

STATE 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?
25-14351 <i>OK</i>	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name Idaho Water Co. LLC
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s) Knife River Corporation
Name of each new owner as listed in the conveyance document

New owner continued _____ Name Connector ☐ and ☐ or ☐ and/or _____
4055 Professional Way
Mailing address
Idaho Falls Idaho 83402
City State ZIP
(208) 523-8282
Telephone Email: _____

Prepared by: Keith C. Wilson c/o Rocky Mountain Environmental Assoc. Inc.

Email: kwilson@rockymountainenvironmental.com



482 Constitution Way, Suite 303, Idaho Falls, ID 83402

(208) 524-2353 / (208) 524-1795 Fax

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: 11/22/2011

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 photography 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: _____ Doug DeLong 12/12/11
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 JR

Date 12/13/2011

Receipt No. E037192

Receipt Amt. \$25. -

Approved by JR

Processed by JR

Date 12/13/2011

Instrument # 1404258

IDAHO FALLS, BONNEVILLE, IDAHO

12-1-2011 02:42:23 No. of Pages: 4

Recorded for : KEITH WILSON
RONALD LONGMORE Fee: 19.00

Ex-Officio Recorder Deputy
Index to: DEED, WARRANTY

SPECIAL WARRANTY DEED FOR WATER RIGHT

Idaho Water Company, LLC, whose address is 1135 Valley Road South, Eden, Idaho, 83325 ("Grantor"), does hereby grant, bargain, sell, assign, and convey unto Knife River Corporation, whose address is 4055 Professional Way, Idaho Falls, Idaho 83402 ("Grantee") and to Grantee's heirs and assigns forever, all of Grantor's right, title, and interest in Water Right No. 25-14351 (formerly No. 35-7310A) 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.

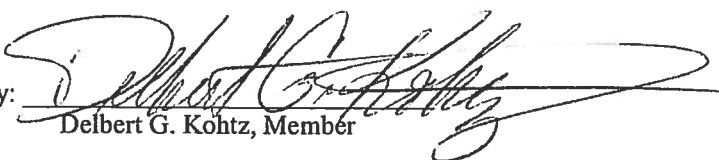
Grantor makes no other covenants, representations or warranties as to the Water Right.

No land is included in or conveyed by this grant.

IN WITNESS WHEREOF, the undersigned authorized officer of Grantor, acting on behalf of Grantor, has caused his name to be hereunto subscribed this 22nd day of November, 2011.

IDAHO WATER COMPANY, LLC

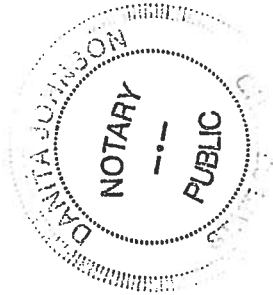
By:


Delbert G. Kohtz, Member

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

On this 22nd day of Nov. 2011, 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.



Danita Johnson

NOTARY PUBLIC FOR IDAHO

Residing at: 188 Pole Line Rd Twin Falls, Id

My commission expires: Nov. 20. 2012

Twin Falls County

Exhibit A
(Description of Water Rights)

WATER RIGHT NO. 25-14351
As Modified by Transfer No. 77450

In accordance with the approval of Transfer No. 77450, Water Right No. 25-14351 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>
MITIGATION	01/01	to 12/31	0.05 CFS	8.3 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NESW Sec. 36 Twp 02N Rge 37E BONNEVILLE County

PLACE OF USE: MITIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	37E	36							X	X	X	X							

CONDITIONS OF APPROVAL

1. The approval of Transfer 77450 as described under Right 25-14351 mitigates for the depletion of water caused by the diversion and use of water under Right 25-14344. To prevent injury to other water rights, the right holder shall cease diverting water under Right 25-14351, which shall remain un-diverted.

If Right 25-14351, or a portion thereof, is not deliverable due to a shortage of water or a priority call, then the amount of water authorized for diversion under Right 25-14344 shall be reduced by the same proportion as the reduction of Right 25-14351.
2. 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.
3. 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.
4. Prior to diversion and use of water under Transfer approval 77450, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.
5. 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.
6. 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.

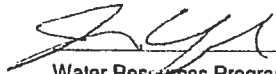
WATER RIGHT NO. 25-14351
As Modified by Transfer No. 77450

CONDITIONS OF APPROVAL

7. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
8. This right does not grant any right-of-way or easement across the land of another.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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.

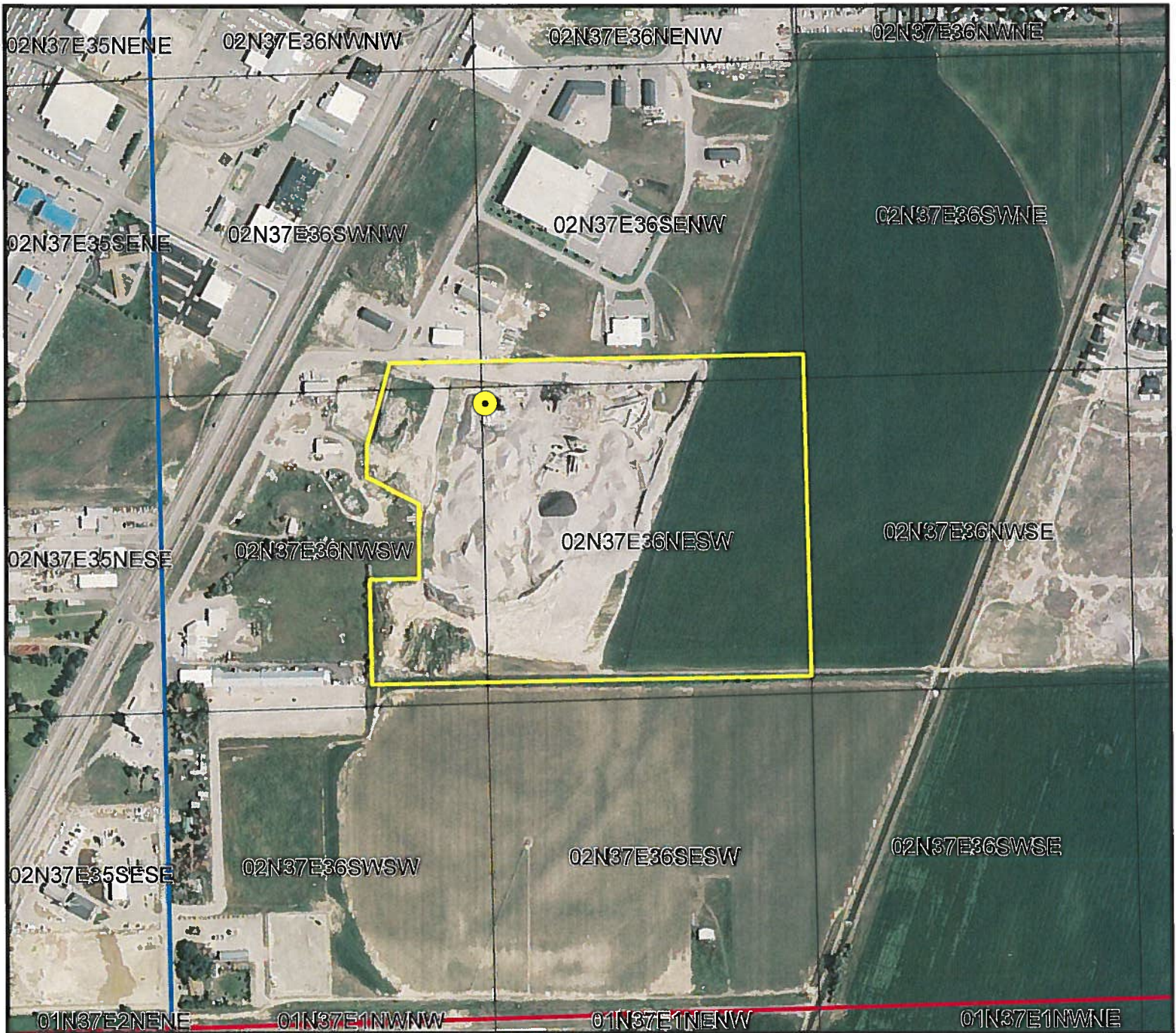
This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 24th day of October, 2011


Water Resources Program Manager

Application for Transfer of Water Right Attachment #7a

Knife River, Idaho Falls



Legend

- Proposed POD
- Proposed POU
- Twp & Rng
- Section
- QQ



0 300 600 1,200 Feet

2009 NAIP Photography