

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

RECEIVED

JAN 18 2023

DEPT OF WATER RESOURCES  
SOUTHERN 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. 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 #7 of the instructions.

| Water Right/Claim No. | Split?                       | Leased to Water Supply Bank? | Water Right/Claim No. | Split?                       | Leased to Water Supply Bank? |
|-----------------------|------------------------------|------------------------------|-----------------------|------------------------------|------------------------------|
| 36-2672               | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |

2. Previous Owner's Name: CIRCLE G LAND LLC

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): NIKA FARMS LLC

New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or

PO BOX 183

HEYBURN

ID

83336

Mailing address

City

State

Zip

208-312-3555 (Jeff)

MIRANDA@BHFARMING.ORG

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: 12.12.2019

6. Do you own the land identified as the water right place of use? Yes ☒ No ☐
- ☐ If no, attach evidence that written notice of the change of water right ownership has been delivered to the landowner of record.

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.

8. Signature: [Signature] OWNER 1.10.2023

Signature of new owner/claimant

Title, if applicable

Date

JEFF GIBSON

Print name

Signature: [Signature] Title, if applicable Date

Signature of new owner/claimant

Title, if applicable

Date

Print name

Received by SG Date 1/18/2023 For IDWR Office Use Only: Receipt No. 5039619 Receipt Amt. \$25.00

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 KA Date 02-13-2023

SCANNED

FEB 17 2023

When recorded, mail to:  
Nika Farms, LLC  
301 Wauna Vista  
Burley, ID 83318

**Instrument # 555892**  
MINIDOKA COUNTY, RUPERT, IDAHO  
06-30-2020 02:32:22 PM No. of Pages: 7  
Recorded for: ECHO HAWK & OLSEN PLLC  
TONYA PAGE Fee: \$15.00  
Ex-Officio Recorder Deputy Susan Aston  
Electronically Recorded by Simplifile

### SPECIAL WARRANTY DEED

For valuable consideration, **CIRCLE G LAND, LLC f/n/a CIRCLE G. FARMS, L.L.C.**, an Idaho limited liability company, ("Grantor") of Minidoka County, Idaho, hereby grants, warrants and conveys to **NIKA FARMS, LLC**, an Idaho limited liability company ("Grantee"), whose address is 301 Wauna Vista, Burley, Idaho 83318, the following described tracts of land in Minidoka County, State of Idaho:

See Attached Exhibit A.

Together with all tenements, hereditaments, and appurtenances belonging thereto, including, but not limited to any and all irrigation equipment attached to the property and subject to easements, rights of way, restrictions, encumbrances and reservations of record and those enforceable in law and equity.

And warrants the title against all persons claiming by, through or under the Grantor, but against none other.

Dated this 12<sup>th</sup> day of December, 2019.

**CIRCLE G LAND, LLC**

BY: 

DEAN G. GIBSON, MEMBER

BY: 

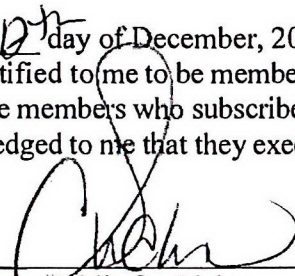
JEFFREY O. GIBSON, MEMBER

ACKNOWLEDGMENT

STATE OF IDAHO )  
 ) SS:  
COUNTY OF *Minidoka* )

This record was acknowledged before me on this *12<sup>th</sup>* day of December, 2019, by DEAN G. GIBSON and JEFFREY O. GIBSON known or identified to me to be members in CIRCLE G LAND, LLC, an Idaho limited liability company, and the members who subscribed said company's name to the foregoing instrument, and acknowledged to me that they executed the same in said company's name.

(SEAL)

  
\_\_\_\_\_  
Notary Public for Idaho  
Residing at: *Paul*  
My Commission expires on:

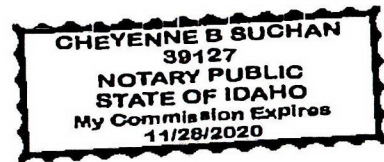


**EXHIBIT A**

**Circle G Land 10/1/12 Deed:**

More particularly described as:

Lot 4 & Lot 5 in Block 31 of the Original Townsite of Rupert, Minidoka County, Idaho, according to the official plat thereof, now on file in the office of the County Recorder, Minidoka County, Idaho.

SUBJECT TO:

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

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**Circle G Land, LLC 9/22/11 Deed:**

Lot 8 in Block 195 of the Lloyd Cox Subdivision of Blocks 194 and 195 of the Heyburn Townsite, Minidoka County, Idaho, as the same is platted in the official plat thereof, now of record in the office of the Recorder of said County.

SUBJECT TO:

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

Easement for Erection and Maintenance of Power Line, from Lloyd E. Cox and Dorothy Cox to the Village of Heyburn, Idaho, a municipal corporation, dated May 2, 1960 and recorded September 28, 1970 as Instrument No. 212258, records of Minidoka County, Idaho

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**Circle G Land, LLC 2/8/12 Deed:**

**PARCEL NO 1:**

TOWNSHIP 9 SOUTH, RANGE 24 EAST, BOISE MERIDIAN,  
MINIDOKA COUNTY, IDAHO

SECTION 27: A portion of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ , more particularly described as follows:

Commencing at the southeast corner of Section 27, marked by a brass cap; thence along the south line thereof South 89°42'37" West for 373.03 feet to the southwest corner of that real property conveyed to Richard Kelley by the Quitclaim Deed recorded September 29, 1998 as Document No. 437496, Minidoka County Records, said southwest corner also being the TRUE POINT OF BEGINNING;  
Thence continuing along the south line of Section 27 South 89°42'37"

West for 941.93 feet to a 5/8 inch rebar at the southwest corner of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Thence along the west line thereof North 00°50'26" West for 1319.60 feet to a 5/8 inch rebar at the northwest corner of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Thence along the north line thereof North 89°42'07" East for 1287.80 feet to a ½ inch rebar on the west line of the Highway 25 right of way;  
Thence along said right of way line along a curve to the right having a radius of 85903.69 feet, length of 626.03 feet, a central angle of 00°25'03", a cord bearing of South 00°22'49" East, and a chord length of 626.03 feet to a ½ inch rebar at the northeast corner of the aforesaid lands of Kelley;  
Thence along the north line thereof North 87°57'59" West for 182.63 feet to a ½ inch rebar;  
Thence continuing along the north line of the lands of Kelley South 04°23'29" West for 66.28 feet to a ½ inch rebar;  
Thence continuing along the north line of the lands of Kelley South 89°45'16" West for 144.02 feet to the northwest corner thereof;  
Thence along the west line thereof South 00°05'07" East for 635.16 feet to the TRUE POINT OF BEGINNING.

**ALSO EXCEPTING** that portion deeded to the State of Idaho for highway purposes.

PARCEL NO 2:

Easement for the benefit of Parcel No. 1 as contained in Easement, dated March 11, 1994, executed by Richard Kelley and Christine Kelley, husband and wife, to Paul A. Taylor, Conservator for the Estate of Paul F. Taylor, an incapacitated person, recorded June 23, 1994 as Document No. 413526, Minidoka County records.

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto

SUBJECT TO:

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

Assessments of the Minidoka Irrigation District and the rights and powers of said District as by law provided.

Assessments levied, or to be levied, by Magic Valley Ground Water District.

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**Circle G Land, LLC 1/3/07 Deed:**

**PARCEL NO. 1:**

TOWNSHIP 9 SOUTH, RANGE 24 EAST, BOISE MERIDIAN,  
MINIDOKA COUNTY, IDAHO

SECTION 25: That part of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ , lying South of the centerline of the drainage canal, AND That part of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ , lying North of the centerline of the Minidoka Irrigation District Lateral #510, AND That part of Section 25, more particularly described as follows:

The TRUE POINT OF BEGINNING is located South 89°22'52" East for 1320.00 feet and North 0°01'02" West for 1782.32 feet from the Southwest corner of Section 25, said corner marked by a 5/8 inch iron pin, the TRUE POINT OF BEGINNING falls on the approximate high water line on the Northwestern side of the A-1 canal;

Thence North 31°20'15" East for 814.43 feet along the Northwestern highwater line to the Point of Beginning of a curve concaved Northwesternly whose radial line bears North 58°39'45" West with a radius of 559.76 feet;

Thence Northeasterly for 162.96 feet along said curve which approximates the Northwesternly high water line of the A-1 canal, through a central angle of 16°40'49" to a radial line of said curve which bears North 75°20'34" West with a chord which bears North 22°59'51" East for 162.39 feet;

Thence North 89°08'57" West for 487.32 feet to a set ½ inch by 30 inch iron pin;  
Thence South 0°01'02" East for 852.34 feet to the TRUE POINT OF BEGINNING;

SAVE AND EXCEPT the following described tract:

Beginning at the Northwest corner of said Section 25; Thence South 0°02'25" East for 2721.03 feet along the West section line and is also the West quarter corner, to a point, which point shall be known as the TRUE POINT OF BEGINNING;

Thence South 89°10'03" East for 1324.96 feet (recorded as South 89°08'57" East for 1324.94 feet);

Thence North 0°08'40" West for 461.32 feet to the approximate center line of a drainage canal;

Thence North 89°55'02" West for 1323.97 feet along said approximate center line;

Thence South 0°02'25" East for 443.98 feet along the West section line to the TRUE POINT OF BEGINNING.

**PARCEL NO. 2:**

TOWNSHIP 9 SOUTH, RANGE 24 EAST, BOISE MERIDIAN,  
MINIDOKA COUNTY, IDAHO

SECTION 25: That part of the W $\frac{1}{2}$ SW $\frac{1}{4}$ , more particularly described as follows:

Beginning at the Southwest corner of said Section 25, said corner marked by a 5/8 inch rebar; Thence North 0°01'00" West (basis of bearing) along section line for 977.74 feet to a P.K. nail, which point shall be known as the TRUE POINT OF BEGINNING;

Thence North 0°01'00" West along said section line for 342.24 feet to a P.K. nail at the Northwest corner of the SW¼SW¼;

Thence North 0°01'00" West along said section line for 107.35 feet to a P.K. nail on the centerline of Minidoka Irrigation District Lateral No. 510;

Thence North 76°36'35" East along said irrigation lateral centerline for 542.00 feet to a ½ inch rebar;

Thence North 53°01'11" East along said irrigation lateral centerline for 697.52 feet to a ½ inch rebar;

Thence North 83°52'36" East along said irrigation lateral centerline for 240.37 feet to a ½ inch rebar on the East line of the W½SW¼;

Thence South 0°05'21" West along the 1/16<sup>th</sup> section line for 221.79 feet to a ½ inch rebar;

Thence South 0°05'21" West along the 1/16<sup>th</sup> section line for 36.85 feet to a point on the centerline of the A-1 canal;

Thence South 31°20'15" West along said canal centerline for 766.19 feet to a point;

Thence South 78°57'35" West (recorded as South 79°05' West) for 52.22 feet to a ½ inch rebar;

Thence South 78°57'35" West (recorded as South 79°05' West) for 508.02 feet to a ½ inch rebar;

Thence South 90°00'00" West for 374.59 feet to the TRUE POINT OF BEGINNING.

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto

SUBJECT TO:

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

Assessments of the Minidoka Irrigation District and the rights and powers of said District as by law provided.

A Reservation contained in a QuitClaim Deed, dated March 13, 1989, executed by Ted J. Taylor and Sara L. Taylor, husband and wife, to Donald E. Slonecker and Charlotte J. Slonecker, husband and wife, recorded March 29, 1989 as Document No. 384440, Minidoka County records, which recites: Reserving unto Ted J. Taylor and Sara L. Taylor, husband and wife, the right to use the ditch easement along the East and North boundary of the following described real property: That part of the NW¼SW¼, lying North of the centerline of the Minidoka Irrigation District Lateral No. 510. (Affects Parcel No. 1 only.)

An Easement, as contained in Warranty Deed, dated March 24, 1989, executed by Donald E.

Slonecker and Charlotte J. Slonecker, husband and wife, to Edward DeThomas, a single person and Dennis DeThomas, a single person, recorded March 29, 1989 as Document No. 384441, Minidoka County records, which recites: "SUBJECT TO an easement adjoining the Northwest highwater line with sufficient width to allow the required access and maintenance of said A-1 Canal." (Affects Parcel No. 1 only.)

An Easement, as contained in Warranty Deed, dated March 24, 1989, executed by Donald E. Slonecker and Charlotte J. Slonecker, husband and wife, to Edward DeThomas, a single person and Dennis DeThomas, a single person, recorded March 29, 1989 as Document No. 384441, Minidoka County records, which recites: "SUBJECT TO a right-of-way for Minidoka Irrigation Lateral No. 510 along the South side of said tract." (Affects Parcel No. 1 only.)

An Easement, as contained in Warranty Deed, dated March 24, 1989, executed by Donald E. Slonecker and Charlotte J. Slonecker, husband and wife, to Edward DeThomas, a single person and Dennis DeThomas, a single person, recorded March 29, 1989 as Document No. 384441, Minidoka County records, which recites: "SUBJECT TO a County road right-of-way along the West side of said tract." (Affects Parcel No. 1 only.)

An Easement, as contained in Warranty Deed, dated March 24, 1989, executed by Donald E. Slonecker and Charlotte J. Slonecker, husband and wife, to Edward DeThomas, a single person and Dennis DeThomas, a single person, recorded March 29, 1989 as Document No. 384441, Minidoka County records, which recites: "SUBJECT TO a right-of-way for Minidoka Lateral No. 510 along the North side of said tract." (Affects parcel No. 2 only.)

An Easement, as contained in Warranty Deed, dated March 24, 1989, executed by Donald E. Slonecker and Charlotte J. Slonecker, husband and wife, to Edward DeThomas, a single person and Dennis DeThomas, a single person, recorded March 29, 1989 as Document No. 384441, Minidoka County records, which recites: "SUBJECT TO a right-of-way for the A-1 Canal along the Southeasterly side of said tract." (Affects parcel No. 2 only.)

An Easement, as contained in Warranty Deed, dated March 24, 1989, executed by Donald E. Slonecker and Charlotte J. Slonecker, husband and wife, to Edward DeThomas, a single person and Dennis DeThomas, a single person, recorded March 29, 1989 as Document No. 384441, Minidoka County records, which recites: "SUBJECT TO a 25 foot wide County road right-of-way along the West side of tract." (Affects Parcel No. 2 only.)

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**Circle G Land, LLC 3/18/11 Deed:**

TOWNSHIP 8 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN, MINIDOKA COUNTY, IDAHO

Section 30: SE1/4NW1/4, E1/2SW1/4

TOGETHER WITH State of Idaho Department of Water Resources water right no. 36-2672.

SUBJECT TO: All reservations in patents or deeds in the chain of title.



0005005820

**STATE OF IDAHO***Office of the secretary of state, Lawrence Denney***REINSTATEMENT ANNUAL REPORT**

Idaho Secretary of State

PO Box 83720

Boise, ID 83720-0080

(208) 334-2301

Filing Fee: \$30.00

*For Office Use Only***-FILED-**

File #: 0005005820

Date Filed: 12/5/2022 12:45:32 PM

## Reinstatement Annual Report Form

Select one: Standard, Expedited or Same Day Service (see descriptions below)      Standard (filing fee \$30)

Current Entity Name      Nika Farms, LLC

The file number of this entity on the records of the Idaho Secretary of State is:      0003380820

Organized under the laws of:      IDAHO

Entity Type:      Limited Liability Company (D)

## Entity Subtype:

Limited Liability Company Subtype      Limited Liability Company

## Limited Liability Company Name:

Limited Liability Company name      Nika Farms, LLC

## The registered agent on record is:

Registered Agent      Jeffrey O Gibson  
Registered Agent  
Physical Address  
301 WAUNA VISTA  
BURLEY, ID 83318  
Mailing Address

## The mailing address of the corporation is:

301 WAUNA VISTA DR  
BURLEY, ID 83318-3447

## Limited Liability Company Managers and Members

| Name                                                                                               | Title  | Address                                |
|----------------------------------------------------------------------------------------------------|--------|----------------------------------------|
|  Jeff O. Gibson | Member | 301 WAUNA VISTA DR<br>BURLEY, ID 83318 |

The Application for Reinstatement must be signed by at least one governor.

Job Title:      member

*Jeffrey Gibson*

Sign Here

*12/05/2022*

Date

B0759-7079 12/05/2022 12:45 PM Received by Office of the Idaho Secretary of State

SCANNED

FEB 17 2023



IDAHO DEPARTMENT OF  
**WATER RESOURCES**

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858

Phone: 208-736-3033 • Fax: 208-736-3037 • Email: [southerninfo@idwr.idaho.gov](mailto:southerninfo@idwr.idaho.gov) • Web: [idwr.idaho.gov](http://idwr.idaho.gov)

**Governor Brad Little**

**Director Gary Spackman**

February 13, 2023

NIKA FARMS LLC  
PO BOX 183  
HEYBURN ID 83336-0183

Re: Change in Ownership for Water Right No(s): 36-2672

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records and has enclosed a computer-generated report for you.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned 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 Idaho Code §§ 42-222 and 42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department, or from the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208) 293-9916.

Sincerely,

Kent Aasa  
Water Resource Agent, Senior

Enclosure(s)  
WD 130

## MEMORANDUM

TO: Water Right File

FROM: Water Rights Section

DATE: August 3, 2021

RE: Confidential Documents Removed From This Water Right File

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On June 21, 2021, Shelley Keen instructed the Water Rights Section to remove confidential documents and insert a brief memo informing IDWR staff members of the removal of confidential documents from the water right file. If IDWR staff members need to review the confidential documents, they may ask Water Rights Section staff members for access to the confidential documents. The confidential documents removed from this water right file are not public record and IDWR staff members should not distribute these confidential documents to the public.

SCANNED