

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED

SEP 08 2015

WATER RESOURCES
WESTERN 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?
63-3200	Yes ☐	Yes ☐		Yes ☐	Yes ☐
63-9212	Yes ☐	Yes ☐		Yes ☐	Yes ☐
63-21849	Yes ☐	Yes ☐		Yes ☐	Yes ☐
63-21850	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Alfred and Berta Kandler
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Dixie Land, LLC
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- | | | | |
|------------------------|-----------------|-----------|--------------|
| <u>22993 Howe Road</u> | <u>Caldwell</u> | <u>ID</u> | <u>83607</u> |
| Mailing address | City | State | ZIP |
| <u>208-459-3029</u> | | | |
| 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: _____
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 # 63-3200

8. Signature: Jucker Shan Title, if applicable: Member Date: 8-28-15
 Signature: [Signature] Title, if applicable: Member Date: 8/28/15

For IDWR Office Use Only:

Received by [Signature] Date 9/8/15 Receipt No. W043470 Receipt Amt. \$100⁰⁰
 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 X Approved by [Signature] Processed by [Signature] Date 9/15/15

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

8/6/2015

WATER RIGHT NO. 63-3200

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ALFRED KANDLER
Current Owner	BERTA KANDLER
	24005 BOISE RIVER RD
	CALDWELL, ID 83605
	(208)459-4753
Original Owner	SHELDON S SUITER
	RT 1
	PARMA, ID 83660

Priority Date: 08/23/1960
Basis: Decreed
Status: Active

<u>Source</u>	<u>Tributary</u>
CHRISTIAN GULCH WASTEWAY	DIXIE DRAIN

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/01	11/15	0.34 CFS	76.5 AFA
Total Diversion			0.34 CFS	

Location of Point(s) of Diversion:

CHRISTIAN GULCH WASTEWAY|SESE|Sec. 01|Township 04N|Range 05W|CANYON County

Place(s) of use:

Place of Use Legal Description: IRRIGATION CANYON County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
04N	05W	1		NENE	17									

Total Acres: 17

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.

G21

The source of this water includes waste water. The wasting of water may be discontinued at any time.

Dates:

Licensed Date:
Decreed Date: 06/10/2009
Permit Proof Due Date:
Permit Proof Made Date:
Permit Approved Date:
Permit Moratorium Expiration Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Water Supply Bank Enrollment Date Accepted:
Water Supply Bank Enrollment Date Removed:
Application Received Date:
Protest Deadline Date:
Number of Protests: 0

Other Information:

State or Federal: S
Owner Name Connector: OR
Water District Number:
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

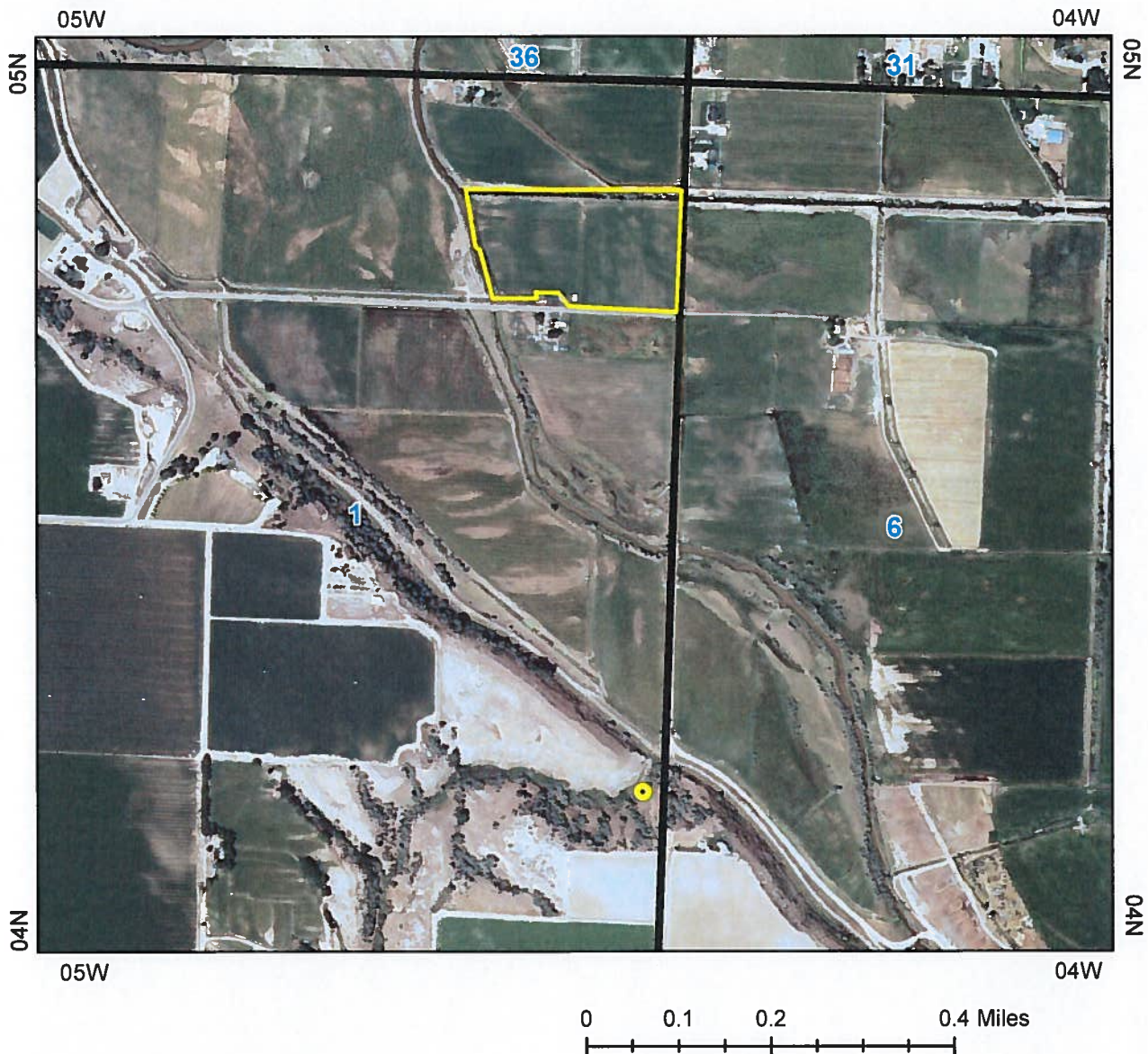
Close

State of Idaho
Department of Water Resources

Water Right
63-3200

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

8/6/2015

WATER RIGHT NO. 63-9212

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ALFRED KANDLER
Current Owner	BERTA KANDLER
	24005 BOISE RIVER RD
	CALDWELL, ID 83605
	(208)459-4753

Priority Date: 04/15/1979
Basis: Decreed
Status: Active

<u>Source</u>	<u>Tributary</u>
CHRISTIAN GULCH WASTEWAY	DIXIE DRAIN

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	3/15	11/15	0.72 CFS	162 AFA
Total Diversion			0.72 CFS	

Location of Point(s) of Diversion:

CHRISTIAN GULCH WASTEWAY|SESE|Sec. 01|Township 04N|Range 05W|CANYON County

Place(s) of use:

Place of Use Legal Description: IRRIGATION CANYON County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
04N	05W	1	2	NWNE	36									

Total Acres: 36

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. S39 | The use of water for irrigation under this right may begin as early as March 1, provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date a partial decree is entered for this right. |
| 3. | An easement or right of way agreement providing for access to the drain by its owner and those responsible for maintaining it - and/or for access to the drain by the appropriator to divert water pursuant to this right - must be executed among the appropriator, the owner of the drain, and if appropriate, those responsible for maintaining the drain. Failure to execute such an agreement will constitute grounds for legal action to prevent water from being diverted under this right. |
| 4. | While the Christian Gulch Wasteway is a natural water way, it is also a federal facility and has been utilized as part of the Boise Project as invoked by the United States through its reservation authority provided by the Act of August 30, 1890 (43 U.S.C. 945). As a federal facility, the Christian Gulch Wasteway, to the extent allowed by law, may be rerouted, piped, or its flow of water interrupted if determined appropriate to better serve Boise Project purposes. |
| 5. | The source of this water right includes waste water. The right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it. |

Dates:

Licensed Date:

Decreed Date: 06/16/2010

Permit Proof Due Date: 4/1/1980

Permit Proof Made Date: 1/1/1900

Permit Approved Date: 3/21/1979

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: OR

Water District Number: 63

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

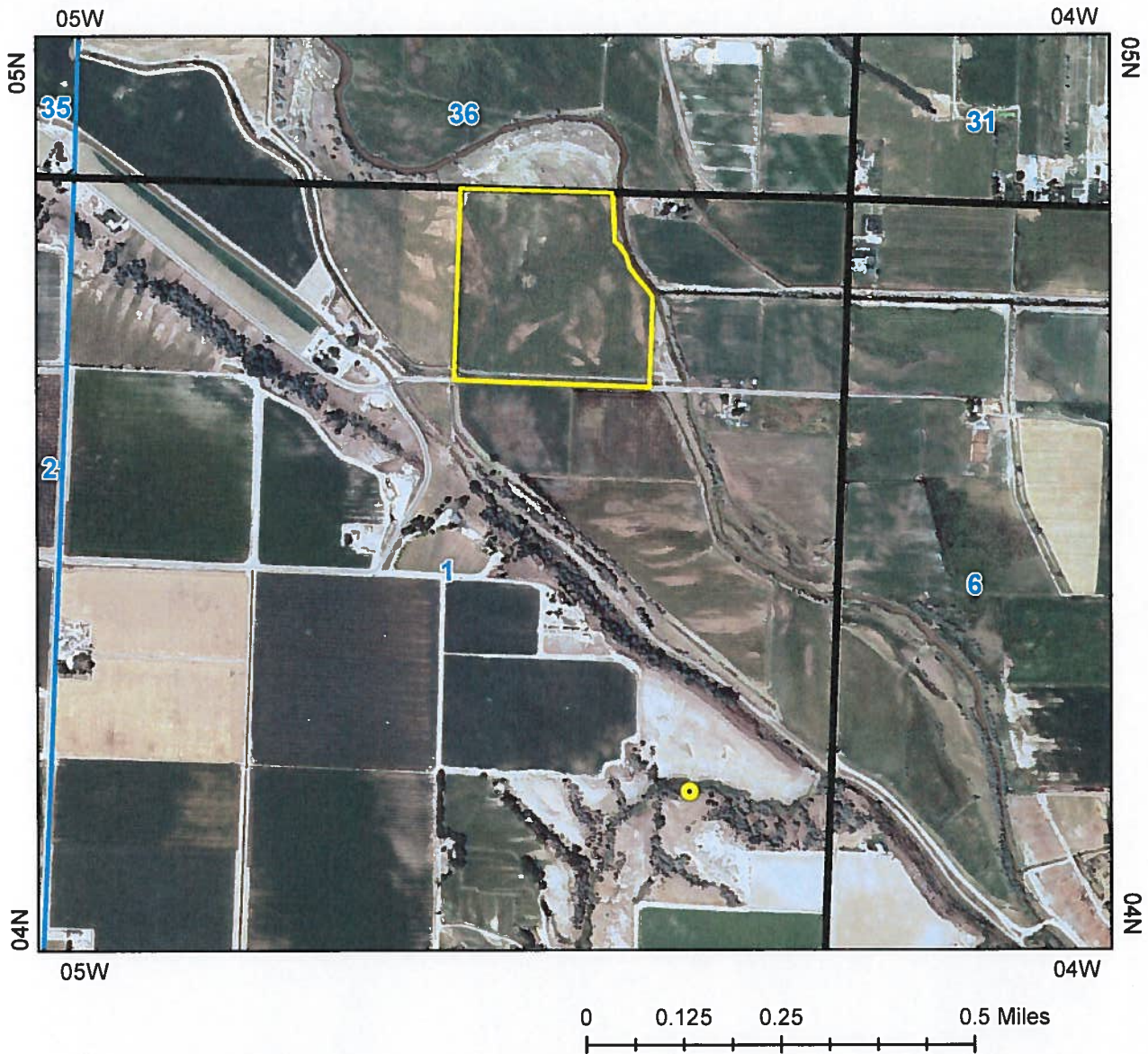
Mitigation Plan: False

State of Idaho
Department of Water Resources

Water Right
63-9212

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections

[Close](#)

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

8/10/2015

WATER RIGHT NO. 63-21849

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ALFRED KANDLER
Current Owner	BERTA KANDLER
	24005 BOISE RIVER RD
	CALDWELL, ID 83605
	(208)459-4753

Priority Date: 02/01/1963

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	1/01	12/31	0.03 CFS	
DOMESTIC	1/01	12/31	0.04 CFS	
Total Diversion			0.07 CFS	

Location of Point(s) of Diversion:

GROUND WATER|NWNE|Sec. 01|Township 04N|Range 05W|CANYON County

Place(s) of use:

Place of Use Legal Description: STOCKWATER CANYON County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
04N	05W	1		NWNE										

Place of Use Legal Description: DOMESTIC CANYON County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
04N	05W	1		NWNE										

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. | N13 | THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY. |
| 3. | N11 | THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE. |
| 4. | | PARCEL NO. 1R36637 000 0 STOCKWATER, 50 RANGE CATTLE |

Dates:

Licensed Date:

Decreed Date: 03/31/2000

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: OR

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

State of Idaho
Department of Water Resources

Water Right
63-21849

DOMESTIC

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



0 0.045 0.09 0.18 Miles

-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections

Map produced on August 10, 2015

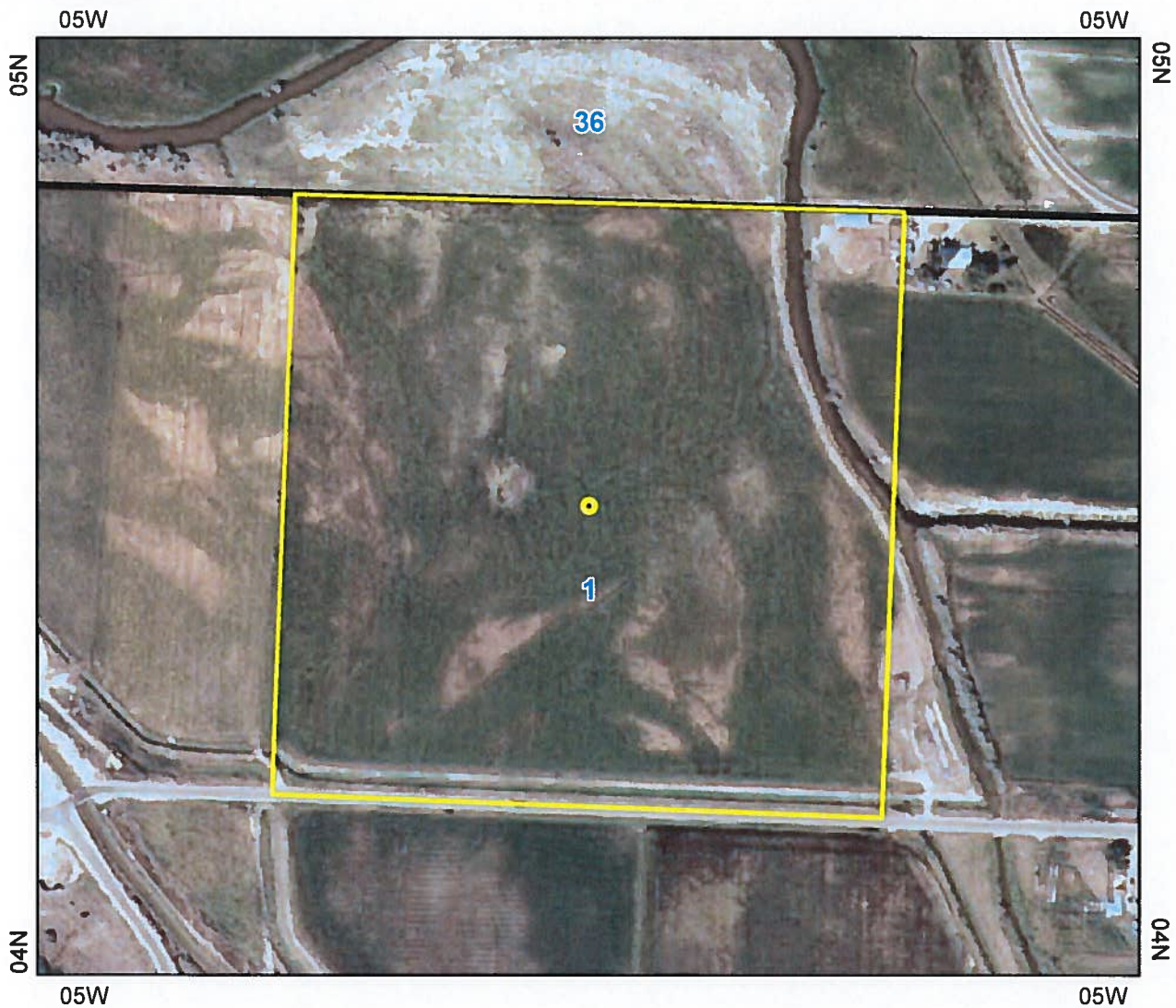
SCANNED
N
SEP 16 2015

State of Idaho
Department of Water Resources

Water Right
63-21849

STOCKWATER

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



0 0.045 0.09 0.18 Miles

-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections

[Close](#)IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

8/10/2015

WATER RIGHT NO. 63-21850

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ALFRED KANDLER
Current Owner	BERTA KANDLER
	24005 BOISE RIVER RD
	CALDWELL, ID 83605
	(208)459-4753

Priority Date: 02/01/1953

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	1/01	12/31	0.05 CFS	
DOMESTIC	1/01	12/31	0.08 CFS	
Total Diversion			0.05 CFS	

Location of Point(s) of Diversion:

GROUND WATER|NWNE|Sec. 01|Township 04N|Range 05W|CANYON County

Place(s) of use:

Place of Use Legal Description: STOCKWATER CANYON County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
04N	05W	1		NWNE										

Place of Use Legal Description: DOMESTIC CANYON County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
04N	05W	1		NWNE										

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. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
3. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
4. PARCEL NO. 1R36637 000 0 STOCKWATER, 200 RANGE CATTLE

Dates:

Licensed Date:

Decreed Date: 03/31/2000

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: OR

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

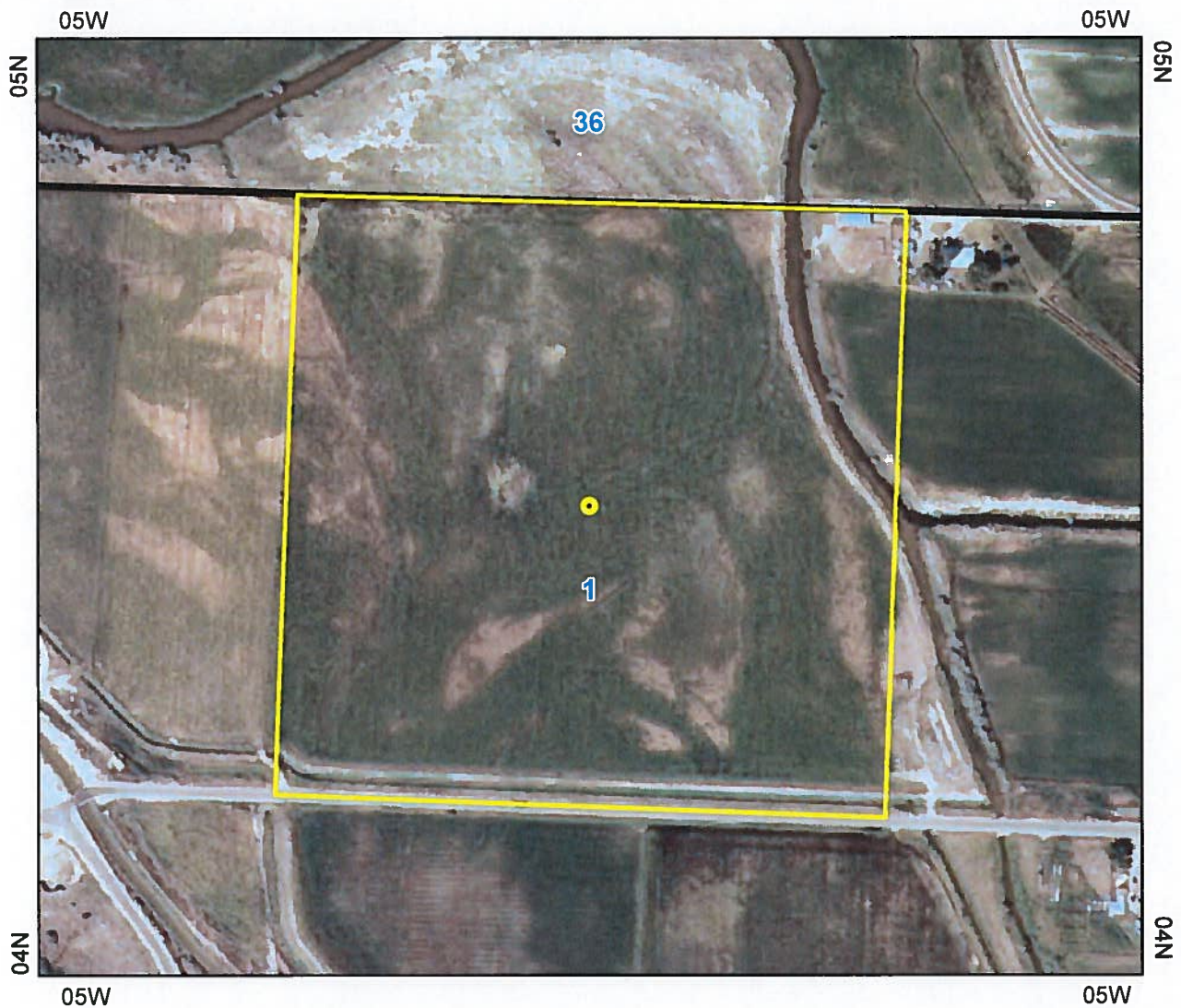
Close

State of Idaho
Department of Water Resources

Water Right
63-21850

DOMESTIC

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



0 0.045 0.09 0.18 Miles

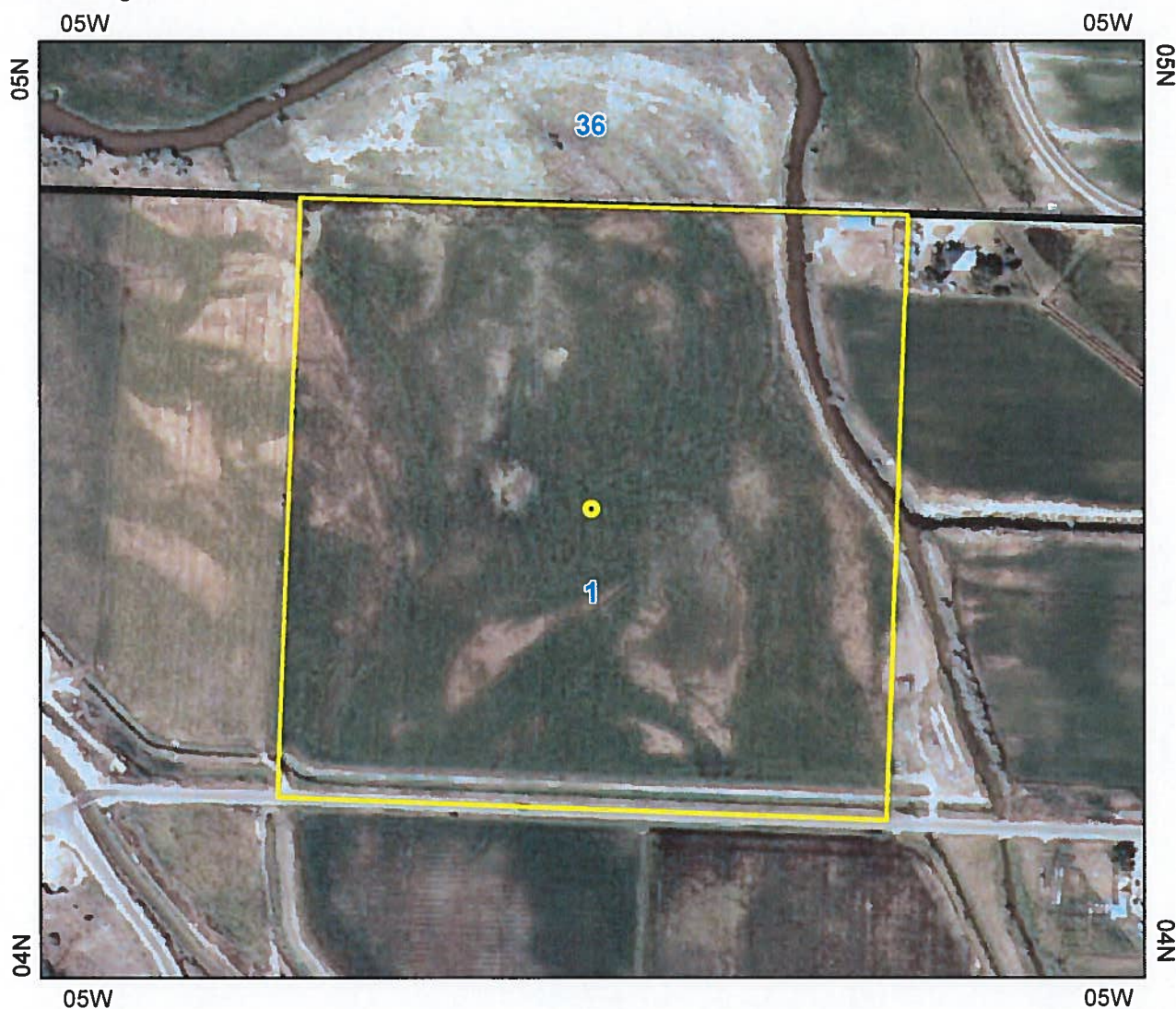
-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections

State of Idaho
Department of Water Resources

Water Right 63-21850

STOCKWATER

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



0 0.045 0.09 0.18 Miles

- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections



2012037363

RECORDED

2012 Aug 27 PM 2 13

CHRIS YAMAMOTO

CANYON CNTY RECORDER

BY C. McLaughlin

Requestor Pioneer Title Canyon - Ca

Type DEED

Fee \$18.00

ELECTRONICALLY RECORDED BY SIMPLIFILE

PERSONAL REPRESENTATIVE'S DEED

THIS INDENTURE, made and entered into this 27 day of August, 2012, by and between C. Alyce Shenk, as the duly appointed and acting personal representative of the Estate of Berta I. Kandler, deceased, hereinafter referred to as Party of the First Part, and Dixie Land, LLC, with address of 23020 Howe Rd., Caldwell, Idaho 83607, hereinafter referred to for convenience as Party of the Second Part
WITNESSETH:

WHEREAS, On the 9th day of March, 2012, the Party of the First Part was appointed as the personal representative of the Estate of Berta I. Kandler, deceased, by the District Court of the Third Judicial District of the State of Idaho, in and for the County of Canyon, Magistrate Division, and is now the duly qualified and acting personal representative of said deceased;

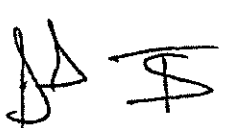
NOW, THEREFORE, The Party of the First Part, for and in consideration of the sum of TEN AND NO/100 (\$10.00) DOLLARS lawful money of the United States of America, and other good and valuable consideration, to her in hand paid by the Party of the Second Part, the receipt whereof I hereby acknowledge, has granted, bargained, sold and conveyed, and by these presents does hereby grant, demise and convey unto the said Party of the Second Part, Dixie Land, LLC, their heirs and assigns forever, all of the right, title and interest of Berta I. Kandler, deceased, and all of her estate, in and to that certain real property, situated in the said County of Canyon, State of Idaho, more particularly described in Exhibit A hereto.

Together with all the tenements, hereditaments and appurtenances whatsoever to the same belonging or in anywise appertaining.

TO HAVE AND TO HOLD ALL and singular the above mentioned and described premises, together with the appurtenances thereunto appertaining, unto the said Party of the Second Part, their heirs and assigns forever.

IN WITNESS WHEREOF, The said Party of the First Part, as personal representative of the Estate of Berta Kandler, deceased, has hereunto set his hand and seal the day and year first above written.

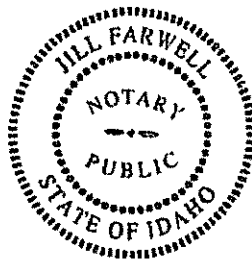

C. Alyce Shenk,
as Personal Representative of the
Estate of Berta I. Kandler,
Deceased



STATE OF IDAHO)
)ss
County of Canyon)

On the 27th day of August, in the year of 2012, the undersigned, a Notary Public in and for the State, personally appeared C. Alyce Shenjk, personal representative of the Estate of Berta I. Kandler, deceased, known to me or proven by satisfactory evidence 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.



[Signature]
Notary Public for Idaho
Residing in Wilder
My commission expires 4/5/13

EXHIBIT A

Parcel 1:

Government Lots 1 and 2 of Section 1, Township 4 North, Range 5 West of the Boise Meridian, Canyon County, Idaho

Parcel 2:

That portion of the Southeast Quarter of the Southeast Quarter of Section 36, Township 5 North, Range 5 West of the Boise Meridian, Canyon County, Idaho more particularly described as follows:

BEGINNING at the Southwest corner of the said Southeast Quarter of the Southeast Quarter; thence North along the West boundary line of said Southeast Quarter of the Southeast Quarter, a distance of 918 feet, more or less, to a point where the County Road as now located intersects said West boundary line; thence in a Southeasterly direction along the Southwesterly boundary of said County Road as the same is now located to a point where said County Road intersects the South boundary line of said Southeast Quarter of the Southeast Quarter; thence West along the South boundary line of said Southeast Quarter of the Southeast Quarter a distance of 450 feet, more or less, to the POINT OF BEGINNING.

Parcel 3:

The North 1,000 feet of the East Half of the Southeast Quarter of the Southwest Quarter of Section 31, Township 5 North, Range 4 West of the Boise Meridian, Canyon County, Idaho