

RECEIVED

df

NOV 14 2016

DEPARTMENT OF  
WATER RESOURCESRECEIVED  
NOV 25 2016  
DEPARTMENT OF  
WATER RESOURCESSTATE OF IDAHO  
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? |
|-----------------------|------------------------------|------------------------------|-----------------------|------------------------------|------------------------------|
| 29-2565               | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |

2. Previous Owner's Name: DALE BOLINGBROKE  
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Jacob Andersen Farm, LLC  
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 1170 Lusk Loop Arbon ID 83212  
Mailing address City State ZIP  
208-932-4040 ajandersen@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: 11/08/2016
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):
    - ☐ \$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: [Signature] Owner 11/10/2016  
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 VC Date 11/14/16 Receipt No. 002691 Receipt Amt. \$25.00  
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 \_\_\_\_\_ Processed by [Signature] Date 12-16-16

**SPECIAL WARRANTY DEED FOR WATER RIGHTS**

Jacob Andersen, 238 Crystal Court, Mesquite, Nevada 89027 ("Grantor") does hereby grant, bargain, sell, assign, and convey unto Jacob Andersen Farm, LLC, 1170 Lusk Loop, Arbon, Idaho 83212 ("Grantee"), and to Grantee's heirs, successors, and assigns forever, all of Grantor's right, title and interest in Idaho water right no. 29-2565 as described in *Exhibit A* hereto (the "Water Right"). Grantor retains no residual or reversionary interest in any of the Water Right, and covenants and warrants to Grantee as follows:

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

  
\_\_\_\_\_  
Jacob Andersen

11-3-16  
\_\_\_\_\_  
Date

**Instrument # 209957**

**POWER COUNTY, IDAHO**

11-3-2016 04:23:14 PM No. of Pages: 11

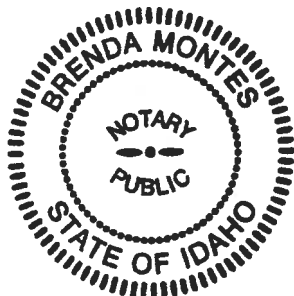
Recorded for : JACOB ANDERSEN

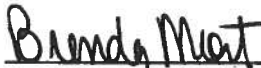
SHARIE SPRAGUE

Fee: 48.00

STATE OF Idaho )  
COUNTY OF Power ) : ss.

On this 3 day of ~~October~~ <sup>November</sup>, 2016, before me, the undersigned, a notary public in and for said state, personally appeared **Jacob Andersen**, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.



  
\_\_\_\_\_  
Notary Public for Idaho  
Residing at Power County  
Commission expires 08-04-2022

**SPECIAL WARRANTY DEED FOR WATER RIGHTS**

**Dale Bollingbroke**, P.O. Box 15, Arbon, Idaho 83212 ("Grantor") does hereby grant, bargain, sell, assign, and convey unto **Jacob Andersen**, 238 Crystal Court, Mesquite, Nevada 89027 ("Grantee"), and to Grantee's heirs, successors, and assigns forever, all of Grantor's right, title and interest in Idaho water right no. 29-2565 as described in **Exhibit A** hereto (the "Water Right"). Grantor retains no residual or reversionary interest in any of the Water Right, and covenants and warrants to Grantee as follows:

- (A) that Grantor is the owner in fee simple of the Water Right;
- (B) that Grantor has not conveyed any of the Water Right to anyone other than Grantee;
- (C) that each of the Water Right is free from all liens, claims, or encumbrances;
- (D) that Grantor has the authority to convey the Water Right to Grantee; and

Dale Bollingbroke      10-20-16  
Dale Bollingbroke      Date

**Instrument # 209876**

POWER COUNTY, IDAHO

10-24-2016 03:38:23 PM No. of Pages: 4

Recorded for : RACINE, OLSON, NYE, BUDGE

SHAREE SPRAGUE

Fee: 19.00

Ex-Officio Recorder Deputy

STATE OF IDAHO )

: ss.

COUNTY OF BANNOCK )

On this 20<sup>th</sup> day of October, 2016, before me, the undersigned, a notary public in and for said state, personally appeared **Dale Bollingbroke**, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

CURRY D. ANDREWS  
NOTARY PUBLIC  
STATE OF IDAHO

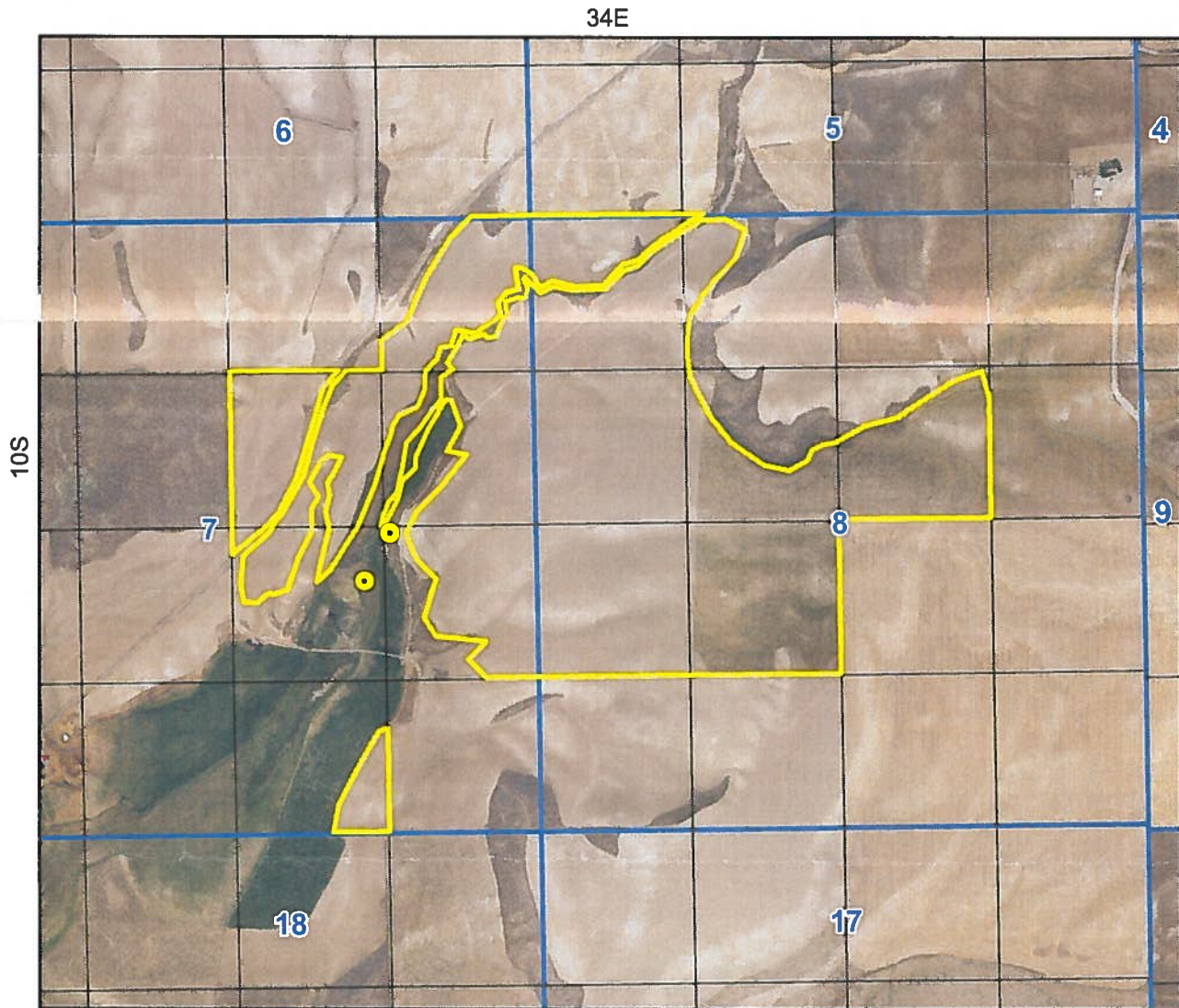
[Signature]  
Notary Public for IDAHO  
Residing at 202 Idaho St., American Falls, ID  
Commission expires 6-23-2021

State of Idaho  
Department of Water Resources

# Water Right 29-2565

## IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.175 0.35 0.7 Miles





IDAHO DEPARTMENT OF WATER RESOURCES  
Water Right Report

8/26/2016

WATER RIGHT NO. 29-2565

| <u>Owner Type</u> | <u>Name and Address</u>                                                                                                 |
|-------------------|-------------------------------------------------------------------------------------------------------------------------|
| Current Owner     | DALE BOLINGBROKE<br>PO BOX 15<br>ARBON, ID 83212<br>(208)241-2188                                                       |
| Attorney          | RACINE OLSON NYE BUDGE & BAILEY CHTD<br>C/O RANDALL C BUDGE<br>PO BOX 1391<br>POCATELLO, ID 83204-1391<br>(208)232-6101 |
| Original Owner    | EPHRIAM BOLINGBROKE<br>ARBON, ID 83212                                                                                  |

Priority Date: 09/12/1961

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            | 03/15       | 11/15     | 0.85 CFS              | 411.7 AFA     |
| Total Diversion       |             |           | 0.85 CFS              |               |

Location of Point(s) of Diversion:

|                          |        |         |              |           |              |
|--------------------------|--------|---------|--------------|-----------|--------------|
| GROUND WATER             | NWNESE | Sec. 07 | Township 10S | Range 34E | POWER County |
| GROUND WATER Rediversion | NENWSE | Sec. 07 | Township 10S | Range 34E | POWER County |

Place(s) of use:

Place of Use Legal Description: IRRIGATION POWER 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> |
|-----------------|--------------|----------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|
| 10S             | 34E          | 7              |            | NENE         | 28           |            | SWNE         | 35           |            | SENE         | 29.2         |            |              |              |
|                 |              |                |            | NESE         | 19           |            | NWSE         | 3            |            | SWSE         | 6            |            |              |              |
|                 |              | 8              |            | SWNE         | 29           |            |              |              |            |              |              |            |              |              |
|                 |              |                |            | NENW         | 6            |            | NWNW         | 39           |            | SWNW         | 40           |            | SENW         | 20           |
|                 |              |                |            | NESW         | 39           |            | NWSW         | 40           |            |              |              |            |              |              |

Total Acres: 333.2

Conditions of Approval:

1. E56 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 333.2 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-00447, 29-02565, 29-10857, and 29-13234.
2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
3. This ground water right is entitled to the protections of paragraph x.c. of water right 29-12052.

Dates:

Licensed Date:

Decreed Date: 03/22/2004

Permit Proof Due Date: 9/19/1966

Permit Proof Made Date: 1/1/1900

Permit Approved Date: 9/19/1961

Permit Moratorium Expiration Date:

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

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit: 333.2

Combined Volume Limit:

Combined Rate Limit:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close



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](http://www.idwr.idaho.gov)

GARY SPACKMAN  
Director

C.L. "BUTCH" OTTER  
Governor

December 16, 2016

JACOB ANDERSEN FRAM LLC  
1170 LUSK LOOP  
ARBON ID 83212

Re: Change in Water Right Ownership: Water Right No. 29-2470, 29-2565, 29-13708, 29-10190 AND 29-10188 (Split into 29-10188 and 29-14201)

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](http://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.

In a letter the Department sent you on November 15, 2016, additional fees of \$75 were requested to split water right 29-10188. A check in the amount of \$100 was receipted on December 5, 2016. A refund of \$25 will be requested and sent to you under separate cover from the State Controller's 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.

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 290