

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED

AUG 24 2016

DEPT OF WATER RESOURCES
SOUTHERN REGION

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?
45-7136	Yes ☐	Yes ☐		Yes ☐	Yes ☐
45-7200	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Lee Butterfield
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Kowitz Farms L.L.C.
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 251 SO. 200E. Reupert JD 83350
Mailing address City State ZIP
- 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: August 17, 2016
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.

SUPPORT DATA

IN FILE # 45-7136

8. Signature: [Signature] member 8-17-16
Signature of new owner/claimant Title, if applicable Date
- Signature: [Signature] _____
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by DM Date 8-24-2016 Receipt No. 5035691 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 _____



CASSIA COUNTY
RECORDED FOR:
TITLEONE - BURLEY
04:22:49 PM 08-17-2016
2016-003432
NO. PAGES: 5 FEE: \$22.00
JOSEPH W. LARSEN
COUNTY CLERK
DEPUTY: CVELASQUEZ
Electronically Recorded by Simplifile

Order Number: 16276383

Warranty Deed

For value received,

Lee R. Butterfield, also known as Lee Butterfield, a single man,

the grantor, does hereby grant, bargain, sell, and convey unto

Kowitz Farms L.L.C., an Idaho Limited Liability Company

whose current address is 251 So. 200 E. Rupert, ID 83350

the grantee, the following described premises, in Cassia County, Idaho, to wit:

PARCEL NO. 1

TOWNSHIP 9 SOUTH, RANGE 25 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 20: Part of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ and Part of the SW $\frac{1}{4}$ SE $\frac{1}{4}$, more particularly described as follows:

Beginning at the South $\frac{1}{4}$ corner of Section 20, said corner marked by a 5/8 inch rebar with 3 inch aluminum cap on top; Thence North 00°17'32" East along the west line of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ for a distance of 50.35 feet to the northerly right-of-way of 600 North Road which shall be the Point of Beginning;

Thence North 89°56'51" West along the northerly right-of-way of 600 North Road for a distance of 433.48 feet to a $\frac{1}{2}$ inch rebar;

Thence North 00°03'05" East for a distance of 229.70 feet to a $\frac{1}{2}$ inch rebar;

Thence North 37°59'42" West for a distance of 338.13 feet to a $\frac{1}{2}$ inch rebar;

Thence North 89°56'39" West for a distance of 135.77 feet to a $\frac{1}{2}$ inch rebar;

Thence North 89°56'39" West for a distance of 45.20 feet to the centerline of the Main Southside Canal;

Thence North 04°46'54" East along said centerline for a distance of 577.65 feet;

Thence North 10°36'56" West along said centerline for a distance of 136.71 feet;

Thence North 24°56'58" West for a distance of 61.67 feet to the north line of the S $\frac{1}{2}$ SW $\frac{1}{4}$;

Thence North 89°55'13" East along said line for a distance of 63.12 feet to a $\frac{1}{2}$ inch rebar;

Thence North 89°55'13" East along said line for a distance of 768.77 feet to a 5/8 inch rebar at the Northeast corner of the S $\frac{1}{2}$ SW $\frac{1}{4}$;

Thence South 89°57'15" East along the north line of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ for a distance of 995.95 feet to a 5/8 inch rebar at the Northeast corner of the W $\frac{1}{2}$ E $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$;

Thence South 00°21'35" West along the east line of the W $\frac{1}{2}$ E $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ for a distance of 913.77 feet to a $\frac{1}{2}$ inch rebar;

Thence North 89°40'44" West for a distance of 199.97 feet to a $\frac{1}{2}$ inch rebar;

Thence South 82°32'44" West for a distance of 152.52 feet to a $\frac{1}{2}$ inch rebar;

Thence North 85°33'46" West for a distance of 76.11 feet to a $\frac{1}{2}$ inch rebar;

Thence North 86°47'13" West for a distance of 160.55 feet to a $\frac{1}{2}$ inch rebar;

Thence South 00°00'06" East for a distance of 147.25 feet to a $\frac{1}{2}$ inch rebar;

Thence South 89°21'20" West for a distance of 243.73 feet to a $\frac{1}{2}$ inch rebar;

Thence South 61°41'29" West for a distance of 34.88 feet to a $\frac{1}{2}$ inch rebar;

Thence South 03°25'57" West for a distance of 179.40 feet to a $\frac{1}{2}$ inch rebar on the northerly right-of-way of 600 North Road;

Thence North 89°56'51" West along said right-of-way for a distance of 124.13 feet to the Point of Beginning.

PARCEL NO. 2

A WELL EASEMENT FOR THE BENEFIT OF PARCEL NO. 1, MORE PARTICULARLY DESCRIBED ON ATTACHED EXHIBIT "C"

RESERVING UNTO THE GRANTOR, HIS SUCCESSORS AND ASSIGNS A DRAINFIELD EASEMENT FOR THE BENEFIT OF REAL PROPERTY DESCRIBED ON ATTACHED EXHIBIT "A". SAID EASEMENT IS MORE PARTICULARLY DESCRIBED ON ATTACHED EXHIBIT "B".

ALSO RESERVING UNTO THE GRANTOR, HIS SUCCESSORS AND ASSIGNS, A SECOND FIVE (5) FOOT WIDE DRAINFIELD EASEMENT FOR THE BENEFIT OF REAL PROPERTY DESCRIBED ON ATTACHED EXHIBIT "A" SAID EASEMENT IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Part of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 20 in Township 9 South, Range 25 East of the Boise Meridian, Cassia County, State of Idaho.

Beginning at the South $\frac{1}{4}$ corner of Section 20 in T.9 S., R.25 E., B.M. said corner marked by a 5/8 inch rebar with 3 inch aluminum cap on top; thence North 00°17'32" East along the west line of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ for a distance of 50.35 feet to the northerly right of way of 600 North Road; Thence South 89°56'51" East along said right of way for a distance of 124.13 feet to a $\frac{1}{2}$ inch rebar; Thence North 03°25'57" East for a distance of 89.40 feet to the Point of Beginning;

Thence running in a westerly direction for 100 feet said easement is 2.5 feet in width on either side of said described line.

To have and to hold the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

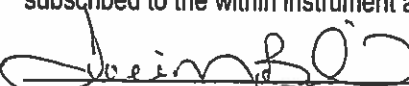
Dated: August 11, 2016



Lee R. Butterfield

State of Idaho, County of Minidoka, ss.

On this 17th August 2016 day of in the year of, before me, the undersigned, a Notary Public in and for said State, personally appeared Lee R. Butterfield, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he executed the same.



Notary Public

Residing In: Rupert

My Commission Expires: 2-5-20
(seal)

Terri McBride
Notary Public
State of Idaho

Exhibit "A"

Part of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 20 in Township 9 South, Range 25 East of the Boise Meridian, Cassia County, State of Idaho.

Beginning at the South $\frac{1}{4}$ Corner of Section 20 in T.9 S., R.25 E., B.M. said corner marked by a $\frac{5}{8}$ " rebar with 3" aluminum cap on top; Thence North 00 degrees 17 minutes 32 seconds East along the west line of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ for a distance of 50.35 feet to the northerly right of way of 600 North Road; Thence South 89 degrees 56 minutes 51 seconds East along said right of way for a distance of 124.13 feet to a $\frac{1}{2}$ " rebar which shall be the Point of Beginning;

THENCE North 03 degrees 25 minutes 57 seconds East for a distance of 179.40 feet to a $\frac{1}{2}$ " rebar;

THENCE North 61 degrees 41 minutes 29 seconds East for a distance of 34.88 feet to a $\frac{1}{2}$ " rebar;

THENCE North 89 degrees 21 minutes 20 seconds East for a distance of 243.73 feet to a $\frac{1}{2}$ " rebar;

THENCE North 00 degrees 00 minutes 06 seconds West for a distance of 147.25 feet to a $\frac{1}{2}$ " rebar;

THENCE South 86 degrees 47 minutes 13 seconds East for a distance of 160.55 feet to a $\frac{1}{2}$ " rebar;

THENCE South 85 degrees 33 minutes 46 seconds East for a distance of 76.11 feet to a $\frac{1}{2}$ " rebar;

THENCE North 82 degrees 32 minutes 44 seconds East for a distance of 152.52 feet to a $\frac{1}{2}$ " rebar;

THENCE South 00 degrees 21 minutes 39 seconds West for a distance of 200.00 feet to a $\frac{1}{2}$ " rebar;

THENCE South 89 degrees 40 minutes 11 seconds East for a distance of 185.09 feet to a $\frac{1}{2}$ " rebar;

THENCE South 00 degrees 24 minutes 40 seconds West for a distance of 150.07 feet to a $\frac{1}{2}$ " rebar;

THENCE South 00 degrees 24 minutes 40 seconds West for a distance of 0.16 feet to the northerly right of way of 600 North Road;

THENCE North 89 degrees 56 minutes 51 seconds West along said right of way for a distance of 855.32 feet to the Point of Beginning.

Exhibit "B"

EASEMENT (DRAINFIELD)

L E G A L D E S C R I P T I O N

Part of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 20 in Township 9 South, Range 25 East of the Boise Meridian, Cassia County, State of Idaho.

Beginning at the South $\frac{1}{4}$ Corner of Section 20 in T.9 S., R.25 E., B.M. said corner marked by a $\frac{3}{8}$ " rebar with 3" aluminum cap on top; Thence North 00 degrees 17 minutes 32 seconds East along the west line of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ for a distance of 50.35 feet to the northerly right of way of 600 North Road; Thence South 89 degrees 56 minutes 51 seconds East along said right of way for a distance of 124.13 feet to a $\frac{1}{2}$ " rebar; Thence North 03 degrees 25 minutes 57 seconds East for a distance of 179.40 feet to a $\frac{1}{2}$ " rebar; Thence North 61 degrees 41 minutes 29 seconds East for a distance of 34.88 feet to a $\frac{1}{2}$ " rebar; Thence North 89 degrees 21 minutes 20 seconds East for a distance of 243.73 feet to a $\frac{1}{2}$ " rebar; Thence North 00 degrees 00 minutes 06 seconds West for a distance of 147.25 feet to a $\frac{1}{2}$ " rebar; Thence South 86 degrees 47 minutes 13 seconds East for a distance of 112.08 feet to the Point of Beginning;

THENCE North 00 degrees 03 minutes 09 seconds East for a distance of 100.00 feet;

THENCE South 89 degrees 56 minutes 51 seconds East for a distance of 48.40 feet;

THENCE South 00 degrees 03 minutes 09 seconds West for a distance of 102.67 feet to a $\frac{1}{2}$ " rebar;

THENCE North 86 degrees 47 minutes 13 seconds West for a distance of 48.47 feet to the Point of Beginning.

Said property contains 0.11 acres more or less.

PREPARED BY:

Desert West Land Surveys
2020 Overland Ave.
Burley, Idaho 83318

EASEMENT (WELL)

EXHIBIT "C"

L E G A L D E S C R I P T I O N

Part of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 20 in Township 9 South, Range 25 East of the Boise Meridian, Cassia County, State of Idaho.

Beginning at the South $\frac{1}{4}$ Corner of Section 20 in T.9 S., R.25 E., B.M. said corner marked by a $\frac{5}{8}$ " rebar with 3" aluminum cap on top; Thence North 00 degrees 17 minutes 32 seconds East along the west line of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ for a distance of 50.35 feet to the northerly right of way of 600 North Road; Thence South 89 degrees 56 minutes 51 seconds East along said right of way for a distance of 124.13 feet to a $\frac{1}{2}$ " rebar; Thence North 03 degrees 25 minutes 57 seconds East for a distance of 179.40 feet to a $\frac{1}{2}$ " rebar; Thence North 61 degrees 41 minutes 29 seconds East for a distance of 34.88 feet to a $\frac{1}{2}$ " rebar; Thence North 89 degrees 21 minutes 20 seconds East for a distance of 179.84 feet to the Point of Beginning;

THENCE North 89 degrees 21 minutes 20 seconds East for a distance of 5.00 feet;

THENCE South 00 degrees 38 minutes 40 seconds East for a distance of 40.74 feet;

THENCE South 89 degrees 21 minutes 20 seconds West for a distance of 5.00 feet;

THENCE North 00 degrees 38 minutes 40 seconds West for a distance of 40.74 feet to the Point of Beginning.

Said property contains 203.7 square feet more or less.

PREPARED BY:

Desert West Land Surveys

2020 Overland Ave.

Burley, Idaho 83318

GIFT DEED

#38274

292638

For Love and Affection

Doris Hone, a widow

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

Pat Paslay, a single person

Address: **550 East Baseline
Rupert, ID 83350**

Hereinafter called the Grantee, the following described premises situated in Cassia County, Idaho, to-wit:

• See attached Exhibit "A" for legal description

This property is being sold without water or water rights.

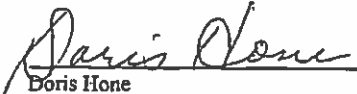
SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Taxes for 2003 and subsequent years.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The 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 incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: November 18, 2003


Doris Hone

RECORDED AT THE REQUEST OF
LAND TITLE & ESCROW

CASSIA COUNTY, IDAHO
LARRY A. MICHELSEN
RECORDER
FEE \$608 DEPUTY 

292638

STATE OF IDAHO)
COUNTY OF Cassia) ss.

On this 19th day of November, 2003, before me, the undersigned, a Notary Public in and for said State, personally appeared Doris Hone, 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.

Terri McBride
Notary Public
State of Idaho

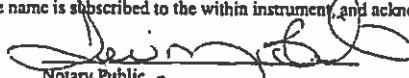

Notary Public
Residing at: Rupert
My Commission expires: 2-5-08

EXHIBIT "A"

TOWNSHIP 9 SOUTH, RANGE 25 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 20: Part of the SE $\frac{1}{4}$ SW $\frac{1}{4}$, more particularly described as follows:

Beginning at the Southwest corner of said Section 20, said corner marked by a 5/8 inch rebar with a 3 inch cap on top; thence North 89°46'21" East along the South line of Section 20 for a distance of 1782.85 feet to the centerline of the Main Southside Canal; thence North 04°46'54" East (North 04°42'55" East, rec.) along the centerline of the Main Southside Canal for a distance of 54.78 feet to the North right of way of old State Highway 30 which shall be the Point of Beginning.
Thence North 04°46'54" East (North 04°42'55" East, rec.) along the centerline of the Main Southside Canal for a distance of 497.68 feet;
Thence South 89°56'39" East for a distance of 45.20 feet to a ½ inch rebar;
Thence South 89°56'39" East for a distance of 135.77 feet to a ½ inch rebar;
Thence South 37°59'41" East for a distance of 338.13 feet to a ½ inch rebar;
Thence South 00°03'09" West for a distance of 229.69 feet to a ½ inch rebar on the North right of way of old State Highway 30;
Thence North 89°56'51" West along said highway right of way for a distance of 386.90 feet to a ½ inch rebar;
Thence North 89°56'51" West along said highway right of way for a distance of 43.50 feet to the Point of Beginning.



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

September 6, 2016

KOWITZ FARMS LLC
251 S 200 E
RUPERT ID 83350

RE: Change of Ownership for Water Right Nos. 45-7136 and 45-7200

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 cursive script, reading "Trish Fawcett".

Trish Fawcett
Technical Records Specialist

Enclosure(s)

Cc: TitleOne (File 16276383)



710 G Street
Rupert, ID 83350
Ph. (208)436-0606
Fx. (866)623-1347
www.titleonecorp.com

RECEIVED

AUG 24 2016

DEPT OF WATER RESOURCES
SOUTHERN REGION

Date: 08/22/2016

Department of Water Resources
650 Addison Ave W Suite 500
Twin Falls, ID 83301

Dear Sir/Ma'am:

Enclosed please find a check in the amount of \$50.00 to transfer 2 water rights along with the Notice of Change in Right Ownership form. Enclosed is also a copy of the recorded Warranty Deed. If you have any questions please contact us at (208)436-0606.

Very Truly Yours,



Terri McBride
TitleOne