

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED

JAN 21 2014

DEPT. OF WATER RESOURCES
SOUTHERN 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.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
47-17518	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Marc Kottraba and Jeana C Leavell-Kottraba
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Broken Dipper Norte, LLC
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 23090 W Ash Creek Road Willcox AZ 85643
Mailing address City State ZIP
- 928-828-3587 martin@valleyb.net
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: 1/16/2014
6. If the water right described herein has been rented from the Water Supply Bank, rental proceeds will be disbursed in the following manner regardless of any arrangements between the buyer(s) and seller(s) to the contrary:
- Rental payments will go to the lessor(s) of record at the beginning of the rental season.
 - If a change in ownership is processed by the Department during a rental season, rental payment will be made to the person or entity who is the lessor of record at the beginning of that rental season.
 - New lessor(s) of record will receive payment after the following rental season.
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.

8. Signature: [Signature] for Broken Dipper Norte LLC MANAGER 1/16/2014
Signature of new owner/claimant Title, if applicable Date

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

For IDWR Office Use Only:

Received by [Signature] Date 1-24-2014 Receipt No. 5033768 Receipt Amt. \$25-
Approved by _____ Processed by _____ Date _____

TWIN FALLS COUNTY
RECORDED FOR:
LAND TITLE AND ESCROW - TWIN
02:34:34 PM 01-17-2014
2014000974
NO. PAGES 4 FEE: \$19.00
KRISTINA GLASCOCK
COUNTY CLERK
DEPUTY: BH
Electronically Recorded by Simplifile

WARRANTY DEED

#4655

For Value Received

Jeana Kottraba also shown of record as Jeana C. Leavell-Kottraba

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

Broken Dipper Norte, LLC, an undivided one-half interest
Address: 23090 W Ash Creek Road, Willcox, AZ 85643

Hereinafter called the Grantee, the following described premises situated in Twin Falls County, Idaho, to-wit:

PARCEL NO. 1:
TOWNSHIP 9 SOUTH, RANGE 14 EAST OF THE BOISE MERIDIAN,
TWIN FALLS COUNTY, IDAHO

Section 15: Part of the NW $\frac{1}{4}$ SE $\frac{1}{4}$, more particularly described as follows:

Commencing at the North quarter corner of Section 15, which bears South 89°36'06" West for a distance of 2626.26 feet from the Northwest corner of said Section 15; Thence South 00°29'18" East a distance of 2627.81 feet (2657.81 feet, rec.) to the Point of Beginning;
Thence North 89°45'16" East (North 88°58'52", rec.) a distance of 100.00 feet;
Thence South 00°16'15" West (South 00°29'47" East, rec.) a distance of 62.00 feet;
Thence North 89°45'16" East (North 88°58'52", rec.) a distance of 1163.74 feet (1188.74 feet, rec.) to a point on the West right of way boundary of 1280 East Road/River Road;
Thence along the West right of way boundary of 1280 East Road/River Road South 00°18'15" West (South 00°28'13" East, rec.) a distance of 1258.08 feet;
Thence South 89°29'46" West (South 88°43'36", rec.) a distance of 1263.29 feet (1288.41 feet, rec.);
Thence North 00°16'45" East (North 00°29'18" West, rec.) a distance of 1325.80 feet to the Point of Beginning.

SAVE AND EXCEPT the following described tract:

Commencing at the South quarter corner of said Section 15, from which the Southeast corner of Section 15 bears North 89°14'14" East for a distance of 2626.09 feet; Thence from South quarter corner of Section 15 on a bearing of North 00°16'45" East along the West boundary of the SE $\frac{1}{4}$ of Section 15 for a distance of 1325.90 feet to the Southwest corner of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 15 and being the True Point of Beginning;
Thence North 00°16'45" East along the West boundary of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ for a distance of 1325.90 feet to the Northwest corner of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 15;
Thence South 89°45'16" East along the North boundary NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 15 for a distance of 13.94 feet to a point in the center of an irrigation ditch;
Thence along the center of the irrigation ditch on approximately the following courses:
South 01°22'05" East--43.18 feet;
South 09°07'57" West--17.37 feet;
South 22°48'57" East--19.55 feet;
South 04°37'03" West--30.23 feet;
South 15°13'25" West--43.49 feet;
South 16°54'50" East--12.31 feet;
South 32°44'41" East--93.51 feet;

Recorded Electronically

ID 2014000974

County Twin Falls

Date 01-17-2014 Time 02:34:39PM

Simplifile.com 800.460.5657

WARRANTY DEED

#4655

For Value Received

Jeana Kottraba also shown of record as Jeana C. Leavell-Kottraba

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

Broken Dipper Norte, LLC, an undivided one-half interest
Address: 23090 W Ash Creek Road, Willcox, AZ 85643

Hereinafter called the Grantee, the following described premises situated in Twin Falls County, Idaho, to-wit:

PARCEL NO. 1:

**TOWNSHIP 9 SOUTH, RANGE 14 EAST OF THE BOISE MERIDIAN,
TWIN FALLS COUNTY, IDAHO**

Section 15: Part of the NW $\frac{1}{4}$ SE $\frac{1}{4}$, more particularly described as follows:

Commencing at the North quarter corner of Section 15, which bears South 89°36'06" West for a distance of 2626.26 feet from the Northwest corner of said Section 15; Thence South 00°29'18" East a distance of 2627.81 feet (2657.81 feet, rec.) to the Point of Beginning;
Thence North 89°45'16" East (North 88°58'52", rec.) a distance of 100.00 feet;
Thence South 00°16'15" West (South 00°29'47" East, rec.) a distance of 62.00 feet;
Thence North 89°45'16" East (North 88°58'52", rec.) a distance of 1163.74 feet (1188.74 feet, rec.) to a point on the West right of way boundary of 1280 East Road/River Road;
Thence along the West right of way boundary of 1280 East Road/River Road South 00°18'15" West (South 00°28'13" East, rec.) a distance of 1258.08 feet;
Thence South 89°29'46" West (South 88°43'36", rec.) a distance of 1263.29 feet (1288.41 feet, rec.);
Thence North 00°16'45" East (North 00°29'18" West, rec.) a distance of 1325.80 feet to the Point of Beginning.

SAVE AND EXCEPT the following described tract:

Commencing at the South quarter corner of said Section 15, from which the Southeast corner of Section 15 bears North 89°14'14" East for a distance of 2626.09 feet; Thence from South quarter corner of Section 15 on a bearing of North 00°16'45" East along the West boundary of the SE $\frac{1}{4}$ of Section 15 for a distance of 1325.90 feet to the Southwest corner of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 15 and being the True Point of Beginning;
Thence North 00°16'45" East along the West boundary of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ for a distance of 1325.90 feet to the Northwest corner of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 15;
Thence South 89°45'16" East along the North boundary NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 15 for a distance of 13.94 feet to a point in the center of an irrigation ditch;
Thence along the center of the irrigation ditch on approximately the following courses:
South 01°22'05" East--43.18 feet;
South 09°07'57" West--17.37 feet;
South 22°48'57" East--19.55 feet;
South 04°37'03" West--30.23 feet;
South 15°13'25" West--43.49 feet;
South 16°54'50" East--12.31 feet;
South 32°44'41" East--93.51 feet;

South 07°07'15" East--30.48 feet;
South 39°31'29" West--21.46 feet;
South 08°16'34" West--30.74 feet;
South 22°29'54" East--56.13 feet;
South 13°00'31" East--101.08 feet;
South 16°37'19" East--126.29 feet;
South 20°05'36" West--21.98 feet;
South 05°23'14" East--20.58 feet;
South 18°27'24" East--25.68 feet;
South 43°09'38" East--124.87 feet;
South 36°34'07" East--117.38 feet;
South 12°33'48" East--265.88 feet;
South 21°16'45" East--44.50 feet;
South 32°18'56" East--137.18 feet;
South 51°41'06" East--24.94 feet;
South 65°30'21" East--43.29 feet;
South 54°53'16" East--53.17 feet to a point on the South boundary of the NW¼SE¼ of Section 15;
Thence South 89°29'46" West along the South boundary of the NW¼SE¼ of Section 15 for a distance of 540.27 feet
to the True Point of Beginning.

PARCEL NO. 2:

AN UNDIVIDED ONE-HALF INTEREST in the following described parcel;

**TOWNSHIP 9 SOUTH, RANGE 14 EAST OF THE BOISE MERIDIAN,
TWIN FALLS COUNTY, IDAHO**

Section 15: Part of the SW¼NE¼ and NW¼SE¼, more particularly described as follows:

Beginning at the Northeast corner of the NW¼NE¼; Thence South 00°18'19" West for 1621.00 feet to the Point of Beginning;
Thence North 89°55'20" West for 155.65 feet;
Thence South 12°45'28" East for 438.81 feet;
Thence along the West right of way boundary of 1280 East Road/River Road on a tangent curve to the Right, having a central angle of 13°03'31", a radius of 1216.00 feet, an arc length of 277.15 feet, a tangent length of 139.18 feet, a long chord South 06°59'59" East a distance of 276.54 feet;
Thence South 00°18'19" West a distance of 318.79 feet;
Thence South 00°18'15" West a distance of 1320.09 feet;
Thence North 89°29'46" East a distance of 25.00 feet;
Thence North 00°18'16" East a distance of 1319.98 feet;
Thence North 00°18'19" East a distance of 1021.46 feet to the Point of Beginning.

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Taxes subsequent to the year 2013, a lien, but not yet due or payable.

Assessments of the American Falls Canal Company and the rights and powers of said District as by law provided.

Assessments of the Twin Falls Canal Company and the rights and powers of said District as by law provided.

Right-of-way for ditches, tunnels and telephone and transmission lines constructed by authority of the United States, as granted to the United States under provisions of Section 58-604, Idaho Code 1947.

Assessments of the Mud Creek Irrigation District and the rights and powers of said District as by law provided.

Exceptions and reservations contained in the deed from the State of Idaho to Fred Jacques, recorded June 18, 1929 in Book 3 of Patents, Page 74, records of Twin Falls County, Idaho, whereby Mineral Rights are reserved to the State.

Easement for Irrigation rights and incidental purposes in favor of J. C. Francher as set forth in an instrument recorded April 17, 1914 in Book 3 of Deeds, Page 402, as Instrument No. 50650, records of Twin Falls County, Idaho.

Easement for purpose of conveying water through ditches and incidental purpose in favor of Heroman Des Champ as set forth in an instrument recorded March 28, 1931 in Book 98 of Deeds, Page 98, as Instrument No. 233616, records of Twin Falls County, Idaho.

Right-of-way for a pipeline and incidental purposes in favor of Salt Lake Pipe Line Company as set forth in an instrument recorded August 26, 1949 in Book 164 of Deeds, Page 58 as Instrument No. 392445, records of Twin Falls County, Idaho.

Easement for a power line and incidental purposes in favor of Idaho Power Company as set forth in an instrument recorded October 20, 1952 in Book 176 of Deeds, Page 557, as Instrument No. 422011, records of Twin Falls County, Idaho.

Right of Way Contract given by Alfred Jacques and Verina Jacques, husband and wife, to Pacific Northwest Pipeline Corporation, recorded September 12, 1955 as Instrument No. 448478, records of Twin Falls County, Idaho.

Right of Way Contract given by Wildred Jacques and Iris Jacques, husband and wife, to Pacific Northwest Pipeline Corporation, a Delaware corporation recorded September 28, 1955 as Instrument No. 448884, records of Twin Falls County, Idaho.

Cathodic Protection Unit Contract given by Alfred Jacques and Verina Jacques, his wife; Calvin Harper and Pauline W. Harper, his wife to Pacific Northwest Pipeline Corporation, a Delaware corporation, recorded December 28, 1957 as Instrument No. 468952, records of Twin Falls County, Idaho.

Easement for a power line and incidental purposes in favor of Idaho Power Company, a corporation as set forth in an instrument recorded May 2, 1967 as Instrument No. 575938, records of Twin Falls County, Idaho.

Easement for the use of a pipeline and incidental purposes in favor of John Gregory Smith and Gloria Pauline Smith as set forth in an instrument recorded July 19, 1978 as Instrument No. 741065, records of Twin Falls County, Idaho.

Right of Way and Easement given by Mary V. Kienlen to the Northwest Pipeline Corporation, recorded July 10, 1980 as Instrument No. 785805, records of Twin Falls County, Idaho.

Right of Way and Easement given by Mary V. Kienlen to the Northwest Pipeline Corporation, recorded August 4, 1980 as Instrument No. 787100, records of Twin Falls County, Idaho.

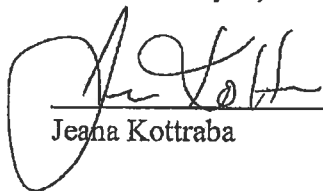
Right of Way for an Underground Pipeline as contained in Warranty Deed by and between Joseph James Kienlen and Julie A. Kienlen, Husband and Wife, and Marc Kottraba and Jeana C. Leavell-Kottraba, Husband and Wife, and Michael M. Vohs, an unmarried man, dated April 7, 2004 and recorded April 7, 2004 as Instrument No. 2004-007404, records of Twin Falls County, Idaho.

Easement by and between Jeana Kottraba and Idaho Power Company, a Corporation, dated December 4, 2012 and recorded December 24, 2012 as Instrument No. 2012-025064, records of Twin Falls County, Idaho.

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: January 14, 2014



Jeana Kottraba

STATE OF IDAHO)
) ss.
COUNTY OF TWIN FALLS)

On this 14 day of January, 2014, before me, the undersigned, a Notary Public in and for said State, personally appeared **Jeana Kottraba** known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

JULIA G. COFFMAN NOTARY PUBLIC STATE OF IDAHO	 Notary Public Residing at: <u>Rupert, Ida.</u> My Commission expires: <u>6-20-2014</u>
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