

DEW

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form. Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case IDWR will produce new water right number(s) for the split(s).

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
11-1104					
11-1117					

2. The following **REQUIRED** information must be submitted with this form:

SUPPORT DATA

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are on file with the county Planning and Zoning or Recorder's Office).
- OR**
- D. If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency or equivalent **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

Dean Kunz

Bern, Idaho

4. New Owner/Claimant(s)

PacifiCorp c/o Claudia Conder

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

1407 W. North Temple #110

City, State and ZIP Code

Salt Lake City, UT 84116

New Telephone Number

(801) 220-2252

Email: claudia.conder

@pacificorp.com

5. Date you acquired the property _____
6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (you may copy this page, if necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

7. Signature(s) of New Owner(s) or Claimant(s)  (title if applicable)
CLAUDIA CONDOR WATER RIGHTS ADMINISTRATOR
FOR PACIFICORP (title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

Received by BML
 Received by BML
 Processed by _____ AJ

Date 3/4/09
 Date 3/4/09
 Date _____

Receipt Amt. 50.00
 Receipt No. E031835
 WR _____ Date _____

March 2, 2009

Idaho Department of Water Resources
Eastern Region
900 N. Skyline Dr. Suite A
Idaho Falls, ID 83402-1718**RECEIVED****MAR 04 2009**Department of Water Resources
Eastern Region

RE: Change of Ownership- Water Right Numbers 11-1104, 11-1117

Dear Sirs:

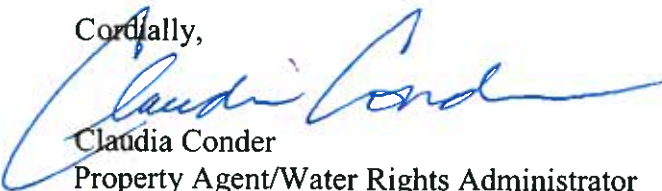
Please find enclosed a Notice of Change in Water Right Ownership form for the above referenced water rights. These rights were acquired in the acquisition of properties in the 1990's. The deeds do not make specific reference to these rights, however, PacifiCorp now owns all of the properties that are shown as the place of use of the rights. Enclosed are the deeds wherein the properties were conveyed to PacifiCorp.

Both of these rights show the same three (3) points of diversion. However, the only point of diversion where the water is physically diverted is in the NENE of Section 1, T. 13 S., R. 43 E., B.M. This is the same point of diversion of water right number 11-2128 (License #30521). All three water rights, 11-1104, 11-1117, 11-2128, are diverted at the same point which is the Bern Dam which backs up the waters of Ovid Creek and flood irrigates the properties owned by PacifiCorp.

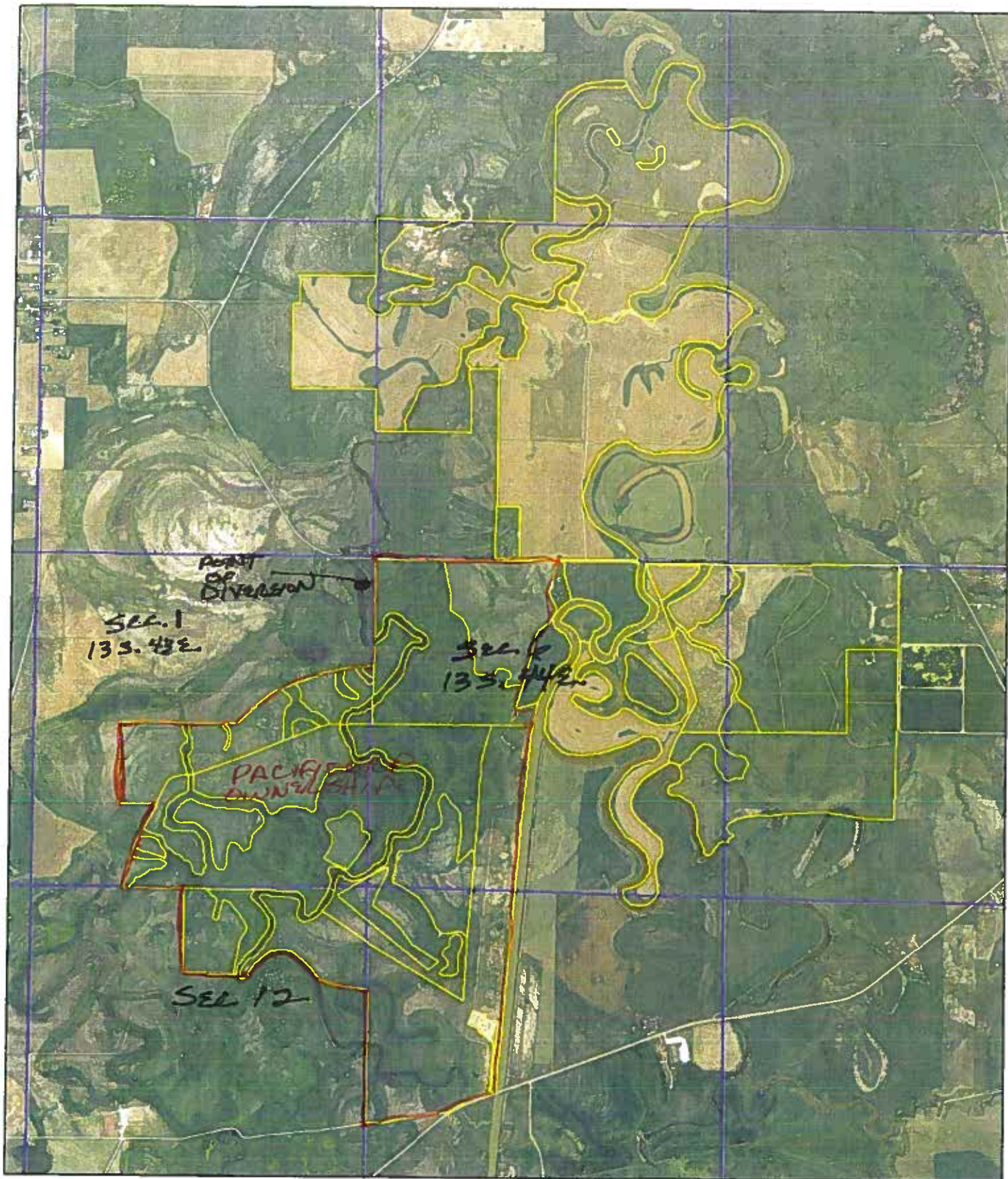
PacifiCorp has been working with your department employees Tim Luke and Corbin Knowles on all of the water rights associated with Ovid Creek. There has been much confusion and uncertainty about how the Ovid Creek rights are used and administered and distributed. Part of this effort is to update ownership and understand how and where these rights are being used. While the three rights together allow for more irrigation than what is reflected on the Farm Service Agency's maps, it is PacifiCorp's intent to work with IDWR, PacifiCorp's lessees on the ground and the FSA office to evaluate the rights and the places of use, the first step being this change of ownership update.

Also enclosed is the filing fee of \$50.00 (\$25.00 per water right). Also included is a map showing the point(s) of diversion and the place(s) of use of the water rights as well as copies of the deeds showing the acquisition of the property. If you have any questions or require additional information, please contact me at (801)220-2252 or via e-mail at Claudia.Conder@PacifiCorp.com.

Cordially,


Claudia Conder

Property Agent/Water Rights Administrator



USDA FARM SERVICE AGENCY
 BEAR LAKE COUNTY FSA
 TRACTS 233, 766, 242, 244, 258, 1421

June 18, 2008

Field Boundaries

Wetland Determination Identifiers:
 ● Restricted Use ● Limited Restrictions
 ■ Exempt from Conservation Compliance Provisions



Disclaimer: Wetland identifiers do not represent the size, shape or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact wetland boundaries and determinations, or contact NRCS.



Data are collected from a variety of City, County, State, Federal and Private sources. PacifiCorp GIS makes no warranty as to the accuracy, reliability, or completeness of this data for individual or aggregate use. Maps and data from this map are not to be released to nor put into any location that is accessible electronically or otherwise available to Market Affiliates.



Legend

- Towns
- Ocean
- Transmission Lines
- Counties
- Sections
- Cities
- States



Scale: 1:31,966

158640

BE 16-1
Need 16-1

WARRANTY DEED AND RIGHT OF WAY DEED

For Value Received,

CHARLES C. KUNZ AND EILEEN S. KUNZ aka EILENE S. KUNZ, husband and wife, Of 23 NORTH BERN, BERN County of BEAR LAKE, State of ID., 83220, THE GRANTOR(S), do hereby, grant, bargain, sell, and convey unto PACIFICORP, Of 1407 WEST NORTH TEMPLE, SALT LAKE CITY, County of SALT LAKE, State of UT., 84140, THE GRANTEE(S), For the sum of ten dollars and other good and valuable consideration, the following described tract of land in the County of BEAR LAKE, State of Idaho:

TOWNSHIP 13 SOUTH, RANGE 43 EAST OF THE BOISE MERIDIAN:

16-1 Section 12: NW 1/4 NE 1/4
16-1 16-5 Section 1: S 1/2 SE 1/4; and Lot 9

16-7 16-5 ALSO: Beginning at a point in the center of Outlet, 7 1/2 chains South from the Northeast Corner of the Southeast Quarter of Section 1, Township 13 South, Range 43 East, of the Boise Meridian, and running thence South 58° West along center of said outlet 4 chains; thence North 16°30' West along said Outlet 7 1/2 chains; thence South 72° West 35 chains to the West boundary line of Lot 10 in said Section 1; thence South to the Southwest Corner of said Lot 10; thence East 160 rods, more or less, to the Southeast corner of the NE 1/4 SE 1/4 of said Section 1; thence North 12 1/2 chains, more or less, to the place of beginning.



TOWNSHIP 13 SOUTH, RANGE 44 EAST OF THE BOISE MERIDIAN:

16-1 16-8 Section 6: Commencing at a point 3.50 chains North from the Southwest corner of Section 6, in Township 13 South, Range 44 East of the Boise Meridian, and running thence North 31°55' East 25 chains and 42 links; thence North 66°30' West 14.50 chains, thence South 27.90 chains, more or less, to the place of beginning.

Together with any and all water rights appurtenant to said property, including but not limited to State of Idaho License and Certificate of Water Right No. 30521, and together with a perpetual right of way described as follows:

A perpetual unfenced RIGHT-Of-WAY located in the Northwest Quarter of the Southwest Quarter of Section 1, and in the Northeast Quarter of the Southeast Quarter of Section 2, Township 13 South, Range 43 East of the Boise Meridian as follows:

Beginning at a point on the East line of the Bern Ovid County Road on the North line of the Northeast Quarter of the Southeast Quarter of Section 2, Township 13 South, Range 43 East of the Boise Meridian, thence Southeasterly to the Northwest Corner of the Frank Colombo land in Section 1, Township 13 South, Range 43 East Boise Meridian, in Idaho.

To have and to hold the said premises, with their appurtenances unto the said Grantee(s), its heirs and assigns forever. And the said Grantor(s) hereby covenant to and with the said

Grantee(s) that they are the owner(s) in fee simple of said premises; that they are free from all encumbrances, and that they will warrant and defend the same from all lawful claims whatsoever.

DATED THIS 16 DAY OF MARCH, 1994.

Charles C. Kunz
CHARLES C. KUNZ

Eileen S. Kunz
EILEEN S. KUNZ

Eilene S. Kunz
aka EILENE S. KUNZ

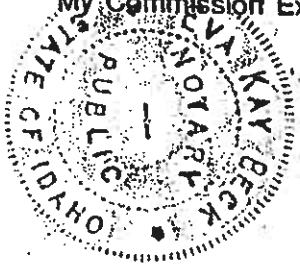
STATE OF IDAHO, COUNTY OF BEAR LAKE

On this 16th day of March, 1994 before me a Notary Public in and for the State, personally appeared

CHARLES C. KUNZ and EILEEN S. KUNZ aka
EILENE S. KUNZ, husband and wife

known to me to be the person(s) whose name(s) are subscribed to the within instrument, and acknowledge to me that they executed the same.
IN WITNESS WHEREOF, I hereunto set my hand and seal the day and year in the certificate first above written.

Kay Beck
Notary Public
Residing at: 0.10. ID
My Commission Expires: 12-1-94



Thomas Beck
DEPUTY
FEE
'94 MAR 17 AM 9 16
\$6.00

BEAR LAKE COUNTY RECORDER
107 N. P. 600

158640

WARRANTY DEED

For Value Received,

CLYDE M. COOK AND CAROLYN COOK, HUSBAND AND WIFE,
Of 71 NORTH 100 WEST, CEDAR VALLEY, State of UTAH, 84013,

do hereby, grant, bargain, sell, and convey unto

THE GRANTOR(S),

PACIFICORP,

Of 1407 WEST NORTH TEMPLE, SALT LAKE CITY, County of SALT LAKE, State of UTAH, 84140,

THE GRANTEE(S),

For the sum of ten dollars and other good and valuable consideration, the following described tract of land in the County of BEAR LAKE, State of Idaho:

See Attached Exhibit "A"

To have and to hold the said premises, with their appurtenances unto the said Grantee(s), its heirs and assigns forever. And the said Grantor(s) hereby covenant to and with the said Grantee(s) that they are the owner(s) in fee simple of said premises; that they are free from all incumbrances, and that they will warrant and defend the same from all lawful claims whatsoever.

DATED THIS 08 DAY OF DECEMBER, 1993.

Clyde M. Cook
CLYDE M. COOK
Carolyn Cook
CAROLYN COOK

STATE OF IDAHO, COUNTY OF BEAR LAKE

On this 08th day of December, 1993, before me a Notary Public in and for the State, personally appeared

CLYDE M. COOK AND CAROLYN COOK

known to me to be the person(s) whose name(s) are subscribed to the within instrument, and acknowledge to me that they executed the same.

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

James B. Cook
Notary Public
Residing at: OVID, IDAHO
My Commission Expires: 12/01/94



MAIL TAX NOTICE TO:

PACIFICORP
1407 WEST NORTH TEMPLE, SALT LAKE CITY, UT 84140

93 DEC 8 AM 11 48
DEPUTY
FEE \$6.00

BEAR LAKE COUNTY RECORDER
JOHN P. EDORH

157978

162

EXHIBIT A

PARCEL #1:

A Tract of land in Section 1, Township 13 South, Range 43 East of the Boise Meridian, and in Section 6, Township 13 South, Range 44 East of the Boise Meridian, more particularly described as follows:

Beginning at the Northwest Corner of Section 6, Township and Range aforesaid, and running thence South $0^{\circ}05'05''$ East 1562.81 feet (shown of record as North); thence South $62^{\circ}45'24''$ West 370.68 feet; thence South $75^{\circ}47'42''$ West 439.36 feet; thence South $68^{\circ}10'20''$ West 886.81 feet; thence South $48^{\circ}17'09''$ West 719.09 feet; thence South $89^{\circ}45'15''$ West 1848.16 feet along an existing fence line; thence South $0^{\circ}16'35''$ East 1280.10 feet along an existing fence line; thence South $89^{\circ}59'11''$ East 589 feet along an existing fence line; thence North $35^{\circ}25'26''$ East 344.28 feet along an existing fence line; thence North $68^{\circ}35'07''$ East 2909.70 feet (shown of record as North $68^{\circ}00'$ East) along an existing fence line; thence South $16^{\circ}30'$ East 710.69 feet (shown of record as 660 feet) along an existing fence line; thence North $58^{\circ}00'$ East 280.5 feet along an existing fence line; thence North $2^{\circ}45'05''$ East 495 feet (shown South of Record; thence North $89^{\circ}44'58''$ East 2133.70 feet along an existing fence line; thence North $15^{\circ}01'55''$ East 685.55 feet along an existing fence line; thence South $80^{\circ}30'$ East 409.92 feet, more or less, to the Bear River; thence along the West bank of the Bear River along the following 8 courses: thence North $24^{\circ}05'40''$ West 29.19 feet; thence North $35^{\circ}50'57''$ East 199.84 feet; thence North $42^{\circ}28'29''$ East 253.13 feet; thence North $10^{\circ}06'46''$ East 85.58 feet; thence North $29^{\circ}20'00''$ West 205.25 feet; thence North $27^{\circ}44'24''$ West 296.85 feet; thence North $1^{\circ}04'43''$ East 71.81 feet; thence North $29^{\circ}54'42''$ East 216.96 feet; thence leaving the West bank Bear River and running thence West 94.18 feet; thence North $22^{\circ}42'23''$ West 305.02 feet; thence North $15^{\circ}04'37''$ East 501.94 feet; thence West 2870 feet, more or less, to the point of beginning.

PARCEL #2: 163

TOWNSHIP 12 SOUTH, RANGE 44 EAST OF THE BOISE MERIDIAN:

Section 31: Beginning at the Southwest Corner of said Section 31 and running thence North 2008 feet; thence East 1475.1 feet; thence North 1056 feet; thence East 412.5 feet; thence South 3064 feet; thence West 1887.6 feet to the point of beginning.

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