

Hersley, Jean

From: Greg Sullivan [greg.sullivan@brockwayeng.com]
Sent: Wednesday, February 04, 2015 2:12 PM
To: Hersley, Jean
Subject: RE: change of ownership Boer's

I have submitted multiple ownership changes to the Eastern, Southern and Western IDWR regional offices based on notarized quitclaim deeds that were not recorded with the Counties in which the water rights are located. Do I need to get the Quitclaim Deed from K&W Dairy recorded by the County?

Greg

From: Hersley, Jean [<mailto:Jean.Hersley@idwr.idaho.gov>]
Sent: Wednesday, February 04, 2015 1:28 PM
To: Greg Sullivan
Subject: RE: change of ownership Boer's

A recorded warranty or quitclaim deed puts everyone on notice that the transaction took place. When there is property involved, if you don't record the transaction with the county, the county records will still show that the grantor as property owner. That would affect taxes, etc..... It might not be as big a deal with water rights, however it is a practice our legal department wants us to continue following.

Jean

From: Greg Sullivan [<mailto:greg.sullivan@brockwayeng.com>]
Sent: Wednesday, February 04, 2015 1:03 PM
To: Hersley, Jean
Subject: RE: change of ownership Boer's

Jean,

Why does it have to be recorded with the County? IDWR has processed many ownership changes in the past based on notarized quitclaim deeds.

Greg Sullivan
Brockway Engineering
2016 N. Washington St. Suite 4
Twin Falls, Id 83301
208-736-8543

From: Hersley, Jean [<mailto:Jean.Hersley@idwr.idaho.gov>]
Sent: Wednesday, January 21, 2015 1:05 PM
To: amy.runser@brockwayeng.com
Subject: change of ownership Boer's

The Department of Water Resources received your resubmitted Change of Ownership request for the Boer's. The owners policy from Commonwealth Land and Title Insurance Company is not proof of ownership. The intent of the remark on the warranty deed, "This property is conveyed dry and without water shares", may have pertained to the

canal shares but it is not stated that way. After discussing this with my supervisor, it was determined the best course of action is a water right quitclaim deed from K & W Dairy to the Boer's.

Since K & W Dairy is a partnership consisting of Adrian K Boer, Jr., Dennis Boer and Canyonside Dairy, a partnership consisting of Adrian K Boer, Jr., Kenneth W Boer and Kevin S Boer, the quitclaim deed would need to state this and all parties would need to sign. The 29 water rights need to be listed on the quitclaim deed. The quitclaim deeds also needs to be recorded with the county.

If the Department does not hear from you or receive the requested information within 30 days, the request for Change of Ownership will be returned to the applicant unprocessed.

If you have any questions, please contact me at 208-287-4942.

*Jean Hersley
Idaho Dept Water Resources
Technical Records Specialist II
208-287-4942*

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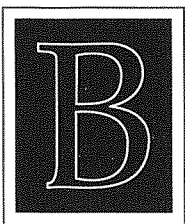
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CHARLES E.
BROCKWAY,
PH.D., P.E.

CHARLES G.
BROCKWAY,
PH.D., P.E.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506

RECEIVED

DEC 24 2014

DEPARTMENT OF
WATER RESOURCES

December 23, 2014

Jean Hersley
PO Box 83720
Boise, Idaho 83720-0098

Re: Change of ownership Boer's

Dear Jean:

I am resubmitting these changes of ownership applications for the Boer's. Please note that the K&W Dairy is/was a business entity of the Boer's. The current ownership as recorded by the deeds are; Adrian & Linda Boer, Kevin & Jeanna Boer, and Kenneth & Stacy Boer, we are seeking to update the ownership to reflect this. I am included an additional document an exhibit B that was included in the purchase document with the description of water right involved in the purchase. I am also including a deed document that noted that K&W is the Boers. There are 29 water right listed on these forms; 36-2087K, 36-2113K, 36-2161K, 36-2289M, 36-2311K, 36-2500K, 36-2614K, 36-7307K, 36-7362K, 36-7477K, 36-7606K, 36-7779K, 36-7832K, 36-10225K, 36-15169K, 36-2087D, 36-2113D, 36-2161D, 36-2311D, 36-2500D, 36-2614D, 36-7307D, 36-7362D, 36-7477D, 36-7606D, 36-7779D, 36-7832D, 36-10225D, & 36-15169D.

I did inquire with the Title Company as to the verbiage on the deed and was assured that the remark, "THIS PROPERTY IS CONVEYED DRY AND WITHOUT WATER SHARES", only pertains to the canal shares that were applicable at the time. Not to other water rights, the exhibit B was used to describe those. I have included the necessary map and a check in the amount of 725.00 for the 29 water rights.

If you have any question or need more information please call the office at (208) 736-8543

Sincerely,

Amy Runser

Enc. Applications, Check amount of \$725.00, Aerial Maps, & Deeds, documents
cc: Adrian Boer

Hersley, Jean

From: Hersley, Jean
Sent: Tuesday, April 21, 2015 1:19 PM
To: 'Amy Runser'
Subject: RE: change of ownership Boer's

I was cleaning up my desk and found the ownership request for the Boers. Basin 36 rights. I was wondering where you are with obtaining the quitclaim deed for the water rights? There is also water supply bank lease applications on hold until the ownership is cleared up. Please let me know.

*Jean Hersley
Idaho Dept Water Resources
Technical Records Specialist II
208-287-4942*

From: Amy Runser [<mailto:amy.runser@brockwayeng.com>]
Sent: Monday, January 26, 2015 2:25 PM
To: Hersley, Jean
Subject: RE: change of ownership Boer's

Jean,

Thanks for the email, I have spoken with the Boer's lawyer in regards to your request he informed me that the Boer have been in the process of getting their business name issues cleaned up. They signed document last week in fact, and he is supposed to be getting me copies. I will get them to you as soon as I can.

Thanks

Amy Runser
Brockway Engineering, PLLC.
(208) 736-8543

From: Hersley, Jean [<mailto:Jean.Hersley@idwr.idaho.gov>]
Sent: Wednesday, January 21, 2015 1:05 PM
To: amy.runser@brockwayeng.com
Subject: change of ownership Boer's

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Idaho Dept Water Resources
Technical Records Specialist II
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