

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

DEC 02 2016

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?
25-14420 <i>OK</i>	Yes ☐	Yes ☐	25-14430 <i>OK</i>	Yes ☐	Yes ☐
25-14421 <i>OK</i>	Yes ☐	Yes ☐	25-14423 <i>OK</i>	Yes ☐	Yes ☐
25-14422 <i>OK</i>	Yes ☐	Yes ☐	<i>And Cobblestone</i>	Yes ☐	Yes ☐
~~21-13121~~ <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
25-14429 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Idaho Water Company LLC
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Shane Machen and Esther Machen
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or ☐ and/or
- P.O. Box 605 Ririe ID 83443
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: 2/26/15; 2/19/16; and 11/4/2016
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.

SUPPORT DATA

IN FILE # 25-14420

8. Signature: *Robert L. Machen* *Attorney* *Dec. 2, 2016*
 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 *12/5/2016* Receipt No. *ED42636* Receipt Amt. *\$150.-*
 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 *1/20/2017*

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 # 1538564

IDAHO FALLS, BONNEVILLE, IDAHO

11-4-2016 08:45:08 AM No. of Pages: 6

Recorded for : HOLDEN KIDWELL

PENNY MANNING

Fee: 25.00

Ex-Officio Recorder Deputy

Index to: DEED, WARRANTY

(Space Above for Recorder's Use)

SPECIAL WARRANTY DEED FOR WATER RIGHTS

Idaho Water Company LLC, an Idaho limited liability company whose address is 1135 Valley Road South, Eden, Idaho 83325, ("Grantor") does hereby grant, bargain, sell, assign, and convey unto **Shane Machen and Esther Machen**, husband and wife, whose address is P.O. Box 605, Ririe, ID 83443 ("Grantee") and to Grantee's heirs and assigns forever, all of Grantor's right title and interest in the Water Rights or portions thereof described in Exhibit A hereto (collectively the "Water Rights").

Grantor hereby covenants and warrants to Grantee as follows:

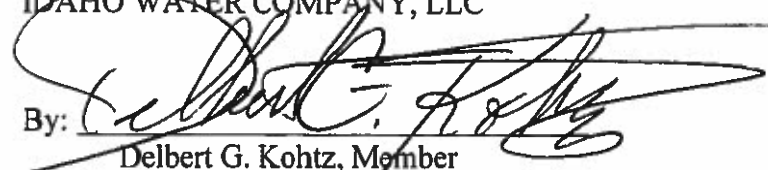
- (A) Grantor is the owner of the Water Rights;
- (B) Grantor has not conveyed any of the Water Rights to anyone other than Grantee;
- (C) The Water Rights are free from all liens, claims, or encumbrances; and
- (D) Grantor has the authority to convey the Water Rights to Grantee.

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

IN WITNESS WHEREOF, the undersigned authorized officer of Grantor, acting on behalf of Grantor, has caused his name to be hereunto subscribed.

DATED this 27th day of October, 2016.

IDAHO WATER COMPANY, LLC

By: 

Delbert G. Kohtz, Member

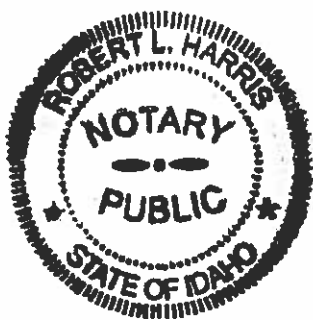
STATE OF IDAHO)

) ss.

County of BONNEVILLE)

On this 27th day of October, 2016, before me, a Notary Public for said County and State, personally appeared DELBERT G. KOHTZ, known or identified to me, to be one of the members of the limited liability company of IDAHO WATER COMPANY, LLC, and the member or one of the members who subscribed said limited liability company name to the foregoing instrument, and acknowledged to me that he executed the same in said limited liability company name.

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



Robert L. Harris
NOTARY PUBLIC FOR IDAHO
Residing at: Ammon, Idaho
My commission expires: 11/18/2016

EXHIBIT A

Page 4 of 9

WATER RIGHT NO. 25-14429

As Modified by Transfer No. 80667

In accordance with the approval of Transfer No. 80667, Water Right No. 25-14429 is now described as follows:

Right Holder: IDAHO WATER CO LLC
1135 VALLEY RD S
EDEN, ID 83325

Priority Date: 1/27/1976

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 10/31	0.030 cfs	6.5 af
			0.030 cfs	6.5 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NESW Sec 17 Twp 03N Rge 40E BONNEVILLE County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	40E	17									2.6								2.6
Right Acre Limit:			1.8																
POU Total Acres:			2.6																

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 1.8 acres within the authorized place of use in a single irrigation season.
2. Rights 25-14429 and 25-14430 when combined shall not exceed a total diversion rate of 0.03 cfs, and the irrigation of 2.6 acres.
3. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
5. This right does not grant any right-of-way or easement across the land of another.
6. Right No. 25-14430 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.

Transfer No. 80667

WATER RIGHT NO. 25-14429
As Modified by Transfer No. 80667

CONDITIONS OF APPROVAL

7. The diversion and use of water described in Transfer 80667 may be subject to additional conditions and limitations agreed to by the protestant and the right holder under a separate agreement to which the Department is not a party. Because the Department is not a party, the Department is not responsible for enforcement of any aspect of the agreement not specifically addressed in other conditions herein. Enforcement of those portions of the agreement not specifically addressed in other conditions shall be the responsibility of the protestant and the water right holder.
8. Prior to diversion and use of water described in Transfer 80667 the right holder or its successor-in-interest shall join the Bonneville Jefferson Ground Water District through a petition for annexation or by contract, with such annexation or contract approved or executed with one (1) year of the date of this transfer approval.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Transfer No. 80667

WATER RIGHT NO. 25-14430
As Modified by Transfer No. 80667

In accordance with the approval of Transfer No. 80667, Water Right No. 25-14430 is now described as follows:

Right Holder: IDAHO WATER CO LLC
 1135 VALLEY RD S
 EDEN, ID 83325

Priority Date: 10/31/1986

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 10/31	0.010 cfs	2.6 af
			0.010 cfs	2.6 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NESW Sec 17 Twp 03N Rge 40E BONNEVILLE 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
03N	40E	17									2.6								2.6

Right Acre Limit: 0.8
 POU Total Acres: 2.6

CONDITIONS OF APPROVAL

1. This right is for an enlargement of 0.8 acres within the place of use described for this right.
2. Rights 25-14429 and 25-14430 when combined shall not exceed a total diversion rate of 0.03 cfs, and the irrigation of 2.6 acres.
3. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
4. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
5. This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.

Transfer No. 80667

WATER RIGHT NO. 25-14430
As Modified by Transfer No. 80667

CONDITIONS OF APPROVAL

6. This right is based upon an enlargement of Right No. 25-14429 pursuant to Section 42-1426, Idaho Code.
7. This right does not grant any right-of-way or easement across the land of another.
8. The diversion and use of water described in Transfer 80667 may be subject to additional conditions and limitations agreed to by the protestant and the right holder under a separate agreement to which the Department is not a party. Because the Department is not a party, the Department is not responsible for enforcement of any aspect of the agreement not specifically addressed in other conditions herein. Enforcement of those portions of the agreement not specifically addressed in other conditions shall be the responsibility of the protestant and the water right holder.
9. Prior to diversion and use of water described in Transfer 80667 the right holder or its successor-in-interest shall join the Bonneville Jefferson Ground Water District through a petition for annexation or by contract, with such annexation or contract approved or executed with one (1) year of the date of this transfer approval.
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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Transfer No. 80667

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 # 1491832

IDAHO FALLS, BONNEVILLE, IDAHO

2-26-2015 04:15:58 PM No. of Pages: 6

Recorded for : HOLDEN KIDWELL

RONALD LONGMORE

Fee: 25.00

Ex-Officio Recorder Deputy

Index to: DEED, WARRANTY

53

(Space Above for Recorder's Use)

SPECIAL WARRANTY DEED FOR WATER RIGHTS

Idaho Water Company LLC, an Idaho limited liability company whose address is 1135 Valley Road South, Eden, Idaho 83325, ("Grantor") does hereby grant, bargain, sell, assign, and convey unto **Shane Machen and Esther Machen**, husband and wife, whose address is P.O. Box 605, Ririe, ID 83443 ("Grantee") and to Grantee's heirs and assigns forever, all of Grantor's right title and interest in the Water Rights or portions thereof described in Exhibit A hereto (collectively the "Water Rights").

Grantor hereby covenants and warrants to Grantee as follows:

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

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

IN WITNESS WHEREOF, the undersigned authorized officer of Grantor, acting on behalf of Grantor, has caused his name to be hereunto subscribed.

DATED this 26th day of February, 2015.

IDAHO-WATER COMPANY, LLC

By:

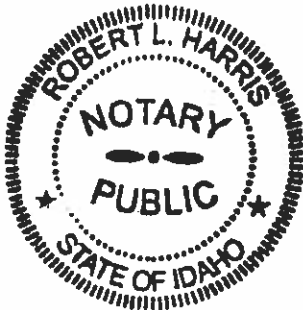

Delbert G. Kohtz, Member

STATE OF IDAHO)

) ss.
County of BONNEVILLE)

On this 26th day of February, 2015, before me, a Notary Public for said County and State, personally appeared DELBERT G. KOHTZ, known or identified to me, to be one of the members of the limited liability company of IDAHO WATER COMPANY, LLC, and the member or one of the members who subscribed said limited liability company name to the foregoing instrument, and acknowledged to me that he executed the same in said limited liability company name.

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



Robert L. Harris
NOTARY PUBLIC FOR IDAHO
Residing at: Ammon, Idaho
My commission expires: 11/18/2016

EXHIBIT A

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

2/12/2015

WATER RIGHT NO. 25-14420

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	IDAHO WATER CO LLC 1135 VALLEY RD S EDEN, ID 83325 (208) 312-1135
Directors Report Owner	FARM CREDIT BANK OF SPOKANE 2225 W BROADWAY STE A IDAHO FALLS, ID 83402 (208) 552-2300
Directors Report Owner	AG AMERICA FARM CREDIT BANK C/O FARM CREDIT SERVICES PO BOX 51598 IDAHO FALLS, ID 83405 (208) 523-1066

Priority Date: 01/27/1976
Basis: Decreed
Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	0.04 CFS	6.5 AFA
Total Diversion			0.04 CFS	

Location of Point(s) of Diversion:

GROUND WATER|NESW|Sec. 17|Township 03N|Range 40E|BONNEVILLE County

IRRIGATION Use:
Acre Limit: 1.9

Place(s) of use:

Place of Use Legal Description: IRRIGATION FREMONT County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
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03N | 40E | 17 | | NESW | 2.6 | | | | | | | |

Total Acres: 2.6

Conditions of Approval:

1. X27 This right is limited to the irrigation of 1.9 acres within the authorized place of use in a single irrigation season.
2. X35 Rights 25-14420 and 25-14421 when combined shall not exceed a total diversion rate of 0.04 cfs, a total annual maximum diversion volume of 9.1 af at the field headgate, and the irrigation of 2.6 acres.
3. K01 Right No. 25-14420 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
4. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
5. 01M
6. T07 The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
7. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
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
8. T19

Dates:

Licensed Date:

Decreed Date: 09/12/2002

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

2/12/2015

WATER RIGHT NO. 25-14421

Owner Type	Name and Address
Current Owner	IDAHO WATER CO LLC 1135 VALLEY RD S EDEN, ID 83325 (208) 312-1135

Priority Date: 10/31/1986
Basis: Decreed
Status: Active

Source	Tributary
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	10/31	0.01 CFS	2.6 AFA
Total Diversion			0.01 CFS	

Location of Point(s) of Diversion:

GROUND WATER|NESW|Sec. 17|Township 03N|Range 40E|BONNEVILLE County

IRRIGATION Use:
Acre Limit: 0.7

Place(s) of use:

Place of Use Legal Description: IRRIGATION FREMONT County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
03N	40E	17		NESW	2.6									

Total Acres: 2.6

Conditions of Approval:

1. [K09] This right is for an enlargement of 0.7 acres within the place of use described for this right.
2. [K02] This right is based upon an enlargement of Right No. 21-13149 pursuant to Section 42-1426, Idaho Code.

3. X35 Rights 25-14420 and 25-14421 when combined shall not exceed a total diversion rate of 0.04 cfs, a total annual maximum diversion volume of 9.1 af at the field headgate, and the irrigation of 2.6 acres.
4. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
5. 013 After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
6. C11 This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
7. 004 This right does not grant any right-of-way or easement across the land of another.
8. T07 The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
9. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. T19 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.
-

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

Deed corrected

Instrument # 1518106

IDAHO FALLS, BONNEVILLE, IDAHO
2-19-2016 04:40:51 PM No. of Pages: 6
Recorded for : HOLDEN KIDWELL
RONALD LONGMORE Fee: 25.00
Ex-Officio Recorder Deputy
Index to: DEED, WARRANTY

[Signature]

(Space Above for Recorder's Use)

SPECIAL WARRANTY DEED FOR WATER RIGHTS

Idaho Water Company LLC, an Idaho limited liability company whose address is 1135 Valley Road South, Eden, Idaho 83325, ("Grantor") does hereby grant, bargain, sell, assign, and convey unto **Shane Machen and Esther Machen**, husband and wife, whose address is P.O. Box 605, Ririe, ID 83443 ("Grantee") and to Grantee's heirs and assigns forever, all of Grantor's right title and interest in the Water Rights or portions thereof described in Exhibit A hereto (collectively the "Water Rights").

Grantor hereby covenants and warrants to Grantee as follows:

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

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

IN WITNESS WHEREOF, the undersigned authorized officer of Grantor, acting on behalf of Grantor, has caused his name to be hereunto subscribed.

DATED this 9th day of November, 2015.

IDAHO WATER COMPANY, LLC

By: *[Signature]*

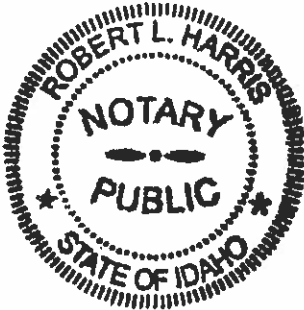
Delbert G. Kohtz, Member

STATE OF IDAHO)

) ss.
County of BONNEVILLE)

On this 9th day of November, 2015, before me, a Notary Public for said County and State, personally appeared DELBERT G. KOHTZ, known or identified to me, to be one of the members of the limited liability company of IDAHO WATER COMPANY, LLC, and the member or one of the members who subscribed said limited liability company name to the foregoing instrument, and acknowledged to me that he executed the same in said limited liability company name.

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



Robert L. Harris
NOTARY PUBLIC FOR IDAHO
Residing at: Ammon, ID
My commission expires: 11/18/2016

EXHIBIT A

WATER RIGHT NO. 25-14422

As Modified by Transfer No. 80138

In accordance with the approval of Transfer No. 80138, Water Right No. 25-14422 is now described as follows:

Right Holder: IDAHO WATER CO LLC
1135 VALLEY RD S
EDEN, ID 83325

Priority Date: 1/27/1976

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 10/31	0.040 cfs	6.5 af
			0.040 cfs	6.5 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NESW Sec 17 Twp 03N Rge 40E FREMONT County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	40E	17									2.6								2.6
Right Acre Limit:			1.9																
POU Total Acres:			2.6																

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 1.9 acres within the authorized place of use in a single irrigation season.
2. Rights 25-14422 and 25-14423 when combined shall not exceed a total diversion rate of 0.04 cfs and the irrigation of 2.6 acres.
3. When notified by the Department, the right holder shall install and maintain a measuring device of a type acceptable to the Department as part of the diverting works.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
5. Right No. 25-14423 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
6. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.

CONDITIONS OF APPROVAL

7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
 8. 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.
-

WATER RIGHT NO. 21-13121

As Modified by Transfer No. 80138

In accordance with the approval of Transfer No. 80138, Water Right No. 21-13121 is now described as follows:

Right Holder: IDAHO WATER CO LLC
1135 VALLEY RD S
EDEN, ID 83325

Priority Date: 10/31/1986

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 10/31	0.030 cfs	7.9 af
			0.030 cfs	7.9 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWNW Sec 20 Twp 09N Rge 42E FREMONT County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09N	42E	20			40.0	40.0			39.0	37.4									156.4

Right Acre Limit: 2.3
POU Total Acres: 156.4

CONDITIONS OF APPROVAL

1. This right is for an enlargement of 2.3 acres within the place of use described for this right.
2. Rights 21-13121 and 21-13149 when combined shall not exceed a total diversion rate of 0.10 cfs.
3. Rights 21-13121 and 21-13149 are limited to the irrigation of a specific 7.8 acres within the 156.4 acre place of use authorized by this right in a single irrigation season. The specific 7.8 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 7.8 acres to be irrigated within the 156.4 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.
4. This right is based upon an enlargement of Right No. 21-13149 pursuant to Section 42-1426, Idaho Code.

CONDITIONS OF APPROVAL

5. This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
 6. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
 7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
 8. Any future action following transfer approved 76808, including a subsequent transfer of this right or an order rescinding a transfer approval, which would result in a change to the point(s) of diversion under this right may require mitigation for the effects of the change. Such future action to change the point(s) of diversion under this right shall be analyzed for effects to connected reaches of the Snake River based on the priority date, point(s) of diversion and steady-state quantity as authorized for this right.
 9. This right does not grant any right-of-way or easement across the land of another.
 10. 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.
-

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 # 1543818
IDAHO FALLS, BONNEVILLE, IDAHO
1-13-2017 03:58:46 PM No. of Pages: 6
Recorded for: HOLDEN KIDWELL
PENNY MANNING Fee: 25.00
Ex-Officio Recorder Deputy
Index to: DEED, WARRANTY

Instrument # 1518106
IDAHO FALLS, BONNEVILLE, IDAHO
2-18-2016 04:40:51 PM No. of Pages: 6
Recorded for: HOLDEN KIDWELL
RONALD LONGMORE Fee: 25.00
Ex-Officio Recorder Deputy
Index to: DEED, WARRANTY

(Space Above for Recorder's Use)

Document to be re-recorded to correct water right number on pages 5 and 6

SPECIAL WARRANTY DEED FOR WATER RIGHTS

Idaho Water Company LLC, an Idaho limited liability company whose address is 1135 Valley Road South, Eden, Idaho 83325, ("Grantor") does hereby grant, bargain, sell, assign, and convey unto **Shane Machen and Esther Machen**, husband and wife, whose address is P.O. Box 605, Ririe, ID 83443 ("Grantee") and to Grantee's heirs and assigns forever, all of Grantor's right title and interest in the Water Rights or portions thereof described in Exhibit A hereto (collectively the "Water Rights").

Grantor hereby covenants and warrants to Grantee as follows:

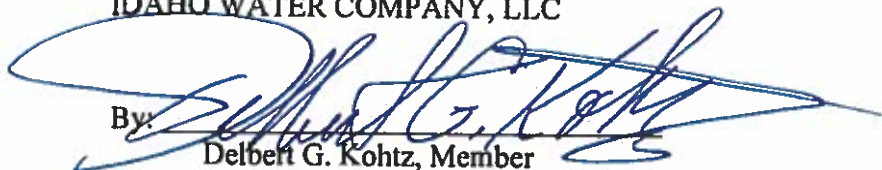
- (A) Grantor is the owner of the Water Rights;
- (B) Grantor has not conveyed any of the Water Rights to anyone other than Grantee;
- (C) The Water Rights are free from all liens, claims, or encumbrances; and
- (D) Grantor has the authority to convey the Water Rights to Grantee.

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

IN WITNESS WHEREOF, the undersigned authorized officer of Grantor, acting on behalf of Grantor, has caused his name to be hereunto subscribed.

DATED this 9th day of November, 2015.

IDAHO WATER COMPANY, LLC

By: 

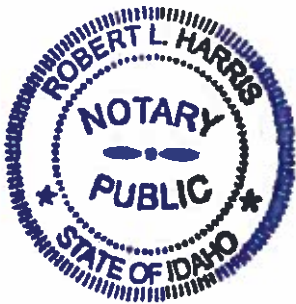
Delbert G. Kohtz, Member

STATE OF IDAHO)

) ss.
County of BONNEVILLE)

On this 9th day of November, 2015, before me, a Notary Public for said County and State, personally appeared DELBERT G. KOHTZ, known or identified to me, to be one of the members of the limited liability company of IDAHO WATER COMPANY, LLC, and the member or one of the members who subscribed said limited liability company name to the foregoing instrument, and acknowledged to me that he executed the same in said limited liability company name.

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



Robert L. Harris
NOTARY PUBLIC FOR IDAHO
Residing at: Ammon, ID
My commission expires: 11/18/2016

EXHIBIT A

WATER RIGHT NO. 25-14422

As Modified by Transfer No. 80138

In accordance with the approval of Transfer No. 80138, Water Right No. 25-14422 is now described as follows:

Right Holder: IDAHO WATER CO LLC
1135 VALLEY RD S
EDEN, ID 83325

Priority Date: 1/27/1976

Source: GROUND WATER

BENEFICIAL USE IRRIGATION

From
04/01

To
to 10/31

Diversion Rate
0.040 cfs
0.040 cfs

Diversion Volume
6.5 af
6.5 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER

NESW

Sec 17 Twp 03N Rge 40E FREMONT County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	40E	17									2.0								2.6

Right Acre Limit: 1.9

POU Total Acres: 2.6

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 1.9 acres within the authorized place of use in a single irrigation season.
2. Rights 25-14422 and 25-14423 when combined shall not exceed a total diversion rate of 0.04 cfs and the irrigation of 2.6 acres.
3. When notified by the Department, the right holder shall install and maintain a measuring device of a type acceptable to the Department as part of the diverting works.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
5. Right No. 25-14423 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
6. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.

CONDITIONS OF APPROVAL

7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
 8. 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.
-

WATER RIGHT NO. 25-14423

As Modified by Transfer No. 80138

In accordance with the approval of Transfer No. 80138, Water Right No. 25-14423 is now described as follows:

Right Holder: IDAHO WATER CO LLC
1135 VALLEY RD S
EDEN, ID 83325

Priority Date: 10/31/1986

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 10/31	0.010 cfs	2.6 af
			0.010 cfs	2.6 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NESW Sec 17 Twp 03N Rge 40E FREMONT County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	40E	17									2.6								2.6

Right Acre Limit: 0.7
POU Total Acres: 2.6

CONDITIONS OF APPROVAL

1. This right is for an enlargement of 0.7 acres within the place of use described for this right.
2. Rights 25-14422 and 25-14423 when combined shall not exceed a total diversion rate of 0.04 cfs and the irrigation of 2.6 acres.
3. When notified by the Department, the right holder shall install and maintain a measuring device of a type acceptable to the Department as part of the diverting works.
4. This right is based upon an enlargement of Right No. 25-14422 pursuant to Section 42-1426, Idaho Code.
5. This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.

Transfer No. 80138

WATER RIGHT NO. 25-14423
As Modified by Transfer No. 80138

CONDITIONS OF APPROVAL

6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 aia per acre at the field headgate for irrigation of the place of use.
7. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. 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.



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

January 24, 2017

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

Shane Machen
Esther Machen
PO Box 605
Ririe ID 83443

RE: Change of Ownership for Water Right No(s). 25-14420, 25-14421, 25-14422, 25-14223, 25-14429 & 29-14430

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)



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

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

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

Email: rharris@holdenlegal.com

December 2, 2016

VIA HAND DELIVERY

Jonie Barg
Idaho Department of Water Resources
900 N. Skyline Drive, Suite A
Idaho Falls, Idaho

RECEIVED

DEC 02 2016

Department of Water Resources
Eastern Region

RE: Notice of Change of Water Right Ownership for Water Right Nos. 25-14420, 25-14421, 25-14422, 21-13121, 25-14429 and 25-14430.

Dear Jonie:

Enclosed for processing is a *Notice of Change of Water Right Ownership* for the above-numbered water rights. They were each conveyed to the new owners at different times as evidenced by the three enclosed *Special Warranty Deeds for Water Rights*. The most recent movement of water to their property was recently accomplished. These water rights were splits from the same parent water rights, so it may be possible to combine some of them into a single water right should the Department feel it is appropriate.

If you have any questions, please let me know. We have included a filing fee in the amount of \$150.00 consistent with the Department's instructions for filing a *Notice of Change of Water Right Ownership* for these six water rights.

Best Regards,

Robert L. Harris
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

Enclosures

GAWPDATA\RLH\18147-000 Machen, Shane & Esther\2016-12-02. Barg.docx