

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?
35-2896 <i>OK</i>	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: Yamada Ranches
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
- | | | | |
|-----------------------|----------------|-----------|--------------|
| <u>1305 S. 200 E.</u> | <u>Rexburg</u> | <u>ID</u> | <u>83440</u> |
| Mailing address | City | State | ZIP |
| <u>(208) 356-5190</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: June 14, 2002.
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 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. E0419167 Receipt Amt. \$ 75.00

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 JB Processed by JB Date 2/30/2011

513857

 BINGHAM COUNTY RECORDER
 BLACKFOOT, IDAHO
 FEE 12.00 DEP 1P

WARRANTY DEED

Order No.: 3020002805-J

FOR VALUE RECEIVED

2002 JUN 14 PM 4:31

Yamada Farms, a co-partnership composed of Jiro Yamada and Kunio Yamada
 And Jiro Yamada and Frances Yamada, husband and wife and Kunio Yamada, an unmarried man

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Deloy Z. Ward and Viola J. Ward, Husband and Wife and Neal D. Ward and Shelley M. Ward,
 Husband and Wife

whose current address is 1305 S. 2nd East, Rexburg, Idaho 83440

the grantee(s), the following described premises, in Bingham County, Idaho, TO WIT:

Township 2 South, Range 34 East, Boise Meridian, Bingham County, Idaho
 Section 3: SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: 6/06/2002

Yamada Farms, a co-partnership composed of Jiro
 Yamada and Kunio Yamada

By: Kunio Yamada
 Kunio Yamada, General Partner

✓
 By: Jiro Yamada
 Jiro Yamada, General Partner

✓
Kunio Yamada
 Kunio Yamada, individually

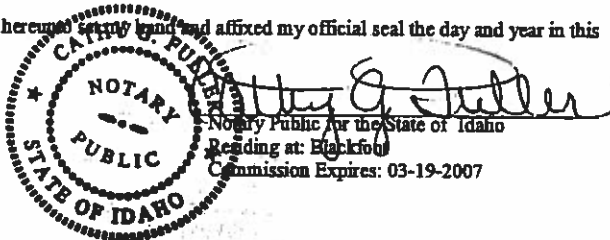
✓
Jiro Yamada
 Jiro Yamada, individually

✓
Frances Yamada
 Frances Yamada, individually
 State of Idaho)

County of Bingham) ss.

On this 6th day of June, 2002 before me, a Notary Public in and for said state, personally appeared Kunio Yamada, known or identified to me to be the partner(s) that executed the foregoing instrument, and acknowledged to me that he executed the same in said Partnership 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.



* State of Arizona

County of _____

On this ____ day of June, 2002, before me, a Notary Public in and for said state, personally appeared Jiro Yamada, known or identified to me to be the partner(s) that executed the foregoing instrument, and acknowledged to me that he executed the same in said Partnership 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 the State of Arizona

Residing at: _____

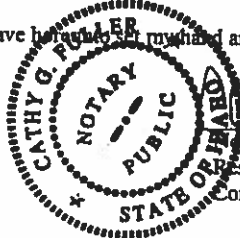
Commission Expires: _____

State of Idaho

County of Bingham

On this 6th day of June, in the year 2002, before me, a Notary Public in and for said state, personally appeared KUNIO YAMADA 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.

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



Notary Public for the State of Idaho

Residing at: Blackfoot

Commission Expires: 03-19-2007

* State of Arizona

County of _____

On this 6th day of June, in the year 2002, before me, a Notary Public in and for said state, personally appeared JIRO YAMADA AND FRANCES YAMADA known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that they 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 the State of Arizona

Residing at: _____

Commission Expires: _____

WARRANTY DEED

Order No. 3020002805-J

FOR VALUE RECEIVED

Yamada Farms, a co-partnership composed of Jiro Yamada and Kimio Yamada
And Jiro Yamada and Frances Yamada, husband and wife and Kimio Yamada, an unmarried man
the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Deley Z. Ward and Viola J. Ward, Husband and Wife and Neal D. Ward and Shelley M. Ward,
Husband and Wife

whose current address is 1305 S. 2nd East, Rexburg, Idaho 83440

the grantees(s), the following described premises, in Bingham County, Idaho, TO WIT:

Township 2 South, Range 34 East, Boise Meridian, Bingham County, Idaho
Section 3: SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: 6/06/2002

Yamada Farms, a co-partnership composed of Jiro
Yamada and Kimio Yamada

[Signature]
By: Kimio Yamada, General Partner

[Signature]
By: Jiro Yamada, General Partner

[Signature]
Kimio Yamada, individually

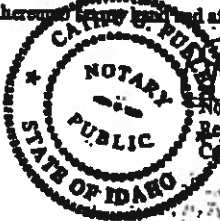
[Signature]
Jiro Yamada, individually

[Signature]
Frances Yamada, individually
State of Idaho

County of Bingham

On this 6th day of June, 2002 before me, a Notary Public in and for said state, personally appeared Kimio Yamada, known or identified to me to be the partner(s) that executed the foregoing instrument, and acknowledged to me that he executed the same in said Partnership 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.



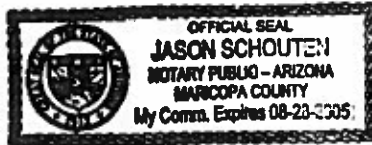
[Signature]
Notary Public for the State of Idaho
Residing at Blackfoot
Commission Expires 03-19-2007

* State of Arizona

County of Maricopa } ss.

On this 11th day of June, 2002, before me, a Notary Public in and for said state, personally appeared Jiro Yamada, known or identified to me to be the partner(s) that executed the foregoing instrument, and acknowledged to me that he executed the same in said Partnership 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.



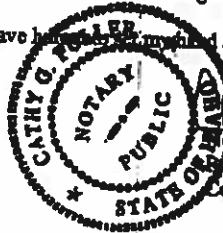
Jason Schouten
Notary Public for the State of Arizona
Residing at: BANK ONE
Commission Expires: 8-28-2005

State of Idaho

County of Bingham } ss.

On this 6th day of June, in the year 2002, before me, a Notary Public in and for said state, personally appeared KUNIO YAMADA 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.

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



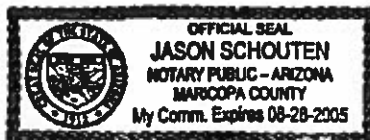
Cathy G. Fuller
Notary Public for the State of Idaho
Residing at: Blackfoot
Commission Expires: 03-19-2007

* State of Arizona

County of Maricopa } ss.

On this 16th day of June, in the year 2002, before me, a Notary Public in and for said state, personally appeared JIRO YAMADA AND FRANCES YAMADA, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that they executed the same.

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



Jason Schouten
Notary Public for the State of Arizona
Residing at: BANK ONE
Commission Expires: 8-28-2005

513857



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	Neal Ward
Viola Ward	Shelley Ward
1305 S 200 E	1305 S 200 E
Rexburg ID 83440	Rexburg ID 83440

RE: Change of Ownership for Water Right No(s). 35-2896

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

RECEIVED

MAR 28 2016

Department of Water Resources
Eastern Region

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

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\RLHM\4161 4W FARMS\04\2016-03-27, BARG.DOCX

Established in 1896