Form 42-248/42-1409(6) Rev. 1/15

RECEIVED ✓
AUG 11 2020
DEPT OF WATER RESOURCES
SOUTHERN 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 #6 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
* 45-4193	Yes ☐	Yes ☐	45-10461	Yes ☐	Yes ☐
* 45-2182	Yes ☐	Yes ☐	45-10462	Yes ☐	Yes ☐
* 45-10472	Yes ☐	Yes ☐	45-10457	Yes ☐	Yes ☐
45-12751	Yes ☐	Yes ☐	45-10458	Yes ☐	Yes ☐
45-13498	Yes ☐	Yes ☐		Yes ☐	Yes ☐

Returned

2. Previous Owner's Name: SHOULDER 3 RANCHES, INC.
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): ~~KAYE~~ KAY C JONES AND MATTHEW JONES
New owner(s) as listed on the conveyance document — Name connector ☒ and ☐ or ☐ and/or

3632 Overland Ave — Mailing address
Burley — City
ID — State
83318 — ZIP
208-678-8278 — Telephone
burleyironworks@yahoo.com — 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 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):
      - $25 per *undivided* water right.
      - $100 per *split* water right.
      - No fee is required for pending adjudication claims.

   SUPPORT DATA IN FILE # 45-2182

   ☐ 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: [signature] — Signature of new owner/claimant — Title, if applicable — Date 7-31-20
   Signature: [signature] — Signature of new owner/claimant — Title, if applicable — Date 7-31-20

For IDWR Office Use Only:

Receipted by SG — Date 8/11/20 — Receipt No. 5038077 — Receipt Amt. $225.00

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 _____ — Processed by JB — Date 10-27-2020

Processed 45-12751, 45-13498, 45-10461, 45-10462, 45-10457, and 45-10458 on 10-27-20.

Returned 45-4193, 45-2182, and 45-10472

CASSIA COUNTY
RECORDED FOR:
TITLEONE - TWIN FALLS
03:48:37 PM 07-31-2020
2020-003891
NO. PAGES: 8 FEE: $15.00
JOSEPH W. LARSEN
COUNTY CLERK
DEPUTY: CVELASQUEZ
Electronically Recorded by Simplifile

CERTIFIED COPY
OF LEGAL FORM FILE NOW
INCORPORATED AS PART OF
THE ORIGINAL DOCUMENT

WARRANTY DEED

20368139

THIS INDENTURE is made this 31st day of July, 2020, between ***SHOULDER 3 RANCHES, INC.***, an Idaho corporation, whose address is P.O. Box 218, Oakley, Idaho 83346 ("Grantor") and ***KAY C JONES***, a married man dealing with his sole and separate property, and ***MATTHEW JONES***, a married man dealing with his sole and separate property, 3632 Overland Avenue, Burley, Idaho 83318 ("Grantee").

WITNESSETH:

That the Grantor for and in consideration of the sum of Ten Dollars ($10.00), lawful money of the United States of America, and other good and valuable consideration, to the Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold and by these presents does grant, bargain and sell, convey and confirm unto the Grantee, and to the heirs and assigns of Grantee forever, in the following described real estate situated in the County of Cassia, State of Idaho to-wit:

SEE EXHIBIT A ATTACHED HERETO.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to said property as well in law as in equity of the Grantor.

TO HAVE AND TO HOLD, all and singular the above-mentioned and described premises, together with appurtenances unto the Grantee and to the heirs and assigns of Grantee forever.

The Grantor shall and will warrant and by these presents will forever defend the said premises in the quiet and peaceable possession of the Grantee, and the heirs and assigns of Grantee against all and every person and persons whomsoever lawfully claiming the same, except as aforesaid.

FLETCHER LAW OFFICE
BURLEY, IDAHO

IN WITNESS WHEREOF, the Grantor has executed this Deed the day and year first above written.

SHOULDER 3 RANCHES, INC.

BY _____
Tessa Poulsen, President

STATE OF ~~IDAHO~~ Utah)
) ss
County of Cassia)

On this 29 day of July, in the year 2020, before me, the undersigned, a Notary Public in and for said State, personally appeared **TESSA POULSEN**, known or identified to me to be the President of SHOULDER 3 RANCHES, INC., the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

WENDY THOMAS
Notary Public - State of Utah
Comm. No. 702623
My Commission Expires on
Oct 1, 2022

Wendy Thomas
Notary Public for ~~Idaho~~ Utah
Residing at Washington Utah
My commission expires on 10.01.2022

FLETCHER LAW OFFICE
BURLEY, IDAHO

"WARM SPRINGS PROPERTY"

**TOWNSHIP 14 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO**

Section 14: SW¼SW¼

Section 22: NE¼; SE¼NW¼; W½NW¼; NW¼SW¼; S½SW¼

Section 23: NW¼NW¼

Section 27: NW¼; N½NE¼; SW¼NE¼

Section 28: All

Subject to:

- Taxes, including any assessments collected therewith, for the year 2020 which are a lien not yet due and payable.
- The land described herein is located within the boundaries of Oakley Canal Company and is subject to any assessments levied thereby.
- The land described herein is located within the boundaries of Goose Creek Irrigation District and is subject to any assessments levied thereby.
- The land described herein is located within the boundaries of Southwest Irrigation District and is subject to any assessments levied thereby.
- Ditch, road, and public utility easements as the same may exist over said premises.
- Any adverse claim based on any ambiguity as to the location of the channel of Goose Creek.

- Terms, conditions, easements and, obligations, if any, contained in Deed by and between C.M. Carpenter and A. Carpenter, his wife and Twin Falls-Oakley Land & Water Company.
Recorded: May 17, 1910
Instrument No: 9291
(Covers a 50 foot strip of land across the SW¼NW¼ of Section 28, Township 14 South, Range 22 East of the Boise Meridian)

- Terms, conditions, easements and, obligations, if any, contained in Deed by and between J. Earl Whiteley and Amanda Whiteley, his wife and Twin Falls Oakley Land & Water Co., a Delaware Corporation.
Recorded: January 12, 1915
Instrument No: 18324
(A 50 foot strip of land across Sections 14 and 22, Township 14 South, Range 22 East of the Boise Meridian)

- Terms, conditions, easements and, obligations, if any, contained in Warranty Deed by and between Oakley Warm Springs Water Company, a corporation and Village of Oakley, a Municipal Corporation.
Recorded: June 8, 1925
Instrument No: 77153

- An easement for the purpose shown below and rights incidental thereto as set forth in Right f Way Deed.
Granted to: Village of Oakley, a municipal corporation
Recorded: October 6, 1949
Instrument No.: 167063
(Covers E½NE¼ of Section 28, Township 14 South, Range 22 East of the Boise Meridian)

- An easement for the purpose shown below and rights incidental thereto as set forth in Right of Way Deed.
Granted to: Village of Oakley, a municipal corporation
Recorded: October 6, 1949
Instrument No.: 167064

- Terms, conditions, easements, restrictions and, obligations, if any, contained in Warranty Deed by and between Earl Whiteley and Amanda B. Whiteley, husband and wife and Lewis R. Critchfield.
Recorded: October 20, 1949
Instrument No: 167177
(Cover NW¼SW¼ of Section 28, Township 14 South, Range 22 East of the Boise Meridian)

- An easement for the purpose shown below and rights incidental thereto as set forth in Easement.
Granted to: Scrivanich Inc., DBA Snake River Quartzite, Cooper Claims and or assigns
Purpose: Road Easement
Recorded: March 27, 2001
Instrument No.: 274116

"GOOSE CREEK PROPERTY"

TOWNSHIP 15 SOUTH, RANGE 21 EAST OF THE BOISE MERIDIAN
CASSIA COUNTY, IDAHO

Section 13: S½NW¼; NE¼; N½SE¼; SW¼SE¼

Section 24: W½NE¼; E½NW¼; SE¼; E½SW¼

Subject to:

- Taxes, including any assessments collected therewith, for the year 2020 which are a lien not yet due and payable.
- The land described herein is located within the boundaries of Oakley Canal Company and is subject to any assessments levied thereby.
- The land described herein is located within the boundaries of Goose Creek Irrigation District and is subject to any assessments levied thereby.
- The land described herein is located within the boundaries of Southwest Irrigation District and is subject to any assessments levied thereby.
- Ditch, road, and public utility easements as the same may exist over said premises.
- Any adverse claim based on any ambiguity as to the location of the channel of Goose Creek.

- Terms, conditions, easements, restrictions and, obligations, if any, contained in Idaho Deed by and between Union Central Life Insurance Company, a corporation and George R. Poulton and Lela Poulton, husband and wife.
Recorded: July 11, 1940
Instrument No: 136061

- An easement for the purpose shown below and rights incidental thereto as set forth in Correction Quit Claim Deed of Easement.
Granted to: Oakley Canal Company, a corporation
Recorded: June 20, 1961
Instrument No.: 2195
(Covers NE¼SE¼ of Section 13, Township 15 South, Range 21 East of the Boise Meridian)

- An easement for the purpose shown below and rights incidental thereto as set forth in Warranty Deed of Easement.
Granted to: Oakley Canal Company, a corporation
Recorded: June 30, 1963
Instrument No.: 2341
(Covers SE¼NE¼ of Section 24, Township 15 South, Range 21 East of the Boise Meridian)

- An easement for the purpose shown below and rights incidental thereto as set forth in Power Line Easement.
Granted to: Idaho Power Company, a corporation
Recorded: March 27, 1962
Instrument No.: 5963
(Covers NE¼NW¼ of Section 24, Township 15 South, Range 21 East of the Boise Meridian)

- **An easement for the purpose shown below and rights incidental thereto as set forth in Power Line Easement.**
Granted to: Idaho Power Company, a corporation
Recorded: October 11, 1977
Instrument No.: 102058
(Covers NE¼ of Section 24, Township 15 South, Range 21 East of the Boise Meridian)

- **Terms, conditions, easements and, obligations, if any, contained in Notice of Intent to Preserve Mineral Rights executed by The Union Central Life Insurance Company.**
Recorded: January 13, 2003
Instrument No: 285878

- **Terms, conditions, easements and, obligations, if any, contained in Notice of Intent to Preserve Mineral Rights executed by The Union Central Life Insurance Company.**
Recorded: March 11, 2003
Instrument No: 287187

"OTHER REAL PROPERTY"

PARCEL NO. 1:
TOWNSHIP 13 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 31: Part of the E½SW¼, more particularly described as follows:

Beginning at the South ¼ Corner of Section 31, said corner marked by a 5/8 inch rebar with a 3 inch aluminum cap on top; Thence North 89°36'56" West along the south line of Section 31 for a distance of 535.31 feet to the POINT OF BEGINNING;

Thence North 89°36'56" West along said section line for a distance of 784.03 feet to the Southwest Corner of the E½SW¼;
Thence North 00°09'40" East along the west line of the E½SW¼ for a distance of 1621.05 feet to the centerline of an irrigation canal;
Thence South 40°09'00" East along said centerline for a distance of 184.16 feet;
Thence South 51°35'20" East along said centerline for a distance of 148.63 feet;
Thence South 45°47'35" East along said centerline for a distance of 250.85 feet;
Thence South 64°38'07" East along said centerline for a distance of 155.21 feet;
Thence South 15°19'48" East along said centerline for a distance of 91.56 feet;
Thence South 06°09'26" West along said centerline for a distance of 91.68 feet;
Thence South 33°20'56" East along said centerline for a distance of 117.97 feet;
Thence South 61°42'54" East along said centerline for a distance of 185.80 feet;
Thence South 35°21'27" East along said centerline for a distance of 99.94 feet;
Thence South 20°23'44" East along said centerline for a distance of 128.96 feet;
Thence South 27°56'35" East along said centerline for a distance of 234.78 feet;
Thence South 34°48'57" West for a distance of 26.54 feet to a ½ inch rebar;
Thence South 34°48'57" West for a distance of 404.93 feet to a ½ inch rebar;
Thence South 34°27'01" East for a distance of 26.34 feet to the POINT OF BEGINNING.

PARCEL NO. 2:

TOWNSHIP 14 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 6: Part of the NW¼, more particularly described as follows:

Beginning at the North ¼ Corner of Section 6, said corner marked by a 5/8 inch rebar with a 3 inch aluminum cap on top; Thence North 89°36'56" West along the north line of Section 6 for a distance of 535.31 feet to the POINT OF BEGINNING;

Thence South 34°27'01" East for a distance of 538.99 feet to a ½ inch rebar;
Thence South 54°12'37" East for a distance of 42.53 feet to a ½ inch rebar;
Thence South 00°34'02" East for a distance of 855.82 feet to a ½ inch rebar;
Thence North 89°56'48" East for a distance of 108.31 feet to a ½ inch rebar;
Thence South 00°29'41" East for a distance of 296.10 feet to a ½ inch rebar;
Thence South 87°58'55" East for a distance of 94.00 feet to a ½ inch rebar on the east line of the NW¼;

Thence South 00°36'49" East along said ¼ section line for a distance of 1008.16 feet to a 5/8 inch rebar at the Center ¼ Corner of Section 6;
Thence North 89°48'25" West along the south line of the NW¼ for a distance of 2821.24 feet to a 5/8 inch rebar at the West ¼ Corner of Section 6;
Thence North 00°05'16" East along the west line of Section 6 for a distance of 1680.87 feet to the centerline of a county road;
Thence North 69°35'15" East along said centerline for a distance of 545.60 feet;
Thence North 68°53'22" East along said centerline for a distance of 683.22 feet;
Thence North 00°05'26" East for a distance of 21.70 feet to a ½ inch rebar;
Thence North 00°05'26" East for a distance of 491.49 feet to a ½ inch rebar on the north line of Section 6;
Thence South 89°36'56" East along said section line for a distance of 1105.70 feet to the POINT OF BEGINNING.

Subject to:

- Taxes, including any assessments collected therewith, for the year 2020 which are a lien not yet due and payable.

- The land described herein is located within the boundaries of Oakley Canal Company and is subject to any assessments levied thereby.

- The land described herein is located within the boundaries of Goose Creek Irrigation District and is subject to any assessments levied thereby.

- The land described herein is located within the boundaries of Southwest Irrigation District and is subject to any assessments levied thereby.

- Ditch, road, and public utility easements as the same may exist over said premises.

- Any adverse claim based on any ambiguity as to the location of the channel of Goose Creek.

- An easement for the purpose shown below and rights incidental thereto as set forth in Easement Over County Property.
Granted to: Marion Pipe Line Company, a corporation
Recorded: September 16, 1940
Instrument No.: 136632
(Covers Lots 3 and 4 in Section 6, Township 14 South, Range 22 East of the Boise Meridian)

- An easement for the purpose shown below and rights incidental thereto as set forth in Power Line Easement.
Granted to: Idaho Power Company, a corporation
Recorded: September 4, 1987
Instrument No.: 190648
(Covers SE¼SW¼of Section 31, Township 13 South, Range 22 East of the Boise Meridian)

- Terms, conditions, easements and, obligations, if any, contained in Waste Water Discharge Agreement by and between Robinson & Whiteley, LLC and Shoulder 3 Ranches and Acme Dairy Inc..
Recorded: August 6, 1999
Instrument No: 264360
(Covers Section 31, Township 13 South, Range 22 East of the Boise Meridian)

Bitzenburg, James

From: Bitzenburg, James
Sent: Tuesday, January 12, 2021 10:53 AM
To: IdwrPayable
Subject: Refund Request

IDWR Payable-

On August 11, 2020, our office received a *Notice of Change in Water Right Ownership* from Kay C. Jones and Matthew Jones. Six of the nine water rights listed on the Notice could be processed, but three rights lacked sufficient documentation for processing. A request was made by our office for additional information, but none has been provided. We are returning the Notice and need to refund the remaining $75.00 fee. The fee was paid by TitleOne in Burley. Their address is:

TITLEONE CORPORATION
PO BOX 177
BURLEY ID 83318-0177

They paid for the Notice with check #28844, and the receipt number is S038077. Thank you, and let me know if you need any more information.

Jim

Jim Bitzenburg
Water Resource Agent
Idaho Department of Water Resources
Southern Regional Office
Phone (208)-293-9909
james.bitzenburg@idwr.idaho.gov

State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region • 650 ADDISON AVE W STE 500 • TWIN FALLS, ID 83301-5858
Phone: (208)736-3033 • Fax: (208)736-3037 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

January 12, 2021

KAY C JONES
MATTHEW JONES
3632 OVERLAND AVE
BURLEY ID 83318-3242

RE: Water Right No(s): 45-4193, 45-2182, and 45-10472 Change in Ownership

Dear Water Right Holders:

The Idaho Department of Water Resources (Department) received a Notice of Change in Water Right Ownership (Notice) from you on August 11, 2020 for the above referenced water rights. The Notice could not be processed because the documentation submitted with the Notice was insufficient to convey ownership of the rights. We spoke on the phone and I related what the issues were, and the possible solutions.

On October 27, 2020 our office mailed a letter noting the completion of the processing of changes of ownership for rights 45-10457, 45-12751, 45-13498, 45-10458, 45-10461, and 45-10462. In the letter, the deficiencies which are preventing the processing of the ownership changes for rights 45-4193, 45-2182, and 45-10472 were outlined and remedies for the issues were suggested. That letter gave a 30 day deadline for action, which was the end of November of 2020. At this point, nothing has been received which would enable our office to process the remaining rights, so we are returning the Notice and I will initiate a refund of your $75.00 in fees which were paid when the Notice was filed. You may resubmit a Notice at any time with the proper documentation and fees.

If you have any questions regarding this matter, please contact me at (208) 293-9909.

Sincerely,

Jim Bitzenburg
Senior Water Resource Agent

Enclosure(s)

CC: TitleOne, Burley- File #20368139

State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region • 650 ADDISON AVE W STE 500 • TWIN FALLS, ID 83301-5858
Phone: (208)736-3033 • Fax: (208)736-3037 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

October 27, 2020

KAY C JONES
MATTHEW JONES
3632 OVERLAND AVE
BURLEY ID 83318-3242

Re: Change in Ownership for Water Right No(s): 45-10457, 45-12751, 45-13498, 45-10458, 45-10461, and 45-10462. **Unable to process Change in Ownership for rights 45-4193, 45-2182, and 45-10472.**

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.

As noted above, we could not process the change in ownership for rights 45-4193, 45-2182, and 45-10472 at this time because the conveyance documents provided did not convey the property appurtenant to all, or part of, the water rights. Right 45-4193 is appurtenant to land in the SE¼ and the SW¼ of Section 27, T14S, R22E. None of the documentation supplied conveyed land in those quarter sections. Similarly, a portion of right 45-2182 is appurtenant to land in the SE¼ and the SW¼ of Section 27, T14S, R22E, and without documentation conveying the two quarter sections, the ownership of that right cannot be changed, unless you wish to split the right, which would require an extra fee of $75.00. Right 45-10472 is appurtenant to property in T14S, R22E, Section 34 and none of the documentation provided conveyed property in Section 34. In order to process the change of ownership for the three rights we will need the proper conveyance documents and/or fees. If we do not receive the necessary documentation within 30 days, we will initiate a refund of the fees paid for the three rights and the change in ownership for the three rights will not be processed.

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) 293-9909.

Sincerely,

Jim Bitzenburg
Senior Water Resource Agent

Enclosure(s)

CC: TitleOne, Burley- File #20368139; WD-45C

TitleOne
a title & escrow co.

211 West 13th Street
Burley, ID 83318
Ph. (208) 881-0087
Fx. (866) 582-7546
www.titleonecorp.com

RECEIVED
AUG 11 2020
DEPT OF WATER RESOURCES
SOUTHERN REGION

ID Dept. of Water Resources
650 Addison Avenue West, Suite 500
Twin Falls, ID 83301

Date: 08/10/2020

Escrow No. 20368139
Kay C. Jones and Matthew D. Jones/Shoulder 3 Ranches, Inc.

Dear Clerk:

Enclosed with this letter please find the following documents:

1. The original executed Notice of Change in Water Right Ownership.
2. A copy of the recorded Warranty Deed.
3. TitleOne check no. 28844 made payable to Idaho Department of Water Resources in the amount of $225.00 for the transfer fee.

Please make the necessary changes in the records to indicate the new owners. Please send a receipted copy to Annette Roth, TitleOne, P. O. Box 177, Burley, ID 83318.

Should you have any questions, please do not hesitate to contact Annette at 208-878-3524.

Very truly yours,
TITLEONE

Nancy Garrett

Nancy Garrett
Administrative Assistant

AR/nrg
Enc.
FedEx