

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

FEB 12 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?
1-11L 1-10609 > 1-1L OK	Yes ☒	Yes ☐		Yes ☐	Yes ☐
1-47P 1-10670 > 1-47P OK	Yes ☒	Yes ☐		Yes ☐	Yes ☐
1-290 1-10671 > 1-290 OK	Yes ☒	Yes ☐		Yes ☐	Yes ☐
1-291 1-10672 > 1-291 OK	Yes ☒	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Owners Mutual Irrigation Company
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Gary and Tareea Dixon Revocable Living Trust
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 12017 N. River Road Idaho Falls ID 83402
Mailing address City State ZIP
- 208 251-8519
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 7, 2017
6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed [IRS Form W-9](#) for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed [Lessor Designation](#) form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).
7. This form must be signed and submitted with the following **REQUIRED** items:
- ☒ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
 - ☒ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
 - ☒ Filing fee (see instructions for further explanation):
 - ☐ \$25 per *undivided* water right.
 - ☐ \$100 per *split* water right.
 - ☐ No fee is required for pending adjudication claims.
 - ☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
 - ☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

SUPPORT DATA

IN FILE #

1-1L

8. Signature: Robert L. Jannis Attorney February 7, 2018
Signature of new owner/claimant Title, if applicable Date
- Signature: _____ Title, if applicable Date

For IDWR Office Use Only:

Received by JB Date 2/12/2018 Receipt No. E043721 Receipt Amt. \$400.-

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 SS Date 2/27/2018

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Robert L. Harris
Holden, Kidwell, Hahn & Crapo, P.L.L.C.
PO Box 50130
Idaho Falls, ID 83405

Instrument # 1570105
Bonneville County, Idaho Falls, Idaho
12/07/2017 08:45:30 AM No. of Pages: 3
Recorded for: HOLDEN KIDWELL HAHN & CRAPO PLLC
Penny Manning Fee: \$15.00
Ex-Officio Recorder Deputy ce
Index to: DEED, WARRANTY

(Space Above for Recorder's Use)

SPECIAL WARRANTY DEED FOR WATER RIGHTS

Owners Mutual Irrigation Company, an Idaho corporation, whose address is c/o D. Bradley Reed, 2050 W. 81 N., Idaho Falls, ID 83402-5242 (hereinafter "Grantor") does hereby grant, bargain, sell, assign, and convey unto the **Gary and Tereea Dixon Revocable Living Trust**, whose address is 12017 N. River Road, Idaho Falls, ID 83402 (hereinafter "Grantee") and to Grantee's heirs and assigns forever, all of Grantor's right title and interest in the portions of the water rights described on Exhibit A attached hereto (hereinafter the "Water Rights").

Grantor hereby covenants and warrants to Grantee as follows:

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

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

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

DATED this ~~17th~~ day of November, 2017.

Nov. 28, 2017

OWNERS MUTUAL IRRIGATION COMPANY

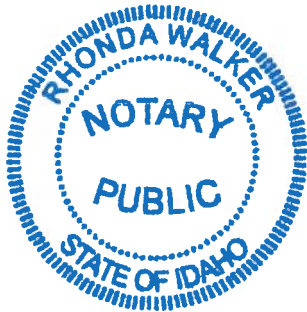
By:

D. Bradley Reed Secretary
D. Bradley Reed, Secretary

STATE OF IDAHO)
) ss.
County of BONNEVILLE)

On this 28th day of November, 2017, before me, a Notary Public for said County and State, personally appeared **D. BRADLEY REED**, known or identified to me, to be the president of the OWNERS MUTUAL IRRIGATION COMPANY, an Idaho Corporation, and the president who subscribed said corporation's name to the foregoing instrument, and acknowledged to me that he executed the same in said corporation's 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.



Rhonda Walker
NOTARY PUBLIC FOR IDAHO
Residing at: Lewistown, Idaho
My commission expires: 7-20-2023

EXHIBIT A

Portions of all of the Grantor's natural flow water rights—identified as portions of **Water Right Nos. 1-1L, 1-47P, 1-290, and 1-291**—appurtenant to lands owned by Grantees in Section 11 of Township 3N., Range 37E., Boise Meridian, more particularly described here:

PLACE OF USE DESCRIPTION OF OWNERS MUTUAL WATER RIGHTS ON GARY DIXON PROPERTY

TWP	RGE	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3N	37E	11	2.8	40	40	10	0.7			1.2	1					34	0.7		130.4
															TOTAL				130.4

The proportionate amounts of **Water Right Nos. 1-1L, 1-47P, 1-290, and 1-291** that are to be conveyed to Grantees are summarized here:

Owner's Mutual Shareholder	No. of Irrigated Acres Under Owners Mutual Water Rights	Diversion Rate per acre (cfs)	Calculated Diversion Rate	1-1L split (6.13 cfs with 7/10/1889 priority date)	1-47P split (1.17 cfs with 6/1/1889 priority date)	1-290 split (0.8 cfs with 9/24/1906 priority date)	1-291 split (4.56 cfs with 3/3/1911 priority date)	TOTAL DIVERSION RATE
GARY DIXON	130.4	0.016803823	2.19	1.06	0.20	0.14	0.79	2.19

No storage water entitlements, or other water rights not specifically identified on this exhibit, are included in this conveyance.



OWNERS MUTUAL IRRIGATION CO. WATER RIGHTS BEFORE SPLIT

Type	Basin	Sequence	Suffix	Basis	Status	Priority Date	Div. Rate (cfs)	Individual Acres	Combined Acres	Source	Water Use	Owner
WR	1	1	L	Decreed	Active	7/10/1889	6.13	232	753.4	SNAKE RIVER	IRRIGATION	OWNERS MUTUAL IRRIGATION CO
WR	1	47	P			6/1/1889	1.17	74				
WR	1	290				9/24/1906	0.8	None				
WR	1	291				3/3/1911	4.56	None				
						TOTAL	12.66					

OWNERS MUTUAL IRRIGATION CO. WATER RIGHTS AFTER SPLIT

Type	Basin	Sequence	Suffix	Basis	Status	Priority Date	Div. Rate (cfs)	Individual Acres	Combined Acres	Source	Water Use	Owner
WR SPLIT	1	1	L	Decreed	Active	7/10/1889	5.07	191.9	623	SNAKE RIVER	IRRIGATION	OWNERS MUTUAL IRRIGATION CO
WR SPLIT	1	47	P			6/1/1889	0.97	61.4				
WR SPLIT	1	290				9/24/1906	0.66	None				
WR SPLIT	1	291				3/3/1911	3.77	None				
TOTAL							10.47					

WR SPLIT				1	1	L	Decreed	Active	7/10/1889	1.06	40.1	130.4	SNAKE RIVER	IRRIGATION	GARY AND TAREENA DIXON REVOCABLE LIVING TRUST
WR SPLIT				1	47	P			6/1/1889	0.2	12.6				
WR SPLIT				1	290				9/24/1906	0.14	None				
WR SPLIT				1	291				3/3/1911	0.79	None				
									TOTAL	2.19					



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 4, 2018

Gary & Tareea Dixon Revocable Trust
12017 N River Rd
Idaho Falls ID 83402

RE: Change of Ownership for Water Rights Correction for 1-1L (Split into 1-1L & 1-10669), 1-47P (Split into 1-47P & 1-10670), 1-290 (Split into 1-290 & 1-10671) & 1-291 (Split into 1-291 & 1-10672)

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: Holden Kidwell Hahn & Crapo
Owners Mutual Irrigation Co
Water District 01



Holden Kidwell
Hahn & Crapo P.L.L.C.
LAW OFFICES

RECEIVED
FEB 12 2018

Department of Water Resources
Eastern Region

1000 Riverwalk Drive, Suite 200
PO Box 50130
Idaho Falls, Idaho 83405

Tel: (208) 523-0620
Fax: (208) 523-9518
www.holdenlegal.com

Email: rharris@holdenlegal.com

February 7, 2018

Jonie Barg
Idaho Department of Water Resources
Eastern Idaho Regional Office
900 N. Skyline Drive, Suite A
Idaho Falls, ID 83402-1718

RE: Notice of Change of Water Right Ownership for Water Right No. of Split Water Rights No. 1-1L, 1-47P, 1-290, and 1-291.

Dear Jonie:

Enclosed for processing is a *Notice of Change of Water Right Ownership* that splits off a 130.4-acre portion of the above enumerated water rights. We have included a copy of the deed conveying title to the proportionate amount of these water rights, a map showing the location of the Dixon Trust Property where these water rights are already appurtenant, and the appropriate filing fee in the amount of \$400.00. Owners Mutual Irrigation Company has recently addressed a number of matters associated with its company, including conveying a proportional amount of the water rights to the Dixon Trust because their property is located below lift pumps that mark the beginning of the conveyance system of the Owners Mutual Irrigation Company system. This arrangement was supported by all shareholders, and we appreciate your assistance in completing the final step in the process by updating ownership on the Department's records accordingly.

If you have any questions or concerns, please let me know.

Best regards,

Robert L. Harris
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

RLH/rew
Enclosures

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