

RECEIVED

OCT 02 2018

RECEIVED

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESWATER RESOURCES
WESTERN 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?
67-15316 - 67-456	Yes ☒	Yes ☐		Yes ☐	Yes ☐
67-15317 - 67-11183	Yes ☒	Yes ☐		Yes ☐	Yes ☐
67-15318 - 67-14774	Yes ☒	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: John W. Holmes

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Holmes & Sons LLC

New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or ☐ and/orMailing address 948 Grays Creek RdCity Indian ValleyState IdZIP 83632Telephone 208-256-4457Email joedawn.holmes@gmail.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: Aug 31, 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.

SUPPORT DATA

IN FILE # 67-4568. Signature: Robert J. Holmes

Signature of new owner/claimant

Member

Title, if applicable

9/28/2018

Date

Signature: Dawn M. Holmes

Signature of new owner/claimant

member

Title, if applicable

09-28-18

Date

For IDWR Office Use Only:

Received by AKDate 10/1/2018Receipt No. W046609Receipt Amt. 300.00Active 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 _____

Processed by dfDate 10-29-18

5. Indicate the date the water rights and/or adjudication claims were conveyed to you. This may be the date of closing in the case of a real estate transaction, the date a contract was signed, or the date of a court order.
6. If you are unsure about the status of your water right in the Water Supply Bank, go to:
www.idwr.idaho.gov/apps/ExtSearch/WSBSearch/WSBSearch.aspx, input your water right number and click "Search." If you find your water right is in the Water Supply Bank and you want to release it so you can use it, you can download the Request to Release form from the forms portion of our website: www.idwr.idaho.gov. Your water right may not be available for immediate release if rented by another water user.
7. **ATTACHMENTS:**

IDWR cannot process this change without **documentation of ownership**. The documentation may be in the form of a deed, court decree or other conveyance document. If you are submitting a quitclaim deed and the grantor's name does not match the water right holder of record, you will need to provide a chain of title that goes back to the water right holder/claimant of record. You may obtain this information from the assessor's office in the county where the property is located. Items that are **not** conveyance documents are deeds of trust, mortgages, purchase and sales agreements, and property tax notices.

Submit a **plat map, survey map, or aerial photograph** of the place of use for each water right or claim listed in item #1 (if necessary to clarify division of water rights or complex property descriptions). If your right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency or equivalent aerial photograph with the irrigated acres outlined and point(s) of diversion clearly marked. You also have the option of printing a map using the map tool on IDWR's website at: www.idwr.idaho.gov. It is not necessary to obtain a new survey for purposes of this form before contacting IDWR.

The Idaho Legislature has waived the fee to file a Notice of Change in Water Right Ownership for any water right pending in a general water right adjudication such as the Snake River Basin Adjudication or the Northern Idaho Adjudication. This waiver ends when a partial decree is issued for the water right that has been claimed. For water rights not pending in a general adjudication, the **filing fee** is \$25 per water right, except for those water rights that will be divided as a result of the change in ownership. The filing fee for division of a water right is \$100 per water right.

If the water right is leased to the Water Supply Bank and there is more than one owner, a Lessor Designation form must be completed to specify who the designated lessor will be. Each of the owners must sign the Lessor Designation form.

An **IRS Form W-9** is required for all ownership changes pertaining to water rights leased to the Water Supply Bank. Refer to instructions in section 6 above to determine if the water right undergoing an ownership change is leased to the Water Supply Bank. An IRS W9 form can be downloaded from the Department's website: www.idwr.idaho.gov.

8. One of the new owner(s) must sign the form in the space(s) provided. If someone other than the owner signs the notice, evidence of authority to sign for the owner must be attached. If the new owner is a corporation or other organization, the person signing the notice must be an officer of the corporation or otherwise have authority to sign for the organization and must include their title with the signature.

When you have completed the Notice of Change in Water Right Ownership, retain a copy and **file the original form, necessary attachments, and filing fee with the IDWR office nearest you. Ownership changes for water rights leased to the Water Supply Bank should be sent to the State Office.**

IDWR Northern Region
7600 N Mineral Dr, Ste 100
Coeur d'Alene, ID 83815-7763
(208) 762-2800

IDWR Eastern Region
900 N Skyline Dr, Ste A
Idaho Falls, ID 83402-1718
(208) 525-7161

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190

IDWR Southern Region
650 Addison Ave W, Ste 500
Twin Falls, ID 83301-5858
(208) 736-3033

~ OR ~

IDWR State Office
322 East Front St, 6th Floor
P.O. Box 83720
Boise, ID 83720-0098
(208) 287-4800

WARRANTY DEED

For Value Received, J.W. HOLMES & SONS, an Idaho partnership
the grantor, does hereby grant, bargain, sell and convey unto
HOLMES & SONS, LLC an Idaho limited liability company
the grantee, whose address is: 948 Grays Creek Road, Indian Valley, ID 83632
the following described premises, in Adams County, Idaho, to-wit:

SEE ATTACHED EXHIBIT 'A'

TO HAVE AND TO HOLD THE said premises, with their appurtenances unto the said Grantees,
their heirs and assigns forever. And the said Grantors do hereby covenant to and with the
said Grantees, that they are the owners in fee simple of said premises; that they are free
from all encumbrances excepting for all easements of record, rights of way, matters
visible, and all matters of record and title and that they will warrant and defend the
same from all lawful claims whatsoever.

Date:

08/31/18

John W. Holmes Jr.
JOHN W. HOLMES JR.

Philip J. Holmes
PHILIP J. HOLMES

Dawn M. Holmes
DAWN M. HOLMES

STATE OF IDAHO

)

) ss
)

County of Adams

On this 31st day of August, in the year of 2018,
before me, a Notary Public for Idaho, personally appeared JOHN W. HOLMES
JR., PHILIP J. HOLMES and DAWN M. HOLMES known or identified to me to be
the Partners in J.W. HOLMES & SONS, and the partners who subscribed said
partnership name to the foregoing instrument, and acknowledged to me that
they executed the same in said partnership name.

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



Angela J. Bumgarner
Notary Public for Idaho
Residing at: Cambridge, ID
Commission expires: 5-8-21

EXHIBIT 'A'

Township 14 North, Range 1 East, Boise Meridian, Adams County, Idaho

Section 6: Lot 4

Section 7: E1/2NW1/4, NE1/4SW1/4, Lots 1, 2 and 3

Township 14 North, Range 1 West, Boise Meridian, Adams County, Idaho

Section 1: Lots 1,2,3 and 4, SW1/4NE1/4, N1/2SW1/4NW1/4, N1/2SE1/4NW1/4, N1/2SE1/4SW1/4NW1/4, N1/2S1/2SE1/4NW1/4

Section 2: SE1/4NE1/4, E1/2SW1/4NE1/4, Lot 2, NE1/4SE1/4, E1/2NW1/4SE1/4; E1/2NW1/4SW1/4; NE1/4SW1/4; W1/2NW1/4SE1/4
Excepting the following: E2/3SE1/4NE1/4SW1/4 and the W1/3SW1/4NW1/4SE1/4
ALSO EXCEPTING from the NE1/4SE1/4 the North 726 feet of the E1/2E1/2NE1/4SE1/4

Section 11: NW1/4SE1/4, SE1/4NW1/4, S1/2NE1/4NW1/4, and a tract or parcel of land in the N1/2NE1/4NW1/4 described as commencing at the Southeast corner of said N1/2NE1/4NW1/4 and running thence North along the North and South center line of said Section 165 feet 3 inches;
Thence West 565 feet;
Thence South 165.25 feet to the South line of said N1/2NE1/4NW1/4;
Thence East on said South line 565 feet to the REAL POINT OF BEGINNING.

ALSO

SW1/4NE1/4; excepting a tract or parcel of land described as commencing 318.5 feet East of the Northwest corner of said SW1/4NE1/4;
Thence East along the North line of said SW1/4NE1/4 369 feet;
Thence South 253 feet;
Thence West and parallel to the North line of said SW1/4NE1/4 369 feet;
Thence North 253 feet to the REAL POINT OF BEGINNING.

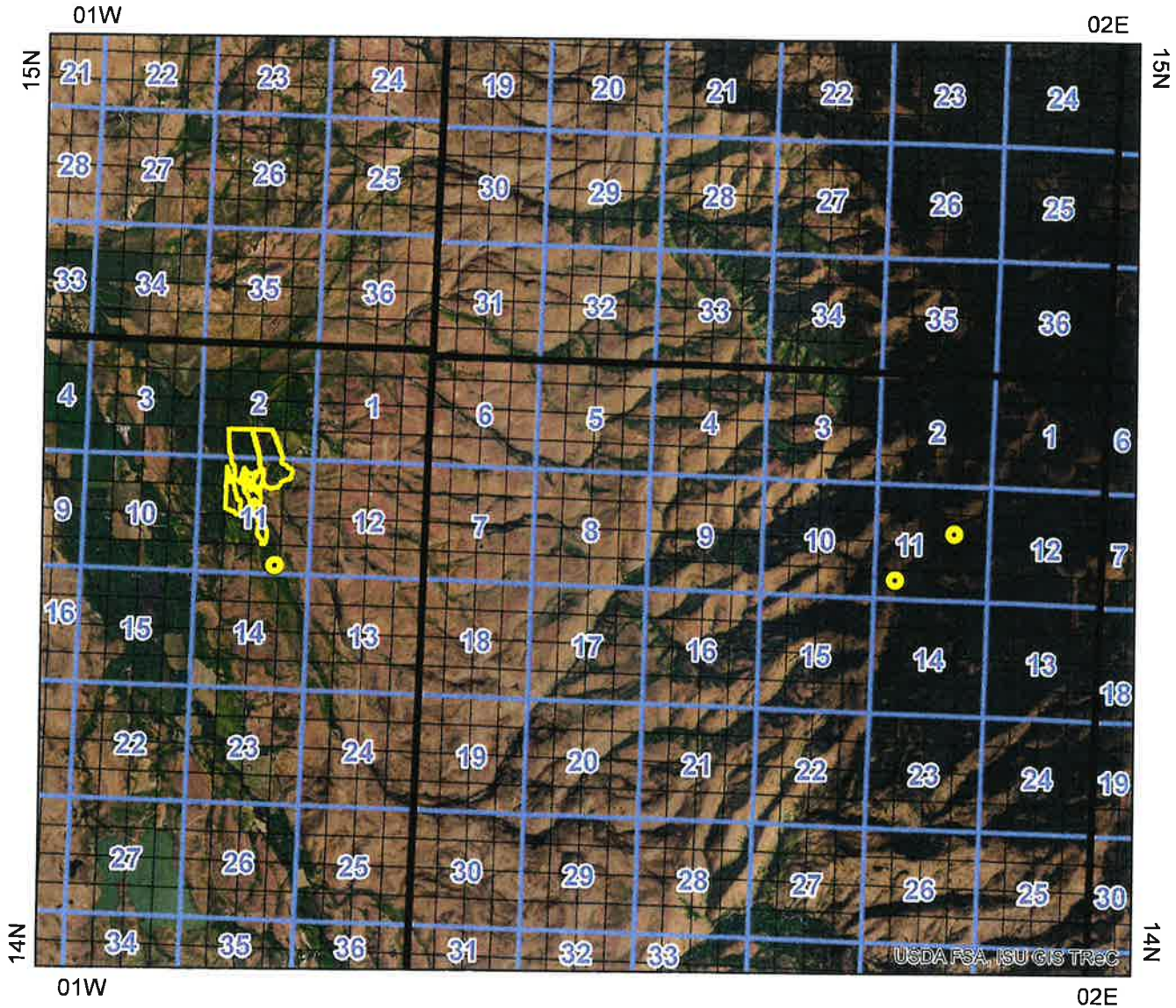
Section 12: E1/2 and the E1/2NW1/4

State of Idaho
Department of Water Resources

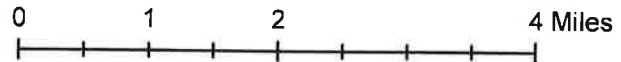
Attachment to Water Right License

67-456

This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



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

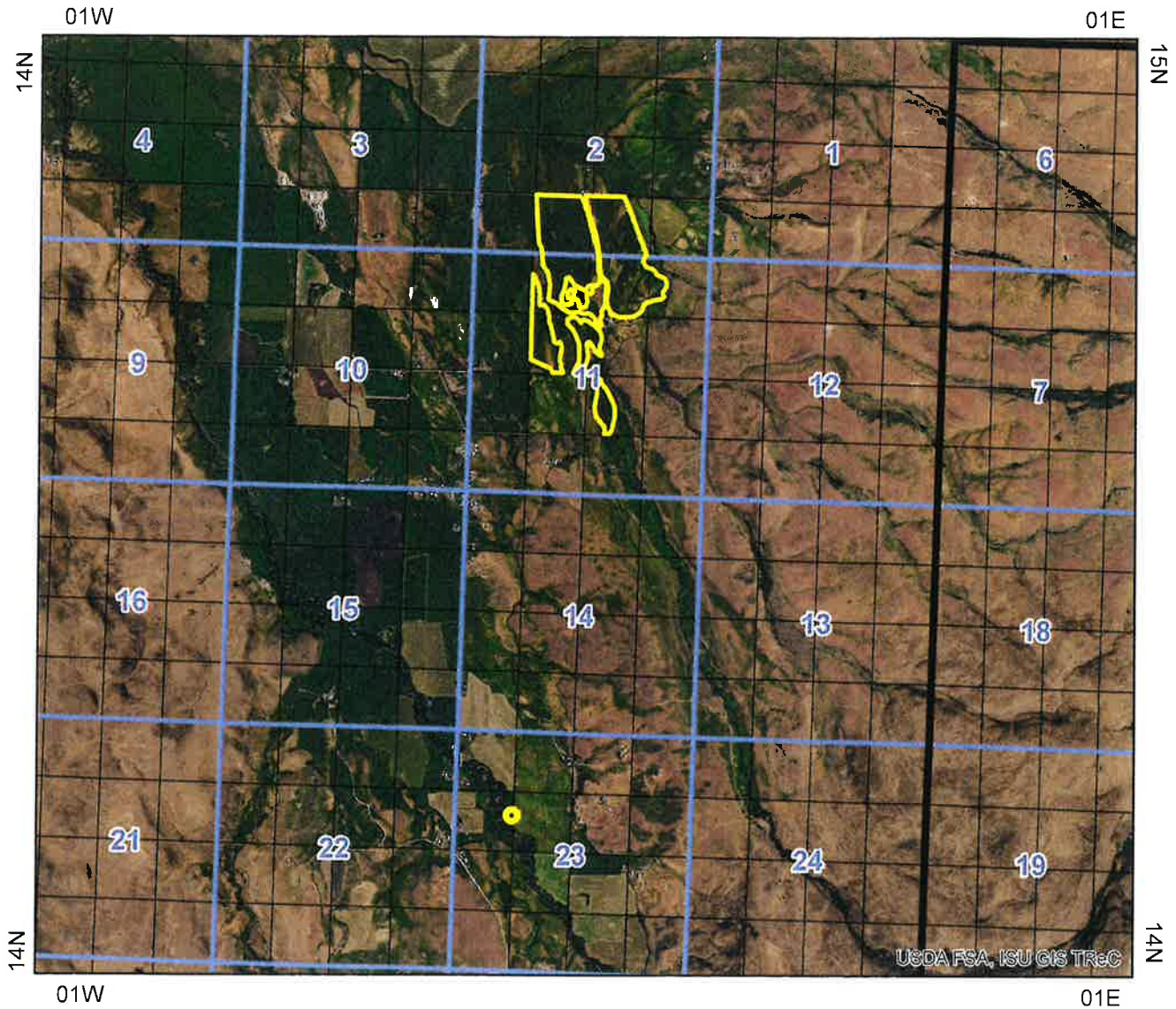


State of Idaho
Department of Water Resources

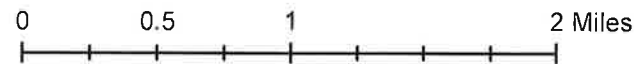
Attachment to Water Right License

67-11183

This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



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

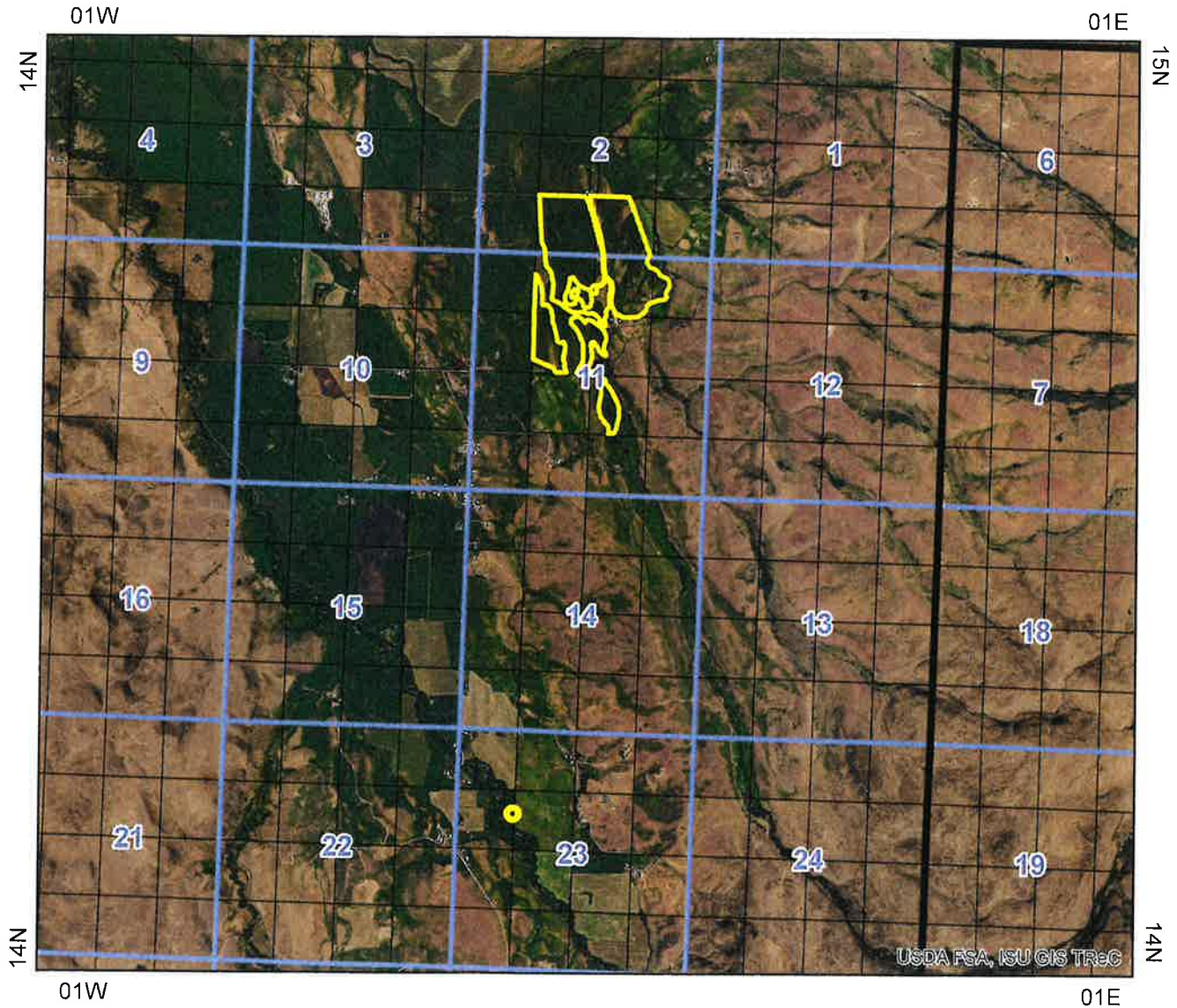


State of Idaho
Department of Water Resources

Attachment to Water Right License

67-14774

This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



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

0 0.5 1 2 Miles



Close

Split

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

JOE & DAWN'S PLACE
AND BEN'S PLACE

4/28/2018

WATER RIGHT NO. 67-456

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JOHN W HOLMES 1924 COVE RD WEISER, ID 83672-5345 2085490772
Original Owner	RICHARD JOHNSON 135 N 400 W BLACKFOOT, ID 83221

Priority Date: 06/01/1885

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
KING HILL CREEK	LITTLE WEISER RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	10/31	0.14 CFS	
Total Diversion			0.14 CFS	

Location of Point(s) of Diversion:

KING HILL CREEK	SESWNE	Sec. 11	Township 14N	Range 01E	ADAMS County
KING HILL CREEK Injection	NENWNE	Sec. 17	Township 14N	Range 01E	ADAMS County
KING HILL CREEK Rediversion	SESWSE	Sec. 11	Township 14N	Range 01W	ADAMS County

IRRIGATION Use:

Acre Limit: 11

Place(s) of use:

Place of Use Legal Description: IRRIGATION ADAMS County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
14N	01W	2		SESW	37									
				SWSE	29									
		11		NENE	5		NWNE	36		SWNE	4			
				NENW	26		SENE	23						
				NWSE	8									

DAWN HOLMES

HOLMES & SONS LLC

Total Acres: 168

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. K06 This right is limited to the irrigation of 11 acres within the place of use described above in a single irrigation season.
3. E55 Right Nos. 67-456, 67-11183, and 67-14774 are limited to the irrigation of a combined total of 168 acres in a single irrigation season.
4. E62 This right when combined with Rights No. 67-14774 and 67-11183 shall provide no more than .02 cfs per acre.

Dates:

Licensed Date:

Decreed Date: 10/20/2008

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:**State or Federal:** S**Owner Name Connector:** OR**Water District Number:** 67A**Generic Max Rate per Acre:****Generic Max Volume per Acre:****Combined Acres Limit:** 168**Combined Volume Limit:****Combined Rate Limit:** 3.36**Civil Case Number:****Old Case Number:****Decree Plaintiff:****Decree Defendant:****Swan Falls Trust or Nontrust:****Swan Falls Dismissed:****DLE Act Number:****Cary Act Number:****Mitigation Plan:** False

Close

Close

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report JOE + DAWNS +
 BENS PLACE

4/28/2018

WATER RIGHT NO. 67-11183

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JOHN W HOLMES 1924 COVE RD WEISER, ID 83672-5345 2085490772

Priority Date: 06/21/1921

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
LITTLE WEISER RIVER	WEISER RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	10/31	1.88 CFS	
Total Diversion			1.88 CFS	

Location of Point(s) of Diversion:

LITTLE WEISER RIVER | SWSENW | Sec. 23 | Township 14N | Range 01W | ADAMS County

Place(s) of use:

Place of Use Legal Description: IRRIGATION ADAMS County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
14N	01W	2		SESW	37									
				SWSE	29									
		11		NENE	5		NWNE	36		SWNE	4			
				NENW	26		SENE	23						
				NWSE	8									

DAWN HOLMES

HOLMES & SONS 4

Total Acres: 168

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. E55 Right Nos. 67-456, and 67-11183, and 67-14774 are limited to the irrigation of a combined total of 168 acres in a single irrigation season.
3. E62 This right when combined with Right No. 67-14774 and 67-456 shall provide no more than .02 cfs per acre.

Dates:

Licensed Date:

Decreed Date: 10/20/2008

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: AND

Water District Number: 67A

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit: 168

Combined Volume Limit:

Combined Rate Limit: 3.36

Civil Case Number:

Old Case Number:
Decree Plaintiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False
Close

Close

split

Water Right Report JOE & DAWNS
BENS PLACE

4/28/2018

WATER RIGHT NO. 67-14774

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JOHN W HOLMES 1924 COVE RD WEISER, ID 83672-5345 2085490772
Original Owner	RICHARD JOHNSON 135 N 400 W BLACKFOOT, ID 83221

Priority Date: 06/01/1883

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
LITTLE WEISER RIVER	WEISER RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	10/31	1.9 CFS	
Total Diversion			1.9 CFS	

Location of Point(s) of Diversion:

LITTLE WEISER RIVER|SWSENW|Sec. 23|Township 14N|Range 01W|ADAMS County

IRRIGATION Use:

Acre Limit: 152

Place(s) of use:

Place of Use Legal Description: IRRIGATION ADAMS County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
14N	01W	2		SESW	37									
				SWSE	29									
		11		NENE	5		NWNE	36		SWNE	4			
				NENW	26		SENE	23						
				NWSE	8									

DAWN HOLMES
HOLMES & SONS LLC

Total Acres: 168

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. K06 This right is limited to the irrigation of 152 acres within the place of use described above in a single irrigation season.
3. E55 Right Nos. 67-456, 67-11183, and 67-14774 are limited to the irrigation of a combined total of 168 acres in a single irrigation season.
4. E62 This right when combined with Right No. 67-11183 and 67-456 shall provide no more than .02 cfs per acre.

Dates:

Licensed Date:

Decreed Date: 10/20/2008

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S
Owner Name Connector: AND
Water District Number: 67A
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Combined Acres Limit: 168
Combined Volume Limit:
Combined Rate Limit: 3.36
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

Close



CERTIFICATE OF ORGANIZATION LIMITED LIABILITY COMPANY

Title 30, Chapters 21 and 25, Idaho Code

Base Filing fee: \$100.00 typed, \$120 not typed

Complete and submit the application in duplicate.

FILED EFFECTIVE

2018 JUL 23 AM 10:13

SECRETARY OF STATE
STATE OF IDAHO

1. The name of the limited liability company is:

Holmes & Sons LLC

(Remember to include the words "Limited Liability Company," "Limited Company," or the abbreviations L.L.C., LLC, or LC)

2. The complete street and mailing addresses of the principal office is:

948 Grays Creek Road

(Street Address)

Indian Valley, ID 83632

(Mailing Address, if different)

3. The name and complete street address of the registered agent:

Robert J. Holmes

948 Grays Creek Road, Indian Valley, ID 83632

(Name)

(Address)

4. The name and address of at least one governor of the limited liability company:

Dawn M. Holmes

948 Grays Creek Road, Indian Valley, ID 83632

(Name)

(Address)

Robert J. Holmes

948 Grays Creek Road, Indian Valley, ID 83632

(Name)

(Address)

(Name)

(Address)

(Name)

(Address)

5. Mailing address for future correspondence (annual report notices):

948 Grays Creek Road, Indian Valle, ID 83632

(Address)

Signature of organizer(s).

Printed Name: Dawn M. Holmes

Signature:

Dawn M. Holmes

Printed Name: Robert J. Holmes

Signature:

Robert J. Holmes

Secretary of State use only

IDAHO SECRETARY OF STATE

07/23/2018 05:00

CK:8165 CT:360851 BH:1654354

10 100.00 = 100.00 ORGAN LLC #2

W205785



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 E FRONT ST STE 648 PO BOX 83720 • BOISE, ID 83720-0098

Phone: (208)287-4800 • Fax: (208)287-6700 • Website: www.idwr.idaho.gov

C.L. "Butch" Otter
Governor

Gary Spackman
Director

October 29, 2018

HOLMES & SONS LLC
948 GRAYS CREEK RD
INDIAN VALLEY ID 83632-5010

Re: Change in Water Right Ownership: 67-456 (Split into 67-456 and **67-15316**), 67-11183 (Split into 67-11183 and **67-15317**), and 67-14774 (Split into 67-14774 and **67-15318**)

Dear Water Right Holder:

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of a portion of the above referenced water right(s) to you. The Department has modified its records based on the information received and has enclosed a computer-generated report for you.

Your portion of each water right(s) has a specified point of diversion, nature of use and place of use. If you plan to change the authorized point of diversion, nature of use, or place of use, including adding a new point of diversion, you must file an Application for Transfer of Water Right. If you do not plan to change any elements of 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 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) 287-4920.

Sincerely,

Debbi Judd
Technical Records Specialist

Enclosures

c: Water District 67A