

JUL 31 2013

**STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP**

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?
21-13150 <i>OK</i>	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Idaho Water Company LLC
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Earl D. Allen
Name of each new owner as listed on the conveyance document

New owner Continued Name Connector ☐ and ☐ or ☐ and/or

1816 Risdon Rd.

Mailing Address

Concord

City

CA

State

94518

Zip

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. July 9, 2013
6. 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.

7. Signature: Robert L. Jannis Attorney July 30, 2013
Signature of new owner/claimant Title, if applicable Date

Signature: _____

Signature of new owner/claimant	Title, if applicable	Date
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For IDWR Office Use Only

Received by _____
Approved by _____

Date 7/31/2013
Processed by 583

Receipt No. E038961

8961 Receipt
Date 8/16/2013

Receipt Amt. \$25. -

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Robert L. Harris, Esq.

Holden, Kidwell, Hahn & Crapo, PLLC

PO Box 50130

Idaho Falls, ID 83405-0130

(Space Above for Recorder's Use)

SPECIAL WARRANTY DEED FOR WATER RIGHT

Idaho Water Company LLC, an Idaho limited liability company, whose address is 1135 Valley Road South, Eden, Idaho 83325, ("Grantor") does hereby grant, bargain, sell, assign, and convey unto **Earl D. Allen** of 1816 Risdon Rd., Concord, CA 94518, ("Grantee") and to Grantee's heirs and assigns forever, all of Grantor's right title and interest in the Water Right No. 21-13150 as described in Exhibit A hereto (the "Water Right"), which has been moved to and is appurtenant to Teton County Tax Parcel No. RP002720000040 (located in the SE1/4SE1/4 of Section 36, Township 5N, Range 45E.B.M) with an address of 980 S. 1000 E., Driggs, ID, 83422.

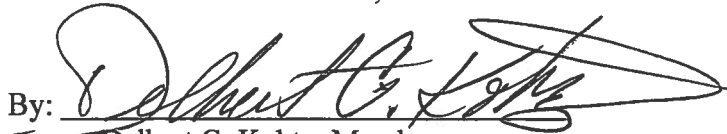
Grantor hereby covenants and warrants to Grantee as follows:

- (A) Grantor is the owner of the Water Right;
- (B) Grantor has not conveyed any of the Water Right to anyone other than Grantee;
- (C) The Water Right is 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 or warranties as to the Water Right. Only the Water Right is conveyed herein. **No land is conveyed pursuant to this deed.**

DATED this 31st day of May, 2013.

IDAHO WATER COMPANY, LLC

By: 
Delbert G. Kohtz, Member

STATE OF IDAHO)
) ss.
County of Twin Falls)

On this 31 day of May, 2013, before me, a Notary Public for said County and State, personally appeared DELBERT G. KOHTZ, known or identified to me, to be one of the members of the limited liability company of IDAHO WATER COMPANY, LLC, and the member or one of the members who subscribed said limited liability company name to the foregoing instrument, and acknowledged to me that he executed the same in said limited liability company 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 IDAHO
Residing at: Twin Falls Idaho
My commission expires: 11/26/2016



EXHIBIT A
WATER RIGHT DESCRIPTION

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WATER RIGHT NO. 21-13150
As Modified by Transfer No. 78076

In accordance with the approval of Transfer No. 78076, Water Right No. 21-13150 is now described as follows.

Right Holder: IDAHO WATER CO LLC
1135 VALLEY RD S
EDEN ID 83325

Priority Date: January 27, 1976

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	0.02 CFS	3.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESESE Sec. 36 Twp 05N Rge 45E TETON County

PLACE OF USE: IRRIGATION

<u>Twp</u>	<u>Rge</u>	<u>Sec</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>Totals</u>
05N	45E	36																	1.0

Total Acres: 1

CONDITIONS OF APPROVAL

1. 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.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
3. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. 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.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 21st day of November, 2012


Water Resources Program Manager