West
Mailing address
208-380-3946
Telephone
- Blackfoot
City
Delyn@portervocationalservices.com
Email
- Name connector ☐ and ☐ or ☒ and/or
ID 83221
State ZIP
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: 10/01/2018
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: *Delyn D. Porter* Title, if applicable: _____ Date: 10/17/2018
 Signature: *Wendy L. Porter* Title, if applicable: _____ Date: 10/17/2018

For IDWR Office Use Only:

Received by *JB* Date 10/17/2018 Receipt No. E044477 Receipt Amt. \$75. -
 Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing
 Name on W-9 _____ Approved by *JB* Processed by *JC* Date 11/13/2018
 W-9 received? Yes ☐ No ☐

State of Idaho
Department of Water Resources

Water Right
35-14245

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.04 0.08 0.16 Miles



State of Idaho
Department of Water Resources

Water Right
35-14245

DOMESTIC

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.05 0.1 0.2 Miles



WARRANTY DEED

For Value Received RONALD H. BAIR, as Trustees of the L. LEIGH BAIR FAMILY TRUST, the Grantor, does hereby grant, bargain, sell, and convey unto SOUTHEAST SALES GROUP, L.L.C., the Grantee, whose current address is 1721 W. 500 N., Blackfoot, Idaho 83221 the following described premises, to wit:

Part of Section 18, Township 2 South, Range 34 E. B. M., Bingham County Idaho, described as:

Beginning at a point on the North line of Taber Road that is S. 89°47'57" E. 2652.52 feet along the Section line to the South quarter corner, and N. 00°03'34" W. 1445.62 feet to said right-of-way and N. 61°05'55" W. 855.43 feet along said right-of-way all from the Southwest corner of said Section 18; and running thence N. 61°05'55" W. 247.74 feet; thence N. 31°41'33" E. 723.46 feet; thence S. 87°07'38" E. 47.73 feet; thence S. 62°49'37" E. 265.68 feet; thence S. 28°54'05" W. 500.30 feet; thence N. 61°05'54" W. 95.93 feet; thence S. 28°54'05" W. 251.25 feet to the Point of Beginning.

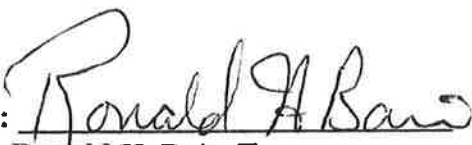
TOGETHER WITH all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, including all ditches, ditch rights-of-way, water and water rights.

SUBJECT TO Reservations in United States Patent, existing and recorded rights-of-way and easements, zoning and building ordinances, and taxes and assessments as prorated between the parties hereto.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that it is the owner in fee simple of said premises; that said premises are free from all encumbrances except as hereinabove set forth and that it will warrant and defend the same from all lawful claims whatsoever.

DATED: July 29, 2002

L. LEIGH BAIR FAMILY TRUST

By: 
Ronald H. Bair, Trustee

STATE OF IDAHO)
 : ss.
COUNTY OF Bingham)

On this 30th day of July, in the year 2002, before me a Notary Public for said State, personally appeared RONALD H. BAIR, known or identified to me to be the persons whose names are subscribed to the within instrument as Trustees of the L. LEIGH BAIR FAMILY TRUST, and acknowledged to me that they executed the same as such Trustees.



John D. Anderson
Notary Public for Idaho
Residing at Pocatello
Commission Expires: 10/31/06

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
168 West Pacific Street/PO Box 868
Blackfoot, ID 83221

Instrument # 700966
BINGHAM COUNTY, IDAHO
2018-10-01 01:32:39 PM No. of Pages: 3
Recorded for: FIRST AMERICAN TITLE - BLACKFO
PAMELA W. ECKHARDT Fee: \$15.00
Ex-Officio Recorder Deputy JPulley
Index To: WARRANTY DEED
Electronically Recorded by Simplifile

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **660660-B (Id)**

Date: **September 28, 2018**

For Value Received, **Southeast Sales Group, LLC**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Delyn Porter and Wendy Porter, husband and wife**, hereinafter called the Grantee, whose current address is **320 North 1100 West, Blackfoot, ID 83221**, the following described premises, situated in **Bingham County, Idaho**, to-wit: **Legal Description attached hereto as Exhibit A, and by this referenced incorporated herein.**

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Date: 09/20/2018

Warranty Deed
- continued

File No.: 660660-B (Id)

Southeast Sales Group, LLC

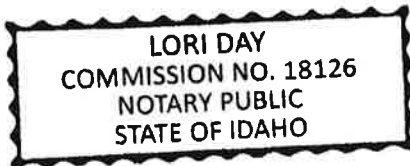
By: Annette M. Bair

Name: Annette M Bair

Title: Manager

STATE OF Idaho)
SS.
COUNTY OF Bingham)

On this **28th day of September, 2018**, before me, a Notary Public in and for said State, personally appeared **Annette M Bair**, known or identified to me to be the person whose name is subscribed to the within Instrument as one of the Managers/Members of the **Southeast Sales Group LLC**, which is known or identified to me to be the entity whose name is subscribed to the within instrument and acknowledged to me that she executed the same in said Limited Liability Company's name.



[Signature]
Notary Public of Idaho
Residing at: Blackfoot, Idaho
Commission Expires: 11/27/2021

EXHIBIT A

PARCEL 1

PART OF NE 1/4 OF THE SW 1/4 OF SECTION 18, TOWNSHIP 2 SOUTH, RANGE 34 EAST, B.M. BINGHAM COUNTY, IDAHO DESCRIBED AS:

COMMENCING AT THE SW CORNER OF SAID SECTION 18; THENCE, S 89°24'56" E 2652.52 FEET ALONG THE SOUTH LINE OF SAID SECTION TO THE CALCULATED S1/4 OF SAID SECTION; THENCE N 0°19'28" E 1445.62 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY OF TABER ROAD SAID POINT BEING THE POINT OF BEGINNING; THENCE ALONG SAID RIGHT OF WAY, N 60°42'54" W 504.43 FEET; THENCE, N 27°31'36" E 251.37 FEET; THENCE, N 60°42'55" W 343.29 FEET; THENCE, S 29°17'04" W 251.25 FEET TO THE NORTHERLY RIGHT OF WAY OF TABER ROAD; THENCE ALONG SAID RIGHT OF WAY, N 60°42'54" W 590.25 FEET; THENCE, N 32°04'34" E 551.92 FEET; THENCE, S 86°44'37" E 438.19 FEET; THENCE, S 62°26'36" E 304.33 FEET; THENCE, S 55°51'59" E 320.43 FEET; THENCE, S 00°19'28" W 829.35 FEET TO THE POINT OF BEGINNING

PARCEL 2

PART OF NE 1/4 OF THE SW 1/4 OF SECTION 18, TOWNSHIP 2 SOUTH, RANGE 34 EAST, B.M. BINGHAM COUNTY, IDAHO DESCRIBED AS:

COMMENCING AT THE SW CORNER OF SAID SECTION 18; THENCE, S 89°24'56" E 2652.52 FEET ALONG THE SOUTH LINE OF SAID SECTION TO THE CALCULATED S1/4 OF SAID SECTION; THENCE N 0°19'28" E 1445.62 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY OF TABER ROAD, THENCE, ALONG SAID RIGHT OF WAY, N 60°42' 54" W 504.43 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID RIGHT OF WAY N 60°42'54" W 126.00 FEET; THENCE, N 27°31'36" E 119.93 FEET; THENCE, N 61°06'04" W 92.45 FEET; THENCE, N 29°17'04" E 132.00 FEET; THENCE, S 60°42'55" E 214.42 FEET; THENCE S 27°31'36" W 251.37 FEET TO THE POINT OF BEGINNING

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
168 West Pacific Street/PO Box 868
Blackfoot, ID 83221

Instrument # 700965

BINGHAM COUNTY, IDAHO
2018-10-01 01:32:35 PM No. of Pages: 3
Recorded for: FIRST AMERICAN TITLE - BLACKFO
PAMELA W. ECKHARDT Fee: \$15.00
Ex-Officio Recorder Deputy JPulley
Index To: WARRANTY DEED
Electronically Recorded by Simplifile

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **660657-B (Id)**

Date: **September 28, 2018**

For Value Received, **Annette M. Bair, a widow, who acquired title as a married woman as her sole and separate property**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Delyn Porter and Wendy Porter, husband and wife**, hereinafter called the Grantee, whose current address is **320 North 100 West, Blackfoot, ID 83221**, the following described premises, situated in **Bingham County, Idaho**, to-wit: **Legal Description attached hereto as Exhibit A, and by this referenced incorporated herein.**

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Date: 09/27/2018

Warranty Deed
- continued

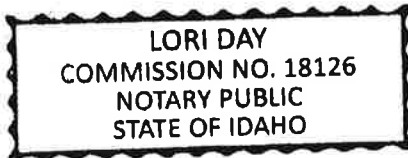
File No.: 660657-B (Id)

Annette M. Bair

Annette M. Bair

STATE OF Idaho)
SS.
COUNTY OF Bingham)

On this **28th day of September, 2018**, before me, a Notary Public in and for said State, personally appeared **Annette M. Bair**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.



[Signature]
Notary Public for the State of Idaho
Residing at: Blackfoot, Idaho
My Commission Expires: 11/27/2021

EXHIBIT A

Parcel 1:

Part of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 18, Township 2 South, Range 34 East, B.M. Bingham County, Idaho described as:

Commencing at the SW corner of said Section 18; Thence, S 89°24'56" E 2652.52 feet along the south line of said Section to the calculated S $\frac{1}{4}$ of said Section; Thence N. 0°19'28" E. 1445.62 feet to a point on the northerly right of way of Taber Road thence along said right of way N. 60°42'54" W. 630.43 feet to the Point of Beginning; Thence continuing along said right of way, N. 60°42'54" W. 225.00 feet; Thence N. 29°17'04" E. 251.25 feet; Thence S. 60°42'55" E. 128.87 feet; Thence S. 29°17'04" W. 132.00 feet; Thence S. 61°06'04" E. 92.45 feet; Thence S. 27°31'36" W 119.93 feet to the Point of Beginning.

Parcel 2:

A 30 foot wide ingress and egress easement described as: Beginning at a point on the N. line of Taber Road that is S. 89°47'57" E. 2652.52 feet along the section line to the S $\frac{1}{4}$ corner and N. 00°03'34" W. 1445.62 feet to said right-of-way and N. 61°05'55" W. 630.43 feet along said right-of-way, all from the SW corner of Section 18, Township 2 South, Range 34 E.B.M., Bingham County, Idaho, and running thence N. 27°08'37" E. 119.93 feet; thence S. 61°05'55" E. 30.00 feet; thence S. 27°08'37" W. 119.93 feet; thence N. 61°05'55" W. 30.00 feet to the point of beginning.

Parcel 3:

Well and Easement described as: Beginning at a point that is S. 89°47'57" E. 2652.52 feet along the section line to the S $\frac{1}{4}$ corner and N. 00°03'34" W. 1445.62 feet to the N. line of Taber Road and N. 61°05'55" W. 630.43 feet along said right-of-way and N. 27°08'37" E. 119.93 feet and N. 61°29'03" W. 92.45 feet and N. 28°54'05" E. 132.00 feet to the true point of beginning, all from the SW corner of Section 18, Township 2 South, Range 34 E.B.M., Bingham County, Idaho, and running thence S. 61°05'55" E. 48.01 feet (from said point the center of said well bears S. 71°55'30" W. 22.00 feet); thence S. 28°54'05" W. 31.07 feet; thence N. 61°05'55" W. 48.01 feet; thence N. 28°54'05" E. 31.07 feet to the point of beginning.



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N Skyline Dr., Ste A, Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 FAX: (208) 525-7177 www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

November 16, 2018

DELYN PORTER
WENDY PORTER
320 N 1100 W
BLACKFOOT ID 83221

RE: Change of Ownership for Water Rights 35-14245 (Split into 35-14245 & 35-14620)

Dear Water Right Holder:

The department acknowledges receipt of correspondence changing ownership and splitting the above referenced water right. The department has modified its records to reflect the changes and has enclosed computer-generated reports for your records.

Your portion of the water right has a specified point of diversion, nature of use and place of use. If you plan on changing any of these, including adding a new point of diversion, then an Application for Transfer on your portion of this right is required. If you do not plan on changing any items on your water right, then no further action is required at this time.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing an ownership change notice, the department does not review the history of water use to determine if the right has been deliberately abandoned or forfeited 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 Sections 42-222 and 42-223, Idaho Code.

Please note that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.idaho.gov.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,

Jonie Barg
Technical Records Specialist

Enclosures

cc: Water District 120
Bingham Ground Water District
L Leigh Bair Family Trust