

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

Received
2/20/2018

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?
29-2395	Yes ☒	Yes ☒		Yes ☐	Yes ☐
<u>29-2395</u>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
<u>29-2395 29-14263</u>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Robert E. Hart, David J. Hart, James W. Hart (Split among listed owners)
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Portion 1 (25%): Robert E. Hart, Portion 2 (75%): David J. Hart, James W. Hart
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 4848 Pleasant View Dr. Chubbuck ID 83202
Mailing address City State ZIP
- (801) 419 3645 grandpabobhart@gmail.com
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: See attached dissolution agreement
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: David J. Hart Title, if applicable: _____ Date: Feb 19-2018
 Signature: James W. Hart Title, if applicable: _____ Date: 2-19-2018
 Signature: Robert E. Hart Title, if applicable: _____ Date: Feb 19, 2018

For IDWR Office Use Only:

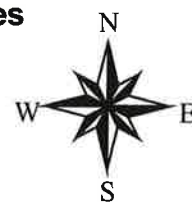
Received by SC Date 2/20/18 Receipt No. EB43735 Receipt Amt. 100-
 Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☐
 Name on W-9 _____ Approved by CF Processed by CF Date 10/14/2018

SUPPORT DATA
IN FILE # 29-2395



JCH - 02/08/2018

2015 NAIP Aerial Photo



● 29-2395 Point of Diversion

Robert E. Hart Place of Use (71.75 total acres)

David J. Hart, James W. Hart Place of Use (215.25 total acres)

Township & Range

Sections

40s

Water Right Split / Change of Ownership

29-2395 (25%: Robert E. Hart, 75%: David J. Hart & James W. Hart)

TERMINATION AND DISSOLUTION AGREEMENT

THIS AGREEMENT is made and entered into effective January 1, 2017, between HART COMPANY, an Idaho General Partnership, in good standing, whose address is P.O. Box 5321, Chubbuck, Idaho 83202, with James W. Hart, David J. Hart and Robert E. Hart as the general partners; JAMES W. HART, a single man dealing with his sole and separate property, whose address is 9250 Chubbuck Road, Pocatello, Idaho 83201; DAVID J. HART, a/k/a Woff Hart, a single man dealing with his sole and separate property, whose address is Route 2 North, Box 83, Pocatello, Idaho 83202; and ROBERT E. HART, a married man dealing with his sole and separate property, whose address is 4848 Pleasant View Drive, Chubbuck, Idaho 83202; all hereinafter individually referred to as "Party" or collectively as "Parties; and PORTNEUF DEVELOPMENT LLC, an Idaho limited liability company, with its principal office located at 1754 Cottage Avenue, Pocatello, Idaho, 83201 with Ken Pape as manager.

RECITALS:

WHEREAS, the Parties entered into a formal Partnership Agreement on or about July 6, 2007 in order to manage real and personal property and assets gifted, inherited, acquired or purchased from Harry Hart and Florence Hart, or their respective estates, or from other family members;

WHEREAS, Hart Company, an Idaho general Partnership, (hereinafter "Partnership") and/or the Parties own certain parcels of real property and specific items of personal property used in the family farming operation;

WHEREAS, the Parties both prior to and after July 6, 2007 have continued to use certain parcels of real property and certain items of personal property and other assets in a family farming operations;

TERMINATION AND DISSOLUTION AGREEMENT

4.2.1 **Real Property.** See Exhibit "F" hereto attached. Unless otherwise provided herein all remaining real property owned by Partnership will be transferred to Jim and Woff free and clear of any claims by Bob.

4.3 **Division of Water Rights - Bob.** Twenty-five percent (25.0%) of the water rights are owned by Bob. Seventy-five percent (75.0%) of the water rights are owned by Jim and Woff. The water rights shall be transferred and assigned amongst the parties as follows:

4.3.1 **Water Rights.** See Exhibit "G" hereto attached.

4.3.1 The Partnership water rights shall be divided and distributed as follows:

No. 29-2041	Little Pocatello Creek	75% to Jim and Woff and 25% to Bob;
No. 29-2395	Ground Water	75% to Jim and Woff and 25% to Bob;
No. 29-4495	Buffalo Creek	100% to Jim and Woff;
No. 29-10586	Groundwater	100% to Jim and Woff;
No. 29-10587	Groundwater	100% to Jim and Woff;
No. 29-10588	Spring	100% to Jim and Woff;
No. 29-10589	Spring	100% to Jim and Woff;
No. 29-10590	Spring	100% to Jim and Woff; and
No. 29-10591	Spring	100% to Bob.

4.3.2 The Water Right No.'s delineate the purposes, sources, points of diversion, locations and descriptions of the water rights. All of the water rights are presently in the names of Jim, Woff and Bob.

4.3.3 Bob shall retain his 25% of Water Right No. 29-2395 to be used on the real property situate west of I-15 Interstate Highway comprised of approximately 75 acres (particularly described using the Keller Associates Record of Survey, Instrument Number 21617876 recorded in the official records of County Recorder of Bannock County, State of Idaho).

4.3.4 Bob shall retain his 25% of Water Right No. 29-2041 to be used on the approximately two hundred twenty-eight (228) acres east of the real property being transferred to Portneuf commonly referred to as (1) SE1/4 of Section 1, Township 6S, Range 34 EBM, and (2) Lots 6 and 7 of Section 6, Township 6S, Range 35 EBM. Jim and Woff make no representation that water in Little Pocatello Creek will reach the two hundred twenty-eight (228) acres retained by Bob and assert that in normal years it does not.

4.3.5 Harry Hart in 1957 drilled the irrigation well on the Hart property, listed as the point of diversion in Water Right No. 29-2395. The Idaho Department of Water Resources has the point of diversion as being located in "SENE SW Sec 01 Tp 06S R34E Bannock County".

26. COSTS AND FEES. Except as otherwise specifically provided herein, each Party or signatory shall pay its own costs and attorney fees and expenses (including, without limitation, the fees and expenses of their respective agents, representatives, counsel, advisors, professionals, and accountants) incidental to the preparation and carrying out of this termination, dissolution and distribution Agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date and year first above written.

May 15, 2017 Robert E. Hart
Robert E. Hart
5-15-17 James W. Hart
James W. Hart
5-15-17 DAVID J Hart
David J. Hart

HART COMPANY

By Robert E. Hart
Robert E. Hart, General Partner
5-15-17 By James W. Hart
James W. Hart, General Partner
5-15-17 By David J. Hart
David J. Hart, General Partner

PORTNEUF DEVELOPMENT, LLC

5-15-17 By Ken Pape
Ken Pape, Manager

TERMINATION AND DISSOLUTION AGREEMENT

EXHIBIT G

HART IDAHO WATER RIGHTS DIVISION

Idaho Water Rights in the names of David J. Hart, James W. Hart, and Robert E. Hart

Idaho Department of Water Resources (May 1, 2017)

NUMBER	PURPOSE	SOURCE	LOCATION (POD)	DESCRIPTION	PARTITION
No. 29-2041	Irrigation & Stock Water	Little Pocatello Creek	Sec 5 T6S R35E	Brick House	75% to Jim and Woff, 25% to Bob
No. 29-2395	Irrigation	Ground Water	Sec 1 T6S R34E	Pump House	75% to Jim and Woff, 25% to Bob
No. 29-4495	Stock Water	Buffalo Creek	Sec 32 T5S R35E Sec 31 T5S R35E	Dutch John	100% to Jim and Woff
No. 29-10586	Domestic & Stock Water	Groundwater	Sec 21 T5S R34E	Hawthorne & Ballard	100% to Jim and Woff
No. 29-10587	Domestic & Stock Water	Groundwater	Sec 22 T5S R34E	Ballard Road 20	100% to Jim and Woff
No. 29-10588	Stock Water	Spring	Sec 6 T6S R35E	Brick House Spring	100% to Jim and Woff
No. 29-10589	Stock Water	Springs	Sec 5 T6S R35E	Cement Trough Range	100% to Jim and Woff
No. 29-10590	Stock Water	Spring	Sec 6 T6S R35E	Spring Below Cedar Knoll	100% to Jim and Woff
No. 29-10591	Stock Water	Spring	Sec 6 T6S R35E	Spring in Lot 6 Below Cedar Knoll	100% to Bob

WARRANTY DEED FOR WATER RIGHTS

WHEREAS, JAMES W. HART, a single man, whose address is 9250 Chubbuck Road, Pocatello, Idaho 83201 (hereinafter referred to as "Jim") was the owner of a Fifty percent (50.0%) interest in the following described real property;

WHEREAS, DAVID J. HART, a/k/a Woff Hart, a single man, whose address is Route 2 North, Box 83, Pocatello, Idaho 83202 (hereinafter referred to as "Woff") was the owner of a Twenty-Five percent (25.0%) interest in the following described real property;

WHEREAS, Jim and Woff by Warranty Deed dated September 8, 2016 and recorded on the 8th day of September, 2016 under Instrument No. 21652701, in the official records of the County Recorder of Bannock County, Idaho transferred to PORTNEUF DEVELOPMENT, LLC, an Idaho Limited Liability Company, whose address is 1754 Cottage Ave., Pocatello, Idaho 83201, (hereinafter referred to as "Portneuf" or "Grantor"), their respective interests in said real property, including all of their right, title and interest in the water rights associated with said real property, including Idaho Water Right No. 29-2395;

WHEREAS, the parties did not intend that the water rights, including Idaho Water Right No. 29-2395 be included as part of the transfer to Portneuf;

WHEREAS, ROBERT E. HART, a married man, whose address is 4848 Pleasant View Drive, Chubbuck, Idaho 83202, (hereinafter referred to as "Robert"), is the Owner of a Twenty-Five percent (25.0%) interest as his sole and separate property in the water rights associated with said real property;

WHEREAS, Robert has not transferred his Twenty-Five percent (25.0%) interest in the water rights to Portneuf;

WARRANTY DEED FOR WATER RIGHTS

WHEREAS, the parties desire that Portneuf retransfer to Jim and Woff their respective rights, title and interest in the water rights associated with said real property, including Idaho Water Right No. 29-2395.

NOW, THEREFORE, as part of the partition and dissolution of Hart Company, an Idaho general partnership, and as part of the partition and distribution of real property between the parties and other good and valuable consideration, receipt of which is hereby acknowledged, Portneuf does hereby: (1) grant, bargain, sell and reconvey to Jim, as his sole and separate property, all of his Fifty percent (50.0%) interest in the water rights associated with the following described real property including Idaho Water Right No. 29-2395; and (2) grant, bargain, sell and reconvey to Woff, as his sole and separate property, all of his Twenty-Five percent (25.0%) interest in the water rights associated with the following described real property including Idaho Water Right No. 29-2395, (hereinafter jointly referred to as "Water Rights").

The real property is located in Bannock County, Idaho, and is particularly described as follows:

See Exhibit "A" hereto attached

Portneuf covenants and warrants to Jim and to Woff as follows:

1. Portneuf is the owner of the Water Rights;
2. Portneuf has not conveyed any of the Water Rights to anyone other than Jim and Woff;
3. The Water Rights are free from all liens, claims or encumbrances;
4. Portneuf has the authority to convey the Water Rights to Jim and Woff.

WITNESS the hand of said Grantor this 13 day of May, 2017.

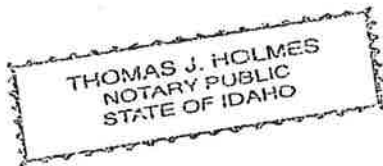
Portneuf Development, LLC

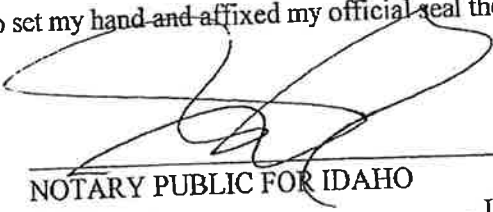
By 
Ken Pape, Chief Executive Manager

STATE OF IDAHO)
) ss
County of Bannock)

On this 13 day of May, 2017, before me, a Notary Public in and for said County and State, personally appeared Ken Pape, known or identified to me to be the Chief Executive Manager of the Limited Liability Company that executed the foregoing instrument, and acknowledged to me that such Limited Liability Company executed the same.

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 IDAHO
Residing at _____, Idaho
My Commission Expires _____

RESIDING AT POCA TELLO, ID
MY COMMISSION EXPIRES FEB. 16, 2018

EXHIBIT A

That portion of the Southeast 1/4 of Section 2, Township 6 South, Range 34 East, Bannock County, Idaho, lying West of the tract deeded to the State of Idaho for Interstate Highway right-of-way in Instrument No. 332196, records of Bannock County, Idaho, which is more particularly described as follows:

A Parcel of Land, situated in the SE1/4 of Section 2, Township 6 South, Range 34 East, Boise Meridian, Bannock County, Idaho, more particularly described as follows:
Beginning at the South 1/4 corner of Section 2 monumented with an Aluminum Cap in Monument Box Inst. No. 20915791, from which the SE corner of said Section 2 bears S 89° 44' 11" E 2626.83 feet, and running thence N 00° 53' 24" W 2658.63 feet along the North-South Center Section Line and the Easterly lines of Bunce Subdivision (Inst. No. 536925), Bunce Subdivision Phase II (Inst. No. 553394), and Bunce Subdivision Phase III (Inst. No. 575376) to the Center 1/4 corner monumented with an Aluminum Cap stamped RMES PELS 2341, (Inst. No. 20900258); thence S 89° 45' 55" E 1398.12 feet along the East-West Center Section Line to an Aluminum Cap stamped LS 2341 RMES that is on the Westerly Right-of Way line of Interstate 15 (Federal Aid Projects Nos. I-152(1)71 and I-152(3)71); thence S 05° 34' 22" W 2568.86 feet along Westerly Interstate 15 Right-of Way to a Right-of-Way Marker; thence S 84° 14' 46" W 716.72 feet along Interstate 15 Right-of Way to a 1/2" iron rod PLS 10786; thence S 00° 15' 22" W 25.82 feet to a point on the South line of said Section 2; thence N 89° 44' 11" W 394.14 feet along said South Line to the Point of Beginning.

Parcel 1:

That portion of the Southeast 1/4 of Section 2, Township 6 South, Range 34 East, Bannock County, Idaho, lying East of the tract deeded to the State of Idaho for Interstate Highway right-of-way in Instrument No. 331245, 371994 and 332196, records of Bannock County, Idaho, which is more particularly described as follows:

A Parcel of Land, situated in the SE1/4 of Section 2, Township 6 South, Range 34 East, Boise Meridian, Bannock County, Idaho, more particularly described as follows:
Beginning the SE corner of Section 2 monumented with an Aluminum Cap in Monument Box Inst. No. 20915791, from which the S1/4 corner bears N 89° 44' 11" W 2626.83 feet, and running thence N 89° 44' 11" W 552.27 feet along the South Section Line of said section 2 to the Easterly Right-of Way of Interstate 15 (Federal Aid Projects Nos. I-152(1)71 and I-152(3)71); thence N 00° 15' 22" E 25.82 feet along said Right-of-way to a 1/2" iron rod PLS 10786; thence N 79° 51' 06" W 128.34 feet along said Easterly Right-of Way to a Right-of-Way monument; thence N 54° 36' 02" W 361.86 feet along said Easterly Right-of Way to a Right-of-Way monument; thence N 05° 12' 23" W 954.91 feet along said Easterly Right-of Way to a Right-of-Way monument; thence N 05° 34' 22" E 1458.55 feet along said Easterly Right-of-Way to a point on the East-West Center Section Line monumented with a 1/2" iron rod PLS 10786; thence S 89° 45' 55" E 887.05 feet along said centerline to the East 1/4 corner monumented with a 1 inch Iron Rod Inst. No. 20520359; thence S 00° 40' 37" E 2659.76 feet along the East line of said Section 2 to the Point of Beginning.

Parcel 2:

The S1/2SW1/4 of Section 1, Township 6 South, Range 34 East, Boise Meridian, Bannock County, Idaho and the N1/2SW1/4 of Section 1, Township 6 South, Range 34 East, Boise Meridian, Bannock County, Idaho, which is more particularly described as follows:

All of the SW1/4 of Section 1, Township 6 South, Range 34 East, Boise Meridian, Bannock County, Idaho, more particularly described as follows:

Beginning at the SW corner of Section 1 monumented with an Aluminum Cap in Monument Box Inst. No. 20915791, from which the S1/4 corner of said Section 1 bears N 89° 53' 17" E 2608.74 feet, and running thence N 00° 40' 37" W 2659.76 feet along the West line of said Section 1 to the W1/4 corner monumented with a 1 inch Iron Rod Inst. No. 20520359; thence S 89° 54' 37" E 2629.32 feet along the East-West Center Section Line to the C1/4 corner monumented with a 5/8" iron rod and Aluminum Cap Stamped LS10786; thence S 00° 14' 03" E 2650.37 feet along the North-South Center Section Line to the South 1/4 corner of said Section 1 monumented with a Brass Cap in Monument Box CP&F Inst. No. 800761; thence S 89° 53' 17" W 2608.74 feet along the South line of said Section 1 to the Point of Beginning.

Pioneer Title Pocatello

21706687 2017 May 16 AM 08:12:00
Electronically Recorded by Simplifile

WARRANTY DEED FOR WATER RIGHTS

WHEREAS, JAMES W. HART, a single man, whose address is 9250 Chubbuck Road, Pocatello, Idaho 83201 (hereinafter referred to as "Jim") was the owner of a Fifty percent (50.0%) interest in the following described real property;

WHEREAS, DAVID J. HART, a/k/a Woff Hart, a single man, whose address is Route 2 North, Box 83, Pocatello, Idaho 83202 (hereinafter referred to as "Woff") was the owner of a Twenty-Five percent (25.0%) interest in the following described real property;

WHEREAS, Jim and Woff by Warranty Deed dated September 8, 2016 and recorded on the 8th day of September, 2016 under Instrument No. 21612701, in the official records of the County Recorder of Bannock County, Idaho transferred to PORTNEUF DEVELOPMENT, LLC, an Idaho Limited Liability Company, whose address is 1754 Cottage Ave., Pocatello, Idaho 83201, (hereinafter referred to as "Portneuf" or "Grantor"), their respective interests in said real property, including all of their right, title and interest in the water rights associated with said real property, including Idaho Water Right No. 29-2395;

WHEREAS, the parties did not intend that the water rights, including Idaho Water Right No. 29-2395 be included as part of the transfer to Portneuf;

WHEREAS, ROBERT E. HART, a married man, whose address is 4848 Pleasant View Drive, Chubbuck, Idaho 83202, (hereinafter referred to as "Robert"), is the Owner of a Twenty-Five percent (25.0%) interest as his sole and separate property in the water rights associated with said real property;

WHEREAS, Robert has not transferred his Twenty-Five percent (25.0%) interest in the water rights to Portneuf;

WARRANTY DEED FOR WATER RIGHTS

WHEREAS, Portneuf executed a Quit Claim Deed which was dated April 17, 2017, and recorded on the 18th day of April 2017, as Instrument No. 21705225, in the official records of the County Recorder of Bannock County, Idaho re-transferring to Jim and Woff their respective rights, title and interest in the water rights associated with said real property, including Idaho Water Right No. 29-2395; and

WIHEREAS, Portneuf executed a Warranty Deed for Water Rights which was recorded on the 05/16/2017 day of May, 2017, as Instrument No. 21706686:2017, in the official records of the County Recorder of Bannock County, Idaho re-transferring to Jim and Woff their respective rights, title and interest in the water rights associated with said real property, including Idaho Water Right No. 29-2395; and

WHEREAS, the Parties desire to reaffirm their respective rights in the Idaho Water Right No. 29-2395.

NOW, THEREFORE, as part of the partition and dissolution of Hart Company, an Idaho general partnership, and as part of the partition and distribution of real property between the parties and other good and valuable consideration, receipt of which is hereby acknowledged, Jim, Woff and Robert do hereby: (1) grant, bargain, sell and reconvey to Jim, as his sole and separate property, all of his Fifty percent (50.0%) interest in the water rights associated with the following described real property including Idaho Water Right No. 29-2395; (2) grant, bargain, sell and reconvey to Woff, as his sole and separate property, all of his Twenty-Five percent (25.0%) interest in the water rights associated with the following described real property including Idaho Water Right No: 29-2395, ; and (3) grant, bargain, sell and reconvey to Robert, as his sole and separate property, all of his Twenty-Five percent (25.0%) interest in the water rights associated with the following described real property

including Idaho Water Right No. 29-2395, (hereinafter jointly referred to as "Water Rights").

The real property is located in Bannock County, Idaho, and is particularly described as follows:

See Exhibit "A" hereto attached

Jim, Woff and Robert covenant and warrant as follows:

1. Jim, Woff and Robert are the owners of the Water Rights;
2. Jim, Woff and Robert have not conveyed any of the Water Rights to anyone other than Jim, Woff and Robert;
3. The Water Rights are free from all liens, claims or encumbrances;
4. Jim, Woff and Robert have the authority to convey the Water Rights to Jim, Woff and Robert.

WITNESS the hand of said Grantors this 13 day of May, 2017.

James W. Hart
James W. Hart

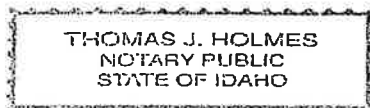
David J. Hart
David J. Hart

Robert E. Hart
Robert E. Hart

STATE OF IDAHO)
) ss
County of Bannock)

On this 13 day of May, 2017, before me, a Notary Public in and for said County and State, personally appeared James W. Hart, known or identified to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same.

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 IDAHO
Residing at _____, Idaho
My Commission Expires _____

RESIDING AT POCATELLO, ID
MY COMMISSION EXPIRES FEB. 16, 2013

STATE OF IDAHO)

WARRANTY DEED FOR WATER RIGHTS

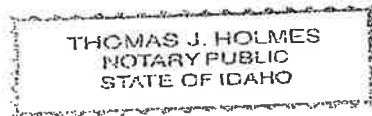
-3-

file\hart\deeds\warranty deed water rights.29.2395 from jim.woff.bob to jim.woff.bob.05.12.17

County of Bannock) ss
)

On this 13 day of May, 2017, before me, a Notary Public in and for said County and State, personally appeared David J. Hart, known or identified to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same.

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



[Signature]
NOTARY PUBLIC FOR IDAHO
Residing at _____, Idaho
My Commission Expires _____

RESIDING AT POCATELLO, ID
MY COMMISSION EXPIRES FEB. 16, 2018

STATE OF IDAHO)
) ss
County of Bannock)

On this 5th day of May, 2017, before me, a Notary Public in and for said County and State, personally appeared Robert E. Hart, known or identified to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same.

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



[Signature]
NOTARY PUBLIC FOR IDAHO
Residing at Pocatello, Idaho
My Commission Expires 5-25-2018

EXHIBIT A**Parcel 1:**

That portion of the Southeast 1/4 of Section 2, Township 6 South, Range 34 East, Bannock County, Idaho, lying West of the tract deeded to the State of Idaho for Interstate Highway right-of-way in Instrument No. 332196, records of Bannock County, Idaho, which is more particularly described as follows:

A Parcel of Land, situated in the SE1/4 of Section 2, Township 6 South, Range 34 East, Boise Meridian, Bannock County, Idaho, more particularly described as follows:

Beginning at the South 1/4 corner of Section 2 monumented with an Aluminum Cap in Monument Box Inst. No. 20915791, from which the SE corner of said Section 2 bears S 89° 44' 11" E 2626.83 feet, and running thence N 00° 53' 24" W 2658.63 feet along the North-South Center Section Line and the Easterly lines of Bunce Subdivision (Inst. No. 536925), Bunce Subdivision Phase II (Inst. No. 553394), and Bunce Subdivision Phase III (Inst. No. 575376) to the Center 1/4 corner monumented with an Aluminum Cap stamped RMES PELS 2341, (Inst. No. 20900258); thence S 89° 45' 55" E 1398.12 feet along the East-West Center Section Line to an Aluminum Cap stamped LS 2341 RMES that is on the Westerly Right-of Way line of Interstate 15 (Federal Aid Projects Nos. I-152(1)71 and I-152(3)71); thence S 05° 34' 22" W 2568.86 feet along Westerly Interstate 15 Right-of Way to a Right-of-Way Marker; thence S 84° 14' 46" W 716.72 feet along Interstate 15 Right-of Way to a 1/2" iron rod PLS 10786; thence S 00° 15' 22" W 25.82 feet to a point on the South line of said Section 2; thence N 89° 44' 11" W 394.14 feet along said South Line to the Point of Beginning.

Parcel 2:

That portion of the Southeast 1/4 of Section 2, Township 6 South, Range 34 East, Bannock County, Idaho, lying East of the tract deeded to the State of Idaho for Interstate Highway right-of-way in Instrument No. 331245, 371994 and 332196, records of Bannock County, Idaho, which is more particularly described as follows:

A Parcel of Land, situated in the SE1/4 of Section 2, Township 6 South, Range 34 East, Boise Meridian, Bannock County, Idaho, more particularly described as follows:

Beginning the SE corner of Section 2 monumented with an Aluminum Cap in Monument Box Inst. No. 20915791, from which the S1/4 corner bears N 89° 44' 11" W 2626.83 feet, and running thence N 89° 44' 11" W 552.27 feet along the South Section Line of said section 2 to the Easterly Right-of Way of Interstate 15 (Federal Aid Projects Nos. I-152(1)71 and I-152(3)71); thence N 00° 15' 22" E 25.82 feet along said Right-of-way to a 1/2" iron rod PLS 10786; thence N 79° 51' 06" W 128.34 feet along said Easterly Right-of Way to a Right-of-Way monument; thence N 54° 36' 02" W 361.86 feet along said Easterly Right-of Way to a Right-of-Way monument; thence N 05° 12' 23" W 954.91 feet along said Easterly Right-of Way to a Right-of-Way monument; thence N 05° 34' 22" E 1458.55 feet along said Easterly Right-of-Way to a point on the East-West Center Section Line monumented with a 1/2" iron rod PLS 10786; thence S 89° 45' 55" E 887.05 feet along said centerline to the East 1/4 corner monumented with a 1 inch Iron Rod Inst. No. 20520359 ; thence S 00° 40' 37" E 2659.76 feet along the East line of said Section 2 to the Point of Beginning.

Parcel 3:

The S1/2SW1/4 of Section 1, Township 6 South, Range 34 East, Boise Meridian, Bannock County, Idaho and the N1/2SW1/4 of Section 1, Township 6 South, Range 34 East, Boise Meridian, Bannock County, Idaho, which is more particularly described as follows:

All of the SW1/4 of Section 1, Township 6 South, Range 34 East, Boise Meridian, Bannock County, Idaho, more particularly described as follows:

Beginning at the SW corner of Section 1 monumented with an Aluminum Cap in Monument Box Inst. No. 20915791, from which the S1/4 corner of said Section 1 bears N 89° 53' 17" E 2608.74 feet, and running thence N 00° 40' 37" W 2659.76 feet along the West line of said Section 1 to the W1/4 corner monumented with a 1 inch Iron Rod Inst. No. 20520359; thence S 89° 54' 37" E 2629.32 feet along the East-West Center Section Line to the C1/4 corner monumented with a 5/8" iron rod and Aluminum Cap Stamped LS10786; thence S 00° 14' 03" E 2650.37 feet along the North-South Center Section Line to the South 1/4 corner of said Section 1 monumented with a Brass Cap in Monument Box CP&F Inst. No. 800761; thence S 89° 53' 17" W 2608.74 feet along the South line of said Section 1 to the Point of Beginning.

Pioneer Title Pocatello

21706691

2017 May 16 AM 08:12:00

Electronically Recorded by Simplifile

WARRANTY DEED

WHEREAS, JAMES W. HART, a single man, whose address is 9250 Chubbuck Road, Pocatello, Idaho 83201 (hereinafter referred to as "Jim") is the owner of a Fifty percent (50.0%) interest in the following described real property and any and all water rights associated with said real property;

WHEREAS, DAVID J. HART, a/k/a Woff Hart, a single man, whose address is Route 2 North, Box 83, Pocatello, Idaho 83202 (hereinafter referred to as "Woff") is the owner of a Twenty-Five percent (25.0%) interest in the following described real property and any and all water rights associated with said real property;

WHEREAS, ROBERT E. HART, a married man, whose address is 4848 Pleasant View Drive, Chubbuck, Idaho 83202, (hereinafter referred to as "Robert"), is the owner, as his sole and separate property, of a Twenty-Five percent (25.0%) interest in the following described real property and any and all water rights associated with said real property; and

WHEREAS, Jim, Woff and Robert desire that Robert become the sole owner, as his sole and separate property, of the entire interest in the following described real property together with any and all of the water rights associated with the real property.

NOW, THEREFORE, as part of the partition and dissolution of Hart Company, an Idaho general partnership, and as part of the partition and distribution of real property between the parties and other good and valuable consideration, receipt of which is hereby acknowledged, Jim, Woff and Robert do hereby grant, bargain, sell and convey to Robert, as his sole and separate property, their respective interests (i.e. 50.0%, 25.0%, 25.0%) in the following described real property containing approximately 228 acres located in Bannock County, Idaho, to wit:

See Exhibit "A" hereto attached

WARRANTY DEED

TOGETHER WITH:

- (1) Any and all tenements, hereditaments, improvements or appurtenances thereunto appertaining.

SUBJECT TO:

- (1) real property taxes for 2017 and subsequent years;
- (2) all easements, rights-of-way, restrictions and reservations, whether or not of public record; and
- (3) the terms and provisions contained in that certain Termination and Dissolution Agreement executed contemporaneously herewith.

It is understood and agreed that Bob shall be the sole owner of all of the water rights associated with the real property, including the following described Idaho Water Right:

Number	Purpose	Source	Location
29-10591	Stock Water	Spring	Sec. 6, Tshp 6S, R 35 EBM

To have and to hold the said premises with their appurtenances unto the said Grantee, his heirs, successors and assigns forever. The said Grantors do hereby covenant to and with said Grantee that they are the owner in fee simple of the hereinabove described interest; that the interest is free from all encumbrances; and that they will warrant and defend the same from all lawful claims whatsoever.

The benefits and obligations hereunder shall inure to and be binding upon the heirs, executors, administrators, personal representatives, successors and assigns of the respective parties hereto.

WITNESS the hand of said Grantors this 13 day of May, 2017.

James W. Hart
James W. Hart

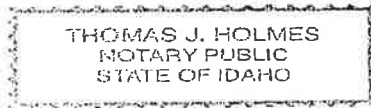
David J. Hart
David J. Hart

Robert E. Hart
Robert E. Hart May 15, 2017

STATE OF IDAHO)
) ss
 County of Bannock)

On this 13 day of May, 2017, before me, a Notary Public in and for said County and State, personally appeared James W. Hart, known or identified to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same.

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



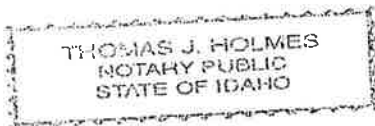
NOTARY PUBLIC FOR IDAHO
 Residing at _____, Idaho
 My Commission Expires _____

RESIDING AT POCA TELLO, ID
 MY COMMISSION EXPIRES FEB. 16, 2018

STATE OF IDAHO)
) ss
 County of Bannock)

On this 13 day of May, 2017, before me, a Notary Public in and for said County and State, personally appeared David J. Hart, known or identified to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same.

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 IDAHO
 Residing at _____, Idaho
 My Commission Expires _____

RESIDING AT POCA TELLO, ID
 MY COMMISSION EXPIRES FEB. 16, 2018

STATE OF IDAHO)
) ss
 County of Bannock)

On this 15th day of May, 2017, before me, a Notary Public in and for said County and State, personally appeared Robert E. Hart, known or identified to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same.

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



Rosemarie Hunter
NOTARY PUBLIC FOR IDAHO
Residing at Bozelle, Idaho
My Commission Expires 5.25.2018

EXHIBIT A

PARCEL 1:

The SE¼ of Section 1, Township 6 South, Range 34 East, Boise Meridian, Bannock County, Idaho.

PARCEL 2:

Section 6, Township 6 South, Range 35 East, Boise Meridian, Bannock County, Idaho:
Lots 6 and 7

WARRANTY DEED

WHEREAS, PORTNEUF DEVELOPMENT, LLC, an Idaho Limited Liability Company, whose address is 1754 Cottage Ave., Pocatello, Idaho 83221, (hereinafter referred to as "Grantor" or "Portneuf"), is the owner of a Seventy-Five percent (75.0%) interest in the following described real property;

WHEREAS, ROBERTE E. HART, a married man, whose address is 4848 Pleasant View Drive, Chubbuck, Idaho 83202, (hereinafter referred to as "Grantee" or "Robert"), is the owner of a Twenty-Five percent (25.0%) interest, as his sole and separate property, in the following described real property; and

WHEREAS, Portneuf and Robert desire that Robert become the sole owner of the entire interest in the following described real property.

NOW, THEREFORE, as part of the partition and dissolution of Hart Company, an Idaho general partnership, and as part of the partition and distribution of real property between the parties and other good and valuable consideration, receipt of which is hereby acknowledged, Portneuf does hereby grant, bargain, sell and convey to Robert, as his sole and separate property, its Seventy-Five percent (75.0%) interest in the following described real property comprised of approximately 75.13 acres located in Bannock County, Idaho, to wit:

See Exhibit "A" hereto attached

TOGETHER WITH:

- (1) Any and all tenements, hereditaments, improvements or appurtenances thereunto appertaining, all improvements thereon;

SUBJECT TO:

- (1) real property taxes for 2017 and subsequent years;
- (2) all easements, rights-of-way, restrictions and reservations, whether or not of public record; and

WARRANTY DEED

- (3) the terms and provisions contained in that certain Termination and Dissolution Agreement executed contemporaneously herewith.

To have and to hold the said premises with their appurtenances unto the said Grantee, his heirs, successors and assigns forever. The said Grantor does hereby covenant to and with said Grantee that it is the owner in fee simple of the hereinabove described interest; that the interest is free from all encumbrances; and that it will warrant and defend the same from all lawful claims whatsoever.

The benefits and obligations hereunder shall inure to and be binding upon the heirs, executors, administrators, personal representatives, successors and assigns of the respective parties hereto.

WITNESS the hand of said Grantor this 13 day of May, 2017.

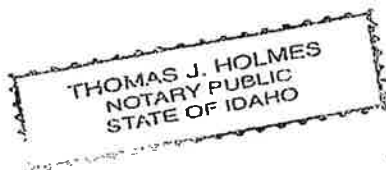
Portneuf Development, LLC

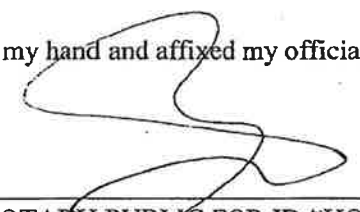
By 
Ken Pape, Chief Executive Manager

STATE OF IDAHO)
) ss
County of Bannock)

On this 13 day of May, 2017, before me, a Notary Public in and for said County and State, personally appeared Ken Pape, known or identified to me to be the Chief Executive Manager of the Limited Liability Company that executed the foregoing instrument, and acknowledged to me that such Limited Liability Company executed the same.

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 IDAHO
Residing at _____, Idaho
My Commission Expires _____

RESIDING AT POCA TELLO, ID
MY COMMISSION EXPIRES FEB. 16, 2018

EXHIBIT A

That portion of the Southeast 1/4 of Section 2, Township 6 South, Range 34 East, Bannock County, Idaho, lying West of the tract deeded to the State of Idaho for Interstate Highway right-of-way in Instrument No. 332196, records of Bannock County, Idaho, which is more particularly described as follows:

A Parcel of Land, situated in the SE1/4 of Section 2, Township 6 South, Range 34 East, Boise Meridian, Bannock County, Idaho, more particularly described as follows:

Beginning at the South 1/4 corner of Section 2 monumented with an Aluminum Cap in Monument Box Inst. No. 20915791, from which the SE corner of said Section 2 bears S 89° 44' 11" E 2626.83 feet, and running thence N 00° 53' 24" W 2658.63 feet along the North-South Center Section Line and the Easterly lines of Bunce Subdivision (Inst. No. 536925), Bunce Subdivision Phase II (Inst. No. 553394), and Bunce Subdivision Phase III (Inst. No. 575376) to the Center 1/4 corner monumented with an Aluminum Cap stamped RMES PELS 2341, (Inst. No. 20900258); thence S 89° 45' 55" E 1398.12 feet along the East-West Center Section Line to an Aluminum Cap stamped LS 2341 RMES that is on the Westerly Right-of Way line of Interstate 15 (Federal Aid Projects Nos. I-152(1)71 and I-152(3)71); thence S 05° 34' 22" W 2568.86 feet along Westerly Interstate 15 Right-of Way to a Right-of-Way Marker; thence S 84° 14' 46" W 716.72 feet along Interstate 15 Right-of Way to a 1/2" iron rod PLS 10786; thence S 00° 15' 22" W 25.82 feet to a point on the South line of said Section 2; thence N 89° 44' 11" W 394.14 feet along said South Line to the Point of Beginning.

WARRANTY DEED

file\\hart\\deeds\\portneuf to robert.05.12.17

Pioneer Title Pocatello

21706693 2017 May 16 AM 08:12:00
Electronically Recorded by Simplifile

WARRANTY DEED

WHEREAS, ROBERT E. HART, a married man, whose address is 4848 Pleasant View Drive, Chubbuck, Idaho 83202, (hereinafter referred to as "Grantor" or "Robert"), is the Owner of a Twenty-Five percent (25.0%) interest, as his sole and separate property, in the following described real property; and

WIIEREAS, PORTNEUF DEVELOPMENT, LLC, an Idaho Limited Liability Company, whose address is 1754 Cottage Ave., Pocatello, Idaho 83201, (hereinafter referred to as "Grantee" or "Portneuf"), is the Ownr of a Seventy-Five percent (75.0%) interest in the following described real property; and

WHEREAS, Portneuf and Robert desire that Portneuf become the sole owner of the entire interest in the following described real property.

NOW, THEREFORE, as part of the partition and dissolution of Hart Company, an Idaho general partnership, and as part of the partition and distribution of real property between the parties and other good and valuable consideration, receipt of which is hereby acknowledged, Robert does hereby grant, bargain, sell and convey to Portneuf, his Twenty-Five percent (25.0%) interest in the following described real property, which is his sole and separate property, comprised of approximately 218.43 acres located in Bannock County, Idaho, to wit:

See Exhibit "A" hereto attached

TOGETHER WITH:

- (1) Any and all tenements, hereditaments, improvements or appurtenances thereunto appertaining. all improvements thereon;

SUBJECT TO:

- (1) real property taxes for 2017 and subsequent years;
- (2) all easements, rights-of-way, restrictions and reservations, whether or not of public record; and

WARRANTY DEED

- (3) the terms and provisions contained in that certain Termination and Dissolution Agreement executed contemporaneously herewith; and
- (4) Robert shall retain his ownership interest in all water rights, including Idaho Water Right No. 29-2395 which is associated with the said real property.

To have and to hold the said premises with their appurtenances unto the said Grantee, its heirs, successors and assigns forever. The said Grantor does hereby covenant to and with said Grantee that he is the owner in fee simple of the hereinabove described interest; that the interest is free from all encumbrances; and that he will warrant and defend the same from all lawful claims whatsoever.

The benefits and obligations hereunder shall inure to and be binding upon the heirs, executors, administrators, personal representatives, successors and assigns of the respective parties hereto.

WITNESS the hand of said Grantor this 15 day of May, 2017.

Robert E. Hart
Robert E. Hart

STATE OF IDAHO)
) ss
County of Bannock)

On this 15th day of May, 2017, before me, a Notary Public in and for said County and State, personally appeared Robert E. Hart, known or identified to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same.

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



Rosemary L. Porter
NOTARY PUBLIC FOR IDAHO
Residing at Bozefille, Idaho
My Commission Expires 5.25.2018

EXHIBIT A**Parcel 1:**

That portion of the Southeast 1/4 of Section 2, Township 6 South, Range 34 East, Bannock County, Idaho, lying East of the tract deeded to the State of Idaho for Interstate Highway right-of-way in Instrument No. 331245, 371994 and 332196, records of Bannock County, Idaho, which is more particularly described as follows:

A Parcel of Land, situated in the SE1/4 of Section 2, Township 6 South, Range 34 East, Boise Meridian, Bannock County, Idaho, more particularly described as follows:

Beginning the SE corner of Section 2 monumented with an Aluminum Cap in Monument Box Inst. No. 20915791, from which the S1/4 corner bears N 89° 44' 11" W 2626.83 feet, and running thence N 89° 44' 11" W 552.27 feet along the South Section Line of said section 2 to the Easterly Right-of Way of Interstate 15 (Federal Aid Projects Nos. I-152(1)71 and I-152(3)71); thence N 00° 15' 22" E 25.82 feet along said Right-of-way to a 1/2" iron rod PLS 10786; thence N 79° 51' 06" W 128.34 feet along said Easterly Right-of Way to a Right-of-Way monument; thence N 54° 36' 02" W 361.86 feet along said Easterly Right-of Way to a Right-of-Way monument; thence N 05° 12' 23" W 954.91 feet along said Easterly Right-of Way to a Right-of-Way monument; thence N 05° 34' 22" E 1458.55 feet along said Easterly Right-of-Way to a point on the East-West Center Section Line monumented with a 1/2" iron rod PLS 10786; thence S 89° 45' 55" E 887.05 feet along said centerline to the East 1/4 corner monumented with a 1 inch Iron Rod Inst. No. 20520359; thence S 00° 40' 37" E 2659.76 feet along the East line of said Section 2 to the Point of Beginning.

Parcel 2:

The S1/2SW1/4 of Section 1, Township 6 South, Range 34 East, Boise Meridian, Bannock County, Idaho and the N1/2SW1/4 of Section 1, Township 6 South, Range 34 East, Boise Meridian, Bannock County, Idaho, which is more particularly described as follows:

All of the SW1/4 of Section 1, Township 6 South, Range 34 East, Boise Meridian, Bannock County, Idaho, more particularly described as follows:

Beginning at the SW corner of Section 1 monumented with an Aluminum Cap in Monument Box Inst. No. 20915791, from which the S1/4 corner of said Section 1 bears N 89° 53' 17" E 2608.74 feet, and running thence N 00° 40' 37" W 2659.76 feet along the West line of said Section 1 to the W1/4 corner monumented with a 1 inch Iron Rod Inst. No. 20520359; thence S 89° 54' 37" E 2629.32 feet along the East-West Center Section Line to the C1/4 corner monumented with a 5/8" iron rod and Aluminum Cap Stamped LS10786; thence S 00° 14' 03" E 2650.37 feet along the North-South Center Section Line to the South 1/4 corner of said Section 1 monumented with a Brass Cap in Monument Box CP&F Inst. No. 800761; thence S 89° 53' 17" W 2608.74 feet along the South line of said Section 1 to the Point of Beginning.



Pioneer Title Co.
GOING BEYOND

135 N. Arthur Ave.
Pocatello, ID 83204

OFFICIAL RECORD BOOK 1007
BANKOCH COUNTY IDAHO

21612701

RECORDED AT REQUEST OF
FEE \$14.00 DEPUTY DA

Portneuf Development LLC

21612701

2016 SEP -8 P 4: 27

WARRANTY DEED

For Value Received James Hart, an unmarried person as to an undivided 50% interest and David Hart, an unmarried person as to an undivided 25% interest hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

Portneuf Development, LLC

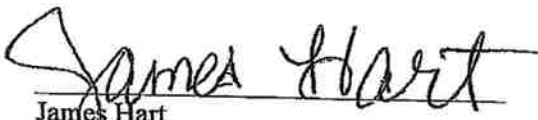
hereinafter referred to as Grantee, whose current address is PO Box 2557, Pocatello, ID 83206

The following described premises, to-wit:

See Exhibit A attached hereto and made a part hereof.

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantees(s) heirs and assigns forever. And the said Grantor(s) does (do) hereby covenant to and with the said Grantee(s), the Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to U.S. Patent reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and current years taxes, levies, and assessments, includes irrigation and utility assessments, (if any) which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: September 8, 2016


James Hart


David Hart

21612701

3-5-16
State of Idaho, County of Bannock

On this 8th day of September in the year of 2016, before me, the undersigned, a Notary Public in and for said State, personally appeared James Hart known or identified to me to be the person/persons whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

Rose Marie Hunter
Residing at: Bozelle ID
Commission Expires: 5-25-2018



State of Idaho, County of Bannock

On this 8th day of September in the year of 2016, before me, the undersigned, a Notary Public in and for said State, personally appeared David Hart known or identified to me to be the person/persons whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

Rose Marie Hunter
Residing at: Bozelle ID
Commission Expires: 5-25-2018



3-3

21612701

EXHIBIT A

Parcel 1:

That portion of the Southeast 1/4 of Section 2, Township 6 South, Range 34 East, Bannock County, Idaho, lying West of the tract deeded to the State of Idaho for Interstate Highway right-of-way in Instrument No. 332196, records of Bannock County, Idaho.

Parcel 2:

That portion of the Southeast 1/4 of Section 2, Township 6 South, Range 34 East, Bannock County, Idaho, lying East of the tract deeded to the State of Idaho for Interstate Highway right-of-way in Instrument No. 331245, 371994 and 332196, records of Bannock County, Idaho.

Parcel 3:

The S $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1, Township 6 South, Range 34 East, Boise Meridian, Bannock County, Idaho.

Parcel 4:

The N $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1, Township 6 South, Range 34 East, Boise Meridian, Bannock County, Idaho.

Legal Description – Point of Diversion for an Irrigation Well

LOCATED IN THE SOUTHEAST 1/4 OF SECTION 1, TOWNSHIP 6 SOUTH, RANGE 34 EAST, BOISE MERIDIAN, BANNOCK COUNTY, IDAHO, DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER 1/4 CORNER OF SECTION 1, BEING MARKED BY A 2.5 INCH ALUMINUM CAP MONUMENT PER CORNER PERPETUATION RECORDED AS INST. NO. 21617873 IN THE OFFICIAL RECORDS OF BANNOCK COUNTY; THENCE SOUTH 0°14'03" EAST, ALONG THE MERIDIONAL CENTERLINE OF SECTION 1, A DISTANCE OF 1325.18 FEET TO THE SOUTHWEST 1/16 CORNER, BEING A 5/8 INCH BY 24 INCH REBAR WITH ALUMINUM CAP MONUMENT STAMPED "RMES PELS 2341"; THENCE SOUTH 31°33'13" EAST A DISTANCE OF 34.83 FEET TO THE **POINT OF DIVERSION** OF AN IRRIGATION WELL.





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

June 15, 2018

James W Hart
PO Box 5321
Chubbuck ID 83202

David J Hart
RR 2 Box 83
Pocatello ID 83202

RE: Change of Ownership for Water Rights 29-2395 (Split into 29-2395 & 29-14263)

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.

Please note, water right 29-2395 was leased to the Water Supply Bank (Bank) on January 7, 2016 this included the portion that was split into 29-14263. In accordance with the lease acceptance, the lessor may not use the right while it is in the Bank. This right is currently rented in full and will remain in the Bank until December 31, 2018.

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 29A
Water Supply Bank IDWR Boise Office
Robert Hart



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

June 15, 2018

ROBERT HART
4848 PLEASANT VIEW DR
CHUBBUCK ID 83202

RE: Change of Ownership for Water Rights 29-2395 (Split into 29-2395 & 29-14263)

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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.

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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 29A
Water Supply Bank IDWR Boise Office
Robert Hart