

RECEIVED

DEC 15 2016

DEPARTMENT OF
WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form. Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case IDWR will produce new water right number(s) for the split(s).

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
85-12417*					
85-11919					
79-10012					

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are on file with the county Planning and Zoning or Recorder's Office).
- OR**
- D. If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency or equivalent **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Patricia Kaschmitter
Route 3, Box 104, Cottonwood, Idaho 83522
4. New Owner/Claimant(s) Kaschmitter Farms, LLC
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 194 Keuterville Road
- City, State and ZIP Code Cottonwood, ID 83522
- New Telephone Number (208) 962-3018

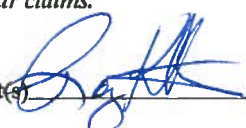
5. Date you acquired the property

July 15, 2005

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (you may copy this page, if necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

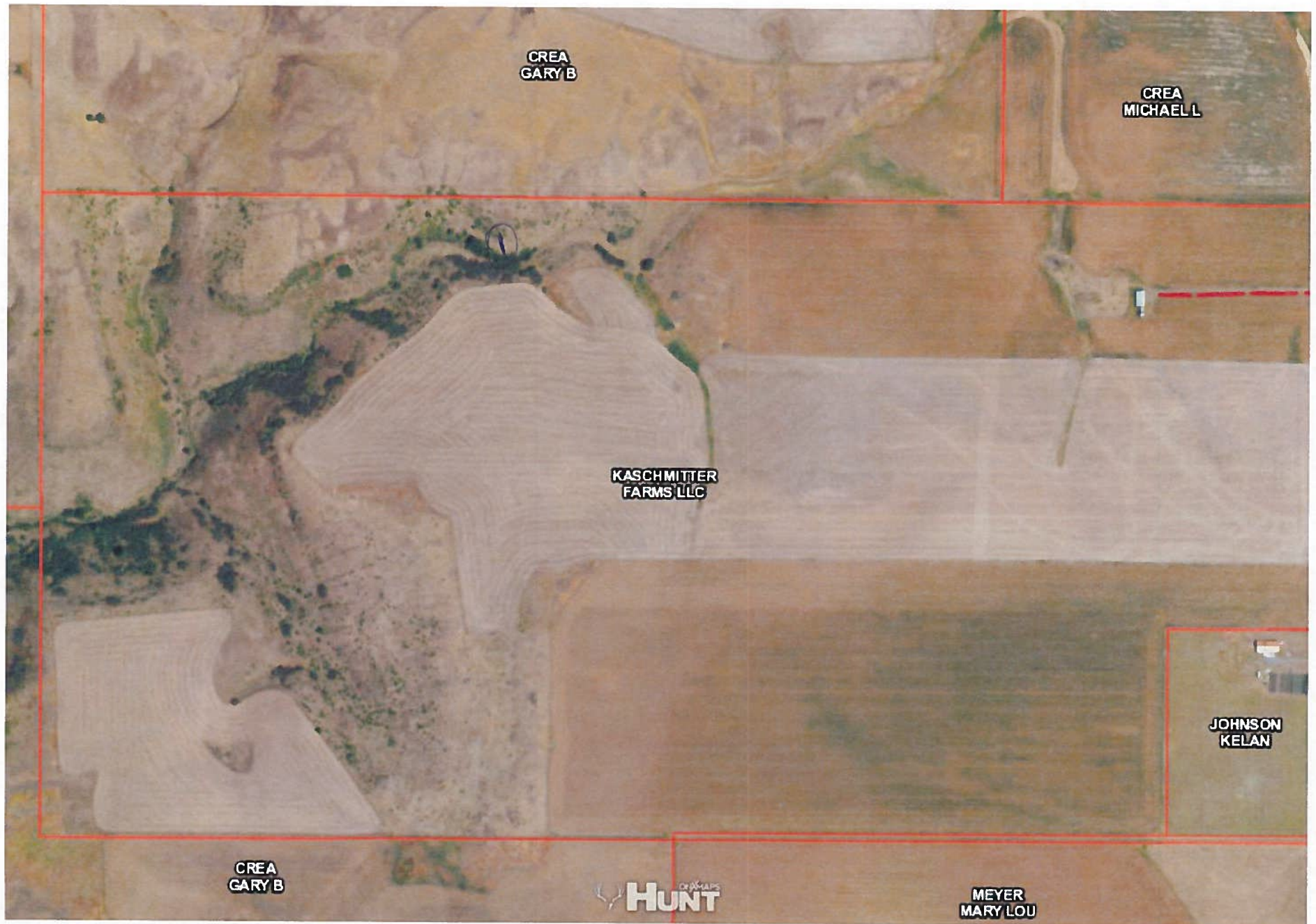
7. Signature(s) of New Owner(s) or Claimant(s)  KASCHMITZ FARMS LLC Manager
(title if applicable)
(title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

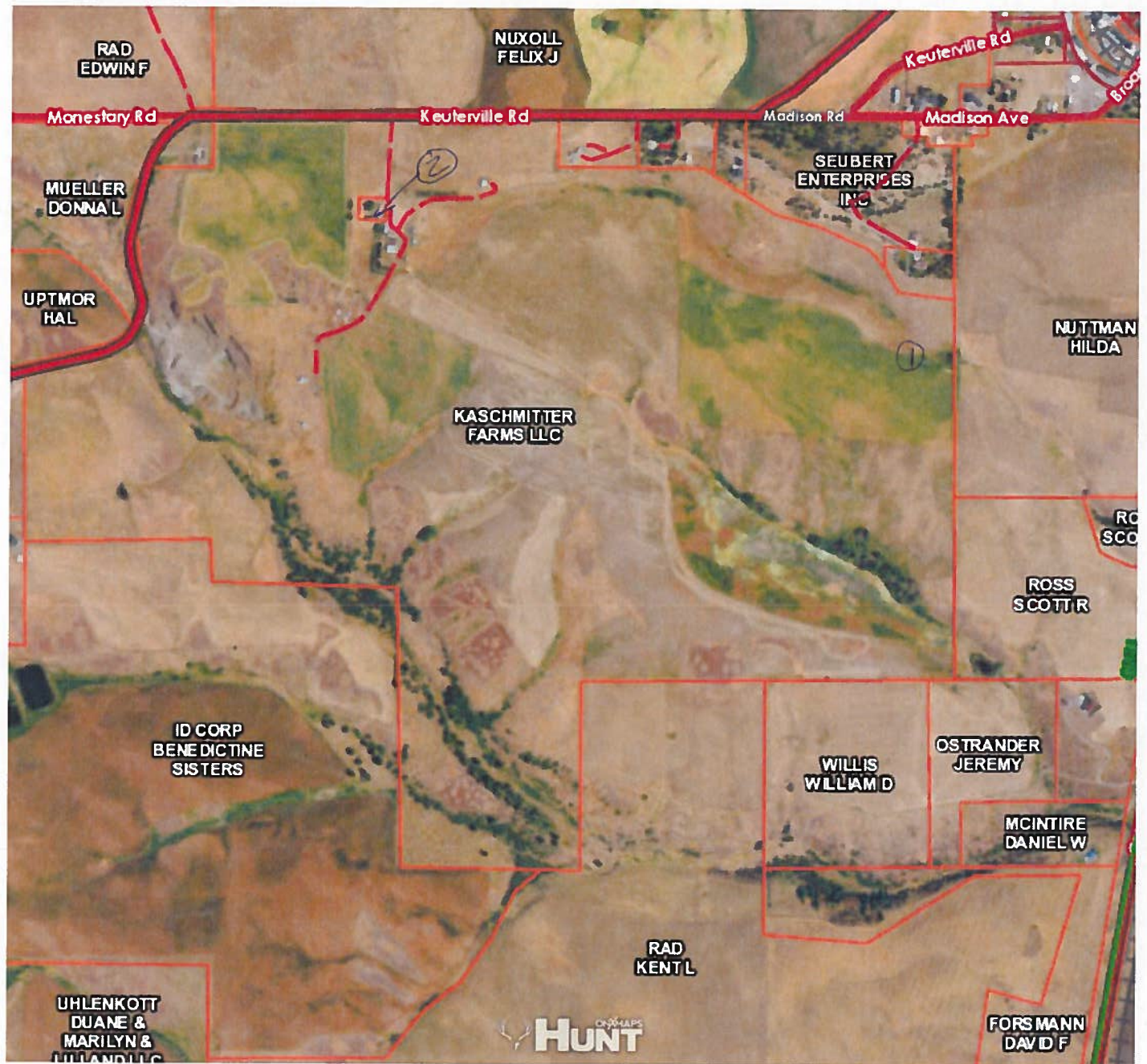
For IDWR Office Use Only:

Received by _____ Date 1/24/07
 Received by _____ Date _____
 Processed by _____ AJ Date _____

Receipt Amt. \$75
 Receipt No. 0083132
 WR _____ Date _____







① 85-11919

② ~~79-10012~~
85-12417

453047

Instrument # 0047

IDAHO COUNTY, IDAHO,

2007-01-23 09:21:51 No. of Pages: 4

Recorded for : CREASON MOORE & DOKKEN

ROSE E. GEHRING

Ex-Officio Recorder Deputy *Bette G. Elbrink* Fee: 12.00

my son be/cw

QUITCLAIM DEED (CORRECTED)

THIS INDENTURE is made effective the 15th day of July, 2005, by and between Patricia A. Kaschmitter, an unmarried person, party of the first part, and Kaschmitter Farms, LLC, an Idaho limited liability company, whose address is HC3 Box 103D, Cottonwood, Idaho 83522, party of the second part. This deed is made to correct the legal description contained in Quitclaim Deed recorded February 21, 2006, as Instrument No. 446778, records of Idaho County, Idaho.

WITNESSETH:

That the party of the first part, for and in consideration of the sum of Ten Dollars (\$10.00) to her in hand paid by the party of the second part, receipt whereof is hereby acknowledged, and of other good and valuable consideration, does hereby sell, convey, remise, release and forever quitclaim unto the party of the second part, its heirs and assigns forever, all the right, title, interest, claim and demand which the party of the first part now has or may hereafter acquire, in and to the real property situate in the County of Idaho, State of Idaho, to-wit:

Township 31 N, Range 1 E.B.M., Idaho County, Idaho

Sec. 7: S $\frac{1}{2}$ NE $\frac{1}{4}$, LESS Road, and LESS part Tax #117; E $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, LESS part of Tax #19, Tax #18, N $\frac{1}{2}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ lying south and east of the road.

EXCEPTING THEREFROM (The Behler Place):

A parcel of land situated in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 7, Township 31 North, Range 1 East, Boise Meridian, Idaho County, State of Idaho, more particularly described as follows:

COMMENCING at a brass cap marking the Section Corner common to Sections 5, 6, 7, and 8; Thence South $63^{\circ}57'54''$ West a distance of 3,146.06 feet to a 5/8 inch by 30 inch rebar on the southeasterly right-of-way boundary of the Keuterville Road, the TRUE POINT OF BEGINNING:

Thence Southwesterly 480.55 feet along said right-of-way boundary on the arc of a curve to the left having a radius of 433.42 feet, a central angle of $63^{\circ}31'34''$, and a long chord which bears South $42^{\circ}19'19''$ West a distance of 456.31 feet to a 5/8 inch by 30 inch rebar;

Thence leaving said right-of-way boundary on a bearing of North $89^{\circ}35'53''$ East a distance of 304.63 feet to a 5/8 inch by 30 inch rebar;

Thence North $00^{\circ}26'44''$ East a distance of 335.26 feet to the TRUE POINT OF BEGINNING.

This parcel contains 1.63 acres, more or less.

AND EXCEPTING THEREFROM (The Home Parcel):

A parcel of land situated in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 7, Township 31 North, Range 1 East, Boise Meridian, Idaho County, State of Idaho, more particularly described as follows:

COMMENCING at a brass cap marking the Section Corner common to Section 5, 6, 7, and 8 of said township; Thence South $36^{\circ}28'51''$ West a distance of 2,399.83 feet to a 5/8 inch by 30 inch rebar in the center of a driveway, the TRUE POINT OF BEGINNING;

Thence South $02^{\circ}30'10''$ West a distance of 161.21 feet to a 5/8 inch by 30 inch rebar;

Thence North $86^{\circ}10'01''$ West a distance of 194.32 feet to a 5/8 inch by 30 inch rebar;

Thence North $03^{\circ}54'51''$ East a distance of 157.04 feet to a 5/8 inch by 30 inch rebar;

Thence South 87°24'29" East a distance of 190.40 feet to the
TRUE POINT OF BEGINNING.

This parcel contains 0.70 acre, more or less.

AND

Sec. 8: S½NW¼, LESS Tax #s 68, 69, 72, 105; part of #117 and Inside Tax #9;
SW¼; LESS Road

AND

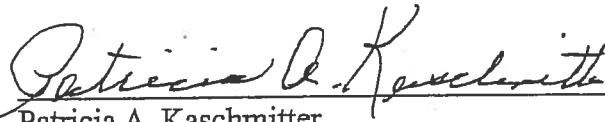
Sec. 18: NE¼NE¼

AND

Sec. 34: S½ of Section LESS Tax #11, LESS road.

TO HAVE AND TO HOLD the same, together with all and singular, the appurtenances
and privileges thereunto belonging or in anywise appertaining, and all estate, right, title, interest
and claim whatever, of the party of the first part thereto, either at law or in equity, to the proper
use, benefit and behoof of the party of the second part, its heirs and assigns forever.

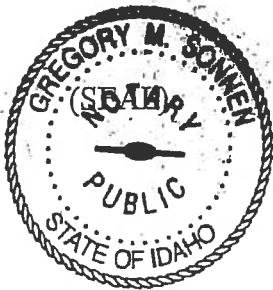
IN WITNESS WHEREOF, the party of the first part has set her hand the day and year
first above written.

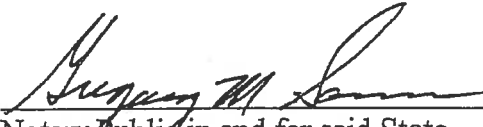

Patricia A. Kaschmitter

STATE OF IDAHO)
 : ss.
County of Idaho)

On this 15th day of December, 2006, before me, the undersigned, a notary public in and for said state, personally appeared Patricia A. Kaschmitter, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she 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 in and for said State,
residing at COTTONWOOD
My Commission Expires: 6-30-2010

453048

Instrument # 048

IDAHO COUNTY, IDAHO,

2007-01-23

09:21:51 No. of Pages: 3

Recorded for : CREASON MOORE & DOKKEN

ROSE E. GEHRING

Fee: 9.00

Ex-Officio Recorder Deputy

BAH G. COLBURN

m/ see below

QUITCLAIM DEED (CORRECTED)

THIS INDENTURE is made effective the 1st day of January, 2006, by and between Patricia A. Kaschmitter, an unmarried person, party of the first part, and Kaschmitter Farms, LLC, an Idaho limited liability company, whose address is HC3 Box 103D, Cottonwood, Idaho 83522, party of the second part. This deed is made to correct the legal description contained in Quitclaim Deed recorded February 21, 2006, as Instrument No. 446779, records of Idaho County, Idaho.

WITNESSETH:

That the party of the first part, for and in consideration of the sum of Ten Dollars (\$10.00) to her in hand paid by the party of the second part, receipt whereof is hereby acknowledged, and of other good and valuable consideration, does hereby sell, convey, remise, release and forever quitclaim unto the party of the second part, its heirs and assigns forever, all the right, title, interest, claim and demand which the party of the first part now has or may hereafter acquire, in and to the real property situate in the County of Idaho, State of Idaho, to-wit:

A parcel of land situated in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 7, Township 31 North, Range 1 East, Boise Meridian, Idaho County, State of Idaho, more particularly described as follows:

COMMENCING at a brass cap marking the Section Corner common to Section 5, 6, 7, and 8 of said township; Thence South 36°28'51" West a distance of 2,399.83 feet to a 5/8 inch by 30 inch rebar in the center of a driveway, the TRUE POINT OF BEGINNING;

Thence South 02°30'10" West a distance of 161.21 feet to a 5/8 inch by 30 inch rebar;

Thence North 86°10'01" West a distance of 194.32 feet to a 5/8 inch by 30 inch rebar;

Thence North 03°54'51" East a distance of 157.04 feet to a 5/8 inch by 30 inch rebar;

Thence South 87°24'29" East a distance of 190.40 feet to the TRUE POINT OF BEGINNING.

ALONG WITH the right to share use of any water rights, well, pumps and piping with Patricia A. Kaschmitter, the holder of the retained life estate; and the right of ingress and egress over and under the property for the purpose of repair and maintenance of the well, pump and piping.

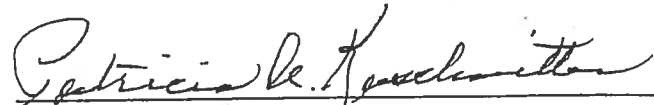
SUBJECT TO:

- A retained life estate in Patricia A. Kaschmitter, which life estate is subject to the water rights and related easement noted above.

This parcel contains 0.70 acre, more or less.

TO HAVE AND TO HOLD the same, together with all and singular, the appurtenances and privileges thereunto belonging or in anywise appertaining, and all estate, right, title, interest and claim whatever, of the party of the first part thereto, either at law or in equity, to the proper use, benefit and behoof of the party of the second part, its heirs and assigns forever.

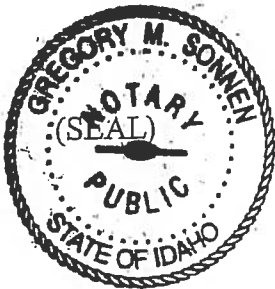
IN WITNESS WHEREOF, the party of the first part has set her hand the day and year first above written.


Patricia A. Kaschmitter

STATE OF IDAHO)
 : ss.
County of Idaho)

On this 15th day of December, 2006, before me, the undersigned, a notary public in and for said state, personally appeared Patricia A. Kaschmitter, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she 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.



Gregory M. Sonnen
Notary Public in and for said State,
residing at Cottonwood
My Commission Expires: 6-30-2010



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

December 16, 2016

KASCHMITTER FARMS LLC
194 KEUTERVILLE RD
COTTONWOOD ID 83522

Re: Change of Ownership for Water Right Decree No(s): 79-10012, 85-11919, and 85-12417

Dear Water Right Holder(s):

The Department acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records to reflect this change in ownership and has enclosed a computer-generated report 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 § 42-222 and §42-223, Idaho Code.

Also 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.

Thank you for your patience. If you have any questions concerning the enclosed information, please feel free to contact me at (208) 287-4942.

Sincerely,

For Jean Hersley
Technical Records Specialist II

Enclosure(s)

CREASON, MOORE, DOKKEN & GEIDL, PLLC

LAWYERS

CHRISTOPHER J. MOORE*
DAVID E. DOKKEN*
TOD D. GEIDL*
SAMUEL T. CREASON*

1219 IDAHO STREET
P.O. DRAWER 835
LEWISTON, IDAHO 83501
www.cmd-law.com

MARCUS J. WARE
(1904-1996)
DANIEL W. O'CONNELL
(1928-1988)
THEODORE O. CREASON
(1948-2015)

PAUL B. BURRIS*
RUVIM V. KUZNETSOV

*ADMITTED IN IDAHO AND WASHINGTON

(208) 743-1516
FAX (208) 746-2231
Email: cmd@cmd-law.com

RECEIVED

DEC 15 2016

**DEPARTMENT OF
WATER RESOURCES**

December 13, 2016

Idaho Department of Water Resources
322 E. Front Street
P. O. Box 83720
Boise, ID 83720-0098

Re: Kaschmitter Farms, LLC

To Whom It May Concern:

I am enclosing Notice of Change of Water Rights Ownership, two Quitclaim Deeds (Corrected) and copies of three Partial Decrees Pursuant to I.R.C.P. 54(b). If you need anything further to transfer the water rights, please let me know.

Very truly yours,

CREASON, MOORE, DOKKEN & GEIDL, PLLC


Christopher J. Moore

slk
Enc.