

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
DEC 25 2017
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?
35-13437	Yes ☐	Yes ☐		Yes ☐	Yes ☐
35-13439	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Walker Land & Cattle Company
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Wright Brothers Co
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 1978 Sheridan Road Salt Lake City Ut 84108
Mailing address City State ZIP
- (801) 819-4717
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: 1983
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: John H. Wright John Wright, Manager see/IDWR 12/21/2017
 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 1/22/2018 Receipt No. E043673 Receipt Amt. \$50.-

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 _____ Processed by _____ Date _____

SUPPORT DATA

IN FILE # 35-13437

Returned, unprocessed - Refund Requested 3/1/18

*****IMPORTANT*****
PLEASE READ BOTH BACK AND FRONT

SPECIAL POWER OF ATTORNEY FOR WATER RIGHTS

The undersigned hereby appoints the law firm of RACINE OLSON NYE & BUDGE, CHARTERED, 201 E. Center Street, Post Office Box 1391, Pocatello, Idaho 83204, its true and lawful attorney for the purpose of dealing with the Idaho Department of Water Resources relative to the management and transaction of water rights, and to allow them to receive all information, opinions, and records regarding water rights, and to sign and submit applications and other filings on its behalf.

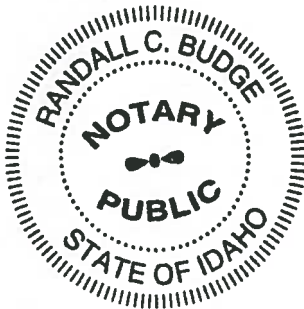
DATED this 21st day of December, 2017.

WRIGHT BROTHERS CO

By: John H. Wright
Name: John Wright
Title: Manager, Sec. / Treas.

STATE OF IDAHO)
 :SS
County of Bannock)

This record was acknowledged before me on this 21st day of December, 2017, by John Wright as Manager of Wright Brothers Co.



Randall C. Budge
NOTARY PUBLIC FOR IDAHO
Residing at: Pocatello, Idaho
Commission expires: 10/11/18

631407

631407

BONNEVILLE COUNTY
CLERK

QUIT-CLAIM DEED

STEWART A. WRIGHT and GERTRUDE H. WRIGHT, his wife, Grantors of
Salt Lake City, County of Salt Lake, State of Utah, hereby QUIT-CLAIM to
WRIGHT BROTHERS COMPANY, a corporation organized and existing under the laws of
the State of Idaho, for the sum of Ten (\$10.00) Dollars and other good and
valuable consideration, the following described tract of land in Bonneville
County, State of Idaho:

East Half of the Southeast Quarter (E $\frac{1}{2}$ SE $\frac{1}{4}$) of Section
Eight (8); West Half of Southwest Quarter (W $\frac{1}{2}$ SW $\frac{1}{4}$) of Sec-
tion Nine (9); East Half of East Half (E $\frac{1}{2}$ E $\frac{1}{2}$) of Section
Seventeen (17); Southeast Quarter (SE $\frac{1}{4}$) of Section Nineteen
(19); South Half (S $\frac{1}{2}$) of Section Twenty (20); West Half of
Northwest Quarter (W $\frac{1}{2}$ NW $\frac{1}{4}$); Northeast Quarter of Northwest
Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$) and Northwest Quarter of Northeast Quarter
(NW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section Twenty-nine (29), all in Township Three
(3) North, Range Thirty-six (36) East Boise Meridian.

Witness the hand of said Grantors this 1st day of April, A. D.,
one thousand nine hundred and fifty-four.

Signed in the presence of

Stewart A. WrightGertrude H. Wright

STATE OF UTAH)
) SS
COUNTY OF SALT LAKE)

On this 1st day of April, in the year 1954, before me
F. M. Chapman, Notary Public, personally appeared Stewart A.
Wright and Gertrude H. Wright, his wife, known to me to be the persons whose
names are subscribed to the within instrument, and acknowledged to me that they
executed 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.

INSTRUMENT NO. 631407
DATE 10-13-54
INST. CODE 35-1
FICHE NO. 174668
FEE 2
STATE OF IDAHO)
COUNTY OF BONNEVILLE) ss
I hereby certify that this within
instrument was recorded.
By Frank McGowan Deputy
Recorder

F. M. Chapman
NOTARY PUBLIC, Residing at Salt Lake
City, Utah



RACINE OLSON
ATTORNEYS

RANDALL C. BUDGE
rcb@racinelaw.net

December 22, 2017

RECEIVED

DEC 26 2017

Department of Water Resources
Eastern Region

James Cefalo
Idaho Department of Water Resources
900 North Skyline Drive, Suite A
Idaho Falls, Idaho 83402-1718

Re: Wright Brothers Co – Water Rights 35-13437 and 35-13439

Dear James:

Enclosed please find the original and two copies of a Notice of Change in Water Right Ownership we are submitting on behalf of Wright Brothers Co regarding the above referenced water rights. Ownership of the land which the rights are appurtenant are evidenced by the attached Bonneville County Tax Statement. We are in the process of securing a copy of the original deed when the property was first acquired in approximately 1964 and will supplement the filing.

Please file and process the original and conform stamp the copies and return one to me and one to Wright Brothers Co in enclosed envelopes.

Sincerely,


RANDALL C. BUDGE

RCB:ts
Enclosures
c: John Wright



RANDALL C. BUDGE
rcb@racinelaw.net

January 18, 2018

RECEIVED
JAN 22 2018

Department of Water Resources
Eastern Region

Jonie Barg
Idaho Department of Water Resources
900 N Skyline Ste A
Idaho Falls, Idaho 83402

Re: Wright Brothers Co – Water Rights 35-13437 and 35-13439

Dear Joni:

To supplement the Notice of Change of Water Right Ownership filed 12/26/2017, enclosed please find our check for filing fees in the amount of \$50.00, together with a copy of the 4/1/1954 Quitclaim Deed Instrument No. 631407 evidencing the date the Applicant/Owner Wright Brothers Company acquired ownership of the property to which the water rights are appurtenant. The Bonneville County Tax Statement attached to the Notice of Change evidences that Wright Brothers Company remains the owner of record.

If you have any questions, don't hesitate to contact me. Thank you for your assistance.

Sincerely,

A handwritten signature in blue ink that reads 'Randall C. Budge'.

RANDALL C. BUDGE

RCB:ts

Enclosures

c: John Wright
Joe Wright



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region • 900 North Skyline Drive, Suite 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

March 1, 2018

Randy Budge
Racine Olson Attorneys
201 E Center Street
PO Box 1391
Pocatello, ID 83204

RE: Ownership Change for Water Rights 35-13437 and 35-13439

Dear Randy:

I am returning the ownership changes you filed on behalf of Wright Brothers Company. I know you have already spoken with Jonie Barg in our office about this filing a couple of times. Walker Land & Cattle, LLC is the current owner of record for both of the water rights. In order to update the ownership of the water rights to Wright Brothers, we need evidence of a conveyance of the water rights from Walker Land & Cattle to Wright Brothers. Given the history of the water rights, it seems unlikely that such evidence exists.

The SRBA partial decree for water right 35-8037A (parent right of 35-13437) was issued in the name of Sometimes a Great Notion. Our records include a 2012 Quit Claim Deed where Sometimes a Great Notion conveyed water right 35-3437 to Walker Land & Cattle. The license for water right 35-8573 (parent right of 35-13439) was issued in the name of Roland Walker. Our records include a 2011 Warranty Deed conveying water right 35-13439 from the estate of Roland Walker to Walker Land & Cattle.

If Wright Brothers believes it is the current owner of water rights 35-13437 and 35-13439, but cannot produce any evidence of conveyance from the current owner of record, Wright Brothers may need to pursue a quiet title action regarding the water rights. Wright Brothers can refile the ownership change when it can provide evidence of conveyance or a court order quieting title to the water rights. I have requested a refund of the \$50 filing fee (Receipt E043673). Please contact me if you would like to discuss these water rights in greater detail.

Sincerely,

James Cefalo

Encl: Ownership Change Documents

Barg, Jonie

From: Barg, Jonie
Sent: Thursday, March 01, 2018 8:43 AM
To: Marston, Sascha
Subject: Refund Request
Attachments: E043673.pdf

Sascha,

Good morning!!

I have a refund request as follows:

Receipt number: E043673
Amount: \$50.00
Payable to: Racine Olson Nye Budge
Po Box 1391
Pocatello ID 83204

Reason: Total filing fee received \$50.00 for an ownership change application. The department does not have sufficient evidence to complete the ownership change therefore it is being returned unprocessed and a full refund is required.

Let me know if you need additional information.

Thank you so much for your time. Let me know if you have any questions.

Have a great day!!!

Jonie Barg

Jonie Barg
Technical Records Specialist
Idaho Department of Water Resources
900 N Skyline Ste A
Idaho Falls ID 83402
phone: (208) 525-7161
fax: (208) 525-7177
email: jonie.barg@idwr.idaho.gov