

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 28 2016

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?
25-14287	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: Patrick and Patricia Duffin
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Taylor Mountain Water and Sewer District
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- c/o Robert L. Harris, PO Box 50130 Idaho Falls ID 83405
Mailing address City State ZIP
- 208-523-0620 _____
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: April 22, 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: *Robert L. Harris* Attorney April 22, 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 SB Date 1/22/2016 Receipt No. E041764 Receipt Amt. \$25.00 for this app

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 BS Processed by BS Date 5/6/2016

When recorded return to:

Instrument # 1511980

IDAHO FALLS, BONNEVILLE, IDAHO

11-16-2015 12:52:23 PM No. of Pages: 2

Recorded for : DELBERT KOHTZ

RONALD LONGMORE

Fee: 13.00

Ex-Officio Recorder Deputy

Index to: DEED, WARRANTY

05

SPECIAL WARRANTY DEED FOR WATER RIGHT

M Patrick and Patricia C Duffin Husband and Wife o 6302 Sharptail Rd. Ammon, ID. 83401(Grantor) does hereby grant, bargain, sell, assign, and convey unto Idaho Water Company LLC (Grantee) of 1135 Valley Rd. So. Eden, ID 83325 and to Grantees heirs and assigns forever, all of Grantor's right title and interest in the Water Right 25-14287 and hereto (collectively the "Water Right"). Grantor retains no residual or reversionary interest in the Water Right(s) listed in the exhibits.

Grantor hereby covenants and warrants to Grantee as follows:

- (A) that Grantor is the owner or has the right to sell through an option contract with the original owner of the Water Rights;
- (B) that Grantor has not conveyed any of the Water Rights to anyone other than Grantee;
- (C) that each of the Water Rights is free from all liens, claims, or encumbrances at closing
- (D) that Grantor has the authority to convey the Water Rights to Grantee;
- (E) the Grantor has disclosed to Grantee in good faith all relevant information known to Grantor bearing on the validity and extent of the Water Rights.

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

The Subject Water Rights are appurtenant to the real property described in Exhibit 1 consisting of a Water Right Report for Water Rights # 25-14287 and legal description of land the Water Rights are appurtenant to. **No Land is included in this Deed.**

Special Warranty Deed For Water Rights – 1

IN WITNESS WHEREOF, the undersigned authorized officers of Grantor, acting on behalf of Grantor, have caused their names to be hereunto subscribed on the date shown by each name.

Grantor: Mark & Patricia Duffin

Dated: Oct. 30 2015 By: _____

Exhibits:

Exhibit 1: Water Right Report for Water Right # _____

There are _____ acre feet/anum of Water included in this agreement that are appurtenant to a portion of the land covered by the Water Right Reports.

STATE OF IDAHO

)
) S.
County of Bonner, ID)

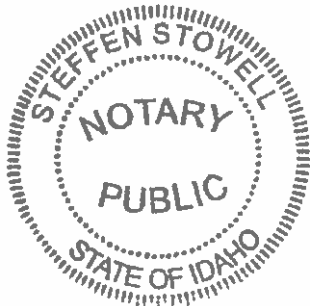
On this 30 day of Oct., 2015, before me the undersigned Notary Public in and for said state, personally appeared Mark & Patricia Duffin, and known or identified to me to be the persons whose name is subscribed to the within and foregoing instrument, and acknowledged to me that executed the same.

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

Notary public for STATE OF IDAHO

Residing at 21634, ID

My commission expires 4/13/2021



SPECIAL WARRANTY DEED FOR WATER RIGHTS - 2

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 # 1522800

IDAHO FALLS, BONNEVILLE, IDAHO

4-22-2016 04:41:07 PM No. of Pages: 15

Recorded for : HOLDEN KIDWELL

RONALD LONGMORE

Fee: 52.00

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 Taylor Mountain Water and Sewer District, a water and sewer district organized pursuant to Chapter 32 of Title 42 of the Idaho Code, whose address is c/o Robert L. Harris, Holden, Kidwell, Hahn & Crapo, P.L.L.C., 1000 Riverwalk Dr., Ste. 200, P.O. Box 50130, Idaho Falls, Idaho 83405 ("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 on 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 21st day of April, 2016.

IDAHO WATER COMPANY, LLC

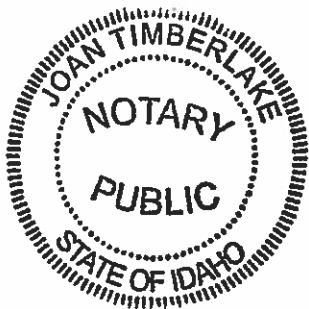
By: 

Delbert G. Kohtz, Member

STATE OF IDAHO)
) ss.
County of BONNEVILLE)

On this 21st day of April, 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.




NOTARY PUBLIC FOR IDAHO
Residing at: Idaho Falls ID
My commission expires: 7/23/2018

EXHIBIT A

WATER RIGHT NOS. 25-14287, 25-14301, 25-14304, 25-14313, 25-14383, and 25-14385.

Descriptions of the above water rights are on the following pages.

WATER RIGHT NO. 25-14287**As Modified by Transfer No. 80651**

In accordance with the approval of Transfer No. 80651, Water Right No. 25-14287 is now described as follows:

Right Holder: M PATRICK DUFFIN AND
PATRICIA C DUFFIN
3270 E 17TH ST
IDAHO FALLS, ID 83406-6758

Priority Date: 8/10/1966

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

04/01

To

to 11/01

Diversion Rate

0.020 cfs

0.020 cfs

Diversion Volume

3.8 af

3.8 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER

SWSE

Sec 21 Twp 01N Rge 38E BONNEVILLE County

GROUND WATER

SWNE

Sec 28 Twp 01N Rge 38E 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	
01N	38E	21																	
01N	38E	28	6.7	7.0	8.2		7.7			5.6			1.4	8.5			13.8	14.4	38.1
01N	38E	29			4.1											0.1			35.3
																			4.1

Right Acre Limit: 1.1

POU Total Acres: 77.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 1.1 acres within the authorized place of use in a single irrigation season.
2. Rights 25-14287, 25-14301, 25-14304 and 25-14313 when combined shall not exceed the irrigation of 5.6 acres.
3. Rights 25-14287, 25-14301, 25-14304, 25-14313, 25-14383 and 25-14385 when combined shall not exceed the irrigation of 14.4 acres.
4. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.

WATER RIGHT NO. 25-14287

As Modified by Transfer No. 80651

CONDITIONS OF APPROVAL

5. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
6. Prior to the diversion and use of water under Transfer approval 80651, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
7. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
9. This right does not grant any right of way or easement across the land of another.
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 to the efficient administration of water rights as determined by the Snake River Basin Adjudication or in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 25-14301**As Modified by Transfer No. 80651**

In accordance with the approval of Transfer No. 80651, Water Right No. 25-14301 is now described as follows:

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

Priority Date: 7/27/1972

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

04/01

To

to 11/01

Diversion Rate

0.020 cfs

0.020 cfs

Diversion Volume

4.9 af

4.9 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER

SWSE

Sec 21 Twp 01N Rge 38E BONNEVILLE County

GROUND WATER

SWNE

Sec 28 Twp 01N Rge 38E 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	
01N	38E	21																	
01N	38E	28	6.7	7.0	8.2		7.7			5.6			1.4	8.5			13.8	14.4	38.1
01N	38E	29			4.1											0.1			35.3
																			4.1

Right Acre Limit: 1.3

POU Total Acres: 77.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 1.3 acres within the authorized place of use in a single irrigation season.
2. Rights 25-14287, 25-14301, 25-14304 and 25-14313 when combined shall not exceed the irrigation of 5.6 acres.
3. Rights 25-14287, 25-14301, 25-14304, 25-14313, 25-14383 and 25-14385 when combined shall not exceed the irrigation of 14.4 acres.
4. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.
5. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

Transfer No. 80651

WATER RIGHT NO. 25-14301

As Modified by Transfer No. 80651

CONDITIONS OF APPROVAL

6. Prior to the diversion and use of water under Transfer approval 80651, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
7. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
9. This right does not grant any right-of-way or easement across the land of another.
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.

WATER RIGHT NO. 25-14304**As Modified by Transfer No. 80651**

In accordance with the approval of Transfer No. 80651, Water Right No. 25-14304 is now described as follows:

Right Holder: CHYANNE RASMUSSEN And
ALLEN RASMUSSEN
560 RANDY DR
IDAHO FALLS, ID 83401

Priority Date: 8/10/1966

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

04/01

To

to 11/01

Diversion Rate

0.020 cfs

0.020 cfs

Diversion Volume

4.2 af

4.2 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER
GROUND WATER

SWSE
SWNE

Sec 21 Twp 01N Rge 38E BONNEVILLE County
Sec 28 Twp 01N Rge 38E 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	
01N	38E	21											1.4	8.5			13.8	14.4	38.1
01N	38E	28	6.7	7.0	8.2		7.7			5.8						0.1			35.3
01N	38E	29			4.1														4.1

Right Acre Limit: 1.2

POU Total Acres: 77.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 1.2 acres within the authorized place of use in a single irrigation season.
2. Rights 25-14287, 25-14301, 25-14304 and 25-14313 when combined shall not exceed the irrigation of 5.6 acres.
3. Rights 25-14287, 25-14301, 25-14304, 25-14313, 25-14383 and 25-14385 when combined shall not exceed the irrigation of 14.4 acres.
4. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.

WATER RIGHT NO. 25-14304

As Modified by Transfer No. 80651

CONDITIONS OF APPROVAL

5. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
6. Prior to the diversion and use of water under Transfer approval 80651, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
7. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
9. This right does not grant any right-of-way or easement across the land of another.
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.

WATER RIGHT NO. 25-14313**As Modified by Transfer No. 80651**

In accordance with the approval of Transfer No. 80651, Water Right No. 25-14313 is now described as follows:

Right Holder: KENNETH B NEIDER AND
MARGO Y NEIDER
2387 PTARMIGAN WAY
IDAHO FALLS, ID 83401

Priority Date: 8/10/1966

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

04/01

To

to 11/01

Diversion Rate

0.040 cfs

0.040 cfs

Diversion Volume

7.0 af

7.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER

SWSE

Sec 21 Twp 01N Rge 38E BONNEVILLE County

GROUND WATER

SWNE

Sec 28 Twp 01N Rge 38E 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	
01N	38E	21											1.4	8.5				14.4	38.1
01N	38E	28	6.7	7.0	8.2		7.7			5.8						0.1			35.3
01N	38E	29			4.1														4.1

Right Acre Limit: 2.0

POU Total Acres: 77.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 2.0 acres within the authorized place of use in a single irrigation season.
2. Rights 25-14287, 25-14301, 25-14304 and 25-14313 when combined shall not exceed the irrigation of 5.6 acres.
3. Rights 25-14287, 25-14301, 25-14304, 25-14313, 25-14383 and 25-14385 when combined shall not exceed the irrigation of 14.4 acres.
4. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.

WATER RIGHT NO. 25-14313

As Modified by Transfer No. 80651

CONDITIONS OF APPROVAL

5. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
6. Prior to the diversion and use of water under Transfer approval 80651, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
7. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
9. This right does not grant any right of way or easement across the land of another.
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.

WATER RIGHT NO. 25-14383**As Modified by Transfer No. 80651**

In accordance with the approval of Transfer No. 80651, Water Right No. 25-14383 is now described as follows:

Right Holder: IDAHO WATER CO LLC
C/O DEL KOHTZ
1135 VALLEY RD S
EDEN, ID 83325

Priority Date: 8/19/1952

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

04/01

To

to 10/31

Diversion Rate

0.080 cfs

0.080 cfs

Diversion Volume

22.8 af

22.8 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER
GROUND WATER

SWSE
SWNE

Sec 21 Twp 01N Rge 38E BONNEVILLE County
Sec 28 Twp 01N Rge 38E 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	
01N	38E	21											1.4	8.5			13.8	14.4	38.1
01N	38E	28	6.7	7.0	8.2		7.7			5.8						0.1			35.3
01N	38E	29			4.1														4.1

Right Acre Limit: 5.7

POU Total Acres: 77.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 5.7 acres within the authorized place of use in a single irrigation season.
2. Rights 25-14383 and 25-14385 when combined shall not exceed the irrigation of 8.8 acres.
3. Rights 25-14287, 25-14301, 25-14304, 25-14313, 25-14383 and 25-14385 when combined shall not exceed the irrigation of 14.4 acres.

WATER RIGHT NO. 25-14383
As Modified by Transfer No. 80651

CONDITIONS OF APPROVAL

4. Beginning on the date of approval of Transfer 77439, the irrigation uses under rights 25-14383 and 25-14385 when combined are limited to the following schedule of allowed use. The right holder shall file a notice of intent with the Department prior to the increased use of water under the rights each time an increase according to the schedule is sought.

Year 2013 through 2017 the rights are limited to 0.03 cfs, 8.4 afa and 2.1 acres.

Year 2018 through 2023 the rights are limited to 0.11 cfs, 28.8 afa and 7.2 acres.

Year 2024 and beyond the rights are limited to 0.13 cfs, 35.2 afa and 8.8 acres.

5. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.
6. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
7. Prior to the diversion and use of water under Transfer approval 80651, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
8. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
9. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
10. This right does not grant any right-of-way or easement across the land of another.
11. The right holder shall accomplish the change authorized by this transfer within one years of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. 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.

WATER RIGHT NO. 25-14385**As Modified by Transfer No. 80651**

In accordance with the approval of Transfer No. 80651, Water Right No. 25-14385 is now described as follows:

Right Holder: IDAHO WATER CO LLC
C/O DEL KOHTZ
1135 VALLEY RD S
EDEN, ID 83325

Priority Date: 8/19/1952

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

04/01

To

to 10/31

Diversion Rate

0.050 cfs

0.050 cfs

Diversion Volume

12.4 af

12.4 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER
GROUND WATER

SWSE
SWNE

Sec 21 Twp 01N Rge 38E BONNEVILLE County
Sec 28 Twp 01N Rge 38E 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	
01N	38E	21											14.1	8.5					38.1
01N	38E	28	6.7	7.0	8.2		7.7			5.8						0.1	13.8	14.4	35.3
01N	38E	29			4.1														4.1

Right Acre Limit: 3.1

POU Total Acres: 77.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 3.1 acres within the authorized place of use in a single irrigation season.
2. Rights 25-14383 and 25-14385 when combined shall not exceed the irrigation of 8.8 acres.
3. Rights 25-14287, 25-14301, 25-14304, 25-14313, 25-14383 and 25-14385 when combined shall not exceed the irrigation of 14.4 acres.

WATER RIGHT NO. 25-14385

As Modified by Transfer No. 80651

CONDITIONS OF APPROVAL

4. Beginning on the date of approval of Transfer 77439, the irrigation uses under rights 25-14383 and 25-14385 when combined are limited to the following schedule of allowed use. The right holder shall file a notice of intent with the Department prior to the increased use of water under the rights each time an increase according to the schedule is sought.

Year 2013 through 2017 the rights are limited to 0.03 cfs, 8.4 afa and 2.1 acres.

Year 2018 through 2023 the rights are limited to 0.11 cfs, 28.8 afa and 7.2 acres.

Year 2024 and beyond the rights are limited to 0.13 cfs, 35.2 afa and 8.8 acres.

5. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.
6. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
7. Prior to the diversion and use of water under Transfer approval 80651, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
8. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
9. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
10. This right does not grant any right-of-way or easement across the land of another.
11. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
12. The right holder shall accomplish the change authorized by this transfer within one years of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. 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.



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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

May 6, 2016

Taylor Mountain Water & Sewer District
c/o Robert Harris
PO Box 50130
Idaho Falls ID 83405

RE: Change of Ownership for Water Right No(s). 25-14287

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)

cc: Water District 120



Holden Kidwell
Hahn & Crapo P.L.L.C.
L A W O F F I C E S

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

RECEIVED

APR 28 2016

Department of Water Resources
Eastern Region

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

Email: rharris@holdenlegal.com

April 26, 2016

Idaho Department of Water Resources
Attn: Blake Jordan
900 N. Skyline Drive, Ste. A
Idaho Falls, ID 83402-1718

RE: Notice of Change of Water Right Ownership for Water Right Nos. 25-14287, 25-14313, 25-14301, 25-14304, 25-14383, and 25-14385.

Dear Blake:

Enclosed for processing are six *Notices of Change of Water Right Ownership* for the above-referenced water rights. You are familiar with the transfers that were filed to move the above water rights into the service area of the Taylor Mountain Water and Sewer District. We previously submitted *Notices of Change of Water Right Ownership* for the first four water rights, but you agreed to hold on to those documents until those four water rights were conveyed from Idaho Water Company, LLC to Taylor Mountain Water and Sewer District. Enclosed is a deed conveying all six of the above water rights to the Taylor Mountain Water and Sewer District. We have included four *Notices of Change of Water Right Ownership* for the first water rights and ask that you substitute these in for the four that we previously submitted. We also previously submitted \$100.00 in filing fees to change the ownership for these four water rights.

In addition, Taylor Mountain Water and Sewer District purchased Water Right Nos. 25-14383 and 25-14385, which are currently in the name of Idaho Water Company LLC on the records of the Idaho Department of Water Resources. We have included two *Notices of Change of Water Right Ownership* to change the ownership of these water rights to the Taylor Mountain Water and Sewer District, and included an additional \$50.00 check for the filing fees associated with the change of ownership of these two water rights.

We appreciate your attention to this matter. If you have any questions or concerns, please let me know.

Best Regards,

Robert L. Harris

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

Enclosures

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