



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

November 24, 2014

ATTN NICOLE ERICKSON
TITLE ONE
PO BOX 177
BURLEY ID 83318

RE: Notice of Change of Water Right Ownership
Water Right 45-10293
Wybenga Dairy LLC / Escrow No. 14242675

Dear Nicole:

Thank you for submitting the Notice of Change in Water Right Ownership on behalf of the Wybenga Dairy LLC. Review of the warranty deed submitted with the notice indicates that water right 45-10293 is not appurtenant to the conveyed property. I am enclosing a water right report for your reference.

Further research did not find any water rights appurtenant to the property described in the warranty deed. Therefore, I am returning the ownership change notice and supporting documents. A \$25 refund of the filing fee has been requested and should be received in your office in the next couple of weeks. If you have any questions regarding this matter, please feel free to contact me.

Sincerely,

A handwritten signature in cursive script, reading "Trish Fawcett".

Trish Fawcett
Technical Records Specialist

Enclosures

Cc: Wybenga Dairy LLC

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

11/20/2014

Water Right 45-10293

Owner Type **Name and Address**
Current Owner SHANE S LIERMAN
 950 S 400 W
 BURLEY, ID 83318

Current Owner JEANETTE R LIERMAN
 950 S 400 W
 BURLEY, ID 83318

Priority Date: 1/1/1958

Basis: Decreed

Status: Active

Source
GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DOMESTIC	1/01	12/31	0.040 CFS	
	<u>Total Diversion</u>		0.040 CFS	

Source and Point(s) of Diversion

GROUND WATER NESE Sec. 36, Twp 10S, Rge 21E, CASSIA County

Place Of Use

DOMESTIC within CASSIA County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	21E	36													x				

Conditions of Approval:

1. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. PARCEL NO. 10S21E350000

Combined Use Limits

N/A

SubCase:

N/A

Water Supply Bank:

N/A

Fawcett, Trish

From: Fawcett, Trish
Sent: Monday, November 24, 2014 11:11 AM
To: Marston, Sascha
Subject: Refund

Good morning Sascha,

Please issue a \$25 refund from receipt S034406 to:

TitleOne
PO Box 177
Burley ID 83318

Please reference Escrow No. 14242675. The water right listed on the ownership change is not appurtenant to the property conveyed in the warranty deed. Thanks so much!

Trish Fawcett
Technical Records Specialist
IDWR Southern Region
650 Addison Ave W Ste 500
Twin Falls ID 83301



211 West 13th Street
Burley, ID 83318
Ph. (208) 878-3524
Fx. (866) 623-1347
www.titleonecorp.com

RECEIVED

NOV 19 2014

DEPT OF WATER RESOURCES
SOUTHERN REGION

Date: November 18, 2014

Re: Escrow No. 14242675

To: Idaho Department of Water Resources
650 Addison Ave West, STE 500
Twin Falls, ID 83301

In connection with the above referenced transaction, I am enclosing the following:

- TitleOne Check in the amount of \$25.00 for water transfer fee.

Your business is greatly appreciated. If you have any questions, please do not hesitate to contact me.

Sincerely,

Nicole Erickson
(208) 878-3524
nerickson@titleonecorp.com

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

NOV 19 2014

Notice of Change in Water Right Ownership

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.

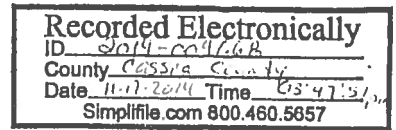
Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
45-10293	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Shane S. Lierman and Jeanette R. Lierman
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Wybenga Dairy, LLC
New owner(s) as listed on the conveyance document
- | | | |
|---------------------|---------------|---|
| <u>P.O. Box 459</u> | <u>Burley</u> | Name connector ☐ and ☐ or ☐ and/or |
| Mailing address | City | ID 83318 |
| | | 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: 11.17.2014
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.

- | | | | |
|---|---------------------------------|----------------------|------|
| 8. Signature:  | Signature of new owner/claimant | Title, if applicable | Date |
| Signature: | Signature of new owner/claimant | Title, if applicable | Date |

For IDWR Office Use Only:

Received by DM Date 11-19-2014 Receipt No. S034406 Receipt Amt. \$20-
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 _____



Order Number: 14242675

Warranty Deed

For value received,

Shane Lierman and Jeanette Lierman, husband and wife

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

Wybenga Dairy, LLC , an Idaho limited liability company

whose current address is

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

TOWNSHIP 13 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 8: A part of Section 8, more particularly described as follows:

Beginning at the Southwest corner of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 8; Thence North along section line for 1073.73 feet to the True Point of Beginning;

Thence North along section line for 155.81 feet to a point;

Thence South 89°26' East for 279.57 feet to a point;

Thence South for 155.81 feet to a point;

Thence North 89°26' West for 279.57 feet to the Point of Beginning.

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.

Shane Lierman

Jeanette Lierman

State of Idaho, County of Cassia, ss.

On this 17th day of November in the year of 2014, before me, the undersigned, a Notary Public in and for said State, personally appeared Shane Lierman and Jeanette Lierman, 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/she/they executed the same.

Notary Public

My Commission Expires:
(seal)

My Commission
Expires 5/7/15

TINA HANSSEN
NOTARY PUBLIC
STATE OF IDAHO



CASSIA COUNTY
RECORDED FOR:
TITLEONE - BURLEY
03:47:51 PM 11-17-2014
2014-004668
NO. PAGES: 1 FEE: \$10.00
JOSEPH W. LARSEN
COUNTY CLERK
DEPUTY: TAP
Electronically Recorded by Simplifile

Order Number: 14242675

Warranty Deed

For value received,

Shane Llerman and Jeanette Llerman, husband and wife

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

Wybenga Dairy, LLC , an Idaho limited liability company

whose current address is

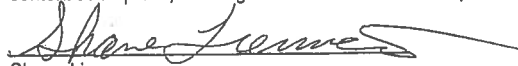
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CASSIA COUNTY, IDAHO

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Thence North along section line for 155.81 feet to a point;
Thence South 89°26' East for 279.57 feet to a point;
Thence South for 155.81 feet to a point;
Thence North 89°26' West for 279.57 feet to the Point of Beginning.

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.


Shane Llerman


Jeanette Llerman

State of Idaho, County of Cassia, ss.

On this 17th day of November in the year of 2014, before me, the undersigned, a Notary Public in and for said State, personally appeared Shane Llerman and Jeanette Llerman, 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/she/they executed the same.


Notary Public
My Commission Expires:
(seal)

My Commission
Expires 5/7/15

