

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 03 2023

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Department of Water Resources
Eastern 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 #7 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
21-11052 OK	Yes ☐	Yes ☐		Yes ☐	Yes ☐
35-12646 OK	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Walters
Name of current water right holder/claimant JAMES T. GNEITING

3. New Owner(s)/Claimant(s): 35-12646 TO DESERT FARMS LLC / 21-11052 TO JULIE ANN GNEITING
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or

566 N 3400 E
Mailing address
208.390.1881
Telephone

Lewisville ID 83431
City State Zip
gneiting@live.com
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: 2022

6. Do you own the land identified as the water right place of use? Yes ☒ No ☐
 o 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):
 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.

SUPPORT DATA

IN FILE # 21-11052

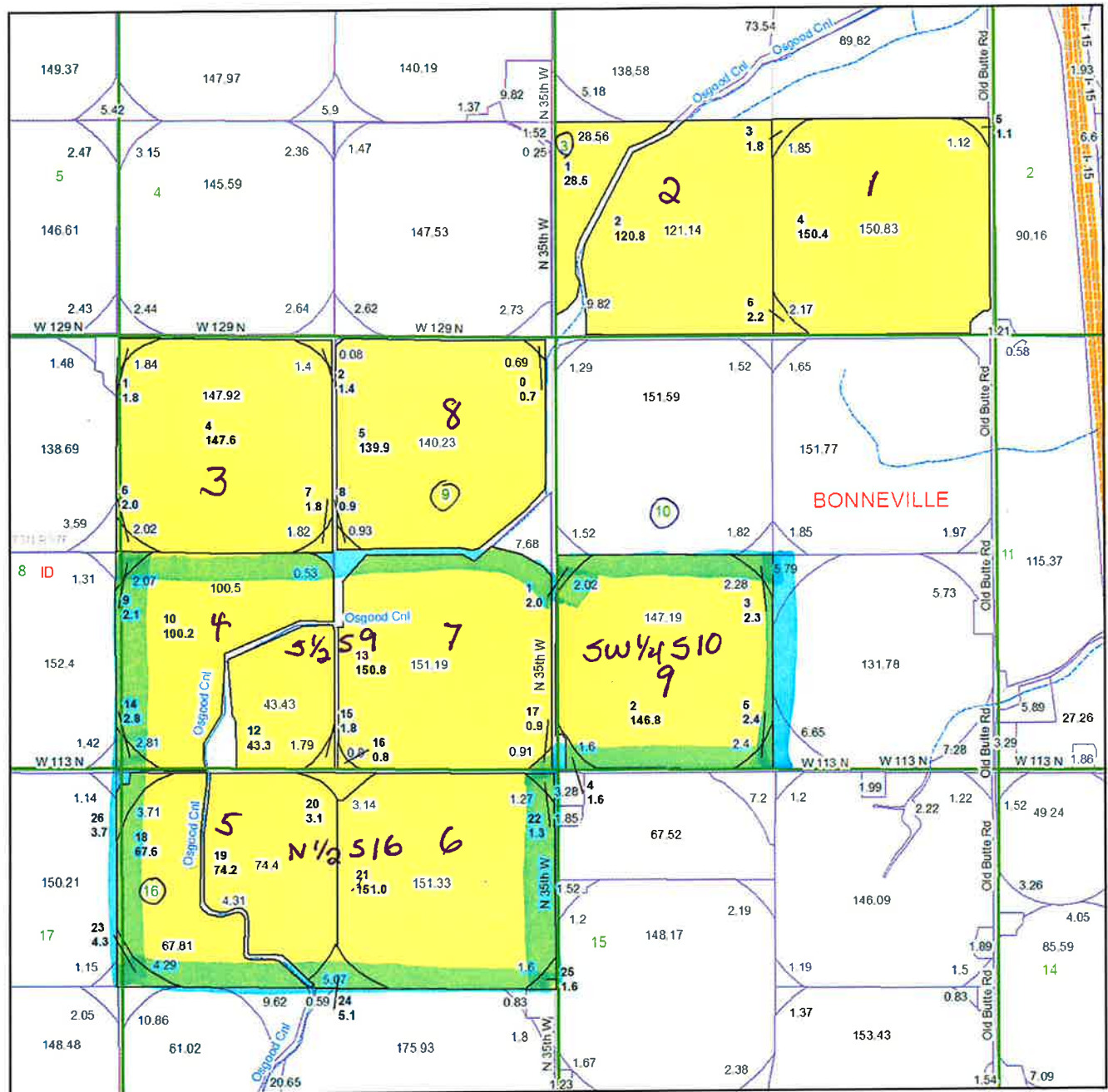
8. Signature: [Signature]
 Signature of new owner/claimant
JAMES GNEITING
 Print name
 Signature: [Signature]
 Signature of new owner/claimant
JULIE GNEITING
 Print name

OWNER & MEMBER MAR. 29, 2023
 Title, if applicable Date

OWNER & MEMBER MAR. 29, 2023
 Title, if applicable Date

Received by CLD Date 4/3/23 For IDWR Office Use Only: Receipt No. E049042 Receipt Amt. \$50.00
 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 CLD Approved by JB Processed by JB Date 4/7/2023

JAMES GNEITING



Provided Courtesy of:

HUB INTERNATIONAL MOUNTAIN STATES LTD

101 PARK
IDAHO FALLS, ID 83403-1816
(208) 522-3800



Standing Strong in Crop InsuranceSM

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
535 First American Circle
Rexburg, ID 83440

CABIN
MACKS

Instrument No. 578873
04 Day May 2020
At 02 O'Clock 16 M
ABBIE MACE
FREMONT CO RECORDER
Fee \$15.00
EL Deputy
Recorded at Request of
First American Title - Rexburg

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **893123-RX (ss)**

Date: **April 29, 2020**

For Value Received, **W. Jeffrey Walters and Mona Walters, husband and wife, an undivided 1/6 interest and Barry J. Walters and Bridgette Walters, husband and wife, an undivided 1/6 interest and Keith A. Jensen and Nan H. Jensen, husband and wife, an undivided 1/6 interest and D Paul Davis and Kalle Davis, husband and wife and Shawn J. Walters and Patrice Walters, husband and wife, an undivided 1/6 interest**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **James T Gneiting and Julie Ann Gneiting, husband and wife**, hereinafter called the Grantee, whose current address is **566 N 3400 E, Lewisville, ID 83431**, the following described premises, situated in **Fremont County, Idaho**, to-wit:

LOT 7, NORTH FORK SUMMER HOMES NO. 1, FREMONT COUNTY, IDAHO, AS SHOWN ON THE PLAT RECORDED SEPTEMBER 12, 1986, AS INSTRUMENT NO. 398112.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Date: 04/29/2020

Warranty Deed
- continued

File No.: 893123-RX (ss)

By: W. Jeffrey Walters
W Jeffrey Walters

By: Mona Walters
Mona Walters

By: Shawn J Walters
Shawn J Walters

By: Patrice Walters
Patrice Walters

STATE OF Idaho)
COUNTY OF Madison)

On this 30 day of April, 2020, before me, a Notary Public in and for said State, personally appeared **W. Jeffrey Walters and Mona Walters and Shawn J. Walters and Patrice Walters**, 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.



Kate McNair
Notary Public for the State of Idaho
Residing at: Rexburg
My Commission Expires: 10-2-23

Date: 04/29/2020

Warranty Deed
- continued

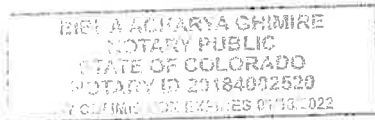
File No.: 893123-RX (ss)

By: *Barry J Walters*
Barry J Walters

By: *Bridgette Walters*
Bridgette Walters

STATE OF Colorado)
COUNTY OF Laplas) ss.

On this 30 day of April, 2020, before me, a Notary Public in and for said State, personally appeared **Barry J Walters and Bridgette Walters**, known or identified to me to be the person(s) whose name(s) are subscribed to the within instrument, and acknowledged to me that they executed the same.



Aisha
Notary Public of Colorado
Residing at: 17011 Lincoln Ave Parker CO 80134
Commission Expires: 01/18/2022

Date: 04/29/2020

Warranty Deed
- continued

File No.: 893123-RX (ss)

By: Keith A Jensen
Keith A Jensen

By: Nan H Jensen
Nan H Jensen

STATE OF Ohio)
COUNTY OF Hamilton) ss.

On this 30 day of April, 2020, before me, a Notary Public in and for said State, personally appeared **Keith A Jensen and Nan H Jensen**, known or identified to me to be the person(s) whose name(s) are subscribed to the within instrument, and acknowledged to me that they executed the same.



HOLLY HINESLEY LEASON
Notary Public
NOTARY PUBLIC - STATE OF OHIO
My commission has no expiration date
Sec. 147.33 R.C.

Holly Hinesley Leason
Notary Public of Ohio
Residing at: Cleveland
Commission Expires: none

Date: 04/29/2020

Warranty Deed
- continued

File No.: 893123-RX (ss)

By: D. P. Davis
D Paul Davis

By: Kalle Davis
Kalle Davis

STATE OF Colorado)
ss.
COUNTY OF Adams)

On this 1st day of May, 2020, before me, a Notary Public in and for said State, personally appeared **D Paul Davis and Kalle Davis**, known or identified to me to be the person(s) whose name(s) are subscribed to the within instrument, and acknowledged to me that they executed the same.

CHERYL CONOVER
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20194024263
MY COMMISSION EXPIRES JUNE 26, 2023

[Signature]
Notary Public of Colorado
Residing at: 801 W 120th Ave. Westminster CO 80234
Commission Expires: June 26, 2023

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT REPORT

CABIN
MACKS

5/27/2022

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 21-11052

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	PATRICE WALTERS ✓
Current Owner	SHAWN J WALTERS ✓
	PO BOX 156
	NEWDALE, ID 83436
	2084584656
Current Owner	MONA WALTERS ✓
Current Owner	W JEFFREY WALTERS ✓
	1250 S 2ND E
	REXBURG, ID 83440-3862
	2084584656
Current Owner	KALLE DAVIS ✓
Current Owner	JAMES T GNEITING
Current Owner	JULIE ANN GNEITING
Current Owner	KEITH A JENSEN ✓
Current Owner	NAN H JENSEN ✓
Current Owner	BARRY J WALTERS ✓
Current Owner	BRIDGETTE WALTERS ✓
	990 WESTWOOD DR
	REXBURG, ID 83440
	2084584451

Priority Date: 06/01/1933

Total Diversion | | 0.04 CFS |

Location of Point(s) of Diversion:

GROUND WATER | NWNE | Sec. 36 | Township 14N | Range 43E | FREMONT County

Place(s) of use:

Place of Use Legal Description: DOMESTIC FREMONT County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
14N	43E	36		NWNE										

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. RP8186-09A

Dates:

Licensed Date:

Decreed Date: 09/16/1999

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: AND

Water District Number: TBD

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

OSGOOD

Instrument # 1711045
Bonneville County, Idaho Falls, Idaho
12/30/2021 03:47:58 PM No. of Pages: 7
Recorded for: FIRST AMERICAN TITLE - IDAHO FALLS
Penny Manning Fee: \$15.00
Ex-Officio Recorder Deputy Kmaughan
Index to: DEED, WARRANTY

SPECIAL WARRANTY DEED

The Walters Family Limited Partnership Osgood, an Idaho limited partnership, of P.O. Box 187, Newdale, ID 83436 (hereinafter "Grantor"), for and in consideration of \$10.00 and other good and valuable consideration, hereby transfers, grants, conveys, and specially warrants unto **Desert Farms, LLC, an Idaho limited liability company**, of 566 N. 3400 E., Lewisville, ID 83431 (hereinafter "Grantee"), all of Grantor's interest in and to the following described real property (hereinafter referred to as the "Subject Property") located in Bonneville County, Idaho, to wit:

See attached Exhibit A, which is incorporated herein by reference.

Together with: Except as provided herein, all and singular the tenements, hereditaments, appurtenances, easements, rights, water rights, rights of way, improvements thereunto belonging or in anywise appertaining; the reversion and reversions, remainder and remainders, rents, issues, profits thereof; and all estate, right, title, and interest in and to the said property, as well in law as in equity.

Subject to: All easements, encumbrances, rights of way, covenants, conditions, restrictions, reservations, patent reservations, dedications, easements, applicable building and zoning ordinances and use regulations and restrictions of record, all facts and circumstances that would be revealed by inspection of the property or inquiry of persons in possession thereof, and payment of present year's property taxes, which are an accruing lien not yet due.

Grantor, for itself and its heirs, successors, and assigns, warrants and represents as follows:

Grantor has the legal right to transfer the real property described herein.

Grantor is the owner of the real property described in this Warranty Deed and has the legal right to convey said real property to Grantee.

The real property described in this deed is free from all liens, encumbrances, and defects in title, except as otherwise shown in this deed or of record.

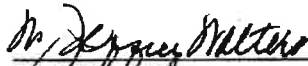
This instrument filed as an accommodation only,
it has not been examined as to its execution,
insurability or effect on title.
First American Title Company
670 S. Woodruff Ave.
Idaho Falls, Idaho 83401

Grantor will forever warrant and defend the quiet and peaceful possession of the Subject Property granted by this Warranty Deed to Grantee, its successors in interest, heirs, and assigns against all lawful claims.

The warranty in this deed is limited to the amount of coverage Grantor has under an applicable policy of title insurance or damages of \$10.00, whichever is greater.

Effective Date: December 30, 2021.

THE WALTERS FAMILY LIMITED PARTNERSHIP OSGOOD


W. Jeffrey Walters, General Partner

Acknowledgment

State of Idaho

ss.

County of Madison

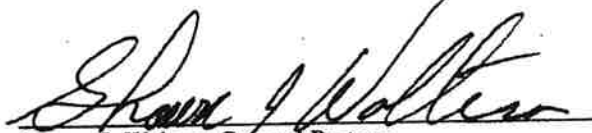
On this 30th day of December, 2021, before me, the undersigned, a notary public, personally appeared W. Jeffrey Walters in his capacity as General Partner of The Walters Family Limited Partnership Osgood, *an Idaho limited partnership*, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity.


Notary Public for Idaho

Residing at: Rexburg, ID
(Seal)



THE WALTERS FAMILY LIMITED PARTNERSHIP OSGOOD


Shawn J. Walters, General Partner

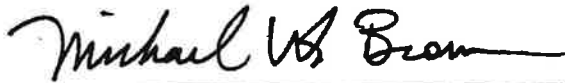
Acknowledgment

State of Idaho

ss.

County of Madison

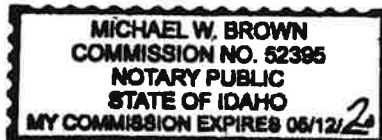
On this 30 day of December, 2021, before me, the undersigned, a notary public, personally appeared Shawn J. Walters in his capacity as General Partner of The Walters Family Limited Partnership Osgood, *an Idaho limited partnership*, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity.



Notary Public for Idaho

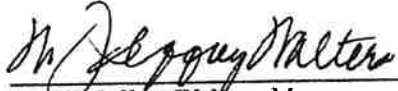
Residing at: REXBURG

(Seal)



THE WALTERS FAMILY LIMITED PARTNERSHIP OSGOOD

By: Walters Enterprises, LLC, General Partner


By: W. Jeffrey Walters, Manager

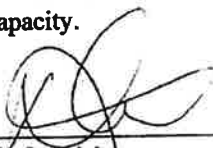
Acknowledgment

State of Idaho

ss.

County of Madison

On this 30th day of December, 2021, before me, the undersigned, a notary public, personally appeared W. Jeffrey Walters in his capacity as Manager of Walters Enterprises, LLC, *an Idaho limited liability company*, said limited liability company acting in its capacity as General Partner of The Walters Family Limited Partnership Osgood, *an Idaho limited partnership*, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity.


Notary Public for Idaho

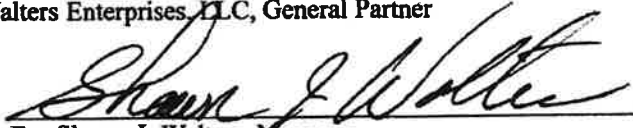
Residing at: *Rexburg, ID*

(Seal)



THE WALTERS FAMILY LIMITED PARTNERSHIP OSGOOD

By: Walters Enterprises, LLC, General Partner


By: Shawn J. Walters, Manager

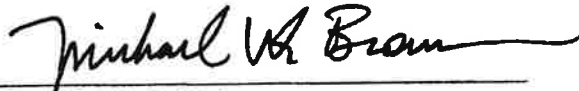
Acknowledgment

State of Idaho

ss.

County of Madison

On this 30th day of December, 2021, before me, the undersigned, a notary public, personally appeared Shawn J. Walters in his capacity as Manager of Walters Enterprises, LLC, *an Idaho limited liability company*, said limited liability company acting in its capacity as General Partner of The Walters Family Limited Partnership Osgood, *an Idaho limited partnership*, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity.



Notary Public for Idaho

Residing at: **REXBURG**

(Seal)

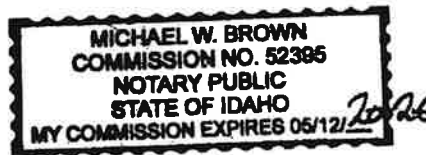


EXHIBIT A

The following real property located in Bonneville County, Idaho:

PARCEL ONE

Part of Section 9, Township 3 North, Range 37 East of the Boise Meridian, Bonneville County, Idaho, described as follows:

Beginning at the Southeast corner of said Section 9 and running thence N.00°07'31"E. 2385.18 feet along the section line to the south line of the property as described in Warranty Deed, Instrument No. 1155674 extended; thence along the south line of said property the following seven (7) courses: (1) N.47°27'04"W. 143.50 feet; thence (2) N.49°50'11"W. 120.63 feet; thence (3) N.57°05'41"W. 123.85 feet; thence (4) N.63°52'05"W. 125.25 feet; thence (5) N.75°02'28"W. 97.25 feet; thence (6) N.74°58'24"W. 241.33 feet; thence (7) N.75°17'00"W. 21.16 feet to the centerline of an existing irrigation canal; thence along said existing centerline the following six (6) courses: (1) S.51°33'39"W. 228.31 feet to a point of curve; thence (2) 69.28 feet along said curve to the right, Curve Data: Delta = 74°53'54", Radius = 53.00 feet, Chord bearing = S.89°00'36"W. 64.45 feet; thence (3) N.53°32'28"W. 53.14 feet to a point of curve; thence (4) 105.48 feet along said curve to the left, Curve Data: Delta = 36°24'23", Radius = 166.00 feet, Chord bearing = N.71°44'39"W. 103.71 feet; thence (5) N.89°56'51"W. 1146.84 feet; thence (6) S. 49°09'32"W. 446.80 feet extended to the east line of the Southwest Quarter of said Section 9, Township 3 North, Range 37 East of the Boise Meridian; thence N.00°04'25"W. 289.04 feet along said east line extended to a point; thence N.89°16'01"W. 2632.14 feet parallel with and 15.50 feet perpendicular to the south line of the Northwest Quarter of said Section 9, Township 3 North, Range 37 East of the Boise Meridian to the west line of said Section 9; thence S.00°15'34"E. 15.50 feet to the West Quarter corner of said Section 9; thence S.00°15'34"E. 2654.91 feet to the Southwest corner of said Section 9; thence S.89°22'10"E. 2623.42 feet to the South Quarter corner of said Section 9; thence S.89°22'11"E. 2623.06 feet along the section line to the point of beginning.

Parcel contains 320.355 acres and is subject to the existing County Road rights-of-way along the south and east sides of the above described parcel and also subject to the existing County Road right-of-way along the north-south centerline through the section.

(The foregoing Parcel One is known as "Pivot #4" and "Pivot #7.")

PARCEL TWO

Township 3 North, Range 37 East of the Boise Meridian, Bonneville County, Idaho.

Section 10: SW1/4.

(The foregoing Parcel Two is known as "Pivot #9.")

PARCEL THREE

Township 3 North, Range 37 East of the Boise Meridian, Bonneville County, Idaho.

Section 16: N1/2

EXCEPTING THEREFROM: BEGINNING AT THE NORTHWEST CORNER OF SECTION 16, TOWNSHIP 3 NORTH, RANGE 37, EAST OF THE BOISE MERIDIAN, BONNEVILLE COUNTY, IDAHO, RUNNING THENCE EAST 200 FEET ALONG THE NORTH BOUNDARY OF SAID SECTION 16; THENCE SOUTH 225 FEET; THENCE WEST 200 FEET TO THE WEST BOUNDARY OF SAID SECTION 16; THENCE NORTH 225 FEET ALONG SAID WEST LINE TO THE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM: ANY HIGHWAY OR COUNTY ROAD RIGHT OF WAY.

(The foregoing Parcel Three is known as "Pivot #5" and "Pivot #6.")

OSG 00 D

[illegible]

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. RP03N37E092042 STOCKWATER, 50 CATTLE.

Dates:

Licensed Date:

Decreed Date: 11/28/1997

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: AND

Water District Number: EXC

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:

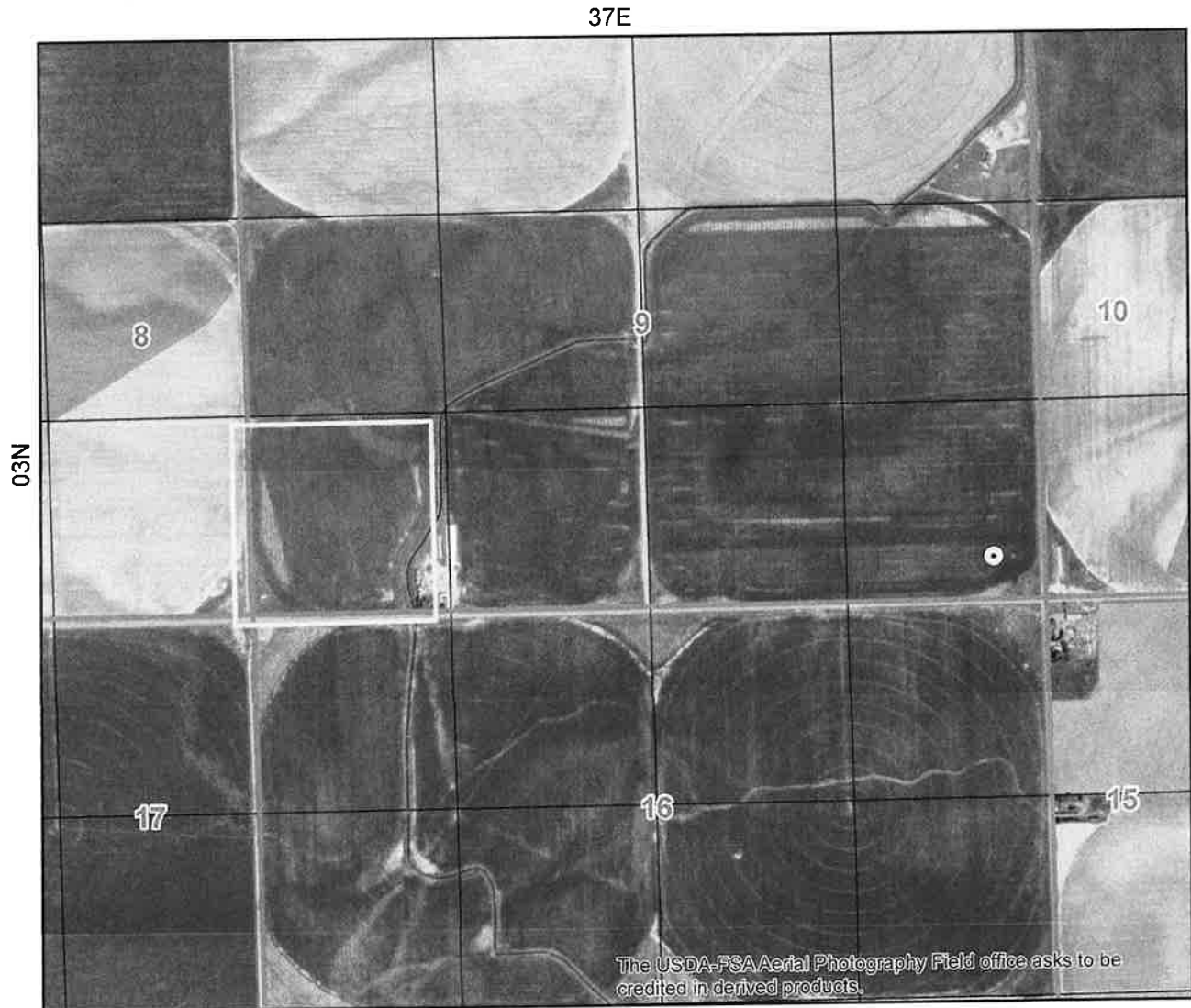
Mitigation Plan: False

State of Idaho
Department of Water Resources

Water Right
35-12646

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.



- ⊙ Point of Diversion
- Place Of Use Boundary
- ▭ Townships
- ▭ PLS Sections
- ▭ Quarter Quarters

0 0.15 0.3 0.6 Miles





IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

April 07, 2023

JAMES T GNEITING
JULIE ANN GNEITING
990 WESTWOOD DR
REXBURG ID 83440

Re: Change in Ownership for Water Right No(s): 21-11052

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) 497-3787.

Sincerely,

Jonie Bailly
Technical Records Specialist 1

Enclosure(s)



IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

April 07, 2023

DESERT FARMS LLC
566 N 3400 E
LEWISVILLE ID 83431-5026

Re: Change in Ownership for Water Right No(s): 35-12646

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Sincerely,

Jonie Baily
Technical Records Specialist 1

Enclosure(s)