

RECEIVED

Form 42-248/42-1409(6) Rev. 1/15

NOV 28 2017

\* Complete  
fee  
received

RECEIVED

JUL 20 2017

WATER RESOURCES  
WESTERN REGIONSTATE OF IDAHO  
DEPARTMENT OF WATER RESOURCESWATER RESOURCES  
WESTERN 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? |
|-----------------------|------------------------------|------------------------------|-----------------------|------------------------------|------------------------------|
| 61-7701               | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
| 61-7702               | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |

2. Previous Owner's Name: Community Council of Idaho, Inc., Formerly Idaho Migrant Council

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Mr. Clark Flake CVF Legacy, LLC. - per deed - cd

New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or ☐ and/or

PO Box 38107

Leamington

UT

84631

Mailing address

City

State

ZIP

435-828-0661

cvflake@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: Oct 20, 2015

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 # 61-7701

8. Signature: Clark Flake owner 7-1-17  
 Signature of new owner/claimant Title, if applicable Date

Signature: \_\_\_\_\_ Title, if applicable \_\_\_\_\_ Date \_\_\_\_\_  
 Signature of new owner/claimant Title, if applicable Date

## For IDWR Office Use Only:

Received by CD Date 7/20/17 Receipt No. W045867 Receipt Amt \$50.00

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 X Approved by CD Processed by CD Date 12/15/17

AFTER RECORDING MAIL TO:

CVF Legacy LLC  
P.O. Box 38107  
Leamington, UT 84631

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### CORPORATE WARRANTY DEED

File No.: **NCS-749530-SLC1 (ach)**

Date: **October \_\_, 2015**

For Value Received, **Community Council of Idaho, Inc.**, a corporation duly organized and existing under the laws of the State of Idaho, Grantor, does hereby grant, bargain, sell and convey unto **CVF Legacy, LLC, a Utah limited liability company**, Grantee, whose address is **P.O. Box 38107, Leamington, UT 84631**, the following described real estate, to wit:

**LEGAL DESCRIPTION:** Real property in the County of Elmore, State of Idaho, described as follows:

Township 5 South, Range 8 East, Boise Meridian, Elmore County, Idaho

Section 36: A tract of land in the NW¼ of said section, described as follows:

Beginning at the Northwest corner of said Section 36, and running thence South 1520.6 feet, more or less, to the intersection with the South right-of-way boundary of the Oregon Short Line Railroad; thence South 77°02' East along said South right-of-way boundary 1397.7 feet; thence South 0°25' West 210.4 feet to the Real Point of Beginning;

Running thence South 77°02' East parallel to the South railroad right-of-way boundary 1316.6 feet, more or less to the half section line;

Thence running South along said half section line 305.1 feet, more or less, to a point of intersection with the North boundary of the State Highway U.S. No. 30 right-of-way;

Thence running West along said North highway right-of-way boundary 1279.6 feet;

Thence running North 0°25' East 609.9 feet, more or less to the Point of Beginning.

Said tract of land also known as a portion of Blocks 41, 42, 47 and 48 of the vacated portion of Fruitland Subdivision, as the same appears in Book 1 of Plats at Page 31, records of Elmore County, Idaho, and including the streets and alleys of said Townsite and Subdivision lying within said tract of land.

APN: RP05S08E364410

APN: RP05S08E364410

Warranty Deed  
- continued

File No.: NCS-749530-SLC1 (ach)

SUBJECT TO current years taxes, irrigation district assessments, public utility easements, subdivision and U.S. patent reservations.

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances, and that Grantor will warrant and defend the same from all claims whatsoever.

IN WITNESS WHEREOF, the Grantor, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed this \_\_\_\_\_ day of October, 2015.

Community Council of Idaho, Inc.

By: Elisha A. Suldan  
Name: Elisha A. Suldan  
Title: Finance Director

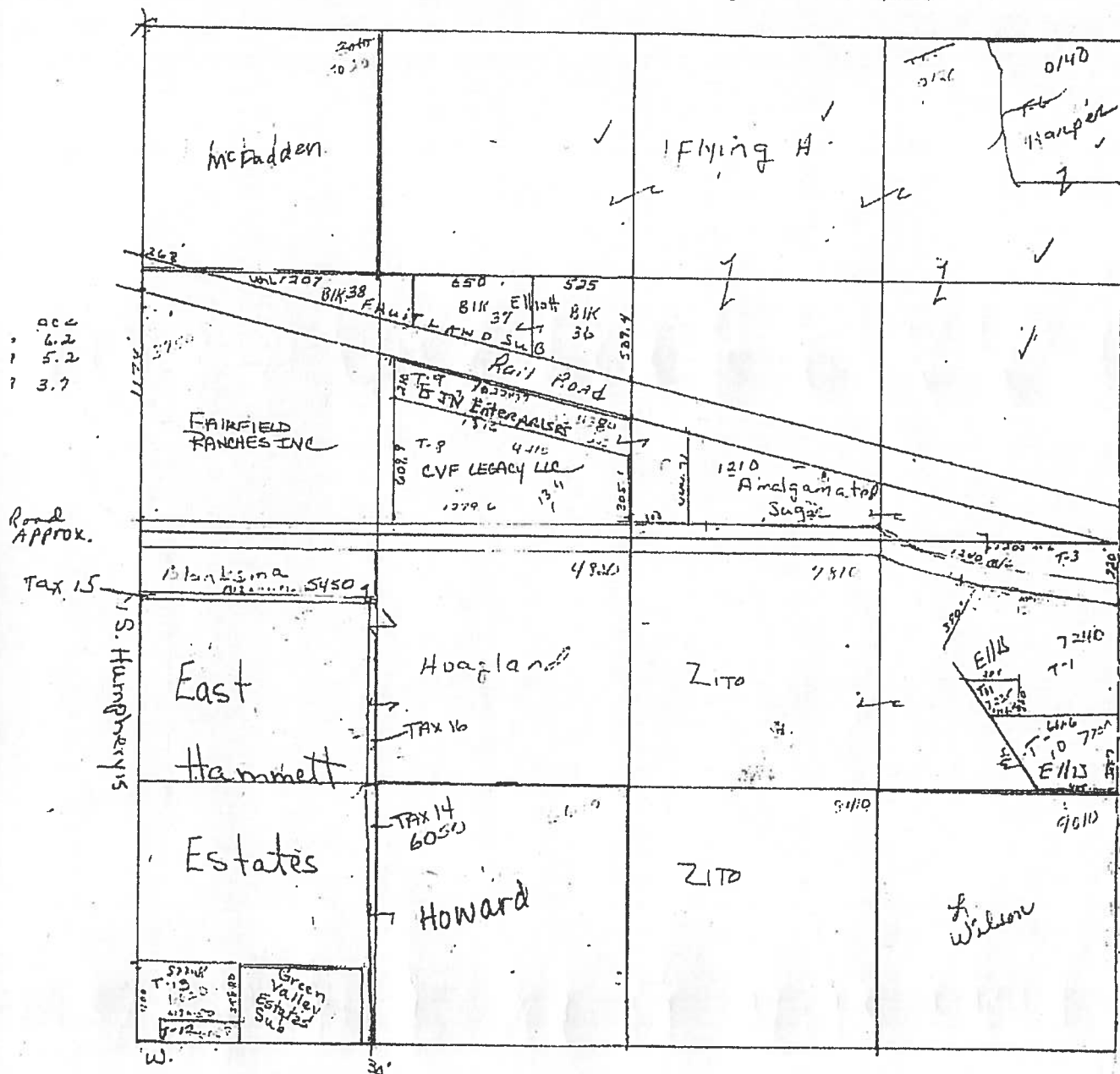
STATE OF Idaho )  
SS.  
COUNTY OF Ada )

On this \_\_\_\_\_ day of **October, 2015**, before me, a Notary Public in and for said State, personally appeared **Elisha A. Suldan**, known or identified to me to be the **Finance Director** of the corporation that executed the within instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

In witness whereof, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

\_\_\_\_\_  
Notary Public for the State of Idaho  
Residing at:  
My Commission Expires:

Section 36 Township 5 S Range 8 E





State of Idaho

## DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

December 15, 2017

CVF LEGACY LLC  
PO BOX 38107  
LEAMINGTON UT 84631

**RE: Notice of Ownership Change in Water Right No's: 61-7701 & 61-7702**

Dear Applicants,

The Department acknowledges the receipt of correspondence changing ownership of the above referenced water rights to you. The Department has modified its records to reflect the change in ownership and has enclosed computer-generated reports 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 Sections 42-222 and 42-223, Idaho Code.

Please 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](http://www.idwr.idaho.gov).

Thank you for your patience and cooperation. Please call (208)334-2190 if you have any questions concerning the enclosed information.

Sincerely,

Chad Jones  
Office Specialist II  
Western Regional Office

Enclosures



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

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C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

November 6, 2017

CVF LEGACY LLC  
PO BOX 38107  
LEAMINGTON UT 84631

**RE: Ownership Change for Water Right No's: 61-7701 & 61-7702**

Dear Applicants:

This is a follow up to the previous letter sent on July 20, 2017 which did not receive a response. The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership. However, the application has not been processed due to insufficient documentation.

The following was either not submitted with the notice or needs some clarification.

- The filing fee for a Notice of Change in Water Right Ownership is \$25.00 per undivided water right or a fee of \$100.00 per split water right. The Department only received \$25.00 with the application, this amount did not cover the amount to process both water rights included on the application

Because the Department cannot process this request at this time, we are returning the application and all attachments. You may submit this form with the required documentation and fees at any time. A refund has been requested and will be sent to the payer (CV ENTERPRISES & DEVELOPMENT INC) under separate cover.

Thank you for your cooperation, if you have any questions please contact this office at (208)334-2190.

Sincerely,

Chad Jones  
Office Specialist II  
Western Region Office

Enclosures



State of Idaho

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C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

July 20, 2017

CVF LEGACY LLC  
PO BOX 38107  
LEAMINGTON UT 84631

**RE: Ownership Change for Water Right No's: 61-7701 & 61-7702**

Dear Applicants,

The Department of Water Resources acknowledges receipt of your request for an ownership change on the water right mentioned above. However, after reviewing the request, it was determined the form was not completed and additional documentation is needed to complete this request.

Please complete and submit the requested documentation listed below:

- The filing fee for a Notice of Change in Water Right Ownership is \$25.00 per undivided water right or a fee of \$100.00 per split water right. The Department received a \$25.00 check with the submitted application, please submit an additional \$25.00 in order for the application to be processed.

Because the Department cannot process this request at this time, we will hold any action on your notice pending receipt of the necessary documentation. If we do not receive the required documentation within 30 days, the notice will be returned and will not be processed.

Thank you for your cooperation. If you have any questions please, contact this office at 208-334-2190.

Sincerely,

Chad Jones  
Office Specialist II  
Western Regional Office

Enclosures