

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

OCT 21 2022

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?
25-14511	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: PT Elliot LLC
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): J & L Holdings LLC
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or
- PO Box 111 Irwin ID 83428
Mailing address City State Zip
Idixon@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: Sep 21, 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: P. Lynn Dixon owner 8-30-22
 Signature of new owner/claimant Title, if applicable Date
Paul Lynn Dixon
 Print name

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

Received by M. Pettus Date 10-21-22 For IDWR Office Use Only: Receipt No. E048648 Receipt Amt. 100.00
 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 JB Processed by JB Date 11/22/2022

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Kristin Moore
Rocky Mountain Environmental Associates, Inc.
482 Constitution Way, Suite 303
Idaho Falls, ID 83402

Microfilm No. 476308
10-5-2022
At 9:30 O'Clock A M
COLLEEN C. POOLE
Jefferson Co. Recorder
Fee \$ 15.00 Deputy
Recorded at Request of
Rocky Mountain Environmental

PTC 816871

(Space Above for Recorder's Use)

SPECIAL WARRANTY DEED FOR WATER RIGHTS

PT ELLIOTT, LLC, an Idaho limited liability company, also known as PT Elliot, LLC, whose address is 392 N 4500 E, Rigby, Idaho 83442 (hereinafter collectively "Grantor") does hereby grant, bargain, sell, assign, and convey unto **J & L HOLDINGS, LLC**, whose address is PO Box 111, ID 83428 (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.

[THIS SPACE INTENTIONALLY LEFT BLANK]

DATED this 21st day of Sept., 2022.

"GRANTOR"

PT ELLIOTT LLC

Carl Zitlau
By: Carl Zitlau
Its: Manager

STATE OF IDAHO)

County of Bonneville ss.

This record was acknowledged before me on the 21st day of Sept ²⁰²² 2022, by **Carl Zitlau**, manager of PT Elliott, LLC.



Lenore Katri
Notary Public for Idaho
My Commission Expires: _____

Residing at Idaho Falls, ID
My Commission Expires: 1-30-2027

EXHIBIT A

WATER RIGHT DESCRIPTION

Page 7 of 11

WATER RIGHT NO. 25-14511

As Modified by Transfer No. 85750

In accordance with the approval of Transfer No. 85750, Water Right No. 25-14511 is now described as follows:

Right Holder: PT ELLIOTT LLC
392 N 4500 E
RIGBY, ID 83442-5596

Priority Date: 4/22/1979

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
MITIGATION BY NON-USE	04/01	to 10/31	0.100 cfs	20.0 af
			0.100 cfs	20.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SESE	Sec 36 Twp 04N Rge 38E	JEFFERSON County
GROUND WATER	SESE	Sec 36 Twp 04N Rge 38E	JEFFERSON County
GROUND WATER	NESE	Sec 36 Twp 04N Rge 38E	JEFFERSON County

PLACE OF USE: MITIGATION BY NON-USE

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	38E	36													X	X			

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 5.0 acres within the authorized place of use in a single irrigation season.
2. Rights 25-14510 and 25-14511 when combined shall not exceed the irrigation of 25 acres.
3. This right mitigates for the depletion of water resulting from the diversion and use of water under Right 25-14512. If the mitigation portion of this right is not deliverable due to a shortage of water or a priority call, then the amount of water authorized for diversion under the uses of Right 25-14512 that are being mitigated shall be reduced by the same proportion as the reduction to this right.
4. Use of this right is combined with sixteen shares of water from Rudy Irrigation Canal Company Ltd.
5. As long as the beneficial use for this right remains designated as mitigation by non-use, this right is not combined with and remains separate from the irrigation rights at the place of use described above.

Transfer No. 85750

WATER RIGHT NO. 25-14511
As Modified by Transfer No. 85750

CONDITIONS OF APPROVAL

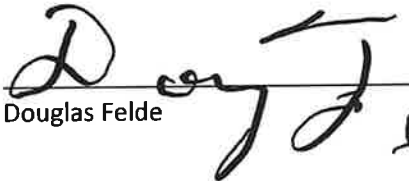
6. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.
7. The diversion and use of water described in Transfer 85750 may be subject to additional conditions and limitations agreed to by the protestant and the right holder under a separate agreement to which the Department is not a party. Because the Department is not a party, the Department is not responsible for enforcement of any aspect of the agreement not specifically addressed in other conditions herein. Enforcement of those portions of the agreement not specifically addressed in other conditions shall be the responsibility of the protestant and the water right holder.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. 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.

Transfer No. 85750

Notice of Intent to Change Ownership of Water Rights

Per Idaho Code §42-248, J & L Holdings LLC hereby provides written notice that ownership of water rights 25-14510 and 25-14511, recently purchased and transferred for the purposes of irrigation within Pepperwood Crossing Subdivision, Division 3, will be updated to reflect J & L Holdings LLC as the current owner. These water rights will serve all of the lots within the subdivision, including the 5 lots owned by Douglas Felde.

Notice Acknowledged by:


Douglas Felde


Date


11/27/22



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

November 22, 2022

J & L HOLDINGS LLC
PO BOX 111
IRWIN ID 83428-0111

Re: Change in Ownership for Water Right No(s): 25-14511

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)



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

October 26, 2022

J & L HOLDINGS LLC
PO BOX 111
IRWIN ID83428

RE: Change in Ownership Water Right No. 25-14511

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 owners:** In order for the department to update ownership of a water right on property owned by another entity, notice to the property owner is required. According to the taxlot information available to the department a few of lots under this subdivision are owned by Douglas Felde. Please notify the property owner of the intent to update ownership as per Idaho code. *Section 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

RECEIVED

OCT 27 2022