



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N Skyline Dr., Ste A, Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 FAX: (208) 525-7177 www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

April 24, 2013

Sleepy Sage Farm LLC
Po Box 74
Terreton ID 83450

RE: Notice of Change in Water Right Ownership
Water Rights: 31-10394

Dear Sir/Madam:

On March 7, 2013, you filed a Notice of Change in Water Right Ownership (ownership change) with the Idaho Department of Water Resources (IDWR), seeking to update the ownership records for the water rights listed above. After an initial review, we determined that you needed to provide additional evidence of ownership, specifically a deed for the place of use of the water right. On March 8, 2013, copy attached, we sent a letter requesting the additional information. The additional information was to be provided within 30 days.

IDWR has never received a response to the request for additional information. Without the requested documents, we cannot verify ownership of the water right and cannot complete the ownership change. We are therefore returning your original ownership change and have initiated a refund of your filing fee (\$25.00). The refund from the state of Idaho will arrive at the address listed above within a couple of weeks.

Please feel free to re-file your ownership change any time in the future when you have collected the requested documentation of ownership. Because your filing fee is being refunded, you will need to determine and provide the proper filing fee at the time you re-file the ownership change.

If you have any questions, feel free to contact me at (208) 525-7161.

Respectfully submitted,

Jonie Barg
Technical Records Specialist

Enclosure(s)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAR 07 2013

Department of Water Resources
Eastern Region

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.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
31-10394	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: G HODGSON, T HODGSON AND GEORGE MADISON
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): SLEEPY SAGE FARM LLC
Name of each new owner as listed on the conveyance document

New owner continued Name connector ☐ and ☐ or ☐ and/or

P.O. BOX 74

Mailing address

TERRETON

ID

83450

City

State

ZIP

208-663-4641

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: 09-27-2012

6. 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.

7. Signature: SLEEPY SAGE FARM LLC MANAGER 11-05-2012
Signature of new owner/claimant Title, if applicable Date

Signature: SLEEPY SAGE FARM LLC MANAGER 11-05-2012
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by JB Date 3/7/2013 Receipt No. E038467 Receipt Amt. \$25.-

Approved by _____ Processed by _____ Date _____

Refund Request sent 4/24/2013

FIRST AMERICAN TITLE
437084-RJ

WHEN RECORDED RETURN TO:
DuPree Law Offices, P.C.
P.O. Box 723
Rexburg, Idaho 83440

Instrument # 400358
RIGBY, JEFFERSON, IDAHO
09-27-2012 09:38:32 AM No. of Pages: 2
Recorded for: FIRST AMERICAN TITLE - RIGBY
CHRISTINE BOULTER Fee: \$13.00
Ex-Officio Recorder Deputy: LK
Index To: WARRANTY DEED
Electronically Recorded by Simplifile

WARRANTY DEED

Alan Blair Withers and Elaine S. Withers, husband and wife, as GRANTORS, for a good and valuable consideration, the receipt of which is hereby acknowledged, do hereby grant, bargain, sell and convey unto Sleepy Sage Farm LLC, an Idaho limited liability company, 1230 East 1300 North, Terreton, Idaho 83450, as GRANTEE, and to GRANTEE'S successors and assigns forever, all of the following described property situated in Jefferson County, Idaho: *CH*

TOWNSHIP 6 NORTH, RANGE 34 E.B.M., JEFFERSON COUNTY,
IDAHO
SECTION 28: N $\frac{1}{2}$ S $\frac{1}{2}$ SW $\frac{1}{4}$; S $\frac{1}{2}$ N $\frac{1}{2}$ SW $\frac{1}{4}$

TOGETHER with all improvements, easements, hereditaments and appurtenances thereunto belonging or in any wise appertaining, including without limitation eighty (80) shares of stock of Mud Lake Water Users, Inc. and any and all other water claims, water rights, ditch and ditch rights, canal and canal rights, water permits, water licenses and water shares and stock in any other applicable canal company or similar entity appertaining to all or any part of the Property.

SUBJECT to real property taxes and assessments not yet due and payable; existing patent reservations, easements, rights of way and protective covenants of record; and applicable zoning ordinances and building codes, laws and regulations

GRANTORS, for themselves, their heirs and assigns do hereby covenant, warrant and shall defend the quiet and peaceable possession of said premises by the GRANTEE, its successors and assigns forever against the lawful claims of all persons.

IN WITNESS WHEREOF, GRANTORS have hereunto subscribed their names to this instrument this 26th day of September, 2012.

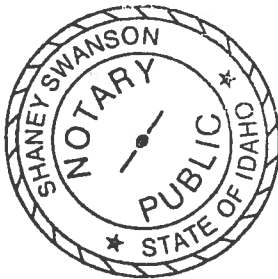
GRANTORS:

Alan Blair Withers
Alan Blair Withers

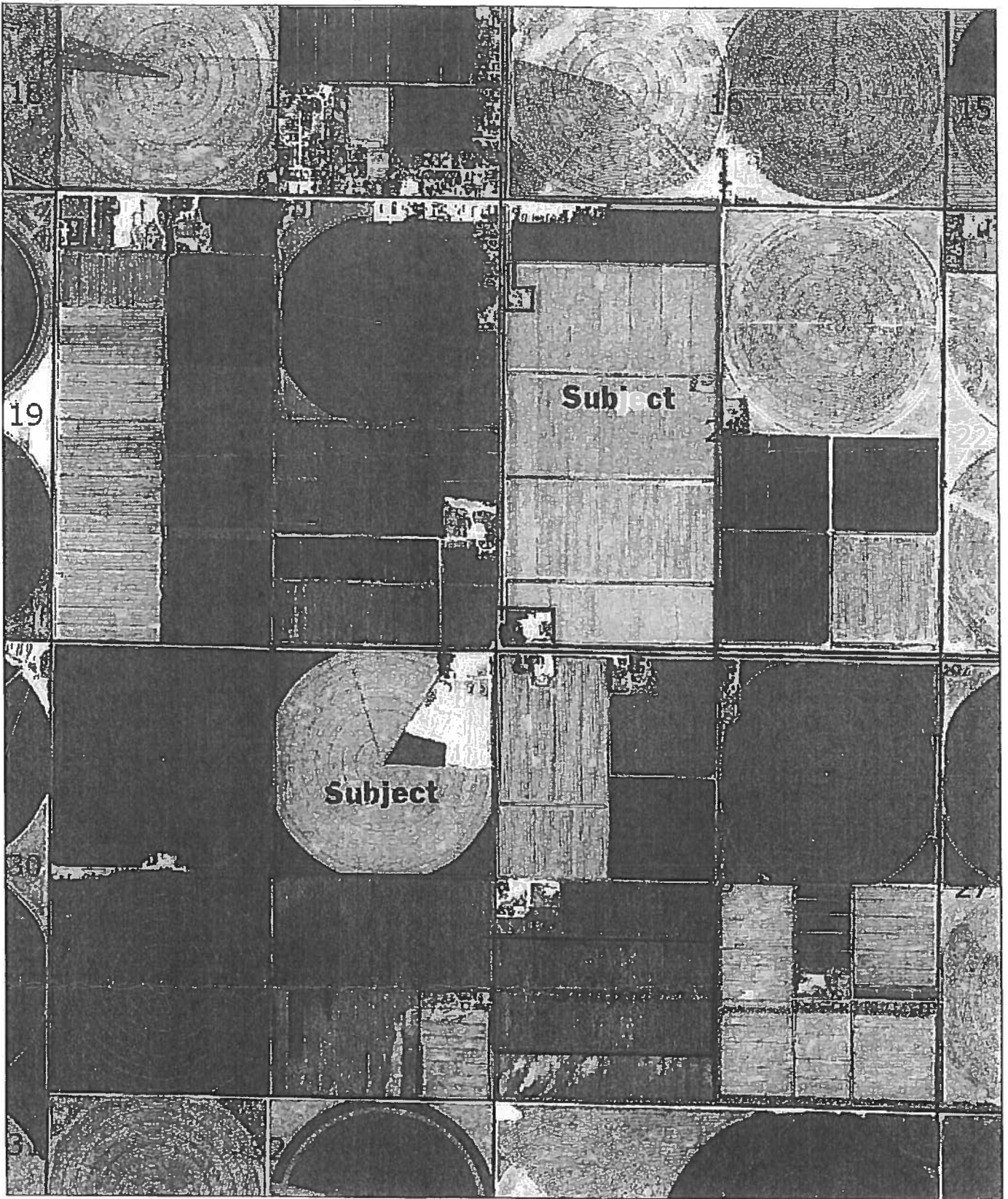
Elaine S. Withers
Elaine S. Withers

STATE OF IDAHO)
 :SS
County of Jefferson)

On this 26th day of September, in the year 2012, before me, a Notary Public in and for said State, personally appeared Alan Blair Withers and Elaine S. Withers, husband and wife, known or identified to me (or proved to me on the oath of _____), to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.



Shaney Swanson
Notary Public for Idaho
Residing at: Shoshone Falls rd
My Commission Expires: 1.3.15



0 ————— 0.5 Mi
0 ————— 2000 Ft