

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

RECEIVED

SEP 09 2020

Notice of Change in Water Right Ownership

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. 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?
37-772A *	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
37-11733	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
37-7581	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
*Returned	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>

2. Previous Owner's Name: Robert and Beverly Whitby

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Pardue Cattle Company of Idaho LLC

New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or ☐ and/or

PO Box 282

Carey

ID

83320

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: 11/7/2001

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.

SUPPORT DATA

IN FILE # 37-772A

☐ 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 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 SG

Date 9/9/20

Receipt No. 5038128

Receipt Amt. 16,375.00

Active in the Water Supply Bank? Yes ☐ No ☐

If yes, forward in the State Office for processing

W-9 received? Yes ☐ No ☐

Name on W-9

Approved by

Processed by JB

Date

37-11733 completed on 9-21-20 - JB

37-7581 " " 10-30-20 - JB

37-772A Returned 10-30-20 JB



RECEIVED

OCT 30 2020

DEPT OF WATER RESOURCES  
SOUTHERN REGION

### QUITCLAIM DEED OF DECREED WATER RIGHTS

This Quitclaim Deed of Decreed Water Rights is made and entered into by and between **The Nature Conservancy**, a District of Columbia non-profit corporation ("GRANTOR"), and **Pardue Cattle Company of Idaho, LLC**, an Idaho Limited Liability Company ("GRANTEE").

Whereas, GRANTOR has obtained all necessary governmental approvals to transfer any and all interest, if any, in such water rights to GRANTEE;

Now, therefore, for valuable consideration, receipt of which is hereby acknowledged, GRANTOR does hereby bargain, sell, remise, convey, and forever quitclaim to GRANTEE any and all interest GRANTOR has, if any, in water right no. 37-7581 to GRANTEE.

IN WITNESS WHEREOF, Grantor has executed this instrument on this 29 day of October, 2020.

GRANTOR:

The Nature Conservancy, a District  
of Columbia nonprofit corporation

By: Tess O'Sullivan

Name: Tess O'Sullivan

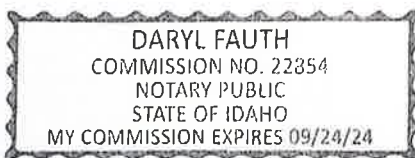
Its: Land Conservation Strategy Lead

STATE OF Idaho )  
 )ss.

COUNTY OF Bonne )

The foregoing instrument was acknowledged before me this 29th day of Oct, 2020,  
by Tess O'Sullivan [name], Land Conservation Strategy Lead [title] of The Nature  
Conservancy, a District of Columbia nonprofit corporation.

[SEAL]



(Notary's official signature)

(Commission expiration date)

9/24/24



Gery W. Edson  
GERY W. EDSON, P.A.  
713 W. Franklin Street  
P.O. Box 448  
Boise, Idaho 83701  
Telephone: (208) 345-8700  
Facsimile: (208) 389-9449  
Idaho State Bar No. 2984

Attorneys for Pardue Land Company, Ltd.

RECEIVED  
Sheriff Office  
BLAINE COUNTY

MAY 25 2000

Hr. 12 Min. 15 M  
JERRY FEMLING, SHERIFF  
BY [Signature] Civil Deputy

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT  
OF THE STATE OF IDAHO IN AND FOR THE COUNTY OF BLAINE

BENEFICIAL MORTGAGE CO.	)	
OF IDAHO, an Idaho corporation,	)	Case No. CV 99-5889
	)	
Plaintiff,	)	
	)	
vs.	)	SHERIFF'S DEED
	)	
WILLIAM L. LAIDLAW, JUDITH	)	
E. LAIDLAW, UNITED STATES OF	)	
AMERICA, and FIRST AMERICAN	)	
TITLE COMPANY, Trustee,	)	
	)	
Defendants.	)	
	)	

This indenture, made this 25<sup>th</sup> day of MAY, 2000, between Walt J. Femling, Blaine County Sheriff, State of Idaho, and Pardue Land Company Ltd., purchaser by assignment from the successful bidder, Beneficial Mortgage Company of Idaho.

WHEREAS, in and by that certain Decree of Foreclosure which was duly made and entered in the District Court of the Fifth Judicial District of Blaine County, Idaho, on the 12<sup>th</sup> day of October, 1999, and re-entered *nunc pro tunc* on December 23, 1999, and again on January 10, 2000, in that certain action then pending in said Court, wherein Beneficial Mortgage Company of



Idaho was plaintiff and William L. and Judith E. Laidlaw, the United States of America and First American Title Company, as trustee, were defendants, and of which said Decree, a copy, with an Order of Sale thereon, was delivered to said sheriff, for execution, it was, among other things, ordered, adjudged and decreed, that all and singular the mortgaged premises described in the Complaint in said action, and specifically described in said Decree, be sold at public auction by said sheriff, in the manner required by law, and according to the course and practice of said court; that any of the parties to said action might become the purchaser at such sale; and that said sheriff execute the usual certificates and deeds to the purchaser, as required by law;

AND WHEREAS, said sheriff did, at the hour of 9:00 a.m. on the 9<sup>th</sup> day of March, 2000, after due public notice had been given, as required by the laws of this state, and the course and practice of said court, duly sell at public auction, in front of the courthouse in Blaine County, Idaho, pursuant to said Decree, and the provisions of law, the premises in said Decree mentioned; at which sale the premises in said Decree and hereinafter described, were fairly struck off to the successful bidder Beneficial Mortgage Company of Idaho per credit bid for the sum of \$361,900.00, by credit bid it being the highest bidder and that being the highest sum bidden for the same;

AND WHEREAS, Beneficial Mortgage Company of Idaho thereupon credited its indebtedness which, at the time of sale was \$364,939.73 by the amount of the credit bid;

AND WHEREAS, said sheriff thereupon made and issued the usual Certificate, in duplicate, of said sale in due form of law, and delivered one thereof to the successful purchaser, Beneficial Mortgage Company of Idaho, and caused the other to be filed and recorded in the Recorder's Office in Blaine County as instrument No. 437318;



AND WHEREAS, the successful bidder, Beneficial Mortgage Company of Idaho subsequently made an Assignment of Sheriff's Certificate of Sale of Real Estate to Pardue Land Company Ltd., which assignment was duly recorded in the records of the Blaine County Recorder's Office as instrument No. 437676;

AND WHEREAS, the redemption rights of William L. Laidlaw and Judith E. Laidlaw as provided for in Idaho Code § 11-310 and 11-401 were assigned by the redemptioner to Pardue Land Company Ltd., so as to create a unity of title;

NOW, Walt J. Femling, Sheriff of Blaine County, in order to carry into affect this sale so made by him as aforesaid, and pursuant of said Decree, and in conformity to the statutes in such case made and provided, and also, in consideration of the premises and of said credit bid of \$361,900.00 so bid by Pardue Land Company, Ltd., as assignee of Beneficial Mortgage Company of Idaho, the receipt whereof is hereby acknowledged, has granted, bargained and sold, and by these presents does grant, bargain, sell and convey unto said purchaser and to its successors and assigns forever, the following described real property:

SEE ATTACHED EXHIBIT "A" HERETO.

Together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD all and singular the premises above mentioned and described, and hereby conveyed, or intended so to be, together with the appurtenances, to said Pardue Land Company, Ltd., a Texas limited partnership, its successors and assigns forever.



IN WITNESS WHEREOF, said grantor as Sheriff aforesaid hereunto sets his hand the  
day and year first above written.



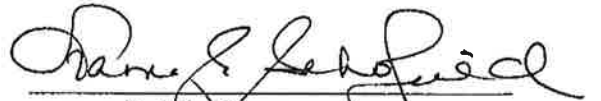
WALT J. FEMLING  
SHERIFF OF BLAINE COUNTY  
STATE OF IDAHO

STATE OF IDAHO )

County of Blaine)

I, TAMMY E. SCHOFIELD notary public for the state of Idaho do hereby certify that  
Walt J. Femling, Sheriff of Blaine County, State of Idaho, who is to me known to be the person  
named in and who executed the foregoing deed of conveyance, this day personally appeared  
before me and acknowledged that he executed the same as said Sheriff of Blaine County, for the  
uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand this 25<sup>th</sup> day of MAY,  
2000.



Notary Public for Idaho  
Residing at Blaine County  
My Commission expires: 2-2006



SCHEDULE A

Order Number: 99009083

LEGAL DESCRIPTION

TOWNSHIP 1 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN, BLAINE COUNTY, IDAHO:

PARCEL I:

SECTION 8:

SE1/4 NE1/4, NE1/4 SE1/4

SECTION 9:

SW1/4 NW1/4, NW1/4 SW1/4

SECTION 9:

All of the SW1/4 SW1/4 lying Northerly and Westerly of Highway right-of-way, EXCEPTING THEREFROM the following described parcel of land in the SW1/4, more particularly described as follows:

COMMENCING at the Southwest corner of said Section 9; thence N., 01°16'00"W., 42.13 feet along the Westerly boundary of said Section 9 to the Northerly boundary of U.S. Highway No. 93A; thence N. 59°54'00"E., 8.97 feet along said Northerly boundary of U.S. Highway 93A to a point of curvature; thence 485.80 feet around a curve to the left with a central angle of 09°43'00", a tangent of 243.50 feet and a radius of 2,865.00 feet; thence N.50°11'00"E., 516.36 feet along said Northerly boundary to an iron pin marking the REAL POINT OF BEGINNING; thence continuing N., 50°11'00"E., 435.60 feet along said Northerly boundary to an iron pin; thence N. 39°49'00"W., 100.00 feet to an iron pin; thence S. 50°11'00"W., 435.60 feet to and iron pin; thence S. 39°49'00"E., 100.00 feet to the REAL POINT OF BEGINNING.

SECTION 9:

A portion of the NW1/4 NW1/4 more particularly described as follows:

BEGINNING at a point 707.5 feet East of the Northwest corner of Section 9, the TRUE POINT OF BEGINNING; thence running due South a distance of 90 feet; thence running due West and parallel to the North boundary of said Section a distance of 85 feet; thence due North a distance of 90 feet to the North boundary of said Section; thence East along North boundary of said Section a distance of 85 feet to the TRUE POINT OF BEGINNING.

Continued on next page

EXHIBIT A



Continuation of Schedule A - Legal Description  
Order Number: 99009083

TOWNSHIP 1 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN, BLAINE  
COUNTY, IDAHO:

PARCEL II:

SECTION 9:

All of the N1/2 NW1/4, EXCEPT a piece of land described as follows:

BEGINNING at a point 707.5 feet East of the Northwest corner of Section 9, the TRUE POINT OF BEGINNING; thence running due South a distance of 90 feet; thence running due West and parallel to the North boundary of said Section, a distance of 85 feet; thence due North a distance of 90 feet to the North boundary of said Section; thence East along North boundary of said Section a distance of 85 feet to the TRUE POINT OF BEGINNING.

SECTION 9:

NE1/4 SE1/4

All of the NW1/4 NE1/4, EXCEPT the following described tract:

COMMENCING at the Northwest corner of NW1/4 NE1/4 and running thence South 260.5 feet; thence East 260.5 feet; thence North 260.5 feet; thence West 260.5 feet, to the POINT OF BEGINNING.

All of the NW1/4 SE1/4, EXCEPT Highway right of way. (Tax Lot 1880 & 1881)

All of the SW1/4 NE1/4, EXCEPT Highway right of way. (Tax Lot 1882 & 1883)

All of the SE1/4 NE1/4, EXCEPT Highway right of way. (Tax Lot 1884 & 1885)

All of the NE1/4 NE1/4, EXCEPT Highway right of way. (Tax Lot 1886 & 1887)

SECTION 10:

All of the NW1/4 NW1/4, EXCEPT Highway right of way. (Tax Lot 1888 & 1889)

All of the N1/2 S1/2 NW1/4. (Tax Lot 1120 & 1121)



WARRANTY DEED

GRANTOR, Pardue Land Company, Ltd. of Texas, a limited partnership, for good and valuable consideration, does hereby GRANT, BARGAIN, SELL and CONVEY, unto Pardue Cattle Company L.L.C., a Texas limited liability company whose current address is 11110 Woodmeadow Parkway, Suite A, Dallas, Texas 75228 as GRANTEE, and to grantee's heirs and assigns forever, all of the following described real estate situated in Blaine County, to wit:

See attached Exhibit "A."

To have and to hold said premises together with their appurtenances unto the Grantee, its heirs and assigns forever. Said Grantor does hereby covenant to Grantee that it is the owner in fee simple of said premises and the premises are free from all encumbrances and that Grantor will warrant and defend the same from all lawful claims.

IN WITNESS WHEREOF, Grantor has hereunto subscribed its name to this instrument this 24<sup>th</sup> day of September 2002.

Instrument # 471578

HAILEY, BLAINE, IDAHO

2002-10-02 12:30:00 No. of Pages: 3

Recorded for : GERY W EDSON, PA

MARSHA RIEMANN

Fee: 9.00

Ex-Officio Recorder Deputy

Index to: WTY/QC/CORP DEED

Randal Wayne Pardue  
Pardue Land Company Ltd.  
By its General Partner,  
Pardue Development Company, LLC,  
By its Manager, Randal Wayne Pardue

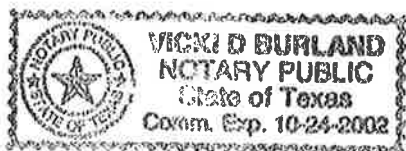
STATE OF Texas )  
 ) §  
County of Dallas )

On this 24<sup>th</sup> day of September 2002, before me, Randal Wayne Pardue, known or identified to me to be the Manager and President in the limited liability company of Pardue Development Company LLC, and is the general partner in Pardue Land Company, Ltd. who subscribed said name to the foregoing instrument and acknowledged to me that he executed the same in said partnership 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

(SEAL)

Vicki D. Burland  
Notary Public for Texas  
Residing at: Dallas  
My commission expires: 10-24-02





SCHEDULE A

Order Number: 99009083

LEGAL DESCRIPTION

TOWNSHIP 1 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN, BLAINE COUNTY, IDAHO:

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Continued on next page

EXHIBIT

A



Continuation of Schedule A - Legal Description  
Order Number: 99009083

TOWNSHIP 1 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN, BLAINE  
COUNTY, IDAHO:

PARCEL II:

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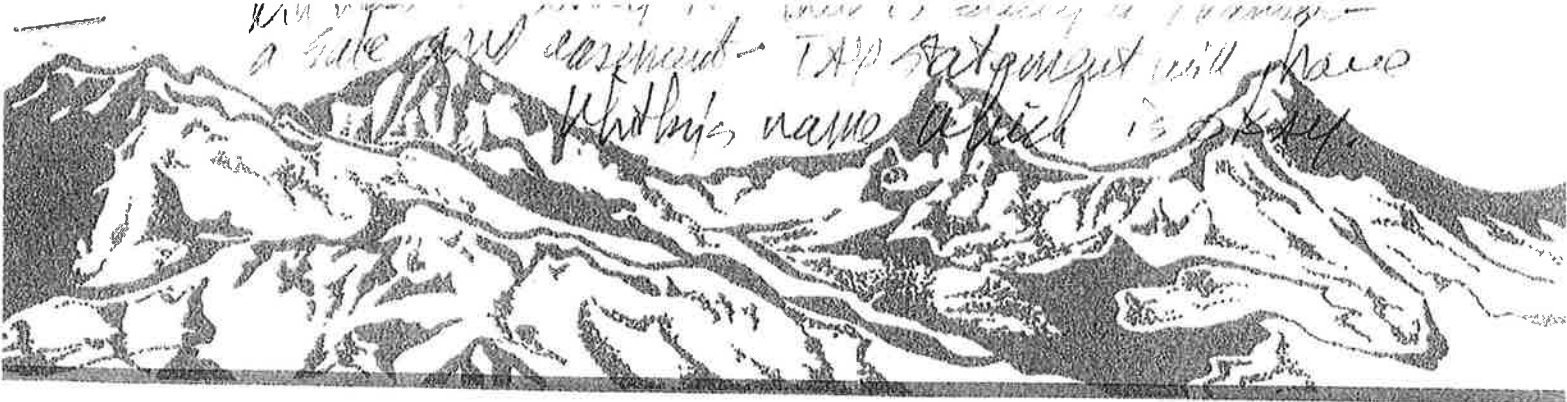
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All of the N1/2 S1/2 NW1/4. (Tax Lot 1120 & 1121)





**Blaine County Assessor**  
**Valdi Pace**

Assessor's Office (208) 788-5535  
FAX (208) 788-5542

206 1st Avenue S., Suite 105  
Hailey, Idaho 83333

*Surveyor Arc Pointe Land Company*

Pardue Land Company, Ltd  
11110 Woodmeadow Parkway, Suite A  
Dallas, Texas 75228

March 31, 2000

PARCEL: 01S2200105210A & 01S220095170A & 01S22008515AA  
LEGAL DESCRIPTION- Fraction of section 8,9, 10 taxlots 1888,1189, 1886, 1887,1880,1881,  
1882,1883,1884,1885,4959,

COMMENTS; Sheriff's Deed 437676 dated 3-28-2000

Dear Mr Pardue,

Idaho law requires that the Assessor maintain a full, accurate and complete plat book with property ownership. Good plat maps help us locate parcels, determine their area, and decide how they relate to adjoining parcels. Correct ownership records ensure that the right person receives the parcel assessment notice and tax bills. In processing the above parcel transfer, our staff has found the following problems:

\_\_\_\_ grantor does not appear to  
owner of record

\_\_\_\_ deed conflicts with city/county ordinance

\_\_\_\_ grantors name is not  
identical to record owners name

☒ parcels legal description does not close to  
state standards (Idaho code 55-1911)

\_\_\_\_ parcel description does not  
agree with previously recorded

\_\_\_\_ parcels legal description is not complete  
description

\_\_\_\_ parcel appears to over lap adjacent  
parcel

☒ parcels legal description is not sufficient  
and accurate for platting 63-210

523 - 7 2000



COMMENTS;

I am enclosing copies of the tax rolls on the properties that were recently transferred in to Your name through the Sheriffs deed. I am enclosing a map of your purchase, with the taxlots and where they are located. These old taxlot descriptions are not sufficient to transfer property, or to determine acreage for taxation. See the legals from 1938, which only say north or south of the road. Since you purchased this property from the United States Marshall, I can only ask you to obtain new legals on these parcels.

This will probably require a survey of the property in the future, and no further deeds will be accepted by this office using the existing legal descriptions. We have been holding these properties since the deed to Laidlaw from Whitby, years ago, thus the parcels still show Whitby.

If you have any questions concerning this situation, or need to look at the maps or legals, please give me a call, or stop by the office.

Sincerely,

A handwritten signature in cursive script, appearing to read "Vivian C. Ivie".

Vivian C. Ivie  
Chief Deputy Assessor





## Blaine County Assessor

Valdi Pace

Assessor's Office (208) 788-5535  
FAX (208) 788-5542

206 1st Avenue S., Suite 105  
Hailey, Idaho 83333

October 9, 2002

Pardue Cattle Company, LLC  
11110 Woodmeadow Parkway, Suite A  
Dallas, Texas 75228

PARCEL: deed # 471578  
LEGAL DESCRIPTION-01S22008515AA, 01S220105210A, 01S220095170A  
WHITBY LAND TO PARDUE CATTLE

Dear Sir:

Idaho law requires that the Assessor maintain a full, accurate and complete plat book with property ownership. Good plat maps help us locate parcels, determine their area, and decide how they relate to adjoining parcels. Correct ownership records ensure that the right person receives the parcel assessment notice and tax bills.

In processing the above parcel transfer, our staff has found the following problems:

\_\_\_\_ grantor does not appear to  
owner of record

\_\_\_\_ deed conflicts with city/county ordinance  
OR STATE LAW

\_\_\_\_ grantors name is not  
to record owners name

\_\_\_\_ parcels legal description does not close to identical  
state standards (Idaho code 55-1911)

\_\_\_\_ parcel description does not  
agree with previously recorded

\_XX\_ parcels legal description is not complete  
description

\_\_\_\_ parcel appears to over lap adjacent

xx\_ parcels legal description is not sufficient  
to change the tax rolls



Mr. Pardue,

The deed recorded 10-02-2002 from Pardue Land Company, Ltd to Pardue Cattle Company, LLC has legal descriptions that cannot be platted or used to transfer Property. This property was obtained through a sheriffs deed ( the Whitby Place) And therefore the legals used by the Sheriff were old and not appropriate to transfer Property.

We will change the tax rolls to Pardue Cattle Company, LLC, but will insist on New metes and bounds legal decription to transfer property in the future. Please contact a Surveyor or engineer for help with this project. If you have any questions, please feel Free to call me.

Sincerely,

A handwritten signature in cursive script, appearing to read "Vivian Ivie".

Vivian Ivie  
Chief Deputy Assessor

En: parcels, legals, map





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](http://www.idwr.idaho.gov)

Brad Little  
Governor

Gary Spackman  
Director

October 30, 2020

PARDUE CATTLE COMPANY OF IDAHO LLC  
PO BOX 282  
CAREY ID 83320-0282

Re: Change in Ownership for Water Right No(s): 37-7581; right 37-772A removed from Notice

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.

As requested by your attorney, Chris Bromley, I have removed right 37-772A from the notice and have initiated a refund request to our State office for the \$25.00 fee.

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) 293-9909.

Sincerely,

Jim Bitzenburg  
Senior Water Resource Agent

Enclosure(s)

CC: Chris Bromley, McHugh Bromley, PLLC; WD-130



## **Bitzenburg, James**

---

**From:** Bitzenburg, James  
**Sent:** Friday, October 30, 2020 11:20 AM  
**To:** IdwrPayable  
**Subject:** Refund request

I processed a change of ownership for a group of water rights for Pardue Cattle Company of Idaho, LLC. One right (37-772A) could not be processed, so I marked that right as returned, and we need to refund the \$25.00 fee to the law firm representing Pardue, McHugh Bromley, PLLC. Could you send them a refund for the \$25.00 fee? Their address is:

**McHugh Bromley PLLC  
380 S 4<sup>th</sup> ST STE 103  
BOISE ID 83702**

They paid for the ownership change with check #5116, and the receipt number is S038128. 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)-736-3033  
[james.bitzenburg@idwr.idaho.gov](mailto:james.bitzenburg@idwr.idaho.gov)**



## Bitzenburg, James

---

**From:** Chris Bromley <cbromley@mchughbromley.com>  
**Sent:** Friday, October 30, 2020 10:58 AM  
**To:** Bitzenburg, James  
**Subject:** RE: Correction of water right number

Jim,

Yes, 37-772A is the one to not include. PTSD...you bet!

As I've said for years, a lot of this could be taken care of with easy legislation that requires a change of ownership to be filed when parcels of X number of acres (5 or greater?) are conveyed. I talked with Judge Wildman one time about this 5 or so years ago. He was surprised to hear that ownership wasn't being updated.

Chris

**From:** Bitzenburg, James <James.Bitzenburg@idwr.idaho.gov>  
**Sent:** Friday, October 30, 2020 10:47 AM  
**To:** Chris Bromley <cbromley@mchughbromley.com>  
**Subject:** Correction of water right number

Chris-

Just to clarify, the water right you want dropped from the Whitby to Pardue Cattle Company of Idaho, LLC *Notice of Change in Water Right Ownership* is 37-772A, and not 37-722A, as you mentioned in your email from earlier today? I hadn't noticed it until now, but that's also the number you had in the cover letter for the three ownership changes dated September 8, 2020. The water right number on the Notice was 37-772A, so that's what I've been working with. Right 37-722A doesn't exist.

I have no doubt that water right ownership changes will someday be found to be a cause of PTSD.

Jim

**Jim Bitzenburg**  
**Water Resource Agent**  
**Idaho Department of Water Resources**  
**Southern Regional Office**  
**Phone (208)-736-3033**  
**[james.bitzenburg@idwr.idaho.gov](mailto:james.bitzenburg@idwr.idaho.gov)**



RECEIVED

OCT 30 2020

DEPT OF WATER RESOURCES  
SOUTHERN REGION

**Bitzenburg, James**

**From:** Chris Bromley <cbromley@mchughbromley.com>  
**Sent:** Friday, October 30, 2020 9:22 AM  
**To:** Bitzenburg, James  
**Subject:** RE: Pardue Cattle Company of Idaho, LLC ownership change  
**Attachments:** ScanPro Oct 29, 2020 5.18 PM.pdf

Jim,

Thanks for your patience working through these with me. Ownership changes for large places of use aren't usually great to begin with, but these are more complicated than most that I've dealt with.

Attached is a quitclaim deed from TNC to get ownership fully changed for water right no. 37-7581. (I have a similar one from TNC to P&C that I'll send in a bit.)

Water right no. 37-722A isn't within the POU, that was my mistake, so that one can be dropped.

I'll find out about that 1-acre parcel. When I looked at the conveyance documents, the water wasn't reserved, so the way it stands right now, that parcel got water. I'll see if the client is able to get a quitclaim from the owner and get back with you.

Thanks,

Chris

**From:** Bitzenburg, James <James.Bitzenburg@idwr.idaho.gov>  
**Sent:** Tuesday, October 27, 2020 2:41 PM  
**To:** Chris Bromley <cbromley@mchughbromley.com>  
**Subject:** RE: Pardue Cattle Company of Idaho, LLC ownership change

Chris-

The quitclaim deeds do not have to be recorded, our guidance on that is based on Idaho Code 55-815.

The quitclaim deed from TNC to Pardue for that little 2.3 acre portion in the SESE of Section 4, T01S, R22E would allow us to complete the ownership change for right 37-7581.

Right 37-772A was included in the Notice, but we haven't gotten any conveyance documents to change that, and I wasn't sure that one was on Pardue ground, anyway? Have you gotten any word from them on that one?

The other issue we had was for the group of six rights- 37-734, 37-736, 37-754, 37-12021, 37-12022, and 37-12023. There was a one acre parcel (the Shaffer parcel) in the SESW of Section 4, T01S, R22E. We either need to get a quitclaim from the owner of that parcel quitclaiming any interest in the six rights to Pardue, or we'll need to split all six rights. I'm not sure if that is one of the quitclaims you are after. That was the one they were going to check the chain of deeds to see if the rights were withheld when that parcel was sold.

We are getting closer...

Thanks for all of your work on this.





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](http://www.idwr.idaho.gov)

Brad Little  
Governor

Gary Spackman  
Director

September 21, 2020

PARDUE CATTLE COMPANY OF IDAHO LLC  
PO BOX 282  
CAREY ID 83320-0282

Re: Change in Ownership for Water Right No(s): 37-11733, 37-12031, and 37-12032

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.

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.

We will delay processing of ownership changes for rights 37-772A, 37-7581, 37-734, 37-736, 37-754, 37-12021, 37-12022, and 37-12023 until we receive further information which will allow us to complete the processing of those changes. I have been in contact with your attorney, Chris Bromley, and will wait for communication from him.

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: Chris M. Bromley, McHugh Bromley, PLLC