

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

OCT 18 2019

DEPT OF WATER RESOURCES
SOUTHERN 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?
43-13724	Yes ☐	Yes ☐		Yes ☐	Yes ☐
43-13725	Yes ☐	Yes ☐		Yes ☐	Yes ☐
43-13726	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: High Country Sprayers LLC
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Michael J Mitten Jr Michael J Mitten Jr
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 1206 E 2000 S Elba ID 83342
Mailing address City State ZIP
208-431-9978 ecpreone62@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: _____
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.

SUPPORT DATA

IN FILE # 43-13724

8. Signature: Michael J Mitten Jr owner 5-3-18
Signature of new owner/claimant Title, if applicable Date
- Signature: _____ Title, if applicable Date

For IDWR Office Use Only:

Received by SG Date 10/18/19 Receipt No. 5037595 Receipt Amt. \$75.00

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 BN Date 11/1/2019

CASSIA COUNTY

Recorded for:

HIGH COUNTRY SPRAYERS LLC

4:21:08 pm 12-08-2016

2016-005168

No. Pages: 4

Fee: \$19.00

JOSEPH W. LARSEN

County Clerk

Deputy: CVELASQUEZ

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:
PETER M. WELLS
216 W. Whitman St.
Pocatello, Idaho
83204

Warranty Deed

For value received High Country Sprayers, LLC, Grantor, whose principal place of business is 1206 E. 2000 S., Elba, Idaho, conveys, grants, bargains, and sells to Michael Joseph Mitten, Jr., a single man, Grantee, of 2184 S. Elba-Almo Highway, Elba, Idaho, and his successors and assigns forever, the real property situated in Cassia County, State of Idaho, and more particularly described in Exhibit A, attached hereto and incorporated herein by this reference.

SUBJECT TO taxes and assessments for all subsequent years, together with any and all existing easements, rights-of-way, reservations, restrictions and encumbrances of record, to any existing tenancies, to all zoning laws and ordinances, and to any state of facts an accurate survey or inspection of the premises would show.

This conveyance shall include any and all estate, right, title, interest, appurtenances, tenements, hereditaments, reversions, remainders, easements, rents, issues, profits, rights-of-way, mineral rights, and water rights in anywise appertaining to the real property herein described.

The Grantor covenants to the Grantee that Grantor is the owner in fee simple of said real property; that the real property is free from all encumbrances, excepting those as may be herein set forth, and excepting those of record, and that Grantor will warrant and defend the same from all lawful claims.

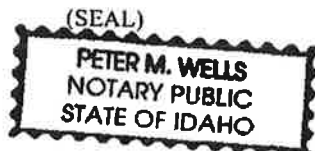
DATED THIS 9th OF NOVEMBER, 2016.


Marcile T. Edwards for High Country
Sprayers, LLC

STATE OF Idaho)
) ss.
County of Cassia)

Marcile T. Edwards a member of High Country Sprayers, LLC, Grantor, being first duly sworn upon her oath, deposes and states: That she is a member of High Country Sprayers, LLC, (Grantor), and is authorized to execute the above-entitled Warranty Deed, that she has read the above and foregoing instrument, and knows the contents thereof and the facts therein stated she believes to be true.

SUBSCRIBED AND SWORN to before me this 9 day of November, 2016.




Notary Public for Idaho
Residing at Oakley, ID
Commission Expires: 4-25-20

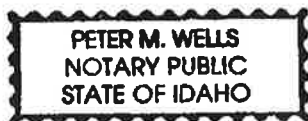

Kris K. Edwards for High Country
Sprayers, LLC

STATE OF Idaho)
) ss.
County of Cassia)

Kris K. Edwards a member of High Country Sprayers, LLC, Grantor, being first duly sworn upon his oath, deposes and states: That he is a member of High Country Sprayers, LLC, (Grantor), and is authorized to execute the above-entitled Warranty Deed, that he has read the above and foregoing instrument, and knows the contents thereof and the facts therein stated he believes to be true.

SUBSCRIBED AND SWORN to before me this 9 day of November, 2016.

(SEAL)



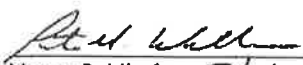

Notary Public for Idaho
Residing at Quincy, Idaho
Commission Expires: 4-25-20

EXHIBIT A

October 31, 2016
JOB # 11835-1600
HIGH COUNTRY SPRAYERS, LLC SURVEY



PARCEL 1

L E G A L D E S C R I P T I O N

Part of the SE $\frac{1}{4}$ of Section 32 in Township 13 South, Range 25
East of the Boise Meridian, Cassia County, State of Idaho.

Beginning at the South $\frac{1}{4}$ Corner of Section 32 in T.13 S., R.25
E., B.M. said corner marked by a $\frac{1}{2}$ " rebar with a 3" aluminum cap
on top; Thence South 89 degrees 58 minutes 30 seconds East
(East, Rec.) along the south line of Section 32 for a distance
of 247.50 feet (15 Rods, Rec.); Thence North 00 degrees 15
minutes 58 seconds East (North, Rec.) for a distance of 220.00
feet (13 $\frac{1}{2}$ Rods, Rec.) to a $\frac{1}{2}$ " rebar which shall be the Point of
Beginning;

THENCE North 00 degrees 15 minutes 58 seconds East (North,
Rec.) for a distance of 220.00 feet (13 $\frac{1}{2}$ Rods, Rec.) to a $\frac{1}{2}$ "
rebar;

THENCE South 89 degrees 58 minutes 30 seconds East (East,
Rec.) for a distance of 2440.01 feet (145 Rods, Rec.) to a $\frac{1}{2}$ "
rebar on the east line of Section 32;

THENCE South 00 degrees 04 minutes 39 seconds West (South,
Rec.) along said line for a distance of 220.00 feet (13 $\frac{1}{2}$ Rods,
Rec.) to a $\frac{1}{2}$ " rebar;

THENCE North 89 degrees 58 minutes 30 seconds West (West,
Rec.) for a distance of 2440.74 feet (145 Rods, Rec.) to the
Point Of Beginning.

Said property contains 12.33 acres more or less and is subject
to any easements or right of ways, existing or of record.

PREPARED BY:
Desert West Land Surveys
2020 Overland Ave.
Burley, Idaho 83318

Note: This legal description was written from a survey performed
by LS 3623 recorded as Instrument No. 2008-002993. No survey was
performed on the ground at the time that this legal description
was written.

Not#

CASSIA COUNTY
RECORDED FOR:
TITLEONE - RUPERT
10:27:11 AM 12-06-2016
2016-005138
NO. PAGES: 2 FEE: \$13.00
JOSEPH W. LARSEN
COUNTY CLERK
DEPUTY: CVELASQUEZ
Electronically Recorded by Simplifile

WHEN RECORDED RETURN TO:
ZIONS BANCORPORATION
P.O. Box 25007
WEST VALLEY CITY, UT 84125-0007
ATTN: Cindy Beck
Customer: High Country Sprayers LLC
ZFN-3036867/0411

**RELEASE OF HAZARDOUS SUBSTANCES CERTIFICATE AND INDEMNITY
AGREEMENT**

ZB, N.A. dba Zions First National Bank, successor by name change of Zions First National Bank ("Zions") certifies that the indebtedness secured by the certain HAZARDOUS SUBSTANCES CERTIFICATE AND INDEMNITY AGREEMENT has been fully paid and satisfied and said Certificate is hereby released and discharged, in which Certificate was executed and delivered to ZB, N.A. dba Zions First National Bank, on or about November 20, 2014 by High Country Sprayers, LLC, and recorded in the office of the County Recorder of Cassia, State of Idaho on January 8, 2015 as Entry No. 2015-000095 covers the following described real property situated in Cassia, County state of Idaho:

SEE ATTACHED EXHIBIT "A"

The Real Property tax identification number is RP13S25E328750A.

IN WITNESS WHEREOF, ZB, N.A. dba Zions First National Bank has caused this Release to be executed this 28th day of November, 2016.

ZB, N.A. dba Zions First National Bank


Brandon M. Blackburn, VICE PRESIDENT

STATE OF UTAH)
 ss
COUNTY OF SALT LAKE)

On this 28th day of November, 2016 before me, the undersigned notary public, personally appeared Brandon M. Blackburn, personally known to me to be the person who executed the above document in he capacity as Vice President of ZB, N.A. dba Zions First National Bank.




NOTARY PUBLIC

My commission expires: 8.10.20

Residing in: Salt Lake

60

No#

WHEN RECORDED RETURN TO:
ZIONS FIRST BANCORPORATION
PO BOX 25007
WEST VALLEY CITY, UT 841125-0007
ATTN: Cindy Beck
CUSTOMER: High Country Sprayers
ZFN-30368670411

CASSIA COUNTY
RECORDED FOR:
TITLEONE - RUPERT
10:27:06 AM 12-06-2016
2016-005137
NO. PAGES: 2 FEE: \$13.00
JOSEPH W. LARSEN
COUNTY CLERK
DEPUTY: CVELASQUEZ
Electronically Recorded by Simplifile

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

RELEASE OF ASSIGNMENT OF RENTS

ZB, N.A. dba Zions First National Bank, successor by name change of Zions First National Bank certifies that the indebtedness secured by the certain ASSIGNMENT OF RENTS has been fully paid and satisfied and said Assignment is hereby released and discharged, in which Assignment was executed and delivered to ZB, N.A. dba Zions First National Bank, successor by name change of Zions First National Bank on the 20th, day of November 2014, by High Country Sprayers LLC (the "Grantor"), and recorded in the office of the County Recorder of Cassia County, State of Idaho, on the 10th, day of December 2014, as Entry Number 2014-004942, which covers the following described real property situated in Cassia County, State of Idaho:

SEE ATTACHED EXHIBIT "A"

The Real Property tax identification number is RP13S25E328750A.

IN WITNESS WHEREOF, ZB, N.A. dba Zions First National Bank, successor by name change of Zions First National Bank has caused this Release to be executed on the 28th, Day of November, 2016.

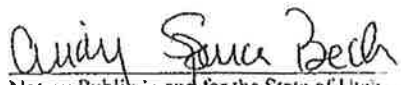
ZB, N.A. dba Zions First National Bank


Brandon M. Blackburn, VICE PRESIDENT

STATE OF UTAH)
SS
COUNTY OF SALT LAKE)

On the 28th day of November, 2016, personally appeared before me Brandon M. Blackburn, who being by me duly sworn did say that he is the Vice President of ZB, N.A. dba Zions First National Bank, Salt Lake City, Utah, and that said instrument was signed in behalf of said National Association by authority of a resolution of its Board of Directors; and said Brandon M. Blackburn acknowledged to me that the said ZB, N.A. dba Zions First National Bank, Salt Lake City, Utah, executed the same.




Notary Public in and for the State of Utah
My commission expires: 8.10.20
Residing at Salt Lake City

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EXHIBIT A

This EXHIBIT A is attached to and by this reference is made a part of the ASSIGNMENT OF RENTS, dated November 20, 2014, and executed in connection with a loan or other financial accommodations between ZIONS FIRST NATIONAL BANK and HIGH COUNTRY SPRAYERS LLC.

PARCEL NO. 1:

TOWNSHIP 13 SOUTH, RANGE 25 EAST OF THE BOISE MERIDIAN, CASSIA COUNTY, IDAHO.

SECTION 32: PART OF THE S 1/2 SE 1/4, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT 15 RODS EAST AND 13 1/3 RODS NORTH OF THE SOUTHWEST CORNER OF THE SE 1/4 OF SAID SECTION 32, WHICH SHALL BE THE POINT OF BEGINNING;

THENCE EAST 145 RODS;

THENCE NORTH 13 1/3 RODS;

THENCE WEST 145 RODS;

THENCE SOUTH 13 1/3 RODS TO THE POINT OF BEGINNING.

PARCEL NO. 2:

A NON-EXCLUSIVE PERPETUAL ACCESS EASEMENT FOR THE BENEFIT OF PARCEL NO. 1 AS CREATED BY EASEMENT, BY AND BETWEEN GORDON O. EDWARDS AND MARCILE T. EDWARDS, HUSBAND AND WIFE, AND HIGH COUNTRY SPRAYERS, LLC, AN IDAHO LIMITED LIABILITY COMPANY, DATED JULY 30, 2008 AND RECORDED OCTOBER 9, 2008 AS INSTRUMENT NO. 2008-005689, RECORDS OF CASSIA COUNTY, OVER AND ACROSS THE EAST 30 FEET OF THE FOLLOWING DESCRIBED PROPERTY:

TOWNSHIP 13 SOUTH, RANGE 25 EAST OF THE BOISE MERIDIAN, CASSIA COUNTY, IDAHO.

SECTION 32: PART OF THE SW 1/4 SE 1/4, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE SE 1/4 OF SAID SECTION 32;

THENCE NORTH 16 RODS;

THENCE EAST 15 RODS;

THENCE SOUTH 16 RODS;

THENCE WEST 15 RODS TO THE POINT OF BEGINNING.

No #

CASSIA COUNTY
RECORDED FOR:
TITLEONE - BURLEY
02:29:43 PM 12-06-2016
2016-005142
NO. PAGES: 1 FEE: \$10.00
JOSEPH W. LARSEN
COUNTY CLERK
DEPUTY: CVELASQUEZ
Electronically Recorded by Simplifile

DEED OF RECONVEYANCE

LAND TITLE AND ESCROW, INC., an Idaho Corporation, as Trustee in the Deed of Trust executed by **High Country Sprayers LLC, an Idaho limited liability company**, recorded **December 10, 2014**, as Instrument No. **2014-004941**, records of Cassia County, Idaho, pursuant to the written request of the Beneficiary, does hereby Grant and Reconvey unto the parties entitled thereto:

High Country Sprayers LLC, an Idaho limited liability company

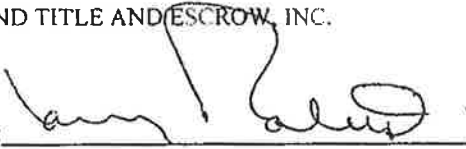
without warranty, all the estate and interest derived to it by or through said Deed of Trust, in the lands therein described.

The corporate name subscribed by its Senior Vice President is pursuant to a resolution authorizing the execution of this reconveyance duly adopted by its Board of Directors.

Dated: December 6, 2016

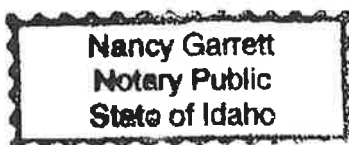


LAND TITLE AND ESCROW, INC.

BY: 
Larry Roberts, Senior Vice President

STATE OF IDAHO)
) ss.
COUNTY OF Cassia)

On this 6th day of December, 2016, before me, the undersigned, a Notary Public in and for said State, personally appeared **Larry Roberts** known or identified to me to be the Senior Vice President of 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.




Notary Public
Residing at: Burley, ID
My Commission expires: 2-5-2020



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

November 01, 2019

MICHAEL J MITTEN JR
1206 E 2000 S
ELBA ID 83342-8605

Re: Change in Ownership for Water Right No(s): 43-13724, 43-13725, and 43-13726

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.

If you have any questions concerning the enclosed information, please contact me at (208) 293-9904.

Sincerely,

Benny Walker
Water Resource Agent, Senior

Enclosure(s)

Cc. Water District 43C