

MAY 05 2025

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESDEPT. OF WATER RESOURCES
EASTERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT

GENERAL INFORMATION AND INSTRUCTIONS

Pursuant to Section 42-222(1), *Idaho Code*, a transfer application may be filed to change the point of diversion, place of use, period of use, or nature of use of all or part of an established water right. Any person proposing to make such a change is required to file a transfer application with the Department. "Such application shall be upon forms furnished by the department and shall describe the [water right] to be changed and the changes which are proposed and shall be accompanied by the statutory filing fee." *Idaho Code* § 42-222(1).

The Department has developed this application form to assist applicants in satisfying the requirements of Section 42-222(1). This application form requests information about the applicant's authority to file (Part 1), information about the current elements of the water right(s) to be changed (Part 2), information about the proposed changes (Part 3), information about the validity of the water right(s) and the effects of the proposed changes (Part 4), and confirmation that the information provided is truthful (Part 5).

The applicant or their representative must provide a response for all applicable questions, any additional information required, and the proper filing fee before this application will be considered complete. If an application is incomplete or more information is required, the Department will notify the applicant or representative and allow time for the application to be completed. An application that remains incomplete will be returned to the applicant and the filing fee will be refunded.

An application for transfer is limited to the changes proposed for a single water distribution system. A proposal to change two or more separate water distribution systems, that will remain separate after the transfer, must be filed as separate applications. Applicants may provide additional pages to supplement their responses to the questions posed on this application form. Supplemental forms for listing additional water rights, points of diversion, or places of use can be found on the Department's website (idwr.idaho.gov). If you need assistance understanding the questions on this form, generating current water right reports, determining legal descriptions, or accessing water measurement records feel free to contact the nearest regional office of the Department.

PART 1 – CONTACT INFORMATION, OWNERSHIP RECORDS, AUTHORITY TO FILE

Name(s) of Applicant(s) Ironwood Homeowners Association, Inc.Mailing Address 980 East 800 North, Ste 102, Orem, UT 84097-4261

Email* _____ Phone _____

Name of Representative (if any) Luke H. MarchantMailing Address PO Box 536, Rupert, ID 83350Email* luke@waterlawidaho.com Phone 208-944-9310

*If an email address is provided, Department staff will use email as the primary method for corresponding with the applicant and representative about the application.

A. Representative. If the representative is authorized to sign or amend the application on behalf of the applicant, attach documents confirming that authority. Label documents as Attachment 1A.

B. Current Owner. If the applicant is not the current owner of record for all water rights included in this application, attach documents showing that the applicant has the authority to make the proposed changes. Label documents as Attachment 1B.

C. Updating Ownership Records. Applicants needing to update the ownership records for any of the water rights included in this application must attach documents supporting the ownership change. Such documents must trace ownership of the subject water rights or the current place of use for the subject water rights from the current owner of record for the water rights to the applicant. Label documents as Attachment 1C.

D. Business Entities. If the applicant is a business entity (corporation, LLC, partnership, trust, etc.), is the entity currently registered with the Idaho Secretary of State?

☒ Yes. If this application is signed by someone other than a person listed on the most recent annual report filed with the Idaho Secretary of State, attach documents confirming the authority of the signer to sign on behalf of the business entity. Label documents as Attachment 1D.

☐ No. Attach documents confirming the authority of the signer to sign on behalf of the business entity. Label documents as Attachment 1D.

E. Approval of Irrigation Delivery Entity. Section 42-108, *Idaho Code*, states that a transfer application proposing to change water rights held by an irrigation company or district requires the consent of the irrigation entity. If this application proposes to change water rights held by an irrigation entity, attach a letter of consent from the entity (labeled as Attachment 1E) or have an authorized representative of the entity co-sign the application.

F. Encumbered Properties. If the current place of use for the water rights included in this application is subject to a lien, deed of trust, mortgage, or contract and the application proposes to change the nature of use of the water rights or to move water rights off the current place of use, attach a statement of consent for the change signed by the lien holder, trustee, mortgagor or contract holder. Label documents as Attachment 1F.

G. Legal Access. If the applicant is not the current owner of the proposed point(s) of diversion, conveyance system, or place(s) of use, provide evidence of legal access to the land or infrastructure not owned by the applicant. Label documents as Attachment 1G. For example, an applicant may provide a letter of consent from the owner of the land or conveyance system or may have the owner co-sign the application. For applications proposing to divert water on or convey water across federal land, an applicant is not required to demonstrate legal access to the federal land prior to approval. Instead, if the transfer application is approved, the applicant must obtain access authorization from the relevant federal agency prior to diverting water under the subject water rights.

PART 2 – WATER RIGHTS BEFORE PROPOSED CHANGES

A. Current Water Rights. For each water right proposed to be changed, attach a current water right report obtained from any Department office or from the Department's website (idwr.idaho.gov). Label water right reports as Attachment 2A.

B. Map of Current System. Attach a map of the current point(s) of diversion and place(s) of use for the water rights to be changed. The map should clearly depict the elements of the water rights to be changed. For example, if the application proposes to change the point of diversion for a water right, the map should display the current location of the point of diversion. For irrigation water rights, the map should also identify the location of the irrigated acres to be changed. Label map as Attachment 2B.

C. Current Location of Irrigated Acres. If this application proposes to change the place of use or nature of use for only a portion of an irrigation water right, use the following table to identify the current location of the irrigated acres to be changed. If additional pages are required, label additional pages as Attachment 2C. If this application proposes to change or rearrange the entire place of use for irrigation water right(s), skip to Part 3.

☐ N/A. This application does not propose to change the place of use or nature of use of an irrigation water right or this application proposes to change the place of use or nature of use for an entire irrigation right.

Current Location of Irrigated Acres to be Changed

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	45E	12						37.5	19.5										57

Total Irrigated Acres to be Changed: 57

PART 3 – DESCRIPTION OF PROPOSED CHANGES

A. Purpose of Transfer. Section 42-222(1), *Idaho Code*, states that transfer applications may only be filed to change the point of diversion, place of use, period of use, or nature of use of an established water right. Section 42-248(3), *Idaho Code*, authorizes water right ownership changes to be described on a transfer application. Identify the changes proposed in this application:

- | | |
|---|--|
| ☐ Change point(s) of diversion | ☒ Change place of use |
| ☐ Add point(s) of diversion | ☐ Change period of use |
| ☐ Change nature of use | ☒ Update water right ownership records |

B. Proposed Changes. Describe the proposed changes in narrative form:

This application will change the place of use of a 57-acre portion of Water Right No. 22-13808 to create a 160-acre permissible place of use within which 57 acres will be authorized for irrigation. Ownership will also be updated for the changed portion.

C. Summary of Proposed Changes.

1. Water Rights. Use the following table to list all water rights, or portions thereof, that are proposed to be changed as they would appear after the proposed changes. In the Amount column, list the volume in acre-feet (af) for storage uses or the rate in cubic feet per second (cfs) for all other uses.

All or Part	Right Number	Amount (cfs/af)	Nature of Use	Period of Use	Source
☒ ☐	22-13808	1.14 cfs	Irrigation	04/01 to 11/01	Ground water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

2. Total Amounts. Calculate the total quantity, in cfs or af, of water rights that are proposed to be changed through this application. For an application proposing to only change the place of use for irrigation rights, the total quantity of water is calculated by comparing the current place of use to the proposed place of use, summing the number of acres increased in each legal subdivision, and quantifying the proportional amount of diversion rate for the increased acres. For an application proposing to change or add points of diversion for irrigation or any other beneficial use, the total amount is the total diversion rate for the changed portion of the right.

Total Amount of Water Rights Proposed to be Changed: 1.14 cfs and/or 171 af.

3. Point(s) of Diversion. Use the following table to list all the proposed points of diversion for the water rights to be changed, including any current points of diversion that will continue to be used as part of the proposed water distribution system.

The legal description for the proposed point(s) of diversion must be to the nearest 40-acre subdivision (QQ) or U.S. Government Lot of the Public Land Survey System (PLSS). PLSS information is typically available from USGS topo maps, property deeds, tax bills or various mapping tools on the Department's website.

For points of diversion within platted subdivisions, list the lot and block number in the "Diversion Name/Number" column. An application proposing an injection into a stream and a re-diversion from that stream must list the source for the original diversion as the source for the injection and re-diversion points. If this application proposes construction of a new diversion structure (for example, a new ground water well or a new pump station on a creek), please indicate the status in the appropriate column.

☒ **N/A. This application does not propose to add or change any points of diversion.**

Proposed Points of Diversion

New?	Twp	Rge	Sec	Lot	1/4	1/4	1/4	County	Source	Diversion Name/Number

4. Place of Use. The proposed place of use must be described to the nearest 40-acre subdivision (QQ) or U.S. Government Lot of the Public Land Survey System. Government lot numbers can be noted in parenthesis below the approximate quarter-quarter location of the government lot. For water rights held by irrigation districts, municipal providers or irrigation companies, the proposed place of use may be generally described as authorized by Sections 42-202B, 42-219 and 42-222B, *Idaho Code*.

☐ **N/A. This application does not propose to change the place of use.**

Proposed Place of Use

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	45E	12					40	40	40	40									160

Total Irrigated Acres: 160

5. Map of Proposed System. Attach a map showing the location of the points of diversion, reservoirs, dams, canals, ditches, pipelines and other works proposed to divert and convey water. Also show the location of the place of use, including any lands to be irrigated. The map should delineate the legal subdivisions including townships, ranges, sections, quarter-quarters and government lots. Label map as Attachment 3C.

PART 4 – ADDITIONAL INFORMATION

Section 42-222(1), *Idaho Code*, establishes the criteria used to evaluate transfer applications. An applicant bears the burden of demonstrating that the water right to be changed is a valid right, that the proposed use is a beneficial use, and that the proposed changes will not injure other water rights, will not enlarge the use of the original rights, are in the local public interest, and are consistent with the conservation of water resources within the state of Idaho. To satisfy this burden, an applicant must provide sufficient data and information for the

Department to evaluate the effects of the proposed change. The Department may deny an application if the applicant fails to provide sufficient data and information to determine whether the criteria from Section 42-222(1) are satisfied. In addition to the information requested in Parts 1-3 of this application, the following information must be provided for an application to be considered complete. Department staff may request additional information or clarification as the application is processed.

A. Validity of Water Rights

1. If one or more of the water rights proposed to be changed is a statutory claim, established pursuant to Section 42-248, *Idaho Code*, attach evidence supporting the priority date claimed. Label documents as Attachment 4A-1. For statutory claims, the Department may conduct a field inspection as part of the application review process to evaluate the water right elements listed on the statutory claim.

2. Has any portion of the water right(s) proposed to be changed undergone a period of five or more consecutive years of non-use?

☒ Yes. Attach a statement describing the portion of the right(s) that were not used and the length of time of the non-use. In addition, identify any exception or defense to forfeiture and provide a detailed description as to why the water rights have not been lost and forfeited for non-use. Label documents as Attachment 4A-2. Statutory exceptions or defenses to forfeiture are set forth in Section 42-223, *Idaho Code*.

☐ No.

B. Injury to Other Water Rights

1. Identify any other water right(s) diverted at the current point(s) of diversion.

2. Identify any other water right(s) diverted at the proposed point(s) of diversion.

3. Is the proposed point of diversion within a state water district? ☐ Yes. Water District # _____. ☒ No.

4. If already constructed and in use, are the proposed points of diversion equipped with Department-approved measuring devices? ☒ Yes. ☐ No.

5. If this application proposes to divert a surface water right from a ground water well, attach a technical analysis evaluating the hydraulic connection between the proposed ground water point of diversion and the source of water listed on the right to be changed. Label technical analysis as Attachment 4B-5.

6. If this application proposes changing the point of diversion for a ground water right in the Eastern Snake Plain Aquifer (ESPA), attach a technical analysis of the anticipated depletions to reaches of the Snake River that are hydraulically connected to the ESPA using the Department's current ground water model for the ESPA. The technical analysis must evaluate depletion impacts in a time-series format at transient and steady state time steps. To assist applicants in preparing the required technical analysis, the Department has developed a transfer tool interface for the ESPA model. The transfer tool and user instructions can be downloaded from the Department's website (idwr.idaho.gov). If the proposed and current points of diversion are in the same or adjacent model cells, no technical analysis is required, unless specifically requested by the Department. Label technical analysis as Attachment 4B-6.

C. Enlargement in Use

1. Identify any other water rights used at the current place of use, including the number of shares in a canal company or acres assessed by an irrigation district.

The Applicant has 160 shares in the Garden Water Company and the Middle Darby Irrigation Company. Water Right No. 22-13478 is used for domestic purposes within the subdivision.

2. Identify any other water rights used at the proposed place of use, including the number of shares in a canal company or acres assessed by an irrigation district.

The Applicant has 160 shares in the Garden Water Company and the Middle Darby Irrigation Company. Water Right No. 22-13478 is used for domestic purposes within the subdivision.

3. If this application proposes changing the place of use or nature of use for irrigation water rights, will the current place of use, for the portion of the right to be changed, continue to be irrigated?

☒ Yes. Identify the water right(s) to be used for the continued irrigation.

Portions of the current POU will still be irrigated (lawns on lots which have been developed).

☐ No. The place of use for the portion to be changed will no longer be irrigated.

☐ N/A. The application does not propose to change the place of use for irrigation rights.

4. Unstacking Water Rights for Irrigation. If this application proposes to change the place of use for an irrigation water right that is combined with other irrigation rights at the current place of use but does not propose to change the place of use for all the stacked irrigation rights, attach evidence of the historical consumptive use occurring under all water rights at the current place of use. For irrigation rights, this should include at least five years of diversion data and/or crop data and estimates of evapotranspiration. Label the information as Attachment 4C-4. Evapotranspiration data may be available on the Department's website (<http://et-idwr.idaho.gov>)

5. If the application proposes to change the nature of use for a water right, attach evidence of the historical consumptive use occurring under the portion of the water right to be changed. For irrigation rights, this should include diversion data, crop data and estimates of evapotranspiration. Label the information as Attachment 4C-5. Evapotranspiration data may be available on the Department's website (<http://et-idwr.idaho.gov>)

6. If the application proposes to change the nature of use of a water right to municipal use for reasonably anticipated future needs, complete the form titled "Municipal Water Right Application Checklist" found on the Department's website (idwr.idaho.gov). Label the form as Attachment 4C-6.

7. To your knowledge, are any portions of the water rights proposed to be changed:

Yes No

☐

☒

currently leased to the Water Supply Bank?

If yes, complete the form titled "Application for Transfer of Water Right Attachment WSB" found on the Department's website (idwr.idaho.gov). Label the Form as Attachment 4C-7.

☐

☒

currently used in a mitigation plan limiting the use of water under the right?

☐

☒

subject to an agreement not to divert (CREP)?

☐

☒

currently enrolled in a federal set-aside program (CRP)?

D. Local Public Interest

The department must consider whether the proposed changes are in the local public interest as defined in Section 42-202B(3), *Idaho Code*. Some of the local public interest factors that may be considered in conjunction with a transfer application are (1) Recreation, fish, and wildlife impacts, (2) Water quality or contamination concerns, (3) Local and state ordinances, regulations, or policies related to water use, (4) Goals, requirements and limits set forth in the State Water Plan. If you choose to provide information about local public interest factors, label the information as Attachment 4D.

E. Conservation of Water Resources

Describe the diversion works and water delivery system. This may include sizes and dimensions of pumps, pipelines, headgates, ditches, dams, impoundments and irrigation equipment.

Well and pump into pressurized irrigation system.

PART 5 – FILING FEE AND SIGNATURE

A. Filing Fee. Filing fees for transfer applications are set forth in Section 42-221.O, *Idaho Code*. A table summarizing the filing fees for transfer applications is also found on the Department's website (idwr.idaho.gov). Any application proposing to change the nature of use for one or more rights requires an additional filing fee of \$250. Applications proposing to update the ownership records for water rights must also include the appropriate filing fee to update the ownership records. For any application relying on the filing fee set forth in Section 42-221.O.8, *Idaho Code*, attach a statement describing how the application qualifies under Section 42-221.O.8. Label documents as Attachment 5A.

B. Affidavit of Applicant or Representative:

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

	Luke H. Marchant, Attorney	May 1, 2025
Signature of Applicant or Representative*	Print Name and Title, if applicable	Date
 Signature of Applicant or Representative*	 Print Name and Title, if applicable	 Date

*If water rights included in this application are owned by multiple people or entities, each owner must sign the application form.

FOR DEPARTMENT USE ONLY

Fee Paid: \$ <u>680.00</u>	Receipt #: <u>E050843</u>	Date: <u>5/5/25</u>	Received by: <u>atb</u>
Add'l Paid: \$ _____	Receipt #: _____	Date: _____	Received by: _____

Attachment No. 1C

Updating Ownership

Instrument # 289904
Teton County, Driggs, Idaho
04/22/2025 02:15:05 PM No. of Pages: 2
Recorded for: TITLEONE - TWIN FALLS
Kim Keeley Fee: \$15.00
Deputy Jwenger
Index to: DEED, QUIT-CLAIM
Electronically Recorded

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Luke H. Marchant
Darrington Marchant Law
PO Box 536
Rupert ID, 83350

(Space Above for Recorder's Use)

QUITCLAIM DEED FOR WATER RIGHT

THIS INSTRUMENT is executed as of the 28th day of January, 2025, by **ALPINE HOME BUILDERS, LLC**, a Wyoming limited liability company, ("Grantor"), whose address is 2186 East Centre St., Portage, MI 49002, in favor of **IRONWOOD HOMEOWNERS ASSOCIATION, INC.**, an Idaho non-profit corporation ("Grantee"), whose address is 980 E 800 N, Ste. 102, Orem, UT, 84097-4261.

WITNESSETH, that the GRANTOR, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) lawful money of the United States of America and other good and valuable consideration to GRANTOR, in hand paid by the GRANTEE, the receipt whereof is hereby acknowledged, does by these presents remise, release, and forever QUITCLAIM unto the GRANTEE, and to GRANTEE's successors and assigns forever, all right, title and interest now owned or hereafter acquired by the Grantor of **Water Right No. 22-13808**.

TOGETHER, with the tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining, and any reversions, remainders, or rents, issues and profits therefrom.

TO HAVE AND TO HOLD the said water right unto the GRANTEE, and to GRANTEE's successors and assigns forever.

In construing this Quitclaim Deed and where the context so requires, the singular includes the plural.

[SIGNATURES AND NOTARY BLOCKS ON FOLLOWING PAGE]

"GRANTOR"

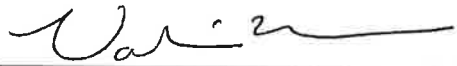
Alpine Home Builders, LLC


By: Eric J. Guerin
Its: authorized agent

STATE OF Michigan)
)ss.
County of Kalamazoo)

This record was acknowledged before me on the 28th day of January, 2025, by Eric Guerin as the authorized agent of Alpine Home Builders, LLC.

VALERIE MEDEMA
Notary Public, State of Michigan
County of Kalamazoo
My Commission Expires February 2, 2030
Acting in the County of Kalamazoo


Notary Public Valerie Medina
Residing at: 10675 S. 12th St
Schoolcraft, MI 49087
My Commission Expires: 02/02/2030

Instrument # 289907
Teton County, Driggs, Idaho
04/22/2025 02:15:05 PM No. of Pages: 2
Recorded for: TITLEONE - TWIN FALLS
Kim Keeley Fee: \$15.00
Deputy Jwonger
Index to: DEED, QUIT-CLAIM
Electronically Recorded

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Luke H. Marchant
Darrington Marchant Law
PO Box 536
Rupert ID, 83350

(Space Above for Recorder's Use)

QUITCLAIM DEED FOR WATER RIGHT

THIS INSTRUMENT is executed as of the 17th day of April, 2025, by **BIRD HOMES, LLC**, ("Grantor"), a Utah Limited Liability Company, whose address is 980 East 800 North, Ste 102, Orem, Utah 84097, in favor of **IRONWOOD HOMEOWNERS ASSOCIATION, INC.**, an Idaho non-profit corporation ("Grantee"), whose address is 980 E 800 N, Ste. 102, Orem, UT, 84097-4261.

WITNESSETH, that the GRANTOR, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) lawful money of the United States of America and other good and valuable consideration to GRANTOR, in hand paid by the GRANTEE, the receipt whereof is hereby acknowledged, does by these presents remise, release, and forever QUITCLAIM unto the GRANTEE, and to GRANTEE's successors and assigns forever, all right, title and interest now owned or hereafter acquired by the Grantor of **Water Right No. 22-13808**.

TOGETHER, with the tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining, and any reversions, remainders, or rents, issues and profits therefrom.

TO HAVE AND TO HOLD the said water right unto the GRANTEE, and to GRANTEE's successors and assigns forever.

In construing this Quitclaim Deed and where the context so requires, the singular includes the plural.

[SIGNATURES AND NOTARY BLOCKS ON FOLLOWING PAGE]

"GRANTOR"

Bird Homes, LLC

Brian Bird

By: Brian Bird

Its: Manager

STATE OF UTAH)
)ss.
County of UTAH)

This record was acknowledged before me on the 17th day of April, 2025, by
Brian Bird as the manager of Bird Homes,
LLC.



Kassie Tia West
Notary Public

Residing at: sandy UT

My Commission Expires: 10/23/2027

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Luke H. Marchant

Darrington Marchant Law

PO Box 536

Rupert ID, 83350

Instrument # 289905

Teton County, Driggs, Idaho

04/22/2025 02:15:05 PM No. of Pages: 2

Recorded for: TITLEONE - TWIN FALLS

Kim Keeley Fee: \$15.00

Deputy Jwenger

Index to: DEED, QUIT-CLAIM

Electronically Recorded

(Space Above for Recorder's Use)

QUITCLAIM DEED FOR WATER RIGHT

THIS INSTRUMENT is executed as of the 23 day of December, 2024, by **HILLARIO QUIROZ CARRILLO and ISABEL ROBLES-SANCHEZ**, husband and wife ("Grantor"), whose address is 2325 Iron Wood Drive, Driggs, ID 83422, in favor of **IRONWOOD HOMEOWNERS ASSOCIATION, INC.**, an Idaho non-profit corporation ("Grantee"), whose address is 980 E 800 N, Ste. 102, Orem, UT, 84097-4261.

WITNESSETH, that the GRANTOR, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) lawful money of the United States of America and other good and valuable consideration to GRANTOR, in hand paid by the GRANTEE, the receipt whereof is hereby acknowledged, does by these presents remise, release, and forever QUITCLAIM unto the GRANTEE, and to GRANTEE's successors and assigns forever, all right, title and interest now owned or hereafter acquired by the Grantor of **Water Right No. 22-13808**.

TOGETHER, with the tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining, and any reversions, remainders, or rents, issues and profits therefrom.

TO HAVE AND TO HOLD the said water right unto the GRANTEE, and to GRANTEE's successors and assigns forever.

In construing this Quitclaim Deed and where the context so requires, the singular includes the plural.

[SIGNATURES AND NOTARY BLOCKS ON FOLLOWING PAGE]

Isabel R.S.

[Signature]

QUITCLAIM DEED FOR WATER RIGHTS—PAGE 1

90050

"GRANTOR"

Hillario Quiroz Carrillo

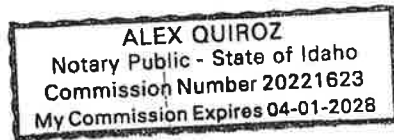
[Signature]

Isabel Robles-Sanchez

Isabel R. S.

STATE OF Idaho)
)ss.
County of Teton)

This record was acknowledged before me on the 23 day of December, 2024 by
Hillario Quiroz Carrillo.



[Signature]

Notary Public

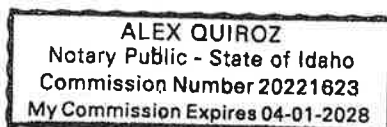
Residing at: 34 W Little Ave Ste 1

Driggs, ID

My Commission Expires: 4/1/28

STATE OF Idaho)
)ss.
County of Teton)

This record was acknowledged before me on the 23 day of December, 2024, by
Isabel Robles-Sanchez.



[Signature]

Notary Public

Residing at: 34 W Little Ave Ste 1

Driggs, ID

My Commission Expires: 4/1/28

QUITCLAIM DEED FOR WATER RIGHTS—PAGE 2

Instrument # 273371
TETON COUNTY, IDAHO
12-30-2021 09:00:00 No. of Pages: 1
Recorded for: FIRST AMERICAN TITLE - DRIGGS
KIM KEELEY Fee: \$16.00
Ex-Officio Recorder Deputy, Kim Keeley
Index to: DEED

WHEN RECORDED RETURN TO:

Ironwood Homeowners Association, Inc.
c/o Ironwood 2021, LLC
800 North 980 East, Suite 101
Orem, Utah 84097

WATER DEED

Ironwood Land, L.L.C. / Ironwood Homeowners Association, Inc.

THIS INSTRUMENT is executed as of the 1st day of October, 2021, by **IRONWOOD LAND, L.L.C.**, a Utah limited liability company ("**Grantor**"), whose address is 1245 Brickyard Road, Suite 70, Salt Lake City, Utah 84106, in favor of **IRONWOOD HOMEOWNERS ASSOCIATION, INC.**, an Idaho non-profit corporation ("**Grantee**"), whose address is c/o Ironwood 2021, LLC, 800 North 980 East, Suite 101, Orem, Utah 84097.

FOR THE SUM OF TEN DOLLARS (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are acknowledged, Grantor hereby quitclaims to Grantee Water Right No. 22-13808 and Permit to Appropriate Water No. 22-13478.

GRANTOR has executed this instrument below, to be effective as of the date first set forth above.

GRANTOR:

IRONWOOD LAND, L.L.C.,
a Utah limited liability company,
by its Manager:

THE RITCHIE GROUP, L.C.,
a Utah limited liability company

By Jayson C. Newitt
Jayson C. Newitt, Manager

State of Utah)
) ss.
County of Salt Lake)

The foregoing instrument was acknowledged before me this 27th day of December, 2021, by Jayson C. Newitt, Manager of The Ritchie Group, L.C., Manager of Ironwood Land, L.L.C.

(Seal)



My Commission Expires:

6-1-2025

Stephanie Acton
Notary Public

Residing at:

1245 E. Brickyard Rd #70
SLC, UT 84106

Settlement and Release Agreement

~~27~~

WHEN RECORDED RETURN TO:

Ironwood Homeowners Association, Inc.
c/o Ironwood 2021, LLC
800 North 980 East, Suite 101
Orem, Utah 84097

WATER DEED

Ironwood Land, L.L.C. / Ironwood Homeowners Association, Inc.

THIS INSTRUMENT is executed as of the 1st day of October, 2021, by **IRONWOOD LAND, L.L.C.**, a Utah limited liability company ("**Grantor**"), whose address is 1245 Brickyard Road, Suite 70, Salt Lake City, Utah 84106, in favor of **IRONWOOD HOMEOWNERS ASSOCIATION, INC.**, an Idaho non-profit corporation ("**Grantee**"), whose address is c/o Ironwood 2021, LLC, 800 North 980 East, Suite 101, Orem, Utah 84097.

FOR THE SUM OF TEN DOLLARS (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are acknowledged, Grantor hereby quitclaims to Grantee Water Right No. 22-13808 and Permit to Appropriate Water No. 22-13478.

GRANTOR has executed this instrument below, to be effective as of the date first set forth above.

GRANTOR:

IRONWOOD LAND, L.L.C.,
a Utah limited liability company,
by its Manager:

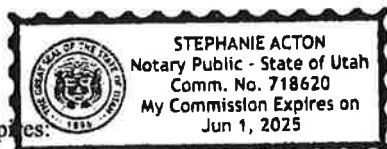
THE RITCHIE GROUP, L.C.,
a Utah limited liability company

By Jayson C. Newitt
Jayson C. Newitt, Manager

State of Utah)
) ss.
County of Salt Lake)

The foregoing instrument was acknowledged before me this 27th day of December, 2021, by Jayson C. Newitt, Manager of The Ritchie Group, L.C., Manager of Ironwood Land, L.L.C.

(Seal)



My Commission Expires:

6-1-2025

Stephanie Acton
Notary Public

Residing at:

1245 E. Brickyard Rd #70
SLC, UT 84106

~~Settlement and Release Agreement~~

~~24~~

Instrument # 289906
Teton County, Driggs, Idaho
04/22/2025 02:15:05 PM No. of Pages: 2
Recorded for: TITLEONE - TWIN FALLS
Kim Kaeley Fee: \$15.00
Deputy Jwenger
Index to: DEED, QUIT-CLAIM
Electronically Recorded

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Luke H. Marchant
Darrington Marchant Law
PO Box 536
Rupert ID, 83350

(Space Above for Recorder's Use)

QUITCLAIM DEED FOR WATER RIGHT

THIS INSTRUMENT is executed as of the 17th day of April, 2025, by **UCCELLO ID, LLC**, ("Grantor"), a Utah Limited Liability Company, whose address is 260 South 1200 West, Orem, Utah 84058, in favor of **IRONWOOD HOMEOWNERS ASSOCIATION, INC.**, an Idaho non-profit corporation ("Grantee"), whose address is 980 E 800 N, Ste. 102, Orem, UT, 84097-4261.

WITNESSETH, that the GRANTOR, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) lawful money of the United States of America and other good and valuable consideration to GRANTOR, in hand paid by the GRANTEE, the receipt whereof is hereby acknowledged, does by these presents remise, release, and forever QUITCLAIM unto the GRANTEE, and to GRANTEE's successors and assigns forever, all right, title and interest now owned or hereafter acquired by the Grantor of **Water Right No. 22-13808**.

TOGETHER, with the tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining, and any reversions, remainders, or rents, issues and profits therefrom.

TO HAVE AND TO HOLD the said water right unto the GRANTEE, and to GRANTEE's successors and assigns forever.

In construing this Quitclaim Deed and where the context so requires, the singular includes the plural.

[SIGNATURES AND NOTARY BLOCKS ON FOLLOWING PAGE]

"GRANTOR"

Uccello ID, LLC

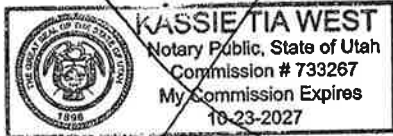
[Signature]

By: Brian Bird

Its: Manager

STATE OF UTAH)
)ss.
County of UTAH)

This record was acknowledged before me on the ^{17th kw} 16th day of April, 2025, by
Brian Bird as the manager of Uccello ID,
LLC.



Kassie Tia West
Notary Public
Residing at: Sandy UT

My Commission Expires: 10/23/2027



RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
81 North Main Street/P.O. Box 42
Driggs, ID 83422

RECEIVED

AUG 14 2025

DEPT. OF WATER RESOURCES
EASTERN REGION

Instrument # 253705

TETON COUNTY, IDAHO
02-11-2019 15:11:00 No. of Pages: 2
Recorded for: FIRST AMERICAN TITLE - DRIGGS
KIM KEELEY Fee: \$15.00
Ex-Officio Recorder Deputy, Kim Keeley
Index to: DEED, WARRANTY

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **714540-T (tm)**

Date: **January 29, 2019**

For Value Received, **Ironwood Land, LLC, a Utah limited liability company**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Uccello II, LLC, a Utah limited liability company**, hereinafter called the Grantee, whose current address is **525 East Michigan Avenue #117, Saline, MI 48176**, the following described premises, situated in **Teton County, Idaho**, to-wit:

PARCEL 1:

LOTS 3 AND 4 OF FINAL PLAT IRON WOOD PUD PHASE 1, TETON COUNTY, IDAHO, AS THE SAME APPEARS OF THE OFFICIAL PLAT THEREOF RECORDED MARCH 3, 2007, AS INSTRUMENT NUMBER 185571.

PARCEL 2:

LOTS 25, 26, 27, 28, 38 AND 39 OF AMENDED FINAL PLAT IRON WOOD PUD PHASE 2, TETON COUNTY, IDAHO, AS THE SAME APPEARS OF THE OFFICIAL PLAT THEREOF RECORDED MAY 4, 2008, AS INSTRUMENT NUMBER 196745.

RESERVING AND EXCEPTING all appurtenant water rights, including but not limited to, any surface irrigation water rights represented by shares of stock issued by Garden Water Company. Such water rights are to be conveyed to the Iron Wood Homeowners Association, Inc. and used, managed and administered by such Homeowners Association for the benefit of its members.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

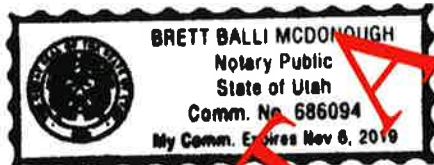
Date: 01/29/2019

Warranty Deed
- continued

File No.: 714540-T (tm)

Ironwood Land LLC, a Utah limited liability
companyBy: The Ritchie Group, LC, a Utah
limited companyBy: Jayson Newitt
Name: JAYSON NEWITT
Title: ManagerSTATE OF Utah)
COUNTY OF Salt Lake)
ss.

On this 4 day of FEBRUARY, 2019, before me, a Notary Public in and for said State, personally appeared The Ritchie Group LC, a Utah limited Company, BY: JAYSON NEWITT, Manager, known or identified to me to be the person whose name is subscribed to the within Instrument as one of the Managers/Members of the **Ironwood Land LLC, a Utah limited liability company**, which is known or identified to me to be the entity whose name is subscribed to the within instrument and acknowledged to me that he executed the same in said Limited Liability Company's name.



[Signature]
Notary Public of
Residing at: 6556 S. 2475 E. SLC, UT 84121
Commission Expires: NOV 6, 2019

WHEN RECORDED RETURN TO:

Uccello ID, LLC
4118 Edgewood Drive Provo
Utah 84604

RECEIVED

AUG 14 2025

DEPT. OF WATER RESOURCES
EASTERN REGION**IDAHO STATUTORY GRANT DEED
AND DECLARANT ASSIGNMENT**

THIS INSTRUMENT is entered into as of the 1st day of October, 2021, among **IRONWOOD LAND, L.L.C.**, a Utah limited liability company ("**Grantor**"), whose address is 1245 Brickyard Road, Suite 70, Salt Lake City, Utah 84106, **UCCELLO ID, LLC**, a Utah limited liability company ("**Grantee**"), whose address is 4118 Edgewood Drive Provo, Utah 84604, and **IRONWOOD 2021, LLC**, an Idaho limited liability company ("**Ironwood 2021**"), whose address is 800 North 980 East, Suite 101, Orem, Utah 84097. (Grantor, Grantee and Ironwood 2021 are referred to in this instrument collectively as the "**Parties.**")

FOR VALUE RECEIVED, the Parties agree as follows:

1. Grant. In accordance with Section 55-612 of Idaho Statutes, Grantor hereby grants to Grantee the real property (the "**Property**") located in Teton County, Idaho, described as follows, but expressly excluding, not conveying, and reserving to Grantor, any appurtenant water rights:

Parcel 1:

LOTS 1, 9, 16, 17 AND 20, FINAL PLAT, IRON WOOD P.U.D., PHASE 1, TETON COUNTY, IDAHO AS THE SAME APPEARS ON THE OFFICIAL PLAT THEREOF, RECORDED MARCH 3, 2007 AS INSTRUMENT NO. 185571.

Parcel 2:

LOTS 32, 34, 35, 36, 37, 48, 49, 50, 54, 55, 56, 57, 59, 62, 63, 66, 68, 69, 70, 71, 73, 74, 75, 76, 77, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 93, 94, 97, 98, 99, 100, 101, 110, 111, 112 AND 113 OF AMENDED FINAL PLAT IRON WOOD PUD PHASE 2, TETON COUNTY, IDAHO, AS THE SAME APPEARS OF THE OFFICIAL PLAT THEREOF RECORDED MAY 4, 2008, AS INSTRUMENT NUMBER 196595. ALSO, RECORDED MARCH 11, 2008, AS INSTRUMENT 196037.

SUBJECT TO: (i) current taxes and assessments; (ii) rights-of-way, easements, covenants, restrictions, reservations and other matters of record; (iii) facts, rights, interests or claims that could be ascertained by an inspection of the Property; and (iv) discrepancies, conflicts in boundary lines, shortages in area, encroachments or other facts that a correct survey would disclose.

2. Assignment. Grantor assigns and transfers to Ironwood 2021, Grantee's designated affiliate, all of Grantor's right, title and interest as the "**Declarant**" under the Declaration of Covenants, Conditions and Restrictions for Iron Wood, Teton County, Idaho (the "**Declaration**"), recorded March 6,

2007 as Instrument No. 185576 of the Official Records of the Teton County Recorder, as amended on or after the date of this instrument. Ironwood 2021 accepts the foregoing assignment and, at Ironwood 2021's sole cost and expense except as expressly provided by the Declaration, assumes and agrees to be bound by all terms, covenants and conditions to be performed on and after the date of this instrument by the Declarant under the Declaration, including, without limitation, the day-to-day management and operations of Ironwood Homeowners Association, Inc., an Idaho non-profit corporation, including, without limitation, management and operation of the various common elements and facilities (collectively, the "**Common Elements**") (including, without limitation, the roads, fire and culinary water systems (including, without limitation, wells and pumps), sewer system, landscaping and weed mitigation), in accordance with the Declaration and applicable law (including, without limitation, the letter from the State of Idaho Department of Environmental Quality, dated May 19, 2021, re: "Ironwood designated as a regulated Public Drinking Water System in Idaho and initial water quality monitoring schedule"). Grantor makes absolutely no representation or warranty whatsoever with respect to the condition of the Common Elements, which are delivered in their currently existing "as-is" condition.

3. Indemnification. Grantor shall indemnify, defend and hold harmless Ironwood 2021 from and against all claims, liabilities, losses, damages, costs and expenses (including, without limitation, attorneys' fees) caused by the failure of Grantor to pay or perform in a timely manner any obligation required to be paid or performed by the Declarant under the Declaration prior to the date of this instrument. Ironwood 2021 shall indemnify, defend and hold harmless Grantor from and against all claims, liabilities, losses, damages, costs and expenses (including, without limitation, attorneys' fees) caused by the failure of Ironwood 2021 to pay or perform in a timely manner any obligation required to be paid or performed by the Declarant under the Declaration on or after the date of this instrument.

4. General Provisions. This instrument shall inure to the benefit of, and be binding on, the Parties and their respective successors and assigns. This instrument shall be governed by, and construed and interpreted in accordance with, the laws (excluding the choice of laws rules) of the state of Idaho. This instrument may be executed in any number of duplicate originals or counterparts, each of which when so executed shall constitute in the aggregate but one and the same document.

[Signatures and acknowledgments on following pages]

THE PARTIES have executed this instrument below, to be effective as of the date first set forth above.

GRANTOR:

IRONWOOD LAND, L.L.C.,
a Utah limited liability company,
by its Manager:

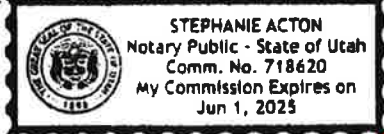
THE RITCHIE GROUP, L.C.,
a Utah limited liability company

By Jayson C. Newitt
Jayson C. Newitt, Manager

State of Utah)
) ss.
County of Salt Lake)

The foregoing instrument was acknowledged before me this 27th day of December, 2021, by Jayson C. Newitt, Manager of The Ritchie Group, L.C., Manager of Ironwood Land, L.L.C.

(Seal)



Stephanie Acton
Notary Public

My Commission Expires:

6-1-2025

Residing at:

1245 E. Bruckyard Rd #70
SLC, UT 84106

~~Settlement and Release Agreement~~

~~12~~

GRANTEE:

UCCELLO ID, LLC,
a Utah limited liability company

By BIB

Print or Type Name of Signatory:

Brian Bird

Its Manager

State of Utah
County of Utah ss.



The foregoing instrument was acknowledged before me this 21 day of December, 2021, by Brian Bird, Manager of Uccello ID, LLC.

(Seal)

[Signature]
Notary Public

My Commission Expires:

7-2-24

Residing at:

Riverton

IRONWOOD 2021:**IRONWOOD 2021, LLC,**
an Idaho limited liability company

By _____

Print or Type Name of Signatory:

Brian Bird

Its _____

managerState of UtahCounty of Utah ss.

The foregoing instrument was acknowledged before me this 21 day of December, 2021, by Brian Bird, manager of Ironwood 2021, LLC.

(Seal)

 A handwritten signature in black ink, appearing to be "N. Stone", written over a horizontal line.

Notary Public

My Commission Expires:

Residing at:

7.2.24Riverton

Attachment No. 1G

Legal Access

1G – Legal Access

Applicant is an HOA of which all individual lot owners within the proposed permissible place of use are a part. The HOA controls and manages the water delivery system for the subdivision.

Attachment No. 2A Water Right Reports

Water Right Report : 22-13808(Decreed/Active)

Water Right Owners

Owner Type	Name	Address	City	State	Postal Code
Current Owner	IRONWOOD LAND LLC	1245 E BRICKYARD RD STE 70	SALT LAKE CTY	UT	84106-2599
Original Owner	TETON VENTURES LLC	153 N 4663 E	RIGBY	ID	83442
Previous Owner	TEETER, DARRIN	153 N 4663 E	RIGBY	ID	83442
Security Interest	THE PRUDENTIAL INSURANCE COMPANY OF AMERICA	2100 ROSS AVE STE 2500	DALLAS	TX	75201-6732

Water Right Status

Priority Date : 10/31/1977

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	04N	45E	12	0	SW	NE	NW	TETON	

Water Uses

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	11/01	1.20 CFS	180.00 AFA
TOTAL			1.20 CFS	180.00 AFA

Places of Use

[Printable View](#)
[Paged View](#)

Place of Use Legal Description : IRRIGATION (TETON county)

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
04N	45E	12		NW	NW		39.0
04N	45E	12		SW	NW		21.0

Irrigation Totals

Total Acres Acre Limit

60.00

Conditions

Code Conditions

- C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
- E11 USE OF THIS RIGHT IS COMBINED WITH WATER FROM GARDEN WATER COMPANY.
- C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
This right is a split from former right 22-7264 .

Dates

Licensed Date :

Decreed Date : 11/28/2008

Other Information

State or Federal : S

Water District Number : TBD

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:

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

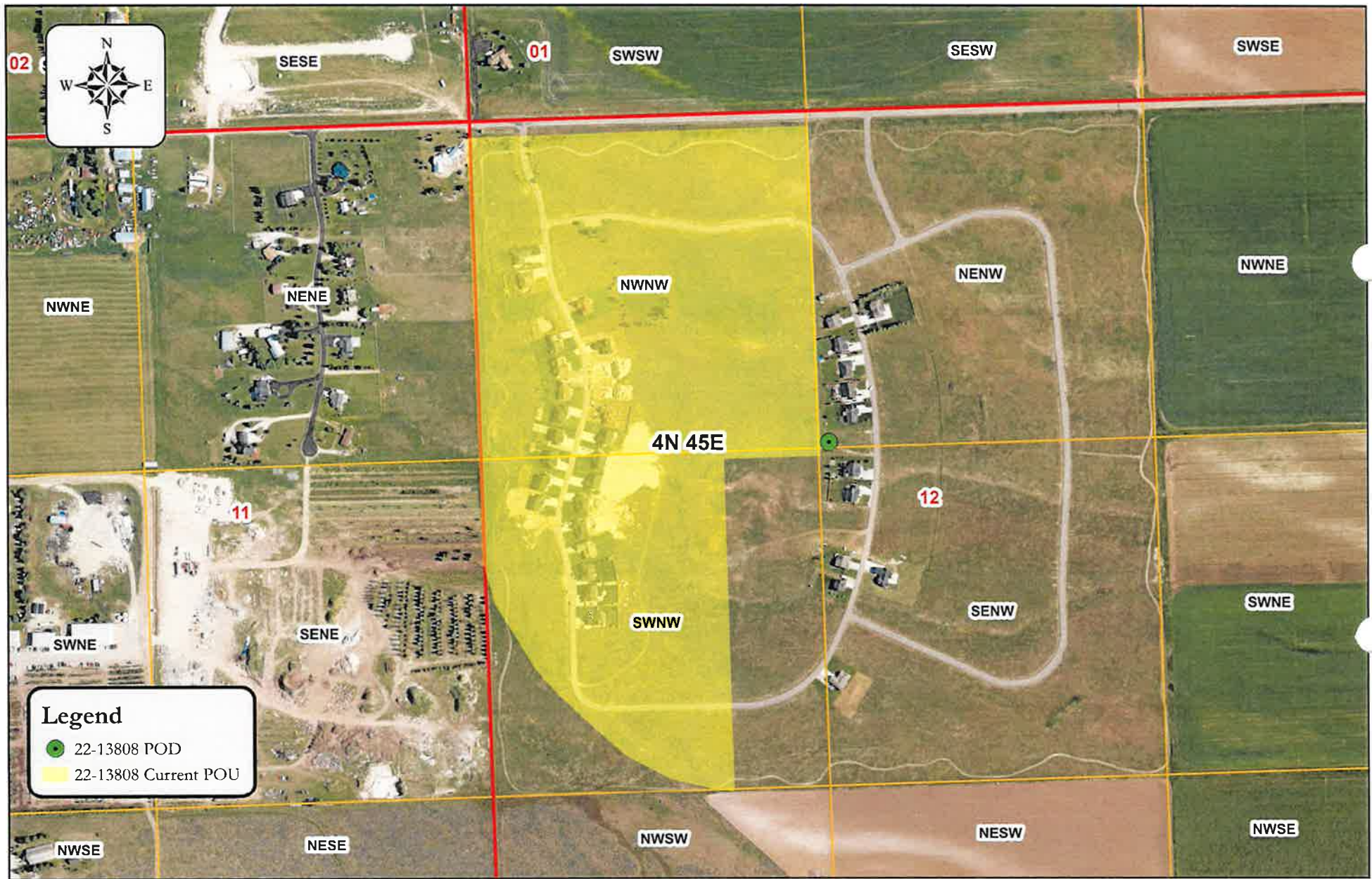
IDAHO DEPARTMENT OF WATER RESOURCES

5/1/2025

Attachment No. 2B

Map of Current System

WR NO. 22-13808 APPLICATION FOR TRANSFER



2023 NAIP Photo

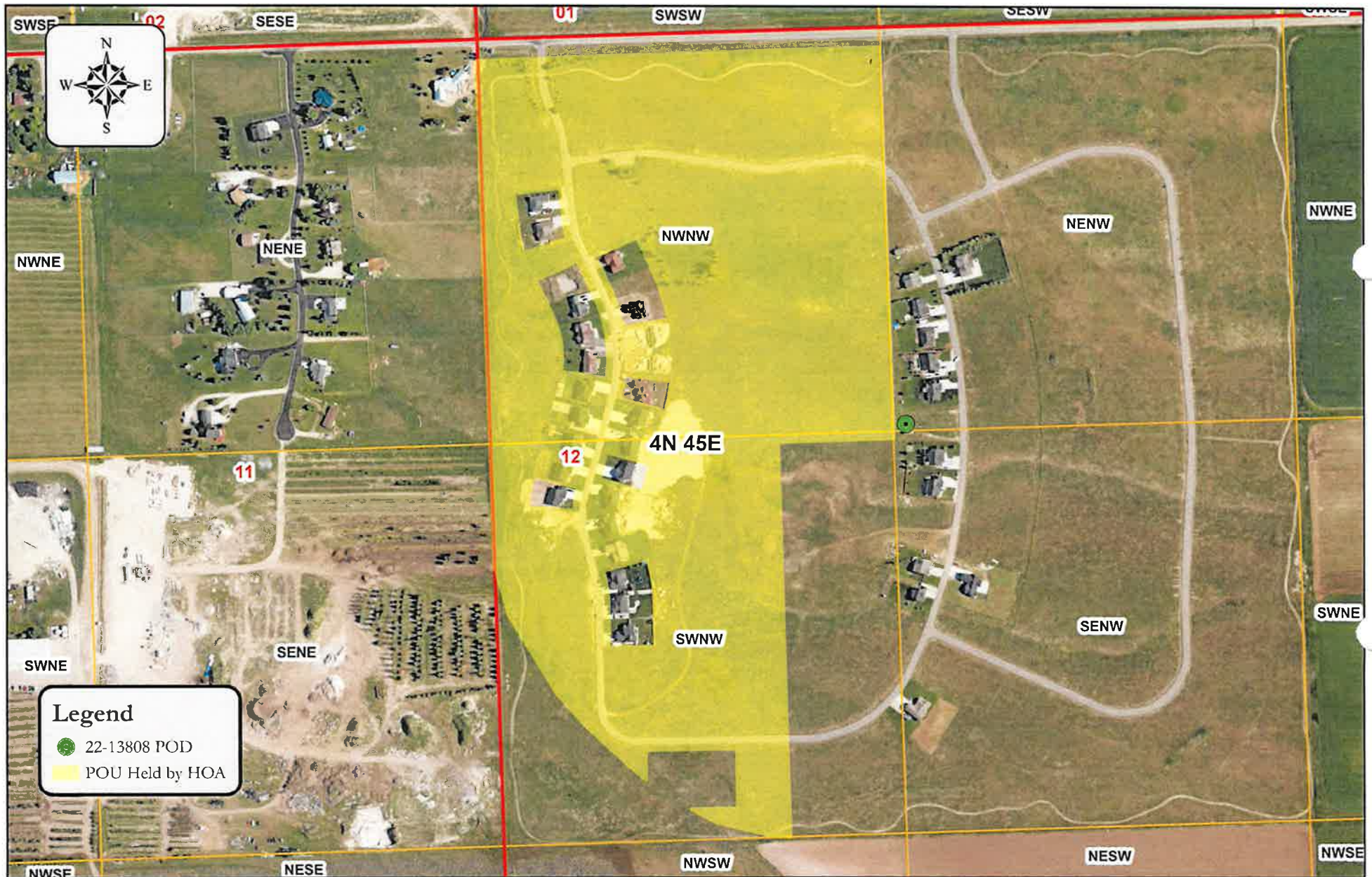
90050



Prepared by:
Luke H. Marchant
05/01/2025

Attachment No. 2C
Current Location of Irrigated
Acres to be Changed

WR NO. 22-13808 APPLICATION FOR TRANSFER



2023 NAIP Photo

90050



Prepared by:
Luke H. Marchant
05/01/2025

Attachment No. 3C
Map of Proposed System
(GIS Shapefiles Available
Upon Request)

WR NO. 22-13808 APPLICATION FOR TRANSFER



Attachment No. 4A-2

Defense to Forfeiture

4A-2 – Non-Use Explained

The water right was not utilized because of circumstances over which the water right owner had no control. Per Idaho Code Section 42-223(6) no portion of the water right shall be lost or forfeited due to this nonuse. Plans to develop the property to which Water Right No. 22-13808 is appurtenant began sometime in the early to mid-2000s. Starting in April of 2006, the property was conveyed multiple times before the current owners acquired the property. Every owner of the property in that timeframe has intended to develop the property with homes, and work to do so commenced in the mid-2000s. At the same time, the housing market in the United States suffered a severe downturn. Due to the downturn in the housing market and other economic factors, all the owners of the property have not been able to build homes and develop the property as had been planned. Because they were not building homes or developing common areas within the subdivision, the owners of the property and/or Water Right No. 22-13808 could not use the water right for irrigation to its full extent.

Holliday, Michael

From: Holliday, Michael
Sent: Tuesday, August 19, 2025 4:16 PM
To: luke@waterlawidaho.com
Subject: RE: Ironwood HOA transfer

Luke,

Thanks for the deeds and the shape file. From what I can tell the water rights are still appurtenant to Phase 1 lots 13 and 14, and Phase 2 lots 41 and 42. As for those four lots we need evidence that the water right was reserved (copies of those deeds), or evidence that the 4 lot owners are on board with the proposed transfer. Thanks.

Michael

From: luke@waterlawidaho.com <luke@waterlawidaho.com>
Sent: Thursday, August 14, 2025 4:51 PM
To: Holliday, Michael <Michael.Holliday@idwr.idaho.gov>
Subject: RE: Ironwood HOA transfer

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Michael,

Phase 1 lot 9 was covered by deed no. 273370, attached. The water right was reserved in that deed by Ironwood Land.

Phase 1 lots 13 and 14 were owned by Alpine Home Builders, LLC and were thus covered by the deed already provided (No. 289904).

Phase 2 lots 25, 26, 27, 28, 38, and 39 were covered by deed no. 253705. The water right was reserved by Ironwood Land when they conveyed those lots to Uccello. That deed is attached.

Phase 2 lots 41 and 42 were owned by Uccello ID, LLC and were thus covered by the deed already provided (No. 289906).

I have also included the shapefile requested.

I hope this covers everything, but do not hesitate to reach out to me if you have any further questions.

Thanks!



Luke H. Marchant

601 7th St.

P.O. Box 536

Rupert, ID 83350

(208) 944-9310

luke@waterlawidaho.com

DARRINGTON MARCHANT

WATER LAW

Confidentiality Notice: The information contained in this e-mail and any accompanying attachments, all of which may be confidential and/or privileged, is intended only for use by the person or entity to whom it is addressed. If you are not the intended recipient, any unauthorized use, disclosure, or copying of this e-mail and its contents is strictly prohibited and may be unlawful. If you are not the intended recipient, please immediately notify me by return email and delete the original message and all copies from your system. Thank you.

From: Holliday, Michael <Michael.Holliday@idwr.idaho.gov>

Sent: Thursday, August 14, 2025 10:53 AM

To: luke@waterlawidaho.com

Subject: RE: Ironwood HOA transfer

Luke,

If the water right was withheld from the sale of the 11 lots, we will need evidence that the water right was reserved (copies of those deeds). Another option is to provide evidence that the 11 lot owners are on board with the proposed transfer. Could you also send me the shape file for the 57 acres proposed to be changed? Thanks.

Michael

From: luke@waterlawidaho.com <luke@waterlawidaho.com>

Sent: Friday, August 8, 2025 12:10 AM

To: Holliday, Michael <Michael.Holliday@idwr.idaho.gov>

Subject: RE: Ironwood HOA transfer

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Michael,

I believe that any lots which did not have deeds included are lots on which the water right was reserved when Ironwood conveyed the lot, thus we did not need to get a deed conveying it back. I am out of the office and will be back on Monday. I will verify this when I get back.

Thanks,



Luke H. Marchant

601 7th St.

P.O. Box 536

Rupert, ID 83350

(208) 944-9310

luke@waterlawidaho.com

DARRINGTON MARCHANT

WATER LAW

Confidentiality Notice: The information contained in this e-mail and any accompanying attachments, all of which may be confidential and/or privileged, is intended only for use by the person or entity to whom it is addressed. If you are not the intended recipient, any unauthorized use, disclosure, or copying of this e-mail and its contents is strictly prohibited and may be unlawful. If you are not the intended recipient, please immediately notify me by return email and delete the original message and all copies from your system. Thank you.

From: Holliday, Michael <Michael.Holliday@idwr.idaho.gov>

Sent: Monday, August 4, 2025 12:11 PM

To: luke@waterlawidaho.com

Subject: RE: Ironwood HOA transfer

Luke,

Based on your email, I'm wondering if there are deeds that for some reason did not get submitted with the transfer. The transfer included deeds from Alpine Home Builders, Bird Homes, and Uccello. There was only one deed received for an individual lot owner (Carrillo). I identified eleven lots in your yellow shape that we did not receive deeds for. The lots located in Iron Wood Phase 1 are lots 9, 13, and 14. The lots located in Iron Wood Phase 2 are lots 25, 26, 27, 28, 38, 39, 41, and 42. Do you have the deeds for those lots?

Michael

From: luke@waterlawidaho.com <luke@waterlawidaho.com>

Sent: Friday, August 1, 2025 10:03 AM

To: Holliday, Michael <Michael.Holliday@idwr.idaho.gov>

Subject: RE: Ironwood HOA transfer

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Michael,

You have good timing. I was just wondering about the status of this transfer as I drove to the office this morning. You are correct. This transfer is like the one I filed in 2021. This time around, however, we sent letters to all the lot owners to whom a portion of the water right was conveyed when they purchased their lot and asked that they convey the water right back to the HOA. The deeds that are attached to the Application are the lot owners who responded. The map attached to the Application as Attachment 2C shows the portion of the water right for which the HOA has clear title. The lots that are not included in the yellow shapefile on that map are the lots which did not respond to our request, and therefore, still have a claim to a portion of the water right. This is the reason I am only seeking to transfer 57 acres of 22-13808 instead of the entire 60 authorized acres. As explained on Attachment 4A-2, I do not believe non-use or forfeiture should be an issue that affects the transfer as there is a statutory defense.

Let me know if you have any questions or would like to discuss further.

Thanks,



Luke H. Marchant

601 7th St.

P.O. Box 536

Rupert, ID 83350

(208) 944-9310

luke@waterlawidaho.com

DARRINGTON MARCHANT
— WATER LAW —

Confidentiality Notice: The information contained in this e-mail and any accompanying attachments, all of which may be confidential and/or privileged, is intended only for use by the person or entity to whom it is addressed. If you are not the intended recipient, any unauthorized use, disclosure, or copying of this e-mail and its contents is strictly prohibited and may be unlawful. If you are not the intended recipient, please immediately notify me by return email and delete the original message and all copies from your system. Thank you.

From: Holliday, Michael <Michael.Holliday@idwr.idaho.gov>

Sent: Friday, August 1, 2025 9:40 AM

To: luke@waterlawidaho.com

Subject: Ironwood HOA transfer

Good morning, Luke.

Sorry for the delay in getting back to you regarding this application. On initial review, it looks similar to a transfer application you filed in 2021. My recollection is that there were water right ownership issues associated with that transfer. Based on the documents included with the current transfer, it looks like we still lack the documentation needed to update the ownership of the 57 acres sought to be changed. At this point we could probably approve a transfer for the portion of water right 22-13808 located on land currently owned by Ironwood HOA for those acres that have been consistently irrigated.

If you would like to submit additional water right ownership documentation, please do so within 30 days. Otherwise, we will move forward with processing the current application.



IDAHO DEPARTMENT OF
WATER RESOURCES

Michael Holliday | Water Rights Supervisor

900 N Skyline Dr, Ste A, Idaho Falls, ID 83402

(208) 525-7161 | www.idwr.idaho.gov