

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 14 2023

Department 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?
21-7505 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: LB Rich Test, Mentary Family Trust
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): LB Rich Holdings LLC
New owner(s) as listed on the conveyance document

Mailing address: 117 Stoddard Lane City: Sugar City State: ID Zip: 83448
Telephone: 317-225-1723 Email: Wendell.j.rich@gmail.com

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: Dec. 20, 2022

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.

8. Signature: Wendell J. Rich Title, if applicable: Manager Date: 4/14/2023
Signature of new owner/claimant
Wendell J. Rich
Print name

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

Print name

For IDWR Office Use Only:

Received by: JB Date: 4/17/2023 Receipt No. E049092 Receipt Amt. \$25.-
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: _____ Approved by: JB Processed by: JB Date: 4/17/2023

APR 19 2023

PLEASE RETURN TO:

Robert E. Farnam, Esq.
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.
P.O. Box 50130
Idaho Falls, Idaho 83405

597391
Microfilm No. 19 Day Dec 2022
At 10:40 O'Clock AM
ABBIE MACE
FREMONT CO RECORDER
Fee \$ 15 - 00 Deputy e
Recorded at Request of
Holden, Kidwell,
Hahn & Crapo
This area for Recorder's use only.

DEED OF DISTRIBUTION

THIS DEED is made this 7th day of December, 2022, by and between LB Rich Testamentary Family Trust, Lowell Thayne Rich and Gaye Ann Ercanbrack, co-trustees, Grantor, and L. B. Rich Holdings, a limited liability company, whose mailing address is 117 Stoddard Ln, Sugar City, ID 83448, Grantee.

WHEREAS, Lowell Thayne Rich and Gaye Anne Ercanbrack, Grantor, are the duly appointed and acting co-trustees of the LB Rich Testamentary Family Trust; and

WHEREAS, L. B. Rich Holdings, a limited liability company, Grantee, is entitled to receive distribution of the property hereafter described in this deed pursuant to the provisions of the Idaho Uniform Probate Code;

NOW, THEREFORE, WITNESSETH, that the Grantor, for a valuable consideration, and for the purpose of distributing certain real property from the LB Rich Testamentary Family Trust, does by these presents hereby distribute, grant, bargain, sell, convey, and confirm unto the Grantee, and to his heirs and assigns forever, an undivided interest in that certain parcel of land, situate, lying and being in Fremont County, Idaho, and more particularly described as follows:

Parcel 1:

South Half of Northwest Quarter of Section 9, Township 8 North, Range 43
East Boise Meridian.

Parcel 2:

All that Part of the Southeast Quarter of Section 35, Township 9 North,
Range 42 East Boise Meridian, lying East of the Railroad right of way.

Excepting therefrom the following described tract: Beginning at a point 2130 feet North of the Southeast corner of said Section 35, thence North 510 feet to the East Quarter corner of said Section 35, thence West 1000 feet to the East line of the Union Pacific Railroad right of way, thence

Southwesterly 95 feet along said right of way, thence 1250 feet, more or less, easterly to the point of beginning.

Together with all water and water rights, ditch, ditch rights, hereditaments and appurtenances thereto belonging, and in particular 115 shares of the Marysville Canal Co., a corporation.

Parcel 3:

The West half of the Southwest Quarter of Section 36, Township 9 North, Range 42 East, Boise Meridian, Fremont County, Idaho.

Excepting there from the following described tract: Beginning at the Northwest corner of the Southwest 1/4 of Section 36, Township 9 North, Range 42 East, Boise Meridian, thence in an Easterly direction along the North boundary line of the Southwest 1/4 250 feet, thence on a Southerly direction parallel to the West boundary line of Section 36 175 feet, thence in a Westerly direction parallel to the line of said subdivision 250 feet to a point on the West boundary line of said Section 36, thence in a Northerly direction 175 feet more or less to the point of beginning.

Subject to a buried Pipeline on the northern 10 feet of the premises in which Victor Morotz and Mabel Morotz and George Glarborg and Eleanor C. Glarborg have a two-thirds interest in the buried mainline and a right of ingress and egress to use and maintain the buried mainline.

Together with an easement 40 feet in width which commences at the Northwest corner of the Southwest 1/4 of Section 36, Township 9 North, Range 42 East, Boise Meridian, thence in an Easterly direction along the North boundary line of the Southwest 1/4 250 feet, thence in a Southerly direction parallel to the West boundary line of Section 36 40 feet, thence in a Westerly direction parallel to the line of said subdivision 250 feet to a point on the West boundary line of said Section 36, thence in a Northerly direction 40 feet more or less to the point of beginning. Said easement as evidenced by reservation in Quitclaim Deed recorded in Fremont County, Idaho as Auditors file 454309 recorded October 29, 1998.

Together with 121 shares of capital stock of Marysville Irrigation Company and all Fremont – Madison storage water appertaining.

Together with 1/3 interest in the permanent sprinkler equipment located on the Southwest Quarter and the South half of the Northwest Quarter, Section 36, Township 9 North, Range 42 East, Boise Meridian.

SUBJECT to all real property taxes and assessments, all existing patent reservations, easements, rights of way, protective covenants and other matters of record, all applicable zoning ordinances, building codes, laws and regulations, and all encroachments, overlaps, boundary line disputes, claims of easements and other matters that would be disclosed by an accurate survey or inspection of the property.

TO HAVE AND TO HOLD, all and singular the said premises, together with the appurtenances, unto the Grantee, and to his heirs and assigns forever.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal the day and year first above written.


Lowell Thayne Rich, co-trustee of the
LB Rich Testamentary Family Trust

Gaye Ann Ercanbrack
Gaye Ann Ercanbrack, co-trustee of the
LB Rich Testamentary Family Trust

STATE OF WASHINGTON)
County of Grant) ss.

This record was acknowledged before me on the 7th day of December, 2022, by Lowell Thayne Rich, as co-trustee of the LB Rich Testamentary Family Trust.



Signature of Notary Public _____
My Commission Expires: 4/29/23

STATE OF IDAHO)
)ss.
County of Bonneville)

This record was acknowledged before me on the 13th day of December, 2022, by
Gaye Ann Ercanbrack, as co-trustee of the LB Rich Testamentary Family Trust.

(stamp)



Marci Serr

Signature of Notary Public

My Commission Expires: 5.21.2026

\\Law\data\WPDATA\EF22289 Rich (LB Rich Estate)\Deed of Distribution 2022v3.wpd



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

April 17, 2023

L B RICH HOLDINGS LLC
117 E STODDARD LN
SUGAR CITY ID 83448-5044

Re: Change in Ownership for Water Right No(s): 21-7505

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 Baily
Technical Records Specialist 1

Enclosure(s)

SCANNED

APR 19 2023