

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

NOV 14 2024

DEPT. OF WATER RESOURCES
EASTERN REGION

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. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, see #7 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
35-7028	Yes ☐	Yes ☐		Yes ☐	Yes ☐
<u>35-7028</u>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
<u>35-7028</u> <u>35-14890</u>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: C Lee or Floyd N Bendixsen
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Kinney Ranch, LLC
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or
- 21 E 100 N Blackfoot ID 83221
Mailing address City State Zip
- 208-313-3355 _____
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: 1-2-2024
6. Do you own the land identified as the water right place of use? Yes ☐ No ☐
☐ If no, attach evidence that written notice of the change of water right ownership has been delivered to the landowner of record.
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.
☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

SUPPORT DATA

IN FILE # 35-7028

8. Signature: Patrick Olsen member _____
Signature of new owner/claimant Title, if applicable Date _____
Patrick Olsen
Print name

Signature: _____
Signature of new owner/claimant Title, if applicable Date _____

Print name

Received by JB Date 11/14/2024 For IDWR Office Use Only: Receipt No. E050487 Receipt Amt. \$25.- for this app
\$50.-

Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☐

Name on W-9 E050499 Approved by JB Processed by JB Date 12/2/2024

\$75.- 11/25/2024 (Split fee)

WARRANTY DEED

Date: JANUARY 2, 2024

Instrument # 759455

BINGHAM COUNTY, IDAHO
2024-01-02 03:20:16 PM No. of Pages: 3
Recorded for: FLYING S TITLE AND ESCROW - BL
PAMELA W. ECKHARDT Fee: \$15.00
Ex-Officio Recorder Deputy JPulley
Index To: WARRANTY DEED
Electronically Recorded by Simplifile

For Value Received,

C. Lee Bendixsen and Virginia Ruth Bendixsen, also shown of record as Virginia R. Bendixsen, husband and wife as community property with right of survivorship

hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

Kinney Ranch LLC, an Idaho Limited Liability Company

hereinafter called the Grantee, whose current address is

21 East 100 North Blackfoot, ID 83221

the following described premises, situated in Bingham County, **Idaho**, to-wit:

SEE ATTACHED EXHIBIT "A"

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

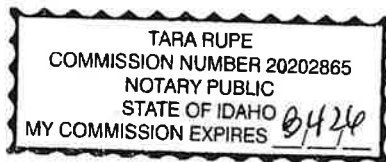
Dated: Jan 2, 2024

C. Lee Bendixsen
C. Lee Bendixsen

Virginia Ruth Bendixsen
Virginia Ruth Bendixsen

STATE OF Idaho)
COUNTY OF Bingham)
SS.

On this January 2, 2024, before me, a Notary Public in and for said State,
personally appeared C. Lee Bendixsen & Virginia Ruth Bendixsen, known or identified to me
to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me
that he/she/they executed the same.



Rupe
Notary Public for the State of Idaho
Residing at : Blackfoot, ID
My Commission Expires: 04-24-2026

EXHIBIT "A"

TOGETHER WITH the appurtenances thereto and including three (3) division/building rights, sixty (60) water shares in the New Lavaside Ditch Company, and License of Water Right granted by the State of Idaho.

**Township 2 South, Range 35 E.B.M., Bingham County, Idaho, Section 21
The North ½ of the Northeast ¼ of said Section 21.**

Excepting Therefrom the following seven (7) parcels:

**Parcel I: Township 2 South, Range 35 E.B.M., Bingham County, Idaho, Section 21:
Beginning at a point along the section line that is 2454 feet East of the Northwest corner of the North ½ of the Northeast ¼ of said Section 21, and running thence South 108 feet; thence West 20 feet; thence South 207 feet; thence East 206 feet; thence North 315 feet; thence West 186 feet to the POINT OF BEGINNING.**

**Parcel II: Township 2 South, Range 35 E.B.M., Bingham County, Idaho, Section 21:
Beginning at a point along the section line that is 2280 feet East of the Northwest corner of the North ½ of the Northeast ¼ of said Section 21, and running thence South 315 feet; thence East 154 feet; thence North 207 feet; thence East 20 feet; thence North 108 feet; thence West 174 feet to the POINT OF BEGINNING.**

**Parcel III: Township 2 South, Range 35 E.B.M., Bingham County, Idaho, Section 21:
Beginning at a point along the section line that is 2080 feet East of the Northwest corner of the North ½ of the Northeast ¼ of said Section 21, and running thence South 315 feet; thence East 200 feet; thence North 315 feet; thence West 200 feet to the POINT OF BEGINNING.**

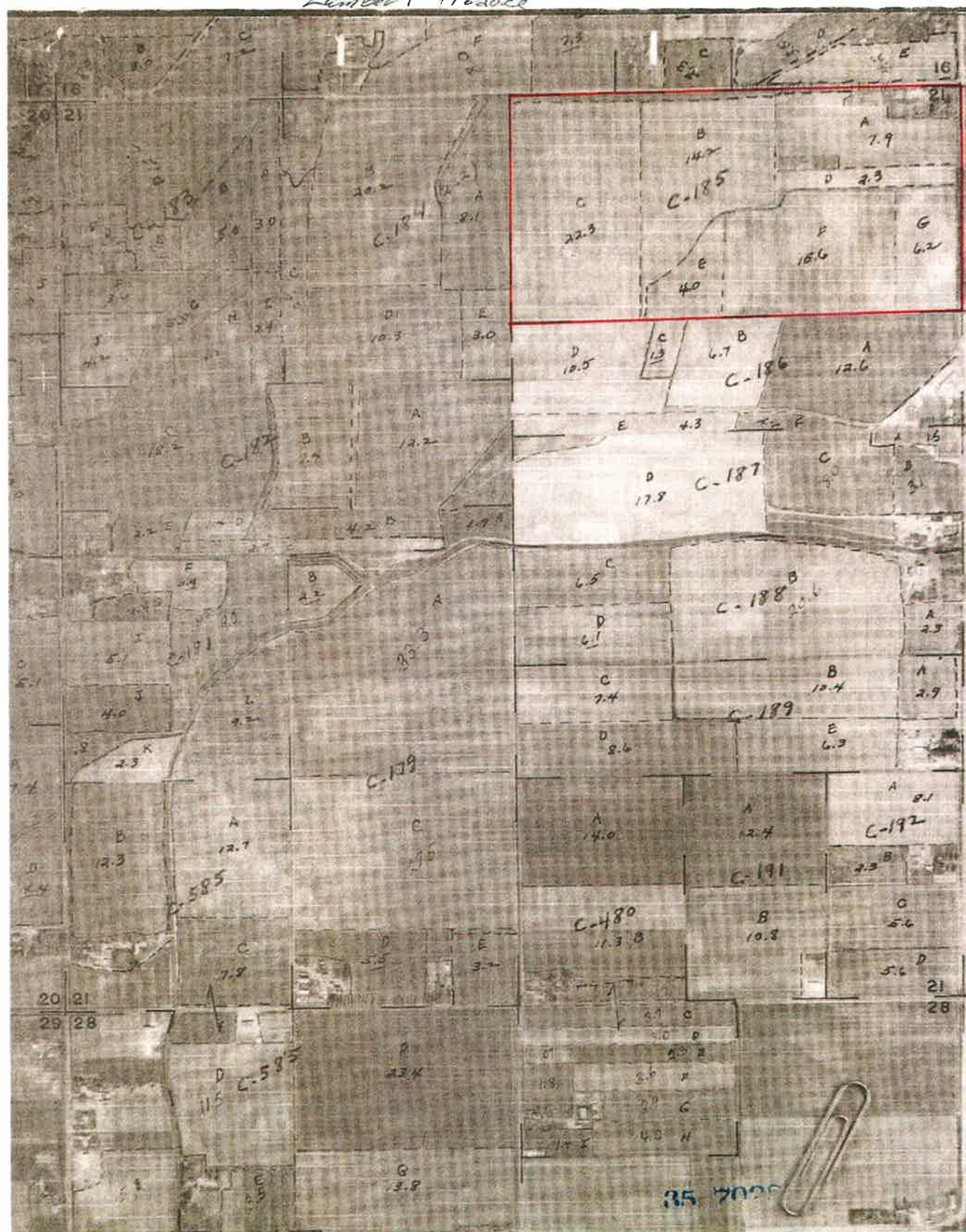
**Parcel IV: Township 2 South, Range 35 E.B.M., Bingham County, Idaho, Section 21:
Beginning at a point along the section line that is 1910 feet East of the Northwest corner of the North ½ of the Northeast ¼ of said Section 21, and running thence South 315 feet; thence East 170 feet; thence North 315 feet; thence West 170 feet to the POINT OF BEGINNING.**

**Parcel V: Township 2 South, Range 35 E.B.M., Bingham County, Idaho, Section 21:
Beginning at a point along the section line that is 1660 feet East of the Northwest corner of the North ½ of the Northeast ¼ of said Section 21, and running thence South 315 feet; thence East 250 feet; thence North 315 feet; thence West 250 feet to the POINT OF BEGINNING.**

**Parcel VI: Township 2 South, Range 35 E.B.M., Bingham County, Idaho, Section 21:
Beginning at a point along the section line that is 1520 feet East of the Northwest corner of the North ½ of the Northeast ¼ of said Section 21, and running thence South 315 feet; thence East 140 feet; thence North 315 feet; thence West 140 feet to the POINT OF BEGINNING**

**Parcel VII: Township 2 South, Range 35 E.B.M., Bingham County, Idaho, Section 21:
Beginning at a point along the section line that is 1380 feet East of the Northwest corner of the North ½ of the Northeast ¼ of said Section 21, and running thence South 315 feet; thence East 140 feet; thence North 315 feet; thence West 140 feet to the POINT OF BEGINNING**

Lumber + Produce



Included
Excepting therefrom

Parcel 1

Parcel 2

Parcel 3

Parcel 4

Parcel 5

Parcel 6

Parcel 7



11/14/2024

Scale: 1 inch= 600 feet

File:

Tract 1: 80.0000 Acres, Closure: n00.0000e 0.00 ft. (1/999999), Perimeter=7920 ft.

Tract 2: 1.4401 Acres (62730 Sq. Feet), Closure: n00.0000e 0.00 ft. (1/999999), Perimeter=1042 ft.

Tract 3: 1.1632 Acres (50670 Sq. Feet), Closure: n00.0000e 0.00 ft. (1/999999), Perimeter=978 ft.

Tract 4: 1.4463 Acres (63000 Sq. Feet), Closure: n00.0000e 0.00 ft. (1/999999), Perimeter=1030 ft.

Tract 5: 1.2293 Acres (53550 Sq. Feet), Closure: n00.0000e 0.00 ft. (1/999999), Perimeter=970 ft.

Tract 6: 1.8079 Acres (78750 Sq. Feet), Closure: n00.0000e 0.00 ft. (1/999999), Perimeter=1130 ft.

Tract 7: 1.0124 Acres (44100 Sq. Feet), Closure: n00.0000e 0.00 ft. (1/999999), Perimeter=910 ft.

Tract 8: 1.0124 Acres (44100 Sq. Feet), Closure: n00.0000e 0.00 ft. (1/999999), Perimeter=910 ft.



IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

December 02, 2024

KINNEY RANCH LLC
21 E 100 N
BLACKFOOT ID 83221-5860

Re: Change in Water Right Ownership: 35-7028 (Split into 35-7028 and 35-14890)

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of a portion of the above referenced water right(s) to you. The Department has modified its records based on the information received and has enclosed a computer-generated report for you.

Your portion of each water right(s) has a specified point of diversion, nature of use and place of use. If you plan to change the authorized point of diversion, nature of use, or place of use, including adding a new point of diversion, you must file an Application for Transfer of Water Right. If you do not plan to change any elements of your water right, then no further action is required at this time.

The portion of the water right retained by the original right holder retains the original water right number. The Department is sending the original right holder a copy of this letter and a computer-generated report showing the changes to the original water right.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Idaho Code §§ 42-222 and 42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department, or from the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208) 497-3787.

Sincerely,

Jonie Baily
Technical Records Specialist 1

Enclosure(s)

cc: WATER DISTRICT 120
BINGHAM GROUND WATER DISTRICT
IDAHO AGCREDIT FLCA



IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

November 14, 2024

KINNEY RANCH LLC
21 E 100 N
BLACKFOOT ID 83221

RE: Change in Ownership Water Right No. 35-7028

Dear Sir/Madam:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership.

Our review of your notice indicates that additional information is required before we can process the change. The information required is indicated below:

**** **Evidence of Ownership/Filing Fee:** Please review the map attached. According to the legal description attached to the Warranty Deed provided with your ownership change application a split of water right number 35-7028 is required. I have attached a map showing the property deeded to Kinney Ranch LLC and 7 excepted parcels, along with the current owner of those parcels. If you believe this is an error, please contact the department or send additional information indicating your ownership in the entire water right or the remaining property. If you believe a split is required, please provide the additional filing fee of \$75.00. (Ownership Change resulting in a split is \$100.00 per water right, the department received \$25.00 with your application)

Because the Department cannot process the ownership change without proper documentation/fees, we will hold any action on your notice pending receipt of the necessary information/fees. If we do not receive the necessary information/fees within 30 days we will return your notice and all attachments and your notice will not be processed.

Please note that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.idaho.gov.

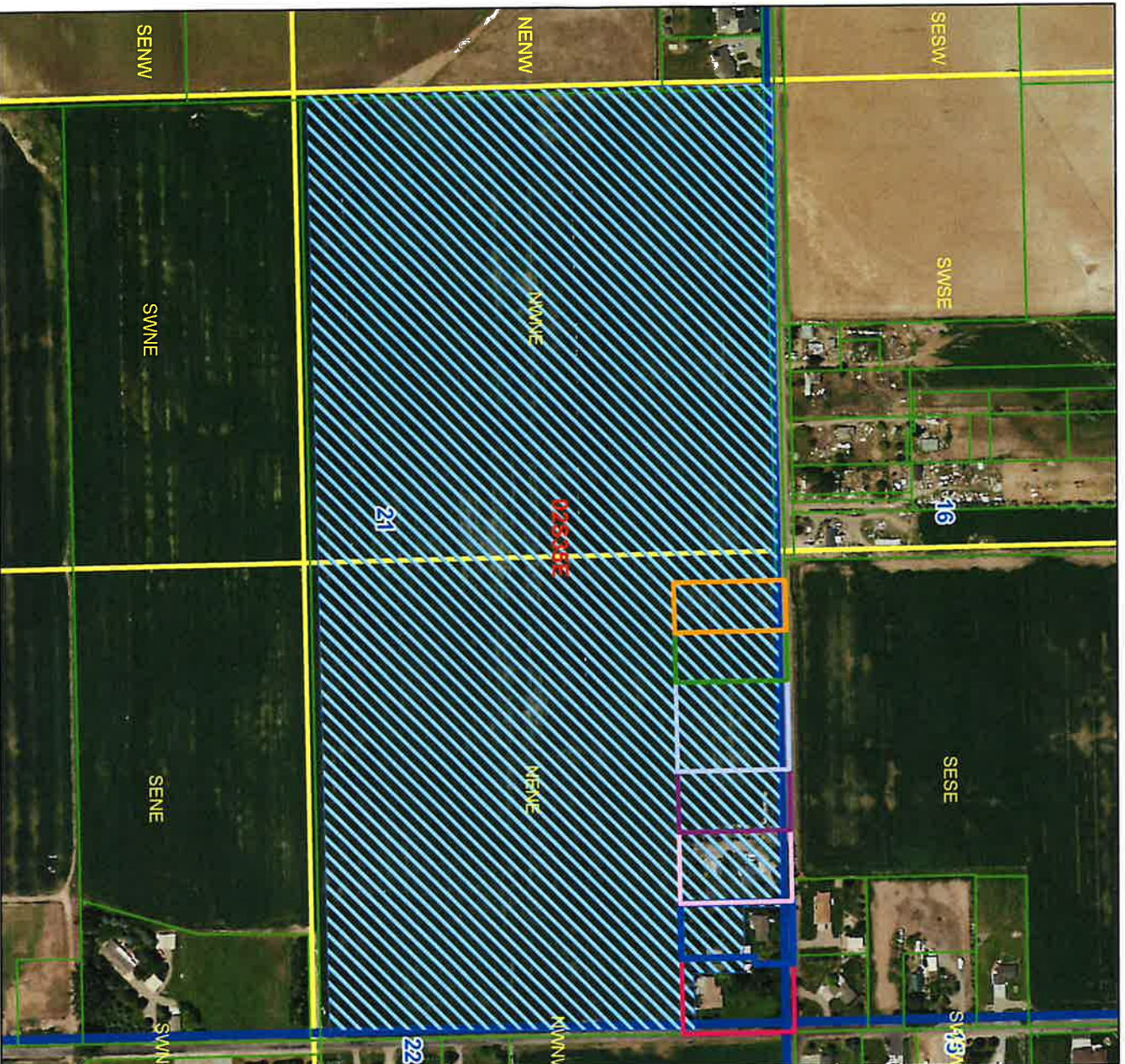
Please feel free to contact the Department if you have any questions.

Sincerely,

Jonie Bailly
Technical Records Specialist

cc: IDAHO AGCREDIT

Idaho Department of Water Resources



- Legend**
- Exception Parcel 7 (Owner Lee & Virginia Bendixsen)
 - Exception Parcel 6 (Owner Lee & Virginia Bendixsen)
 - Exception Parcel 5 (Owner Lee and Virginia Bendixsen)
 - Exception Parcel 4 (Owner Lee & Virginia Bendixsen)
 - Exception Parcel 3 (Owner Dale & Deborah Cunningham)
 - Exception Parcel 2 (Ownership Marcus & Loretta Adams)
 - Exception Parcel 1 (Owner Lee and Virginia Bendixsen)
 - Place of Use 35-7028
 - Parcels
 - Township/Range
 - Sections
 - QQ