

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAR 28 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?
35-8070 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
35-7018A <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Gerald Larsen and Myrtle Larsen
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Deloy and Viola Ward and Neal and Shelley Ward
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or ☐ and/or
- 1305 S. 200 E. Rexburg ID 83440
Mailing address City State ZIP
- (208) 356-5190 _____
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: December 21, 2007
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 #

35-7018A

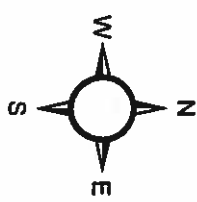
8. Signature: Robert L. Jannis Attorney March 28, 2016
Signature of new owner/claimant Title, if applicable Date

Signature: _____ _____ _____
Signature of new owner/claimant Title, if applicable Date

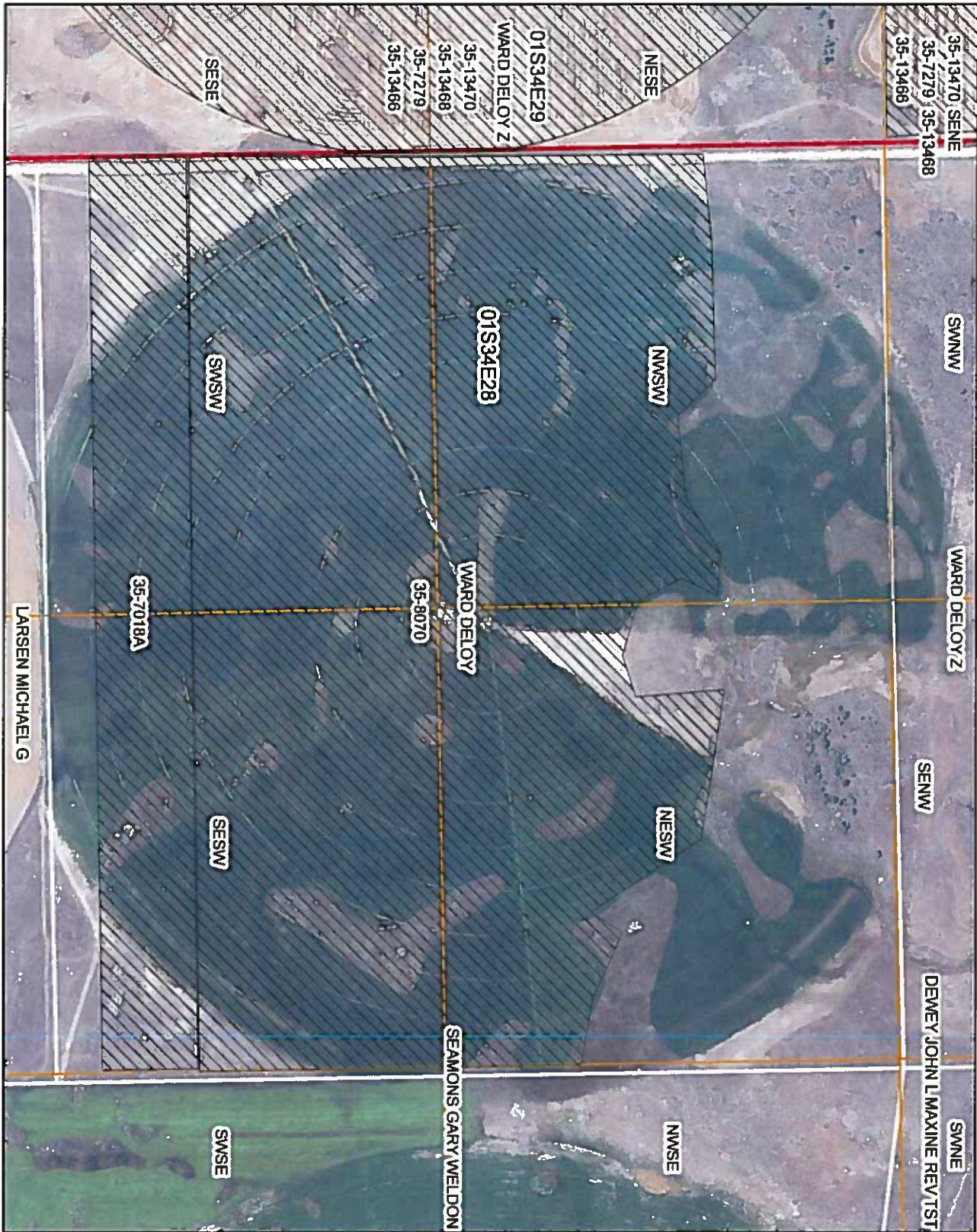
For IDWR Office Use Only:

Received by JB Date 3/28/2016 Receipt No. E0419107 Receipt Amt. \$75. -
 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 3/30/2016

WARD TRANSFER



- Legend**
- Old POU
 - Section_Lines
 - Quarter-quarters
 - New 2016 POU
 - Bingham_Parcels



Prepared by:
Robert L. Harris
2015 Photo

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
168 West Pacific/P.O. Box 868
Blackfoot, ID 83221

Instrument # 589191

BINGHAM COUNTY

2007-12-21

04:22:07 No. of Pages: 3

Recorded for : FIRST AMERICAN TITLE COMPANY

SARA J. STAUB

Ex-Officio Recorder Deputy

Fee: 9.00

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **239188-B (Id)**

Date: **December 11, 2007**

For Value Received, **Myrtle M. Larsen, a widow**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Deloy Ward and Viola Ward, husband and wife and Neal Ward and Shelly Ward, husband and wife, dba 4W Farms**, hereinafter called the Grantee, whose current address is **673 North 825 West, Blackfoot, ID 83221**, the following described premises, situated in **Bingham County, Idaho**, to-wit:

Legal Description attached hereto as **Exhibit A**, and by this referenced incorporated herein.

RESERVING UNTO THE GRANTOR One(1) Division Right.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Date: 12/11/2007

Warranty Deed
- continued

File No.: 239188-B (Id)

Myrtle M. Larsen
Myrtle M. Larsen

Deloy Ward
Deloy Ward

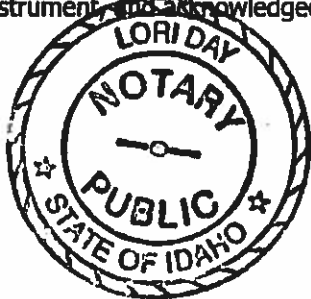
Neal Ward
Neal Ward

Viola Ward
Viola Ward

Shelly Ward
Shelly Ward

STATE OF Idaho)
SS.
COUNTY OF Bingham)

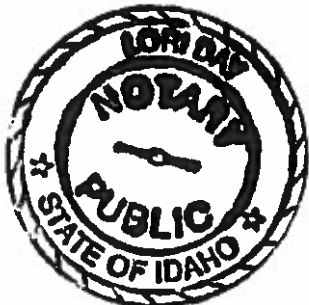
On this 13th day of December, 2007, before me, a Notary Public in and for said State, personally appeared Myrtle M. Larsen, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within Instrument, and acknowledged to me that he/she/they executed the same.



Lori Day
Notary Public for the State of Idaho
Residing at: Blackfoot, Idaho
My Commission Expires: 10/21/2009

STATE OF Idaho)
SS.
COUNTY OF Bingham)

On this 21st day of December, 2007, before me, a Notary Public in and for said State, personally appeared Deloy Ward, Viola Ward, Neal Ward and Shelly Ward, known or identified to me to be the person(s) whose name(s) are subscribed to the within instrument, and acknowledged to me that they executed the same.



Lori Day
Notary Public of Idaho
Residing at: Blackfoot, Idaho
Commission Expires: 10/21/2009

Date: 12/11/2007

Warranty Deed
- continued

File No.: 239188-B (Id)

EXHIBIT A

TOWNSHIP 1 SOUTH, RANGE 34 E., B.M., BINGHAM COUNTY, IDAHO, SECTION 28: SW1/4

EXCEPTING THEREFROM:

A PARCEL OF LAND IN THE SW¼ OF SECTION 28, TOWNSHIP 1 SOUTH, RANGE 34 EAST, BOISE MERIDIAN, BINGHAM COUNTY, IDAHO, DESCRIBED AS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 28, THE TRUE POINT OF BEGINNING (THE WEST QUARTER CORNER BEARS NORTH 00°11'50" WEST 2637.06 FEET FROM THE SOUTHWEST CORNER), AND RUNNING THENCE NORTH 00°11'50" EAST 188.96 FEET ALONG THE WEST LINE OF SAID SECTION 28;

THENCE SOUTH 89°36'41" EAST 2629.54 FEET PARALLEL TO THE SOUTH LINE OF SAID SECTION 28;

THENCE SOUTH 00°16'55" WEST 188.96 FEET ALONG THE MERIDIONAL CENTER LINE OF SAID SECTION 28 TO THE SOUTH QUARTER CORNER OF SAID SECTION 28;

THENCE NORTH 89°36'41" WEST 2629.26 FEET ALONG THE SOUTH LINE OF SAID SECTION 28 TO THE POINT OF BEGINNING.



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

March 30, 2016

Deloy Ward
Viola Ward
1305 S 200 E
Rexburg ID 83440

Neal Ward
Shelley Ward
1305 S 200 E
Rexburg ID 83440

RE: Change of Ownership for Water Right No(s). 35-8070 35-7018A

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
Bingham Ground Water District
Holden Kidwell Hahn & Crapo



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

MAR 28 2016

Department of Water Resources
Eastern Region

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

Email: rharris@holdenlegal.com

March 28, 2016

VIA HAND DELIVERY

Jonie Barg
Eastern Regional Office
Idaho Department of Water Resources
900 N. Skyline Drive, Suite A
Idaho Falls, ID 83402-1718

**RE: Notice of Change in Water Right Ownership for Water Right No. 35-2896;
Notice of Change in Water Right Ownership for Water Right Nos. 35-8070 and
35-7018A.**

Dear Jonie:

Enclosed for processing are two *Notices of Change in Water Right Ownership* related to properties purchased by DeLoy and Viola Ward and Neal and Shelley Ward, who do business as 4W Farms. We have enclosed a check in the amount of \$75.00 for the filing fee associated with both filings.

If you have any questions or concerns, please let me know. We did submit a map depicting Water Right Nos. 35-8070 and 35-7018A to show that they are adjacent to one another and both associated with a center pivot that Bingham County tax parcels verify are correctly listed in my clients' names. We appreciate your attention to this matter.

Best Regards,

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

Enclosures

G:\WPDATA\RLH\14161 4W FARMS\04\2016-03-27, BARG.DOCX