

RECEIVED

JUL 24 2014

DEPT OF WATER RESOURCES
SOUTHERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
61-12290	Yes ☒		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name:

Helene S Percy or Stephen H Percy
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s):

Idaho Water Company LLC
New owner(s) as listed on the conveyance document

1135 Valley Rd
Mailing address

Idaho
City

Name connector ☐ and ☐ or ☐ and/or

ID
State

83325
ZIP

208-312-1135
Telephone

dcl@idaho Water Company, Com
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:

July 22, 2014

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:

Idaho Water Company LLC
Signature of new owner/claimant

Managing member
Title, if applicable

July 24, 2014
Date

- Signature:

Delbert K. [Signature]
Signature of new owner/claimant

Managing member
Title, if applicable

July 24, 2014
Date

For IDWR Office Use Only:

Received by

DM

Date

7-25-2014

Receipt No.

5034192

Receipt Amt.

\$100-

Approved by

Processed by

Date

Instrument # 443040
ELMORE COUNTY, Idaho
Jul 22, 2014 4:57:36 pm
For: DELBERT KOHTZ
BARBARA STEELE, Recorder
DELLIS, Deputy

Pages: 4

Fee: \$ 19.00

SPECIAL WARRANTY DEED FOR WATER RIGHTS

STEPHEN PERCY and HELEN PERCY, husband and wife ("Grantor"), do hereby grant, bargain, sell, assign, and convey unto IDAHO WATER COMPANY, LLC, an Idaho limited liability company, whose address is 1135 Valley Road South, Eden, Idaho, 83325 ("Grantee"), and to Grantee's heirs and assigns forever, all of Grantors' right, title, and interest in Water Right No. 61-12290 (formerly a portion of right no. 61-10841), described in Exhibit A hereto (the "Water Right").

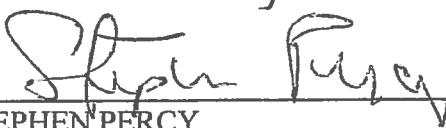
Grantor covenants and warrants to Grantee as follows:

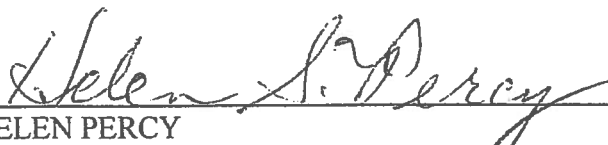
- A. Grantor is the owner of the Water Right;
- B. Grantor has not conveyed the Water Right to anyone other than Grantee;
- C. The Water Right is being conveyed free from all liens, claims or encumbrances; and
- D. Grantor has the authority to convey the Water Right to Grantee.

Grantor makes no other covenants, representations or warranties as to the Water Right.

No land is included in or conveyed by this grant.

IN WITNESS WHEREOF, the undersigned Grantor has caused its name to be hereunto subscribed this 22 day of July, 2014.


STEPHEN PERCY

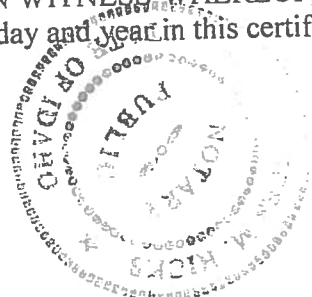

HELEN PERCY

[acknowledgements on next page]

STATE OF IDAHO)
) ss.
County of Elmore)

On this 22nd day of July, 2014, before me, a Notary Public for said County and State, personally appeared STEPHEN PERCY, known or identified to me, to be the person whose name is subscribed to the foregoing 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 in this certificate first above written.

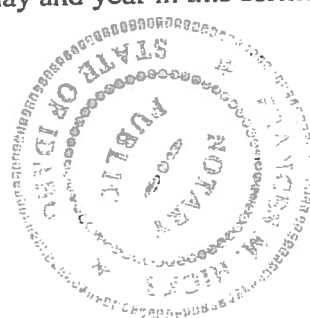


Francis M. Hill
Notary Public for Idaho
Residing at Mountain Home
My Commission expires 12-20-2016

STATE OF IDAHO)
) ss.
County of Elmore)

On this 22nd day of July, 2014, before me, a Notary Public for said County and State, personally appeared HELEN PERCY, known or identified to me, to be the person whose name is subscribed to the foregoing 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.



Francis M. Hill
Notary Public for Idaho
Residing at Mountain Home
My Commission expires 12-20-2016

Exhibit A
(Description of Water Right)

Page 4 of 5

WATER RIGHT NO. 61-12290
As Modified by Transfer No. 78560

In accordance with the approval of Transfer No. 78560, Water Right No. 61-12290 is now described as follows:

Right Holder: HELEN S PERCY OR
STEPHEN H PERCY
PO BOX 248
MOUNTAIN HOME, ID 83647-0248

Priority Date: 3/24/1970

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	4 /01	to 10/31	3.010 cfs 3.010 cfs	817.4 af 817.4 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	L5 (NWSW)	Sec 19 Twp 04S Rge 05E	ELMORE County
GROUND WATER	NENE	Sec 30 Twp 04S Rge 05E	ELMORE County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S	05E	19									40.0	40.0	40.0	40.0	28.0	40.0	40.0	40.0	368.0
												L 5	L 8						
04S	05E	30	40.0	40.0	40.0	40.0													160.0
Right Acre Limit:			181.0																
POU Total Acres:			468.0																

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. 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.
4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.

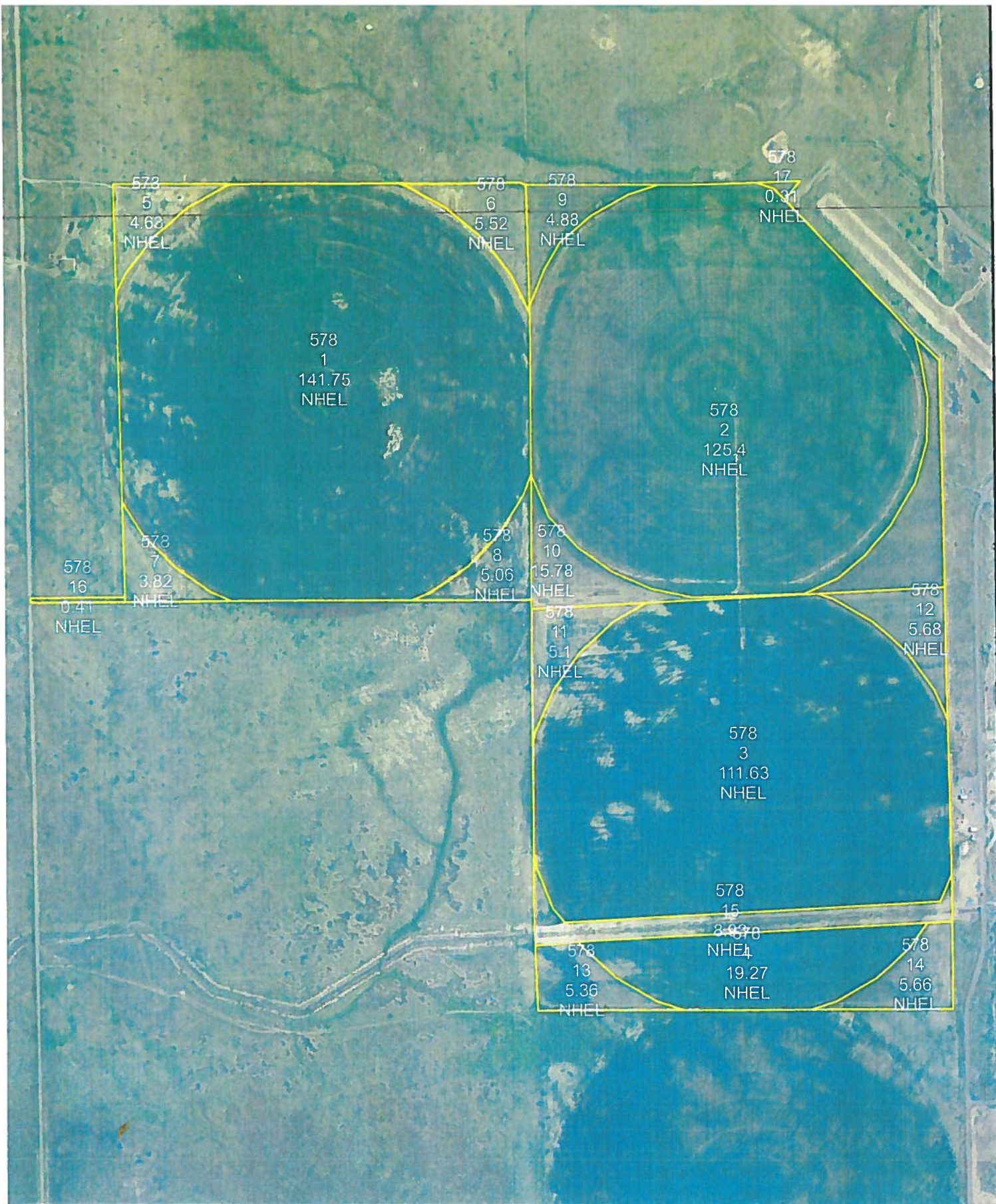
Transfer No. 78560

WATER RIGHT NO. 61-12290
As Modified by Transfer No. 78560

CONDITIONS OF APPROVAL

5. This right is limited to the irrigation of 181 acres within the authorized place of use in a single irrigation season.
6. This right is limited to the irrigation of a specific 181 acres within the 468 acre place of use authorized by this right in a single irrigation season. The specific 181 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 181 acres to be irrigated within the 468 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
7. 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.
8. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than October 26, 2000.
9. All water rights within Basin 61 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.
10. The diversion and use of water described in Transfer 78560 may be subject to additional conditions and limitations agreed to by the protestant and the right holder under a separate agreement to which the Department is not a party. Because the Department is not a party, the Department is not responsible for enforcement of any aspect of the agreement not specifically addressed in other conditions herein. Enforcement of those portions of the agreement not specifically addressed in other conditions shall be the responsibility of the protestant and the water right holder.
11. Place of use does not include federal public lands.

Transfer No. 78560



United States Department of Agriculture
Farm Service Agency

May 08, 2009

Elmore Co., ID

Farm 446

