

RECEIVED

JUN 25 2023

Department of Water Resources
Eastern RegionRECEIVED
\$ 250
AUG 10 2023STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

DEPARTMENT OF
WATER RESOURCES

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?
29-8128	Yes ☐	Yes ☐	29-8127	Yes ☐	Yes ☐
29-10018	Yes ☐	Yes ☐	29-7729	Yes ☒	Yes ☒
29-285C	Yes ☐	Yes ☐		Yes ☐	Yes ☐
29-297C	Yes ☒	Yes ☒		Yes ☐	Yes ☐
29-7209	Yes ☐	Yes ☒		Yes ☐	Yes ☐

2. Previous Owner's Name: Irvin Spraker
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): 745 N Old Highway 91 LLC
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or
- Mailing address 2374 S. 1520 W. City Syracuse State UT. Zip 84025
Telephone 801 529 2977 Email Kevin Spraker@comcast.net
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: 1/26/2023
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):
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 # 29-285C

8. Signature: Kevin Spraker Title, if applicable: Partner of LLC Date: 7-25-23
Signature of new owner/claimant
Print name

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

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For IDWR Office Use Only:
Received by JB Date 7/25/2023 Receipt No. E049374 Receipt Amt. \$250.-
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 gmr Date 9-1-23

PERSONAL REPRESENTATIVE'S SPECIAL WARRANTY DEED

Jeffrey Spraker and Kevin Spraker, *not individually, but as Personal Representatives of the Estate of Irvin Spraker, deceased*, with administration of the estate pending as Case No. CV03-22-03705 in the Magistrate Division of the Sixth Judicial District Court in and for the County of Bannock, State of Idaho, of 745 N. Old Highway 91 (Grantors), for and in consideration of \$10.00 and other good and valuable consideration, hereby transfers, grants, conveys, and warrants unto **745 N. Old Highway 91 LLC**, a limited liability company of the State of Idaho (Grantee), all of Grantors' interest in and to the following described real property located in Bannock County, Idaho, to wit:

See Exhibit A

Together with: All and singular the tenements, hereditaments, and appurtenances, and improvements thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues, and profits thereof; and all estate, right, title, and interest in and to the said property, as well in law as in equity.

Subject to: All easements, encumbrances, rights of way, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, all facts and circumstances that would be revealed by inspection of the property of inquiry of persons in possession thereof, and payment of present year's property taxes, which are an accruing lien not yet due.

Grantors, for themselves, their successors, and assigns, warrant and represent as follows:

Grantors were appointed personal representatives of the Estate of Irvin Spraker, deceased, according to law on December 5, 2022, and have the legal right to transfer the real property described above.

The real property described in this deed is free from all liens, encumbrances, and defects in title, except for those of sight or record.

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Recorded Electronically

ID 22360546

County Bannock

Date 11/26/2023 Time 11:37 a.m.

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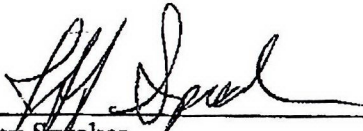
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Grantors will forever warrant and defend the quiet and peaceful possession of the real property granted by this deed to Grantee against all lawful claims arising during the time period in which Grantors served as personal representative of the Estate of Irvin Spraker.

The warranty in this deed is limited to the amount of coverage the decedent or Grantors had under a policy of title insurance or the sum of \$10.00, whichever is greater.

Date: January 10, 2023



Jeffrey Spraker
Personal Representative of the Estate of
Irvin Spraker

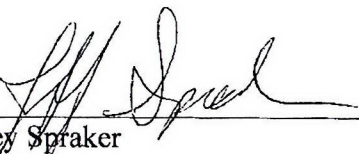


Kevin Spraker
Personal Representative of the Estate of
Irvin Spraker

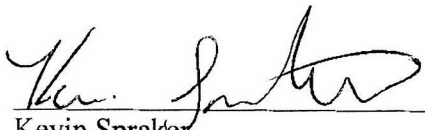
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Personal Representative of the Estate of
Irvin Spraker



Kevin Spraker
Personal Representative of the Estate of
Irvin Spraker

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Acknowledgment

State of Idaho

ss.

County of Bannock

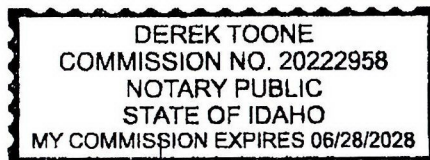
On this 10 day of January, 2023, before me, the undersigned, a notary public, personally appeared Jeffrey Spraker, known or identified to me to be the person whose name is subscribed to the above Personal Representative's Special Warranty Deed, and acknowledged to me that he executed the same in his capacity as Personal Representative of the Estate of Irvin Spraker, deceased.


Notary Public for Idaho

Residing at: Pocatello, Idaho

Commission Expires: 06/28/2028

(Seal)



State of Idaho

ss.

County of Bannock

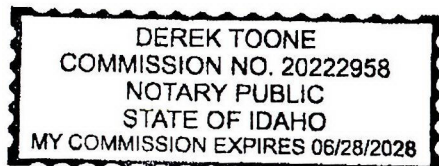
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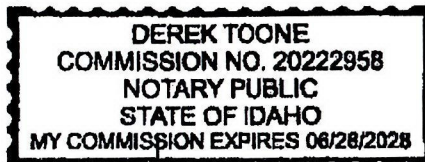
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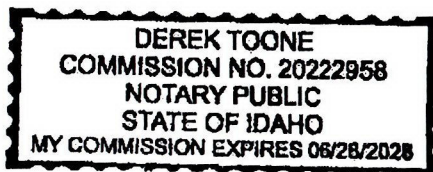


Exhibit A

PARCEL 1: 1927 GOLD STREET, WENDOVER, NV
LOT 27, BLOCK E, WEST WENDOVER HIGH 1, ELKO COUNTY, NEVEDA.

PARCEL 2: TYNEE FARM, I & W PARTNEPSHIP
A TRACT IN NE4SW4, TAX 37 AND A TRACT IN SE4SW4, TAX 38, SECTION
29, TOWNSHIP 5 SOUTH, RANGE 34 E.B.M., BANNOCK COUNTY, IDAHO.
R3803044201.

PARCEL 3: RAPID CREEK
N2SW4SW4, N2S2SW4SW4, SECTION 14, TOWNSHIP 7 SOUTH, RANGE 36
E.B.M., BANNOCK COUNTY, IDAHO. R4015006402.

PARCEL 4: FORTNEUF RIVER
A TRACT IN SW4NW4, TAX 34, SECTION 35, TOWNSHIP 7 SOUTH, RANGE 36
E.B.M., BANNOCK COUNTY, IDAHO. R4015034600.

PARCEL 5:
A TRACT IN SE4NE4, TAX 36, SECTION 34, TOWNSHIP 7 SOUTH, RANGE 36
E.B.M., BANNOCK COUNTY, IDAHO. R4015033200.

Exhibit A

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E.B.M., BANNOCK COUNTY, IDAHO. R4015006402.

PARCEL 4: PORTNEUF RIVER
A TRACT IN SW4NW4, TAX 34, SECTION 35, TOWNSHIP 7 SOUTH, RANGE 36
E.B.M., BANNOCK COUNTY, IDAHO. R4015034600.

PARCEL 5:
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E.B.M., BANNOCK COUNTY, IDAHO. R4015033200.

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IDAHO DEPARTMENT OF
WATER RESOURCES

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098
Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

September 01, 2023

745 N OLD HWY 91 LLC
2374 S 1520 W
SYRACUSE UT 84075-8603

Re: Change in Water Right Ownership: 29-7729 (Split into 29-7729 and **29-14516**), 29-8128, 29-10018, 29-285C, 29-297C, 29-7209, 29-8127

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.

A portion of water right(s) 29-7729 & 29-7209 was leased to the Water Supply Bank (bank) in 2019. To date, part of the right(s) appurtenant to 0.08 cubic feet per second (cfs) and 4.0 acres (in the SENE, Section 34, T7S, R36E) and a portion of water right 29-297C was also leased to the Water Supply Bank (bank) in 2019. To date, part of the right appurtenant to 0.17 cfs and 8.5 acres (in SWSW, Section 14, T7S, R36E) remain leased to the bank. In accordance with the bank lease acceptance, the lessor/current right holder (right holder) may not use the right(s) while it is in the bank, even if the right(s) is not rented from the bank. This portion will remain in the bank until December 31, 2023 unless the right(s) are released earlier by the Idaho Water Resource Board or upon request by the right holder. To reduce the term of the lease, the right holder must submit a written request to the department. The department will verify if the right is rented or available for release, and notify the right holder of the release date.

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.

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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) 287-4942.

Sincerely,



Jean Hersley
Technical Records Specialist 2

Enclosure(s)

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