

Water Right Report : 1-10676(Decreed/Active)

Water Right Owners

Owner Type	Name	Address	City	State	Postal Code
Current Owner	BERNARD, DAKRI	2 N LANDMARK LN STE 4	RIGBY	ID	83442-5340
Current Owner	BERNARD, JIM	2 N LANDMARK LN STE 4	RIGBY	ID	83442-5340
Current Owner	BERNARD, MELISSA	2 N LANDMARK LN STE 4	RIGBY	ID	83442-5340
Current Owner	GILSTRAP, BROCK	2 N LANDMARK LN STE 4	RIGBY	ID	83442-5340
Original Owner	SCOTT, J VIRGINIA	129 N 4700 E	RIGBY	ID	83442
Original Owner	SCOTT, R DU WAYNE	129 N 4700 E	RIGBY	ID	83442
Previous Owner	ROWE, NATHANIEL ARTHUR	167 N 4700 E	RIGBY	ID	83442-3008
Previous Owner	SCOTT, R GENE	4644 E 185 N	RIGBY	ID	83442-5901
Security Interest	D L EVANS BANK	PO BOX 64	RIGBY	ID	83442-0064

Needs Released

Water Right Status

Priority Date : 6/1/1885

Basis : Decreed

Status : Active

Water Source

Source	Source Qualifier	Tributary	Tributary Qualifier
SNAKE RIVER		COLUMBIA RIVER	

Points Of Diversion (Location)

Source	Township	Range	Section	Govt. Lot	QQQ	QQ	Q	County	Diversion Type
SNAKE RIVER	04N	40E	28	0	NE	SW	NW	JEFFERSON	
SNAKE RIVER	04N	40E	29	0	SW	NE	NE	JEFFERSON	

Water Uses

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	10/31	0.96 CFS	
TOTAL			0.96 CFS	

Places of Use

[Printable View](#)
[Paged View](#)

Place of Use Legal Description : IRRIGATION (JEFFERSON county)

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
04N	40E	28			NW	NW	0.3
04N	40E	28			SW	NW	29
04N	40E	28			SE	NW	4
04N	40E	28			NE	SW	1.4
04N	40E	28			NW	SW	28

Irrigation Totals

Total Acres Acre Limit

62.70

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JAN 04 2023

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Security Interest	D L EVANS BANK	PO BOX 64	RIGBY	ID	83442-0064

Needs released

Water Right Status

Priority Date : 6/2/1889

Basis : Decreed

Status : Active

Water Source

Source	Source Qualifier	Tributary	Tributary Qualifier
SNAKE RIVER		COLUMBIA RIVER	

Points Of Diversion (Location)

Source	Township	Range	Section	Govt. Lot	QQQ	QQ	Q	County	Diversion Type
SNAKE RIVER	04N	40E	28	0	NE	SW	NW	JEFFERSON	
SNAKE RIVER	04N	40E	29	0	SW	NE	NE	JEFFERSON	

Water Uses

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	10/31	0.88 CFS	
STOCKWATER	04/01	10/31	0.04 CFS	
TOTAL			0.88 CFS	

Places of Use

[Printable View](#)
[Paged View](#)

Place of Use Legal Description : IRRIGATION (JEFFERSON county)

Show entries

Search:

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
04N	40E	28			NW	NW	0.3
04N	40E	28			SW	NW	29
04N	40E	28			SE	NW	4
04N	40E	28			NE	SW	1.4
04N	40E	28			NW	SW	28

Showing 1 to 5 of 5 entries

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JAN 04 2023

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Security Interest	D L EVANS BANK	PO BOX 64	RIGBY	ID	83442-0064

Needs Released

Water Right Status

Priority Date : 4/1/1939

Basis : Decreed

Status : Active

Water Source

Source	Source Qualifier	Tributary	Tributary Qualifier
SNAKE RIVER		COLUMBIA RIVER	

Points Of Diversion (Location)

Source	Township	Range	Section	Govt. Lot	QQQ	QQ	Q	County	Diversion Type
SNAKE RIVER	04N	40E	27	0	NE	SW	SW	JEFFERSON	

Water Uses

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	10/31	4.16 CFS	
STOCKWATER	04/01	10/31	0.04 CFS	
TOTAL			4.16 CFS	

Places of Use

Printable View

Paged View

Place of Use Legal Description : IRRIGATION (JEFFERSON county)

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
04N	40E	28			NW	NW	0.3
04N	40E	28			SW	NW	29
04N	40E	28			SE	NW	4
04N	40E	28			NE	SW	1.4
04N	40E	28			NW	SW	28

Place of Use Legal Description : STOCKWATER (JEFFERSON county)

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
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JAN 04 2023

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

12/6/2022

Water Right 1-10676

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JIM BERNARD 2 N LANDMARK LN STE 4 RIGBY, ID 83442-5340 (208) 520-2580
Current Owner	BROC GILSTRAP 2 N LANDMARK LN STE 4 RIGBY, ID 83442-5340 (208) 520-2580
Current Owner	DAKRI BERNARD 2 N LANDMARK LN STE 4 RIGBY, ID 83442-5340 (208) 520-2580
Current Owner	MELISSA BERNARD 2 N LANDMARK LN STE 4 RIGBY, ID 83442-5340 (208) 520-2580
Security Interest	D L EVANS BANK PO BOX 64 RIGBY, ID 83442-0064 (208) 745-8107

Priority Date: 6/1/1885

Basis: Decreed

Status: Active

Source

SNAKE RIVER

Beneficial Use

IRRIGATION

Tributary

COLUMBIA RIVER

Diversion Rate

0.960 CFS

Volume

From

04/01

To

10/31

Total Diversion

0.960 CFS

Source and Point(s) of Diversion:

SNAKE RIVER

SWNE

Sec. 29, Twp 04N, Rge 40E, JEFFERSON County

SNAKE RIVER

NESWNW

Sec. 28, Twp 04N, Rge 40E, JEFFERSON County

Place Of Use:

IRRIGATION within JEFFERSON County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	40E	28							0.3	29.0	4.0	1.4	28.0						62.7

POU Total Acres: 62.7

Conditions of Approval:

SCANNED

1-10676

JAN 04 2023

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

12/6/2022

Water Right 1-10677

<u>Owner Type</u>	<u>Name and Address</u>
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Current Owner	BROC GILSTRAP 2 N LANDMARK LN STE 4 RIGBY, ID 83442-5340 (208) 520-2580
Security Interest	D L EVANS BANK PO BOX 64 RIGBY, ID 83442-0064 (208) 745-8107

Priority Date: 6/2/1889

Basis: Decreed

Status: Active

<u>Source</u>	<u>From</u>	<u>To</u>	<u>Tributary</u>	<u>Diversion Rate</u>	<u>Volume</u>
SNAKE RIVER	04/01	10/31	COLUMBIA RIVER	0.880 CFS	
IRRIGATION	04/01	10/31		0.040 CFS	
STOCKWATER				0.880 CFS	
	Total Diversion				

Source and Point(s) of Diversion:

SNAKE RIVER	SWNE
SNAKE RIVER	NESWNW

Sec. 29, Twp 04N, Rge 40E, JEFFERSON County
Sec. 28, Twp 04N, Rge 40E, JEFFERSON County

Place Of Use:

IRRIGATION within JEFFERSON County

			NE		NW		SW		SE		NE		NW		SW		SE		Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	40E	28						0.3	29.0	4.0	1.4	28.0							62.7

Right Acre Limit: 23.40
POU Total Acres: 62.7

STOCKWATER within JEFFERSON County

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1-10677

JAN 04 2023

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

12/6/2022

Water Right 1-10678

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JIM BERNARD 2 N LANDMARK LN STE 4 RIGBY, ID 83442-5340 (208) 520-2580
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Current Owner	BROC GILSTRAP 2 N LANDMARK LN STE 4 RIGBY, ID 83442-5340 (208) 520-2580
Security Interest	D L EVANS BANK PO BOX 64 RIGBY, ID 83442-0064 (208) 745-8107

Priority Date: 4/1/1939

Basis: Decreed

Status: Active

<u>Source</u>	<u>From</u>	<u>To</u>	<u>Tributary</u>	<u>Volume</u>
SNAKE RIVER			COLUMBIA RIVER	
Beneficial Use			Diversion Rate	
IRRIGATION	04/01	10/31	4.160 CFS	
STOCKWATER	04/01	10/31	0.040 CFS	
	Total Diversion		4.160 CFS	

Source and Point(s) of Diversion:

SNAKE RIVER NESWSW

Sec. 27, Twp 04N, Rge 40E, JEFFERSON County

Place Of Use:

IRRIGATION within JEFFERSON County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	40E	28							0.3	29.0	4.0	1.4	28.0						62.7

POU Total Acres: 62.7

STOCKWATER within JEFFERSON County

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1-10678
JAN 04 2023

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

DEC 05 2022

NOTICE OF CHANGE IN 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. 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?
01-10676 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
01-10677 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
01-10678 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Nathaniel Rowe
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Jim Bernard, Melissa Bernard, Dakri Bernard, Broc Gilstrap
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or

2 North Landmark Lane

Rigby

ID

83422

Mailing address

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: July 2022
6. Do you own the land identified as the water right place of use? Yes ☒ No ☐
- o 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):
- o \$25 per undivided water right.
 - o \$100 per split water right.
 - o 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 # 1-10676

8. Signature: [Signature] Title, if applicable Owner Date 11/15/22
- Signature of new owner/claimant
- Print name Jim Bernard
- Signature: [Signature] Title, if applicable Owner Date 11/15/22
- Signature of new owner/claimant
- Print name Melissa Bernard
- Signature: [Signature] Title, if applicable Owner Date 11/15/22
- Signature of new owner/claimant
- Print name Dakri Bernard
- Signature: [Signature] Title, if applicable Owner Date 11/15/22
- Signature of new owner/claimant
- Print name Broc Gilstrap

For IDWR Office Use Only:

Received by M. Pettes Date 12-5-22 Receipt No. E048772 Receipt Amt. 75.00Active 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 JB Approved by JB Processed by JB Date 12/6/2022

DEC 07 2022



Instrument # 773
RIGBY, JEFFERSON, IDAHO
07-15-2022 01:07:02 PM No. of Pages: 2
Recorded for: AMERITITLE - IDAHO FALLS
COLLEEN C POOLE Fee: \$15.00
Ex-Office Recorder Deputy: LK
Index To: WARRANTY DEED
Electronically Recorded by Simplifile

WARRANTY DEED

Order No.: 549005AM

FOR VALUE RECEIVED

Nathaniel Arthur Rowe and Claire Rowe, Husband and Wife

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Jim Bernard and Melissa Bernard, Husband and Wife and Dakri Bernard and Broc Gilstrap, Wife and Husband

whose current address is:
2 N Landmark Ln. STE 4
Rigby, ID 83442

the grantee(s), the following described premises, in Jefferson County, Idaho,
TO WIT:

Township 4 North, Range 40 E.B.M., Jefferson County, Idaho
Section 28: N1/2S1/2 lying North of the centerline of the Harrison Canal and West of the railroad right-of-way;
NW1/4 lying South of the Great Feeder Canal, also known as the dry bed

EXCEPTING THEREFROM:

Beginning at the Southwest corner of the NW1/4SW1/4 of said Section 28,
thence North along the West section line for a distance of 259.50 feet;
thence East 255.50 feet to the tributary of the Steele Ditch;
thence Southeasterly along said tributary for a distance of 166.50 feet to a point where the said tributary meets the Steele Ditch;
thence Southwesterly along the Steele Ditch for a distance of 122.00 feet;
thence West for a distance of 255.50 feet to the true point of beginning.

ALSO EXCEPTING THEREFROM:

Commencing at the Southwest corner of the SE1/4NW1/4 of said Section 28, thence East 50 feet to the point of beginning.
thence East 144 feet;
thence North 144 feet;
thence West 144 feet;
thence South 144 feet to the point of beginning.

ALSO EXCEPTING THEREFROM:

Commencing at the Southwest corner of the SE1/4NW1/4 of said Section 28, and running thence East 194 feet to the point of beginning.
thence East 600 feet;
thence North 720 feet;
thence West 600 feet;
thence South 720 feet to the point of beginning.

ALSO EXCEPTING THEREFROM:

Beginning at a point on the West section line that is 510.27 feet S. 00°00'00" W. of the Northwest corner of said Section 28, and running thence along the South side of the Dry bed canal the following six courses:
S. 90°00'00" E. 32.78 feet;
thence S. 55°58'34" E. 86.88 feet;
thence S. 48°25'50" E. 280.92 feet;
thence S. 46°40'57" E. 405.77 feet;
thence S. 61°15'54" E. 306.54 feet;
thence S. 53°37'58" E. 277.55 feet;
thence S. 11°37'06" E. 174.02 feet;
thence N. 76°20'02" W. 1170.64 feet along an existing fence line to the West section line of said Section 28;
thence along said section line N. 00°00'00" W. 719.20 feet to the point of beginning.

ALSO EXCEPTING THEREFROM:

Commencing at the Southwest corner of the SE1/4NW1/4 of said Section 28,
thence East 50 feet;
thence North 144 feet;
thence East 144 feet;

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474773

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thence North 60 feet;
thence West 194 feet;
thence South 204 feet to the point of beginning.

ALSO EXCEPTING THEREFROM:

Beginning at the Southwest corner of said Section 28,
thence N. 00°12'57" W. along the West line of Section 28 for a distance of 1312.55 feet,
thence N. 89°47'03" E. for a distance of 180.00 feet to the True Point of Beginning.
thence N. 89°47'03" E. for a distance of 75.50 feet to a point on the Steele Ditch;
thence N. 30°22'53" E. for a distance of 122.00 feet, more or less, to a point where said Steele Ditch meets a tributary for the Steel Ditch;
thence N. 22°06'51" W. along said tributary for a distance of 166.50 feet, more or less;
thence S. 89°47'03" W. for a distance of 255.50 feet to the West line of Section 28;
thence N. 00°12'57" W. along said West line for a distance of 50.00 feet;
thence N. 89°47'03" E. for a distance of 1318.34 feet to a point on the East line of the NW1/4SW1/4 of said Section 28;
thence S. 00°09'39" E. along said East line for a distance of 131.76 feet to the centerline of the Harrison Canal;
thence S. 38°55'10" W. along said centerline for a distance of 26.74 feet;
thence S. 56°44'15" W. along said centerline for a distance of 129.97 feet;
thence S. 75°42'38" W. along said centerline for a distance of 138.13 feet;
thence S. 80°50'17" W. along said centerline for a distance of 261.83 feet;
thence S. 80°33'54" W. along said centerline for a distance of 50.38 feet;
thence S. 80°33'28" W. along said centerline for a distance of 118.38 feet;
thence S. 66°31'10" W. along said centerline for a distance of 131.03 feet;
thence S. 51°31'43" W. along said centerline for a distance of 236.94 feet; thence S. 68°52'04" W. along said centerline for a distance of 82.27 feet;
thence N. 89°38'10" W. along said centerline for a distance of 68.68 feet;
thence N. 00°30'19" W. along said centerline for a distance of 242.42 feet to the True Point of Beginning.

ALSO EXCEPTING THEREFROM:

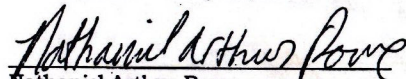
Beginning at the Northwest corner of said Section 28,
thence S. 00°13'04" E. for a distance of 1707.07 feet along the West line of Section 28 to the True Point of Beginning.
thence S. 85°46'00" E. for a distance of 102.00 feet;
thence S. 77°28'00" E. for a distance of 168.00 feet;
thence S. 01°59'17" E. for a distance of 144.07 feet;
thence S. 89°46'56" W. for a distance of 270.00 feet to the West line of said Section 28;
thence N. 00°13'04" W. for a distance of 189.00 feet to the True Point of Beginning.

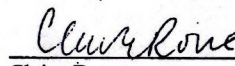
ALSO EXCEPTING THEREFROM:

Beginning at the Northwest corner of said Section 28,
thence S. 00°13'04" E. for a distance of 1896.07 feet along the West line of Section 28,
thence N. 89°46'56" E. for a distance of 270.00 feet to the True Point of Beginning.
thence N. 01°59'17" W. for a distance of 144.07 feet;
thence S. 75°53'02" E. for a distance of 248.18 feet;
thence S. 00°13'04" E. for a distance of 206.00 feet;
thence S. 89°58'00" W. for a distance of 136.00 feet;
thence N. 00°13'04" W. for a distance of 123.00 feet;
thence S. 89°46'56" W. for a distance of 100.00 feet to the True Point of Beginning.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record. And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: July 13, 2022

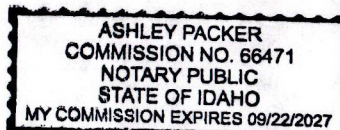

Nathaniel Arthur Rowe


Claire Rowe

State of Idaho } ss
County of Jefferson }

On this 14 day of July, 2022, before me, the undersigned a Notary Public in and for said state, personally appeared Nathaniel Arthur Rowe and Claire Rowe, 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 same.
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 the State of Idaho
Residing at: Rigby, ID
Commission Expires:



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474773

DEC 07 2022

D. L. Evans Bank

"Idaho's Hometown Community Bank Since 1904"



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JAN 03 2023

Department of Water Resources
Eastern Region

*updated JPB
1/4/2023*

December 22, 2022

State of Idaho Department of Water Resources
Eastern Region
900 N Skyline Drive, Suite A
Idaho Falls, ID 83402-1718

RE: Previous Owner: Nathaniel Arthur Rowe / Current Owner: Jim Bernard
Water Right No.'s: 1- 10676, 1-10677 and 1-10678

To Whom It May Concern:

D.L. Evans Bank has a Security Interest in the above mentioned water rights that needs to be released.

Please be advised that the loan secured by Nathaniel Arthur Rowe's water rights referenced above has been paid in full. Will you please release D.L. Evans Bank's security interest on your records.

If there is a specific form that needs to be used or a fee to release our security interest, please let us know. If you have any questions or need additional information from us, please feel free to contact us at 208-745-8107 or by e-mail at paula.maughan@dlevans.com. Thank you for your assistance.

Sincerely,

Paula Maughan,
Loan Assistant

Enclosures

SCANNED

JAN 04 2023

Rigby Branch
208-745-8107

P.O. Box 64 135 Farnsworth Way
Fax 208-745-8394

Rigby, ID 83442
Express Banking 1-888-873-9777



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 Gary Spackman

December 06, 2022

JIM BERNARD
MELISSA BERNARD
2 N LANDMARK LN STE 4
RIGBY ID 83442-5340

BROC GILSTRAP
DAKRI BERNARD
2 N LANDMARK LN STE 4
RIGBY ID 83442-5340

Re: Change in Ownership for Water Right No(s): 1-10676, 1-10677, 1-10678

Dear Water Right Holder(s):

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

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 Barg
Technical Records Specialist 1

Enclosure(s)

cc: D L EVANS BANK
WATER DISTRICT 01

SCANNED

DEC 07 2022