

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUN 30 2021

WATER RESOURCES
WESTERN 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 #6 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
63-12500	Yes ☐	Yes ☐		Yes ☐	Yes ☐
63-12504	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: John Cook
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Hat Butte Co.
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 2812 View Ridge Dr Melba ID 83641
Mailing address City State ZIP
- 208-409-2996 mooriahdairyfarm@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: 4/18/2005
6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed IRS Form W-9 for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed Lessor Designation form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).
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:  Secretary, Hat Butte Co. 6/29/2021
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 _____ Date _____ Receipt No. _____ Receipt Amt. _____

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 _____ Processed by _____ Date _____

INSTRUMENT NO. 2005 31633

CORRECTED QUITCLAIM DEED

FOR VALUABLE CONSIDERATION, The receipt and adequacy of which is hereby acknowledged, John Merle Cook and Kathleen Cook, husband and wife, the Grantor, does hereby disclaim having any right, title, or interest in or to the real property herein described; and the Grantor does hereby release, remise, and quitclaim to Hat Butte Water Company, an Idaho corporation, as the Grantee, any and all interest it has in the following described real property situated in the County of Canyon, State of Idaho:

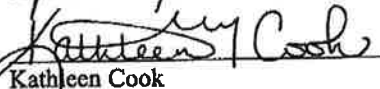
A portion of Parcel 2 described on Exhibit A attached hereto which portion lies in the northeast corner of such Parcel 2. Beginning at the W 1/16 corner having dimensions of 35 feet across the northern boundary by 50 feet across the eastern boundary. This Parcel contains approximately 1,750 square feet with a water well within its boundaries.

TO HAVE AND TO HOLD All and singular the said premises unto the Grantee and his heirs and assigns forever.

The current address of the Grantee is: 5977 Cougar Lane, Santa Rosa, CA 95409.

This Corrected Quitclaim Deed corrects the Quitclaim Deed recorded on January 7, 2000, as Instrument No. 200000770, records of Canyon County, Idaho, wherein the legal description on Exhibit A thereto was incorrect.

IN WITNESS WHEREOF, This Quitclaim Deed has been duly executed by the Grantor this 18th day of April, 2005.

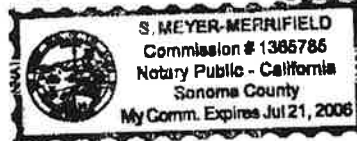

John Merle Cook

Kathleen Cook

STATE OF California
County of Sonoma ss.

On this 18th day of April, 2005, before S. Meyer-Merrifield, a notary public, personally appeared John Merle Cook and Kathleen Cook, husband and wife, known or identified to me to be the persons whose name is subscribed to the within instrument, and acknowledge to me that they executed the same.

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





Notary Public for California
Residing at Boise
Commission expires 7-21-2006

EARL & ASSOCIATES, INC.
SURVEYORS, ENGINEERS & PLANNERS
 314 BADIOLA STREET
 CALDWELL, IDAHO 83605

TELEPHONE: (208) 454-0256
 FAX: (208) 454-0979
 Email: gearl@earlindaesec.com

PROPERTY DESCRIPTION

Parcel 2

FOR: John Cook
 JOB NO.: AP0998
 DATE: October 7, 1998
 REVISED: MAY 7, 1999

A part of the NW 1/4 NW 1/4, Section 21, Township 1 North, Range 2 West, Boise Meridian, Canyon County, Idaho, more particularly described as follows:

BEGINNING at the Northeast corner of said NW 1/4 NW 1/4 (W 1/16 corner) said corner monumented with a 5/8 inch diameter iron pin;

Thence North 89° 51' 19" West, a distance of 663.97 feet along the Northerly boundary of said NW 1/4 to a 5/8 inch diameter iron pin;

Thence South 0° 07' 40" East, a distance of 994.64 feet to a 1/2 inch diameter iron pin;

Thence South 89° 52' 52" East, a distance of 663.76 feet to a point on the easterly boundary of said NW 1/4 NW 1/4, said point monumented with a 1/2 inch diameter iron pin;

Thence North 0° 06' 56" West, a distance of 994.37 feet along the easterly boundary of said NW 1/4 NW 1/4 to the POINT OF BEGINNING.

This parcel contains 15.156 acres more or less.

This parcel is subject to all easements and rights-of-way of record or implied.

All according to the record of survey as recorded in the office of the Canyon County Recorder.

Haber, Edwards
Notary Public

200531633

RECORDED

JUN 8 PM 1 09

ANGEL HALLS
CANYON COUNTY RECORDER



EXHIBIT A

200153786

200148509

RECORDED

11 NOV 21 PM 1 5

C NOEL HALES
ANYON CNTY RECORDER

John Cook
C NOEL HALES
ANYON CNTY RECORDER

WATER USER AGREEMENT

On this 10th day of November, 2001, the below signed individuals, and/or their agents acting on their behalf, did enter into a water use, repair, and maintenance agreement for the well and distribution system located on the 60-acre residential development commonly referred to as Grandview Heights. This agreement is amenable and is binding upon all heirs and assigns to the undersigned.

Said development is located in Canyon County, in the State of Idaho. The use of the water from this system is made available to any owner of one of the eight parcels in the said development who buys a share in the water system and agrees to the terms of this agreement. The well utilizes combined water rights granted to the development.

An owner of any of the eight parcels in the said development may purchase a share in the water system. Each shareholder in said water system, and their heirs or assigns, agrees to, and is responsible for paying a monthly assessment and supplemental assessments as outlined herein. A share in the water system does not become effective until the purchaser signs a copy of this agreement along with the signature of John Cook, current manager for the water system. The monthly assessment shall cover the costs of use, repair and maintenance of the water system. If additional funds are required, a letter to all shareholders shall be sent, fully describing all costs and work to be done with an equally divided assessment being levied.

On the first Monday of the month, following the acquisition of a share in the water system, and on the same day of each month thereafter, a monthly assessment of \$30.00 shall be due and payable to the water system's manager, currently John Cook. Assessments shall be mailed to the manager, currently: John Cook, 5977 Cougar Lane, Santa Rosa, CA 95409. Assessments postmarked after the tenth of the month shall be subject to a \$15 late fee. If there are amounts assessed to a shareholder which remain unpaid after a period of sixty (60) days from the monthly assessment date or from the delivery of a written request for payment of an assessed amount, which outlines the nature of the repair, the total cost of the repair, and the shareholders assessed amount, then the water system's manager may file a real estate lien against the real property in the development for the payment of the assessment. Any expenses incurred to file the lien or otherwise collect said assessment will also be charged to the non-paying shareholder, and included in the lien amount.

Shareholders shall abide by all other terms which may be determined necessary to comply with the laws of the State of Idaho and the interests of the development as determined by future majority consent. No shareholder shall use more water than is legally allowed by the State of Idaho.

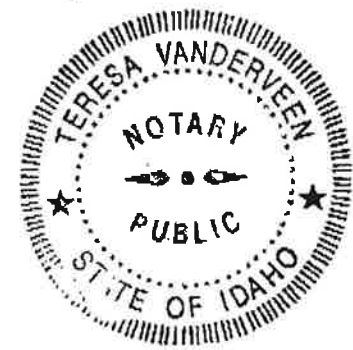
Dated this 10th day of Nov, 2001

John Cook
John Cook
Date

Kathy Cook 11-10-01
Kathy Cook
Date

Laura B. Peterson Nov. 10 2001
Laura Peterson
Date

[Signature] 11/10/01
Notary Public
commission Expires 06-27-06



REQUEST *Laura Peterson*
TYPE BSA FEE 9.00

REQUEST *John Cook*
TYPE BSA FEE 3.00

RECORDED

DEC 20 PM 4 18

C NOEL HALES
ANYON CNTY RECORDER

John Cook
C NOEL HALES
ANYON CNTY RECORDER

PN64486

Exhibit "A"

PARCEL I:

A part of the Northwest Quarter of the Northwest Quarter, Section 21, Township 1 North, Range 2 West, Boise Meridian, Canyon County, Idaho, being the South Half of the Southwest Quarter of the Northwest Quarter of the Northwest Quarter.

PARCEL II:

Easement Description No. 1

An easement situated in a part of the Northwest Quarter, Section 21, Township 1 North, Range 2 West, Boise Meridian, Canyon County, Idaho.

A 60.00 foot wide ingress and egress easement lying 30.00 feet on each side of the following described centerline:

COMMENCING at the Northwest corner of the Northwest Quarter of the Northwest Quarter (section corner common to Sections 16, 17, 20 and 21) thence

South $89^{\circ} 51' 19''$ East a distance of 475.00 feet along the Northerly boundary of said Northwest Quarter of the Northwest Quarter to the BEGINNING POINT of said easement; thence along the centerline of said easement the following courses and distances:

South $0^{\circ} 00' 00''$ West 35.00 feet; 174.53 feet along the arc of a 125.00 foot radius, tangent curve left with a central angle of $80^{\circ} 00' 00''$, and tangents of 104.89 feet, the long chord of which bears

South $40^{\circ} 00' 00''$ East 160.70 feet;

South $80^{\circ} 00' 00''$ East 160.00 feet; 58.91 feet along the arc of a 125.00 foot radius, tangent curve right with a central angle of $27^{\circ} 00' 00''$, and tangents of 30.00 feet, the long chord of which bears

South $66^{\circ} 30' 00''$ East 58.36 feet;

South $53^{\circ} 00' 00''$ East 380.00 feet; 329.42 feet along the arc of a 125.00 foot radius, tangent curve right with a central angle of $151^{\circ} 00' 00''$ and tangents of 483.34 feet, the long chord of which bears

South $22^{\circ} 30' 00''$ West 242.04 feet;

North $82^{\circ} 00' 00''$ West 260.00 feet; 5126 feet along the arc of a 125.00 foot radius, tangent curve left with a central angle of $23^{\circ} 30' 00''$, and tangents of 26.00 feet, the long chord of which bears

South $89^{\circ} 05' 00''$ West 51.91 feet;

South $74^{\circ} 30' 00''$ West 450.00 feet; 321.80 feet along the arc of a 125.00 foot radius, tangent curve left with a central angle of $147^{\circ} 30' 00''$, and tangents of 428.86, the long chord of which bears

South $0^{\circ} 45' 00''$ West 240.01 feet;

South 73° 00'00" East 247.00 feet; 305.43 feet along the arc of a 500.00 foot radius, tangent curve left with a central angle of 35° 00'00", and tangents of 157.65, the long chord of which bears

South 38° 00'00" East 255.01 feet;

South 47° 00'00" East 35.00 feet;

South 56° 00'00" East, 93.29 feet, the terminus point, and the radius point of a 60 foot radius cul-de-sac of this easement.

AND

Easement Description No. 2

An easement situated in a part of the Northwest Quarter, Section 21, Township 1 North, Range 2 West, Boise Meridian, Canyon County, Idaho.

A 60.00 foot wide ingress and egress easement lying 30.00 feet on each side of the following described centerline:

COMMENCING at the Northwest corner of the Southwest Quarter of the Northwest Quarter (North Sixteenth corner) thence

South 89° 53'22" East a distance of 810.65 feet along the Northerly boundary of said Southwest Quarter of the Northwest Quarter to the BEGINNING POINT of said Road Easement No. 2; thence along the centerline of said Road Easement No. 2 the following courses and distances:

South 72° 00'00" West 60.00 feet; 39.27 feet along the arc of a 125.00 foot radius, tangent curve left with a central angle of 18° 00'00", and tangents of 19.80 feet, the long chord of which bears

South 81° 00'00" West 39.11 feet;

South 90° 00'00" West 150.00 feet;

South 81° 00'00" West 100.00 feet;

South 72° 00'00" West 140.23 feet to the terminus point and radius point of a 60.00 foot radius cul-de-sac.

200131390

RECORDED

2001 AUG 3 PM 4 06

G NOEL HALES

CANYON COUNTY RECORDER

BY

[Signature]

REQUEST PIONEER-NAMPA
TYPE *[Signature]* 4:20



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 W AIRPORT WAY • BOISE, ID 83705-5082

Phone: (208)334-2190 • Fax: (208)334-2348 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

August 30, 2021

HAT BUTTE CO
2812 VIEW RIDGE DR
MELBA ID 83641-5084

RE: Water Right No(s): 63-12500, 63-12504

Dear Interested Parties:

The Department of Water Resources Western Office acknowledges receipt of your Notice of Change in Water Right Ownership.

Review of your Notice indicates that additional information is required before the Department can process the change. The information required is indicated below:

- ☒ Filing Fee of \$25 per water right
- ☐ Filing Fee of \$100 per water right for changes resulting from division of a water right
- ☐ Signature
- ☐ Notarized Signature for Assignment of Permit
- ☐ Evidence of Water Right Ownership: copy of Deed, Title Policy, Contract of Sale, or other legal document indicating your ownership of the property and/or water rights in question
- ☐ Evidence of Security Interest: copy of Deed of Trust, Mortgage, Contract of Sale or other legal document indicating your interest in the property and water rights in question
- ☐ Security Interest Expiration Date
- ☐ Legal Description of Property
- ☐ Plat of Property or Survey Map usually on file with the county
- ☐ USDA Farm Service Agency (formerly ASCS) Aerial Photo with irrigated acres outlined and point(s) of diversion clearly marked
- ☐ Description of Portion of Water Right resulting from division of water right

Effective July 1, 2000, the legislature enacted House Bill No. 545 requiring a filing fee for a change in water right ownership. The fee is \$25 per water right, except for ownership changes resulting in the division of a water right, which is \$100 per water right. All ownership change notices received after June 30, 2000 must include the appropriate filing fees in order to be processed. We have determined that the total filing fee for your notice will be \$50.

Because the Department cannot process the notice without the proper fees, we will hold any action on your notice pending receipt of the necessary fees. If we do not receive the necessary fees within 30 days we will return your notice and all attachments and your notice will not be processed.

If you have any questions regarding this matter, please contact our office at (208) 334-2190.

Sincerely,

Western Regional Office
Idaho Department of Water Resources