

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
FEB 08 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?
1-10019 <i>OK</i>	Yes ☒	Yes ☐		Yes ☐	Yes ☐
<u>1-10019</u>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
1-10019 1-10674	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name:

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s):

New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or ☐ and/or

105 North 5050 East

Rigby

ID

83442

Mailing address

City

State

ZIP

208-523-6339

Sdparry.parry@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: December 22, 2015

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.

- NA* ☐ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).

- ☒ Filing fee (see instructions for further explanation):

- ☐ \$25 per undivided water right.
☐ \$100 per split water right.
☐ No fee is required for pending adjudication claims.

- ☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.

- ☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

8. Signature:

Signature of new owner/claimant

Title, if applicable

Date

Signature:

Signature of new owner/claimant

Title, if applicable

Date

For IDWR Office Use Only:

Received by JB

Date 2/8/2018

Receipt No. E043712

Receipt Amt. \$25.00

Active in the Water Supply Bank? Yes ☐ No ☐

If yes, forward to the State Office for processing

W-9 received? Yes ☐ No ☐

Name on W-9

Approved by JB

Processed by JB

Date 5/16/18

Order Number: 15262165

Warranty Deed

For value received,

Eric Heiner and Cydthia Heiner, husband and wife

the grantor, does hereby grant, bargain, sell, and convey unto

Aspen Grove Inn LLC

whose current address is PO Box 51630 Idaho Falls ID 83405-1630

the grantee, the following described premises, in Jefferson County, Idaho, to wit:

All of the following described property located within Government Lot 1 of Township 4, North Range 40 East, Boise Meridian, Jefferson County, Idaho.
Section 25; Beginning at the Southwest corner of said Section 25 and running thence South 89°52' East 603.5 feet to the true point of beginning; thence North 1092.14 feet; thence North 89°30'03" East 161.21 feet; thence South 56°15'07" East 362.72 feet; thence south 54°11'30" East 144.75 feet; thence South 45°21' East 214.01 feet; thence South 01°51'24" West 657.12 feet; thence North 89°52' West 709.30 feet to the true point of beginning.
Excepting therefrom: The West 215 feet of the above described property.

To have and to hold the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

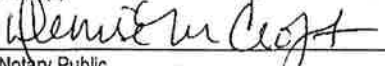
Dated: December 22, 2015

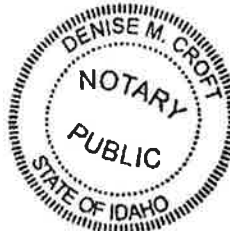

Eric Heiner

Cydthia Heiner

State of Idaho, County of Bonaire ss.

On this 22nd day of December in the year of 2015, before me, the undersigned, a Notary Public in and for said State, personally appeared Eric Heiner and Cydthia Heiner, 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.


Notary Public
Residing In: Shelley ID
My Commission Expires: 06/29/18
(seal)



Instrument # 391065

RIGBY, JEFFERSON, IDAHO

2011-04-15 10:47:31 AM No. of Pages: 2

Recorded for: ALLIANCE TITLE - RIGBY

CHRISTINE BOULTER

Fee: 13.00

Ex-Officio Recorder Deputy LKingham

Index To: WARRANTY DEED

Electronically Recorded by Simplifile

ALLIANCE TITLE & ESCROW CORP

WARRANTY DEED

Order No.: 3061121155ICB

FOR VALUE RECEIVED

Charles Luchini and Kathy Luchini, Husband and Wife

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

Eric Helmer and Cydthia Heimer, Husband and Wife

whose current address is

105 North 5050 East Rigby, ID 83442

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

All of the following described property located within Government Lot 1 of Township 4 North, Range 40 East, Boise Meridian, Jefferson County, Idaho.

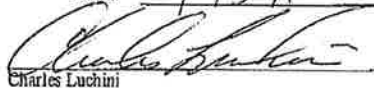
Section 25: Beginning at the Southwest corner of said Section 25 and running thence South 89°52' East 603.5 feet to the true point of beginning; thence North 1092.14 feet; thence North 89°30'03" East 161.21 feet; thence South 56°15'07" East 362.72 feet; thence South 54°11'30" East 144.75 feet; thence South 45°21' East 214.01 feet; thence South 01°51'24" West 657.12 feet; thence North 89°52' West 709.30 feet to the true point of beginning.

Excepting therefrom: The West 215 feet of the above described property.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: 4-13-11


Charles Luchini

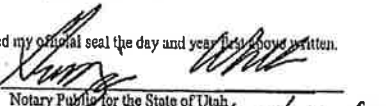

Kathy Luchini

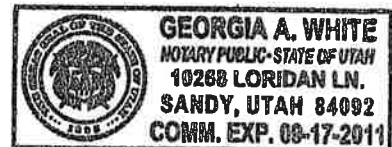
State of Utah

County of Salt Lake ss.

On this 13 day of April, in the year 2011 before me, a Notary Public in and for said state, personally appeared Kathy Luchini, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.

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


Notary Public for the State of Utah
Residing at: 10268 Lordin LN
Commission Expires: 9-17-11



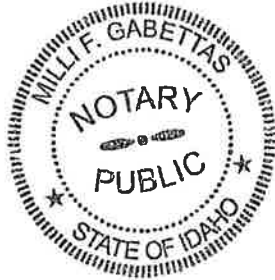
State of Idaho

County of Bonneville

} ss.
}

On this 15th day of April, in the year 2011 before me, a Notary Public in and for said state, personally appeared Charles Luchini known or identified to me to be the person whose name is subscribed to the within 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 first above written.



Mill F. Gabettas
Notary Public for the State of Idaho

Residing at:

Commission Expires:

Residing in Idaho Falls, Idaho

Commission Expires 3/19/2016

3000616869KB

WARRANTY DEED

For Valuable Consideration Received:

**ARLINE S. BOWEN FORMERLY KNOWN AS ARLINE S THOMAS, A
MARRIED WOMAN DEALING WITH SOLE & SEPARATE PROPERTY**

the Grantor does hereby grant, bargain, sell, convey and warrant unto

CHARLES LUCHINI AND KATHY LUCHINI, HUSBAND AND WIFE

the Grantees whose current address is:

65 SOUTH 700 EAST, SPRINGVILLE, UT 89663
, ,

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 Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that he is the owner in fee simple of said premises; that said premises are free from all encumbrances and that he will warrant and defend the same from all lawful claims whatsoever.


Arline S Bowen

7-14-06
Date

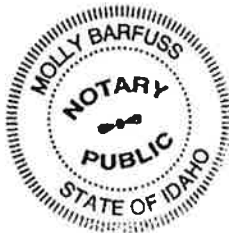
STATE OF IDAHO)

)ss.

COUNTY OF BONNEVILLE)

On this 14th day of July, 2006, before me, the undersigned, a Notary Public, in and for said State, personally appeared **ARLINE S BOWEN**, known to me, and/or identified to me on the basis of satisfactory evidence, to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

WITNESS MY HAND AND OFFICIAL SEAL




Residing at: Idaho Falls, ID
Commission Expires: 3/7/12

Instrument # 350436

RIGBY, JEFFERSON, IDAHO

2006-07-17

04:06:00 No. of Pages: 2

Recorded for: ALLIANCE TITLE & ESCROW

CHRISTINE BOULTER

Ex-Officio Recorder Deputy

Fee: 6.00

Index to: WARRANTY DEED

7/17/06

406

EXHIBIT "A"

Tract 1: All of the following described property located within Government Lot 1 of Township 4, North Range 40 East, Boise Meridian, Jefferson County, Idaho.

Section 25; Beginning at the Southwest corner of said Section 25 and running thence South 89°52' East 603.5 feet to the true point of beginning; thence North 1092.14 feet; thence North 89°30'03" East 161.21 feet; thence South 56°15'07" East 362.72 feet; thence south 54°11'30" East 144.75 feet; thence South 45°21' East 214.01 feet; thence South 01°51'24" West 657.12 feet; thence North 89°52' West 709.30 feet to the true point of beginning.

Excepting therefrom: The West 215 feet of the above described property.

Tract 2: Township 4 North, Range 40 East, Boise Meridian, Jefferson County, Idaho.

Section 26; The West 215 feet of the following described property: Beginning at the Southwest corner of said Section 24 and running thence South 89°52' East 603.5 Feet to the true point of beginning; thence North 1092.14 feet; thence North 89°30'03" East 161.21 feet; thence South 56°15'07" East 362.72 feet; thence South 54°11'30" East 144.75 feet; thence South 45°21' East 214.01 feet; thence South 01°51'24" West 657.12 feet; thence North 89°52' West 709.30 feet to the true point of beginning.

Excepting therefrom the following: Township 4 North, Range 40 East, Boise Meridian, Jefferson County, Idaho.

Section 25: Beginning at the Southwest corner of said Section 25 and running thence South 89°52' East 603.5 feet to the true point of beginning; ; thence North 430 feet; thence East 200 feet; thence South 430 feet to the South line of said Section 25; thence West along said South line 200 feet more or less to the true point of beginning.

LT. #98387

QUIT CLAIM DEED

THE GRANTOR, Charles & Kathy Luchini City of Rigby, County of Jefferson, State of Idaho, for the consideration of Parcel Number RPN04N40E256061 CONVEY and QUIT CLAIM Land to Arline T. Bowen of P.O. Box 525, City of Ririe, County of Jefferson State of Idaho, all interest in the following described real estate situated in the County of Jefferson, in the State of Idaho, to wit:

Exhibit A

Dated this 10th day of (mo.) July, (yr.) 2009.

Charles Luchini
Charles Luchini

Kathy Luchini
Kathy Luchini

Instrument # 378140

RIGBY, JEFFERSON, IDAHO

7-14-2009 02:26:00 No. of Pages: 2

Recorded for : IDAHO TITLE & TRUST

CHRISTINE BOULTER Fee: 6.00

Ex-Officio Recorder Deputy

Index to: QUIT CLAIM DEED

LK

STATE OF Idaho
COUNTY OF Jefferson

I, JoAnna Myler, Notary Public in and for the state of Idaho, do hereby certify that on this (mo.) 10th day of (mo.) July, (yr.) 2009, personally appeared before me Both parties known to be the individual described in and who executed the within instrument and acknowledged that Charles Luchini signed the same as Kathy Luchini free and voluntary act and deed for the uses and purposes herein mentioned.

Given under my hand and official seal this 10th day of (mo.) July, (yr.) 2009.
Commission expires (mo./day) _____, (yr.) _____.

MY COMMISSION EXPIRES
December 14, 2011

JOANNA MYLER
Notary Public
State of Idaho

JoAnna Myler
Notary Public



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

May 18, 2018

Aspen Grove Inn LLC
105 N 5050 E
Rigby ID 83442

RE: Change of Ownership for Water Rights 1-10019 (Split into 1-10019 & 1-10674)

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: Arline Thomas
Water District 1