

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 MB Processed by MB Date 9/24/2024

Instrument # 1775138

Bonneville County, Idaho Falls, Idaho

09/20/2024 09:08:52 AM No. of Pages: 4

Recorded for: PIONEER TITLE CO OF BONNEVILLE CO LLC

Penny Manning Fee: \$15.00

Ex-Officio Recorder Deputy Ahogge

Index to: DEED, WARRANTY

RECORDING REQUESTED BY AND  
WHEN RECORDED RETURN TO:

Kristin Moore

Rocky Mountain Environmental Associates, Inc.

482 Constitution Way, Suite 303

Idaho Falls, ID 83402

847322

(Space Above for Recorder's Use)

### SPECIAL WARRANTY DEED FOR WATER RIGHTS

John Branca, also known as John Branca III or John C. Branca III, a single man, whose address is 1625 River Dr., Jackson, Wyoming 83001-8850, (hereinafter collectively "Grantor") does hereby grant, bargain, sell, assign, and convey unto Triple H Farms, LLC, whose address is 2920 S 925 W Ogden, Utah 84401, (hereinafter "Grantee") and to Grantee's heirs and assigns forever, all of Grantor's right, title, and interest in water right described on Exhibit A attached hereto (hereinafter the "Water Right").

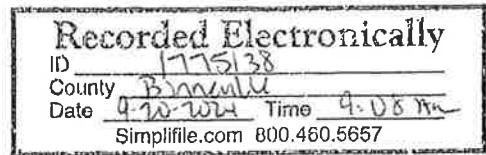
Grantor hereby covenants and warrants to Grantee as follows:

- (A) Grantor is the owner of the Water Right;
- (B) Grantor has not conveyed any of the Water Right to anyone other than Grantee;
- (C) The Water Right is free from all liens, claims, or encumbrances; and
- (D) Grantor has the authority to convey the Water Right to Grantee.

Grantor makes no other covenants or warranties as to the Water Right.

IN WITNESS WHEREOF, the undersigned authorized officer of Grantor, acting on behalf of Grantor, has caused his name to be hereunto subscribed.

DATED this <sup>x</sup> 17 day of <sup>x</sup> Sept, 2024.



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Grantor hereby covenants and warrants to Grantee as follows:

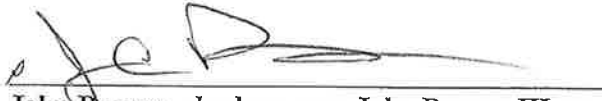
- (A) Grantor is the owner of the Water Right;
- (B) Grantor has not conveyed any of the Water Right to anyone other than Grantee;
- (C) The Water Right is free from all liens, claims, or encumbrances; and
- (D) Grantor has the authority to convey the Water Right to Grantee.

Grantor makes no other covenants or warranties as to the Water Right.

IN WITNESS WHEREOF, the undersigned authorized officer of Grantor, acting on behalf of Grantor, has caused his name to be hereunto subscribed.

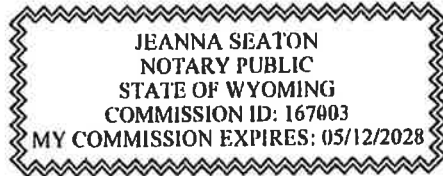
DATED this <sup>x</sup> 17 day of <sup>x</sup> Sept, 2024.

"GRANTOR"

  
John Branca, also known as John Branca III or  
John C. Branca III

STATE OF WYOMING     )  
                                          )ss.  
County of Teton     )

This record was acknowledged before me on the 17<sup>th</sup> day of Sept. 2024, by John  
C. Branca, III.



  
Notary Public for Idaho W96  
My Commission Expires: 5-12-28

# **EXHIBIT A** **WATER RIGHT DESCRIPTION**

## **Water Right Report : 23-11538( Decreed/Active)**

### **Water Right Owners**

| Owner Type             | Name               | Address        | City        | State | Postal Code |
|------------------------|--------------------|----------------|-------------|-------|-------------|
| Current Owner          | BRANCA III, JOHN C | 1625 RIVER DR  | JACKSON     | WY    | 83001-8850  |
| Directors Report Owner | TOMCHAK, BURLEIGH  | 202 BASSETT RD | ROBERTS     | ID    | 83444       |
| Directors Report Owner | TOMCHAK, MABEL     | 458 BASSETT RD | ROBERTS     | ID    | 83444       |
| Previous Owner         | HARDY, DAVID C     | 791 MASTERS ST | IDAHO FALLS | ID    | 83401       |
| Previous Owner         | PT ELLIOTT LLC     | 392 N 4500 E   | RIGBY       | ID    | 83442-5596  |

### **Water Right Status**

Priority Date : 4/22/1979  
Basis : Decreed  
Status : Active

### **Water Source**

Source      Source Qualifier    Tributary    Tributary Qualifier  
GROUND WATER

### **Points Of Diversion (Location)**

| Source       | Township | Range | Section | Govt. Lot | QQQ | QQ | Q | County           | Diversion Type |
|--------------|----------|-------|---------|-----------|-----|----|---|------------------|----------------|
| GROUND WATER | 01N      | 44E   | 10      | 0         |     |    |   | NE NE BONNEVILLE |                |

### **Water Uses**

| Beneficial Use | From  | To    | Diversion Rate | Volume    |
|----------------|-------|-------|----------------|-----------|
| IRRIGATION     | 04/15 | 10/31 | 0.06 CFS       | 10.50 AFA |
| <b>TOTAL</b>   |       |       | 0.06 CFS       | 10.50 CFS |

### **Places of Use**

### **Place of Use Legal Description : IRRIGATION (BONNEVILLE county)**

| Township | Range | Section | Lot | QQQ | QQ | Q  | Acres |
|----------|-------|---------|-----|-----|----|----|-------|
| 01N      | 44E   | 10      |     |     | NE | NE | 3     |

### **Irrigation Totals**

Total Acres    Acre Limit  
3.00

### **Conditions**

#### **Code    Conditions**

- 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.
- T07    The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
- T08    Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

T19 Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

#### Dates

Licensed Date :

Decreed Date :

Permit Proof Due Date :

Permit Proof Made Date :

Permit Approved Date :

Permit Moratorium Expiration Date :

Enlargement Use Priority Date :

Enlargement Statute Priority Date :

Application Received Date :

Protest Deadline Date :

#### Other Information

State or Federal :

Water District Number : EXC

Generic Max Rate Per Acre : 0

Generic Max Volume Per Acre : 0

Civil Case Number :

Decree Plaintiff :

Decree Defendant :

Swan Falls Trust or Nontrust :

Swan Falls Dismissed :

DLE Act Number :

Cary Act Number :

Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES

2/5/2024

### Authorization to Submit Transfer Application

D&D Rocky Mountain, LLC, a Utah limited liability company, owns the property located in NENE Section 10, T1N, R44E, BM that is the proposed location of a water rights transfer. This letter grants authority to Triple H Farms, LLC, an Idaho limited liability company, to file an Application for Transfer of Water Right to move 3 acres of water right to the proposed property.

D&D Rocky Mountain, LLC

  
\_\_\_\_\_  
Signature

David Hogan, Member  
Printed Name and Title

10/25/23  
Date



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](mailto:easterninfo@idwr.idaho.gov) • Web: [idwr.idaho.gov](http://idwr.idaho.gov)

**Governor Brad Little**

**Director Mathew Weaver**

September 24, 2024

TRIPLE H FARMS, LLC  
2920 S 925 W  
OGDEN UT 84401-3800

Re: Change in Ownership for Water Right No(s): 23-11538

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)

ec: ROCKY MOUNTAIN ENVIRONMENTAL