

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

OCT 15 2024

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?
45-10511	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: James Norman Bodily ad Glenda J. Bodily
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Garner Capital Investments, LLC
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or
- 147 S 2550 E Declo ID 83323
Mailing address City State Zip
- (208) 670-5521 nathan.garner1320@gmail.com garnerfarms5@gmail.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: October 1, 2024
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. Garner Capital Investments, LLC

8. Signature: Michael D. Garner Member Oct 1, 2024
Signature of new owner/claimant Title, if applicable Date
Michael D. Garner
Print name
- Signature: Nathan M. Garner Member Oct 1, 2024
Signature of new owner/claimant Title, if applicable Date
Nathan M. Garner
Print name

Received by SG Date 10/15/2024 For IDWR Office Use Only: Receipt No. 5040396 Receipt Amt. \$25-
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 DM Date 11-19-2024



Order Number: 24516189

Warranty Deed

For Value Received,

James Norman Bodily and Glenda J. Bodily, husband and wife, the Grantor, does hereby grant, bargain sell and convey unto, **Garner Capital Investments, LLC, an Idaho limited liability company**, whose current address is **147 S 2550 E, Declo, ID 83323**, the Grantee, the following described premises, in **Cassia County, Idaho**, To Wit:

See Exhibit A, attached hereto and incorporated herein.

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

Remainder of this page intentionally left blank.

Dated: October 1, 2024

James Norman Bodily
James Norman Bodily

Glenda J. Bodily
Glenda J. Bodily

State of Idaho, County of Cassia, ss.

On this 1st day of October in the year of 2024, before me, the undersigned, a Notary Public in and for said State, personally appeared James Norman Bodily and Glenda J. Bodily, known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

Annette Roth
Notary Public
Residing In: Rupert Id
My Commission Expires: 8-4-2029
(seal)



EXHIBIT A
LEGAL DESCRIPTION OF THE PREMISES

TRACT A - MURTAUGH FARM

PARCEL NO. 1:
TOWNSHIP 11 SOUTH, RANGE 20 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 12: NW¼ SAVE AND EXCEPT the following described:

Commencing at the Northwest Corner of Section 12, from which the West ¼ Corner bears South 00°36'44" West, 2634.81 feet; Thence South 00°36'44" West, 329.53 feet, along and with the section line to the Northwest Corner and the POINT OF BEGINNING;
Thence South 89°52'47" East, 568.66 feet;
Thence South 49°49'43" West, 155.63 feet;
Thence South 41°28'32" West, 200.00 feet;
Thence South 00°36'44" West, 160.00 feet;
Thence North 89°52'47" West, 30.00 feet;
Thence South 27°26'48" West, 100.00 feet;
Thence South 23°25'16" West, 100.00 feet;
Thence South 18°08'27" West, 69.88 feet;
Thence North 89°52'47" West, 185.00 feet to a point on the West section line of Section 12;
Thence North 00°36'44" East, 657.92 feet along and with the section line to the POINT OF BEGINNING.

PARCEL NO. 2:
TOWNSHIP 11 SOUTH, RANGE 20 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 12: Part of the NW¼NW¼, more particularly described as follows;

Commencing at the Northwest Corner of Section 12, from which the West ¼ Corner bears South 00°36'44" West, 2634.81 feet; Thence South 00°36'44" West, 329.53 feet, along and with the section line to the Northwest Corner and the POINT OF BEGINNING;
Thence South 89°52'47" East, 568.66 feet;
Thence South 49°49'43" West, 155.63 feet;
Thence South 41°28'32" West, 200.00 feet;
Thence South 00°36'44" West, 160.00 feet;
Thence North 89°52'47" West, 30.00 feet;
Thence South 27°26'48" West, 100.00 feet;
Thence South 23°25'16" West, 100.00 feet;
Thence South 18°08'27" West, 69.88 feet;
Thence North 89°52'47" West, 185.00 feet to a point on the West section line of Section 12;
Thence North 00°36'44" East, 657.92 feet along and with the section line to the POINT OF BEGINNING.

PARCEL NO. 3:
TOWNSHIP 11 SOUTH, RANGE 20 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 12: Part of the NW $\frac{1}{4}$ NE $\frac{1}{4}$, more particularly described as follows:

Beginning at the North $\frac{1}{4}$ Corner of Section 12, said corner marked by a 5/8 inch rebar which shall be the POINT OF BEGINNING;
Thence North 89°48'19" East along the north line of Section 12 for a distance of 458.05 feet to a $\frac{1}{2}$ inch rebar;
Thence South 00°20'51" East (South 00°02'07" East, rec.) for a distance of 314.42 feet (314.55 feet, rec.) to a $\frac{1}{2}$ inch rebar on the centerline of the 2-B Canal;
Thence South 57°56'28" West along said centerline for a distance of 507.08 feet;
Thence South 44°45'32" West along said centerline for a distance of 37.82 feet;
Thence South 21°17'51" West along said centerline for a distance of 16.87 feet to the west line of the NW $\frac{1}{4}$ NE $\frac{1}{4}$;
Thence North 00°14'04" East along said line for a distance of 624.59 feet to the POINT OF BEGINNING.

PARCEL NO. 4:
TOWNSHIP 11 SOUTH, RANGE 20 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 12: Part of the W $\frac{1}{2}$ NE $\frac{1}{4}$, more particularly described as follows:

Beginning at the Center $\frac{1}{4}$ Corner of Section 12, said corner marked by a 5/8 inch rebar which shall be the POINT OF BEGINNING;
Thence North 00°14'04" East along the west line of the W $\frac{1}{2}$ NE $\frac{1}{4}$ for a distance of 1320.58 feet to a 5/8 inch rebar at the Northwest Corner of the SW $\frac{1}{4}$ NE $\frac{1}{4}$;
Thence North 00°14'04" East along the west line of the W $\frac{1}{2}$ NE $\frac{1}{4}$ for a distance of 92.30 feet to the centerline of the 2-B Canal;
Thence South 07°12'28" East along said centerline for a distance of 63.63 feet;
Thence South 15°14'38" East along said centerline for a distance of 30.20 feet to the south line of the NW $\frac{1}{4}$ NE $\frac{1}{4}$;
Thence South 15°14'38" East along said centerline and extending past said centerline for a distance of 908.92 feet to a $\frac{1}{2}$ inch rebar;
Thence South 00°29'19" West for a distance of 443.44 feet to a $\frac{1}{2}$ inch rebar on the south line of the W $\frac{1}{2}$ NE $\frac{1}{4}$;
Thence South 89°56'51" West along said line for a distance of 256.90 feet to the POINT OF BEGINNING.

PARCEL NO. 5:
TOWNSHIP 11 SOUTH, RANGE 20 EAST OF THE BOISE MERIDIAN,
TWIN FALLS COUNTY, IDAHO

Section 11: NE $\frac{1}{4}$ NE $\frac{1}{4}$



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 • Web: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

November 19, 2024

GARNER CAPITAL INVESTMENTS LLC
147 S 2550 E
DECLO ID 83323-6016

Re: Change in Ownership for Water Right No(s): 45-10511

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) 293-9908.

Sincerely,

Denise Maline
Administrative Assistant 1

Enclosure(s)

c: TitleOne, Burley, Idaho (File #24516189)



RECEIVED

OCT 15 2024

DEPT. OF WATER RESOURCES
SOUTHERN REGION

211 W. 13th St.
Burley, ID 83318
Ph. (208) 881-0087
Fx. (866) 582-7546
www.titleonecorp.com

Idaho Department of Water Resources
650 Addison Ave. West
Suite 500
Twin Falls, ID 83301

Date: October 10, 2024

Escrow No. 24516189

Greetings,

Enclosed please find the following:

- TitleOne check No. 53933 in the amount of \$25.00
- Original executed Notice of Change
- Copy of Warranty Deed

Please make the necessary changes to your records to reflect new owner and send a receipted copy to TitleOne, PO Box 177, Burley, ID 83318.

Please feel free to contact us at the number above should you have any questions.

Best Regards,
TITLEONE
Ashley Martinkus
Ag Escrow Assistant

AR/em
Enc.
FedEx