

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 21 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?
25-14432 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
25-14433 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Idaho Water Co. LLC
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Township Park Estates Water Association, Inc.
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- c/o Brad Hendrickson, 5394 Mauna Lani Lane Idaho Falls ID 83404
Mailing address City State ZIP
- 208-351-7321
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 6, 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 # 25-14432

8. Signature: *Edmund L. Francis* Attorney April 18, 2016
Signature of new owner/claimant Title, if applicable Date
- Signature: _____ Title, if applicable Date

For IDWR Office Use Only:

Received by *JB* Date 4/21/2016 Receipt No. E042031 Receipt Amt. \$50.-

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 4/22/2016

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 # 1521477
IDAHO FALLS, BONNEVILLE, IDAHO
4-8-2016 09:03:41 AM 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)

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 the **Township Park Estates Water Association, Inc.**, an Idaho corporation, whose address is c/o Brad Hendrickson, 5394 Mauna Lani Lane, Idaho Falls, ID 83404 ("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 5th day of April, 2016.

IDAHO WATER COMPANY, LLC

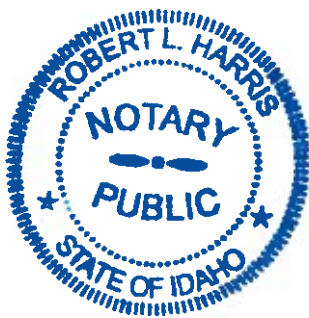
By:


Delbert G. Kohtz, Member

STATE OF IDAHO)
) ss.
County of Bonneville)

On this 5th 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.



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

EXHIBIT A
WATER RIGHTS DESCRIPTION (WATER RIGHT NOS. 25-14432 AND 25-14433)

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WATER RIGHT NO. 25-14432
As Modified by Transfer No. 80690

In accordance with the approval of Transfer No. 80690, Water Right No. 25-14432 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

<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
01/01	to 10/31	0.040 cfs	7.4 af
		0.040 cfs	7.4 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	L4 (SENNW)	Sec 6	Twp 01N Rge 38E	BONNEVILLE County
GROUND WATER	L4 (SENNW)	Sec 6	Twp 01N Rge 38E	BONNEVILLE County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				N				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	38E	6					4.8	21.7	3.3										31.8

Right Acre Limit: 2.1
POU Total Acres: 31.8

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 2.1 acres within the authorized place of use in a single irrigation season.
2. Rights 25-14432 and 25-14433 when combined shall not exceed a total diversion rate of 0.04 cfs and the irrigation of 3.0 acres.
3. Rights 25-14410, 25-14411, 25-14432, 25-14433 and the irrigation portion of right 25-7583 when combined shall not exceed a total diversion rate of 0.46 cfs and the irrigation of 24.9 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. 80690

WATER RIGHT NO. 25-14432
As Modified by Transfer No. 80690

CONDITIONS OF APPROVAL

6. Prior to the diversion and use of water under Transfer approval 80690, 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. Right No. 25-14433 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
10. This right does not grant any right of way or easement across the land of another.
11. The right holder shall accomplish the transfer authorized by this transfer within one year 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(e), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights of future 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.

Transfer No. 80690

WATER RIGHT NO. 25-14433

As Modified by Transfer No. 80690

In accordance with the approval of Transfer No. 80690, Water Right No. 25-14433 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

BENEFICIAL USE IRRIGATION

From	To	Diversion Rate	Diversion Volume
to 10/31		0.010 cfs	3.1 af
		0.010 cfs	3.1 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	L4 (SENNW)	Sec 6, Twp 01N Rge 38E BONNEVILLE County
GROUND WATER	L4 (SENNW)	Sec 6, 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	NE	NW	SW	SE	
01N	38E	6					4.5		21.7	3.5													31.8

Right Acre Limit: 0.9
POU Total Acres: 31.8

CONDITIONS OF APPROVAL

1. This right is for an enlargement of 0.9 acres within the place of use described for this right.
2. Rights 25-14432 and 25-14433 when combined shall not exceed a total diversion rate of 0.04 cfs and the irrigation of 3.0 acres.
3. Rights 25-14410, 25-14411, 25-14432, 25-14433 and the irrigation portion of right 25-7583 when combined shall not exceed a total diversion rate of 0.48 cfs and the irrigation of 24.9 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. 80690

WATER RIGHT NO. 25-14433
As Modified by Transfer No. 80690

CONDITIONS OF APPROVAL

6. Prior to the diversion and use of water under Transfer approval 80690, 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 edge for irrigation of the place of use.
9. This right is based upon an endorsement of Right No. 25-14432 pursuant to Section 42-1426, Idaho Code.
10. 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.
11. This right does not grant any right-of-way or easement across the land of another.
12. The right holder shall accomplish the change authorized by this transfer within one year 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 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.

Transfer No. 80690