

FEB 26 2024

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESDEPT. 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 #6](#) of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
29-4157	Yes ☐	Yes ☐		Yes ☐	Yes ☐
29-4157 - <i>Reformed</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
<i>29-13145 OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
<i>29-4159 OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Leon Hardcastle/Hardcastle Family LLC
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): J&J DUNN INVESTMENTS FAMILY LLP
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 8655 S. ROBIN RD. M. CAMMON ID 83250
Mailing address City State ZIP
- 208-220-5755 jerryedunn@gmail.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: JUNE 5, 2017

6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed [IRS Form W-9](#) for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed [Lessor Designation](#) form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).

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: *Jerry Dunn* Manager 9-15-17
Signature of new owner/claimant Title, if applicable Date
- Signature: _____
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by M. Pettes Date 2-26-24 Receipt No. E049829 Receipt Amt. 75.00

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 Partial JB Processed by Partial JB Date 1/21/2024

29-4157 Returned unprocessed

SUPPORT DATA

IN FILE # 29-4157

Refund Requested for \$25.00

21707869 2017 Jun 05 PM 04:27:00
Electronically Recorded by Simplifile

WARRANTY DEED

Alliance Title & Escrow Corp. Order No.:352714

FOR VALUE RECEIVED

**Alice B. Hardcastle, Trustee of the A. Leon Hardcastle and Alice B. Hardcastle
Charitable Remainder UniTrust u/a/d April 29, 1999**

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

J & J Dunn Investments Family LLLP



whose current address is **8655 South Robin Road, McCammon, ID 83250**

the grantee(s), the following described premises, in Bannock County, Idaho, TO WIT:

See attached Exhibit 'A'

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: June 3, 2017

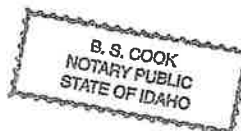
Alice B. Hardcastle
Alice B. Hardcastle, Trustee

State of Idaho} ss.
County of Bannock}

On this 5 day of June, 2017, before me, B.S. Cook, a Notary Public in and for said state, personally appeared Alice B. Hardcastle known or identified to me to be the person whose name is subscribed to the foregoing instrument as trustee of the A. Leon Hardcastle and Alice B. Hardcastle Charitable Remainder UniTrust u/a/d April 29, 1999, and acknowledged to me that he/she/they executed the same as Trustee.

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

B.S. Cook
Notary Public for the State of Idaho
Residing at: Pocatello
Commission Expires: 4/21/21



WARRANTY DEED

Alliance Title & Escrow Corp. Order No.:352714

FOR VALUE RECEIVED

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And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: June 3, 2017

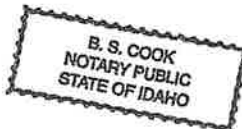
Alice B. Hardcastle
Alice B. Hardcastle, Trustee

State of Idaho} ss.
County of Bannock}

On this 5 day of June, 2017, before me, B.S. Cook, a Notary Public in and for said state, personally appeared Alice B. Hardcastle known or identified to me to be the person whose name is subscribed to the foregoing instrument as trustee of the A. Leon Hardcastle and Alice B. Hardcastle Charitable Remainder UniTrust u/a/d April 29, 1999, and acknowledged to me that he/she/they executed the same as Trustee.

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

B.S. Cook
Notary Public for the State of Idaho
Residing at: Pocatello
Commission Expires: 4/21/21



File No. 352714

Exhibit 'A'**Parcel 1:**

That portion of Lots 5, 6, and 7 lying Southerly of the Union Pacific Railroad as the same is located in Section 20, Township 9 South, Range 37 East, Boise Meridian, Bannock County, Idaho.

Parcel 2:

All of the Northeast Quarter Southeast Quarter and the Southwest Quarter Southeast Quarter of Section 20, Township 9 South, Range 37 East, Boise Meridian, Bannock County, Idaho.

Parcel 3:

All of Lot 6 and the Southeast Quarter Northwest Quarter lying Southerly of the Union Pacific Railroad as the same is located in Section 21, Township 9 South, Range 37 East, Boise Meridian, Bannock County, Idaho.

Parcel 4:

All of the Northwest Quarter Northeast Quarter and Southwest Quarter Northeast Quarter of Section 29, Township 9 South, Range 37 East, Boise Meridian, Bannock County, Idaho.

Parcel 5:

A parcel of land located in Sections 19 and 20 in Township 9 South, Range 37 East, Boise Meridian, Bannock County, Idaho, and further described as follows:

Beginning at the North Quarter corner of said Section 20; thence South 89°39'11" West 1312.67 feet along the North line of said Section 20; thence South 1390.0 feet to a 5/8-inch rebar with cap labeled "A.A. Hudson, PLS 4735" set on the Southerly right of way line of U.S. Highway No. 30 North, the True Point of Beginning; thence South 08°00'52" West 183.22 feet to a 5/8-inch rebar with cap; thence North 56°11'55" East 116.32 feet; thence North 70°16'49" East 61.29 feet; thence South 87°45'45" East 166.83 feet; thence South 07°18'58" East 384.29 feet to a 5/8-inch rebar with cap set at the South end of a fence; thence North 84°51'16" East 120.0 feet to a 5/8-inch rebar with cap set on the projection of a North-South fence line; thence South 09°18'44" East 483.48 feet along said projection and fence line to a 5/8-inch rebar with cap set on the Northerly right of way line of the Union Pacific Railroad right of way line, said point being on a 5136.99 foot non-tangent curve whose center bears South 14°32'08" East; thence Southwesterly along said curve through a central angle of 08°56'50" a distance of 802.18 feet to the point of tangency (chord= South 70°59'28" West 801.37 feet); thence South 66°31'03" West 621.80 feet to the beginning of a 281.18 foot spiral curve with a 03°03'00" delta; thence South 67°41'00" West 245.22 feet along the long chord of said spiral curve to a 5/8-inch rebar with cap set on the projection of a fence line; thence North 27°41'51" East 212.87 feet to a 5/8-inch rebar with cap set at a fence corner; thence North 46°06'50" West 169.52 feet along a fence line and its projection to a 5/8-inch rebar with cap set on the Northerly bank of the Portneuf River; thence along said river bank through the following courses: thence North 85°01'21" West 38.58 feet; thence North 67°35'49" West 127.48 feet; thence

North 53°37'14" West 154.22 feet; thence
 North 85°51'38" West 96.51 feet; thence
 South 44°51'52" West 135.51 feet; thence
 North 59°33'58" West 118.74 feet; thence
 North 39°50'41" West 212.32 feet; thence
 North 88°41'10" West 99.08 feet; thence
 South 52°18'09" West 232.50 feet; thence
 North 80°50'47" West 168.73 feet; thence
 South 86°29'36" West 99.23 feet; thence
 South 74°46'54" West 160.70 feet; thence
 North 65°51'32" West 118.65 feet; thence
 South 68°10'58" West 83.21 feet to a 5/8-inch rebar with cap set in a fence line; thence leaving
 said river bank and running
 North 00°34'39" West 319.86 feet along said fence line to a 5/8-inch rebar with cap; thence
 North 01°19'25" East 276.73 feet along said fence line to a 5/8-inch rebar with cap set on the
 Southerly right of way line of the Price Road, said right of way width from centerline being 35.0
 feet; thence
 North 69°22'56" East 250.04 feet along said right of way line to the beginning of a 366.45 foot
 radius curve concave to the Northwest; thence
 Northeasterly along said curve through a central angle of 48°41'54" a distance of 311.47 feet to
 the point of tangency (chord= North 45°01'59" East 302.18 feet); thence
 North 20°41'03" East 63.19 feet along said right of way line to a 5/8-inch rebar with cap; thence
 North 85°54'05" East 2168.06 feet to the True Point of Beginning.

Excepting therefrom the following described property together with all rights of access
 between the right of way of U.S. Highway No. 30, Project No. NH-1480(109) Highway Survey
 and the remaining contiguous real property belonging to A. Leon Hardcastle and Alice B.
 Hardcastle, Trustees of Hardcastle Family Trust U/A/D May 16, 1990, as to each an undivided
 50% interest, on February 26, 2001, except for one 12.0 meters (approximately 40 feet)
 approach at Station 59+56 right of said Highway Survey situated in the County of Bannock,
 State of Idaho, to wit:

A parcel of land located on the South side of U.S. Highway No. 30 as shown on the plans of U.S.
 Highway 30, Project No. NH-1480 (109) U.S. 30, now on file in the office of the Idaho
 Transportation Department, and being a portion of Lot 3 of Section 19 and Lot 4 of Section 20
 of Township 9 South, Range 37 East, Boise Meridian, Bannock County, Idaho and being more
 specifically described as follows:

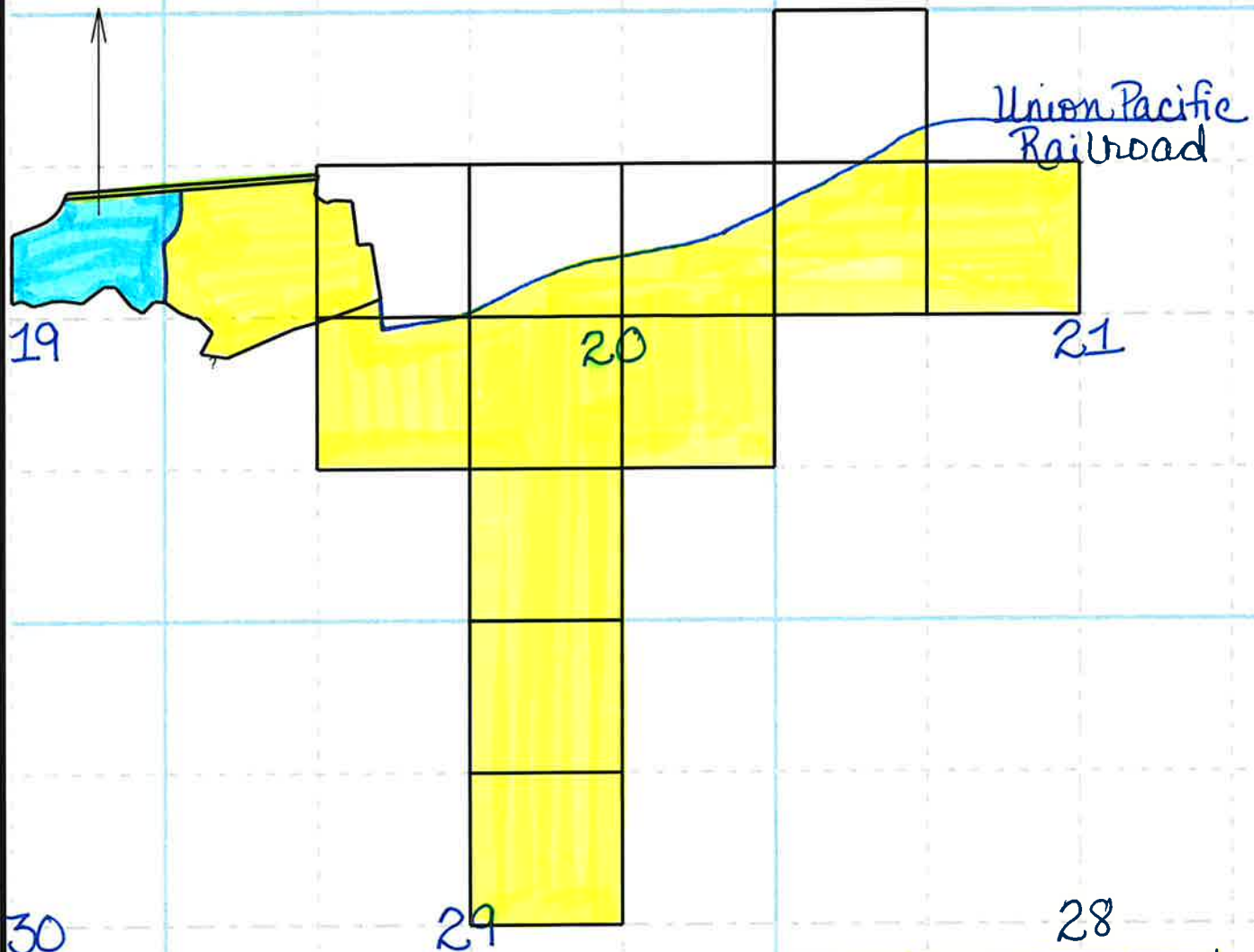
To find the Place of Beginning, commence at the North Quarter corner of said Section 20;
 thence
 South 89°38'18" West (South 89°39'11" West of record), along the Northerly boundary of said
 Section 20, a distance of 1312.67 feet (400.103 meters) to a point; thence
 South 00°00'53" East (South 0°00'00" East of record), a distance of 1390.00 feet (423.673
 meters) to a point, said point being a 5/8-inch rebar with a cap labeled "A.A. Hudson, PLS 4735"
 also said point being on the Southerly right-of-way line of U.S. 30, for the Place of Beginning;
 thence
 South 07°59'59" West (South 8°00'52" West of record), a distance of 42.79 feet (13.042 meters)
 to a point; thence
 South 85°41'19" West, a distance of 861.09 feet (262.459 meters) to a point; thence
 South 85°54'25" West, a distance of 1318.47 feet (401.872 meters) to a point; thence
 North 20°40'10" East (North 20°41'03" East of Record), a distance of 48.84 feet (14.887 meters)
 to a point; thence
 North 85°53'12" East (North 85°54'05" East of record), a distance of 2168.06 feet (660.826
 meters) to the Place of Beginning.

Also excepting:

Parcel No. 35, Parcel ID. No. 0042546, according to the right of way Plat of Project No. NH-1480(117) filed for record in the office of the County Recorder of Bannock County, Idaho, on the 3rd day of November, 2003 under Instrument No. 20329642:

Being a portion of Government Lot 3 of Section 19 and Government Lots 3, 4, 7 and 8 of Section 20, Township 9 South Range 37 East, Boise Meridian, Idaho.





21707869 A Leon Hardcastle and Alice B Hardcastle Charitable Remainder Unitrust to J & J Dunn Investments Family LLP

6/20/2024

Scale: 1 inch= 1500 feet

File:

Tract 1: 40.0000 Acres, Closure: n00.0000e 0.00 ft. (1/999999), Perimeter=5280 ft.
 Tract 2: 40.0000 Acres, Closure: n00.0000e 0.00 ft. (1/999999), Perimeter=5280 ft.
 Tract 3: 40.0000 Acres, Closure: n00.0000e 0.00 ft. (1/999999), Perimeter=5280 ft.
 Tract 4: 40.0000 Acres, Closure: n00.0000e 0.00 ft. (1/999999), Perimeter=5280 ft.
 Tract 5: 40.0000 Acres, Closure: n00.0000e 0.00 ft. (1/999999), Perimeter=5280 ft.
 Tract 6: 40.0000 Acres, Closure: n00.0000e 0.00 ft. (1/999999), Perimeter=5280 ft.
 Tract 7: 40.0000 Acres, Closure: n00.0000e 0.00 ft. (1/999999), Perimeter=5280 ft.
 Tract 8: 40.0000 Acres, Closure: n00.0000e 0.00 ft. (1/999999), Perimeter=5280 ft.
 Tract 9: 40.0000 Acres, Closure: n00.0000e 0.00 ft. (1/999999), Perimeter=5280 ft.
 Tract 10: 40.0000 Acres, Closure: n00.0000e 0.00 ft. (1/999999), Perimeter=5280 ft.
 Tract 11: 40.0000 Acres, Closure: n00.0000e 0.00 ft. (1/999999), Perimeter=5280 ft.
 Tract 12: 40.0000 Acres, Closure: n00.0000e 0.00 ft. (1/999999), Perimeter=5280 ft.
 Tract 13: 75.9348 Acres, Closure: n00.0000e 0.00 ft. (1/999999), Perimeter=8786 ft.
 Tract 14: 2.1996 Acres (95813 Sq. Feet), Closure: n08.3414e 0.01 ft. (1/831207), Perimeter=4439 ft.

Exception
 Also excepting
 Very Vague using county
 information, labeled
 the Exception.



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 Mathew Weaver

June 21, 2024

J & J DUNN INVESTMENTS FAMILY LLLP
8655 S ROBIN RD
MCCAMMON ID 83250-1643

Re: Change in Ownership for Water Right No(s): 29-4157, 29-4159, 29-13145

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.

On March 13, 2024 and May 10, 2024 the department requested additional information and/or fees to update water right 29-4157 (copies of the letters attached). The information was to be provided in 30 days. As of today, the department has not received the additional information and/or fees to complete the ownership change. Therefore, that water right has not been updated. The department has initiated a refund for the filing fee paid for that water right. If at a later date you want to resubmit the ownership change the application, evidence of ownership and filing fee can be submitted. The items missing as described in the attached letters is, there is a portion of the water right that is not appurtenant to your property. If a split is required the additional filing fee of \$75.00 is required, if you believe a split is not required additional evidence of ownership, or an agreement with the property owner and/or notice to the property owner of the ownership change.

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: WATER DISTRICT 29

Baily, Jonie

From: Baily, Jonie
Sent: Friday, June 21, 2024 9:32 AM
To: IdwrPayable
Subject: Refund Request
Attachments: Receipt

Good morning!

I have a refund request as follows:

Receipt number: E049829
Amount: \$25.00
Payable to: J & J DUNN FAMILY MANGEMENT LLC
8655 ROBIN RD
MCCAMMON ID 83250

Reason: Ownership Change was submitted for 3 water rights. Additional information and/or fees required for 1 water right. The information/fees were not received; therefore, the one water right cannot be complete. Therefore, the applicant is entitled to a partial 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 Mathew Weaver

May 10, 2024

J & J DUNN INVESTMENTS FAMILY LLP
8655 ROBIN RD
MCCAMMON ID 83250

RE: Change in Ownership Water Right No. 29-4157, 29-4159, 29-13145

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:

**** **Filing Fee:** According to our phone conversation on March 14, 2024 (phone conversation was initiated because of an email send to you on March 13, 2024 from me, including a map of the place of use of the water right), water right number 29-4157 will require a split. As we discussed, there is a portion of the water right on property owned by the State of Idaho. It was my understanding that you intended to send an additional \$75.00 filing fee for the department to split the water right. As of today, the department has not received the additional filing fee. Please provide the additional filing fee or if you believe the water right should not be split, please provide additional evidence of ownership or an agreement with the State of Idaho to use the water right on their property, and/or evidence that they have been notified of your intent to update ownership of a water right on their property.

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 Bailly
Technical Records Specialist

From: [Baily, Jonie](#)
To: [Jerry Dunn](#)
Subject: Ownership Change
Date: Wednesday, March 13, 2024 3:41:00 PM
Attachments: [Idaho Code Ownership Changes code highlighted.pdf](#)
[Map 29-4157.pdf](#)

RE: Change in Ownership Water Right No. 29-4157, 29-4159, 29-13145

Dear Sir/Madam:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership.

Thank you for submitting a copy of your Warranty Deed.

I am working on the review for this application and according to the county parcel information a portion of water right number 29-4157 is on property owned by the State of Idaho. It appears to be included with your deed unless it is meant to be the 2nd exception for parcel 5. Idaho Code requires notice to the property owners if a water right is on someone else's property. Please review the map attached. Was this parcel sold to the State of Idaho, if so, were the water rights withheld? If yes, we will need a copy of the deed.

Also, in order to update the ownership, notice must be either mailed or hand delivered to the current owner according to the county parcel data informing them of the ownership change. I have attached a map for your review, I have also attached the Idaho Code including the update from 2022 requiring notice to property owners.

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.

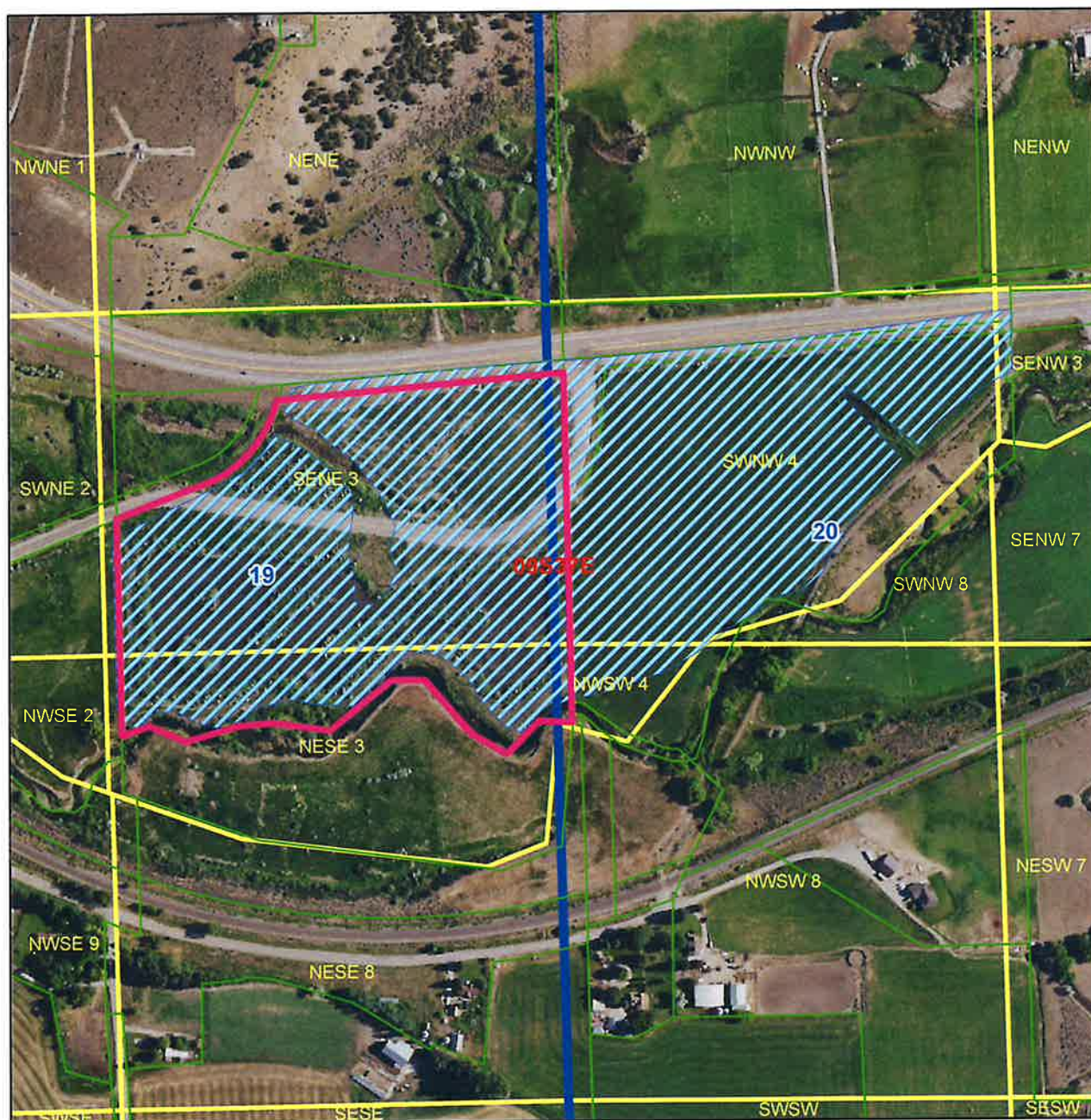
Please feel free to contact the Department if you have any questions.

Sincerely,

Jonie Baily
Jonie Baily

Technical Records Specialist
Idaho Department of Water Resources
900 N Skyline Dr Ste A
Idaho Falls ID 83402
Phone number: (208)525-7161
Email address: jonie.baily@idwr.idaho.gov

Idaho Department of Water Resources



Legend

-  Parcel in Question (State of Idaho)
-  POU 29-4157
-  Parcels
-  Township/Range
-  Sections
-  QQ



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 Mathew Weaver

February 28, 2024

J & J DUNN INVESTMENTS FAMILY LLLP
8655 S ROBIN RD
MCCAMMON ID 83250

RE: Change in Ownership Water Right No. 29-4157, 29-4159, 29-13145

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:** In order for the department to update ownership of a water right a "full" copy of the 'recorded' Warranty Deed or other legal document indicating your ownership in the water right and/or property is required. The department received a partial copy of the your recorded deed, please supply a full copy of your deed.

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.

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