

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

RECEIVED

OCT 17 2012

Department of Water Resources
Case # 12-00000000

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?
25-14380	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): City of Ammon
Name of each new owner as listed on the conveyance document

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

2135 South Ammon Road
Mailing Address

Ammon ID 83406
City State 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. October 3, 2012

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. Jannin Attorney, City of Ammon 10/16/2012
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 [Signature] Date 10/19/2012 Receipt No. E038113 Receipt Amt. \$25.-
Approved by [Signature] Processed by [Signature] Date 10/19/2012

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Scott R. Hall, Esq.

Nelson Hall Parry Tucker, P.A.

PO Box 51630

Idaho Falls, ID 83405

Instrument # 1428416

IDAHO FALLS, BONNEVILLE, IDAHO

10-3-2012 08:05:46 No. of Pages: 4

Recorded for : CITY OF AMMON

RONALD LONGMORE

Fee: 0.00

Ex-Officio Recorder Deputy

Index to: DEED, WARRANTY

SJ

(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 the **City of Ammon**, an Idaho municipal corporation, whose address is 2135 South Ammon Road, Ammon, Idaho 83406 (Grantee) and to Grantee's heirs and assigns forever, all of Grantor's right title and interest in the Water Right No. 25-14380 as described in Exhibit A hereto (the "Water Right").

Grantor hereby covenants and warrants to Grantee as follows:

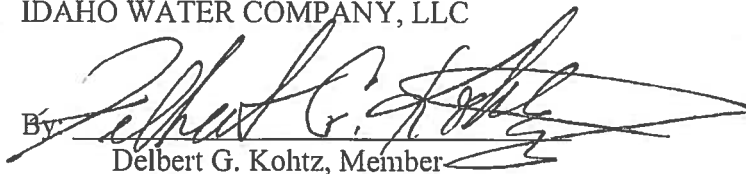
- (A) Grantor is the owner of the Water Right;
- (B) Grantor has not conveyed any of the Water Right to anyone other than Grantee;
- (C) The Water Right is free from all liens, claims, or encumbrances; and
- (D) Grantor has the authority to convey the Water Right to Grantee.

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.**

IN WITNESS WHEREOF, the undersigned authorized officer of Grantor, acting on behalf of Grantor, has caused his name to be hereunto subscribed.

DATED this 1st day of Oct, 2012.

IDAHO WATER COMPANY, LLC

By 
Delbert G. Kohtz, Member

STATE OF IDAHO)
) ss.
County of Bonneville)

On this 1st day of October, 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.



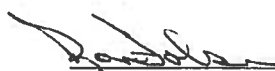

NOTARY PUBLIC FOR IDAHO
Residing at: Bonneville County
My commission expires: 10-8-16

EXHIBIT A
WATER RIGHT DESCRIPTION

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WATER RIGHT NO. 25-14380
As Modified by Transfer No. 78016

In accordance with the approval of Transfer No. 78016, Water Right No. 25-14380 is now described as follows.

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

Priority Date: July 19, 1973

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
MUNICIPAL	04/01	to 10/31	0.23 CFS	60.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESENW	Sec. 22 Twp 02N	Rge 38E	BONNEVILLE County
GROUND WATER	SESWSE	Sec. 22 Twp 02N	Rge 38E	BONNEVILLE County
GROUND WATER	SEENW	Sec. 25 Twp 02N	Rge 38E	BONNEVILLE County
GROUND WATER	NWSENW	Sec. 26 Twp 02N	Rge 38E	BONNEVILLE County
GROUND WATER	SWSWNE	Sec. 27 Twp 02N	Rge 38E	BONNEVILLE County
GROUND WATER	NWNENW	Sec. 27 Twp 02N	Rge 38E	BONNEVILLE County
GROUND WATER	NESENW	Sec. 27 Twp 02N	Rge 38E	BONNEVILLE County
GROUND WATER	NWSESE	Sec. 27 Twp 02N	Rge 38E	BONNEVILLE County
GROUND WATER	SWNWSW	Sec. 34 Twp 02N	Rge 38E	BONNEVILLE County
GROUND WATER	NESENW	Sec. 30 Twp 02N	Rge 39E	BONNEVILLE County

CONDITIONS OF APPROVAL

1. Place of use is within the service area of the City of Armon municipal water supply system as provided for under Idaho Law.
2. A map depicting the place of use boundary for this water right at the time of this approval is attached to this document for illustrative purposes.
3. This right is limited to the irrigation of 15.0 acres within the authorized place of use in a single irrigation season.
4. Rights 25-14331, 25-14333 and 25-14380 when combined shall not exceed irrigation of 93.5 acres
5. Municipal use under rights 25-14331, 25-14333 and 25-14380 is for irrigation of 93.5 acres within the authorized place of use in a single irrigation season.
6. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.
7. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
8. Prior to diversion and use of water under Transfer approval 78016, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.

WATER RIGHT NO. 25-14380
As Modified by Transfer No. 78016

CONDITIONS OF APPROVAL

9. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
10. The irrigation component of municipal use under this right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate.
11. The combination of changes under:
Transfer approval 78016 as described under right 25-14380
Transfer approval 78017 as described under right 35-14280
Transfer approval 78018 as described under right 25-14381
Transfer approval 78019 as described under right 25-14382

provide the necessary mitigation for any increased depletion to connected reaches of the Snake River that would result from each individual transfer. These transfer approvals shall not require mutual dependence for ongoing mitigation.

Any future action, including a subsequent transfer of this right or an order rescinding a transfer approval, which would result in a change to the point(s) of diversion under this right may require mitigation for the effects of the change. Such future action to change the point(s) of diversion under this right shall be analyzed for effects to connected reaches of the Snake River based on the priority date, point(s) of diversion and steady-state quantity as authorized for this right under Transfer approval 78016.

12. The approval of this transfer redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.
13. This right does not grant any right-of-way or easement across the land of another.
14. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
15. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
16. 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 29th day of August, 20 12


Water Resources Program Manager