

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

FEB 21 2023

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. DE ✓

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
27-7098	Yes ☐	Yes ☐		Yes ☐	Yes ☐
27-10987	Yes ☐	Yes ☐		Yes ☐	Yes ☐
<i>Split</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name:

Ronald & Richard Lindsay
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s):

Dean Dreher
New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or

97 E 200 N
Mailing address

Blackfoot
City

ID 83221
State Zip

(208) 317-2326
Telephone

ddreher@yahoo.com
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:

12-23-2023

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):
☒ \$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 #

27-7098

8. Signature:

Signature of new owner/claimant

Dean Dreher
Print name

OWNER

Title, if applicable

Date

Signature:

Signature of new owner/claimant

Print name

Title, if applicable

Date

Received by

JB

Date

2/22/2023

Receipt No.

E048918

Receipt Amt.

\$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

Approved by

Processed by

Date

9/21/2023 Refund Requested/Application Returned

21 2023

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 27-10987

Current Owner: RONALD LINDSAY
Priority Date: 5/1/1944
Origin: Water Right
Status: Active
Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	1/01 to 12/31	0.07 CFS	
DOMESTIC	1/01 to 12/31	0.04 CFS	
	<u>Total Diversion</u>	0.11 CFS	

Location of Point(s) of Diversion

GROUND WATER
BINGHAM County

SW1/4SW1/4SE1/4 Sec. 30, Twp 02S, Rge 36E B.M.

Place of Use

STOCKWATER Within BINGHAM County

T02S R36E S30	SESW	T02S R36E S30	SWSE
---------------	------	---------------	------

DOMESTIC Within BINGHAM County

T02S R36E S30	SESW	T02S R36E S30	SWSE
---------------	------	---------------	------

Conditions of Approval:

1. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. 90 DAIRY COWS, 60 OTHER CATTLE RP 0441102

Decreed Date: 4/23/1999

SCANNED

SEP 21 2023

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 27-7098

Current Owner: RONALD LINDSAY
RICHARD LINDSAY
Priority Date: 7/11/1977
Origin: Water Right
Status: Active
Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 11/01	1.78 CFS	389.6 AF
	Total Diversion	1.78 CFS	389.6 AF

Location of Point(s) of Diversion

GROUND WATER
BINGHAM County

NW1/4SE1/4 Sec. 30, Twp 02S, Rge 36E B.M.

Place of Use

IRRIGATION Within BINGHAM County

T02S R36E S30	NESE	40.00	T02S R36E S30	NWSE	40.00
T02S R36E S30	SWSE	31.30			
Total Acres: 111.3					

Conditions of Approval:

1. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
3. E01 Use of this right is combined with water from Eastern Idaho Water Company and Blackfoot Irrigation Company.

Decreed Date: 6/1/2012

SCANNED

SEP 21 2023

BUY/SELL AGREEMENT

1. PARTIES:

THIS AGREEMENT, made and entered into this 23rd day of December, 2022, by and between RONALD E. LINDSAY and SUSAN R. LINDSAY, husband and wife, whose address is 50 E 100 N, Blackfoot, ID 83221, and RICHARD W. LINDSAY and MADGE W. LINDSAY, husband and wife, whose address is 77 N 50 E, Blackfoot, ID 83221, hereinafter referred to as Vendors, and DEAN DREHER and LEEANN DREHER, husband and wife, whose address is 97 E 200 N, Blackfoot, ID 83221, and PAUL DREHER, whose address is 97 E 200 N, Blackfoot, ID 83221 hereinafter referred to as Purchasers.

WITNESSETH:

That the said Vendors, in consideration of the covenants and agreements on the part of the said Purchasers, hereinafter contained, agree to sell and convey unto the said Purchasers, and the Purchasers agree to buy certain real property particularly described as follows, to-wit:

2. PROPERTY DESCRIPTION:

Part of the SE1/4 of Section 30, Township 2 South, Range 36 East of the Meridian, Bingham County, Idaho, more particularly described as:

Commencing at the S 1/4 corner of said Section 30, Thence S 89° 21' 37" E 237.43 feet along the Section line to the Point of Beginning; Thence, N 00° 38' 23" E 295.57 feet; Thence along said line, N 89° 46' 47" W 238.58 feet to the north-south section line; Thence along said line, N 00° 25' 01" E 2347.81 feet to the east-west center section line; Thence along said line, S 89° 13' 51" E 2608.54 feet; Thence, S 00° 38' 24" W 1317.86 feet; Thence, N 89° 17' 43" W 1301.70 feet; Thence, S 00° 31' 42" W 1319.34 feet to the south line of said section; Thence N 89° 21' 3 7" W 1061.69 feet to the Point of Beginning.

Parcel contains 116.73 acres more or less.

3. FIXTURES OR PERSONAL PROPERTY:

Irrigation Equipment: Pivot, Well and Mainline

4. WATER RIGHTS AND DIVISION RIGHTS:

Purchasers shall acquire all of the water rights with the Lloyd Canal Company or Eastern Idaho Water District, except 2 inches, or 2 shares of water, which will be retained by SUSAN LINDSAY and RONALD E. LINDSAY

Purchasers shall acquire all of the division rights, except for one division right which will be retained by SUSAN LINDSAY and RONALD E. LINDSAY

5. PURCHASE PRICE:

Purchasers agree to purchase said property for the sum of ONE MILLION SEVEN HUNDRED FIFTY THOUSAND NINE HUNDRED FIFTY DOLLARS AND ZERO CENTS (\$1,750,950.00) in lawful money of the United States; and the Purchaser, in consideration of the premises, agree to pay to the Vendors the said sum of \$1,750,950.00 as follows:

- a. Down payment of \$750,950.00 to be paid at closing.
- b. Payment of \$500,000.00 on January 10, 2023, with a five (5) day grace period until January 15, 2023;
- b. \$500,000.00 promissory note which shall bear interest at the rate of 5% per annum, and which shall be due as follows:
 - i. \$525,000.00 on January 10, 2024, with a five (5) day grace period until January 15, 2024;
 - ii. Prepayment of the promissory note is prohibited.

6. CLOSING:

The parties acknowledge that the closing shall be performed by the execution, delivery, and recording as appropriate of the following documents:

- a. Warranty Deed from Vendors to Purchasers for the real property described above.
- b. Real Estate Mortgage.
- c. Promissory Note secured by the above described Real Estate Mortgage.
- d. Statement of Settlement.

The parties acknowledge that to the extent that the above identified documents satisfy the obligations set forth in this agreement, this agreement will become merged in the above documents. This agreement will otherwise remain in full force and effect.

7. CLOSING COSTS:

Survey costs will be paid by purchaser.

Attorneys fees and the title insurance premium will be divided equally between the parties.

8. PRORATION OF TAXES:

The Vendors agree to pay all real estate taxes and assessments levied upon said premises up to closing. All taxes and assessments thereafter shall be paid by the Purchasers.

The taxes will only be an estimate, and the parties to this agreement affirm and agree that no person has guaranteed the accuracy of the estimated taxes. The parties agree that in the event the Vendors have received an excess credit, based on the actual tax assessed on the property, upon demand, with adequate proof thereof, Vendors agree to reimburse Purchasers within ten (10) days of such receipt.

The parties further understand and agree that the Vendors make no guarantee that a home owner's exemption has been filed for the current tax year on behalf of any party.

9. NO WARRANTY EXCEPT AS TO TITLE:

The Purchasers declare that they are buying the property "as is" and on their own examination and judgment and not through any representation made to them by the Vendor, or any agent for the Vendor, as to its location, value, future value, income therefrom or its production. This paragraph shall not apply to warranty of title.

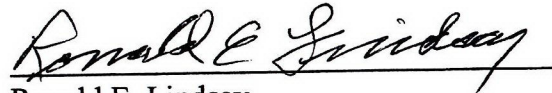
10. PREPARATION OF DOCUMENTS:

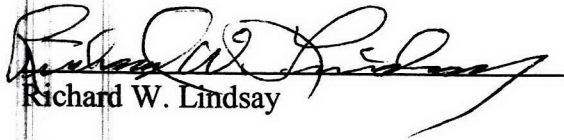
The parties acknowledge that this contract, the deed, the mortgage and the note were prepared by the attorney for the Vendors, and the Purchasers acknowledge that they have the right to have the documents reviewed by an attorney of their choosing, should they elect to do so.

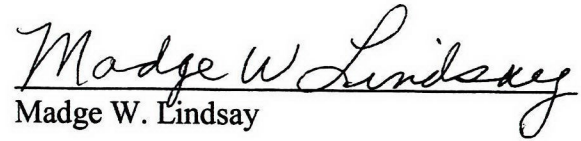
IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals the day and year first above written.

VENDORS

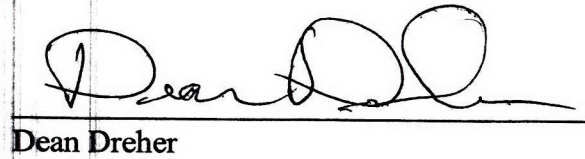

Susan R. Lindsay


Ronald E. Lindsay

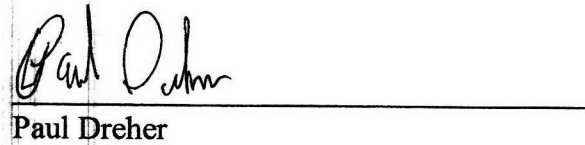

Richard W. Lindsay

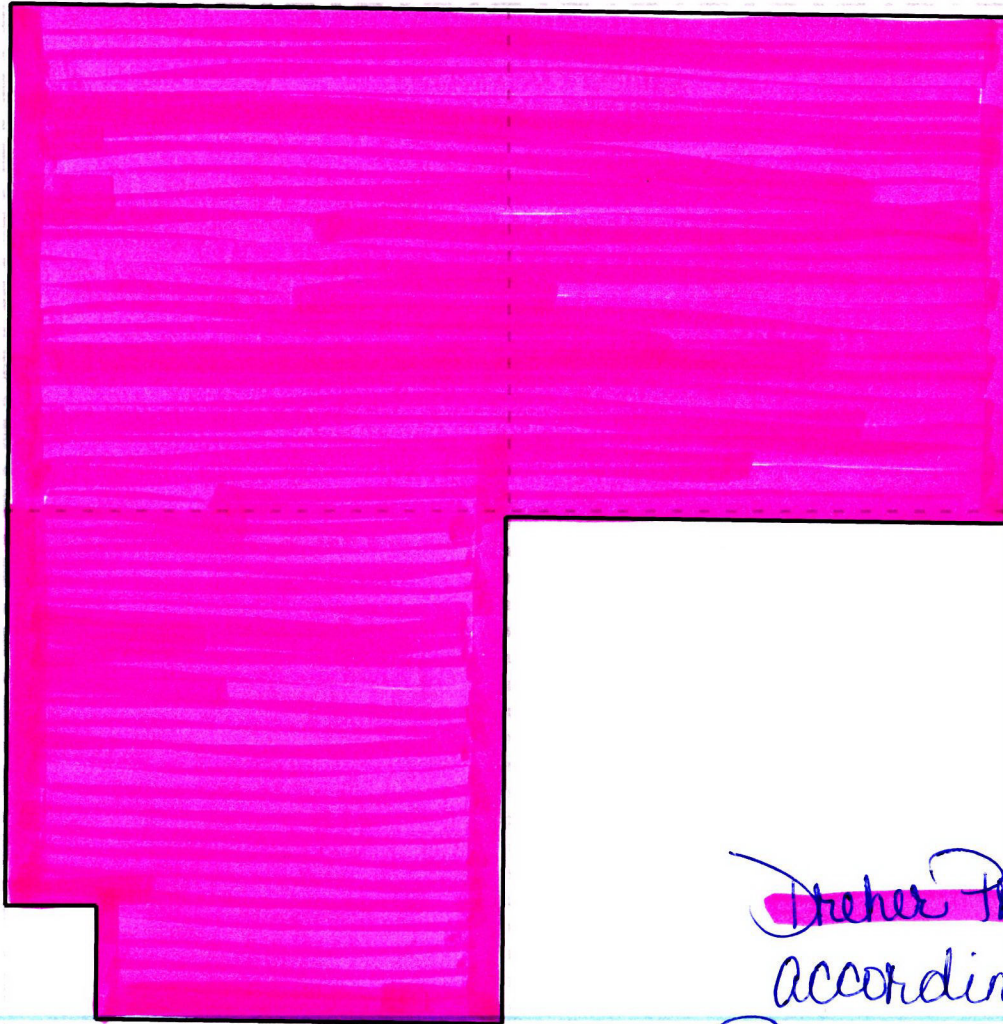

Madge W. Lindsay

PURCHASERS


Dean Dreher


LeeAnn Dreher


Paul Dreher



~~Ditcher~~ Property
According to
Purchase & Sale
Agreement

2/22/2023

Scale: 1 inch= 500 feet

File:

Tract 1: 116.7265 Acres, Closure: n00.0000e 0.00 ft. (1/999999), Perimeter=10491 ft.

01 /se,sw,30,2s,36e
02 /s89.2137e 237.43
03 n00.3823e 295.57
04 n89.4647w 238.58
05 n00.2501e 2347.81
06 s89.1351e 2608.54
07 s00.3824w 1317.86

08 n89.1743w 1301.70
09 s00.3142w 1319.34
10 n89.2137w 1061.69

SCANNED

SEP 21 2023



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

September 21, 2023

DEAN DREHER
97 E 200 N
BLACKFOOT ID 83221

RE: Ownership Change
Water Rights: 27-7098, 27-10987

Dear Sir/Madam:

On February 21, 2023, you filed a Notice of Change in a Water Right Ownership (ownership change) with the Idaho Department of Water Resources (IDWR), seeking to update the records for the water rights listed above. After an initial review, we determined that you needed to provide evidence of ownership and/or additional filing fees. On February 27, 2023, and April 20, 2023, we sent a letter requesting the additional information. The additional information was to be provided within 30 days. The department acknowledges you also contacted our office requesting and extension of the 30 days. The department has been holding this application for 7 months and can no longer justify holding your application and fees. Therefore, we are returning you application unprocessed and requesting a refund for the filing fee.

IDWR has never received the information requested. Without the requested documents, we cannot verify your ownership in the water rights and cannot complete the ownership change. We are therefore returning your original ownership change and have initiated a refund of your filing fee (\$50.00). The refund from the state of Idaho will arrive at the address listed above within a couple of weeks.

Please feel free to re-file your ownership change any time in the future. Because your filing fee is being refunded, you will need to determine and provide the proper filing fee at the time you re-file the application.

If you have any questions, feel free to contact me at (208) 525-7161.

Respectfully submitted,

Jonie Baily
Technical Records Specialist

Enclosure(s)

SCANNED

SEP 21 2023

Baily, Jonie

From: Baily, Jonie
Sent: Thursday, September 21, 2023 8:41 AM
To: IdwrPayable
Subject: Refund Request
Attachments: Receipt.PDF

Good morning!

I have a refund request as follows:

Receipt number: E048918
Amount: \$50.00
Payable to: DEAN DREHER
97 E 200 N
BLACKFOOT ID 83221

Reason: Ownership Change filed. Additional information and/or fees required. Deficiency letter mailed requesting the information within 30 days, they asked for an extension, however 7 months later we have still not received what is required so we are returning the application unprocessed. Therefore, the applicant is entitled to a full refund.

Let me know if you have any questions or need additional information. Have a great day!!!



IDAHO DEPARTMENT OF
WATER RESOURCES

Jonie Baily | Technical Records Specialist

900 N Skyline Drive Ste. A, Idaho Falls, ID 83402

Phone number: (208) 525-7161

Fax number: (208) 525-7177

Email: jonie.barg@idwr.idaho.gov

Website: www.idwr.idaho.gov



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 20, 2023

****2 notice, first notice mailed February 27, 2023****

DEAN DREHER
97 E 200 N
BLACKFOOT ID 83221

RE: Change in Ownership Water Right No. 27-7098, 27-10987

Dear Sir/Madam:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership. According to the notes on the file the department talked to you on March 6, 2023, regarding these issues, you were going to work with an attorney and get back to our office, because it has been more than 30 days since we spoke, I am sending a second request.

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:** Please supply a copy of the recorded Warranty Deed or other legal document indicating your ownership in the property and/or water right. The department acknowledges receipt of a buy/sell agreement received with your application, however in order to update ownership a deed is required, unless the buy/sell agreement specifically addresses updating ownership prior to the deed being recorded.

****** Question ownership/additional filing fee:** Water right number 27-10987 is for domestic and stock water, no property is owned in one of the quarter quarters covered by the water right. The POU in SESW Section 30 Township 2 South Range 36 East is not covered by your legal description. There is ownership in the SWSE Section 30, Township 2 South Range 36 East however with the portion cut out in your legal in the corner there is some question whether or not you would own any portion of the domestic or stock water. If you own a portion of that water right, please supply an additional filing fee to split the water right. The filing fee for a split ownership change is \$100.00 per water right (an additional \$75.00 fee). If you do not believe you own any portion of that water right, please notify the department and we will update the ownership for the other water right and refund the fee for this one.

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.**

SCANNED SCANNED

SEP 21 2023 APR 20 2023

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

SCANNED

SEP 21 2023

SCANNED

APR 20 2023
SEP 21 2023



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

February 27, 2023

DEAN DREHER
97 E 200 N
BLACKFOOT ID 83221

RE: Change in Ownership Water Right No. 27-7098, 27-10987

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:** Please supply a copy of the recorded Warranty Deed or other legal document indicating your ownership in the property and/or water right. The department acknowledges a copy of the buy/sell agreement received with your application, however in order to update ownership a deed is required, unless the buy/sell agreement specifically addresses updating ownership prior to the deed being recorded.

**** **Question Ownership/Additional Fee:** Water right number 27-10987 is for domestic and stockwater, no property is owned in one of the quarter quarters covered by the water right, the POU in SESW Section 30 Township 2 South Range 36 East, is not covered by your legal description. There is ownership in SWSE Section 30, Township 2 South Range 36 East however with the portion cutout in your legal in the corner there is some question weather or not you would own any of the domestic and stockwater. If you own a portion of that water right please supply an additional fee to split the water right. The filing fee for a split ownership change is \$100.00 per water right (an additional \$75.00 would be required). If you do not believe you own any portion of that water right please notify the department and we will update ownership for the other water right and refund the fee for this one.

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.

SCANNED

SCANNED

SEP 21 2023

FEB 27 2023

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

Sincerely,

Jonie Barg
Technical Records Specialist

SCANNED

SEP 21 2023

SCANNED

FEB 27 2023