

RECEIVED
JUL 20 2017
WATER RESOURCES
WESTERN REGION
only
Partial
fee
received

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

NOT PROCESSED

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 ☐	Yes ☐		Yes ☐	Yes ☐
61-7702	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

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 - q
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.

8. Signature: Clark Flake Title, if applicable: owner Date: 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 CS Date 7/20/17 Receipt No. W045505 Receipt Amt. \$25
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 _____

NOT PROCESSED - REFUND SENT 11/6/17

CERTIFICATION OF CHANGE OF WATER USE RIGHT

King Hill Irrigation District
4183 N Meridian Street
King Hill, Idaho 83633
208.366.2243

STATE OF IDAHO)
) SS.
COUNTY OF ELMORE)

Date: Oct 20, 2015

Idaho Migrant Council, aka Community Council of Idaho, seller AND

CVF Legacy, LLC, buyer

Being first severally duly sworn, each for himself deposes and says: That I am the seller and/or buyer, respectively, of the following described King Hill Irrigation Water, to wit:

Service Address and/or legal Description: Blocks 40, 41, 42, 47 & 48, Fruitland Subdivision, Hammett, Idaho.

Total irrigated **ACRES** sold: 14.6 of Class 2 irrigation water use.

OR

Total irrigated **LOTS** sold: _____.

From: Section _____ Township _____ Range _____

From: Block _____ Lot(s) _____ Subdivision _____

I hereby acknowledge that I have examined, or been given the opportunity to examine, the by-laws and rules and regulations of King Hill Irrigation District relating to the delivery of irrigation water to the above land, and that I agree to abide by said rules and regulations. I also acknowledge that only the specified acres and/or lots are allowed to be irrigated and that the amount of water is limited to the beneficial use of the specified land.

Elisha Saldan
Seller's Signature

Elisha Saldan
Printed Name

317 Happy day Blvd
Mailing Address

Caldwell ID 83607
City, State, Zip

(208) 454 1652
Telephone Number

Clark Flake
Clark Flake (Oct 20, 2015)

Buyer's Signature

Clark Flake

Printed Name

po box 38107

Mailing Address

Leamington UT 84638

City, State Zip

435 828 0661

Telephone Number

STATE OF IDAHO
COUNTY OF BLAINE
NOTARY PUBLIC
My Comm. Expires 12/31/16

I, _____, do hereby certify that _____ is the owner of the above described property and that the same is being transferred to _____.

Witness my hand and seal of office this _____ day of _____, 2015.

Notary Public
My Comm. Expires 12/31/16

Change of Ownership KH Water Idaho Migrant Council

Adobe Document Cloud Document History

October 20, 2015

Created: October 20, 2015
By: Mike Nelson (mike@hciutah.com)
Status: SIGNED
Transaction ID: XUD448I2F76227I

"Change of Ownership KH Water Idaho Migrant Council" History

-  Document created by Mike Nelson (mike@hciutah.com)
October 20, 2015 - 10:34:50 AM PDT - IP address: 206.81.142.133
-  Document emailed to Clark Flake (cvflake@gmail.com) for signature
October 20, 2015 - 10:35:55 AM PDT
-  Document viewed by Clark Flake (cvflake@gmail.com)
October 20, 2015 - 10:45:19 AM PDT - IP address: 172.56.22.127
-  Document e-signed by Clark Flake (cvflake@gmail.com)
Signature Date: October 20, 2015 - 10:50:15 AM PDT - Time Source: server - IP address: 172.56.22.127
-  Signed document emailed to Clark Flake (cvflake@gmail.com) and Mike Nelson (mike@hciutah.com)
October 20, 2015 - 10:50:15 AM PDT

AFTER RECORDING MAIL TO:

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

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. Suldán
Name: Elisha A. Suldán
Title: Finance Director

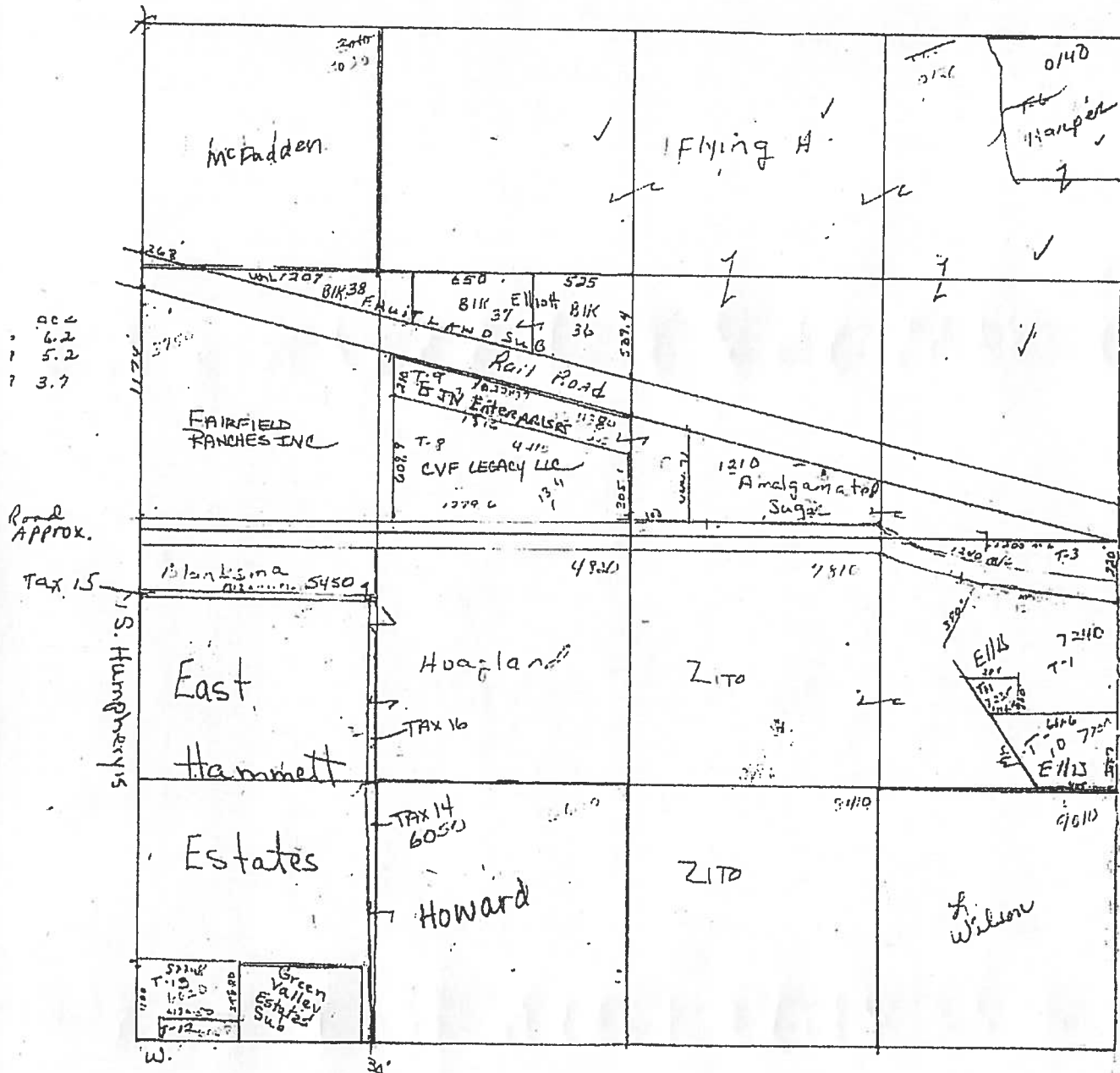
STATE OF Idaho)
ss.
COUNTY OF Ada)

On this _____ day of **October, 2015**, before me, a Notary Public in and for said State, personally appeared **Elisha A. Suldán**, 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



1/6
scale



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

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,

A handwritten signature in blue ink, appearing to read 'Chad Jones'.

Chad Jones
Office Specialist II
Western Region Office

Enclosures

Jones, Chad

From: Jones, Chad
Sent: Monday, November 06, 2017 9:29 AM
To: Marston, Sascha
Subject: Refund - CV ENTERPRISES & DEVELOPMENT INC

TO: Sascha Marston

FROM: Chad Jones

DATE: November 6, 2017

RE: Refund: Ownership Change 61-7701 & 61-7702

Please refund \$25. This ownership change was submitted by CVF LEGACY LLC (payer - CV ENTERPRISES & DEVELOPMENT INC.) on July 20, 2017. However only \$25 was submitted with the application and a letter sent July 20, 2017 requesting the balance received no response.

Please issue a refund of \$25 to:

CV ENTERPRISES & DEVELOPMENT INC
7725 N HWY 125
PO BOX 38107
LEAMINGTON UT 84638

RECEIPT #

W045505



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

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,

A handwritten signature in black ink, appearing to read 'Chad Jones', is written over a horizontal line.

Chad Jones
Office Specialist II
Western Regional Office

Enclosures