

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
JAN 04 2020
Department 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 #6 of the instructions. DE ✓

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
11-2110	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: _____

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): _____

New owner(s) as listed on the conveyance document

Name connector

☐ and ☐ or ☐ and/or

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: 10/1/2020

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):
 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.

8. Signature: Patricia Kiney
 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 JB

Date

1/5/2021

Receipt No.

E046545

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

Processed by

Date

Returned / Refund Requested 9/2/2021

Denise Horsley**WARRANTY DEED**

Alliance Title & Escrow Corp. Order No.:508788

FOR VALUE RECEIVED**Clodhopper Holdings, LLC**

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

Patrick Kinney, a married man as his sole and separate property

whose current address is

2472 N 770 W., Clearfield, UT 84015

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

See attached Exhibit 'A'

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: October 1, 2020

Clodhopper Holdings, LLC

Steve Samowitz *Manager*
Steve Samowitz, Manager

Kyle Wangemann *Manager*
Kyle Wangemann, Manager

Scott Brown *Manager*
Scott Brown, Manager

State of Idaho } ss
County of Caribou }

On this 1st day of October, in the year 2020, before me, Kim R. Lindstrom a Notary Public in and for said state, personally appeared Steve Samowitz, Kyle Wangemann and Scott Brown.

Exhibit 'A'

Parcel I:

A parcel of land located in the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 12, Township 8 South, Range 41 East, Boise Meridian, the same being a portion of the lands described in Instrument No. 61611 as recorded in the official records of Caribou County, Idaho, more particularly described as follows:

BEGINNING at the Northeast corner of Section 12, Township 8 South, Range 41 East, Boise Meridian, the same being South $89^{\circ}20'42''$ East a distance of 5288.33 feet from the Northwest corner of said

Section basis of bearing:

Thence South $00^{\circ}05'54''$ West along the East boundary line of said Section for a distance of 35.00 feet to a $\frac{5}{8}$ " rebar with cap tagged, "GVS, PLS 9169" set on the Southerly right of way line of the Meadowville Road, the TRUE POINT OF BEGINNING.

Thence South $00^{\circ}05'54''$ West along said boundary line for a distance of 324.24 feet to a $\frac{5}{8}$ " rebar with cap tagged, "GVS PLS 9169" set at each angle point this survey;

Thence North $89^{\circ}20'42''$ West for a distance of 703.58 feet;

Thence North for a distance of 324.25 feet to a point on the Southerly right of way line of said road;

Thence South $89^{\circ}20'42''$ East along said right of way line for a distance of 704.13 feet, to the TRUE POINT OF BEGINNING.

Parcel II:

A parcel of land located in the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 12, the same being a portion of the land described in Instrument No. 61611, as recorded in the official records of Caribou County, Idaho, more particularly described as follows:

BEGINNING at the Northeast corner of Section 12, Township 8 South, Range 41 East, Boise Meridian, the same being South $89^{\circ}20'42''$ East a distance of 5288.33 feet from the Northwest corner of said

Section basis of bearings:

Thence South $00^{\circ}05'54''$ West along the East boundary line of said Section for a distance of 35.00 feet to a $\frac{5}{8}$ " rebar with cap tagged "GVS, PLS 9169" set on the Southerly right-of-way line of the Meadowville Road;

Thence South $00^{\circ}05'54''$ West along said boundary line for a distance of 324.24 feet to a $\frac{5}{8}$ " rebar with cap tagged, "GVS, PLS 9169" being the Southeast corner of the property in Warranty Deed No. 178794, the TRUE POINT OF BEGINNING.

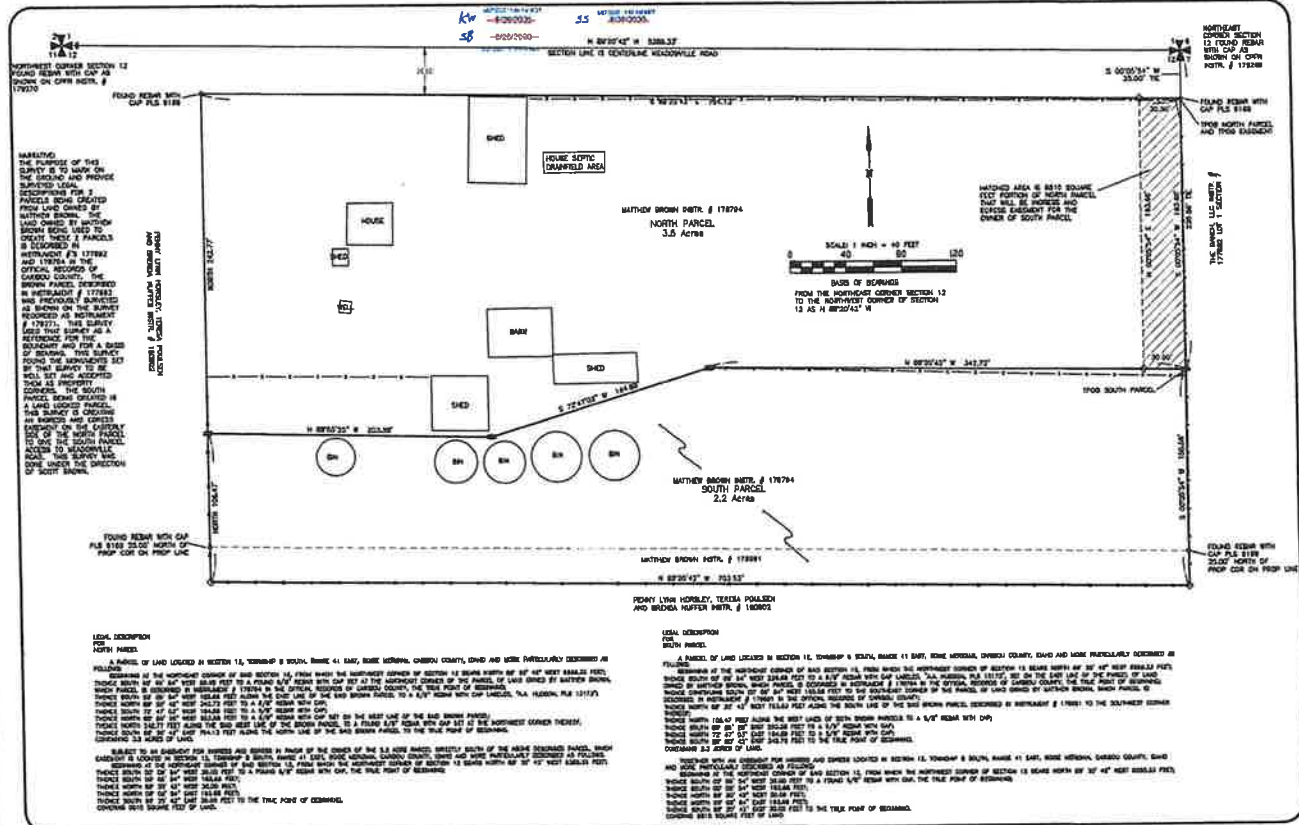
Thence continuing South $00^{\circ}05'54''$ west along said boundary line for a distance of 25 feet;

Thence North $89^{\circ}20'42''$ West for a distance of 703.58 feet;

Thence North for a distance of 25 feet to the Southerly boundary line of the property in Warranty Deed No. 178794;

Thence South $89^{\circ}20'42''$ East 703.58 feet along the South boundary line of the property in Warranty Deed No. 178794, to the TRUE POINT OF BEGINNING.

ARTWACT 1



LAND SURVEYORS A. A. HUDSON AND ASSOCIATES 132 SOUTH STATE FREDERICK, OHIO 43023 (607)662-1100	PANEL 1011 RECORD OF SURVEY FOR MATTHEW BROWN SECTION 12, TOWNSHIP 8 SOUTH, RANGE 41 EAST, BROWN COUNTY, OHIO REVISIONS: 1. SURVEYED BY: J. S. [Signature] 2. DATE: 10/10/2023 3. PROJECT NO.: 00147	LEGEND — EXISTING FENCE — EXISTING FENCE LINE — BY RECORD — SECTION CORNER — SET BY THIS SURVEY — FOUND BY THIS SURVEY — POINT NOT FOUND OR SET	SURVEYOR'S CERTIFICATE I, MATTHEW BROWN, CERTIFY THAT I AM A LICENSED LAND SURVEYOR IN THE STATE OF OHIO, THAT I HAVE EXAMINED THE RECORDS OF THE BUREAU OF REVENUE, AND THAT BY THE AUTHORITY OF THE CHIEF OF THE BUREAU, I HAVE CAUSED A SURVEY TO BE MADE AS SHOWN AND DESCRIBED ON THIS PLAN. DATE: 10/10/2023 SIGNED: MATTHEW BROWN	RECORDER'S CERTIFICATE NOTARIAL NO. _____ DATE: _____ RECORD OF SURVEY NO. _____ REQUESTED BY: _____ RECORDED BY: _____ FEES: _____
	132 SOUTH STATE FREDERICK, OHIO 43023 (607)662-1100	SECTION 12, TOWNSHIP 8 SOUTH, RANGE 41 EAST, BROWN COUNTY, OHIO REVISIONS: 1. SURVEYED BY: J. S. [Signature] 2. DATE: 10/10/2023 3. PROJECT NO.: 00147	LEGEND — EXISTING FENCE — EXISTING FENCE LINE — BY RECORD — SECTION CORNER — SET BY THIS SURVEY — FOUND BY THIS SURVEY — POINT NOT FOUND OR SET	SURVEYOR'S CERTIFICATE I, MATTHEW BROWN, CERTIFY THAT I AM A LICENSED LAND SURVEYOR IN THE STATE OF OHIO, THAT I HAVE EXAMINED THE RECORDS OF THE BUREAU OF REVENUE, AND THAT BY THE AUTHORITY OF THE CHIEF OF THE BUREAU, I HAVE CAUSED A SURVEY TO BE MADE AS SHOWN AND DESCRIBED ON THIS PLAN. DATE: 10/10/2023 SIGNED: MATTHEW BROWN

DRAWN: 10/10/2023



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region • 900 N SKYLINE DR STE A • IDAHO FALLS, ID 83402-1718

Phone: (208)525-7161 • Fax: (208)525-7177 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

September 02, 2021

PATRICK KINNEY
PO BOX 106
SODA SPRINGS ID 83276-0106

RE: Water Right Change in Ownership No(s): 11-2110

Dear Interested Parties:

The Idaho Department of Water Resources (Department) received a Notice of Change in Water Right Ownership (Notice) from you on January 4, 2020 for the above referenced water rights. The Notice could not be processed because additional evidence of ownership needed to be provided.

On January 25, 2021 and April 22, 2021, the Department requested the required information from you (Copies enclosed). As of the date of this letter, the Department has not received the required information. The department has determined it is best to return your application and fees until all the required information can be provide. Once you have all the information you can resubmit your application to address above.

The Department is returning your Notice of Change in Water Right Ownership and the attachments. A refund of \$100.00 has been requested and will be mailed to Patrick Kinney under separate cover from the Idaho State Controller's Office. You may re-submit your request with the appropriate documents and fees.

If you have any questions regarding this matter, please contact me at (208) 497-3787.

Sincerely,

Jonie Barg
Technical Records Specialist 1

Enclosure(s)

Barg, Jonie

From: Barg, Jonie
Sent: Thursday, September 2, 2021 2:22 PM
To: IdwrPayable
Subject: Refund Request
Attachments: Receipt(4)

Good afternoon!!

I have a refund request as follows:

Receipt number: E046545
Amount: \$100.00
Payable to: PATRICK KINNEY
PO BOX 106
SODA SPRINGS ID 83276-0106

Reason: Department requested additional information (multiple requests) for an ownership change. The information was not received and the application is being returned unprocessed. Therefore the applicant is entitled to a full refund.

Thank you so much for your time. Let me know if you have any questions.

Have a great day!!!

 IDAHO DEPARTMENT OF
WATER RESOURCES
Jonie Barg | Technical Records Specialist
900 N Skyline Drive Ste. A, Idaho Falls, ID 83402
Phone number: (208) 525-7161
Fax number: (208) 525-7177
Email: jonie.barg@idwr.idaho.gov
Website: www.idwr.idaho.gov



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region • 900 N SKYLINE DR STE A • IDAHO FALLS, ID 83402-1718
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Brad Little
Governor

Gary Spackman
Director

April 22, 2021

PATRICK KINNY
PO BOX 108
SODA SPRINGS ID 83278

RE: Change in Ownership Water Right No. 11-2110

Dear Sir/Madam:

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

Our review of your notice indicates that additional information is required before we can process the change. The information required is indicated below:

**** **Evidence of Water Right Ownership:** copy of Deed, or other legal document indicating your ownership of the property and/or water rights in question. The department acknowledges receipt a copy of a Warranty Deed from Clodhopper Holdings LLC to Patrick Kinney, however the current owner of the water right is O S Bybee and Vernal Hopkins, please supply a full chain of title back to the current owner of the water right.

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

Please note that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.idaho.gov.

Please feel free to contact the Department if you have any questions.

Sincerely,

Jonie Barg
Technical Records Specialist

Enclosure(s)

SCANNED

APR 22 2021



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region • 900 N SKYLINE DR STE A • IDAHO FALLS, ID 83402-1718
Phone: (208)525-7161 • Fax: (208)525-7177 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

January 25, 2021

PATRICK KINNEY
PO BOX 106
SODA SPRINGS ID 83276-0106

RE: Water Right Change in Ownership No(s): 11-2110

Dear Interested Parties:

The Department of Water Resources (Department) acknowledges receipt of your Notice of Change in Water Right Ownership (Notice).

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

**** Evidence of Water Right Ownership: copy of Deed, Title Policy or other legal document indicating your ownership of the property and/or water rights in question. The current owner of the water right listed above is O S Bybee and Vernal Hopkins.

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

Also, please note that permit holders are required to report any change of ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Forms to assign ownership or update your address are available from any office of the Department or on the Department's website.

If you have any questions regarding this matter, please contact me at (208) 497-3787.

Sincerely,

Jonie Barg
Technical Records Specialist 1

Enclosure(s)

SCANNED

JAN 25 2021