

RECEIVED

OCT 21 2022

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESDepartment 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. 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?
35-13824	Yes ☒	Yes ☐	35-13834	Yes ☒	Yes ☐
35-13826	Yes ☒	Yes ☐	35-13836	Yes ☒	Yes ☐
35-13828	Yes ☒	Yes ☐	35-10330	Yes ☐	Yes ☐
35-13830	Yes ☒	Yes ☐		Yes ☐	Yes ☐
35-13832	Yes ☒	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Howard Taylor & Sons, Inc.
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Cannon Shelley Property Limited Partnership
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or
1470 N. 750 E. Shelley ID 83274
Mailing address City State Zip
cannondairy@yahoo.com
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: June 15, 2021
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.

8. Signature: Robert L. Cannon Attorney October 19, 2022
Signature of new owner/claimant Title, if applicable Date
Print name
- Signature: _____
Signature of new owner/claimant Title, if applicable Date
Print name

For IDWR Office Use Only:

Received by M. Pettit Date 10-21-22 Receipt No. E048646 Receipt Amt. 800.00
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 JB Processed by JB Date 10/28/2022

AFTER RECORDING MAIL TO:

Cannon Shelley Property Limited Partnership
1470 N. 750 E.
Shelley, ID 83274

WARRANTY DEED

File No.: 976665-IF (mm)

Date: June 15, 2021

For Value Received, **Howard Taylor & Sons, Inc.**, an Idaho corporation, hereinafter referred to as Grantor, does hereby grant, bargain, sell and convey unto **Cannon Shelley Property Limited Partnership**, an Idaho limited partnership, hereinafter referred to as Grantee, whose current address is **1470 N 750 E, Shelley, ID 83274**, the following described premises, situated in **Bonneville County, Idaho**, to wit:

LEGAL DESCRIPTION: Real property in the County of Bonneville, State of Idaho, described as follows:

BONNEVILLE COUNTY:

**TRACT 6:
TOWNSHIP 3 NORTH, RANGE 35, EAST OF THE BOISE MERIDIAN, BONNEVILLE COUNTY,
IDAHO.**

**SECTION 14: WEST HALF
SECTION 15: SOUTH HALF
SECTION 22: ALL
SECTION 23: WEST HALF**

**LESS AND EXCEPTING FROM TRACT 6:
PART OF SECTION 15 AND THE NORTH HALF OF THE NORTHWEST QUARTER (N 1/2 NW 1/4)
SECTION 22, TOWNSHIP 3 NORTH, RANGE 35 EAST OF THE BOISE MERIDIAN, BONNEVILLE
COUNTY IDAHO, DESCRIBED AS FOLLOWS:
BEGINNING AT A FOUND 1913 BRASS CAP MONUMENT AT THE NORTHWEST CORNER OF
SAID SECTION 15; AND RUNNING THENCE NORTH 89°57'53" EAST 2633.02 FEET TO THE
NORTH QUARTER CORNER OF SAID SECTION 15; THENCE NORTH 89°57'53" EAST 2633.02
FEET TO A FOUND 1913 BRASS CAP MONUMENT AT THE NORTHEAST CORNER OF SAID
SECTION 15; THENCE SOUTH 00°13'57" WEST 2637.63 FEET TO THE EAST QUARTER
CORNER OF SAID SECTION 15; THENCE SOUTH 00°15'39" WEST 796.87 FEET ALONG THE
SECTION LINE TO AN EXISTING EAST-WEST FENCE LINE EXTENDED; THENCE ALONG SAID
EXISTING FENCE LINE THE FOLLOWING ELEVEN (11) COURSES; (1) SOUTH 87°13'02" WEST
797.27 FEET; THENCE (2) NORTH 71°25'40" WEST 403.77 FEET; THENCE (3) NORTH
86°19'30" WEST 1110.80 FEET; THENCE (4) SOUTH 27°04'26" WEST 1075.92 FEET; THENCE
(5) SOUTH 08°26'48" WEST 438.68 FEET; THENCE (6) SOUTH 01°16'03" EAST 224.65 FEET;**

APN: RP03N35E142401

Warranty Deed
- continuedFile No.: 976665-IF (mm)
Date: 06/15/2021

THENCE (7) SOUTH 14°23'55" EAST 418.71 FEET; THENCE (8) SOUTH 03°48'58" WEST 925.94 FEET; THENCE (9) NORTH 84°15'50" WEST 735.31 FEET; THENCE (10) NORTH 82°41'38" WEST 518.74 FEET; THENCE (11) SOUTH 82°26'03" WEST 1245.02 FEET TO THE WEST LINE OF SAID SECTION 22; THENCE NORTH 00°06'17" EAST 967.54 FEET ALONG THE SECTION LINE TO A FOUND 1913 BRASS CAP MONUMENT AT THE SOUTHWEST CORNER OF SAID SECTION 15; THENCE NORTH 00°16'45" EAST 2636.12 FEET TO A FOUND 1913 GRASS CAP MONUMENT AT THE WEST QUARTER CORNER OF SAID SECTION 15; THENCE NORTH 00°10'47" EAST 2636.97 FEET TO THE POINT OF BEGINNING

TRACT 7:

TOWNSHIP 3 NORTH, RANGE 35, EAST OF THE BOISE MERIDIAN, BONNEVILLE COUNTY, IDAHO:

SECTION 26: ALL

SECTION 27: NORTH HALF; SOUTHWEST QUARTER

SECTION 35: NORTH HALF, LESS AND EXCEPTING THEREFROM THE FOLLOWING:

BEGINNING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 35, AND RUNNING THENCE NORTH 650 FEET; THENCE WEST 300 FEET; THENCE SOUTH 650 FEET TO THE HALF (½) SECTION LINE; THENCE EAST 300 FEET TO THE POINT OF BEGINNING.

APN: RP03N35E142401

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto 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.

APN: RP03N35E142401

Warranty Deed
- continued

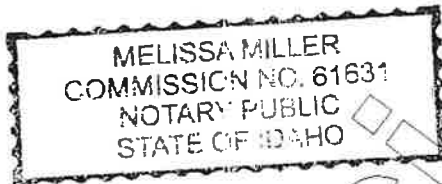
File No.: 976665-IF (mm)
Date: 06/15/2021

Howard Taylor & Sons, Inc., an Idaho corporation

By: Carl B Taylor
Name: Carl B Taylor
Title: Director/Shareholder

STATE OF Idaho)
COUNTY OF Bonneville)
ss.

On this **Fifteenth day of June, 2021**, before me, a Notary Public in and for said State, personally appeared **Carl B Taylor**, known or identified to me to be the **Director/Shareholder** of the corporation that executed the within instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.



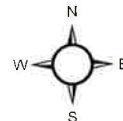
Melissa Miller
Notary Public for the State of Idaho
Residing at: Idaho Falls, ID
My Commission Expires: 5.20.2025

EXHIBIT B-1 **WATER RIGHTS (SPLIT PORTIONS)**

CANNON SHELLEY SPLIT PORTION											Percentage (1410/2108)		0.6688046
Water Right No.	Name on Water Right	Basis	Priority Date	Source	Beneficial Use	Individual Diversion Rate Limitation (cfs)	Combined Diversion Rate Limitation (cfs)	Combined Volume Limitation (AFY)	Individual Acre Limitation	Combined Acre Limitation	Point of Diversion	Notes	
35-13824 (portion)	Howard Taylor & Sons, Inc.	Decreed	02/09/1961	Ground water	Irrigation	2.64	23.68	5640	272	1410	SWNWSW, Sec. 26, 03N, 35E SWNWSE, Sec. 26, 03N, 35E SENNENE, Sec. 28, 03N, 35E SENNENW, Sec. 35, 03N, 35E		
35-13826 (portion)		Decreed	03/25/1964	Ground water	Irrigation	3.70			260				
35-13828 (portion)		Decreed	07/01/1975	Ground water	Irrigation	5.28			373				
35-13830 (portion)		Decreed	08/15/1975	Ground water	Irrigation	3.70			292				
35-13832 (portion)		Decreed	08/15/1975	Ground water	Irrigation	3.80			190				
35-13834 (portion)		Decreed	08/27/1976	Ground water	Irrigation	3.77			254				
35-13836 (portion)		Decreed	08/15/1977	Ground water	Irrigation	0.79			70				
Number of Authorized Irrigated Acres									1410.00				

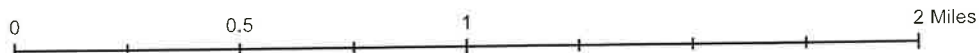
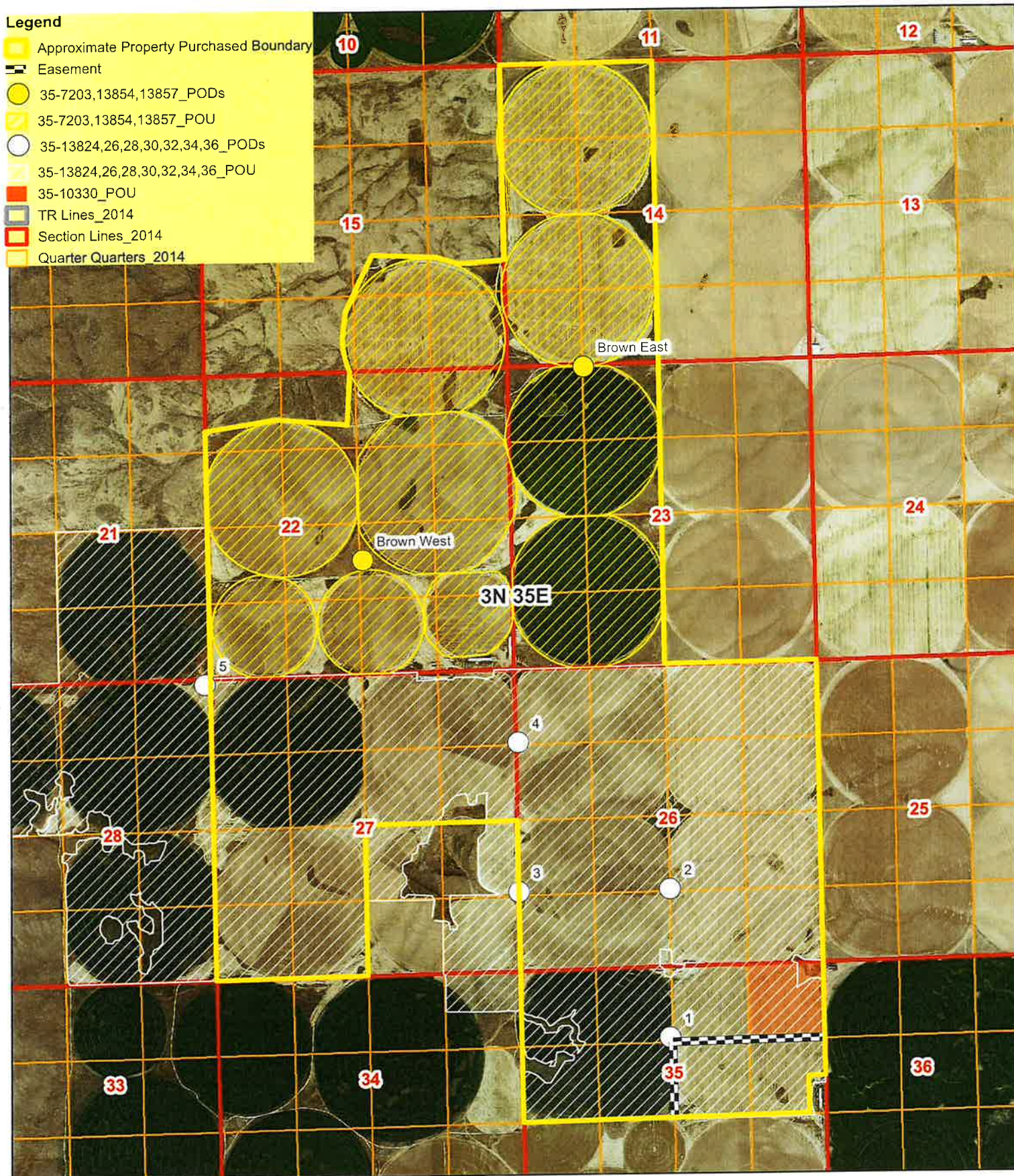
HOWARD TAYLOR AND SONS, INC. RETAINED SPLIT PORTION											Percentage (698/2108)	0.33111954
Water Right No.	Name on Water Right	Basin	Priority Date	Source	Beneficial Use	Individual Diversion Rate Limitation (cfs)	Combined Diversion Rate Limitation (cfs)	Combined Volume Limitation (AFY)	Individual Acre Limitation	Combined Acre Limitation	Point of Diversion	Notes
35-13824 (portion)	Howard Taylor & Sons, Inc.	Decreed	02/09/1961	Ground water	Irrigation	1.31	11.72	2792	134	698	SWNNWNW, Sec. 26, 03N, 35E SWNNWSW, Sec. 26, 03N, 35E SWNNWSE, Sec. 26, 03N, 35E NENENE, Sec. 28, 03N, 35E SENNENW, Sec. 35, 03N, 35E	
35-13826 (portion)		Decreed	03/25/1964	Ground water	Irrigation	1.33			128			
35-13828 (portion)		Decreed	07/01/1975	Ground water	Irrigation	2.52			185			
35-13830 (portion)		Decreed	08/15/1975	Ground water	Irrigation	1.83			144			
35-13832 (portion)		Decreed	08/15/1975	Ground water	Irrigation	1.88			94			
35-13834 (portion)		Decreed	08/27/1976	Ground water	Irrigation	1.96			125			
35-13836 (portion)		Decreed	08/15/1977	Ground water	Irrigation	2.52			35			
Number of Authorized Irrigated Acres									698.00			

WATER RIGHT OWNERSHIP MAP



Legend

- Approximate Property Purchased Boundary
- Easement
- 35-7203,13854,13857_PODs
- 35-7203,13854,13857_POU
- 35-13824,26,28,30,32,34,36_PODs
- 35-13824,26,28,30,32,34,36_POU
- 35-10330_POU
- TR Lines_2014
- Section Lines_2014
- Quarter Quarters 2014





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

October 28, 2022

CANNON SHELLEY PROPERTY LP
1470 N 750 E
SHELLEY ID 83274-5011

Re: Change in Water Right Ownership: 35-13824 (Split into 35-13824 and 35-14788), 35-13826 (Split into 35-13826 and 35-14789), 35-13828 (Split into 35-13828 and 35-14790), 35-13830 (Split into 35-13830 and 35-14791), 35-13832 (Split into 35-13832 and 35-14792), 35-13834 (Split into 35-13834 and 35-14793), 35-13836 (Split into 35-13836 and 35-14796), 35-10330 (No Split)

Dear Water Right Holder(s):

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

Your portion of each water right(s) has a specified point of diversion, nature of use and place of use. If you plan to change the authorized point of diversion, nature of use, or place of use, including adding a new point of diversion, you must file an Application for Transfer of Water Right. If you do not plan to change any elements of your water right, then no further action is required at this time.

The portion of the water right retained by the original right holder retains the original water right number. The Department is sending the original right holder a copy of this letter and a computer-generated report showing the changes to the original water right.

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 Barg
Technical Records Specialist 1

Enclosure(s)

cc: HOWARD TAYLOR & SONS INC
RABO AGRIFINANCE LLC
WATER DISTRICT 120
BONNEVILLE JEFFERSON GROUND WATER DISTRICT
HOLDEN KIDWELL HAHN AND CRAPO



Holden Kidwell
Hahn & Crapo P.L.L.C.
LAW OFFICES

Established in 1896

1000 Riverwalk Drive, Suite 200

PO Box 50130

Idaho Falls, Idaho 83405

Tel: (208) 523-0620

Fax: (208) 523-9518

www.holdenlegal.com

rharris@holdenlegal.com

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OCT 21 2022

October 19, 2022

Department of Water Resources
Eastern Region

Joni Barg
Idaho Department of Water Resources
900 N. Skyline Dr., Ste. A
Idaho Falls, ID 83402

RE: Notice of Change in Water Right Ownership for Split of WR Nos. 35-13824, 35-13826, 35-13828, 35-13830, 35-13832, 35-13834, 35-13836, and 35-10330.

Dear Joni:

Enclosed for processing is a *Notice of Change in Water Right Ownership* for a split of the above-referenced water rights. Included with the completed form is a spreadsheet that shows that 1,410 acres of the above water rights have been conveyed to Cannon Shelley Property Limited Partnership. The retained portion for Howard Taylor & Sons, Inc. is 698 acres. I apologize for the outdated map, but after the sale of the farm property to Cannon Shelley Property Limited Partnership, Howard Taylor & Sons sold a portion of its retained water rights to Wayne Properties LLC. You have already processed an ownership change for that split, confirmed by a letter dated May 27, 2022. The enclosed map depicts a bright yellow line, which is all of the property that Cannon Shelley Property Limited Partnership purchased from Howard Taylor & Sons, Inc. The original shapefile for these split water rights, even before the Wayne Properties LLC split, is depicted with white single hatching on the enclosed map. Where the property boundaries follow section lines, I am fairly confident in the split analysis summary included with this letter, but let me know if you come up with values different than mine. Finally, please note that WR 35-10330 is depicted with light red shading in the lower right-hand portion of the map and is appurtenant to the property purchased by Cannon Shelley Limited Partnership. Because these water rights are being split, we have included a check in the amount of \$800.00. Please let me know if you have any questions or concerns.

Best regards,

Robert L. Harris
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

Enclosures

g:\wpdata\rlh\17617-002 cannon shelly property lp\2022.10.19 ltr to barg - split.docx