

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

OCT 11 2017

DEPT OF WATER RESOURCES
SOUTHERN 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?
47-10678	Yes ☐	Yes ☐		Yes ☐	Yes ☐
47-17609	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Evelyn L. Poppay

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Meseberg Warehouse, L.L.C., a Utah Limited Liability Co.

New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or ☐ and/or

x PO Box 48

Mailing address

Buhl

City

ID

State

83316

ZIP

x 801-631-1821

Telephone

george.r.carey@gmail.com

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):
 o \$25 per *undivided* water right.
 o \$100 per *split* water right.
 o No fee is required for pending adjudication claims.

SUPPORT DATA

IN FILE # 47-10678

- ☐ 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. x Signature: George R. Carey

Signature of new owner/claimant

managing member

Title, if applicable

Oct 11, 2017

Date

Signature: _____

Signature of new owner/claimant

Title, if applicable

Date

For IDWR Office Use Only:

Received by DM

Date 10-11-2017

Receipt No. SD36400

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 _____

Date _____

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

Case No. 70804AA

TitleFact, Inc.

163 Fourth Avenue North
P.O. Box 486
Twin Falls, Idaho 83303

TWIN FALLS COUNTY
RECORDED FOR:
TITLEFACT, INC.
03:19:22 PM 10-11-2017
2017016508
NO. PAGES 4 FEE: \$15.00
KRISTINA GLASCOCK
COUNTY CLERK
DEPUTY: SW
Electronically Recorded by Simplifile

**** SPACE ABOVE FOR RECORDER ****

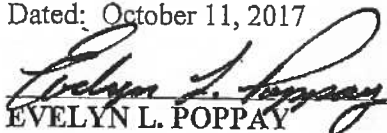
WARRANTY DEED

FOR VALUE RECEIVED EVELYN L. POPPAY, a married woman dealing with her sole and separate property, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto MESEBERG WAREHOUSE, L.L.C., a Utah Limited Liability Company, hereinafter called Grantee, whose address is: PO BOX 48, Buhl ID 83316, the following described premises in Twin Falls County, Idaho; to-wit:

SEE ATTACHED EXHIBIT "A"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and 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 they are free from all encumbrances except as described above; and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: October 11, 2017

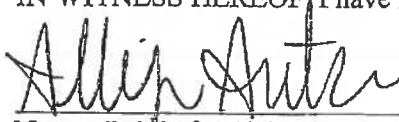

EVELYN L. POPPAY

* * * * *

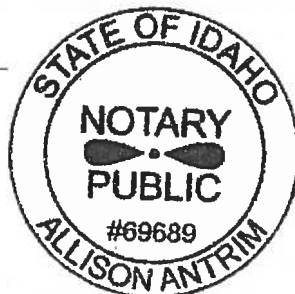
STATE OF IDAHO
County of Twin Falls

On this 11th day of October, 2017, before me, a Notary Public in and for said State, personally appeared EVELYN L. POPPAY, known or identified to me to be the person whose name subscribed to the foregoing instrument and acknowledged to me that she executed the same.

IN WITNESS HEREOF, I have hereunto set my hand and official seal the day and year first above written.



Notary Public for Idaho
Residing at Kimberly
Commission expires 3/27/23



Case No. 70804AA

RECORDED ELECTRONICALLY	
ID <u>2017010508</u>	County <u>TF</u>
Date <u>10-11-17</u>	Time <u>3:19</u>
simplifile www.simplifile.com 800.460.9657	

TitleFact, Inc.
163 Fourth Avenue North
P.O. Box 486
Twin Falls, Idaho 83303

**** SPACE ABOVE FOR RECORDER ****

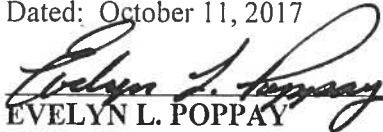
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Dated: October 11, 2017


EVELYN L. POPPAY

* * * * *

STATE OF IDAHO
County of Twin Falls

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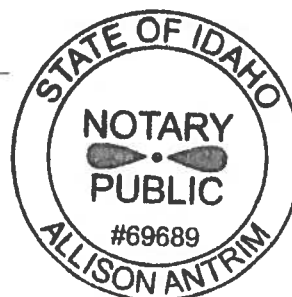


EXHIBIT "A"

Township 9 South, Range 14 East, Boise Meridian, Twin Falls County, Idaho
Section 9: All that portion of the NE $\frac{1}{4}$ SE $\frac{1}{4}$, laying and being North and East of the River Road; AND
Township 9 South, Range 14 East, Boise Meridian, Twin Falls County, Idaho
Section 10: All that portion of the NW $\frac{1}{4}$ SW $\frac{1}{4}$, North and Westerly of Deep Creek and Northerly of the River Road, as shown on the records of said County Recorder; AND
Township 9 South, Range 14 East, Boise Meridian, Twin Falls County, Idaho
Section 9 and Lot 2, Section 10: A parcel of land located in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, more particularly described as follows:

COMMENCING at the quarter corner common to Sections 9 and 10, Township 9 South, Range 14 E., B.M., said point being the REAL POINT OF BEGINNING;
THENCE North 89°03'00" West 65.50 feet along the South boundary of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 9;
THENCE North 56°06'54" West 196.08 feet;
THENCE North 59°44'34" East 125.65 feet;
THENCE North 17°24'26" West 215.81 feet;
THENCE North 66°38'54" East 563.81 feet to the centerline of Deep Creek;
THENCE Southerly along the center line of Deep Creek the following courses and distances:
South 26°24'14" West 119.16 feet;
South 10°37'06" West 256.42 feet;
South 25°23'15" East 272.66 feet;
THENCE North 89°40'45" West 350.00 feet to the POINT OF BEGINNING.

EXCEPT:

Township 9 South, Range 14 East, Boise Meridian, Twin Falls County, Idaho
Section 9: A parcel of land located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, more particularly described as follows:
COMMENCING at the quarter corner common to Sections 9 and 10, Township 9 South, Range 14 E., B.M.;
THENCE North 89°03'00" West 108.17 feet along the Northerly boundary of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ said Section 9 to the centerline of the old country road, said point being the REAL POINT OF BEGINNING;
THENCE continuing North 89°03'00" West 86.93 feet to a point on the centerline of the new country road;
THENCE South 44°51'03" East 143.89 feet along the centerline of the new country road;
THENCE South 51°17'00" East 87.38 feet along the centerline of the new country road to a point on the centerline of the old country road;
THENCE along the centerline of the old country road the following courses and distances:
North 11°47'06" West 74.78 feet;
North 36°14'39" West 89.43 feet;
North 55°52'03" West 17.63 feet to the REAL POINT OF BEGINNING.

AND EXCEPT:

Township 9 South, Range 14 East, Boise Meridian, Twin Falls County, Idaho
Section 9 and 10: A parcel of land located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 9, and the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 10, more particularly described as follows:
COMMENCING at the quarter corner common to Sections 9 and 10, Township 9 South, Range 14 E., B.M.;
THENCE South 0°00'00" East 173.81 feet along the section line common to said Sections 9 and 10 to a point on the centerline of a new country roadway, said point being the REAL POINT OF BEGINNING;
THENCE North 51°17'00" West 32.57 feet along the centerline of the new country road to a point on the

centerline of the old country road;
THENCE along the centerline of the old country road the following courses and distances:
South 11°47'06" East 17.94 feet;
South 11°34'46" East 89.43 feet;
South 19°51'53" East 38.08 feet;
South 58°53'15" East 42.10 feet;
South 67°34'56" East 52.92 feet;
South 84°17'31" East 72.61 feet;
South 41°59'55" East 33.82 feet;
South 34°13'47" East 24.78 feet to the centerline of Deep Creek;
THENCE North 55°52'48" East 43.05 feet along the centerline of Deep Creek;
THENCE North 51°17'00" West 305.74 feet to the REAL POINT OF BEGINNING.

AND EXCEPT:

Township 9 South, Range 14 East, Boise Meridian, Twin Falls County, Idaho
Section 9 and 10: A parcel of land located in the NE¼SE¼ of Section 9, and the SW¼NW¼ and NW¼SW¼ of Section 10, more particularly described as follows:
COMMENCING at the one-quarter corner common to said Sections 9 and 10, Township 9 South, Range 14 E., B.M., from which the South one-sixteenth corner of Sections 9 and 10 bears South 00°00'00" East 1320.15 feet;
THENCE South 00°00'00" East along the West boundary of the SW¼ of said Section 10 for a distance of 38.95 feet to the TRUE POINT OF BEGINNING;
THENCE North 61°39'40" East for a distance of 308.02 feet to the center of Deep Creek;
THENCE along the center of Deep Creek on the following courses:
South 37°58'16" East 18.44 feet;
South 37°36'15" East 31.55 feet;
South 37°16'04" East 62.38 feet;
South 59°29'06" East 40.10 feet;
South 41°53'51" East 31.42 feet;
South 58°39'05" East 60.58 feet;
South 09°40'05" East 63.01 feet;
South 03°08'34" East 78.52 feet;
South 45°03'29" West 63.04 feet;
South 55°29'07" West 173.14 feet;
South 55°20'28" West 43.49 feet to a point on the Northerly boundary of the Buhl Highway Parcel;
THENCE leaving the center of Deep Creek and along the Northerly boundary of the Buhl Highway District Parcel on a bearing of North 51°17'00" West for a distance of 305.74 feet to a point on the section line between Sections 9 and 10;
THENCE continuing North 51°17'00" West along the Northerly boundary of the Buhl Highway District Parcel and center line of the new county road for a distance of 32.57 feet to the intersection of the old and new county roads;
THENCE North 11°47'06" West along the centerline of the existing country road for a distance of 74.79 feet;
THENCE North 36°14'39" West along the center of the existing county road for a distance of 17.18 feet;
THENCE leaving the center of the existing county road on a bearing of North 61°39'40" East for a distance of 57.77 feet to the TRUE POINT OF BEGINNING.

SUBJECT TO:

1- A 25.00 foot wide county road easement, said easement being adjacent to and on the Northerly side of all that part of the Southerly boundary of the before described parcel that lies in the NE¼SE¼ of said Section 9.

2- An easement to the canal company for the use and maintenance of Deep Creek along the Easterly boundary of the before described parcel.

AND

Township 9 South, Range 14 East, Boise Meridian, Twin Falls County, Idaho

Section 9: A tract of land in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, more particularly described as follows:

COMMENCING at the East quarter corner of said Section 9;

THENCE North 89°03' West 109.99 feet;

THENCE North 54°52' West 169.80 feet to the TRUE POINT OF BEGINNING;

THENCE North 54°41' West 200.00 feet;

THENCE North 10°06' West 125.16 feet;

THENCE North 80°37' East 252.98 feet;

THENCE South 17°23' East 215.70 feet;

THENCE South 60°04' West 148.74 feet to the TRUE POINT OF BEGINNING.

EXCEPT the Westerly 25 feet for right-of-way for County road, Twin Falls County, Idaho, as shown on the official records of said County Recorder.

AND

Township 9 South, Range 14 East, Boise Meridian, Twin Falls County, Idaho

Section 9: A part of SE $\frac{1}{4}$ NE $\frac{1}{4}$, more particularly described as follows:

COMMENCING at the East quarter corner of Section 9;

THENCE North 89°03' West 109.99 feet along the South boundary of said SE $\frac{1}{4}$ NE $\frac{1}{4}$ to the REAL POINT OF BEGINNING;

THENCE North 54°52' West 169.80 feet;

THENCE North 54°41'00" West 174.53 feet to the centerline of the New River Road;

THENCE South 44°51'03" East 278.18 feet along the centerline of the New River Road to the South boundary of said SE $\frac{1}{4}$ NE $\frac{1}{4}$;

THENCE South 89°03'00" East 85.11 feet to the REAL POINT OF BEGINNING.

SUBJECT TO an existing easement to Buhl Highway District along the Westerly boundary of the above described parcel.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

October 12, 2017

MESEBERG WAREHOUSE LLC
PO BOX 48
BUHL ID 83316

RE: Change of Ownership for Water Right Nos. 47-10678 and 47-17609
Assignment of Permit for Permit 47-17588

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right(s). 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.

Also, please note that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.idaho.gov.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Trish Fawcett', is written over a light blue horizontal line.

Trish Fawcett
Technical Records Specialist

Enclosure(s)

Cc: TitleFact Inc. (70804AA)