

BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

November, 28, 2006

Shelly Sherman
Idaho Department of Water Resources
322 East Front Street
P.O. Box 83720
Boise, Idaho 83720-0098

RECEIVED

DEC 01 2006

DEPARTMENT OF
WATER RESOURCES

37-21282
37-21283

Re: Change of Ownership - Danny Van Horn

Dear Shelly:

Danny and Valerie Van Horn recently acquired property in Camas County, known as the Hot Springs Ranch, formerly owned by Carl and Janine Rey. This letter submits a change of ownership form for the water rights in question.

I have included the Change of Ownership form, power of attorney, & required deeds.

Please review this submittal and let me know if any additional information is required.

Sincerely,


Charles E. Brockway, P.E.

cc: Danny VanHorn

Enclosures:

Change of Ownership Form
Power of Attorney for Charles E. Brockway
Warranty Deeds

CHARLES E.
BROCKWAY,
PH.D., P.E.

CHARLES G.
BROCKWAY,
PH.D., P.E.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

RECEIVED
DEC 01 2006
DEPARTMENT OF
WATER RESOURCES

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No.(s)	Adjudication Claim No.(s)	Split	Water Right No.(s)	Adjudication Claim No. (s)	Split
_____	<u>37-21282</u>	☐	_____	_____	☐
_____	<u>37-21283</u>	☐	_____	_____	☐
_____	_____	☐	_____	_____	☐
_____	_____	☐	_____	_____	☐
_____	_____	☐	_____	_____	☐

2. The following REQUIRED information must be submitted with this form:

- A. The appropriate FILING FEE. See instructions for fee amounts.
- B. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water right(s) in question, WITH ATTACHED LEGAL DESCRIPTION.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions): PLAT OF PROPERTY or SURVEY MAP clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency AERIAL PHOTO with the irrigated acres outlined and point(s) of diversion clearly marked. The AERIAL PHOTO should be submitted in place of the PLAT PROPERTY or SURVEY MAP.

3. Name and Address of Former Owner/Claimant(s): Carl D Rey
7103 N Pencross Way Meridian, Id 83642
4. New Owner/Claimant(s): Danny & Valerie Van Horn
New Mailing Address: PO Box 345
City, State, Zip Code: Fairfield, Id. 83327-0345
New Telephone Number: (208) 764-2139
5. Date you acquired the property: April 29, 2005

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT

(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number: _____

<u>Water Use</u>	<u>Diversion Rate or Volume</u> (cubic feet per second or acre-feet annum)	<u>Description</u> (acres, number and type of stock, homes, etc.)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other: _____	_____	_____
TOTAL	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT

(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number: _____

<u>Water Use</u>	<u>Diversion Rate or Volume</u> (cubic feet per second or acre-feet annum)	<u>Description</u> (acres, number and type of stock, homes, etc.)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other: _____	_____	_____
TOTAL	_____	_____

7. Signature of New Owner(s) or Claimant(s):
(include title, if applicable)

Charles E. Bruchman P.E.
Power of Attorney

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

FOR OFFICE USE ONLY

Received by: _____	Date: _____	Fee: _____
Received by: _____	Date: _____	Receipt No: _____
Processed by: _____ AJ	Date: _____	WR: _____ Date: _____

KEY TO VAN HORN
(McCARTER PARCEL)

20050429
Recording requested by and
When recorded return to: Danny
Van Horn, 150 N. Lincoln Way, Galt,
California 95632

WARRANTY DEED
(McCarter Parcel)

FOR VALUE RECEIVED, CARL D. REY and JANINE M. REY, husband and wife, and the Rey Family Limited Partnership as its interests may appear (collectively, "GRANTORS"), do hereby GRANT, BARGAIN, SELL CONVEY, and WARRANT unto NEW HOPE ROAD, LLC, a California limited liability company ("GRANTEE"), whose current mailing address is 150 N. Lincoln Way, Galt, California 95632, the real property situated in Camas County, State of Idaho, more particularly described in Exhibit A attached hereto and incorporated herein by reference.

TOGETHER WITH all and singular the improvements, tenements, hereditaments, easements, covenants and appurtenances thereunto belonging or in anywise appertaining to the property herein described, and the reversions, remainders, rents, issues and profits thereof, and

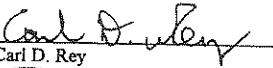
TOGETHER WITH all water rights and other entitlements to receive water for beneficial use on the described real property, including without limitation, all rights represented by any contract decree, license, permit, permit application, claim or storage entitlement, and those water rights identified in the records of the Idaho Department of Water Resources for beneficial use on the described real property, and all ditches, ditch rights, easements and rights-of-way associated with the delivery of such water rights.

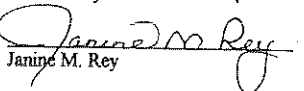
TO HAVE AND TO HOLD the said premises, together with all appurtenances thereto, unto the said Grantee, their successors and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; and that said premises are free from all encumbrances except current years' taxes, levies, and assessments, reservations in favor of the United States of America, the existing county road, restrictions, easements, and all other matters of record, and that Grantor will warrant and defend the same from all other lawful claims whatsoever, except any claims or easements or other rights relating to the pioneer cemetery, which is located at or near the intersecting corner of Sections 29, 30, 31 and 32 of the Real Property, and the pioneer cemetery's access road.

SIGNATURE PAGE FOLLOWS

78417
Recorded at the Request of
Camas County Title
on 11:25 A.M.
April 29th, 2005
In Book 35 Page 1169
of Deeds
ROLLIE BENNETT
CAMAS COUNTY RECORDER
By Hollie Bennett
Fees \$ 15.00

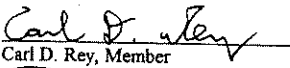
IN WITNESS WHEREOF, The Grantors have caused their names to be affixed effective
this 25 day of April, 2005.

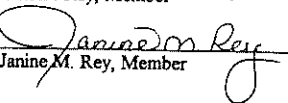

Carl D. Rey


Janine M. Rey

REY FAMILY LIMITED
PARTNERSHIP, an Idaho Limited
Partnership,

BY: JBC Investments, LLC, an
Idaho limited liability company, its
General Partner


Carl D. Rey, Member


Janine M. Rey, Member

STATE OF IDAHO)
) ss.
County of Ada)

On the 25 day of April, in the year of 2005, before me, the undersigned, a Notary Public, in and for the State of Idaho, personally appeared Carl D. Rey and Janine M. Rey, 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.

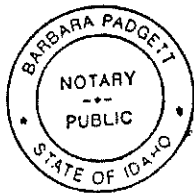
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

Barbara Padgett
Notary Public for Idaho
Residing at: Boise, ID
My Commission Expires: 6/6/06

STATE OF IDAHO)
) ss.
County of Ada)

On this 25 day of April, 2005 before me, April, a Notary Public in and for said State, personally appeared Carl D. Rey and Janine M. Rey, known or identified to me to be the Members of JBC Investments, LLC, an Idaho limited liability company, the General Partner of Rey Family Limited Partnership, an Idaho limited partnership, and the general partner who subscribed said limited partnership name to the foregoing instrument, and acknowledged to me that he executed the within instrument on behalf of said limited liability company, and that such limited liability company executed the same in said limited partnership name.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Barbara Padgett
NOTARY PUBLIC FOR IDAHO
Residing at Boise, ID
My Commission Expires 6/6/06

McCarter Parcel

Township 1 North Range 13, East of the Boise Meridian
Carnegie County Idaho

Section 17: SW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 18: SE $\frac{1}{4}$

Section 19: W $\frac{1}{4}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$

Section 20: NW $\frac{1}{4}$ NW $\frac{1}{4}$; E $\frac{1}{4}$ SW $\frac{1}{4}$; SW $\frac{1}{4}$ SW $\frac{1}{4}$; N $\frac{1}{4}$ SE $\frac{1}{4}$; SW $\frac{1}{4}$ SE $\frac{1}{4}$

E $\frac{1}{4}$ NW $\frac{1}{4}$,

EXCEPTING THEREFROM a parcel of land situated in the Northwest
Quarter of said Section 20, described as follows:

BEGINNING at a point on the North line of and 3,395.2 feet West from the
Northeast corner of said Section 20;
THENCE South 0°16' West a distance of 533.4 feet;
THENCE South 49°26' East a distance of 351.6 feet;
THENCE North 77°33' East a distance of 482.4 feet;
THENCE North 01°33' East a distance of 655.7 feet;
THENCE North 89°44' West a distance of 755.2 feet to the POINT OF
BEGINNING.

SUBJECT TO AND TOGETHER WITH use of an easement for the purpose of
ingress and egress over an existing desert road which meanders
over the above described tracts.

Section 29: W $\frac{1}{4}$;

Section 30: Lots 2 and 3; NE $\frac{1}{4}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$; E $\frac{1}{4}$;

Section 31: NE $\frac{1}{4}$;

Section 32: NW $\frac{1}{4}$ NE $\frac{1}{4}$, EXCEPTING THEREFROM the SW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$;

NW $\frac{1}{4}$,

EXCEPTING THEREFROM the following described parcel of land:

BEGINNING at a point 575 feet West of the Southeast corner of and on the
South boundary line of the Southwest Quarter of the Northeast
Quarter of said Section 32;
THENCE North parallel with the East boundary line of said Southwest
Quarter of the Northeast Quarter of Section 32 a distance of 308
feet to a point;
THENCE East and parallel with the South boundary line of the said
Southwest Quarter of the Northeast Quarter of said Section 32 a
distance of 550 feet to a point;



THENCE North and parallel with the East boundary line of said Southwest Quarter of the Northeast Quarter of said Section 32 a distance of 987 feet to a point;

THENCE West and parallel with the North boundary line of the said Southwest Quarter of the Northeast Quarter and the Southeast Quarter of the Northwest Quarter of said Section 32 a distance of 1,926 feet to a point;

THENCE South $16^{\circ}46'$ East a distance of 1,352.0 feet to a point on the South line of the Southeast Quarter of the Northwest Quarter of said Section 32;

THENCE East along the South line of the Southeast Quarter of the Northwest Quarter and of the Southwest Quarter of the Northeast Quarter of said Section 32 a distance of 986 feet to the POINT OF BEGINNING.

LIMITED POWER OF ATTORNEY

KNOWN ALL MEN BY THESE PRESENT:

I, Danny VanHorn & Valerie VanHorn, hereby nominate and appoint
Charles E. Brockway - Brockway Engineering, PLLC as my attorney-in-fact with
full authority to act for and on my behalf to undertake any and all acts or matters pertaining to
water right transfers before the Idaho Department of Water Resources for all transactions
relative to all water rights owned by Danny and Valerie Van Horn in:
T 1N 13E / T 2N 13E / T 1N 14 E / T 2N 14E

In Camas County, Idaho. Additionally, I hereby ratify and confirm any
and all such acts on matters as contemplated herein.

My agent is hereby authorized to sign, seal and deliver, as my act in deed, those said
instruments of writing that may be necessary or proper to carry into execution and effect the
applications, and transfers above-mentioned. Further, I hereby declare that each and every
application, transfer, agreement, receipt, or payment which shall be by my said agent given,
made or done for the aforesaid purposes shall be as good, valid, and effectual as if they had
been signed, sealed, and delivered by me in my own proper person; and I hereby undertake at
all times to ratify whatsoever my said agent shall lawfully do or cause to be done in or
concerning the said premises by virtue of these present. This Limited Power of Attorney will
become void upon approval, denial or withdrawal of the above referenced applications.

Dated this 12 day of October, 2005.

Danny VanHorn Signature
Valerie VanHorn Signature

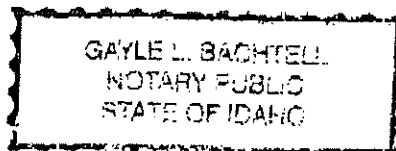
State of Idaho

County of Camas

ss.

On this 12th Day of October, 2005, before me, a Notary Public
in and for said County and State, personally appeared Danny VanHorn & Valerie Van Horn
known or identified to me to be the individual whose name and subscription to the within
instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official
seal the day and year in this certificate first above written.

S
E
A
L

Gayle L. Bachtell
Notary Public
In and for said State and County
10-19-2011
My Commission Expires