

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAR 16 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?
27-7003 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Bryce J. Fielding and/or Mary W. Fielding
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Tanner Lane Ranch LLLP
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- P.O. Box 793 Blackfoot ID 83221
Mailing address City State ZIP
- 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: January 11, 2018
6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed [IRS Form W-9](#) for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed [Lessor Designation](#) form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).
7. This form must be signed and submitted with the following **REQUIRED** items:
- ☒ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
 - ☐ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
 - ☒ Filing fee (see instructions for further explanation):
 - ☐ \$25 per *undivided* water right.
 - ☐ \$100 per *split* water right.
 - ☐ No fee is required for pending adjudication claims.
 - ☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
 - ☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

8. Signature: *Robert L. Harris* Attorney _____ March 13, 2018
Signature of new owner/claimant Title, if applicable Date

Signature: _____ Title, if applicable _____ Date _____
Signature of new owner/claimant

For IDWR Office Use Only:

Received by *JB* Date 3/16/18 Receipt No. E043801 Receipt Amt. \$25.-

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 4/2/2018

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 # 693458

BINGHAM COUNTY

1-11-2018 01:29:28 PM No. of Pages: 5

Recorded for : 066826/056854 HOLDEN, KIDWELL

PAMELA W. ECKHARDT

Fee: 22.00

Ex-Officio Recorder Deputy

(Space Above for Recorder's Use)

SPECIAL WARRANTY DEED FOR WATER RIGHT

Bryce Fielding and Mary Fielding, husband and wife, whose address is 720 N. 1100 E., Shelley, Idaho 83274 (hereinafter collectively "Grantor"), do hereby grant, bargain, sell, assign, and convey unto **Tanner Lane Ranch LLLP**, an Idaho limited liability limited partnership, whose address is P.O. Box 793, Blackfoot, Idaho 83221 (hereinafter "Grantee") and to Grantee's heirs and assigns forever, all of Grantor's right, title, and interest in the water right described on Exhibit A attached hereto (hereinafter the "Water Right").

Grantor hereby covenants and warrants to Grantee as follows:

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

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

IN WITNESS WHEREOF, the undersigned have caused their names to be hereunto subscribed.

DATED this 29th day of December, 2017.

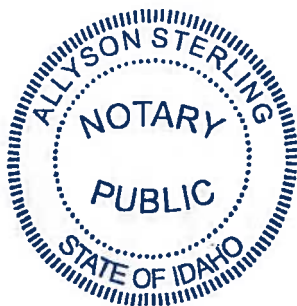

Bryce Fielding


Mary Fielding

STATE OF IDAHO)
) ss.
County of Bonneville)

On the 29th day of December, 2017, before me, the undersigned, a notary public in and for said State, personally appeared Bryce Fielding and Mary Fielding, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they 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 Falls, Idaho
My commission expires: 6/8/2023

EXHIBIT A **(the "Water Right")**

Page 2 of 3

WATER RIGHT NO. 27-7003

As Modified by Transfer No. 81732

In accordance with the approval of Transfer No. 81732, Water Right No. 27-7003 is now described as follows:

Right Holder: BRYCE J FIELDING AND/OR
MARY W FIELDING
720 N 1100 E
SHELLEY, ID 83274

Priority Date: 3/19/1968

Source: GROUND WATER

BENEFICIAL USE

	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	3/01	to 11/30	5.240 cfs	1015.0 af
STOCKWATER	8/15	to 12/15	0.090 cfs	1.4 af
			5.240 cfs	1016.4 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWSWSE Sec 27 Twp 02S Rge 20E BINGHAM County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE					
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals	
02S	05E	26											6.3	19.1					9.4	
02S	05E	27																		
02S	05E	34	23.0	39.0	32.0	30.0										39.0	39.0	40.0	159.9	
02S	05E	35																	124.0	

Right Acre Limit: 271.8

POU Total Acres: 289.2

PLACE OF USE: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02S	02E	26																	0
02S	02E	27																	0
02S	02E	34	X	X	X	X													0
																			0

Transfer No. 81732

WATER RIGHT NO. 27-7003
As Modified by Transfer No. 81732

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of a specific 271.8 acres within the 289.2 acre place of use authorized by this right in a single irrigation season. The specific 271.8 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the Department. Before changing the 271.8 acres to be irrigated within the 289.2 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
2. Use of this right is combined with water from Blackfoot Irrigation Company.
3. This right shall not be used for irrigation purposes if any of the Blackfoot Irrigation Company shares appurtenant to the place of use are sold, transferred, leased or used on any other place of use.
4. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.
5. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
6. Prior to the diversion and use of water under Transfer approval 81732, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
7. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
9. This right does not grant any right-of-way or easement across the land of another.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Transfer No. 81732

Transfer Approval 81732

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



Legend

- Water Right POD
- Water Right POU
- Township/Range
- Sections
- QQ

0 385 770 1,540 Feet
1 inch = 864 feet



693458



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region • 900 N SKYLINE DR STE A • IDAHO FALLS, ID 83402-1718

Phone: (208)525-7161 • Fax: (208)525-7177 • Website: www.idwr.idaho.gov

C.L. "Butch" Otter
Governor

Gary Spackman
Director

April 06, 2018

TANNER LANE RANCH LLLP
PO BOX 793
BLACKFOOT ID 83221

Re: Change in Ownership for Water Right No(s): 27-7003

Dear Water Right Holder(s):

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

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) 525-7161.

Sincerely,

Jonie Barg
Technical Records Spec I

Enclosure(s)

cc: WATER DISTRICT 120
BINGHAM GROUND WATER DISTRICT
HOLDEN KIDWELL HAHN & CRAPO



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

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

RECEIVED
MAR 16 2018

Department of Water Resources
Eastern Region

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

Email: rharris@holdenlegal.com

March 13, 2018

Joni Barg
Idaho Department of Water Resources
900 North Skyline Drive, Suite A
Idaho Falls, ID 83402

**Re: Notice of Change in Water Right Ownership for Water Right
No. 27-7003.**

Dear Joni:

Enclosed for processing is a *Notice of Change in Water Right Ownership* for Water Right No. 27-7003. Also enclosed is a *Special Warranty for Water Right* that specifically identifies the conveyance of Water Right No. 27-7003 to Tanner Lane Ranch LLLP. As the water right is not to be split, we have not included a map of the current location of the water right. As you can see from the attachment to the *Special Warranty Deed for Water Right*, the water right is already associated with property the Tanner Lane Ranch LLLP owns. Therefore there is no need to file any additional documents with the Idaho Department of Water Resources, such as a transfer application. Also enclosed is the required \$25 filing fee.

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/mar
Enclosures

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