

RECEIVED ✓

OCT 09 2018

DEPT OF WATER RESOURCES
SOUTHERN REGION

RECEIVED

DEC 05 2018

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

DEPARTMENT OF
WATER RESOURCES

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?
45-309A <i>no split</i>	Yes ☒	Yes ☐		Yes ☐	Yes ☐
45-10786 <i>no split</i>	Yes ☒	Yes ☐		Yes ☐	Yes ☐
45-266D	Yes ☒	Yes ☐		Yes ☐	Yes ☐
45-14514	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: LaVon G. Cunningham
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Prefontaine Green Chop, Inc.
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 450 East 110 South 450 East Burley ID. 83318
Mailing address City State ZIP
- 208-280-0268 danpref@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: September 28, 2018
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.

SUPPORT DATA

IN FILE # 45-266D

8. Signature: [Signature] Title, if applicable Date
Signature of new owner/claimant
- Signature: Linda Prefontaine Title, if applicable Date
Signature of new owner/claimant

For IDWR Office Use Only:

Received by AM Date 10-9-2018 Receipt No. SO36993 Receipt Amt. \$300-

Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing di W-9 received? Yes ☐ No ☐

Name on W-9 _____ Approved by _____ Processed by _____ Date 12-10-18



ELECTRONICALLY RECORDED
STAMPED FIRST PAGE NOW
INCORPORATED AS PART OF
THE ORIGINAL DOCUMENT.

CASSIA COUNTY
RECORDED FOR:
TITLEONE - BURLEY
09:00:05 AM 10-01-2018
2018-003809
NO. PAGES: 2 FEE: \$15.00
JOSEPH W. LARSEN
COUNTY CLERK
DEPUTY: CVELASQUEZ
Electronically Recorded by Simplifile

Order Number: 18320645

WARRANTY DEED

For Value Received,

Patkin Idaho, LLC, an Idaho limited liability company, the Grantor, does hereby grant, bargain sell and convey unto, Prefontaine Green Chop, Inc., an Idaho corporation, whose current address is 450 E 110 S, Burley, ID 83318, the Grantee, the following described premises, in Cassia County, Idaho, To Wit:

TOWNSHIP 12 SOUTH, RANGE 25 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 6: Part of the S $\frac{1}{2}$ SE $\frac{1}{4}$, more particularly described as follows:

Beginning at the Southeast corner of said Section 6 (monumented by a 5/8 inch rebar with a 3 inch Cassia County cap); Thence along the South section line South 89°33'54" West (South 89°51'24" West for 60.71 feet, rec. and South 89°50'56" West for 1057.42 feet, rec.) for a distance of 1118.41 feet to a 1/2 inch rebar which shall be the Point of Beginning;
Thence North 00°23'25" West (North 00°08'25" West, rec.) for a distance of 167.11 feet (167.09 feet, rec.) to a 1/2 inch rebar;
Thence North 56°30'53" East (North 56°48'32" East, rec.) for a distance of 326.87 feet (326.82 feet, rec.) to a 1/2 inch rebar;
Thence North 89°38'12" East (North 89°52'46" East, rec.) for a distance of 175.16 feet (175.27 feet, rec.) to a 1/2 inch rebar;
Thence North 00°24'26" West (North 00°07'44" West, rec.) for a distance of 254.80 feet (254.82 feet, rec.) to a 1/2 inch rebar and the Westerly right-of-way of State Highway 77;
Thence North 45°49'00" West (North 45°31'51" West, rec.) for a distance of 287.37 feet (287.31 feet, rec.) to a 1/2 inch rebar;
Thence South 89°33'54" West (South 89°50'56" West, rec.) for a distance of 1236.37 feet (317.83 feet and 919.50 feet, rec.);
Thence South 00°45'15" West (South 00°59'12" West, rec.) for a distance of 801.97 feet;
Thence North 89°33'54" East (North 89°50'56" East, rec.) for a distance of 1008.17 feet (1008.38 feet, rec.) to the Point of Beginning.



Order Number: 18320645

WARRANTY DEED

For Value Received,

Patkin Idaho, LLC, an Idaho limited liability company, the Grantor, does hereby grant, bargain sell and convey unto, Prefontaine Green Chop, Inc., an Idaho corporation, whose current address is 450 E 110 S, Burley, ID 83318, the Grantee, the following described premises, in Cassia County, Idaho, To Wit:

TOWNSHIP 12 SOUTH, RANGE 25 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 6: Part of the S $\frac{1}{2}$ SE $\frac{1}{4}$, more particularly described as follows:

Beginning at the Southeast corner of said Section 6 (monumented by a 5/8 inch rebar with a 3 inch Cassia County cap); Thence along the South section line South 89°33'54" West (South 89°51'24" West for 60.71 feet, rec. and South 89°50'56" West for 1057.42 feet, rec.) for a distance of 1118.41 feet to a 1/2 inch rebar which shall be the Point of Beginning;
Thence North 00°23'25" West (North 00°08'25" West, rec.) for a distance of 167.11 feet (167.09 feet, rec.) to a 1/2 inch rebar;
Thence North 56°30'53" East (North 56°48'32" East, rec.) for a distance of 326.87 feet (326.82 feet, rec.) to a 1/2 inch rebar;
Thence North 89°38'12" East (North 89°52'46" East, rec.) for a distance of 175.16 feet (175.27 feet, rec.) to a 1/2 inch rebar;
Thence North 00°24'26" West (North 00°07'44" West, rec.) for a distance of 254.80 feet (254.82 feet, rec.) to a 1/2 inch rebar and the Westerly right-of-way of State Highway 77;
Thence North 45°49'00" West (North 45°31'51" West, rec.) for a distance of 287.37 feet (287.31 feet, rec.) to a 1/2 inch rebar;
Thence South 89°33'54" West (South 89°50'56" West, rec.) for a distance of 1236.37 feet (317.83 feet and 919.50 feet, rec.);
Thence South 00°45'15" West (South 00°59'12" West, rec.) for a distance of 801.97 feet;
Thence North 89°33'54" East (North 89°50'56" East, rec.) for a distance of 1008.17 feet (1008.38 feet, rec.) to the Point of Beginning.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

Dated: September 28, 2018

Patkin Idaho, LLC, an Idaho limited liability company

By:

Todd G. Patkin, Member

State of Idaho, County of Norfolk, ss.
Massachusetts

On this 28th day of September 2018, before me, the undersigned, a Notary Public in and for said State, personally appeared Todd Patkin, known or identified to me to be a member of Patkin Idaho, LLC, a limited liability company that executed the within instrument and acknowledged to me that he executed the same for and on behalf of said limited liability company and that such limited liability company executed it.

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

Andrew J. Gallant
Notary Public for ~~Idaho~~ Massachusetts
Residing In: Newton, MA
My Commission Expires: 12/14/2018



ANDREW J. GALLANT
Notary Public
Commonwealth of Massachusetts
My Commission Expires
December 14, 2018

309874

QUITCLAIM DEED

#42217

For Value Received

Todd G. Patkin, a married man dealing with his sole and separate property

Hereinafter called the grantor, hereby remises, releases, and forever Quitclaims unto

Patkin Idaho, LLC an Idaho limited liability company
 ADDRESS: 11 Mary Way
 Foxboro, MA 02035

Hereinafter called the grantee, the following described premises, in Cassia County, Idaho to-wit:

TOWNSHIP 12 SOUTH, RANGE 25 EAST OF THE BOISE MERIDIAN,
 CASSIA COUNTY, IDAHO

RECORDED AT THE REQUEST OF
 LAND TITLE & ESCROW

2003 JUL 23 AM 10:39

FEE \$60.00 DEPUTY 26

CASSIA COUNTY, IDAHO
 LARRY A. MICKELSEN
 RECORDER

309874

Section 6: Part of the S $\frac{1}{2}$ SE $\frac{1}{4}$, more particularly described as follows:

Beginning at the Southeast corner of said Section 6(monumented by a 5/8 inch rebar with a 3 inch Cassia County cap); Thence along the South section line South 89°51'24" West for a distance of 60.71 feet (recorded as 56.99 feet) to a point on the Westerly right-of-way of State Highway 77; Thence along the South section line South 89°50'56" West for a distance of 1057.42 feet to the Point of Beginning;

Thence North 00°08'25" West for a distance of 167.09 feet;

Thence North 56°48'32" East for a distance of 326.82 feet;

Thence North 89°52'46" East for a distance of 175.27 feet;

Thence North 00°07'44" West for a distance of 254.82 feet to the Westerly right-of-way of State Highway 77;

Thence North 45°31'51" West for a distance of 287.31 feet;

Thence South 89°50'56" West for a distance of 317.83 feet;

Thence South 89°50'56" West for a distance of 919.50 feet;

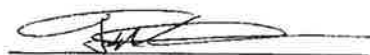
Thence South 00°59'12" West for a distance of 801.97 feet;

Thence North 89°50'56" East for a distance of 1008.38 feet to the Point of Beginning.

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to Idaho Department of Water Resources Water Right Numbers 45-266D, 45-309A, 45-10786.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto said Grantee, and the grantee's heirs and assigns forever.

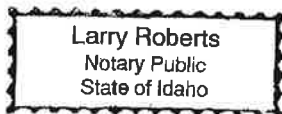
Dated: July 25, 2006

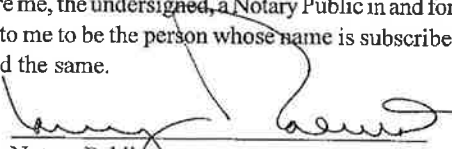


Todd G. Patkin

STATE OF IDAHO)
) ss.
COUNTY OF CASSIA)

On this 25th day of July, 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared Todd G. Patkin, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.




Notary Public
Residing at: Burley, ID
My Commission expires: 6-30-09

309873

WARRANTY DEED

#42217

For Value Received

LaVon G. Cunningham, a single man

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

Todd G. Patkin, a married man dealing with his sole and separate property
Address: 11 Mary Way
Foxboro, MA 02035

RECORDED AT THE REQUEST OF
LAND TITLE & ESCROW
2009 JUL 28 AM 10:38
FEE \$6.00
CASSIA COUNTY, IDAHO
LARRY A. MICKELSEN
RECORDER
DEPUTY
309873

Hereinafter called the Grantee, the following described premises situated in Cassia County, Idaho, to-wit:

TOWNSHIP 12 SOUTH, RANGE 25 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 6: Part of the S $\frac{1}{2}$ SE $\frac{1}{4}$, more particularly described as follows:

Beginning at the Southeast corner of said Section 6(monumented by a 5/8 inch rebar with a 3 inch Cassia County cap); Thence along the South section line South 89°51'24" West for a distance of 60.71 feet (recorded as 56.99 feet) to a point on the Westerly right-of-way of State Highway 77; Thence along the South section line South 89°50'56" West for a distance of 1057.42 feet to the Point of Beginning;

Thence North 00°08'25" West for a distance of 167.09 feet;

Thence North 56°48'32" East for a distance of 326.82 feet;

Thence North 89°52'46" East for a distance of 175.27 feet;

Thence North 00°07'44" West for a distance of 254.82 feet to the Westerly right-of-way of State Highway 77;

Thence North 45°31'51" West for a distance of 287.31 feet;

Thence South 89°50'56" West for a distance of 317.83 feet;

Thence South 89°50'56" West for a distance of 919.50 feet;

Thence South 00°59'12" West for a distance of 801.97 feet;

Thence North 89°50'56" East for a distance of 1008.38 feet to the Point of Beginning.

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to Idaho Department of Water Resources Water Right Numbers 45-266D, 45-309A, 45-10786

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

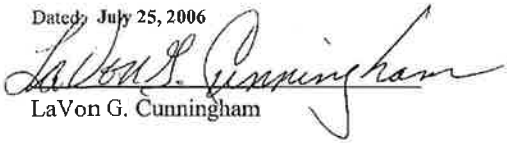
Taxes for 2006 and subsequent years.

Agreement For Electric Service between Raft River Rural Electric Cooperative, Inc., an Idaho rural electric Cooperative of Malta, Seller and LaVon Cunningham, Consumer, dated December 14, 1994 and recorded June 6, 1995 as Instrument No. 234595 on Film No. 261, records of Cassia County, Idaho, covering the SE¼SE¼ of Section 6, Township 12 South, Range 25 East of the Boise Meridian.

Effect of Agreement for Electrical Service and Easement between Raft River Rural Electric Cooperative, Inc., an Idaho rural electric Cooperative of Malta, Seller and Michael Koenig and Dawn Koenig, Consumer, dated October 9, 2002, and recorded May 30, 2003 as Instrument No. 289017, records of Cassia County, Idaho.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

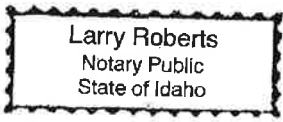
Dated: July 25, 2006

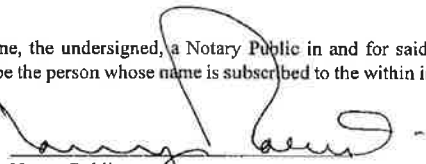

LaVon G. Cunningham

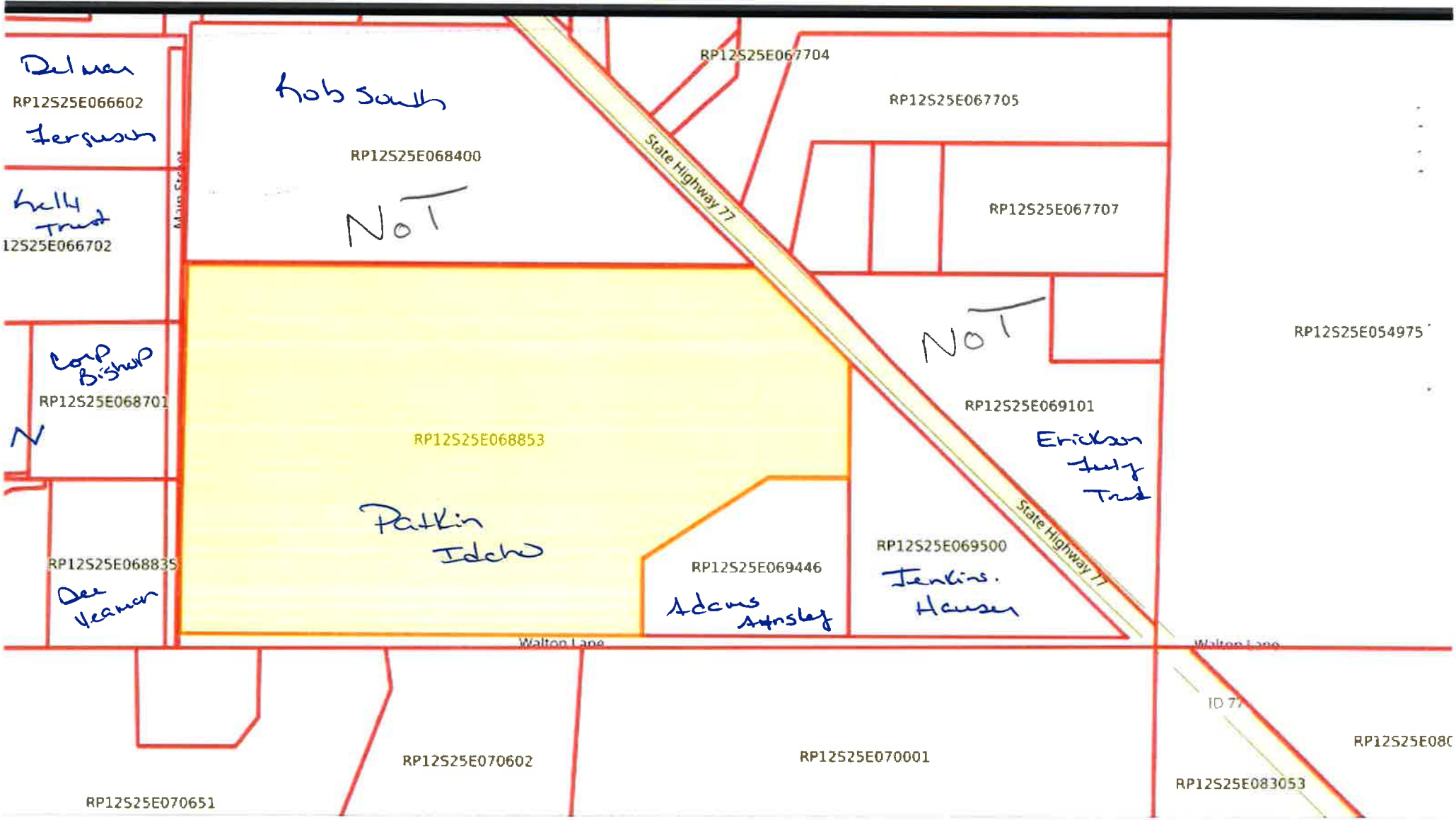
STATE OF IDAHO)

COUNTY OF CASSIA) ss.

On this 28th day of July, 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared **LaVon G. Cunningham**, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.


Larry Roberts
Notary Public
State of Idaho


Notary Public
Residing at: Burley
My Commission expires: 06/30/2009



No. C 171782		Due no later than Mar 31, 2018 Annual Report Form		2. Registered Agent and Address (NO PO BOX)	
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE		1. Mailing Address: Correct in this box if needed. PREFONTAINE GREEN CHOP, INC. DANIEL C PREFONTAINE 110 S 450 E BURLEY ID 83318		DANIEL C PREFONTAINE 149 WEST 600 SOUTH BURLEY ID 83318	
				3. <u>New</u> Registered Agent Signature:*	
4. Corporations: Enter Names and Business Addresses of President, Secretary, and Directors. Treasurer (optional).					
Office Held	Name	Street or PO Address	City	State	Country Postal Code
PRESIDENT	DANIEL C PREFONTAINE	110 S 450 E	BURLEY	ID	USA 83318
SECRETARY	LINDA D PREFONTAINE	149 WEST 600 SOUTH P.O. BOX 1201	BURLEY	ID	USA 83318
5. Organized Under the Laws of: ID C 171782		6. Annual Report must be signed.* Signature: Jennifer Dayley Name (type or print): Jennifer Dayley Date: 01/29/2018 Title: Bookkeeper			
Processed 01/29/2018		* Electronically provided signatures are accepted as original signatures.			



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 E FRONT ST STE 648 PO BOX 83720 • BOISE, ID 83720-0098

Phone: (208)287-4800 • Fax: (208)287-6700 • Website: www.idwr.idaho.gov

C.L. "Butch" Otter
Governor

Gary Spackman
Director

December 10, 2018

PREFONTAINE GREEN CHOP INC
110 S 450 E
BURLEY ID 83318-5407

Re: Change in Water Right Ownership: 45-266 D (Split into 45-266 D and **45-14514**), 45-309A,
and 45-10786

Dear Water Right Holder:

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of a portion of the above referenced water rights to you. The Department has modified its records based on the information received and has enclosed a computer-generated report for you.

Your portion of each water right has a specified point of diversion, nature of use and place of use. If you plan to change the authorized point of diversion, nature of use, or place of use, including adding a new point of diversion, you must file an Application for Transfer of Water Right. If you do not plan to change any elements of your water right, then no further action is required at this time.

The portion of the water right retained by the original right holder retains the original water right number. The Department is sending the original right holder a copy of this letter and a computer-generated report showing the changes to the original water right.

Please note, water rights 45-309A and 45-10786 did not require a split, therefore a refund has been requested and will be sent to TitleOne Corp. under separate cover.

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) 287-4920.

Sincerely,

Debbi Judd
Technical Records Specialist

Enclosures

c: Viola and La Von Cunningham
TitleOne Corp.
Water District 45F

Judd, Debbi

From: Judd, Debbi
Sent: Monday, December 10, 2018 9:53 AM
To: Marston, Sascha
Subject: Refund request

TO: Sascha Marston

FROM: Debbi Judd

DATE: December 10, 2018

RE: Refund: Ownership change

Please refund \$150. Ownership change of two water rights did not require a split.

NAME: TITLEONE CORP

ADDRESS: PO BOX 177
BURLEY ID 83381

RECEIPT #: So36993

Thank you.

Debbi

Debbi Judd
Technical Records Specialist
debbi.judd@idwr.idaho.gov

Idaho Department of Water Resources
322 E Front St
PO Box 83720
Boise, ID 83720-0098
208-287-4920
www.idwr.idaho.gov



TitleOne

a title & escrow co.

October 5, 2018

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

RE: TitleOne File No. 18320645
Prefontaine Green Chop, Inc./Patkin Idaho, LLC

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. A copy of the recorded Quitclaim Deed from Todd G. Patkin to Patkin Idaho, LLC.
4. A copy of the recorded Warranty Deed from LaVon G. Cunningham to Todd G. Patkin.
5. A plat map.
6. TitleOne Corporation's check no. 17108 payable to Idaho Department of Water Resources in the amount of \$300.00 for the transfer fees.

Please make the necessary changes in the records to indicate the new owner as Prefontaine Green Chop, Inc. Please send a receipted copy to this office.

Very truly yours,

TITLEONE CORPORATION

Nancy Garrett

Administrative Assistant

AR/nrg
Enc.
FedEx

RECEIVED

OCT 09 2018

DEPT OF WATER RESOURCES
SOUTHERN REGION

RECEIVED

DEC 05 2018

DEPARTMENT OF
WATER RESOURCES