

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
JUN 16 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?
29-10591 04	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:

David J. Hart, James W. Hart, Robert E. Hart
Name of current water right holder/claimant

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

Robert E. Hart
New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or ☐ and/or

4848 Pleasant View Drive

Chubbuck

ID

83202-1636

Mailing address

City

State

ZIP

801-419-3645

Telephone

grandpabubhart@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:

May 13, 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):
 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:

Robert E. Hart

Signature of new owner/claimant

Title, if applicable

June 15, 2017

Date

Signature:

Signature of new owner/claimant

Title, if applicable

Date

For IDWR Office Use Only:

Received by JB

Date 6/16/2017

Receipt No. E043111

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 7/5/2017

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 17 day of May, 2017.

James W. Hart
James W. Hart

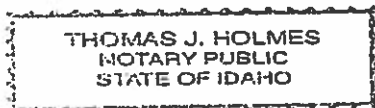
David J. Hart
David J. Hart

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.



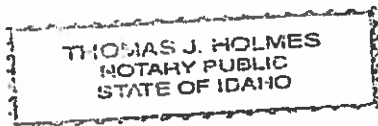
NOTARY PUBLIC FOR IDAHO
Residing at _____, Idaho
My Commission Expires _____

RESIDING AT POCATELLO, ID
MY COMMISSION EXPIRES FEB. 18, 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.



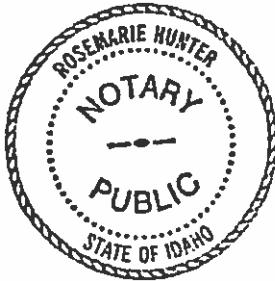
NOTARY PUBLIC FOR IDAHO
Residing at _____, Idaho
My Commission Expires _____

RESIDING AT POCATELLO, ID
MY COMMISSION EXPIRES FEB. 18, 2018

STATE OF IDAHO)
) ss
County of Bannock)

On this 15 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 Boise, 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:

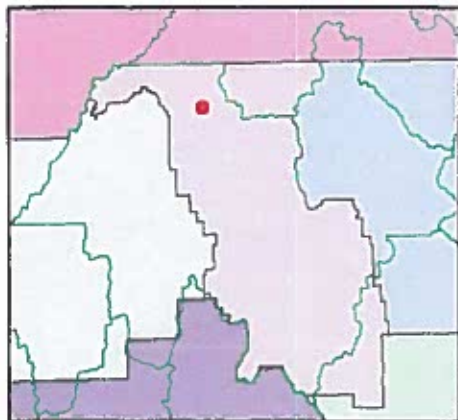
Lots 6 and 7



Idaho Department of Water Resources

Water Right
29-10591
(STOCKWATER)

-  Point of Diversion
-  Place of Use
-  State Outline
-  Townships
-  PLS Sections
-  Quarter Quarters



Bannock County
IDWR Basin 29

Prepared by Barg, Jonie

2009 Aerial Photography





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

July 7, 2017

C.L. "BUTCH" OTTER
Governor

Robert E Hart
4848 Pleasant View Dr
Chubbuck ID 83202

GARY SPACKMAN
Director

RE: Change of Ownership for Water Right No(s). 29-10591

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right(s) to you. The department has modified its records to reflect the change in ownership and has enclosed computer-generated reports for your records.

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.

Also, 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

Enclosure(s)