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SEP 19 2016

Department of Water Resources
Eastern Region

SEP 26 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?
25-14312	Yes ☐	Yes ☒		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Shawn Speirs and Erika Speirs
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Black Hawk Homeowners Association, Inc.; Iron Rim Ranch Home Owners Association, Inc.
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- | | | | |
|---------------------------|-------------------------|-----------|--------------|
| <u>8070 Blackhawk Dr.</u> | <u>Idaho Falls</u> | <u>ID</u> | <u>83406</u> |
| Mailing address | City | State | ZIP |
| <u>208-390-7073</u> | <u>mecctr23@msn.com</u> | | |
| 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: _____
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: Colvin Jergins Colvin Jergins, President of Blackhawk 9-10-2016
Signature of new owner/claimant Title, if applicable Date
- Signature: Ammon Harnter Ammon Harnter, President of Iron Rim 9-10-16
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

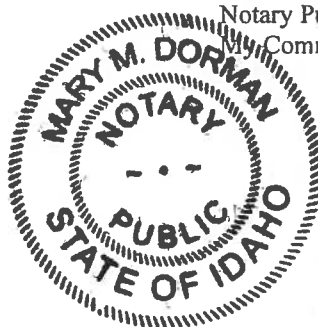
Received by JB Date 9/19/2016 Receipt No. E042464 Receipt Amt. \$25 -

Active in the Water Supply Bank? Yes ☒ No ☐ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☐

Name on W-9 _____ Approved by _____ Processed by Jal Date 9-26-16

Kenn

3/9/2018





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

September 26, 2016

BLACK HAWK HOA INC
IRON RIM RANCH HOA INC
8070 BLACKHAWK DR
IDAHO FALLS ID 83406

Re: Change of Ownership for Water Right/Permit No(s): 25-14312

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 to reflect this change in ownership and has enclosed a computer-generated report 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 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 § 42-222 and §42-223, Idaho Code.

Please note, water right(s) 25-14312 was leased to the Water Supply Bank on (bank) In 2015. In accordance with the bank lease acceptance, the lessor/current right holder (right holder) may not use the right(s) while it is in the bank, even if the right(s) is not rented from the bank. The right(s) will remain in the bank until December 31, 2019 unless released earlier by the Water Resource Board or upon request by the right holder. To reduce the term of the lease, the right holder must submit a written request to the department. The department will verify if the right is rented or available for release, and notify the right holder of the release date.

Also note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right, to the Department. Notice of the change must be provided to the Department within **120 days** of the change. Water right forms are available from any office of the Department, or at www.idwr.idaho.gov.

If you have any questions concerning the enclosed information, please feel free to contact me at (208) 287-4942.

Sincerely,

Jean Hersley
Technical Records Specialist II

Enclosure(s)

c: Fuller & Beck Law Offices PLLC

FULLER & BECK LAW OFFICES, PLLC

ATTORNEYS AT LAW

Mark R. Fuller
Daniel R. Beck
Paul Fuller - Associate

410 Memorial Drive, Suite 201
P.O. Box 50935
Idaho Falls, Idaho 83405-0935

Telephone
(208) 524-5400
Facsimile
(208) 524-7167

September 19, 2016

Blake Jordan
Idaho Department of Water Resources
Idaho Falls, Idaho

RE: Change of Ownership 25-14312

Dear Blake:

Blackhawk HOA and Iron Rim Ranch seek to update change the ownership records for the above stated water right. Attached are the following documents:

- (1) Notice of Change in Water Right Ownership Form
- (2) Special Warranty Deed
- (3) Lessor Designation Form
- (4) IRS W-9 Form
- (5) Check for \$25.00

We have also prepared 1 "Request to Release Water Rights" from the WSB. I will mail that directly to the Boise IDWR office once the change of ownership has been completed.

Thank you for your assistance. Please let me know if I have missed anything or if there is anything further that you need from me.

Very truly yours,

FULLER & BECK



Daniel R. Beck
Attorney at Law

Enclosures

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