

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

AUG 06 2018

DEPARTMENT OF
WATER RESOURCES

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?
37-10431	Yes ☐	Yes ☐		Yes ☐	Yes ☐
37-10432	Yes ☐	Yes ☐		Yes ☐	Yes ☐
37-10434	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Garland W. Karstetter
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Cover Farms, a Texas general partnership
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 1101 North 1350 East Richfield ID 83349
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: January 13, 2012

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 # 37-10431

8. Signature: [Signature] Partner 7-24-18
Signature of new owner/claimant Title, if applicable Date
- Signature: [Signature] Partner 7-23-18
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by [Signature] Date 8-6-18 Receipt No. C105418 Receipt Amt. 75

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 8-9-18

WARRANTY DEED

#GL-11399

For Value Received

Garland Wayne Karstetter, Jr. , also shown of record as G. Wayne Karstetter and Wayne Karstetter, a single man

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

Cover Farms Partnership, a Partnership composed of John W. Cover, Elizabeth K. Cover, John W. Cover, Jr., Michelle Cover, Kathryn S. Cover, Andrew B. Cover, Susan Clements and Travis Clements
Address: PO Box 1172, Dalhart, TX 79022

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

PARCEL NO. 1:

TOWNSHIP 4 SOUTH, RANGE 19, EAST OF THE BOISE MERIDIAN, LINCOLN COUNTY, IDAHO

Section 9: NE $\frac{1}{4}$ SW $\frac{1}{4}$; NW $\frac{1}{4}$ SE $\frac{1}{4}$;

PARCEL NO. 2:

TOWNSHIP 4 SOUTH, RANGE 19, EAST OF THE BOISE MERIDIAN, LINCOLN COUNTY, IDAHO

Section 16: NE $\frac{1}{4}$;

Section 17: NE $\frac{1}{4}$;

Section 32: E $\frac{1}{2}$ NE $\frac{1}{4}$; E $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$;

TOWNSHIP 5 SOUTH, RANGE 19, EAST OF THE BOISE MERIDIAN, LINCOLN COUNTY, IDAHO

Section 4: Lot 4;

Section 5: Lots 1, 2 and 3, and that part of the SE $\frac{1}{4}$ NE $\frac{1}{4}$, described as follows:

Commencing at the Northeast corner of said SE $\frac{1}{4}$ NE $\frac{1}{4}$;
Thence West along the North line of said 40 acres 1320 feet to the Northwest corner thereof;
Thence South 568 feet;
Thence diagonally in a Northeasterly direction 1413 feet to THE POINT OF BEGINNING.

EXCEPTING THEREFROM that portion conveyed to the State of Idaho for highway purposes as set forth in Deed recorded January 10, 1934 in Book 37 Page 363, Lincoln County records.

PARCEL NO. 3:

TOWNSHIP 4 SOUTH, RANGE 19, EAST OF THE BOISE MERIDIAN, LINCOLN COUNTY, IDAHO

Section 33: W $\frac{1}{2}$ NW $\frac{1}{4}$;

PARCEL NO. 4:

TOWNSHIP 4 SOUTH, RANGE 19 EAST OF THE BOISE MERIDIAN, LINCOLN COUNTY, IDAHO.

Section 9: SE $\frac{1}{4}$ SW $\frac{1}{4}$; and S $\frac{1}{4}$ SE

PARCEL NO. 5:

A perpetual twenty foot wide irrigation mainline easement for the benefit of the NE1/4 of Section 17, Township 4 South, Range 19 East of the Boise Meridian, Lincoln County, Idaho and the right of ingress and egress for repair, maintenance and inspection of the buried mainline over, under and across the E1/2 of Section 8, Township 4 South, Range 19 East of the Boise Meridian, Lincoln County, Idaho where the mainline is located and is generically described as follows: Beginning on the county road right of way of 1020 North as a point 1/4 mile west of the intersection of 1020 North and 950 East;

Thence running in a Northerly direction approximately 3/4 of a mile;

Thence running Northeasterly approximately 1/4 of a mile to the irrigation canal.

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to 817.0 Share of Capital Stock of the Big Wood Canal Company.

SUBJECT TO:

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

Taxes for 2012 and subsequent years, a lien, but not yet due or payable.

Assessments of the American Falls Reservoir District No. 2 and the rights and powers of said District as by law provided.

Assessments of the Big Wood Canal Company and the rights and powers of said Company as by law provided.

Right of way for canals, laterals and waste ditches of Big Wood Canal Company.

Right of Way given by D. McNulty, to The Mountain States Telephone and Telegraph Company, dated May 11, 1917, recorded June 14, 1917 in Book 3 Page 298 as Instrument Number 42807, Lincoln County records, affecting the SE1/4NE1/4 of Section 5, Township 5 South, Range 19, East Boise Meridian.

Easement contained in Right of Way Deed given by Louis J. Base and Alice Base, husband and wife, to the State of Idaho, dated October 3, 1934, recorded January 10, 1934 in Book 37 Page 363 as Instrument Number 70971, Lincoln County records, affecting the NW1/4NW1/4 of Section 4, Township 5 South, Range 19, East Boise Meridian.

Easement contained in Right of Way Deed given by Sarah McNulty, Rose Gallagher, Bridget McNulty, Daniel McNulty, heirs of the McNulty Estate by Everett A. Bennett, attorney-in-fact, to the State of Idaho, dated October 4, 1934, recorded January 10, 1934 as Instrument Number 70972, Lincoln County records, affecting the SE1/4NE1/4 of Section 5, and the SW1/4NW1/4 of Section 4, Township 5 South, Range 19, East Boise Meridian.

Private Right of Way and Tree Trimming Permit given by Robert S. Speedy and Agnes Speedy, husband and wife, to the West Coast Power Company, a corporation, dated February 3, 1940, recorded September 9, 1940 in Book 5 Page 62 as Instrument Number 79385, Lincoln County records, affecting a portion of Section 9, Township 4 South, Range 19, East Boise Meridian.

Page 3 of Warranty Deed

Private Right of Way and Tree Trimming Permit given by Big Wood Canal Company, to the West Coast Power Company, a corporation, dated September 3, 1940, recorded September 9, 1940 in Book 5 Page 64 as Instrument Number 79388, Lincoln County records, affecting the NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 16, NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 32, SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 9, all in Township 4 South, Range 19, East Boise Meridian.

Private Right of Way and Tree Trimming Permit given by D. E. Wilcox and Agnes M. Wilcox, husband and wife, to The West Coast Power Company, a corporation, dated February 7, 1940, recorded January 19, 1940 in Book 5 Page 90 as Instrument Number 79763, Lincoln County records, affecting the SW $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 9, Township 4 South, Range 19, East Boise Meridian.

Right of Way Easement given by Henry Becker, to West Coast Power Company, a corporation, dated March 14, 1941, recorded March 25, 1941 in Book 5 Page 106 as Instrument Number 80217, Lincoln County records, affecting the S $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 32, Township 4 South, Range 19, East Boise Meridian.

Domestic water system serving land described in Township 5 South, Range 19, East Boise Meridian, is subject to its proportionate share which is 1/16 of the upkeep.

Easement 50 feet wide of existing road along the East boundary of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 9, Township 4 South, Range 19 East Boise Meridian, as set forth in Quitclaim given by Garland Wayne Karstetter Jr., a single man to Martin Karstetter, a single man, dated March 12, 2004, recorded March 23, 2004 as Instrument Number 176462, Lincoln County records.

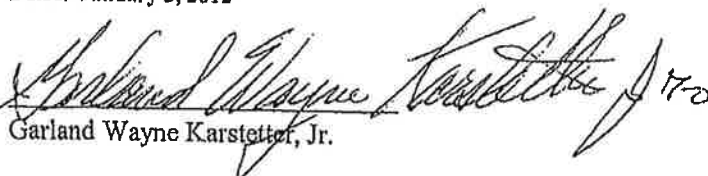
License Agreement by and between Big Wood Canal Company, an Idaho Corporation, or American Falls Reservoir District No. 2, and Wayne Karstetter, dated May 18, 2007, recorded September 13, 2007 as Instrument Number 183748, Lincoln County records, affecting the NE $\frac{1}{4}$ of Section 16, Township 4 South, Range 19 East Boise Meridian.

License Agreement by and between Big Wood Canal Company, an Idaho corporation or American Falls Reservoir District No. 2 and Wayne Karstetter, dated May 19, 2008, recorded August 15, 2008 as Instrument Number 185520, Lincoln County records, affecting the E $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 32, Township 4 South, Range 19 East Boise Meridian.

License Agreement by and between Big Wood Canal Company, an Idaho Corporation, or American Falls Reservoir District No. 2 and Wayne Karstetter, dated May 27, 2011, recorded August 11, 2011 as Instrument Number 190759, Lincoln County records.

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: January 5, 2012

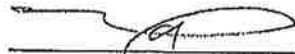

Garland Wayne Karstetter, Jr.

Page 4 of Warranty Deed

STATE OF IDAHO)
) ss.
COUNTY OF Gooding)

LINCOLN COUNTY
Recorded for:
LAND TITLE & ESCROW
3:41:28 pm 01-13-2012
0000-191332
No. Pages: 4 Fee: \$19.00
SUZANNE MCCONNELL
County Clerk
Deputy: CAROLE

On this 13 day of January, 2011, before me, the undersigned, a Notary Public in and for said State, personally appeared **Garland Wayne Karstetter, Jr.**, 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.



Lisa Ritter
Notary Public
State of Idaho

Notary Public
Residing at: Gooding, ID
My Commission expires: 10/2/16



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

August 10, 2018

COVER FARMS A TEXAS GENERAL PARTNERSHIP
1101 N 1350 E
RICHFIELD ID 83349

Re: Change of Ownership for Water Right Nos: 37-10431, 37-10432, and 37-10434

Dear Water Right Holder:

The Department acknowledges the receipt of correspondence changing ownership of the above referenced water right to you. The Department has modified its records to reflect this change in ownership and has enclosed a computer-generated report for your records.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing an ownership change notice the department does not review the history of water use to determine if the right has been forfeited 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.

Also note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the Department. Notice of the change must be provided to the Department within 120 days of the change. Change reporting forms are available from any office of the Department, or at www.idwr.idaho.gov.

Thank you for your patience. If you have any questions concerning the enclosed information, please feel free to contact me at (208) 287-4920.

Sincerely,

Debbi Judd
Technical Records Specialist

Enclosures

C. Hawley Troxell



ATTORNEYS AND COUNSELORS

Hawley Troxell Ennis & Hawley LLP
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P.O. Box 1617
Boise, Idaho 83701-1617
208.344.6000
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SARAH ZELLER
LEGAL ADMINISTRATIVE ASSISTANT
EMAIL: SZELLER@HAWLEYTROXELL.COM
DIRECT DIAL: 208-388-4924

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AUG 06 2018

DEPARTMENT OF
WATER RESOURCES

August 6, 2018

Idaho Department of Water Resources
322 East Front St., 6th Floor
Boise, ID 83720-0098

Re: *Notice of Change in Water Right Ownership / Notice of Security Interest in a
Water Right No.'s: 37-10431, 37-10432 & 37-10434*

Dear Sir/Madam:

Enclosed for filing is a Notice of Change in Water Right Ownership and Notice of Security Interest in a Water Right and supporting materials regarding the above-referenced numbers. Additionally, two checks in the amount of \$75.00 each for payment of the filing fee. Please contact us with any questions or concerns. Thank you.

Regards,

HAWLEY TROXELL ENNIS & HAWLEY LLP

Sarah Zeller
Legal Administrative Assistant

SZ: