

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED

AUG 15 2014

Department of Water Resources
Eastern City

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?
35-7274 <i>OK</i>	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Arlo C. Dance (Listed Owner)
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Borah Capital, Ltd.
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: 10/1/1999
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: *Ben Lee* *Manager* *8.1.14*
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 *MG* Date *8/15/14* Receipt No. *E040161* Receipt Amt. *25.00*
Approved by *JB* Processed by *JB* Date *9/30/2014*

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

7/31/2014

WATER RIGHT NO. 35-7274

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ARLO C DANCE 1167 W HWY 39 BLACKFOOT, ID 83221 (208)684-4374

Priority Date: 01/22/1973
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	1.22 CFS	372 AFA
Total Diversion			1.22 CFS	

Location of Point(s) of Diversion:

GROUND WATER|NESENW|Sec. 06|Township 03S|Range 34E|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	34E	6		NENW	34		NWNW	5		SWNW	14		SENW	40

Total Acres: 93

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.

Dates:

Licensed Date:

Decreed Date: 01/25/2002

Permit Proof Due Date:

Permit Proof Made Date:

Permit Approved Date:

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

483657

WARRANTY DEED

Order No.: 3029900042-K

1999 OCT -1 PM 3:41

FOR VALUE RECEIVED

RECORDED AT THE REQUEST OF
Borah Capital, LP

Ella Gorder, Terry Dance and Blair Dance, Trustees of the Dance Family Trust

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

LTD

Borah Capital, LP, A Texas Limited Liability Partnership

whose current address is

433 E. Las Colinas Blvd, Suite 1290

Irving, TX 75039

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

A portion of the NW¼ of Section 6, Township 3 South, Range 34 East, Boise Meridian, Bingham County, Idaho, lying South and East of State Highway #39 and East of the following described line which is the East line of Rockford Airport;

Beginning at a point that is North 89°47'50" East 815 feet from the West ¼ corner of said Section 6, thence North 0°06'37" West 820.79 feet; thence North 35°54'24" East 255.34 feet; thence North 0°11'35" East 718.25 feet; thence North 25°33'47" West 57.29 feet.

EXCEPTING THEREFROM: Part of the NW¼ of Section 6, Township 3 South, Range 34 East, Boise Meridian, Bingham County, Idaho, described as:

Beginning at a point on a curve on the South right-of-way line of State Highway No. 39, that is South 89°46'28" East 1675.34 feet along the Section line and South 121.53 feet from the Northwest corner of said Section 6, and running thence along said curve to the right 142.98 feet (Curve Data: Delta = 7°28'30", Radius = 1095.91 feet, Chord bears North 75°02'01" East 142.88 feet), thence South 0°24'54" East 435.09 feet; thence North 89°44'29" West 136.77 feet; thence North 0°38'11" West 397.59 feet to the Point of Beginning.

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: August 31, 1999

The Dance Family Trust

Ella Gorder, Trustee

Blair Dance, Trustee

Terry Dance, Trustee

State of Idaho }
County of Bingham } ss.

On this 8th day of September, 1999, before me, a Notary Public in and for said state, personally appeared Ella Gorder, and Blair Dance known or identified to me to be the person whose name is subscribed to the foregoing instrument as trustee of the Dance Family Trust, and acknowledged to me that they executed the same as Trustees.

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



Kathy Nethercott
Notary Public for the State of Idaho
Residing at: Blackfoot Idaho
Commission Expires: 3-6-2002

State of Idaho

County of Bannock

}
}ss.
}

On this 30th day of SEPTEMBER, 1999, before me, a Notary Public in and for said state, personally appeared, Terry Dance known or identified to me to be the person whose name is subscribed to the foregoing instrument as trustee of the Dance Family Trust, and acknowledged to me that they executed the same as Trustees.

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



Daniel Graham
Notary Public for the State of Idaho
Residing at: Pocatello
Commission Expires: 5/22/2004

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