

RECEIVED

MAR 07 2022

Department of Water Resources
Eastern Region

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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. **DB✓**

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
✓ 22-34B ✗	Yes ☒	Yes ☐	22-34B	Yes ☐	Yes ☐
	Yes ☐	Yes ☐	22-14461	Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

- 2.** Previous Owner's Name: SUNRAIN VARIETIES LLC
- Name of current water right holder/claimant
- 3.** New Owner(s)/Claimant(s): Daniel Thompson, Mackenzie Hill
- New owner(s) as listed on the conveyance document Name connector ☒ **and** ☐ **or**
- | | | | |
|---------------------|---------------|-------|--------------|
| <u>P.O. Box 740</u> | <u>Victor</u> | ID | <u>83455</u> |
| Mailing address | City | State | Zip |
| _____ | | | |
| 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: 3/30/2021
- 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.
- SUPPORT DATA**
IN FILE # 22-34B

8. Signature: Daniel Thompson
Signature of new owner/claimant
Daniel Thompson
Print name

Title, if applicable

2-18-2022
Date

Signature: Mackenzie Hill
Signature of new owner/claimant
Mackenzie Hill
Print name

Title, if applicable

2/18/2022
Date

For IDWR Office Use Only:

Received by JB Date 3/8/2022 Receipt No. E047867 Receipt Amt. \$100.

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 JK Date 5/27/2022



****Re-Record to Correct Scrivener's Error in Legal*****

WARRANTY DEED

Alliance Title & Escrow, LLC Order No.:547651

FOR VALUE RECEIVED

Sunrain Varieties LLC, a Delaware Limited Liability Company

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Daniel Thompson and Mackenzie Hill, husband and wife

whose current address is

**P.O. Box 740
Victor, ID 83455**

the grantee(s), the following described premises, in Teton County, Idaho, TO WIT:

****See Attached Legal****

~~Tract 1:~~

~~Parcel 4:~~

~~BEGINNING at the Northwest corner of the Northwest 1/4 of Section 1, Township 4 North, Range 44 East, Boise Meridian, Teton County, Idaho, and running;
Thence South 57.2 rods;
Thence East 67.13 rods;
Thence North 7.2 rods and;
Thence West 67.13 rods to the PLACE OF BEGINNING.~~

~~Tract II:~~

~~Beginning at the intersection shown on that Record of Survey recorded on February 4, 2021 as Instrument No. 266041 shown of record as;~~

~~A certain road located in the Northwest quarter (NW1/4) of Section 1, Township 4 North, Range 44 East of the Boise Meridian, Teton County, Idaho, being more particularly described by notes and bounds as follows:~~

~~Commencing at the Northwest corner being marked by an iron rod,
THENCE North 89°30'57" East, 1711.45 feet, along the North line of said Northwest quarter (NW1/4) to the POINT OF BEGINNING, said point being the intersection with the centerline of said gravel road and the Southernly edge of that county road known as West 1000 South;
THENCE continuing along said centerline, South 82°51'10" East 740.73 feet, to a~~

Instrument # 267576

TETON COUNTY, IDAHO

04-07-2021 09:01:00 No. of Pages: 2

Recorded for: ALLIANCE TITLE - DRIGGS OFFICE

KIM KEELEY Fee: \$15.00

Ex-Officio Recorder Deputy, Kim Keeley

Index to: DEED, WARRANTY

Instrument # 267936

TETON COUNTY, IDAHO

04-22-2021 15:28:00 No. of Pages: 3

Recorded for: ALLIANCE TITLE - DRIGGS OFFICE

KIM KEELEY Fee: \$15.00

Ex-Officio Recorder Deputy, Kim Keeley

Index to: DEED CORRECTION

THENCE continuing along said line, South 89° 52' 40" East 240.75 feet, to a point of intersection with the common to Parcel 2 and Parcel 3, THENCE N. 41° 02' 25" E. 300.31 feet, along said line to the Southwest corner of Parcel 3, the POINT OF BEGINNING, said section being marked by a 3/8 inch diameter rebar with a 2 inch diameter aluminum cap inscribed "P.L.S. 10140"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: March 30, 2021

Sunrain Varieties LLC

Melvin Davenport
Melvin Davenport, President

State of Idaho ss
County of Bonneville

On this 1st day of April, 2021, before me, the undersigned, a Notary Public in and for said state, personally appeared Melvin Davenport known or identified to me to be the Managing Member in the Limited Liability Company known as Sunrain Varieties, LLC who executed the foregoing instrument in said LLC name.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Danielle Parker
Notary Public for the State of Idaho
Residing at: Bonneville
Commission Expires: 11/08/2023



STATE OF IDAHO } ss
County of Teton }

I HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of the original thereof, on file in my office.

Dated: April 22, 2021

Ex-Officio Auditor & Recorder
Clerk of the District Court

By [Signature]
Deputy Clerk

EXHIBIT "A"

547651

Tract 1:

Parcel 4 as described in that Record of Survey recorded on February 4, 2021 as Instrument No. 266041 shown of record as; A Parcel of land located in the Northwest Quarter (NW 1/4) of Section 1, Township 4 North, Range 44 East of the Boise Meridian, Teton County, Idaho, being more particularly described by metes and bounds as follows:

COMMENCING at the North Quarter Corner of Section 1, being marked by an iron rod;

THENCE South 00°30'21" East, 947.38 feet, along the East line of said Northwest quarter (NW1/4), to the POINT OF BEGINNING, said point marked by a 5/8 inch diameter rebar with a 2 inch diameter aluminum cap inscribed "PLS 19140", set this survey;

THENCE continuing along said East line South 00°30'21" East, 922.54 feet, to a point marked by a 1/2 inch diameter rebar with a 1 inch diameter plastic cap inscribed "PLS 4563", found this survey;

THENCE South 89°25'07" West, 506.75 feet, to a being marked by a 5/8 inch diameter rebar with a 2 inch diameter aluminum cap inscribed "PLS 19140", set this survey;

THENCE North 00°28'12" West, 922.96 feet, to a being marked by a 5/8 inch diameter rebar with a 2 inch diameter aluminum cap inscribed "PLS 19140", set this survey;

THENCE North 89°27'59" East, 506.17 feet, to the POINT OF BEGINNING.

Tract II:

Easement Interest as shown on that Record of Survey recorded on February 4, 2021 as Instrument No. 266041 shown of record as;

A strip of land located in the Northwest quarter (NW 1/4) of Section 1, Township 4 North, Range 44 East of the Boise Meridian, Teton County, Idaho, being more particularly described by metes and bounds as follows:

Commencing at the Northwest corner being marked by an iron rod;

THENCE North 89°30'57" East, 1711.45 feet, along the North line of said Northwest quarter (NW1/4) to the POINT OF BEGINNING, said point being the intersection with the centerline of said gravel road and the Southerly edge of that county road known as West 1000 South;

THENCE continuing along said centerline, South 02°31'16" East 948.75 feet, to a point of intersection with the line common to Parcel 2 and Parcel 5;

THENCE North 89°27'59" East 389.21 feet, along said line to the Southeast corner of Parcel 2, the POINT OF TERMINUS of this centerline description being marked by a 5/8 inch diameter rebar with a 2 inch diameter aluminum cap inscribed "PLS 19140".



0 0.04 0.07 0.15 Miles

2021 NAIP

Property Location (Parcel: RP04N44E012700)

WR POU 22-34B

Twn & Rng

Section

QQ



Property Map

WR # 22-34B and Parcel #: RP04N44E012700

Project #: 20-0032

Drawn by: AD

Date: 2/7/2022



Rocky Mountain
ENVIRONMENTAL
ASSOCIATES, INC.

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT REPORT

2/7/2022

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 22-34B

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SUNRAIN VARIETIES LLC 5466 W 49TH S IDAHO FALLS, ID 83402
Original Owner	J ERWIN FURNISS
Original Owner	LOLA M FURNISS 577 W 100 S DRIGGS, ID 83422 2083542513
Security Interest	RABO AGRIFINANCE LLC 14767 NORTH OUTER 40 RD STE 400 CHESTERFIELD, MO 63017-2003 (208) 737-6855

Priority Date: 01/22/1916

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
MAHOGANY CREEK	TETON RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	1.6 CFS	
Total Diversion			1.6 CFS	

Location of Point(s) of Diversion:

MAHOGANY CREEK|NESWSE|Sec. 01|Township 04N|Range 44E|TETON County

Place(s) of use:

Place of Use Legal Description: IRRIGATION TETON County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
04N	44E	1	3	NENW	13		SEnw	7						

Total Acres: 20

Conditions of Approval:

1. 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.
2. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Dates:

Licensed Date:

Decreed Date: 11/24/2008

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: TBD

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old 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

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

May 27, 2022

DANIEL THOMPSON
PO BOX 740
VICTOR ID 83455-0740

Re: Change in Water Right Ownership: 22-34 B (Split into 22-34 B and 22-14461),

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of a portion of the above referenced water right(s) to you. The Department has modified its records based on the information received and has enclosed a computer-generated report for you.

Your portion of each water right(s) has a specified point of diversion, nature of use and place of use. If you plan to change the authorized point of diversion, nature of use, or place of use, including adding a new point of diversion, you must file an Application for Transfer of Water Right. If you do not plan to change any elements of your water right, then no further action is required at this time.

The portion of the water right retained by the original right holder retains the original water right number. The Department is sending the original right holder a copy of this letter and a computer-generated report showing the changes to the original water right.

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)

cc: SUNRAIN VARIETIES LLC
WATER DISTRICT 01