

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAR 28 2023

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?
35-2727A <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
35-7603C <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
35-4031 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
35-2187 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
35-7603A <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Roy E Hinks
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): PEP, L.L.C.
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or
- 1356 South 3000 West Aberdeen ID 83210
Mailing address City State Zip
- 208-709-1650 _____
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: March 29, 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.

8. Signature: *Christopher Alan Pratt* Member _____ 4/27/22
 Signature of new owner/claimant Title, if applicable Date
 Christopher Alan Pratt
 Print name

Signature: *John Phillip Pratt* Member _____ 4/27/22
 Signature of new owner/claimant Title, if applicable Date
 John Phillip Pratt
 Print name

Received by: *JB* Date: 3/28/2023 For IDWR Office Use Only: Receipt No. E049014 Receipt Amt. \$125 -
 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: 3/30/2023

SUPPORT DATA

IN FILE # 35-2187

SCANNED

MAR 30 2023

AFTER RECORDING MAIL TO:

Ron Kerl
Cooper & Larsen, Chtd.
P.O. Box 4229
Pocatello, ID 83205
Tel: (208) 234-1445

ALLIANCE TITLE & ESCROW, LLC

110353 & 110925

Instrument # 744996

BINGHAM COUNTY, IDAHO
2022-04-28 02:41:45 PM No. of Pages: 6
Recorded for: ALLIANCE TITLE - POCATELLO OFF
PAMELA W. ECKHARDT Fee: \$15.00
Ex-Officio Recorder Deputy JPulley
Index To: WARRANTY DEED
Electronically Recorded by Simplifile

Space Above This Line for Recorder's Use Only

WARRANTY DEED

For Value Received, **DELORES HINCKS, GUARDIAN AND CONSERVATOR OF THE ESTATE OF ROY E. HINCKS** also known as **Elvin Leroy Hincks**, an incapacitated person and **DELORES B. HINCKS**, also shown of record as Delores Hincks, Individually, hereby grant, bargain, sell and convey unto **PEP, L.L.C., an Idaho limited liability company** (hereinafter called "**Grantor**"), whose address is 1356 South 3000 West, Aberdeen, ID 83210, all of Grantor's right, title and interest in and to that certain real property described on **Exhibit A** attached hereto and made a part hereof, together with (a) all buildings, structures and other improvements of any and every nature located on such real property and all fixtures attached or affixed, actually or constructively, to such real property or to any such buildings, structures or other improvements; (b) all rights, ways and easements appurtenant to, related to, or used in connection with such real property, including, without limitation, all air rights, wind rights, all water and water rights, solar rights, all ditches and ditch rights, all reservoir and storage rights, all springs and spring rights, all wells and all groundwater rights and all surface water rights; (c) all of Grantor's right, title and interest in and to the land underlying and the air space overlying any public or private ways or streets crossing or abutting such real property; (d) all of Grantor's right, title and interest in and to oil, gas and other mineral rights related to such real property; and (e) all other appurtenances, easements, licenses, privileges and other property interests belonging or appurtenant to such real property (the real property described on Exhibit A, and all of the foregoing items in clauses (a) through (e) above, now or hereafter existing, are referred to collectively as the "**Property**"); and warrants the title to the Property free and clear of liens, encroachments, and encumbrances.



RESERVING, HOWEVER, a life estate unto ROY E. HINCKS in the residence, surrounding yard, and access road located on the property described as follows: Township 4 South, Range 31 East, Boise Meridian, Bingham County: Section 20: Beginning 240' West of the Northeast corner of Section 20, thence 260' West, thence 150' South, thence 260' East thence 150' North to the beginning.

TO HAVE AND TO HOLD the Property unto Grantee and to Grantee's heirs and assigns forever. And Grantor does hereby covenant to and with Grantee that Grantor is the owner in fee simple of the Property; that the Property is free from all encumbrances except the Permitted Encumbrances, and that Grantor will warrant and defend the same from all claims whatsoever.

Warranty Deed
Page - 1

SCANNED

MAR 30 2023

[Signatures appears on following page]

Warranty Deed
Page - 2

SCANNED

744996
MAR 30 2023

Dated as of the 27 day of April, 2022.

GRANTOR

Estate of Roy E. Hincks, aka Elvin Leroy Hincks, an
incapacitated person

By: Delores Hincks
Delores Hincks, Guardian and Conservator

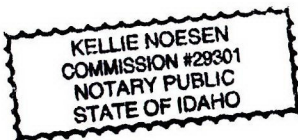
By: Delores B. Hincks
Delores B. Hincks, a/k/a Delores Hincks

STATE OF IDAHO)

County of Bannock ^{SS}

On this 27 day of April, in the year 2022 before me, the undersigned, a Notary Public in and for
said state, personally appeared Delores Hincks known or identified to me to be the person whose name is
subscribed to the foregoing instrument as Guardian and Conservator of the Estate of Roy E. Hincks, aka
Elvin Leroy Hincks as Guardian and Conservator and acknowledged to me that she executed the 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.

Kellie Noesen
NOTARY PUBLIC for Idaho
Residing at: Residing in Pocatello
Commission Expires: Expires 02/24/2028



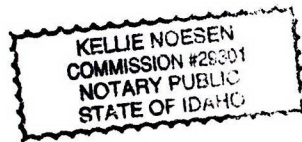
STATE OF IDAHO)

County of Bannock) ss

On this 21 day of April, 2022 before me, the undersigned Notary Public in and for said County and State, personally appeared Delores B. Hincks, a/k/a Delores Hincks, and known or identified to me to be the persons that executed the foregoing instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that they executed the same.

IN WITNESS, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

(SEAL)



Kellie Noesen
NOTARY PUBLIC for Idaho
Residing at: _____ Residing in Pocatello
Commission Expires: _____ Expires 02/24/2028

Exhibit A

Legal Description

Parcel 1:

North Half of Section 16, Township 4 South, Range 31 East, Boise Meridian, Bingham County, Idaho.

EXCEPTING THEREFROM:

Beginning at the Northwest corner of said Section 16, thence East 125 feet, thence South 600 feet, thence West 125 feet, thence North 600 feet to the Point of Beginning.

Parcel 2:

East half of the Northeast Quarter and the East half of the Southeast Quarter of Section 18, Township 4 South, Range 31 East, Boise Meridian, Bingham County, Idaho.

Parcel 3:

West half of the Northeast Quarter, and the West Half of Section 17, Township 4 South, Range 31 East, Boise Meridian, Bingham County, Idaho.

EXCEPTING THEREFROM:

Beginning at the Southeast corner of the Southwest Quarter and running thence North along the East line of said Southwest Quarter 185 feet; thence West 400 feet; thence South 185 feet; thence East 400 feet to the Point of Beginning.

Parcel 4:

Northeast Quarter of the Southeast Quarter and the East half of the Northeast Quarter of Section 19, Township 4 South, Range 31 East, Boise Meridian, Bingham County, Idaho.

EXCEPTING THEREFROM:

Beginning at the Northeast corner of said Section 19 and running thence West 1320 feet, more or less, along the section line to the Northwest corner of the of the Northeast Quarter of the Northeast Quarter of said Section 19, thence South 25.0 feet, thence East 1320 feet, more or less, thence North 25.0 feet to the Point of Beginning.

ALSO EXCEPTING THEREFROM:

A portion of the Northeast Quarter of Section 19, Township 4 South, Range 31 East, Boise Meridian, Bingham County, Idaho, described as:

Beginning at the Northeast corner of said Section 19 and running thence West 136 feet along the North Section Line; thence South 225 feet; thence East 136 feet parallel to the North section line; thence North 225 feet to the Point of Beginning.

Warranty Deed

Page - 5

SCANNED

744996

MAR 30 2023

Parcel 5:

West Half of the Northwest Quarter, North half of the Southwest Quarter and the Southeast of the Southwest Quarter of Section 20, Township 4 South, Range 31 East, Boise Meridian, Bingham County, Idaho.

EXCEPTING THEREFROM those portions lying within the bounds of a county road.

ALSO EXCEPTING THEREFROM:

A portion of the Northwest Quarter of Section 20, Township 4 South, Range 31 East, Boise Meridian, Bingham County, Idaho, described as:

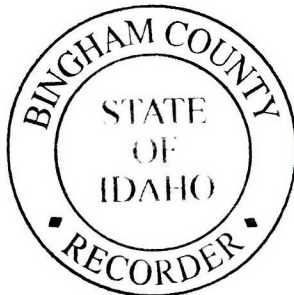
Beginning at the Northwest corner of said Section 20 and running thence
East 300 feet along the North line of said Section 20; thence
South 225 feet; thence West 300 feet parallel to the North Section line; thence
North 225 feet to the Point of Beginning.

Parcel 6:

That portion of the West Half of Section 17, Township 4 South, Range 31 East, Boise Meridian, Bingham County, Idaho, described as follows: Beginning at the Southeast corner of the Southwest Quarter and running thence North along the East line of said Southwest Quarter 185 feet; thence West 400 feet; thence South 185 feet; thence East 400 feet to the Point of Beginning.

Parcel 7:

East half of the Northwest Quarter of Section 20, Township 4 South, Range 31 East, Boise Meridian, Bingham County, Idaho.



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 Ex-officio Recorder of Bingham County, Idaho.

Dated March 29, 2023

PAMELA W. ECKHARDT

Clerk and Ex-officio Recorder

By Shonda Wixom
Deputy



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

March 30, 2023

PEP LLC
1356 S 3000 W
ABERDEEN ID 83210-1609

Re: Change in Ownership for Water Right No(s): 35-2187, 35-2727A, 35-4031, 35-7603A, 35-7603C

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)

cc: RABO AGRIFINANCE LLC
WATER DISTRICT 120
ABERDEEN AMERICAN FALLS GROUND WATER DISTRICT

SCANNED

MAR 30 2023