

RECEIVED

MAY 09 2018

DEPARTMENT OF
WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED
MAY 02 2018
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?
43-301	Yes ☐	Yes ☐	43-10522	Yes ☐	Yes ☐
43-4232	Yes ☐	Yes ☐	43-10523	Yes ☐	Yes ☐
43-4240	Yes ☐	Yes ☐	43-10123	Yes ☐	Yes ☐
not updated → 43-10518	Yes ☐	Yes ☐	43-4233	Yes ☐	Yes ☐
43-10521	Yes ☐	Yes ☐	43-2573	Yes ☐	Yes ☐

2. Previous Owner's Name: Barbara E. Gardiner and Golden F. Gardiner
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Nolan K. Branch and LuAnn S. Branch
New owner(s) as listed on the conveyance document
- P.O. Box 24
Mailing address
(208) 260-1020
Telephone
- Malta
City
Branchfarms@hotmail.com
Email
- Name connector ☐ and ☐ or ☒ and/or
ID. 83342
State ZIP
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):
 o \$25 per *undivided* water right.
 o \$100 per *split* water right.
 o No fee is required for pending adjudication claims.
☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

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

Signature: [Signature] Title, if applicable _____ Date _____
Signature of new owner/claimant

For IDWR Office Use Only:

Received by [Signature] Date 5-2-2018 Receipt No. 5036719 Receipt Amt. \$175-4
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 [Signature] Date 9-25-18



CASSIA COUNTY
RECORDED FOR:
TITLEONE - BURLEY
02:02:50 PM 04-30-2018
2018-001657
NO. PAGES: 4 FEE: \$15.00
JOSEPH W. LARSEN
COUNTY CLERK
DEPUTY: CVELASQUEZ
Electronically Recorded by Simplifile

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

Order Number: 18308603

WARRANTY DEED

For Value Received,

Spence A. Gardiner as Personal Representative of The Estate of Golden F. Gardiner and Barbara E. Gardiner; the Grantor, does hereby grant, bargain sell and convey unto, Nolan K. Branch and LuAnn S. Branch husband and wife, whose current address is P.O. Box 24, Malta, Idaho 83342 the Grantee, the following described premises, in Cassia County, Idaho, To Wit:

PARCEL NO. 1:
TOWNSHIP 13 SOUTH, RANGE 26 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Part of the SE $\frac{1}{4}$ of Section 23 AND Part of the W $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 24 AND Part of the W $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 25
AND Part of the NE $\frac{1}{4}$ of Section 26, more particularly described as follows:

Beginning at the Southeast Corner of Section 23, said corner marked by a U.S. G.L.O. iron pipe with brass cap;
Thence South 89°48'06" West along the south line of Section 23 for a distance of 2118.90 feet to the Point of Beginning;
Thence North 59°13'40" West for a distance of 463.98 feet to a $\frac{1}{2}$ inch rebar;
Thence South 89°40'35" West for a distance of 125.00 feet to a $\frac{1}{2}$ inch rebar on the west line of the SE $\frac{1}{4}$ of Section 23;
Thence North 00°10'49" East along said $\frac{1}{4}$ section line for a distance of 2388.69 feet to a $\frac{5}{8}$ inch rebar at the Center $\frac{1}{4}$ Corner of Section 23;
Thence North 89°54'27" East along the north line of the SE $\frac{1}{4}$ of Section 23 for a distance of 2633.46 feet to a U.S. G.L.O. iron pipe with brass cap at the West $\frac{1}{4}$ Corner of Section 24;
Thence North 89°32'56" East along the north line of the W $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 24 for a distance of 1283.75 feet to a $\frac{1}{2}$ inch rebar on the westerly right-of-way of State Highway 81;
Thence South 00°04'22" East along said right-of-way for a distance of 1314.59 feet;
Thence South 89°46'07" West along said right-of-way for a distance of 10.00 feet to a right-of-way marker;
Thence South 00°03'57" East along said right-of-way for a distance of 1309.81 feet to the north line of Section 25;
Thence South 00°03'57" East along said right-of-way for a distance of 2570.47 feet to a $\frac{1}{2}$ inch rebar;
Thence South 89°52'51" West for a distance of 1276.38 feet to the east line of Section 26;
Thence South 89°52'51" West for a distance of 834.38 feet to a $\frac{1}{2}$ inch rebar;
Thence North 05°56'07" West for a distance of 2315.57 feet to a $\frac{1}{2}$ inch rebar;
Thence South 89°24'14" West for a distance of 605.79 feet to a $\frac{1}{2}$ inch rebar;
Thence North 59°13'40" West for a distance of 513.50 feet to the Point of Beginning.



TitleOne
a title & escrow co.

(1)

Order Number: 18308603

WARRANTY DEED

For Value Received,

Spence A. Gardiner as Personal Representative of The Estate of Golden F. Gardiner and Barbara E. Gardiner; the Grantor, does hereby grant, bargain sell and convey unto, Nolan K. Branch and LuAnn S. Branch husband and wife, whose current address is P.O. Box 24, Malta, Idaho 83342 the Grantee, the following described premises, in Cassia County, Idaho, To Wit:

PARCEL NO. 1:

TOWNSHIP 13 SOUTH, RANGE 26 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Part of the SE $\frac{1}{4}$ of Section 23 AND Part of the W $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 24 AND Part of the W $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 25
AND Part of the NE $\frac{1}{4}$ of Section 26, more particularly described as follows:

Beginning at the Southeast Corner of Section 23, said corner marked by a U.S. G.L.O. iron pipe with brass cap;
Thence South 89°48'06" West along the south line of Section 23 for a distance of 2118.90 feet to the Point of Beginning;
Thence North 59°13'40" West for a distance of 463.98 feet to a $\frac{1}{2}$ inch rebar;
Thence South 89°40'35" West for a distance of 125.00 feet to a $\frac{1}{2}$ inch rebar on the west line of the SE $\frac{1}{4}$ of Section 23;
Thence North 00°10'49" East along said $\frac{1}{4}$ section line for a distance of 2388.69 feet to a $\frac{5}{8}$ inch rebar at the Center $\frac{1}{4}$ Corner of Section 23;
Thence North 89°54'27" East along the north line of the SE $\frac{1}{4}$ of Section 23 for a distance of 2633.46 feet to a U.S. G.L.O. iron pipe with brass cap at the West $\frac{1}{4}$ Corner of Section 24;
Thence North 89°32'56" East along the north line of the W $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 24 for a distance of 1283.75 feet to a $\frac{1}{2}$ inch rebar on the westerly right-of-way of State Highway 81;
Thence South 00°04'22" East along said right-of-way for a distance of 1314.59 feet;
Thence South 89°46'07" West along said right-of-way for a distance of 10.00 feet to a right-of-way marker;
Thence South 00°03'57" East along said right-of-way for a distance of 1309.81 feet to the north line of Section 25;
Thence South 00°03'57" East along said right-of-way for a distance of 2570.47 feet to a $\frac{1}{2}$ inch rebar;
Thence South 89°52'51" West for a distance of 1276.38 feet to the east line of Section 26;
Thence South 89°52'51" West for a distance of 834.38 feet to a $\frac{1}{2}$ inch rebar;
Thence North 05°56'07" West for a distance of 2315.57 feet to a $\frac{1}{2}$ inch rebar;
Thence South 89°24'14" West for a distance of 605.79 feet to a $\frac{1}{2}$ inch rebar;
Thence North 59°13'40" West for a distance of 513.50 feet to the Point of Beginning.

2551609.489
1230209.628

RESERVING a non-exclusive perpetual easement for ingress and egress for the benefit of the real property described on Exhibit "A" more particularly described as follows:

TOWNSHIP 13 SOUTH, RANGE 26 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Part of the W $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 25 AND Part of the NE $\frac{1}{4}$ of Section 26 more particularly described as follows:

Beginning at the Northwest Corner of Section 25 said corner marked by a U. S. G.L.O. iron pipe with brass cap; Thence South 00°02'33" East along the west line of Section 25 for a distance of 134.23 feet to the Point of Beginning;

Thence North 83°06'39" East for a distance of 316.15 feet;
Thence South 87°34'56" East for a distance of 95.13 feet;
Thence South 78°18'27" East for a distance of 145.86 feet;
Thence South 74°07'52" East for a distance of 752.55 feet to the westerly right-of-way of State Highway 81;
Thence South 00°03'57" East along said right-of-way for a distance of 26.00 feet;
Thence North 74°07'52" West for a distance of 758.78 feet;
Thence North 78°18'27" West for a distance of 142.92 feet;
Thence North 87°34'56" West for a distance of 91.06 feet;
Thence South 83°06'39" West for a distance of 317.12 feet to the east line of Section 26;
Thence South 83°06'39" West for a distance of 1077.23 feet;
Thence North 05°56'07" West for a distance of 25.00 feet to a $\frac{1}{2}$ inch rebar;
Thence North 83°06'39" East for a distance of 1079.82 feet to the Point of Beginning.

PARCEL NO. 2:

TOWNSHIP 13 SOUTH, RANGE 26 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 24: Part of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ and Part of the NE $\frac{1}{4}$ SW $\frac{1}{4}$, more particularly described as follows;

Beginning at the Northeast Corner of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 24, said corner marked by a $\frac{5}{8}$ inch rebar;
Thence South 00°03'25" West along the east line of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ for a distance of 884.33 feet to a $\frac{1}{2}$ inch rebar which shall be the Point of Beginning;
Thence South 00°03'25" West along the east line of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ for a distance of 430.27 feet to a $\frac{5}{8}$ inch rebar at the Southeast Corner of the NW $\frac{1}{4}$ SE $\frac{1}{4}$;
Thence South 89°36'14" West along the south line of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ for a distance of 1323.00 feet to a $\frac{5}{8}$ inch rebar at the Southeast Corner of the NE $\frac{1}{4}$ SW $\frac{1}{4}$;
Thence South 89°35'45" West along the south line of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ for a distance of 1281.17 feet to a $\frac{1}{2}$ inch rebar on the easterly right-of-way of State Highway 81;
Thence North 00°05'00" West along said right-of-way for a distance of 401.16 feet to a $\frac{1}{2}$ inch rebar;
Thence North 25°09'29" East for a distance of 344.29 feet to a $\frac{1}{2}$ inch rebar;
Thence North 39°18'16" East for a distance of 395.93 feet to a $\frac{1}{2}$ inch rebar;
Thence North 58°17'24" East for a distance of 441.67 feet to a $\frac{1}{2}$ inch rebar;
Thence North 81°33'25" East for a distance of 123.36 feet to a $\frac{1}{2}$ inch rebar;
Thence North 00°18'11" East for a distance of 49.90 feet to a $\frac{1}{2}$ inch rebar on the north line of the NE $\frac{1}{4}$ SW $\frac{1}{4}$;
Thence North 89°32'56" East along said line for a distance of 387.29 feet to the Center $\frac{1}{4}$ Corner of Section 24;
Thence North 89°32'56" East along the north line of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ for a distance of 516.01 feet to a $\frac{1}{2}$ inch rebar;
Thence South 49°13'59" East for a distance of 735.92 feet to a $\frac{1}{2}$ inch rebar;
Thence South 32°01'11" East for a distance of 194.30 feet to a $\frac{1}{2}$ inch rebar;
Thence South 32°09'29" East for a distance of 274.85 feet to the Point of Beginning.

PARCEL NO. 3:
TOWNSHIP 13 SOUTH, RANGE 26 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 24: Part of the SE $\frac{1}{4}$ NW $\frac{1}{4}$, more particularly described as follows:

Beginning at a point 24 feet North and 40 feet East of the Southwest corner of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 24,
said point is on the East boundary line of U.S. Highway 30 South;
Thence East 86 feet;
Thence North 686 feet;
Thence West 86 feet to the East boundary of said highway;
Thence South 686 feet 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: April 27, 2018

The Estate of Golden F. Gardiner and Barbara E. Gardiner

BY: Spencer A. Gardiner

Spencer A. Gardiner, Personal Representative

State of Idaho)

) ss:

County of Cassia)

On this 27 day of April 2018, before me, the undersigned, a Notary Public in and for said State, personally appeared Spencer A. Gardiner known or identified to me to be the person whose name is subscribed to the within instrument, as Personal Representative of the Estate of Golden F. Gardiner and Barbara E. Gardiner and acknowledged to me that he executed the same as Personal Representative and that such Estate executed it.

Annette Roth
Notary Public

My Commission Expires 8-4-2023

ANNETTE ROTH
NOTARY PUBLIC
STATE OF IDAHO

EXHIBIT 'A'

PARCEL 1

TOWNSHIP 13 SOUTH, RANGE 26 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Part of the SE¼ of Section 23 AND Part of the W½NW¼ of Section 25 AND Part of the NE¼ of Section 26, more particularly described as follows:

Beginning at the Southeast corner of Section 23 said corner marked by a U. S. G.L.O. iron pipe with brass cap; Thence South 89°48'06" West along the south line of Section 23 for a distance of 2118.90 feet to the Point of Beginning;
Thence South 59°13'40" East for a distance of 513.50 feet to a ½ inch rebar;
Thence North 89°24'14" East for a distance of 605.79 feet to a ½ inch rebar;
Thence South 05°56'07" East for a distance of 2315.57 feet to a ½ inch rebar;
Thence North 89°52'51" East for a distance of 834.38 feet to the west line of Section 25;
Thence North 89°52'51" East for a distance of 1276.38 feet to a ½ inch rebar on the westerly right-of-way of State Highway 81;
Thence South 00°03'57" East along said right-of-way for a distance of 66.37 feet to a ½ inch rebar on the south line of the W½NW¼ of Section 25;
Thence South 89°35'22" West along said ¼ section line for a distance of 1276.43 feet to a U. S. G.L.O. iron pipe with brass cap at the East ¼ corner of Section 26;
Thence South 89°52'51" West along the south line of the NE¼ of Section 26 for a distance of 2636.25 feet to a 5/8 inch rebar at the Center ¼ Corner of Section 26;
Thence North 00°11'46" West along the west line of the NE¼ of Section 26 for a distance of 2634.39 feet to a U. S. G.L.O. iron pipe with brass cap at the South ¼ Corner of Section 23;
Thence North 00°10'49" East along the west line of the SE¼ of Section 23 for a distance of 238.50 feet to a ½ inch rebar;
Thence North 89°40'35" East for a distance of 125.00 feet to a ½ inch rebar;
Thence South 59°13'40" East for a distance of 463.98 feet to the Point of Beginning.

RECEIVED
SEP 20 2018
DEPT OF WATER RESOURCES

QUITCLAIM DEED

QUITCLAIM DEED, made this 20th day of September, 2018

Matthew and Marie Jeanne Gardiner of 234 S. 100 W., St George, Washington County, Utah ("grantor"), for and in consideration of value received, do hereby convey, release, remise, and forever quitclaim unto

Nolan K. Branch and Luann S. Branch ("grantee"), whose mailing address is P. O. Box 24, 45 West 4th North, Malta, Idaho 83342 his/her heirs and assigns, all their right, title, and interest in and to the following water rights:

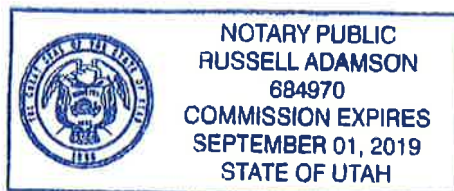
Cassia Creek Water Rights 43-301, 43-4232, and 43-4240.

IN WITNESS WHEREOF, the grantor has executed this deed on the date set forth above.

Grantor *Matthew Gardiner* 9/20/18

Grantor *Marie Jeanne Gardiner* 9/20/18

The foregoing instrument was acknowledged before me, *Russell Adamson*, a notary public in and for the state of *Utah* by *Matthew Gardiner and Marie Jeanne Gardiner* on the *20* day of *September*, 20 *18*. Witness my hand and official seal *Russell Adamson* NOTARY PUBLIC My commission expires *09/01/2019* [NOTARY SEAL]





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

September 25, 2018

NOLAN K BRANCH
LUANN S BRANCH
PO BOX 24
MALTA ID 83342-0024

Re: Change in Ownership for Water Right No(s): 43-301, 43-2573, 43-4232, 43-4233, 43-4240, 43-10123, 43-10521, 43-10522, 43-10523

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.

The ownership of water right 43-10518 was not updated. The place of use for water right 43-10518 is Township 13S, Range 26E, Section 24 SENW. The deed you provided does not include any property in this legal description. A refund of \$25 has been requested and will be sent to you from the State Controller's Office.

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) 287-4942.

Sincerely,

Jean Hersley
Technical Records Specialist II

Enclosure(s)

c: TitleOne

MEMORANDUM

TO: Sascha Marston
FROM: Jean Hersley 
DATE: September 25, 2018
RE: **Refund: ownership change-overpayment**

Please refund \$25. 1 water right was not updated

NAME: BRANCH FAMILY FARM
PO BOX 24
MALTA ID 83342

RECEIPT #: S036720

Thank you.

Jean

Hersley, Jean

From: Hersley, Jean
Sent: Tuesday, September 25, 2018 9:09 AM
To: Pline, Treva
Cc: Marston, Sascha
Subject: Branch Farms
Attachments: Branch Farms.doc

Please process the attached refund. Thank you.
Jean



RECEIVED
MAY 02 2018
DEPT. OF WATER RESOURCES
SOUTHERN REGION

May 1, 2018

Trish Fawcett
ID Dept. of Water Resources
650 Addison Avenue West, Ste. 500
Twin Falls, ID 83301

RECEIVED
MAY 09 2018
DEPARTMENT OF
WATER RESOURCES

RE: TitleOne File No. 18308603
Nolan K. Branch/Golden F. Gardiner

Dear Trish:

Enclosed with this letter please find the following documents:

1. The original executed Notice of Change in Water Right Ownership by Nolan K. and LuAnn S. Branch.
2. A copy of the recorded Warranty Deed.
3. TitleOne Corporation's check no. 14694 payable to Idaho Department of Water Resources in the amount of \$175.00 for the water transfer fee.
4. Branch Farms check no. 11015 payable to I.D.W.R. in the amount of \$75.00.

Please make the necessary changes in the records to indicate the new owners. Please send a receipted copy to this office.

Should you have any questions, or if TitleOne Corporation may be of further assistance, please do not hesitate to contact this office.

Very truly yours,
TITLEONE CORPORATION

Nancy Garrett
Administrative Assistant

AR/nrg
Enc.
FedEx