

RECEIVED

NOV 28 2022

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESDepartment 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?
35-13701 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
35-4209 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: City of Atomic City / Bingham County in Trust

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Blake Lyle & Vickie O'Haro

New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or

1772 N 2650 W

Atomic City

ID 83215

Mailing address

City

State

Zip

208-313-8815

vickieok72@yahoo.com

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: 8-15-2022

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: Blake Lyle Owner 11-10-2022

Signature of new owner/claimant

Title, if applicable

Date

BLAKE LYLE

Print name

Signature: Vickie O'Haro Owner 11-10-2022

Signature of new owner/claimant

Title, if applicable

Date

VICKIE O'HARO

Print name

For IDWR Office Use Only:

Received by JB Date 11/28/2022 Receipt No. E048761 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 JB Processed by JB Date 12/14/2022

DEC 20 2022

QUIT CLAIM DEED

An Election was held on the November 3, 2020, on the issue of disincorporation of the City of Atomic City, Idaho. At said Election fifteen (15) ballots were casted and the subsequent canvass was thirteen (13) in favor of disincorporation and two (2) votes against disincorporation. An Order and Declaration of Disincorporation of the City of Atomic City, Bingham County, Idaho was signed by the Bingham County Board of Commissioners and recorded on November 30, 2020.

Bingham County is authorized to proceed under the provisions of Idaho Code § 50-2206 and correlated statutes, with the procedures prescribed for winding up all municipal affairs of Atomic City.

For Value Received

BINGHAM COUNTY, a Political Body, on behalf of the disincorporated City of Atomic City, with its principal place of business at 501 N. Maple Drive, Blackfoot, ID 83221,

Do hereby convey and forever quit claim my interest in the following property unto

Blake Lyle & Vickie O'Haro
1772 N. 2650 W.
Atomic City, Idaho 83215

Instrument # 749078

BINGHAM COUNTY

9-9-2022 09:57:25 AM No. of Pages: 2

Recorded for: **BINGHAM COUNTY**

PAMELA W. ECKHARDT

Fee: 0.00

Ex-Officio Recorder Deputy

The following described premises, in BINGHAM COUNTY, Idaho to wit:

RP0019313 T1N R31E SEC 03 T-6726 Commercial

Atomic City

Part of the East Half of the Southwest Quarter of Section 3, Township 1 North, Range 31 East, Boise Meridian, Bingham County, Idaho, more particularly described as;

Commencing at the South Quarter Corner of Section 3, point being N 89°16'12" W, 2639.89 feet from the Southeast Quarter Corner of said Section 3, Thence S 89°03'59" E, 56.89 feet to a found iron rod and being a point on the easterly right-of-way of a County Road; Thence N 29°34'58" W, along said easterly right-of-way 1419.14 feet, to a found iron pipe and being the northwesterly corner of Warranty Deed Instrument Number 704500; Thence continuing N 60°24'41" E, 239.99 feet to a found iron pipe and being the northwesterly corner of Quitclaim Deed Instrument Number 587078 and the POINT OF BEGINNING;

Thence continuing N 60°24'41" E, 150.00 feet to a found iron rod; Thence S 29°46'26" E, 262.98 feet to a found iron pipe and being a point on the northerly line of a roadway known as a power line road and W 1750 N; Thence along said northerly line S 71°06'34" W, 152.65 feet to an iron rod with a plastic cap marked PLS 18258; Thence N 29°47'49" W, 234.65 feet to the POINT OF BEGINNING.

Parcel contains 0.86 Acres, more or less.

Also:

RP6001402, RP6001502, RP6001902 & RP6002100 T1N R31E SEC 03 Atomic City

All of the certain property situated and being in Section 3, Townsite 1 North, Range 31 East Boise Meridian, more particularly described as follows:

Lots 27, 28, 29, 30, 31, 32, 33, 34, 35 and 36 in Block 3 of the City of Atomic City, Bingham County, Idaho, according to the plat thereof recorded in the office of the Bingham County Recorder.

Together with what is currently known as Wells #1 and #2 and the existing pump house. Also, together with all and singular tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, including all water, water rights, ditches and ditch rights. **Idaho Department of Water Resources Water Right No. 35-13701 & 35-4209.**

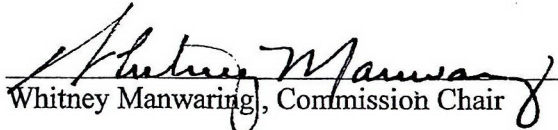
SCANNED

DEC 20 2022

The use of land of said lots 33, 34 and 35 is restricted to municipal or public use, as disclosed by Deed Book 81 Page 304, furthermore, the existing water system located on all lots shall remain in working condition and operate in accordance with Idaho Department of Environmental Quality, the Idaho Public Utility Commission and all other pertinent local, state and federal regulations.

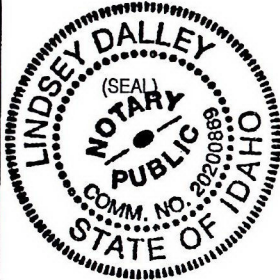
Together with their appurtenances.

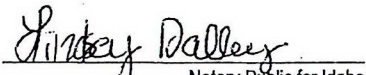
Dated: 9-8-2022


Whitney Manwaring, Commission Chair

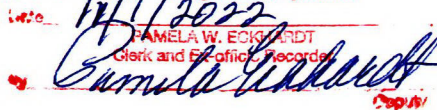
STATE OF IDAHO)
County of Bingham) ss.

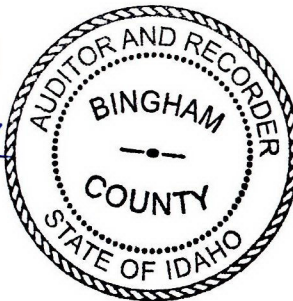
On this 8 day of September 2022, before me, the undersigned a Notary Public in and for the State of Idaho, personally appeared WHITNEY MANWARING, known to me to be the Chairman of the Bingham County Commissioners who proved to me on the basis of satisfactory evidence to be the person(s) whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.




Lindsey Dalley
Notary Public for Idaho
Residing at Blackfoot, Idaho
My Commission Expires: 2/2/26

STATE OF IDAHO) ss.
County of Bingham)
I certify the foregoing to be a true and correct copy of the original on file and of record in this office at the Clerk and Recorder's Office of Bingham County, Idaho.

Date: 11/1/2022
PAMELA W. ECKHARDT
Clerk and Ex-Officio Recorder




749078
DEC 20 2022

**ORDER AND DECLARATION OF DISINCORPORATION OF THE CITY OF ATOMIC CITY,
BINGHAM COUNTY, IDAHO**

The Board of County Commissioners of Bingham County, Idaho, having been advised by the Mayor and City Council of the City of Atomic City, Idaho, that canvass of votes on the issue of disincorporation of the City of Atomic City, Idaho, showed that at the election on the issue of disincorporation, that a majority of the voters, in excess of two-thirds (2/3) of the number of votes cast, were in favor of disincorporation, and the Board being fully advised, now makes the following findings and order:

1. That at the election held on November 3, 2020, on issue of disincorporation of the City of Atomic City, Idaho, that all necessary notices were given and proceedings had, and that said election was called and conducted in the manner prescribed pursuant to Title 50, Chapter 22 of the Idaho Code.

2. That at said election fifteen (15) ballots had been cast, and that the result thereof, as revealed by count of said votes and subsequent canvass of the same were as follows:

In favor of disincorporation	13 Votes
Against disincorporation	2 Votes

3. The Board finds that all proceedings were taken in accordance with law, and particularly Idaho Code 50-2205 and correlated provisions, and that the Petition for Disincorporation should be granted,

4. Previously, Atomic City took out two (2) bonds for a community water system. The bonds were for \$30,000 from the United States of America Department of Agriculture ("USDA") in 2009 and for \$217,500 from Idaho Department of Environmental Quality ("DEQ") in 2012. At the date of the November 3, 2020 election for disincorporation, these bonds remain outstanding and due. Pursuant to Idaho Code § 50-2208, this indebtedness is not dissolved by the dissolution of the City and must continue to be paid.

NOW THEREFORE, pursuant to the cited statutes, and to the procedures taken thereunder,
IT IS HEREBY ORDERED that the Petition for Disincorporation of the City of Atomic City,
Bingham County, Idaho, be and the same is hereby granted.

IT IS FURTHER ORDERED that the municipal corporation, that being the City of Atomic City,
Bingham County, Idaho, shall be and the same is hereby disincorporated.

IT IS FURTHER ORDERED that pursuant to Idaho Code § 50-2210 and all applicable laws, as
there is not sufficient money in the City treasury to pay the USDA and DEQ bonds, the Board hereby
Orders that a tax levy shall be collected from the territory formerly included within and around
Atomic City as well as for any properties that utilize the water system with taxes sufficient in amount
to pay the indebtedness for the bonds. Such taxes, assessment and collection shall hereafter become
due and shall be made in the same manner and at the same time that other taxes of Bingham County
are levied and collected and shall be an additional tax upon the property included within Bingham
County for the bond debts. No obligations to repay the bonds, maintenance, upkeep, or any other
obligation shall ever become the obligation of the County for the water system. Any costs or
expenses shall be paid according to Title 50 Chapter 22 of Idaho Code.

IT IS FURTHER ORDERED that the County shall henceforth perform services for the former City
territory as the County does for other unincorporated areas in the County, as reasonably practicable.

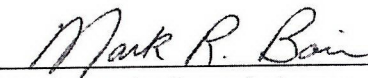
IT IS FURTHER ORDERED that this Order of Disincorporation shall take effect and be in final
effect on the date of this Order and hereafter be recorded in the Official records of Bingham County.

IT IS FURTHER ORDERED that the Clerk of the Board of County Commissioners, Bingham
County, Idaho, in cooperation with former officers of the City of Atomic City, Idaho, is authorized and
directed to proceed under the provisions of Idaho Code § 50-2206 and correlated statutes, with the
procedures prescribed for finally winding up all municipal affairs of said City, including transmission
of remaining funds to Bingham County, Idaho, and disposition of City records and other matters
involved with the closing of City affairs as provided by law.

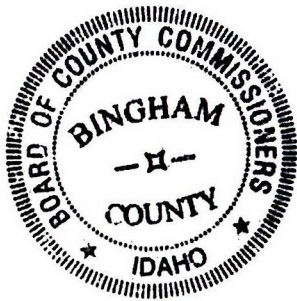
Effective day of 2nd December, 2020.

**Board of Bingham County Commissioners
Bingham County, Idaho**

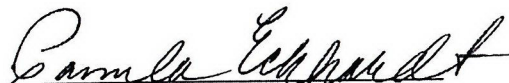

Whitney Manwaring, Chairman


Mark R. Bair, Commissioner

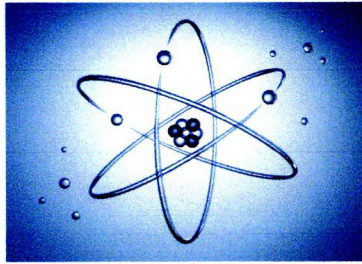

Jessica Lewis, Commissioner



ATTEST:


Pamela Eckhardt, County Clerk

725237



ATOMIC WATER WORKS
1772 N 2650 W
ATOMIC CITY, ID 83215
208-313-8815

November 1, 2022

Dear Residents of Atomic City,

To follow up Bingham County's notification letter, Blake Lyle and I have purchased the former city's water system. Atomic City water will now operate as Atomic Water Works. Atomic Water Works is in the process of applying for a Certificate of Public Convenience and Necessity with the Idaho Public Utilities Commission, per Idaho Code § 61-526. The service area will remain the same. We will be proposing a monthly rate of \$55.00 per meter per month. Meters that are non-flowing, we will propose a rate reduction to \$27.50 per meter per month. Commercial customers' monthly rate will not change. Proposed changes will be contingent upon approval by the Idaho Public Utilities Commission. We have provided contact information for the Idaho Public Utilities Commission below.

Public Utility Commission phone number: 208-334-0300

Mailing address:
Commission Secretary
Idaho Public Utilities Commission
PO Box 83720
Boise, ID 83720-0074

We will be canceling the City trash service effective **December 1, 2022**. PSI has said they need 14 or more residents to sign up for service before they will agree to individual pick up service. Their phone number is 208-529-8084 if you would like to speak with them about their services.

I've included a contact and information form for my records. Please fill it out and return it with your November payment. **AND! If you do automatic bill pay please contact your bank.**

We look forward to working with you!
Thank you and Have a great day!
Atomic Water Works

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DEC 20 2022

9:46 AM

12/05/22

Atomic Water Works Customer Contact List

December 5, 2022

Customer	Bill to	Primary Contact	Main Phone	Fax	Balance Total
Ahu, Herbert	Herbert Ahu 2655 W 1770 N Atomic City, ID 83215		208-242-6169		74.00
Eckman, Steve	Steve Eckman PO Box 201 St Anthony, ID 83445				29.81
Emerald, Ted & Joyanna	Ted & Joyanna Emerald 1778 N 2650 W Atomic City, ID ...		208-227-6479		-38.00
Fiedler, Larry	Larry Fiedler 2661 W 1775 N Atomic City, ID 83215		208-684-4188		-60.00
Fiedler, Larry (2)	Larry Fiedler 2654 W 1770 N Atomic City, ID 83215		208-684-4188		-60.00
Gardner, Lynn	Lynn Gardner 6814 S 15 W Idaho Falls, ID 83402				37.00
Gouldthorpe, James & Sherrie	James & Sherrie Gouldthorpe PMB 145 1795 W Broadwa...		208-569-7559		0.00
Hawley, Sabin & Chris	Sabin & Chris Hawley 2658 W 1775 N Atomic City, ID 83...				74.00
Holm, Jay	Jay Holm 3310 E 5400 N Liberty, UT 84310				0.00
Hoover, Richard	Richard Hoover 987 Lower Mill Creek Rd Hamilton, MT 5...				148.00
Isaacs, Donna	Donna Isaacs PO Box 148 Blackfoot, ID 83221				6.00
Isaacs, Kelli	Kelli Isaacs PO Box 98 Blackfoot, ID 83221		208-684-3513		0.00
Johnson, Daymon	Daymon Johnson 1764 N 2650 W Atomic City, ID 83215				74.00
Logan, Ron & Dee Dee	1745 N 2650 W ATOMIC CITY, ID 83215				148.00
Martin, Michael	Michael Martin 265 Warner St Bridge City, TX 77611		208-351-1784		74.00
McPherson, Teri	Teri McPherson 1756 N 2650 W Atomic City, ID 83215		208-684-5445		-96.00
Mundell, Jared	Jared Mundell 1260 W 600 N Blackfoot, ID 83221				74.00
Nippert, Heide	Heide Nippert 1754 N 2655 W Atomic City, ID 83215		208-684-5570		-286.00
O'Toole, James	James O'Toole 2612 Robinwood Way West Linn, OR 97068				74.00
Repose, Daniel	Daniel Repose 136 N 3942 E Rigby, ID 83442		925-218-4976		74.00
Sonnenberg, Dave	Dave Sonnenberg 2658 W 1745 N Atomic City, ID 83215		208-680-0883		74.00
Sortor, Paul	Paul Sortor 1860 Midway Ave Ammon, ID 83406		208-360-0536		296.00
Sortor, William	William Sortor 1745 N 2650 W Atomic City, ID 83215				37.00
Staten, Lynn	Lynn Staten 2656 W 1770 N Atomic City, ID 83215		208-684-5398		37.00
Tarner, Donald & Joanna	Donald & Joanna Tamer PO Box 617 Arco, ID 83213				74.00



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 14, 2022

BLAKE LYLE
1772 N 2650 W
ATOMIC CITY ID 83215-9700

VICKIE OHARO
1772 N 2650 W
ATOMIC CITY ID 83215-9700

Re: Change in Ownership for Water Right No(s): 35-7209, 35-13701

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: WATER DISTRICT 120

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DEC 20 2022

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DEC 07 2022

Department of Water Resources
Eastern Region

December 5, 2022

To whom it may concern:

I have attached a list of residents that I have mailed the attached letter to notifying them of the change of ownership of the water system previously owned and operated by the former City of Atomic City.

Thank you



Vickie O'Haro

Co-owner of Atomic Water Works

SCANNED

DEC 20 2022



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

November 29, 2022

BLAKE LYLE
VICKIE OHARO
1772 N 2650 W
ATOMIC CITY ID 83215

RE: Change in Ownership Water Right No. 35-13701, 35-4209

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:

**** **Notice to property owner:** As per Idaho code please send evidence of notice by mail to property owners. *Idaho Code 42-248 NOTIFICATION OF CHANGE IN OWNERSHIP OF A WATER RIGHT OR CHANGE OF ADDRESS OF A WATER RIGHT OWNER – NOTICE OF ACTION AFFECTING A WATER RIGHT. (6) If the person filing the notice of a change of water right ownership does not own the land identified as the place of use for the water right, the notice shall be accompanied by evidence that written notice of the change of water right ownership has been mailed or hand-delivered to the landowner of record, as identified in the records of the county recorder.*

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 Barg
Technical Records Specialist

Enclosure(s)

SCANNED
SCANNED
NOV 29 2022
DEC 30 2022

BINGHAM COUNTY CLERK



Pamela W. Eckhardt

Clerk of the District Court / Ex-Officio Auditor and Recorder

Email: peckhardt@co.bingham.id.us

Phone: (208) 782-3160

Fax: (208) 785-4131

November 1, 2022

IDWR Eastern Region
900 N Skyline Dr. Ste A
Idaho Falls, ID 83402-1718

To Whom It May Concern,

Enclosed is The Notice of Change in Water Right Ownership application for two water rights held by the City of Atomic City. On November 3, 2022, the citizens of the City of Atomic City voted to disincorporate and an Order and Declaration of Disincorporation of the City of Atomic City was signed by the Bingham County Board of Commissioners and recorded on November 20, 2022.

Bingham County has held and managed the water system asset since that time. All loans on the system were paid off by the county. On August 15, 2022, a public auction was held and the water system was sold to Blake Lyle and Vickie O'Haro. They have been working with the Idaho Public Utilities Commission to complete their application for a water company under the name of Atomic Water Works. Also enclosed is the Quit Claim Deed transferring ownership and a copy of the Order of Disincorporation giving the county authority to act on behalf of the former City of Atomic City. Please contact me with any questions.

Regards,

A handwritten signature in blue ink that reads "Pamela Eckhardt".

Pamela Eckhardt
Bingham County Clerk