

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

DEC 05 2016

Department of Water Resources
Eastern 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?
22-171A <i>OK</i>	Yes ☒	Yes ☐		Yes ☐	Yes ☐
<i>[Handwritten mark]</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
<i>22-171A 22-14255</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Thomason Farms, Inc.
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Sundown Ranch-Land, LLC
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 4124 N. 5000 W. Tetonia ID 83452
Mailing address City State ZIP
- 208-604-0344 _____
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: September 10, 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: Barry R. Sorensen Managing Member 12/1/16
Signature of new owner/claimant Title, if applicable Date
- Signature: _____
Signature of new owner/claimant Title, if applicable Date

SUPPORT DATA

IN FILE # 22-171A

For IDWR Office Use Only:

Received by [Signature] Date 12/5/2016 Receipt No. E042641 Receipt Amt. \$100.-
 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 [Signature] Processed by CT Date 12/15/2016

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

12/1/2016

Water Right 22-171A

Owner Type **Name and Address**
Current Owner THOMASON FARMS INC
 7276 W 3200 S
 REXBURG, ID 83440
 (208)356-7069

Priority Date: 6/1/1898

Basis: Decreed

Status: Active

Source
SOUTH LEIGH CREEK

Tributary
TETON RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	10/31	2.250 CFS	
	<u>Total Diversion</u>		2.250 CFS	

Source and Point(s) of Diversion

SOUTH LEIGH CREEK NWSWSE Sec. 33, Twp 06N, Rge 45E, TETON County

Place Of Use

IRRIGATION within TETON County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	45E	31							38.0 L2	39.0		39.0 L3							116.0

POU Total Acres: 116.0

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. F01 Water is delivered through Black Ditch.

30

RP06N45E306000
NEESE, DANIEL TRUETT

RP06N45E306600
SMITH, RITA H

RP06N45E313000
NEESE, DANIEL TRUETT

RP06N45E312401
SMITH, RITA H

W15750N

31

RP06N45E313750
SUNDOWN RANCH LAND LLC

RP06N45E314200
REDFIELD, JAMES A

RP06N45E315550
REDFIELD, JAMES A

RP06N45E314800
TIBBITTS, ERROL W

N15000W

N14500W

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Heimerl Law Firm, PC
217 S. Main St.
P.O. Box 499
Victor, ID 83455

Instrument # 237923
TETON COUNTY, IDAHO
09-10-2016 12:26:00 No. of Pages: 2
Recorded for: FIRST AMERICAN TITLE - DRIGGS
MARY LOU HANSEN Fee: \$13.00
Ex-Officio Recorder Deputy, Mary Lou Hansen
Index to: DEED, PERSONAL REPRESENTATIVE

First American Title Company

558535-T

(Space Above For Recorder's Use)

PERSONAL REPRESENTATIVE'S DEED

THIS DEED, made by Bruce Sewell, as personal representative of the estate of Mary W. Childress, deceased ("Grantor"), to Sundown Ranch-Land, LLC, an Idaho limited liability company whose current address is 4124 N. 5000 W., Teton, ID 83452 ("Grantee").

WHEREAS, Bruce Sewell is the domiciliary foreign personal representative of the estate of Mary W. Childress in Rogers County, State of Oklahoma, and a Proof of Authority of such appointment was filed in Teton County, Idaho as Case No. 15-271;

THEREFORE, for valuable consideration received, Grantor quitclaims, transfers, and conveys to Grantee the following described real property in Teton County, Idaho:

Lot 2, all in Section 31, Township 6 North, Range 45 East, Boise Meridian, Teton County, Idaho.

TOGETHER WITH the tenements, hereditaments and appurtenances thereunto belonging, or in anywise appertaining; and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

SUBJECT TO all easements, rights of way, covenants, restrictions, US Patent reservations, other reservations, applicable building codes and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by the parties, laws and regulations, encroachments, overlaps, boundary line disputes and other matters which would be disclosed by an accurate survey or inspection of the premises.

EXECUTED this 27 day of August, 2015.


 Bruce Sewell, Personal Representative

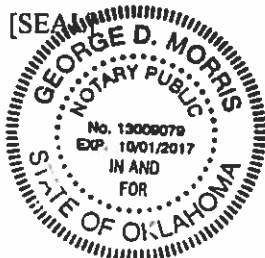
STATE OF OKLAHOMA)

: ss

COUNTY OF WAGONER)

On this 27 day of August, 2015, before me, the undersigned, a notary public in and for said state, personally appeared, Bruce Sewell, known or identified to me to be the person whose name is subscribed to the within instrument, as Personal Representative of the Estate of Mary W. Childress, deceased, and acknowledged to me that he executed the same.

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




 Notary Public
 Residing at Coweta, OK
 My commission expires 10-1-17

MELISSA HEIMERL, ISBN 7856
HERBERT J. HEIMERL III, ISBN 7849
HEIMERL LAW FIRM, PC
217 S. MAIN ST.
P.O. BOX 499
VICTOR, IDAHO 83455
TEL 208-787-0337 FAX 866-800-9388
melissa@tetonlawfirm.com
Attorneys for Foreign Personal Representative

Instrument # 237922
TETON COUNTY, IDAHO
09-10-2015 12:26:00 No. of Pages: 2
Recorded for: FIRST AMERICAN TITLE - DRIGGS
MARY LOU HANSEN Fee: \$13.00
Ex-Officio Recorder Deputy, Mary Lou Hansen
Index to: MISCELLANEOUS RECORDING

FILED

SEP 02 2015

TIME
TETON CO ID DISTRICT COURT

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF TETON

IN THE MATTER OF THE ESTATE OF
MARY W. CHILDRESS,
Deceased.

Case No. CV 2015 - 271

**PROOF OF AUTHORITY OF
DOMICILIARY FOREIGN
PERSONAL REPRESENTATIVE**
(I.C. 15-4-204)
Filing Category: J-1(f)
Filing Fee: \$27.00

The undersigned, as domiciliary foreign personal representative of the estate of the above-named decedent, states and represents that:

1. The decedent, Mary W. Childress, died on January 2, 2011, a resident of Rogers County, State of Oklahoma.
2. Decedent owned property in Teton County, Idaho.
3. On February 19, 2013, Bruce Sewell was appointed as personal representative of the estate of the decedent in Rogers County, State of Oklahoma, to act without bond. A certified copy of the probate proceedings and the appointment of the Personal Representative in the District Court of Rogers County, OK is included with this Proof of Authority, including certified copies of: (a) the Last Will and Testament, (b) the Order Admitting Will to Probate, Appointing Personal Representative, (c) the Letters Testamentary, (d) the Eighth Petition for Order Authorizing Personal Representative to Sell Estate Property, and (e) the Order Authorizing Personal Representative to Sell Estate Property.

4. There is no administration of the decedent's estate, or application or petition for such administration, pending in the State of Idaho.
5. This proof of authority is filed pursuant to the Idaho Uniform Probate Code to enable the undersigned to exercise the power of a local personal representative in the State of Idaho and to maintain action and proceedings in the State of Idaho, subject to any conditions imposed upon nonresident parties generally.

DATED: Aug 26, 2015

Melissa Heimerl
Melissa Heimerl
Attorney for Foreign Personal Representative

VERIFICATION

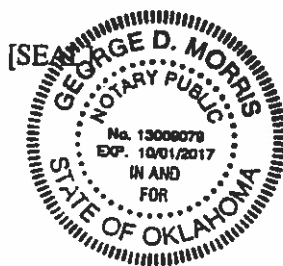
STATE OF OKLAHOMA)
COUNTY OF WAGONER)

SS

The undersigned, being duly sworn, says that the facts set forth in the foregoing PROOF OF AUTHORITY OF DOMICILIARY FOREIGN PERSONAL REPRESENTATIVE are true, accurate, and complete to the best of applicant's knowledge and belief.

Bruce Sewell
Bruce Sewell, Domiciliary Foreign Personal Representative

SUBSCRIBED AND SWORN to before me this 27 day of August, 2015.



[Signature]
NOTARY PUBLIC
Residing at: Coweta, OK
My Commission Expires: 10-1-17

3050916517

203575 MAR 23 2009 PM 9:34
TRUSTEE'S DEED

ALLIANCE TITLE & ESCROW CORP. INC.
P.O. BOX 644 / 78 N. MAIN STREET
DRIGGS, IDAHO 83422

This Trustee's Deed to real property conveys all right, title and interest owned by R. Sam Hopkins, as Trustee in Bankruptcy of the bankruptcy estate of Greg Thomason and Diana Thomason, Case No. 03-42400, in the U.S. Bankruptcy Courts, for the District of Idaho, with mailing address of P.O. Box 3014, Pocatello, Idaho 83206-3014. This Trustee's Deed to real property also conveys all right, title and interest owned by co-owner, Thomason Farms, Inc., pursuant to authority and power provided to R. Sam Hopkins, Trustee by way of the Final Judgment entered in the adversary proceeding of *Thomason Farms, Inc. et. al. vs. Greg Thomason and Diana Thomason et. al.*, Case No. 04-6134, in the U.S. Bankruptcy Court for the District of Idaho. Said Final Judgment was filed as a foreign judgment in the district court for the State of Idaho in the Sixth Judicial District, in the County of Bannock as Case No. CV-07-514 OC, and recorded on the real property records of Teton County as Instrument No. 184882.

WHEREAS, Trustee did file with the Court the Trustee's Motion for Approval of Sale of Real Property, For Authority to Pay Auctioneer's and Realtor's Commission to sell the property described hereinafter, and did serve copies of said notice and motion upon all parties in interest as required by law, and thereafter, a hearing was held on said Motion to sell said property and the sale having been made pursuant to the terms and conditions set forth in said Notice and the Court now having entered its Order confirming the sale, a certified copy of said Order being recorded herewith;

NOW, THEREFORE, know ye that R. Sam Hopkins, Trustee in Bankruptcy, by virtue of the power and authority in him vested under the laws and statutes of the United States as aforesaid and in consideration of payment of the sum of \$254,000.00 and other valuable consideration to me paid by the below named purchaser, receipt whereof is hereby acknowledged, do hereby grant, bargain, sell and convey to Mary W. Childress and/or assigns, whose complete mailing address is P.O. Box 848, Victor, Idaho 83455, and to her heirs and assigns forever, all the right, title and interest of the co-owner, Thomason Farms, Inc., and the bankruptcy estate of Greg Thomason and Diana Thomason had on the date of the filing of the petition in bankruptcy herein in that certain

Trustee's Deed - 1

Instrument # 203575
TETON COUNTY, IDAHO
3-23-2009 09:34:00 No. of Pages: 2
Recorded for : ALLIANCE TITLE
MARY LOU HANSEN Fee: 6.00
Ex-Officio Recorder Deputy
Index to DEED, TRUSTEE'S



real property located in Teton County, Idaho, and particularly described as follows:

Real property with the common address: unknown if one exists.

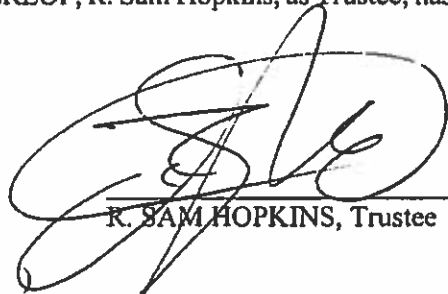
The legal description is:

Lot 2, all in Section 31, Township 6 North, Range 45 East,
Boise Meridian, Teton County, Idaho.

SUBJECT TO the usual printed exceptions and easements contained in a standard title insurance policy; together with and singular the tenements, hereditaments and appurtenances thereunto belonging, or in anywise appertaining; and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

PURSUANT TO the Order Approving Sale of Teton Pastures Property at Public Auction, this Deed will convey the above described real property free and clear of co-owner's interests, all liens, claims and lis pendens pursuant to 11 U.S.C. § 363(b), (f) and (h).

IN WITNESS WHEREOF, R. Sam Hopkins, as Trustee, has hereto set his hand the 9
day of March, 2009.


R. SAM HOPKINS, Trustee

STATE OF IDAHO

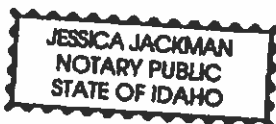
County of Bannock

SS
)

On this 9th day of March, 2009, before me, the undersigned Notary Public, in and for said county and state, personally appeared R. SAM HOPKINS, known or identified to me to be the Trustee in Bankruptcy in the matter of Greg V. Thomason and Diana Thomason, and acknowledged to me that he executed the same acting in said capacity as Trustee.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

(SEAL)




NOTARY PUBLIC for Idaho
Residing at: Hozatello
Commission Expires: 1/15/15

(Optional)
Recorded ☐ Platted ☐ Key Punched ☐ To Treasurer ☐
Microfilm ☐ Deed Card ☐ Master File ☐
Abstracted ☐ Compared ☐ Abstracted ☐

2-21-76

DO NOT WRITE ABOVE THIS LINE

155399

WARRANTY DEED

CHARLES G. THOMASON and DORALEE A. THOMASON, husband and wife, GRANTOR(S)
of the County of Madison State of Idaho
hereby CONVEYS, GRANTS and WARRANTS TO
THOMASON FARMS, INC., an Idaho corporation, with principal offices GRANTEE(S)
in the County of Madison State of Idaho
for the sum of Ten - - - - - Dollars (\$ 10.00)
and other valuable consideration,
the following described tract(s) of land in Teton County, State of Idaho:

SE 1/4 NW 1/4; Lots 2 and 3, all in Section 31, Township 6 North,
Range 45 East, Boise Meridian, Teton County, Idaho.

CERTIFICATE
I HEREBY CERTIFY THE
FOREGOING INSTRUMENT
TO BE A TRUE AND CORRECT
COPY OF THE ORIGINAL
ON FILE IN MY OFFICE

DATED 1-18-63
MARION R. RASMUSSEN
Madison County Clerk
Auditor and Recorder
Clerk of the District Court

By [Signature]
Deputy

Instrument # 155399

DRIGGS, TETON, IDAHO

2003-06-16 02:49:26 No. of Pages: 2

Recorded for: THOMASEN, & STEPHENS

NOLAN G. BOYLE Fee: 8.00

Ex-Officio Recorder Deputy [Signature]

Index to: DEED, WARRANTY

Location of above described property _____
House No. _____ Street _____
WITNESS the hand of said Grantors this 24th. day of Feb. A.D. 19 76.

Charles G. Thomason
Doralee A. Thomason



State of Idaho }
County of Madison } ss. On the 24th. day of Feb. A.D. 19 76

personally appeared before me

Charles G. Thomason and Doralee A. Thomason

the signer(s) of the within instrument, who duly acknowledged to me that they executed the same.

[Signature]
(NOTARY PUBLIC)

Residing at: Rexburg, Idaho My Commission expires: 2-5-77

MAIL DEED TO:

J. Kent Jolley

39 Professional Plaza

Rexburg, Idaho 83440

MAIL TAX NOTICE TO:

Name Thomason Farms, Inc.
c/o Charles G. Thomason
Address Route #1
Rexburg, Idaho

09440

155399

No. 168461

INDEXED

WARRANTY DEED

Charles H. Thompson

Charles A. Thompson

-TO-

Thompson Farms, Inc.

Dated February 24, 1926

STATE OF IDAHO

County of Madison

ss.

I hereby certify that this instrument was
filed for record at request of

J. Kent Jolley

at 20 minutes past 9

o'clock P. M., this 26th day

of August, A.D. 1922

in my office, and duly recorded in Book

at 168461 at page

William H. Barnes
Ex-Officio Recorder.

By Thompson Kitch
Deputy.

Fee \$2.00

CERTIFICATE
I HEREBY CERTIFY THE
FOREGOING INSTRUMENT
TO BE A TRUE AND CORRECT
COPY OF THE ORIGINAL
ON FILE IN MY OFFICE

DATED 1-15-23
MARILYN R. RASMUSSEN
Madison County Clerk
Auditor and Recorder
Clerk of the District Court

By W. H. Barnes
Deputy

155399 J. Kent Jolley



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N Skyline Dr., Ste A, Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 FAX: (208) 525-7177 www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

December 23, 2016

Sundown Ranch Land LLC
4124 N 5000 W
Tetonia ID 83452

RE: Change of Ownership for Water Rights 22-171A (Split into 22-171A & 22-14255)

Dear Water Right Holder:

The department acknowledges receipt of correspondence changing ownership and splitting the above referenced water right. The department has modified its records to reflect the changes and has enclosed computer-generated reports for your records.

Your portion of the water right has a specified point of diversion, nature of use and place of use. If you plan on changing any of these, including adding a new point of diversion, then an Application for Transfer on your portion of this right is required. If you do not plan on changing any items on your water right, then no further action is required at this time.

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 deliberately abandoned or 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 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,

Jonie Barg
Technical Records Specialist

Enclosures

cc: Thomason Farms Inc
Water District 01