



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

February 25, 2015

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

JCH Engineering & Consulting PLLC
6755 N Albert Ln
Idaho Falls ID 83401

The "Notice of Change in Water Right Ownership" for 35-7052 & 35-7731 has been returned for the following item(s):

**** Evidence of Ownership: In order for the department to complete your request for water rights 35-7052 and 35-7731, a recorded Warranty Deed for a portion and/or all of the property will be required. For these applications the department received Warranty Deeds and a Notice of Contract instrument numbers 525972 (525106) and 525106. Please note it appears these are the same notice that was rerecorded to correct the legal which would make 525106 invalid.

The original legal for the Notice of Contract instrument number 525106 cover property in the NW SW Section 1, but the legal amended version 525972 is located in the NENE Section 2 T3S R33E.

Instrument number 525106 covers the property in the NWSW Section 1, water right number 35-7731 has 1 acre in that quarter quarter . That Instrument number is not valid.

The evidence of ownership for 35-7052 is a Notice of Contract, a Warranty Deed is required. In order for the department to use a Notice of Contract as evidence of ownership the department would have to leave the current owner on the water right and add the proposed buyer as a current owner as well, unless the contract has specific instruction that the ownership change is ok to process.

It appears the property these water rights are appurtenant to is owned by LCSC Enterprises. The department has attempted to contact you via email and via usps, but has not had any response. A response was requested within 30 days, therefore we are returning your application unprocessed.

Because the ownership change is being returned unprocessed you are entitled to a refund for both water rights, the refund will be in the amount of 125.00 for receipt number E040161. The refund has been initiated and should arrive from the state office in a couple of weeks.

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 within 120 days of the change. Failure to do so could result in a \$100 late filing fee. 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.

If you have any questions please contact Jonie Barg at (208)525-7161.

Please enclose the following items(s) and resubmit the entire packet to our Idaho Falls Office at the address below:

Idaho Department of Water Resources
Eastern Region
900 N Skyline Ste A
Idaho Falls ID 83402-1718

Respectfully submitted,

Jonie Barg
Technical Records Specialist

cc: LCSC Enterprises LLC

Barg, Jonie

From: Barg, Jonie
Sent: Wednesday, February 25, 2015 11:54 AM
To: Sutcliffe, Lorna
Subject: Refund Request
Attachments: E040161

Lorna,

Good morning!!

I have a refund request as follows:

Receipt number: E040161
Amount: \$125.00
Payable to: JCH Engineering & Consulting
6755 N Albert Ln
Idaho Falls ID 83401

Reason: Total filing fee received \$275.00 for multiple ownership change applications. The department cannot complete 2 of the ownership changes, Therefore a partial refund is required.

Let me know if you need additional information.

Thank you so much for your time. Let me know if you have any questions.

Have a great day!!!

Jonie Barg

Jonie Barg
Technical Records Specialist
Idaho Department of Water Resources
900 N Skyline Ste A
Idaho Falls ID 83402
phone: (208) 525-7161
fax: (208) 525-7177
email: jonie.barg@idwr.idaho.gov

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED
AUG 15 2014
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.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
35-7731	Yes ☒		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Jane C. & Dean Wood (listed owner)

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): LCSC Enterprises, LLC

New owner(s) as listed on the conveyance document

Name connector

☐ and

☐ or

☐ and/or

433 E. Las Colinas Blvd. Ste. #1290

Irving

TX

75039

Mailing address

City

State

ZIP

(972)556-1190

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: 12/1/2005

6. If the water right described herein has been rented from the Water Supply Bank, rental proceeds will be disbursed in the following manner regardless of any arrangements between the buyer(s) and seller(s) to the contrary:

- Rental payments will go to the lessor(s) of record at the beginning of the rental season.
- If a change in ownership is processed by the Department during a rental season, rental payment will be made to the person or entity who is the lessor of record at the beginning of that rental season.
- New lessor(s) of record will receive payment after the following rental season.

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.

8. Signature: Bene Lee Dean
Signature of new owner/claimant

Manager
Title, if applicable

8.1.14
Date

Signature: _____
Signature of new owner/claimant

Title, if applicable

Date

For IDWR Office Use Only:

Received by

WAG

Date

8/15/14

Receipt No.

ED40161

Receipt Amt.

100.00

Approved by

Processed by

Date

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

7/31/2014

WATER RIGHT NO. 35-7731

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JANE C WOOD 1255 W 50 S BLACKFOOT, ID 83221 (208)684-4314
Current Owner	DEAN WOOD 22 N 950 W BLACKFOOT, ID 83221 (208)684-4559

Priority Date: 07/19/1977
Basis: Decreed
Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	11/01	1.01 CFS	324 AFA
Total Diversion			1.01 CFS	

Location of Point(s) of Diversion:

GROUND WATER|NENESW|Sec. 01|Township 03S|Range 33E|BINGHAM County

Place(s) of use:

Place of Use Legal Description: IRRIGATION BINGHAM County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
03S	33E	1		SE NW 33										
				NESW 36			NWSW 1			SE SW 5				
				NWSE 6										

Total Acres: 81

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
2. E02 USE OF THIS RIGHT IS COMBINED WITH WATER FROM ABERDEEN SPRINGFIELD CANAL CO.
3. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

Dates:

Licensed Date:

Decreed Date: 03/08/2002

561070

WARRANTY DEED

FOR VALUE RECEIVED KIM SHAWVER and RHONDA SHAWVER, husband and wife, the Grantors, do hereby grant, bargain, sell, and convey unto LCSC ENTERPRISES, LLC, of 433 East Las Colinas Blvd, Ste 1290, Irving, Texas, the Grantees, the following described premises to-wit:

The Southeast quarter of the Northwest quarter of Section One, in Township Three South of Range Thirty-three, East of the Boise Meridian in Bingham County, Idaho:

LESS

Township 3 South, Range 33 E.B.M., Bingham County, Idaho

Section 1: W. 200 feet of the SE1/4NW1/4.

Together with all improvements and water right.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that said premises are free from all encumbrances and that they will warrant and defend the same from all lawful claims whatsoever.

DATED and signed this 1 day of December 2005

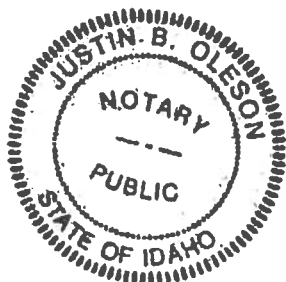
KIM SHAWVER

RHONDA SHAWVER

STATE OF IDAHO)
County of Bingham) ss.

On this 1 day of December, 2005, before me, the undersigned, a notary public in and for said state, personally appeared Kim Shawver and Rhonda Shawver, husband and wife, known to me to be the person whose names are 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 in this certificate first above written.



(SEAL)

561070
2005 DEC - 1 PM 4:48
RECORDED IN THE RECORDS OF
Blaine Sherman
#850 x 1047
Blackfoot
6321
Notary Public for State of Idaho
Residing at Blackfoot
My com expires: 02/02/2006

561059

WARRANTY DEED

FOR VALUE RECEIVED Melvin Wayne Wood and Gayla Harmon Wood, husband and wife of 05 Pine View Place, Tijeras, New Mexico, 87059, the Grantors, do hereby grant, bargain, sell, and convey unto Kim Shawver and Rhonda Shawver, husband and wife of 108 South 1200 West, Blackfoot, the Grantees, the following described premises to-wit:

The Southeast quarter of the Northwest quarter of Section One, in Township Three South of Range Thirty-three, East of the Boise Meridian in Bingham County, Idaho:

LESS

Township 3 South, Range 33 E.B.M., Bingham County, Idaho

Section 1: W. 200 feet of the SE $\frac{1}{4}$ NW $\frac{1}{4}$.

Together with all improvements and water right.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that said premises are free from all encumbrances and that they will warrant and defend the same from all lawful claims whatsoever.

DATED and signed this 1 Day of December 2000.

Melvin Wayne Wood
MELVIN WAYNE WOOD

Gayla Harmon Wood
GAYLA HARMON WOOD
a.k.a.

2005 DEC - 1 PM 4:48
FILED IN THE OFFICE OF
CLERK OF DISTRICT COURT
BLAINE, IDAHO
83221
99-10251A DOC
Blaine driver

STATE OF ^{New Mexico} ~~IDAHO~~)
County of ^{Bernalillo} ~~Bingham~~) ss.

On this 1 day of December 2000, before me, the undersigned, a notary public in and for said state, personally appeared MELVIN WAYNE WOOD AND GAYLA HARMON WOOD, husband and wife, known to me to be the persons whose names are 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 in this certificate first above written.



OFFICIAL SEAL
KAREN HENDERSON
NOTARY PUBLIC-STATE OF NEW MEXICO
My commission expires: 4-27-03

My cmn exprs:

Karen O Henderson
Notary Public for State of ~~Idaho~~ New Mexico
Residing at Blackfoot Bernalillo

561069

561067

WARRANTY DEED

FOR VALUE RECEIVED William Dean Wood and Janine D. Wood, husband and wife, of 22 North 950 West, Blackfoot and Melvin Wayne Wood and Gayla Harmon Wood, husband and wife of 05 Pine View Place, Tijeres, New Mexico 87059 the Grantors, do hereby grant, bargain, sell, and convey unto Bill J. Wood and Teresa Wood, husband and wife, of 1243 West 50 South, Blackfoot, the Grantees, the following described premises to-wit:

See Exhibit A attached hereto.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that said premises are free from all encumbrances and that they will warrant and defend the same from all lawful claims whatsoever.

DATED and signed this 4th ^{January} Day of ~~December~~ 2000.

William Dean Wood
WILLIAM DEAN WOOD

Melvin Wayne Wood
MELVIN WAYNE WOOD

Janine D. Wood
JANINE D. WOOD

Gayla Harmon Wood
GAYLA HARMON WOOD

2005 DEC - 1 PM 4:48

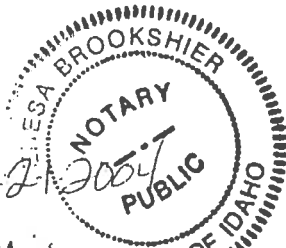
RECORDED IN THE REQUEST OF
Blader-Sorenson Blasin
PO Box 1047
Blackfoot ID 83224

STATE OF IDAHO)
) ss.
County of Bingham)

On this 4 day of Jan 2001 ~~December 2000~~, before me, the undersigned, a notary public in and for said state, personally appeared WILLIAM DEAN WOOD and JANINE D. WOOD, husband and wife, known to me to be the persons whose names are 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 in this certificate first above written.

My cmn exprs: 9-21-05



Teresa Brookshier
Notary Public for State of Idaho
Residing at Blackfoot

New Mexico
STATE OF ~~IDAHO~~)
Bernalillo) ss.
County of ~~Bingham~~)

On this 1 day of December 2000, before me, the undersigned, a notary public in and for said state, personally appeared MELVIN WAYNE WOOD and GAYLA HARMON WOOD, husband and wife, known to me to be the persons whose names are 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 in this certificate first above written.



My cmn exprs:

OFFICIAL SEAL
KAREN HENDERSON
NOTARY PUBLIC-STATE OF NEW MEXICO
My commission expires 9-21-03

Karen W. Henderson
Notary Public for State of ~~Idaho~~ New Mexico
Residing at Blackfoot Bernalillo

EXHIBIT A

Beginning at the Northwest Corner of the Southeast Quarter of the Southwest Quarter of Section 1, in Township 3 South, Range 33, East of the Boise Meridian; thence South 270 feet to the North bank of the Sjostrom Ditch now located; thence in a Southeasterly direction following the Northerly bank of said Sjostrom Ditch to its intersection with the Westerly bank of the Aberdeen Springfield Canal Company right-of-way; thence Northeasterly along the Westerly bank of said Aberdeen Springfield Canal Company right of way 725 feet, more or less to the point where it intersects the North line of said Southeast Quarter of the Southwest Quarter of Section 1; thence West 750 feet, more or less, to the point of beginning, containing 4 and one half acres, more or less.

PLUS,

Beginning at the cent of Section 1 in Township 3 South of Range 33, East of the Boise Meridian in Idaho, and running thence due east to intersection with the right-of-way of the American Falls Canal, thence in a southwesterly direction along said right-of-way to its intersection with west line of the Southeast Quarter of said Section 1, thence north on said line to the place of beginning.

PLUS,

Commencing at the NE corner of the SW $\frac{1}{4}$ Section 1, Township 3 South, Range 33 East of the Boise Meridian, and running thence due W. 80 rods; thence due S. 80 rods; thence due E. to American Falls Canal; thence in northeasterly direction along the W. bank of said canal to its intersection with E. line of said SW $\frac{1}{4}$, thence due N. to the point of beginning.

LESS

Beginning at the center of Section 1 in Township 3 South of Range 33, East of the Boise Meridian in Idaho, and running thence due east to intersection with the right-of-way of the American Falls Canal, thence in a southwesterly direction along said right-of-way to its intersection with west line of the Southeast Quarter of said Section 1, thence north on said line to the place of beginning.

Together with all improvements thereon.

561067

501000

WARRANTY DEED

FOR VALUE RECEIVED BILL J. WOOD and TERESA WOOD, husband and wife, the Grantors, do hereby grant, bargain, sell, and convey unto LCSC ENTERPRISES, LLC, of 433 East Las Colinas Blvd, Ste 1290, Irving, Texas, the Grantees, the following described premises to-wit:

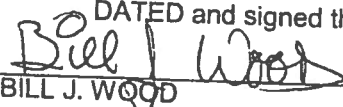
Part of the NE 1/4 SW 1/4, and Part of the SE 1/4 SW 1/4 Section 1 Township 3 South Range 33 East B.M. Bingham County, Idaho described as:

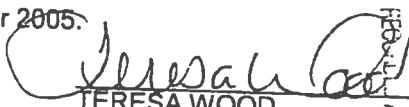
Commencing at the West 1/4 corner of Section 1; thence S 89°37'12" E 1321.99' feet to the NW corner of the NE 1/4 SW 1/4, and the POINT OF BEGINNING. Thence S 89°37'12" E 1009.62' feet continuing along the North line of the SW 1/4; thence S 00°21'13" E 160.76' feet; thence S 89°37'12" E 311.49' feet parallel with the North line of the SW 1/4 to a point on the East line of the SW 1/4 thence S 00°02'31" E 583.02' feet along the East line of the SW 1/4 to a point on the Northwesterly Right of Way of the Aberdeen Springfield Canal; thence along said Right of Way the following Three (3) Courses; thence (1) S 46°17'43" W 951.45' feet; thence (2) S 46°28'22" W 640.38' feet; thence (3) S 48°55'25" W 36.54' feet to the Northeasterly Bank of the Sjostrom Ditch; thence N 36°00'58" W 239.09' feet along said Bank to a point on the West line of the SE 1/4 SW 1/4; thence N 00°04'35" W 1681.60' feet along the West line of the East 1/2 SW 1/4 to the POINT OF BEGINNING.

Parcel contains 40.12 Acres more or less, and is subject to a County Road Right of Way along the North side.

Together with any and all improvements go with the land, including but not limited to irrigation systems, pipe, water and water rights.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that said premises are free from all encumbrances and that they will warrant and defend the same from all lawful claims whatsoever.

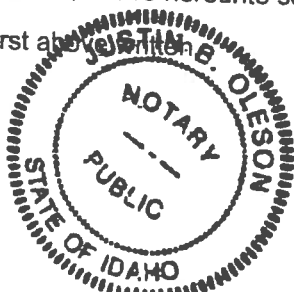
DATED and signed this 1 day of December 2005.

 BILL J. WOOD


 TERESA WOOD

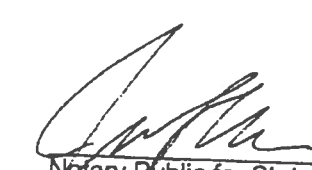
STATE OF IDAHO
 County of Bingham } ss.

On this 1 day of December, 2005, before me, the undersigned, a notary public in and for said state, personally appeared Bill J. Wood and Teresa Wood, husband and wife, known to me to be the person whose names are 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 in this certificate first above written.



(SEAL)


 Notary Public for State of Idaho
 Residing at Blackfoot
 My comn exprs:

501000

2005 DEC - 1 PM 4:48
 RECEIVED IN THE COUNTY OF
 BINGHAM
 3-1-06
 Bill J. Wood
 Teresa Wood
 Blackfoot, Idaho
 83222

525106

NOTICE OF CONTRACT

VERNA ILENE ROBERTSON of 14 South 1300 West, Blackfoot, Idaho 83221, hereby give notice that they have sold, pursuant to contract, the following described property to LCSC Enterprises, LLC of 4th 33 East Las Colinas Blvd., Suite 1290, Irving, Texas 75039:

See attached Exhibit A.

DATED AND SIGNED this 17 day of October 2002.


VERNA ILENE ROBERTSON

STATE OF IDAHO

County of Bingham

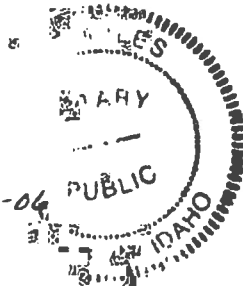
)
) ss.
)

On this 17th day of October 2002, before me, the undersigned, a notary public in and for said state, personally appeared VERNA ILENE ROBERTSON, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

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

My cmn exprs: 10-12-06

NOTICE OF CONTRACT - 1




Notary Public for State of Idaho
Residing at Blackfoot
RECORDED IN THE REQUEST OF
Blackfoot thru
PO Box 1047
Blackfoot ID 83221
2003 APR -9 PM 4:47
FEE 4.00 DE 84560336
BLACKFOOT RECORDER
BLACKFOOT IDAHO

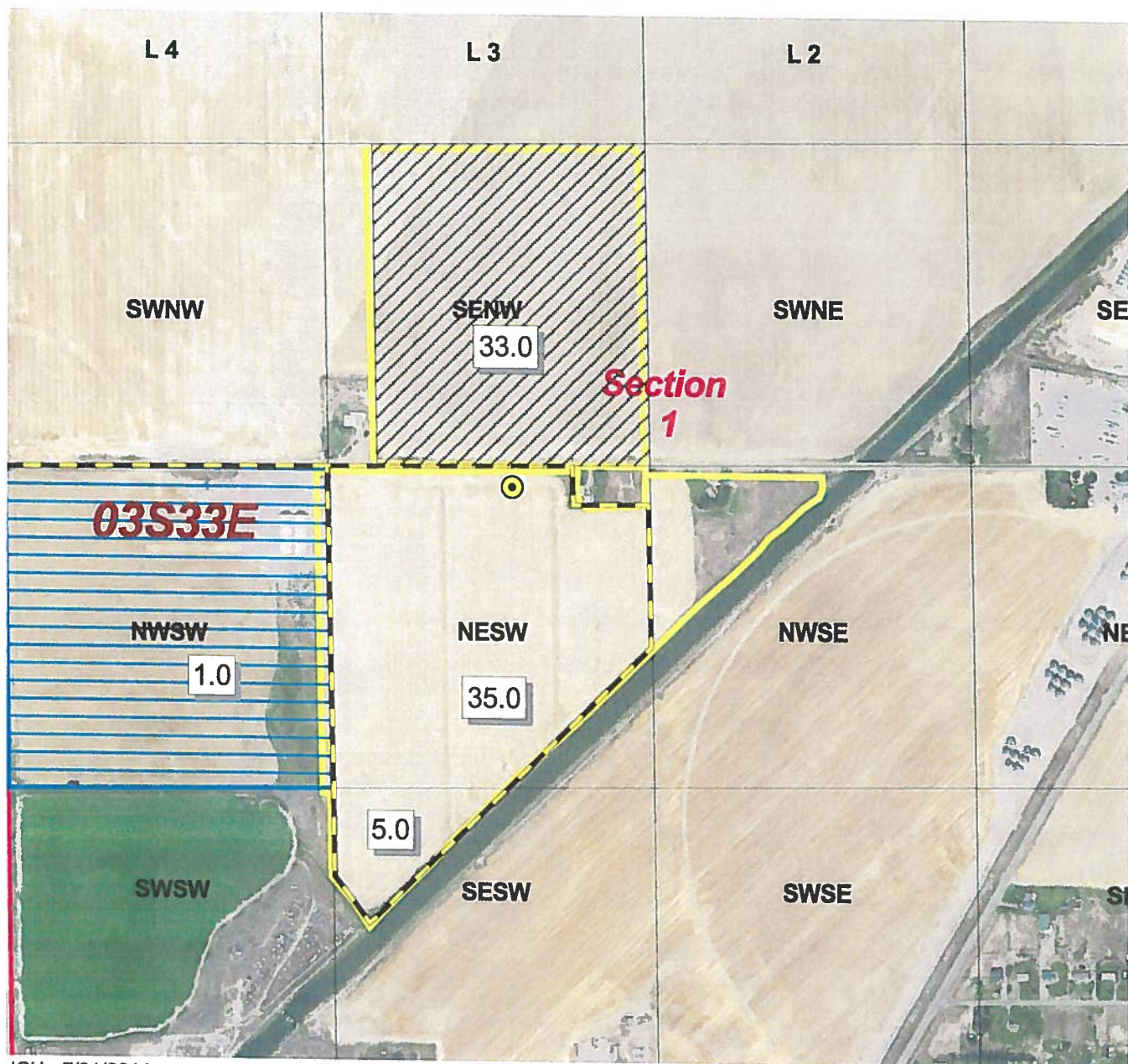
EXHIBIT A

A parcel of property located in Bingham County, Idaho, Township 3 South, Range 33 E.B.M.,

Section 1, NW $\frac{1}{4}$ SW $\frac{1}{4}$ less a parcel of property described as follows:

Commencing at the SE corner of Lot 1 (NW $\frac{1}{4}$ SW $\frac{1}{4}$), which is in the center of a county road, in Section 2, Township 3 South, Range 33 E.B.M., Bingham County, Idaho, and thence West 300 feet; thence North 272.25 feet; thence East 300 feet; thence South 272.25 feet to the point of beginning.

525106

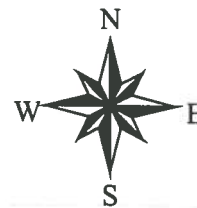


JCH - 7/31/2014

NAIP 2013 Aerial Photo

0.25 0 0.25 Miles

- 35-7731 Authorized Point of Diversion
- 35-7731 Authorized Place of Use
- Bingham County Instrument # 525106
- Bingham County Instrument # 561068
- Bingham County Instrument # 561070
- Township & Range
- Sections
- Bingham County 40s



35-7731 Split to LCSC Enterprises, LLC
(7/19/1977: 0.92 cfs, 74.0 ac, 296.0 afa)