

RECEIVED ✓

FEB 06 2017

DEPT OF WATER RESOURCES
SOUTHERN REGIONSTATE OF IDAHO
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?
45-07632	Yes ☐	Yes ☐		Yes ☐	Yes ☐
45-10002	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Walter B. Johnson
Name of current water right holder/claimant
W & M Johnson Farms, LLC
3. New Owner(s)/Claimant(s):
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
2073 Tesa Avenue Heyburn ID 83336
Mailing address City State ZIP
208-678-2031
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: 1-23-1998
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 # 45-7632

8. Signature: Carl T. Johnson Manager 2-01-2017
Signature of new owner/claimant Title, if applicable Date
Signature: _____
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by DM Date 2-6-2017 Receipt No. 5035925 Receipt Amt. \$50-
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 _____

253964

25345

When recorded, return to:
Dale G. Siler
175 East 100 North
Logan, UT 84321

Tax Notice should be sent to:
Walter Johnson
P.O. Box 505
Garland, Utah 84312

RECORDED AT THE REQUEST OF
Walter Johnson
FILM *295*

1998 JAN 30 A 10:44

253454

CASSIA COUNTY, IDAHO
DARRELL M. ROSKELLEY
RECORDER

FEL 900 DEPUTY *km*

236 W 2nd S
Box 505 Garland, Ut 84312

SPECIAL WARRANTY DEED

WALTER B. JOHNSON, EARL THOMAS JOHNSON, PATRICIA FREE (also known as PAT FREE), LYNN L. JOHNSON, DELLA ORTIZ, and DONNA L. SMITH, Grantors, hereby warrant and convey, as against the acts of the Grantors only, to W. & M. JOHNSON FARMS, L.L.C., an Idaho limited liability company, Grantee, of 165 East 500 South, Burley, Idaho 83318, for the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the following described tract of land in Cassia County, State of Idaho:

(See Attached Exhibit "A" for legal description, incorporated herein by this reference.)

WITNESS, the hand of said Grantors, this 23rd day of January, 1998.

Walter B. Johnson
WALTER B. JOHNSON

Patricia Free
PATRICIA FREE

Della Ortiz
DELLA ORTIZ

Earl Johnson
EARL JOHNSON

Lynn L. Johnson
LYNN JOHNSON

Donna Smith
DONNA SMITH

STATE OF UTAH)

County of Cache)

: ss.

On the 23rd day of January, 1998, personally appeared before me WALTER B. JOHNSON and PATRICIA FREE, the signers of the within instrument, who duly acknowledged to me that they executed the same.



Notary Public
DALE G. SILER
1139 Eastridge Drive
Logan, Utah 84321
My Commission Expires
June 16, 2001
State of Utah

Dale G. Siler
NOTARY PUBLIC

Special Warranty Deed
W. & M. JOHNSON FARMS, L.L.C.
Page Two

STATE OF IDAHO)

County of Cassia) ss.

On the 29 day of Jan., 1998, personally appeared before me EARL THOMAS JOHNSON, LYNN L. JOHNSON, DELLA ORTIZ, and DONNA L. SMITH, the signers of the within instrument, who duly acknowledged to me that they executed the same.



Rhonda Randall
NOTARY PUBLIC

EXHIBIT "A"

PARCEL #1:

TOWNSHIP 11 SOUTH, RANGE 23 EAST, BOISE MERIDIAN

Section 13: W1/2SW1/4

LESS a parcel of land being on the Northerly side of the centerline of 500 South Road, Project No. RS-2839 (1) Highway Survey, as shown on the plans thereof now on file in the office of the Burley Highway District, and being a portion of the SW1/4SW1/4 of Section 13, Township 11 South, Range 23 East, Boise Meridian, Cassia County, Idaho, described as follows:

Beginning at the Southwest Corner of Section 13, Township 11 South, Range 23 East, Boise Meridian;

Thence North 0 degrees 20'06" West 33.00 feet along the West line of the SW1/4SW1/4 of the said Section 13 to a point;

Thence North 89 degrees 30'51" East 1,318.05 feet to a point in the East line of the said SW1/4SW1/4;

Thence South 0 degrees 21'48" East 33.00 feet along the East line of the said SW1/4SW1/4 to a point in the South line of the said SW1/4SW1/4;

Thence South 89 degrees 30'51" West 1,318.07 feet along the said South line of the SW1/4SW1/4 to the PLACE OF BEGINNING.

PARCEL #2:

TOWNSHIP 11 SOUTH, RANGE 24 EAST, BOISE MERIDIAN

Section 15: W1/2SE1/4

TOWNSHIP 11 SOUTH, RANGE 24 EAST OF THE BOISE MERIDIAN, CASSIA COUNTY, IDAHO, Section 15: The W1/2SE1/4 in said Section 15 EXCEPTING THEREFROM the following:

Beginning at the South 1/4 corner of said Section 15 and running thence North 0 degrees 29'02" W 25.00 feet; thence N 89 degrees 35'08" E 1321.28 feet to the East line of said SW1/4SE1/4; thence South 23.25 feet to the South line of said Section 15; thence S 89 degrees 30'35" W 1321.08 feet along the section line to the Point of Beginning.

Reference Instrument Number 212320, WD221076 and ROS 199082. tdm
06/21/93. 80.84 A

RECORDED AT THE REQUEST OF
Walter Johnson
FILM 296

1998 FEB 27 A 10:20

253964

CASSIA COUNTY, IDAHO
CARRELL M. ROSKELLEY
RECORDER

FEE 900 DEPUTY LW

14:236 W. 2nd S

Box 505

Harland, ut 84312

PARSONS, SMITH, STONE & FLETCHER
LAWYERS
BURLEY, IDAHO

212320

PERSONAL REPRESENTATIVE'S DEED

DEED, made this 18th day of February, 1991,
between WALTER B. JOHNSON of Garland, Utah, Personal
Representative of the ESTATE OF MARY JOHNSON, a/k/a MARY
SOUTHERN JOHNSON, Deceased, herein designated as the "Grantor",
and EARL THOMAS JOHNSON, of Route #1 Box 1260, Heyburn, Idaho,
83336, DONNA L. SMITH, of Route #4 475 Bouck Road, Burley,
Idaho, 83318, PAT FREE, Route #3 Box 3477, Burley, Idaho,
83318, DELLA ORTIZ, of 724 E. Street, Rupert, Idaho, 83350, LYNN
L. JOHNSON, of Route #3 Box 2381, Heyburn, Idaho, 83336, and
WALTER B. JOHNSON, of P.O. Box 505, Garland, Utah, 84312 herein
designated as the "Grantees".

The Grantor recites and declares:

1. The decedent, Mary Johnson, died on the 7th day of
July, 1990. The decedent died intestate.

2. The Grantor was appointed Personal Representative
of the Estate of Mary Johnson, deceased, on the 13th day of
August, 1990, in the District Court of the Fifth Judicial
District of the State of Idaho, in and for the County of Cassia.

3. A certified copy of the Letters of Administration
and Oath of the Grantor was recorded in the office of the
County Recorder of the County of Cassia, State of Idaho, as
Instrument Number 208982, on the 14th day of August, 1990.

FOR VALUABLE CONSIDERATION, paid to the Grantor by the
Grantees, the receipt of which is hereby acknowledged, the

PARSONS, SMITH, STONE & FLETCHER
LAWYERS
BURLEY, IDAHO

1 Grantor hereby conveys to the Grantees, and to the heirs and
2 assigns of the Grantees, any and all interest in and to the
3 following real estate in the County of Cassia, State of Idaho,
4 to-wit:

5 PARCEL #1:

6 TOWNSHIP 11 SOUTH, RANGE 23 EAST, BOISE
7 MERIDIAN

8 Section 13: W $\frac{1}{4}$ SW $\frac{1}{4}$

9 LESS a parcel of land being on the Northerly
10 side of the centerline of 500 South Road,
11 Project No. RS-2839 (1) Highway Survey, as
12 shown on the plans thereof now on file in the
13 office of the Burley Highway District, and
14 being a portion of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 13,
15 Township 11 South, Range 23 East, Boise
16 Meridian, Cassia County, Idaho, described as
17 follows:

18 Beginning at the Southwest Corner of Section
19 13, Township 11 South, Range 23 East, Boise
20 Meridian;

21 Thence North 0°20'06" West 33.00 feet along
22 the West line of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of the said
23 Section 13 to a point;

24 Thence North 89°30'51" East 1,318.05 feet to a
25 point in the East line of the said SW $\frac{1}{4}$ SW $\frac{1}{4}$;

26 Thence South 0°21'48" East 33.00 feet along
the East line of the said SW $\frac{1}{4}$ SW $\frac{1}{4}$ to a point in
the South line of the said SW $\frac{1}{4}$ SW $\frac{1}{4}$;

Thence South 89°30'51" West 1,318.07 feet
along the said South line of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ to the
PLACE OF BEGINNING.

20 PARCEL #2:

21 TOWNSHIP 11 SOUTH, RANGE 24 EAST, BOISE
22 MERIDIAN

23 Section 15: W $\frac{1}{2}$ SE $\frac{1}{4}$

24 ALL IN CASSIA COUNTY, STATE OF IDAHO

25 TOGETHER with all appurtenances thereto, and the
26 reversion and reversions, remainder and remainders, rents,

PARSONS, SMITH, STCNE & FLETCHER
LAWYERS
BURLEY, IDAHO

1 issues and profits thereof, and all the estate, right, title,
2 interest, property possession, claim and demand whatsoever, both
3 in law and in equity which the decedent had during her lifetime,
4 and at the time of death, and which the Grantor has, in and to
5 the above-described real estate, and every part and parcel
6 thereof, with appurtenances.

7 TO HAVE AND TO HOLD the real estate, together with
8 appurtenances, and every part thereof, to the Grantees, and to
9 the heirs and assigns of the Grantees forever.

10 The real estate hereby conveyed is subject to the
11 following: Accruing taxes, levies and assessments, and
12 easements of record, if any.

13 IN WITNESS WHEREOF, the Grantor has executed this
14 Deed the day and year first above written.

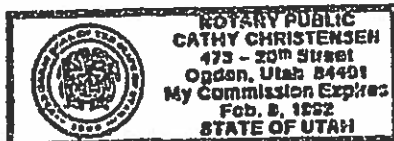
15 ESTATE OF MARY JOHNSON, DECEASED

16 BY Walter B. Johnson
17 Walter B. Johnson, Personal
18 Representative of the Estate of
19 MARY JOHNSON

20 STATE OF UTAH)

21 County of Walsh) ss

22 On this 18th day of February, in the year
23 1991, before me, the undersigned, a Notary Public in and for
24 said State, personally appeared WALTER B. JOHNSON, known or
25 identified to me to be the person whose name is subscribed to
26 the within instrument as Personal Representative of the ESTATE
OF MARY JOHNSON, and acknowledged to me that he executed the
same as such Personal Representative.



Notary Public for Utah
Residing at
My commission expires

RECORDED AT THE CLERK'S OFFICE
FEB 23 3 55 PM '91
IDAHO

PERSONAL REPRESENTATIVE'S DEED - 3

212320

68583

PARSONS & SMITH
Attorneys for Petitioner
137 West 13th Street
P. O. Box 910
Burley, Idaho 83318
(208) 678-8382

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF CASSIA
MAGISTRATE DIVISION

ESTATE OF

Case # ES-233

WALTER C. JOHNSON,

Deceased.

STATEMENT OF INTESTACY OF A COMMUNITY
ESTATE AND DETERMINATION OF HEIRSHIP

THE APPLICATION of Mary Johnson for a statement

intestacy of community estate with a surviving spouse having
come before the Court for consideration this 9 day of MARCH,
1973, the Court makes the following findings:

1. Decedent, WALTER C. JOHNSON, died August 3, 1971,
at the age of 61, domiciled in Cassia County, State of
Idaho, and is survived by Mary Johnson, his surviving spouse.
2. Decedent left no will.
3. The decedent's estate consists solely of community
property of the decedent and the surviving spouse.
4. Surviving spouse of the decedent is Mary Johnson.
and she is the sole heir of the decedent.
5. The property passing to Mary Johnson hereby
described as follows:

Real Property:

Parcel No. 1: The W $\frac{1}{2}$ SW $\frac{1}{2}$, Section 13, Township 11
South, Range 23, East of the Boise Meridian;
Parcel No. 2: W $\frac{1}{2}$ SE $\frac{1}{2}$, Section 15, Township 11 South,
Range 24, East of the Boise Meridian, ALL IN CASSIA
COUNTY, Idaho

1 In addition to the above, any property whether
2 real, personal or mixed, which the deceased owned
3 or in which he had any interest at the time of his
4 death.

5 DATED this 7 day of MARCH, 1973.

6 Lela Blacker
7 Magistrate

8 State of Idaho
9 County of Cassia

10 I hereby certify that the foregoing
11 instrument is a full, true and correct
12 copy of the original on file in this
13 office.

14 Dated MAR 9 1973

15 Frank B. Kearns
16 Clerk of the District Court, Ex-Office
17 Auditor and Recorder, Cassia County,
18 Idaho

19 Deputy

State of Idaho, County of Cassia I do
1 hereby certify that this instrument was filed for record of Record of
2 Frank B. Kearns 55 minutes and
3 at the date of MAR 9 1973 A.D. 1973 by my official seal
4 and recorded in the file No. 65-13
5

6 Barbara A. Smith
7 Justice of the Peace
8 Deputy

9 Re Parson's Smith
10 Box 910

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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

February 10, 2017

W & M JOHNSON FARMS LLC
2073 TESA AVE
HEYBURN ID 83336

RE: Change of Ownership for Water Right Nos. 45-10002 and 45-7632

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 black ink, appearing to read 'Jim Bitzenburg', is written over a horizontal line.

Jim Bitzenburg
Senior Water Right Agent

Enclosure(s)

Cc: William A. Parsons

PARSONS, SMITH, STONE, LOVELAND & SHIRLEY, LLP

ATTORNEYS AT LAW

137 WEST 13TH STREET

P.O. Box 910

BURLEY, IDAHO 83318

WILLIAM A. PARSONS

RICHARD K. SMITH

RANDOLPH C. STONE

LANCE A. LOVELAND

DAVID F. SHIRLEY

JASON R. NAESS

SCOTT B. LINDSTROM

TELEPHONE
(208) 878-8382

FAX NO.
(208) 878-0146

February 2, 2017

RECEIVED

FEB 06 2017

DEPT OF WATER RESOURCES
SOUTHERN REGION

IDWR Southern Region
650 Addison Ave. W., Ste. 500
Twin Falls, ID 83301-5858

**RE: Notice of Change of Water Right Ownership
Water Right Nos. 45-07632 & 45-10002
Our File No. 10390.170010**

Gentlemen:

Enclosed, for your information, is the Notice of Change in Water Right Ownership form in regards to Water Right Nos. 45-07632 and 45-10002, along with a copy of the conveyance documents.

Also enclosed is a check in the sum of \$50.00 for the fee.

Thank you for your courtesies. Should you have any questions, please contact me.

Very truly yours,

**PARSONS, SMITH, STONE, LOVELAND
& SHIRLEY, LLP**

Mailed without signature to avoid delay

William A. Parsons

WAP/sw
Enc.