

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

AUG 05 2026

DEPT. 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 #7 of the instructions.

No WD

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
23-11558 <i>OK</i>	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: Phillips Brothers Farm & Livestock
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Rainey Creek Enterprises LLC
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or
- PO Box 5 Irwin ID 83428
Mailing address City State Zip
973-997-4551 sdflem58@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: July 27, 2026
6. Do you own the land identified as the water right place of use? Yes ☐ No ☒
☐ 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):
☐ \$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: *Shane Fleming* Manager 4-Aug-2026
Signature of new owner/claimant Title, if applicable Date
Shane Fleming
Print name

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

Print name

Received by *M. Pette* Date *8-5-26* **For IDWR Office Use Only:** Receipt No. *E051831* Receipt Amt. *25.00*

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 *8/13/2026*

*Property Rainey Creek Residential Properties, Swan Valley General Store,
Swan Valley Community Services LLC all Shane Fleming*

\$25

Instrument # 1817803

Bonneville County, Idaho Falls, Idaho

07/29/2026 09:08:02 AM No. of Pages: 5

Recorded for: PIONEER TITLE CO OF BONNEVILLE CO LLC

Christopher Poulter Fee: \$15.00

Ex-Officio Recorder Deputy Ivega

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

PTC: 894012

(Space Above for Recorder's Use)

SPECIAL WARRANTY DEED FOR WATER RIGHTS

Phillips Brothers Farm & Livestock, LLC, an Idaho limited liability company, whose address is 1851 W 600 N, Blackfoot, ID 83221 (hereinafter "Grantor") does hereby grant, bargain, sell, assign, and convey unto Rainey Creek Enterprises, LLC, an Idaho limited liability corporation, whose address is P.O. Box 5, Irwin, 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.

DATED this 27th day of July, 2026.

E-RECORDED

simplifile

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

ID: 1817803

County: Bonneville

Date: 7-29-26 Time: 9:08 am

Kristin Moore
Rocky Mountain Environmental Associates, Inc.
482 Constitution Way, Suite 303
Idaho Falls, ID 83402
PTC: 894012

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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.

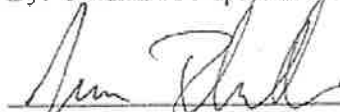
DATED this 27th day of July, 2026.

"GRANTOR"

PHILLIPS BROTHERS FARM & LIVESTOCK LLC



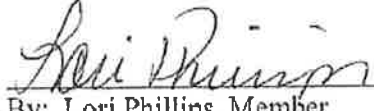
By: Nathan Phillips, Member



By: Jesse Phillips, Member



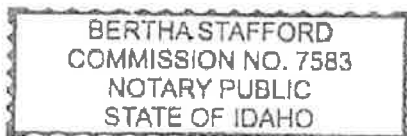
By: Julia Phillips, Member



By: Lori Phillips, Member

STATE OF IDAHO)
)ss.
County of Bingham)

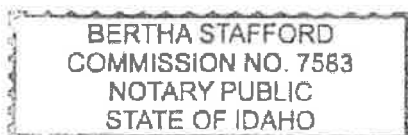
This record was acknowledged before me on the 27th day of July, 2026,
by **Nathan Phillips**.




Notary Public for Idaho
My Commission Expires: Residing at Idaho Falls
Expires 1/27/2029

STATE OF IDAHO)
)ss.
County of Bingham)

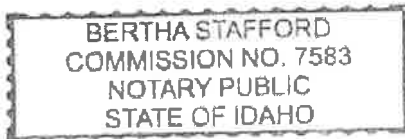
This record was acknowledged before me on the 27th day of July, 2026,
by **Jesse Phillips**.




Notary Public for Idaho
My Commission Expires: Residing at Idaho Falls
Expires 1/27/2029

STATE OF IDAHO)
)ss.
County of Bingham)

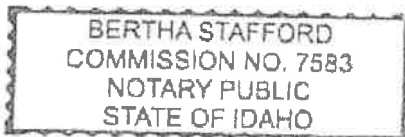
This record was acknowledged before me on the 27th day of July, 2026,
by **Julia Phillips**.



Bertha Stafford
Notary Public for Idaho
My Commission Expires: Residing at Idaho Falls
Expires 1/27/2029

STATE OF IDAHO)
)ss.
County of Bingham)

This record was acknowledged before me on the 27th day of July, 2026,
by **Lori Phillips**.



Bertha Stafford
Notary Public for Idaho
My Commission Expires: Residing at Idaho Falls
Expires 1/27/2029

EXHIBIT A **WATER RIGHT DESCRIPTION**

Page 3 of 4

WATER RIGHT NO. 23-11558

As Modified by Transfer No. 90248

In accordance with the approval of Transfer No. 90248, Water Right No. 23-11558 is now described as follows:

Right Holder: PHILLIPS BROTHERS FARM & LIVESTOCK
1851 W 600 N
BLACKFOOT, ID 83221-5056

Priority Date: 10/15/1974

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	4/15	10/31	0.030 cfs	8.4 af
			0.030 cfs	8.4 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SESW Sec 36 Twp 02N Rge 43E BONNEVILLE County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	43E	36												16.7			3.3		22.0

Right Acre Limit: 2.4
POU Total Acres: 22.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of a specific 2.4 acres within the 22.0-acre place of use authorized by this right in a single irrigation season. The specific 2.4 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 2.4 acres to be irrigated within the 22.0 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
2. Rights 23-11483 and 23-11558 when combined shall not exceed the irrigation of 4.9 acres.
3. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
4. When notified by the Department, the right holder shall install and maintain a measuring device of a type acceptable to the Department as part of the diverting works.
5. This right does not grant any right-of-way or easement across the land of another.

Transfer No. 90248

WATER RIGHT NO. 23-11558
As Modified by Transfer No. 90248

CONDITIONS OF APPROVAL

6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. 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.

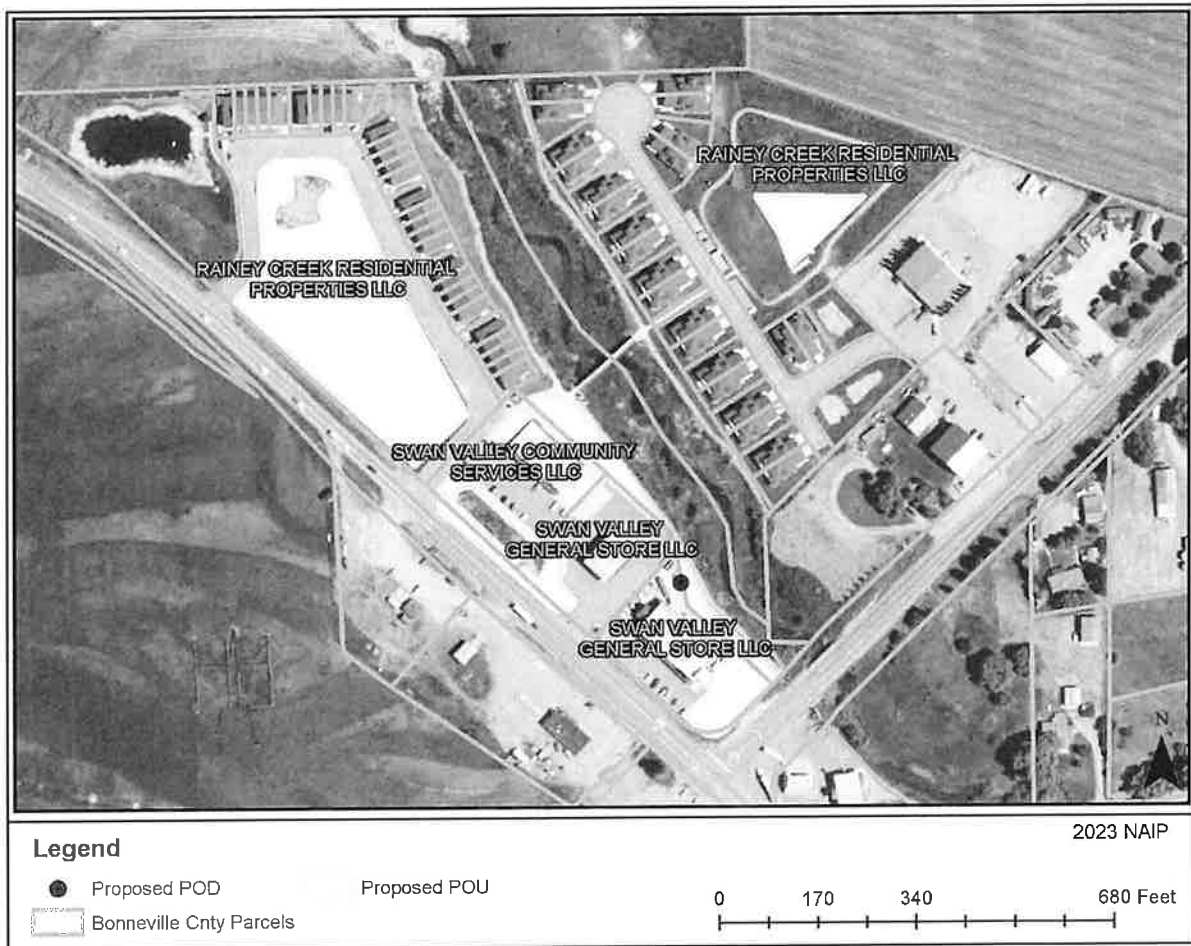


Transfer No. 90248

Ownership

Rainey Creek Enterprises, LLC

The figure below shows the ownership at the water right location:



Shane Fleming is the owner of all of the entities: Fleming Ranch LLC #1, Swan Valley General Store LLC, Swan Valley Community Services LLC, and Rainey Creek Residential Properties LLC. On the following page are excerpts of the most recent annual report for each entity.

As the owner of each of these underlying land owning entities, Shane Fleming acknowledges and understands that the ownership is being updated.

Entity Name and Mailing Address: Entity Name: FLEMING RANCH LLC #1 The file number of this entity on the records of the Idaho Secretary of State is: 0000538952 Address: PO BOX 5 IRWIN, ID 83428-0005							
Entity Details: Entity Status: Active-Exstling This entity is organized under the laws of: IDAHO If applicable, the old file number of this entity on the records of the Idaho Secretary of State was: W178123							
The registered agent on record is: Registered Agent: Shane D Fleming Registered Agent Physical Address: 50 CUTTHROAT RUN IRWIN, ID 83428 Mailing Address: PO BOX 5 SHANE FLEMING IRWIN, ID 83428-0005							
Agent or Address Change ☐ Select if you are appointing a new agent.							
Limited Liability Company Managers and Members <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 30%;">Name</th> <th style="width: 20%;">Title</th> <th style="width: 50%;">Business Address</th> </tr> </thead> <tbody> <tr> <td>Shane Fleming</td> <td>Manager</td> <td>P.O. BOX 5 50 CUTTHROAT RUN IRWIN, ID 83428</td> </tr> </tbody> </table>		Name	Title	Business Address	Shane Fleming	Manager	P.O. BOX 5 50 CUTTHROAT RUN IRWIN, ID 83428
Name	Title	Business Address					
Shane Fleming	Manager	P.O. BOX 5 50 CUTTHROAT RUN IRWIN, ID 83428					
The annual report must be signed by an authorized signer of the entity. Job Title: Manager Shane Fleming 02/04/2025 Sign Here Date							

Entity Name and Mailing Address: Entity Name: Swan Valley General Store LLC The file number of this entity on the records of the Idaho Secretary of State is: 0003816296 Address: PO BOX 5 IRWIN, ID 83428-0005							
Entity Details: Entity Status: Active-Existing This entity is organized under the laws of: IDAHO If applicable, the old file number of this entity on the records of the Idaho Secretary of State was:							
The registered agent on record is: Registered Agent: SHANE FLEMING Registered Agent Physical Address: 50 CUT THROAT RUN IRWIN, ID 83428 Mailing Address: 50 CUT THROAT RUN IRWIN, ID 83428							
Agent or Address Change ☐ Select if you are appointing a new agent.							
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The annual report must be signed by an authorized signer of the entity. Job Title: Manager Shane Fleming 02/04/2025 Sign Here Date							

Entity Name and Mailing Address: Entity Name: Swan Valley Community Services LLC The file number of this entity on the records of the Idaho Secretary of State is: 0003816304 Address: PO BOX 5 IRWIN, ID 83428-0005							
Entity Details: Entity Status: Active-Existing This entity is organized under the laws of: IDAHO If applicable, the old file number of this entity on the records of the Idaho Secretary of State was:							
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The annual report must be signed by an authorized signer of the entity. Job Title: Manager Shane Fleming 02/04/2025 Sign Here Date							

Entity Name and Mailing Address: Entity Name: Rainey Creek Residential Properties LLC The file number of this entity on the records of the Idaho Secretary of State is: 0003816335 Address: PO BOX 5 IRWIN, ID 83428-0005							
Entity Details: Entity Status: Active-Existing This entity is organized under the laws of: IDAHO If applicable, the old file number of this entity on the records of the Idaho Secretary of State was:							
The registered agent on record is: Registered Agent: SHANE FLEMING Registered Agent Physical Address: 50 CUT THROAT RUN IRWIN, ID 83428 Mailing Address: 50 CUT THROAT RUN IRWIN, ID 83428							
Agent or Address Change ☐ Select if you are appointing a new agent.							
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The annual report must be signed by an authorized signer of the entity. Job Title: Manager Shane Fleming 02/06/2024 Sign Here Date							

NoticeofOwnershipChange_23-11558_BINDER

Final Audit Report

2026-08-04

Created:	2026-08-04
By:	Kristin Moore (kristin.rmea@gmail.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAA8ELzeI3GYUQr0GR5KBtANaeqw-sDHLf7

"NoticeofOwnershipChange_23-11558_BINDER" History

-  Document created by Kristin Moore (kristin.rmea@gmail.com)
2026-08-04 - 10:04:39 PM GMT
-  Document emailed to Shane Fleming (sdflem58@gmail.com) for signature
2026-08-04 - 10:04:45 PM GMT
-  Email viewed by Shane Fleming (sdflem58@gmail.com)
2026-08-04 - 10:10:36 PM GMT
-  Document e-signed by Shane Fleming (sdflem58@gmail.com)
Signature Date: 2026-08-04 - 10:10:54 PM GMT - Time Source: server - Signature Appearance Selected: IMAGE
-  Agreement completed.
2026-08-04 - 10:10:54 PM GMT



Adobe Acrobat Sign



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

August 13, 2026

RAINEY CREEK ENTERPRISES LLC
PO BOX 5
IRWIN ID 83428-0005

Re: Change in Ownership for Water Right No(s): 23-11558

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
cc: THE BANK OF COMMERCE
AXA EQUITABLE LIFE INSURANCE CO