

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUL 02 2015

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?
36-2494	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Miles & Sheryl Chisham
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Southfield Properties LLC
New owner(s) as listed on the conveyance document
- Mailing address: 33085 1600 E City: Wendell State: Id ZIP: 83355
- 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.

X 5. Date you acquired the water rights and/or claims listed above: April 6 2006

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 X Signature of new owner/claimant Partner Southfield Day 6-27-15 Signature: _____
IRS Form W-9 8.

Signature of new owner/claimant

Title, if applicable

Date

For IDWR Office Use Only:

Received by djDate 7-02-15Receipt No. 0100710Receipt Amt. \$25.00

WARRANTY DEED

#GG-07265

For Value Received

Miles Zane Chisham Also known as, Sheryl A. Chisham
Miles Zane Chisham and Sheryl Chisham, husband and wife

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

Southfield Dairy, a partnership
Address: 3308 South 1600 East, Wendell, ID 83355

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

TOWNSHIP 8 SOUTH, RANGE 14 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 23: NE $\frac{1}{4}$ NE $\frac{1}{4}$

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to State of Idaho Department of Water Resources Water Right No. 36-2494 for .99 CFS. THIS PROPERTY IS TRANSFERRED WITHOUT ANY SURFACE WATER RIGHTS.

SUBJECT TO:

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

Taxes for 2006 and subsequent years, taxes are an accruing lien, not yet due or payable.

Assessments of the North Side Canal Company and the rights and powers of said Company as by law provided.

Right of way for canals, laterals and waste ditches of the North Side Canal Company, Ltd.

Power Line Easement given by Elmer Mecham and Maud Mecham, husband and wife, to Idaho Power Company, a corporation, dated July 26, 1945, recorded January 23, 1947 in Book 5 Page 168 as Instrument Number 99469, Gooding County records, granting to said corporation a right of way and easement for erection and maintenance of an electric transmission line over and across a portion of the NE $\frac{1}{4}$ of Section 23, Township 8 South, Range 14 East Boise Meridian.

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: April 13, 2006

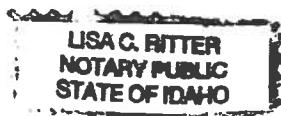
Miles Zane Chisham
Miles Zane Chisham

Sheryl Chisham
Sheryl Chisham

Instrument # 215808
GOODING, GOODING, IDAHO
2006-04-13 03:28:00 No. of Pages: 1
Recorded for: LAND TITLE
DENISE M. GILL Fee: 3.00
Ex-Officio Recorder Deputy *Denise M. Gill*

STATE OF IDAHO)
) ss.
COUNTY OF Gooding)

On this 13 day of April, 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared Miles Zane Chisham and Sheryl Chisham, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.



Lisa C. Ritter
Notary Public
Residing at: *Flagstaff, ID*
My Commission expires: *10/8/10*

BILL OF SALE

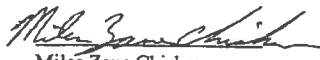
#GG-07265

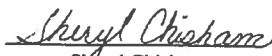
KNOW ALL MEN BY THESE PRESENTS, That on this 13th day of April, 2006, Miles Zane Chisham and Sheryl Chisham of Wendell, County of Gooding, State of Idaho, the parties of the first part, for and in consideration of the sum of TEN DOLLARS, and other valuable considerations of the United States of America, (\$10.00) to be in hand paid by Southfield Dairy of Wendell, County of Gooding, State of Idaho, the party of the second part, the receipt whereof is hereby acknowledged, does by these presents Grant, Bargain, Sell and convey unto the said party of the second part, its executors, administrators and assigns:

1-Pivot Rienke 4 tower, 20 hp and 15 hp pump, all irrigation equipment on 40 acres except mainline on East road

TO HAVE AND TO HOLD The same to the said party of the second part, its executors, administrators and assigns, forever; and the said parties of the first part does for their heirs, executors and administrators, covenant and agree to and with the said party of the second part, executors, administrators or assigns to WARRANT and DEFEND the sale of said property, goods and chattels hereby made unto the said party of the second part, its executors, administrators and assigns, against all and every person and persons whomsoever, lawfully claiming or to claim the same.

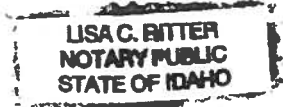
IN WITNESS WHEREOF, the said parties of the first part hereunto set their hands and seals the day and year first above written.

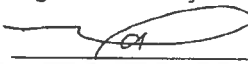

Miles Zane Chisham


Sheryl Chisham

STATE OF IDAHO)
) ss.
COUNTY OF Gooding)

On this 13th day of April, 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared Miles Zane Chisham and Sheryl Chisham, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.




Notary Public
Residing at: Hagerman, ID
My Commission expires: 10/8/10



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 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

June 30, 2016

SOUTHFIELD PROPERTIES LLC
3308 S 1600 E
WENDELL, ID 83355

Re: Change of Ownership for Water Right/Permit No(s): 36-2494

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. Water right forms are available from any office of the Department, or at www.idwr.idaho.gov.

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

Sincerely,

A handwritten signature in black ink that reads "Jean Hersley".

Jean Hersley
Technical Records Specialist II

Enclosure(s)



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 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

May 24, 2016

SOUTHFIELD PROPERTIES LLC
3308 S 1600 E
WENDELL ID 83355

RE: Notice of Change in Water Right Ownership No(s). 36-2494

Dear Property Owner(s):

The Department of Water Resources received a Notice of Change in Water Right Ownership from you on July 2, 2015. During the review, it was discovered that additional information was needed to complete this request. On the same day, a letter was sent requesting a conveyance document. The Department received this document on July 18, 2015. After reviewing the warranty deed you provided, the Department needs guidance on how to proceed.

The warranty deed conveys property located in Township 08S, Range 14E, Section 23, NENE to Southfield Dairy. The deed also states:

Together with all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to State of Idaho Department of Water Resources Water right No. 36-2494 for 0.99 cfs. This property is transferred without any surface water rights.

The Department needs to know if this means the entire water right, since it is being transferred without surface water rights, or only a portion appurtenant to the land. If the water right is divided proportionately, Southfield Dairy will receive, 0.2 cfs, 56 af and 14 acres of irrigation. If the water right is to be divided, additional fees are necessary.

Please send the additional information to the address above, fax it to (208) 287-6700 or email to jean.hersley@idwr.idaho.gov.

The Department cannot process the ownership change without proper information, we will hold any action on your notice pending receipt of the necessary information. If we do not receive the necessary information within 30 days we will return the ownership change.

Please feel free to contact me at (208) 287-4942 if you have any questions regarding this matter.

Sincerely,

Jean Hersley
Technical Records Specialist II

c: Miles Z. and Sheryl Chisham

Hersley, Jean

From: Gary Funderburg <tskenterprise@cablone.net>
Sent: Saturday, July 18, 2015 5:47 PM
To: Hersley, Jean
Cc: 'Gary Funderburg'
Subject: warranty deed for Southfield Dairy's
Attachments: Scan0028.pdf

Please find attached the warranty Deeds for Southfield Dairy's for water right # 36-2494. Any problems, please contact me @ 208 320-0897. Please let me know you have received this.

Thank You

Gary L. Funderburg

TSK Enterprises LLC

208-320-0897



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" OTTIE
Governor

GARY SPACKMAN
Director

July 2, 2015

SOUTHFIELD PROPERTIES, LLC
33085 1600 E
WENDELL ID 83355

RE: Notice of Change in Water Right Ownership No(s). 36-2494

Dear Interested Party(s):

The Idaho Department of Water Resources received your request for a Notice of Change in Water Right Ownership on July 2, 2015. During the initial review, it was determined a conveyance document that includes a legal description of the property or description of the water right and a plat or survey map showing the place of use and point of diversion for the water right is needed to complete this request.

Because the Department cannot process the ownership change without proper documentation, we will hold any action on your notice pending receipt of the necessary information. If we do not receive the necessary information within 30 days we will return your request unprocessed. You can send the documents to the address above, fax it to (208) 287-6700, attention Jean or email to jean.hersley@idwr.idaho.gov.

Please contact me at (208) 287-4942 if you have any questions regarding this matter.

Sincerely,

Jean Hersley
Technical Records Specialist II