

Idaho Department of Water Resources

900 North Skyline Drive, Suite A

Idaho Falls, ID 83402

Date:	Project No: 07-1104-01
ATTENTION:	
RE: Notice of Change in Water Right Ownership	

LADIES/GENTLEMEN:

WE ARE SENDING YOU

- ☒ Attached
 ☐ Under separate cover via _____ the following items:
- ☐ Shop Drawings
 ☐ Prints
 ☐ Plans
 ☐ Samples
 ☐ Specifications
- ☐ Copy of Letter
 ☐ Change Order
 ☐ Other

COPIES	DATE	NO.	DESCRIPTION
1	3/18/2008		Complete application for a Notice of Change in Water Right Ownership

THESE ARE TRANSMITTED as checked below:

- ☒ For approval
 ☐ Approved as submitted
 ☐ Resubmit _____ copies for approval
- ☐ For your use
 ☐ Approved as noted
 ☐ Submit _____ copies for distribution
- ☐ As requested
 ☐ Returned for corrections
 ☐ Return _____ corrected prints
- For review and comment ☐
- ☐ FOR BIDS DUE _____, 20____
 ☐ PRINTS RETURNED AFTER LOAN TO US

REMARKS:

Please review and let me know of any additional information I can provide to help process that attached application.

COPY TO:

SIGNED: Rachelle Fullmer
Rachelle K. Fullmer

30 North 1st East • Driggs, ID 83422 • (208) 354-2087 • (208) 354-2089 Fax

RECEIVED
MAR 20 2008

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

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 IDWR will produce new water right number(s) for the split(s).

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
22-7282		☒			

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) or claim(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 on file with the county Planning and Zoning or Recorder's Office).
- OR**
- D. 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 or equivalent **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 OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

The Hufsmith Farm Trust, 11-22-1999

4. New Owner/Claimant(s)

Please see attached document

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

City, State and ZIP Code

New Telephone Number

() _____ Email: _____

RECEIVED

MAR 20 2008

5. Date you acquired the property

November 1, 2007

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 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 (you may copy this page, if necessary). If your quantity of water is greater than a 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 will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number <u>22-7282</u>		
Irrigation	<u>1.07</u>	<u>60 shares</u>
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		

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.

7. Signature(s) of New Owner(s) or Claimant(s) _____

(title if applicable)

(title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

Received by _____ Date _____
 Received by _____ Date _____
 Processed by _____ AJ Date _____

Receipt Amt. _____
 Receipt No. _____
 WR _____ Date _____

IDWR Water Right and Adjudication Search

Note: This search tool identifies active water rights and active transfers. If you want to search both active and inactive water rights, please check the box below.

☐ Search for both active and inactive water right records.

Search Results

Type of Query

USAGE INSTRUCTION

☐ All SRBA & Water Rights

SRBA

☐ Claims

☐ Recommendations

☒ Both

Water Rights

☐ Applications

☐ Permits

☐ Decrees, Licenses and Statutory Claims

☐ Transfers

☒ All of the above

Basin

Who

What

When

Where

Clear

Search

Help

Query parameters:

Township = 5N

Range = 44E

Section = 25

County = TETON

Search for: active Records

Information for type: Claim

	Record	Basin	Sequence	Suffix	Version	Basis	Status	Priority Date	Diversion Rate	Source List	Water Uses	Owner List
Details	1	22	7282			License	Active	1978-07-18	1.16	GROUND WATER	IRRIGATION	HUFSMITH, GUIOMAR W (Current)
Pedigree												
Related Documents												
General Provision												

Information for type: Recommendation

	Record	Basin	Sequence	Suffix	Version	Basis	Status	Priority Date	Diversion Rate	Source List	Water Uses	Owner List
Details	2	22	7282		1	License	Active	1978-07-18	1.09	GROUND WATER	IRRIGATION	HUFSMITH, GUIOMAR W (Current)
Pedigree												
Related Documents												
General Provision												

Information for type: Statutory Claim, Decree and License

	Record	Basin	Sequence	Suffix	Version	Basis	Status	Priority Date	Diversion Rate	Source List	Water Uses	Owner List
Details	3	22	7282			License	Active	1978-07-18	1.16	GROUND WATER	IRRIGATION	HUFSMITH, GUIOMAR W (Current)
Related Documents												
General Provision												

Information for type: Transfer

	Record	Application ID	Applicant	Existing Water Right Nos.	Proposed Water Right Nos.	Status	Received Date	Total Div. Rate (cfs)	Total Div. Vol (af)	Total Acres	Protest Deadline
Details			GRAND VISTA		22-13779,						

Related Documents	4	74125	DEVELOPMENT LLC (Transfer Applicant),	22-7282,	22-13780,	Active	9/21/2007	0.02	3.6
General Provision									

Number of records = 4

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

01/29/2008

WATER RIGHT NO. 22-7282

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	GUIOMAR W HUFSMITH PO BOX 388 DRIGGS, ID 83422 (208)354-8337

Priority Date: 07/18/1978

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	10/15	1.09 CFS	384 AFA
Total Diversion			1.09 CFS	

Location of Point(s) of Diversion:

GROUND WATER	NWSE	Sec. 25	Township 05N	Range 44E	TETON County
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Place(s) of use:

Place of Use Legal Description: IRRIGATION TETON County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>

05N	44E	25		NENW	32		NWNW	32		SWNW	32		SENW	32
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Total Acres: 128

Conditions of Approval:

1. C18	This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
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Dates:

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Swan Falls Trust or Nontrust:

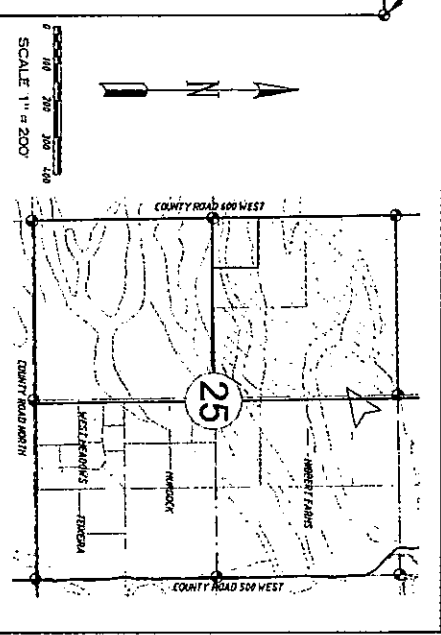
Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

68 AC - Huff
60 AC -



VICINITY MAP

POINT OF THE LINE OF SECTION 36, T4N, 36E, AND 44E, SD, (BROWN COUNTY, SOUTH DAKOTA) BEING DESCRIBED AS FOLLOWS:

THENCE S 89°52'17" E, 20.51 FEET ALONG THE NORTHERN BOUNDARY OF SAID SECTION 36 TO THE N 1/4 CORNER OF SAID SECTION 36;

THENCE S 89°52'17" E, 14.52 FEET TO A POINT;

THENCE S 89°52'17" E, 14.52 FEET TO A POINT;

THENCE S 89°52'17" E, 22.53 FEET TO A POINT;

THENCE S 89°52'17" E, 22.53 FEET TO A POINT;

THENCE S 89°52'17" E, 22.53 FEET ALONG THE WESTERN BOUNDARY OF SAID SECTION 36 TO THE POINT OF BEGINNING.

COPIES OF THIS DEED HAVE BEEN FILED.

SUBJECT TO A 30' ROAD AND UTILITY EASEMENT ALONG THE WESTERN BOUNDARY OF SAID PROPERTY.

[illegible]

B.H. TETON COLONY, MONT

B.H. TETON COLONY, MONT

REFERENCES

17000 356-8137

PROJECT NUMBER: 2007-163

PROJECT NUMBER: 2007-163

RECORDING REQUESTED BY
First American Title Company

193067 NOV 1 107 PM 1 50

AND WHEN RECORDED MAIL TO:
First American Title Company
81 North Main Street/P.O. Box 42
Driggs, ID 83422

Instrument # 193067

TETON COUNTY, IDAHO

2007-11-01 01:50:00 No. of Pages: 3

Recorded for : FIRST AMERICAN

MARY LOU HANSEN

Ex-Officio Recorder Deputy

Index to: DEED, WARRANTY

Fee: 9.00

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: 230166-T (tm)

Date: October 30, 2007

For Value Received, **The Hufsmith Farm Trust**, dated November 22, 1999, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **MCCORD FAMILY, LLC**, a Maryland limited liability company; **SPUDCO CALIFORNIA LLC**, a Virginia limited liability company; **SPUDCO GEORGIA LLC**, a Virginia limited liability company; **SPUDCO MARYLAND LLC**, a Virginia limited liability company and **SPUDCO VIRGINIA LLC**, a Virginia limited liability company, **CO-OWNERS AS TENANTS IN COMMON**, hereinafter called the Grantee, whose current address is **902 Malvern Ave, Baltimore, MD 21204**, the following described premises, situated in **Teton County, Idaho**, to-wit:

TOWNSHIP 5 NORTH, RANGE 44 EAST, BOISE MERIDIAN, TETON COUNTY, IDAHO

SECTION 25: NW1/4,

LESS AND EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PROPERTY: A PORTION OF THE NW1/4, SECTION 25, TOWNSHIP 5 NORTH, RANGE 44 EAST, BOISE MERIDIAN, TETON COUNTY, IDAHO, DESCRIBED AS METES AND BOUNDS AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID NW1/4, SECTION 25, THENCE EASTERLY FOLLOWING THE SOUTH LINE OF SAID NW1/4 933.38 FEET TO A POINT; THENCE NORTHERLY 933.38 FEET TO A POINT; THENCE WESTERLY 933.38 FEET TO A POINT ON THE WEST LINE OF SAID NW1/4; THENCE SOUTHERLY, FOLLOWING THE WEST LINE OF SAID NW1/4 933.38 FEET TO THE POINT OF BEGINNING.

ALSO LESS AND EXCEPTING THEREFROM THE EXISTING COUNTY ROAD RIGHT OF WAY ALONG THE WEST BOUNDARY OF THE ABOVE DESCRIBED PROPERTY.

Together with and including all improvements thereon and appurtenances belonging thereto, and including a portion of a water permit appurtenant to said land described more fully as being 60 acres out of the total 128 acre diversion rate set forth in IDWR right number 22-7282 of priority date 07/18/1978, being 60/128 of 1.090 CFS, as stated in said permit. Reserving the remainder of said water right to the grantor.

Grantor also conveys unto Grantees all right, title and interest in and to rights of way and utility easements reserved in Warranty Deeds recorded March 31, 1994 as Instruments Numbers 115688, 115689 and 115690.

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.

Date: 10/30/2007

Warranty Deed
- continued

File No.: 230166-T (tm)

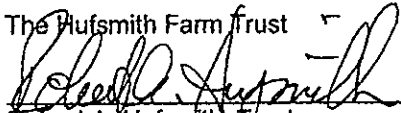
TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from 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: 10/30/2007

Warranty Deed
- continued

File No.: 230166-T (tm)

The Hufsmith Farm Trust


Robert A. Hufsmith, Trustee

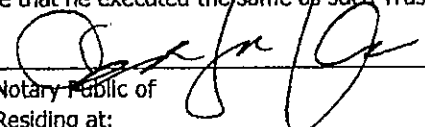
STATE OF

)
ss.

COUNTY OF

)

On this 31 day of Oct, 2007, before me, a Notary Public in and for said State, personally appeared **Robert A. Hufsmith**, known or identified to me to be the person(s) whose name(s) is subscribed to the within instrument as Trustee of the **The Hufsmith Farm Trust, dated November 22, 1999** Trust, and acknowledged to me that he executed the same as such Trustee.


Notary Public of
Residing at:

Commission Expires: Jan 24, 2011

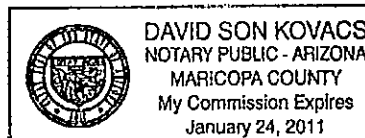


**Exhibit to Department of Water Resources
Notice of Change in Water Right Ownership
Water Right 22-7282**

New Owner/Claimant(s)

McCord Family, LLC, a Maryland limited liability company
Spudco California LLC, a Virginia limited liability company
Spudco Georgia LLC, a Virginia limited liability company
Spudco Maryland LLC, a Virginia limited liability company
Spudco Virginia LLC, a Virginia limited liability company

Co-owners as tenants in common

New Mailing Address

Tom McCord
902 Malvern Avenue
Baltimore, MD 21204
Tel (410) 321-6491
Email tbmccord@aol.com

Gordon F. Rainey, Jr., Esquire
Hunton & Williams LLP
951 East Byrd Street
Richmond, VA 23219
Tel (804) 788-8275
Fax (804) 788-8218
Email grainey@hunton.com

SIGNATURE PAGE
TO
State of Idaho
Department of Water Resources

Notice of Change in Water Right Ownership

MCCORD FAMILY, LLC

By: Carol B. McCord
Name: CAROL B. MCCORD
Title: Sole Member and Manager
Date: March 11, 2008

SPUDCO CALIFORNIA LLC

By: _____
Name: Christopher J. Reeser
Title: Member and Manager
Date: _____, 2008

And by: _____
Name: Kate Rainey Reeser
Title: Member and Manager
Date: _____, 2008

SPUDCO GEORGIA LLC

By: _____
Name: James P. Ferguson, Jr.
Title: Member and Manager
Date: _____, 2008

And by: _____
Name: Melissa Rainey Ferguson
Title: Member and Manager
Date: _____, 2008

SPUDCO MARYLAND LLC

By: _____
Name: Gordon F. Rainey, Jr.
Title: Manager
Date: _____, 2008

SPUDCO VIRGINIA LLC

By: Bliss Rainey McCord
Name: Bliss Rainey McCord
Title: Manager
Date: 3/11/08, 2008

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

Signature Page

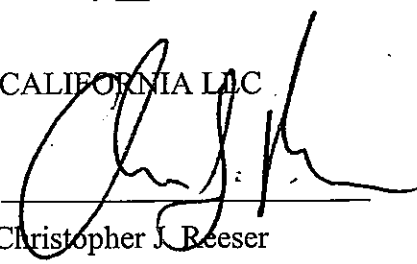
MCCORD FAMILY, LLC

By: _____
Name: _____
Title: Sole Member and Manager
Date: February __, 2008

SPUDCO GEORGIA LLC

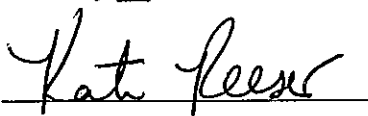
By: _____
Name: James P. Ferguson, Jr.
Title: Member and Manager
Date: February __, 2008

SPUDCO CALIFORNIA LLC

By: 
Name: Christopher J. Reeser
Title: Member and Manager
Date: February 12, 2008

And by: _____
Name: Melissa Rainey Ferguson
Title: Member and Manager
Date: February __, 2008

SPUDCO MARYLAND LLC

And by: 
Name: Kate Rainey Reeser
Title: Member and Manager
Date: February 12, 2008

By: _____
Name: Gordon F. Rainey, Jr.
Title: Manager
Date: February __, 2008

SPUDCO VIRGINIA LLC

By: _____
Name: Bliss Rainey McCord
Title: Manager
Date: February __, 2008

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

Signature Page

MCCORD FAMILY, LLC

By: _____
Name: _____
Title: Sole Member and Manager
Date: February __, 2008

SPUDCO CALIFORNIA LLC

By: _____
Name: Christopher J. Reeser
Title: Member and Manager
Date: February __, 2008

And by: _____
Name: Kate Rainey Reeser
Title: Member and Manager
Date: February __, 2008

SPUDCO GEORGIA LLC

By: James P. Ferguson, Jr.
Name: James P. Ferguson, Jr.
Title: Member and Manager
Date: February 12th, 2008

And by: Melissa R. Ferguson
Name: Melissa Rainey Ferguson
Title: Member and Manager
Date: February 12th, 2008

SPUDCO MARYLAND LLC

By: _____
Name: Gordon F. Rainey, Jr.
Title: Manager
Date: February __, 2008

SPUDCO VIRGINIA LLC

By: _____
Name: Bliss Rainey McCord
Title: Manager
Date: February __, 2008

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

Signature Page

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By: _____
Name: _____
Title: Sole Member and Manager
Date: February __, 2008

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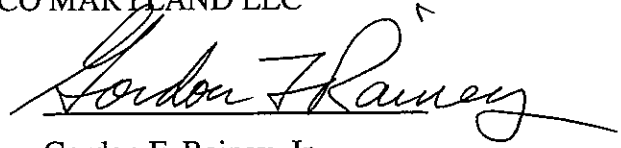
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