

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED

AUG 27 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?
47-8206	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

- | | | | |
|------------------------------|---|----------------|--|
| 2. Previous Owner's Name: | Richard D. Vander Stelt and Carri L. Vander Stelt | | |
| | Name of current water right holder/claimant | | |
| 3. New Owner(s)/Claimant(s): | Blue Moon Properties, LLC | | |
| | New owner(s) as listed on the conveyance document | Name connector | ☐ and ☐ or ☐ and/or |
| 711 River View Dr. | Twin Falls | ID | 83301 |
| 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: _____.

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.

- | | | |
|---|----------------------|----------------|
| 8. Signature: <u><i>John B. Clark</i></u> | Member | <u>8-24-18</u> |
| Signature of new owner/claimant | Title, if applicable | Date |
| Signature: _____ | Member | _____ |
| Signature of new owner/claimant | Title, if applicable | Date |

For IDWR Office Use Only:

Received by _____ Date _____ Receipt No. _____ Receipt Amt. _____

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 _____ Date _____

TWIN FALLS COUNTY
RECORDED FOR:
TITLEFACT, INC.

02:29:23 PM 08-24-2018

2018013339

NO. PAGES 4 FEE: \$15.00

KRISTINA GLASCOCK
COUNTY CLERK

DEPUTY: CA
Electronically Recorded by Simplifile

ELECTRONICALLY RECORDED - DO NOT
REMOVE THE COUNTY STAMPED FIRST
PAGE AS IT IS NOW INCORPORATED AS
PART OF THE ORIGINAL DOCUMENT.

71809sm

SPECIAL WARRANTY DEED

FOR VALUE RECEIVED, the receipt and sufficiency of which is hereby acknowledged **RICHARD D. VANDER STELT AND CARRI L. VANDER STELT**, husband and wife, the "Grantors", hereby grant, bargain, sell, and convey unto **BLUE MOON PROPERTIES, LLC**, an Idaho limited liability company, whose address is 711 River View Dr., Twin Falls, Idaho 83301, the "Grantee", the following described premises located in Twin Falls County, Idaho, to wit:

PARCEL NO. 1

Township 10 South, Range 14 East, Boise Meridian, Twin Falls County, Idaho

Section 26: E $\frac{1}{4}$ NE $\frac{1}{4}$

SUBJECT TO Highway District right of way.

PARCEL NO. 2

Township 10 South, Range 14 East, Boise Meridian, Twin Falls County, Idaho

Section 26: W $\frac{1}{4}$ NE $\frac{1}{4}$

EXCEPT

A parcel of land described as beginning at the Northeast corner of Section 26; Township 10 South, Range 14 East, Boise Meridian;

THENCE South 89°59' West 1,323.44 feet along the Section line common to Section 26 and 23 to the 1/16 corner which said corner is the REAL POINT OF BEGINNING;

THENCE South 89°59' West 953.41 feet, a P-K nail in oiled highway;

THENCE South 0°01' East 25.00 feet, a rebar pin;

THENCE South 28°56'37" East 416.80 feet, a rebar pin;

THENCE North 88°41'48" East 753.17 feet, a rebar pin;

THENCE North 0°11'50" West 347.85 feet, a P-K nail in concrete;

THENCE North 0°11'50" West 25.00 feet, the REAL POINT OF BEGINNING, as shown on the records of the County Recorder for Twin Falls County, Idaho.

Together with 152.50 shares of Twin Falls Canal Company water stock.

"Relinquished Property"



718098m

SPECIAL WARRANTY DEED

FOR VALUE RECEIVED, the receipt and sufficiency of which is hereby acknowledged **RICHARD D. VANDER STELT AND CARRI L. VANDER STELT**, husband and wife, the "Grantors", hereby grant, bargain, sell, and convey unto **BLUE MOON PROPERTIES, LLC**, an Idaho limited liability company, whose address is 711 River View Dr., Twin Falls, Idaho 83301, the "Grantee", the following described premises located in Twin Falls County, Idaho, to wit:

PARCEL NO. 1

Township 10 South, Range 14 East, Boise Meridian, Twin Falls County, Idaho

Section 26: E $\frac{1}{2}$ NE $\frac{1}{4}$

SUBJECT TO Highway District right of way.

PARCEL NO. 2

Township 10 South, Range 14 East, Boise Meridian, Twin Falls County, Idaho

Section 26: W $\frac{1}{2}$ NE $\frac{1}{4}$

EXCEPT

A parcel of land described as beginning at the Northeast corner of Section 26; Township 10 South, Range 14 East, Boise Meridian;

THENCE South 89°59' West 1,323.44 feet along the Section line common to Section 26 and 23 to the 1/16 corner which said corner is the REAL POINT OF BEGINNING;

THENCE South 89°59' West 953.41 feet, a P-K nail in oiled highway;

THENCE South 0°01' East 25.00 feet, a rebar pin;

THENCE South 28°56'37" East 416.80 feet, a rebar pin;

THENCE North 88°41'48" East 753.17 feet, a rebar pin;

THENCE North 0°11'50" West 347.85 feet, a P-K nail in concrete;

THENCE North 0°11'50" West 25.00 feet, the REAL POINT OF BEGINNING, as shown on the records of the County Recorder for Twin Falls County, Idaho.

Together with 152.50 shares of Twin Falls Canal Company water stock.

"Relinquished Property"

PARCEL NO. 3

Township 10 South, Range 14 East, Boise Meridian, Twin Falls County, Idaho

Section 26: A parcel of land, more particularly described as follows:

BEGINNING at the Northeast corner;

THENCE South 89°59' West 1323.44 feet along the Section line common to Section 26 and 23 to the one-sixteenth corner, which said corner is the REAL POINT OF BEGINNING;

THENCE South 89°59' West 953.41 feet a P-K nail in oiled highway;

THENCE South 0°01' East 25.00 feet, a rebar pin;

THENCE South 28°56'37" East 416.80 feet, a rebar pin;

THENCE North 88°41'48" East 753.17 feet, a rebar pin;

THENCE North 0°11'50" West 347.85 feet, a P-K nail in concrete;

THENCE North 0°11'50" West 25.00 feet, the REAL POINT OF BEGINNING.

Together with all water rights appurtenant thereto.

(The foregoing real property and water rights are referred to below as "the Property".)

TO HAVE AND TO HOLD, unto Grantee, its successors and assigns forever.

SUBJECT TO the following: (a) general taxes and assessments, which are not yet due and payable; and (b) the encumbrances, easements, restrictions and matters set forth on EXHIBIT A attached hereto and incorporated herein (collectively the "Permitted Exceptions").

Grantors warrant that they are the owners in fee simple of the Property; that they have not conveyed any interest in the Property to any person other than Grantee; that the Property is free from all encumbrances created or suffered by Grantors, except for the Permitted Exceptions; and that Grantors will warrant and defend the same against all lawful claims of all persons claiming by, through or under Grantors.

IN WITNESS WHEREOF, the parties have executed the within instrument as of the 23rd day of August, 2018.

"GRANTORS"


RICHARD D. VANDER STELT


CARRI L. VANDERSTELT

STATE OF IDAHO)

ss:

County of Twin Falls

On this 2nd day of August, 2018, before me, the undersigned, a Notary Public in and for said County and State, personally appeared RICHARD D. VANDER STELT and CARRI L. VANDER STELT, husband and wife, known to me to be the persons whose names are subscribed to the within and foregoing instrument, and who acknowledged to me that they executed the same.

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



Susie Moore
NOTARY PUBLIC for Idaho
Residing at: Twin Falls
Comm Expires: 11-28-2020

EXHIBIT A

1. Taxes and assessments for 2018 and subsequent years.
2. Underground Power Line Easement from Hendrikus C. Loman and Esther C. Loman, husband and wife, to Idaho Power Company recorded October 2, 1989, as Instrument No. 960840, records of Twin Falls County, Idaho. (within the NE1/4NE1/4 Section 26, Township 10 South, Range 14 East, Boise Meridian)
(affects Parcels No. 1 and 2)
3. Amended Agreement for Sprinkler Installation by and between Twin Falls Canal Company, an Idaho corporation, and Richard D. Vanderstelt, recorded October 12, 2006, as Instrument No. 2006-025736, records of Twin Falls County, Idaho. (affects Parcels No. 2, 3, and CAD)
4. Encroachment of a pivot from property described in Schedule A, onto adjacent property located on the North and East of said property described in Schedule A. (affects Parcel No. 2)
5. Encroachment of a pivot onto property described in Schedule A, from adjacent property located on the South and West of said property described in Schedule A. (affects Parcel No. 3)
6. An unrecorded Lease from Richard Dean Vander Stelt and Carri Lynn Vander Stelt, (Lessor), to The Dairy Team, LLC, a limited liability company, dba Ah-Zet Dairy, (Lessee), dated June 29, 2012, as evidenced in Loan (Security) Agreement and Assignment of Funds, recorded September 6, 2012, as Instrument No. 2012-017099; subordinated to Mortgage insured herein by Subordination Agreement, recorded March 12, 2018, as Instrument No. 2018-003720, records of Twin Falls County, Idaho.
(affects Parcels No. 1 and 2)
7. Rights of the public in and to highway right of way adjacent to property described in Schedule A hereof.
8. Rights in and to the Twin Falls Canal Company for access to and maintenance of the canal.



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

C.L. "Butch" Otter
Governor

Gary Spackman
Director

September 04, 2018

BLUE MOON PROPERTIES LLC
711 RIVER VIEW DR
TWIN FALLS ID 83301-3012

Re: Change in Ownership for Water Right No(s): 47-8206

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) 736-3033.

Sincerely,

Trish Fawcett
Technical Records Specialist I

Enclosure(s)

c: TitleFact Inc. (71809SM)