

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAR 01 2017

DEPARTMENT OF
WATER RESOURCES

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?
27-07362	Yes ☒	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
27-7362 + 27-12285	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Todd, Tiare Clement
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Bret W. Davis, Annette Van Orden
New owner(s) as listed on the conveyance document

Mailing address: 298 east 100 north City: Blackfoot State: ID ZIP: 83221
Telephone: (208) 681-1602 Email: BretandAnnette1@msn.com

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: 8-29-2002

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: Bret W. Davis Title, if applicable: _____ Date: 2/19/2017

Signature: Annette Van Orden Title, if applicable: _____ Date: 2/19/2017

For IDWR Office Use Only:

Received by: VC Date: 3-1-17 Receipt No. 0103099 Receipt Amt. \$100

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: [Signature] Date: 6-8-17

516486

WARRANTY DEED

Order No.:3020003229-L

BINGHAM COUNTY RECORDER
BLACKFOOT, IDAHO

FEE On DEPE

2002 AUG 30 PM 2:17

FOR VALUE RECEIVED

RECORDED AT THE REQUEST OF

Todd M. Clement and Tiare M. Clement, Husband and Wife

ALLIANCE TITLE & TRUST CO.
RECEIVED

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

W.
Bret Davis, An Unmarried Man and Annette Van Orden, An Unmarried Woman

JUN 08 2017

whose current address is

DEPARTMENT OF
WATER RESOURCES

298 E. 100 N. Blackfoot, Idaho 83221

the grantee(s), the following described premises, in Bingham County, Idaho, TO WIT:

Part of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 28, Township 2 South, Range 36 East, Boise Meridian, Bingham County, Idaho, described as follows:

Beginning at the SE corner of said Section 28; and running thence North 89°34'13" West 420.98 feet along the Section line to an existing fence line extended; thence along said existing fence line the following two courses: (1) North 00°20'12" East 91.91 feet; thence (2) North 52°47'29" East 165.97 feet; thence North 00°21'40" East 796.74 feet; thence South 89°34'13" East 289.47 feet to the East line of said Section 28; thence South 00°21'40" West 990.00 feet along said East line to the Point of Beginning.

EXCEPT: County Road along the South.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: 29 2002
8/30/2002

Todd M. Clement
Todd M. Clement

Tiare M. Clement by Todd M. Clement
Tiare M. Clement
Her Atty in Fact

State of Idaho }

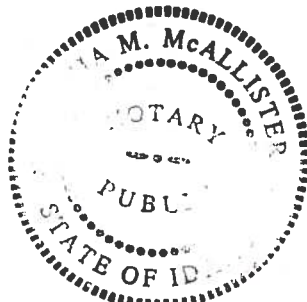
}
} ss.
}

County of Bingham }

On this 8/29/02, before me, a Notary Public in and for said state, personally appeared Todd M. Clement and Tiare M. Clement

known or identified to me to be the person(s) whose name(s) subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day and year first above written.



My Commission Expires 04/04/2003

Jessia M. McAllister
Notary Public for the State of Idaho

Residing at: Blackfoot, ID

Commission Expires: 4/4/03

CHARLES & CAROL DANSIE

QCD 1-5-95 431677

WD 1-5-95 431678-9

SWD 1-27-95 432125

WHILE THIS IS A REPRESENTATION
OF THE PROPERTY DESCRIBED HEREIN,
THIS COMPANY ASSUMES NO LIABILITY
FOR VARIATIONS, IF ANY, WITH A SURVEY.

NORTH 5280.00

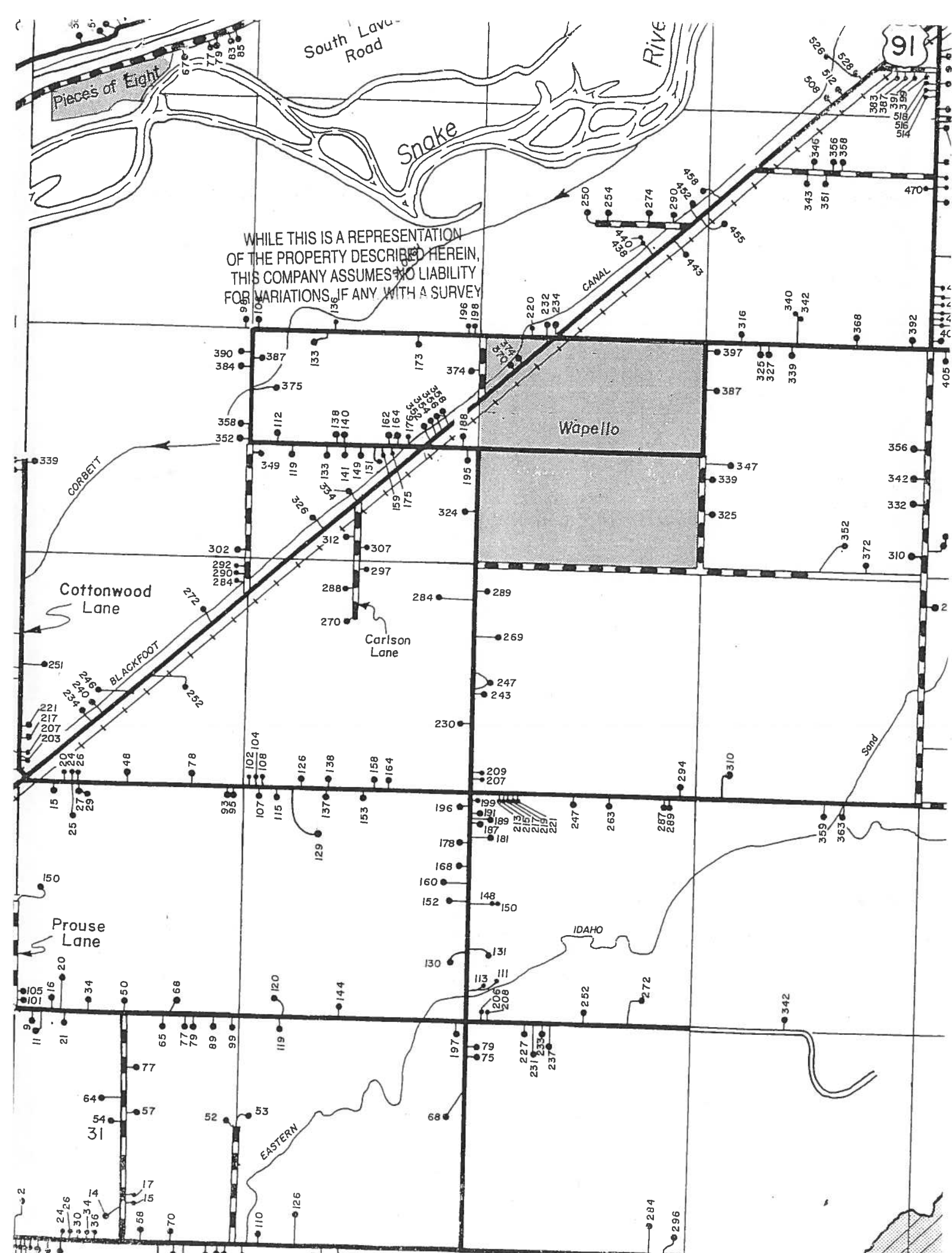
T-12233

DEANN C BRADFORD FAM TRUST
DEED 1-15-99 473413

T-13198

T-13199

5288.58



OWNER'S POLICY

SCHEDULE A

Order Number	Policy Number	Date of Policy	Amount of Insurance	Premium Amount
3020003229-L	13 0041 106 00002057	August 30, 2002 At 2:17PM	\$133,500.00	\$707.00

1. Name of Insured:

Bret W. Davis and Annette Van Orden

2. The estate or interest in the land which is covered by this policy is:

Fee Simple

3. Title to the estate or interest in the land is vested in:

Bret W. Davis, An Unmarried Man, Annette Van Orden, An Unmarried Woman

4. The land referred to in this policy is described as follows:

Part of the SE¼SE¼ of Section 28, Township 2 South, Range 36 East, Boise Meridian, Bingham County, Idaho, described as follows:

Beginning at the SE corner of said Section 28; and running thence North 89°34'13" West 420.98 feet along the Section line to an existing fence line extended; thence along said existing fence line the following two courses: (1) North 00°20'12" East 91.91 feet; thence (2) North 52°47'29" East 165.97 feet; thence North 00°21'40" East 796.74 feet; thence South 89°34'13" East 289.47 feet to the East line of said Section 28; thence South 00°21'40" West 990.00 feet along said East line to the Point of Beginning.

EXCEPT: County Road along the South.

END OF SCHEDULE A

OWNER'S POLICY

Order No: 3020003229-L

Policy No: 13 041 106 00002057

SCHEDULE B PART I

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

General Exceptions:

1. Rights or claims of parties in possession not shown by the public records.
2. Encroachments, overlaps, boundary line disputes, and any other matters which would be disclosed by an accurate survey or inspection of the premises including, but not limited to, insufficient or impaired access or matters contradictory to any survey plat shown by the public records.
3. Easements, or claims of easement, not shown by the public records.
4. Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the public records.
6. Taxes or special assessments which are not shown as existing liens by the public records of any taxing authority that levies taxes or assessments on real property or by the public records. Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.

SCHEDULE B PART II

Special Exceptions:

1. Taxes, including any assessments collected therewith, for the year 2002, which are a lien not yet payable.
2. Reservations and exceptions in the United States Patent, and in the act authorizing the issuance thereof.
3. Right, title and interest of the Public in and to those portions of above described property falling within the bounds of roads and highways.
4. An easement for the purpose shown below and rights incidental thereto as set forth in a document.
Granted to: Idaho Power Company.
Purpose: Power line.
Recorded: May 14, 1946.
Instrument/File No. 52128.

5. An easement for the purpose shown below and rights incidental thereto as set forth in a document.
Granted to: Idaho Power Company.
Purpose: Power line.
Recorded: March 12, 1984.
Instrument/File No. 317770.
6. The provisions contained in Well Agreement.
Recorded: June 15, 2000.
Instrument No.: 491043 of Official Records.
7. A Deed of Trust to secure an indebtedness in the amount shown below:
Amount: \$120,150.00.
Dated: August 27, 2002
Trustor/Grantor: Bret W. Davis, An Unmarried Man, Annette Van Orden, An Unmarried Woman.
Trustee: Alliance Title & Escrow Corp..
Beneficiary: First Horizon Home Loan Corporation
Recorded: August 30, 2002.
Instrument No.: 516487 of Official Records.

END OF SCHEDULE B

Countersigned:


Authorized Signature

Bingham Ground Water District
2016 Reduction Plan Report and Assessment Calculation

Patron Name and Number: DAVIS, ANNETTE & , BRETT W - 828

Plan # / Plan Submitted By: 2016-026 / Brett Davis -

Plan Note:

Plan #	Plan Type	WMIS# / Pump# / Ave. Ac-Ft	Plan Non-Overlap WR Acres	(2) Existing Irrigated Acres	(3) Total Plan 2nd Assess Acres	Plan Dry-Up Acres	Plan 5-yr Pumping Average (ac-ft)	Plan Pumping Target (ac-ft)
2016-026	Small Acreage Plan	(500652 / 02S 36E 28 04 /)	14.0	10.0	10.0	0.0		

Water Right #	Patron #	Priority Date	(5) Tier	WR Non-Overlap Area	÷	Plan Non-Overlap WR Acres	=	% of Plan Non-Overlap WR Acres	X	Total Plan 2nd Assess Acres	=	2nd Assess Acres	X	Tier \$/Acre	=	(4) WR Plan Assessment
27-7362	828	6/9/1983	3S	14.0	÷	14.0	=	100.00%	x	10.0	=	10.0	x	\$10.00	=	\$100.00

Total Plan 2016-026 Assessment: \$100.00
Patron 828 Plan Assessment \$100.00

(1) An "e" after 5-year use indicates the value is estimated and will need to be confirmed during 2016 by Bingham GWD hydrographers

(2) Irrigated acres are based on amounts shown on plan

(3) 2nd Assess Acres for 5% Plan Dry Up Plan = 95% of Irrigated Acres

2nd Assess Acres for Default Plan = 100% of Non-Overlap Water Right Acres

2nd Assess Acres for all other Plans = 100% of Irrigated Acres

(4) To calculate 2nd Assessment for each Water Right, follow calculation symbols between columns to the right of the bold line

(5) See the Tier Rate table below for Tier Descriptions and Prices

Tier	5% Plan Pumping Reduction (BP)	5% Plan Dry Up Reduction (BD)	Canal Shares (C)	12.6% Plan Pumping Reduction (SP)	12.6% Plan Dry Up Reduction (SD)	Small Plan (S)	Default Plan (D)	No Plan Required (N)
Tier 1 - 1864 to 1955	\$2.77	\$2.77	\$0.56	\$0.00	\$0.00	\$10.00	\$14.00	\$0.00
Tier 2 - 1956 to 1972	\$5.54	\$5.54	\$1.11	\$0.00	\$0.00	\$10.00	\$28.00	\$0.00
Tier 3 - 1973 to Present	\$8.31	\$8.31	\$1.67	\$0.00	\$0.00	\$10.00	\$42.00	\$0.00

Bingham Ground Water District
Spring 2016 District Mitigation Assessment Calculation

Patron Name: DAVIS, ANNETTE & , BRETT W

Patron Number: 828

Water Right #	Patron #	Priority Date	WR Non- Overlap Area (Acres)	X	District Assessment Cost \$/WR Acre	=	WR District Assessment
27-7362	828	6/9/1983	14		\$4.97		\$69.51

Patron Total District Mitigation Assessment: \$69.51



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

June 8, 2017

BRET W DAVIS
ANNETTE VAN ORDEN
298 E 100 N
BLACKFOOT ID 83221

Re: Change in Water Right Ownership: 27-7362 (Split into 27-7362 and 27-12285)

Dear Water Right Holder(s):

The Department acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records based on the information received to reflect the change in ownership and has enclosed a computer-generated report for your records.

Your portion of these water rights has a specified point of diversion, nature of use and place of use. If you plan on changing the nature of use, place of use, or point of diversion under this right, including adding a new point of diversion, then an Application for Transfer on your portion of this right is required. Please contact this office for further information on the Application for Transfer form or you can find the forms at www.idwr.idaho.gov. 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 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 feel free to contact me at 208-287-4942 if you have any questions concerning the enclosed information or this letter.

Sincerely,

Jean Hersley
Technical Records Specialist II

Enclosure

c: Water District No. 120



State of Idaho

DEPARTMENT OF WATER RESOURCES

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Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

June 8, 2017

DUSTIN POWELL
PO BOX 1032
BLACKFOOT ID 83221

Re: Change in Water Right Ownership: 27-7362 (Split into 27-7362 and 27-12285)

Dear Water Right Holder(s):

We have received and processed a Change of Ownership for a portion of your original Water Right as referenced above. This change of ownership resulted in a split of your original water right.

When a portion of the original water right has been conveyed to another and the original right has been split, a new water right number is issued to the new owner representing their portion of the original water right. Each water right contains only the portion of the original right for each separate owner. The original water right number reflects your remaining portion of the water right, after the change of ownership. Enclosed is a copy of this water right for your records. Please refer to your water right number when corresponding with our office.

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 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.

If you have any questions concerning this ownership change, or the enclosed information, please contact me at 208-287-4942.

Sincerely,

Jean Hersley
Technical Records Specialist II

Enclosure

c: Water District No. 120



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

May 26, 2017

2ND NOTICE

BRET W DAVIS
ANNETTE VAN ORDEN
298 E 100 N
BLACKFOOT ID 83221

RE: Notice of Change in Water Right Ownership: 27-7362

Dear Interested Party(s):

The Department of Water Resources received a request for a Notice of Change in Water Right Ownership from you on March 1, 2017. Correspondence was sent on April 4, 2017, requesting the following information:

- Warranty deed or quitclaim deed with legal description of the property included.

As of the date of this letter, the Department has not received any additional information.

Because the Department cannot process the ownership change without proper documents, we will hold any action on your notice pending receipt of the necessary documents. If we do not receive the necessary documents within 10 days we will return your notice and all attachments and your notice will not be processed.

Please contact me at (208) 287-4942 if you have any questions regarding this matter.

Sincerely,

A handwritten signature in cursive script that reads "Jean Hersley".

Jean Hersley
Technical Records Specialist II

Hersley, Jean

From: Hersley, Jean
Sent: Wednesday, May 24, 2017 9:37 AM
To: 'peckhardt@co.bingham.id.us'
Subject: Parcel RP043884

I'm updating the owner of a water right and need a warrant deed that conveys the above parcel to Bret W. Davis and Annette Van Orden. Is it possible to get a copy of that? Please email the document by responding to this message or fax to (208) 287-6700, attn: Jean. Thank you.

*Jean Hersley
Idaho Dept Water Resources
Technical Records Specialist II
208-287-4942*

Hersley, Jean

From: Hersley, Jean
Sent: Tuesday, April 04, 2017 12:31 PM
To: 'bretandannette1@msn.com'
Subject: Ownership change for water right 27-7362

The Department of Water Resources acknowledges receipt of your request to update the ownership of water right 27-7362. After reviewing your request, it was determined that additional information is needed to complete your request. The information needed is a warranty deed or quitclaim deed with legal description of the property included. Because the Department cannot process the ownership change without proper documentation, we will hold any action on your notice pending receipt of the necessary information. If we do not receive the necessary information within 30 days we will return your request unprocessed. Please provide the documents by responding to this email or fax to (208) 287-6700, Attn: Jean, or mail to: IDWR, PO Box 83720, Boise, Idaho, 83720-0098. If you have any questions, please contact me at the number below.

*Jean Hersley
Idaho Dept Water Resources
Technical Records Specialist II
208-287-4942*