

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
MAY 22 2017

Notice of Change in Water Right Ownership

Department of Water Resources
Eastern Region

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?
~~29-2041~~	Yes ☒	Yes ☐	29-10588	Yes ☐	Yes ☐
~~29-2395~~	Yes ☒	Yes ☐	29-10589	Yes ☐	Yes ☐
29-4495	Yes ☐	Yes ☐	29-10590	Yes ☐	Yes ☐
29-10586	Yes ☐	Yes ☐		Yes ☐	Yes ☐
29-10587	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: David J. Hart, James W. Hart and Robert E. Hart
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): David J. Hart and James W. Hart
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- PO Box 5321 Chubbuck ID 83204
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: May 10, 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.

8. Signature: James W. Hart Title, if applicable _____ Date May 10, 17
Signature: David J. Hart Title, if applicable _____ Date May 10 - 17

For IDWR Office Use Only:

Received by JB Date 5/22/2017 Receipt No. E043038 Receipt Amt. \$ 350.00
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 6/14/2017

SUPPORT DATA

IN FILE # 29-4495

Refund \$200.00
E043038

WARRANTY DEED FOR WATER RIGHTS

WHEREAS, JAMES W. HART, a single man, whose address is 9250 Chubbuck Road, Pocatello, Idaho 83201 (hereinafter referred to as "Jim") was the owner of a Fifty percent (50.0%) interest in the following described 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") was the owner of a Twenty-Five percent (25.0%) interest in the following described real property;

WHEREAS, Jim and Woff by Warranty Deed dated September 8, 2016 and recorded on the 8th day of September, 2016 under Instrument No. 21612701, in the official records of the County Recorder of Bannock County, Idaho transferred to PORTNEUF DEVELOPMENT, LLC, an Idaho Limited Liability Company, whose address is 1754 Cottage Ave., Pocatello, Idaho 83201, (hereinafter referred to as "Portneuf" or "Grantor"), their respective interests in said real property, including all of their right, title and interest in the water rights associated with said real property, including Idaho Water Right No. 29-2395;

WHEREAS, the parties did not intend that the water rights, including Idaho Water Right No. 29-2395 be included as part of the transfer to Portneuf;

WHEREAS, ROBERTE E. HART, a married man, whose address is 4848 Pleasant View Drive, Chubbuck, Idaho 83202, (hereinafter referred to as "Robert"), is the Owner of a Twenty-Five percent (25.0%) interest as his sole and separate property in the water rights associated with said real property;

WHEREAS, Robert has not transferred his Twenty-Five percent (25.0%) interest in the water rights to Portneuf;

WARRANTY DEED FOR WATER RIGHTS

WHEREAS, Portneuf executed a Quit Claim Deed which was dated April 17, 2017, and recorded on the 18th day of April 2017, as Instrument No. 21705225, in the official records of the County Recorder of Bannock County, Idaho re-transferring to Jim and Woff their respective rights, title and interest in the water rights associated with said real property, including Idaho Water Right No. 29-2395; and

WIHEREAS, Portneuf executed a Warranty Deed for Water Rights which was recorded on the 05/16/2017 day of May, 2017, as Instrument No. 21706686:2017, in the official records of the County Recorder of Bannock County, Idaho re-transferring to Jim and Woff their respective rights, title and interest in the water rights associated with said real property, including Idaho Water Right No. 29-2395; and

WHEREAS, the Parties desire to reaffirm their respective rights in the Idaho Water Right No. 29-2395.

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: (1) grant, bargain, sell and reconvey to Jim, as his sole and separate property, all of his Fifty percent (50.0%) interest in the water rights associated with the following described real property including Idaho Water Right No. 29-2395; (2) grant, bargain, sell and reconvey to Woff, as his sole and separate property, all of his Twenty-Five percent (25.0%) interest in the water rights associated with the following described real property including Idaho Water Right No. 29-2395, ; and (3) grant, bargain, sell and reconvey to Robert, as his sole and separate property, all of his Twenty-Five percent (25.0%) interest in the water rights associated with the following described real property

including Idaho Water Right No. 29-2395, (hereinafter jointly referred to as "Water Rights").

The real property is located in Bannock County, Idaho, and is particularly described as follows:

See Exhibit "A" hereto attached

Jim, Woff and Robert covenant and warrant as follows:

1. Jim, Woff and Robert are the owners of the Water Rights;
2. Jim, Woff and Robert have not conveyed any of the Water Rights to anyone other than Jim, Woff and Robert;
3. The Water Rights are free from all liens, claims or encumbrances;
4. Jim, Woff and Robert have the authority to convey the Water Rights to Jim, Woff and Robert.

WITNESS the hand of said Grantors this 13 day of May, 2017.

James W. Hart
James W. Hart

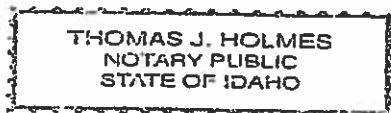
David J. Hart
David J. Hart

Robert E. Hart
Robert E. Hart

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.



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

RESIDING AT POCATELLO, ID
MY COMMISSION EXPIRES FEB. 16, 2013

STATE OF IDAHO)

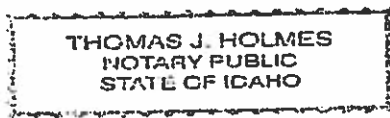
WARRANTY DEED FOR WATER RIGHTS

file\hart\deeds\warranty deed water rights.29.2395 from jim.woff.bob to jim.woff.bob.05.12.17

County of Bannock) ss
)

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.



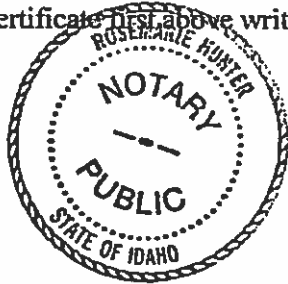
NOTARY PUBLIC FOR IDAHO
 Residing at _____, Idaho
 My Commission Expires _____

RESIDING AT POCATELLO, ID
 MY COMMISSION EXPIRES FEB. 16, 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.



Roselle Hunter
 NOTARY PUBLIC FOR IDAHO
 Residing at Pocatello, Idaho
 My Commission Expires 5-25-2018

EXHIBIT A**Parcel 1:**

That portion of the Southeast 1/4 of Section 2, Township 6 South, Range 34 East, Bannock County, Idaho, lying West of the tract deeded to the State of Idaho for Interstate Highway right-of-way in Instrument No. 332196, records of Bannock County, Idaho, which is more particularly described as follows:

A Parcel of Land, situated in the SE1/4 of Section 2, Township 6 South, Range 34 East, Boise Meridian, Bannock County, Idaho, more particularly described as follows:

Beginning at the South 1/4 corner of Section 2 monumented with an Aluminum Cap in Monument Box Inst. No. 20915791, from which the SE corner of said Section 2 bears S 89° 44' 11" E 2626.83 feet, and running thence N 00° 53' 24" W 2658.63 feet along the North-South Center Section Line and the Easterly lines of Bunce Subdivision (Inst. No. 536925), Bunce Subdivision Phase II (Inst. No. 553394), and Bunce Subdivision Phase III (Inst. No. 575376) to the Center 1/4 corner monumented with an Aluminum Cap stamped RMES PELS 2341, (Inst. No. 20900258); thence S 89° 45' 55" E 1398.12 feet along the East-West Center Section Line to an Aluminum Cap stamped LS 2341 RMES that is on the Westerly Right-of Way line of Interstate 15 (Federal Aid Projects Nos. I-152(1)71 and I-152(3)71); thence S 05° 34' 22" W 2568.86 feet along Westerly Interstate 15 Right-of Way to a Right-of-Way Marker; thence S 84° 14' 46" W 716.72 feet along Interstate 15 Right-of Way to a 1/2" iron rod PLS 10786; thence S 00° 15' 22" W 25.82 feet to a point on the South line of said Section 2; thence N 89° 44' 11" W 394.14 feet along said South Line to the Point of Beginning.

Parcel 2:

That portion of the Southeast 1/4 of Section 2, Township 6 South, Range 34 East, Bannock County, Idaho, lying East of the tract deeded to the State of Idaho for Interstate Highway right-of-way in Instrument No. 331245, 371994 and 332196, records of Bannock County, Idaho, which is more particularly described as follows:

A Parcel of Land, situated in the SE1/4 of Section 2, Township 6 South, Range 34 East, Boise Meridian, Bannock County, Idaho, more particularly described as follows:

Beginning the SE corner of Section 2 monumented with an Aluminum Cap in Monument Box Inst. No. 20915791, from which the SE1/4 corner bears N 89° 44' 11" W 2626.83 feet, and running thence N 89° 44' 11" W 552.27 feet along the South Section Line of said section 2 to the Easterly Right-of Way of Interstate 15 (Federal Aid Projects Nos. I-152(1)71 and I-152(3)71); thence N 00° 15' 22" E 25.82 feet along said Right-of-way to a 1/2" iron rod PLS 10786; thence N 79° 51' 06" W 128.34 feet along said Easterly Right-of Way to a Right-of-Way monument; thence N 54° 36' 02" W 361.86 feet along said Easterly Right-of Way to a Right-of-Way monument; thence N 05° 12' 23" W 954.91 feet along said Easterly Right-of Way to a Right-of-Way monument; thence N 05° 34' 22" E 1458.55 feet along said Easterly Right-of-Way to a point on the East-West Center Section Line monumented with a 1/2" iron rod PLS 10786; thence S 89° 45' 55" E 887.05 feet along said centerline to the East 1/4 corner monumented with a 1 inch Iron Rod Inst. No. 20520359; thence S 00° 40' 37" E 2659.76 feet along the East line of said Section 2 to the Point of Beginning.

Parcel 3:

The S1/2SW1/4 of Section 1, Township 6 South, Range 34 East, Boise Meridian, Bannock County, Idaho and the N1/2SW1/4 of Section 1, Township 6 South, Range 34 East, Boise Meridian, Bannock County, Idaho, which is more particularly described as follows:

All of the SW1/4 of Section 1, Township 6 South, Range 34 East, Boise Meridian, Bannock County, Idaho, more particularly described as follows:

Beginning at the SW corner of Section 1 monumented with an Aluminum Cap in Monument Box Inst. No. 20915791, from which the S1/4 corner of said Section 1 bears N 89° 53' 17" E 2608.74 feet, and running thence N 00° 40' 37" W 2659.76 feet along the West line of said Section 1 to the W1/4 corner monumented with a 1 inch Iron Rod Inst. No. 20520359; thence S 89° 54' 37" E 2629.32 feet along the East-West Center Section Line to the C1/4 corner monumented with a 5/8" iron rod and Aluminum Cap Stamped LS10786; thence S 00° 14' 03" E 2650.37 feet along the North-South Center Section Line to the South 1/4 corner of said Section 1 monumented with a Brass Cap in Monument Box CP&F Inst. No. 800761; thence S 89° 53' 17" W 2608.74 feet along the South line of said Section 1 to the Point of Beginning.

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 Jim and Woff become the sole owners of the entire interest in the following described real property and that Jim, Woff and Robert retain their respective rights, titles and interests in 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 their respective interests (i.e. 50.0%, 25.0%, 25.0%) in the following described real property, to Jim and to Woff, as their sole and separate property, comprised of two (2) parcels of real property 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 Jim shall be the sole owner of two-thirds (2/3's) of the said real property and Woff shall be the sole owner of one-third (1/3) of the said real property.

It is understood and agreed that with regard to Idaho Water Right No. 29-2041, Jim shall be the sole owner of fifty percent (50.0%) of all of the water rights associated with the real property, including the following described Idaho Water Right, Woff shall be the sole owner of twenty-five percent (25.0%) of all of the water rights associated with the real property, including the following described Idaho Water Right, and Robert shall be the sole owner of twenty-five percent (25.0%) of all of the water rights associated with the real property, including the following described Idaho Water Right:

Number	Purpose	Source	Location
29-2041	Irrigation and Stock Water	Little Pocatello Creek	Sec. 5, Tshp 6S, R 35 EBM

It is understood and agreed that with regard to Idaho Water Right No. 29-10588, Jim shall be the sole owner of two-thirds (2/3's) of all of the water rights associated with the real property, including the following described Idaho Water Right, Woff shall be the sole owner of one-third (1/3) of all of the water rights associated with the real property, including the following described Idaho Water Right:

Number	Purpose	Source	Location
29-10588	Stock Water	Spring	Sec. 6, Tshp 6S, R 35 EBM

To have and to hold the said premises with their appurtenances unto the said Grantees, their heirs, successors and assigns forever. The said Grantors do hereby covenant to and with said Grantees 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 13 day of May, 2017.

James Hart
James W. Hart

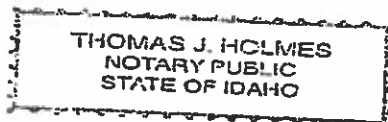
David J. Hart
David J. Hart

Robert E. Hart
Robert E. Hart

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.



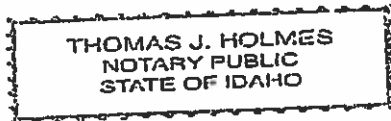
[Signature]
NOTARY PUBLIC FOR IDAHO
Residing at _____, Idaho
My Commission Expires _____

RESIDING AT POCATELLO, ID
MY COMMISSION EXPIRES FEB. 16, 2018
-3-

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.



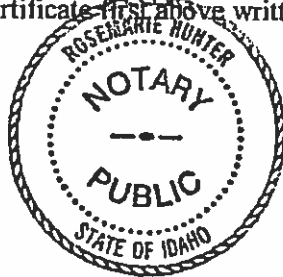
[Signature]
 NOTARY PUBLIC FOR IDAHO
 Residing at _____, Idaho
 My Commission Expires _____

RESIDING AT POCATELLO, ID
 MY COMMISSION EXPIRES FEB. 16, 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.



[Signature]
 NOTARY PUBLIC FOR IDAHO
 Residing at Pocatello, Idaho
 My Commission Expires 5.25.2018

EXHIBIT A

PARCEL 1:

Section 6, Township 6 South, Range 35 East, Boise Meridian, Bannock County, Idaho:
SE $\frac{1}{4}$ SW $\frac{1}{4}$; S $\frac{1}{2}$ SE $\frac{1}{4}$

PARCEL 2:

Section 5, Township 6 South, Range 35 East, Boise Meridian, Bannock County, Idaho:
SW $\frac{1}{4}$ SW $\frac{1}{4}$;

Pioneer Title Pocatello

21706690

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 Jim and Woff become the sole owners 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 Jim and to Woff their respective interests (i.e. 50.0%, 25.0%, 25.0%) in the following described real property, to Jim and to Woff, as their sole and separate property, comprised of fifteen (15) separate parcels located in Bannock County, Idaho, to wit:

See Exhibit "A" hereto attached

WARRANTY DEED

EXHIBIT A

PARCEL 1:

E $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 21, Township 5 South, Range 34 East, Boise Meridian, Bannock County, Idaho.

PARCEL 2:

NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 15, Township 5 South, Range 34 East, Boise Meridian, Bannock County, Idaho.

PARCEL 3:

W $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 22, Township 5 South, Range 34 East, Boise Meridian, Bannock County, Idaho.

PARCEL 4:

E $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 22, Township 5 South, Range 34 East, Boise Meridian, Bannock County, Idaho, less that property deeded to the State of Idaho by Instrument No. 131-331247.

PARCEL 5:

That portion of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ and the W $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ in Section 22, Township 5 South, Range 34 East, Boise Meridian, Bannock County, Idaho, lying East of the tract of land deeded to the State of Idaho by Instrument No. 131-331247, records of Bannock County, Idaho and lying West of the Yellowstone Park Highway, and lying South and West of the property deeded to the LDS Church by Instrument No. 252-498806, records of Bannock County, Idaho.

PARCEL 6:

W $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 22, Township 5 South, Range 34 East, Boise Meridian, Bannock County, Idaho.

PARCEL 7:

N $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 11, Township 6 South, Range 34 East, Boise Meridian, Bannock County, Idaho, less that tract deeded to the State of Idaho for Interstate Highway right-of-way in Instrument No. 162-371995, records of Bannock County, Idaho.

PARCEL 8a:

Section 6, Township 6 South, Range 35 East, Boise Meridian, Bannock County, Idaho:
Lots 1, 2 and 3; S $\frac{1}{2}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$; NE $\frac{1}{4}$ SW $\frac{1}{4}$; NW $\frac{1}{4}$ SE $\frac{1}{4}$

PARCEL 8b:

Section 6, Township 6 South, Range 35 East, Boise Meridian, Bannock County, Idaho:
NE $\frac{1}{4}$ SE $\frac{1}{4}$

PARCEL 9a:

Section 5, Township 6 South, Range 35 East, Boise Meridian, Bannock County, Idaho:
SW $\frac{1}{4}$ NW $\frac{1}{4}$; Lots 2, 3 and 4

PARCEL 9b:

Section 5, Township 6 South, Range 35 East, Boise Meridian, Bannock County, Idaho:
SE $\frac{1}{4}$ NW $\frac{1}{4}$; N $\frac{1}{2}$ SW $\frac{1}{4}$

PARCEL 10a:

Section 31, Township 5 South, Range 35 East, Boise Meridian, Bannock County, Idaho:
SE $\frac{1}{4}$ SE $\frac{1}{4}$; W $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$; NE $\frac{1}{4}$ NE $\frac{1}{4}$; NE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$

PARCEL 10b:

Section 32, Township 5 South, Range 35 East, Boise Meridian, Bannock County, Idaho:
NW $\frac{1}{4}$ NW $\frac{1}{4}$; S $\frac{1}{2}$ NW $\frac{1}{4}$; S $\frac{1}{2}$ SW $\frac{1}{4}$; SW $\frac{1}{4}$ SE $\frac{1}{4}$

PARCEL 11:

Section 33, Township 5 South, Range 35 East, Boise Meridian, Bannock County, Idaho:
S $\frac{1}{2}$ NE $\frac{1}{4}$; N $\frac{1}{2}$ SE $\frac{1}{4}$

PARCEL 12:

Section 35, Township 5 South, Range 35 East, Boise Meridian, Bannock County, Idaho:
N $\frac{1}{2}$ SE $\frac{1}{4}$



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

June 22, 2017

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

David Hart
James Hart
PO Box 5321
Chubbuck ID 83204

RE: Change of Ownership for Water Right No(s). 29-4495, 29-10586, 29-10587, 29-10588, 29-10589 & 29-10590

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.

Water Right numbers 29-2041 and 29-2395 were also listed on the ownership change application. The ownership change for these two water rights were not complete because they are still owned in part by David, James and Robert Hart. Because the ownership change was not complete you will be entitled to a \$200.00 refund.

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)

cc: Jones Chartered

Barg, Jonie

From: Barg, Jonie
Sent: Wednesday, June 21, 2017 8:51 AM
To: Carlos, Rhea
Subject: Refund Request
Attachments: E043038.pdf

Rhea,

Good morning!!

I have a refund request as follows:

Receipt number: E043038
Amount: \$200.00
Payable to: Jones Charred
203 S Garfield
PO Box 967
Pocatello ID 83204

Reason: Total filing fee received \$350.00 for an ownership change. Two of the water rights will not require an ownership change at this time. The application was for a split therefore the applicant is entitled to a partial refund of \$200.00.

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

LAW OFFICES
JONES, CHARTERED
203 SOUTH GARFIELD
P.O. BOX 967
POCATELLO, IDAHO 83204-0967

JACK H. ROBISON
THOMAS J. HOLMES

LAMONT JONES (1929-2013)

RECEIVED
MAY 22 2017
Department of Water Resources
Eastern Region

TELEPHONE: (208) 232-5911
FAX: (208) 232-5962
E-MAIL: tholmesid@gmail.com
MR. HOLMES' TELEPHONE EXTENSION: 103

May 17, 2017

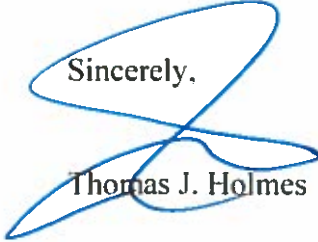
State of Idaho
Idaho Department of Water Resources
Eastern Region
900 North Skyline Drive Suite A
Idaho Falls, ID 83402-1718

Enclosed please find Notice of Change of Water Right Ownership Form along with our check for \$350 and copies of three recorded deeds.

The Water Right 29-2041 is now owned 50% by James W. Hart and 25% by David J. Hart. Water Right 29-2395 is likewise owned 50% by James W. Hart and 25% by David J. Hart. The enclosed Deeds evidence the ownership split as to Jim and David only; Robert Hart will be sending his change of ownership form under separate cover. The remainder of the water rights beginning with 29-4495 through 29-10590 are owned two-thirds by James W. Hart and one-third by David J. Hart.

Please process this form and forward confirmation of its filing back to me. If you have any questions, please call.

Sincerely,


Thomas J. Holmes

TJH/pw
hart05172017.ltrstate.wpd

Enclosure

cc: Jim Hart
Dave Hart