

RECEIVED

FEB 01 2010

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

WATER RESOURCES
WESTERN REGION

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)
78-4084A					
78-4084B					
78-4084C					

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)

Brent Rocky LLC
270 W. Jeff Davis Dr.
Fayetteville Ga. 30214

4. New Owner/Claimant(s)

Bryan and Sandi Melveny and Drake Dixon
 Name Connector (Check one): ☐ and, ☒ or, ☐ and/or

New Mailing Address

P.O. Box 116

City, State and ZIP Code

Higgins, Id. 83549

New Telephone Number

(208) 628-3372 Email: _____

5. Date you acquired the property

Dec-9, 09

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		
Irrigation		
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)

Bryon S. DeKeySandra DeKey
(title if applicable)Brake D. DixonP.O.A. by Bryon DeKey

(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 JmtDate 2-1-10Receipt Amt. N/A

Received by _____

Date _____

Receipt No. _____

Processed by _____ AJ

Date _____

WR _____

Date _____

470009

Instrument # 470009

IDAHO COUNTY, IDAHO,

12-9-2009 09:48:12 No. of Pages: 3

Recorded for : INLAND TITLE

ROSE E. GEHRING

Fee: 9.00

Ex-Officio Recorder Deputy *Sign*

21710 5224

WARRANTY DEED

For Value Received **BRENT ROCKY, LLC**, a Georgia Limited Liability Company, Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

BRYAN DeVENY and SANDI DeVENY, husband and wife and **DRAKE DIXON**, a single man, whose address is: PO BOX 116, RIGGINS, ID 83549,

Hereinafter called the Grantee, the following described premises situated in IDAHO County, Idaho, to-wit:

Township 23 North, Range 1 East, Boise Meridian, Idaho County, Idaho

Section 6: SE $\frac{1}{4}$

Section 7: E $\frac{1}{2}$

Section 8: NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, that portion of the W $\frac{1}{2}$ NE $\frac{1}{4}$ West of old US Highway 95 Right-of-Way, that portion of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ West of old US Highway 95 Right-of-Way;

AND a parcel of land in the S $\frac{1}{2}$ NE $\frac{1}{4}$, more particularly described as follows:
Commencing at a brass cap marking the Center-East 1/16 of said Section 8;

Thence S. 51°52'08" W., 76.28 feet to a $\frac{1}{2}$ " rebar;

Thence N. 31°01'28" W., 366.78 feet to a $\frac{1}{2}$ " rebar;

Thence N. 00° 53'38" W., 201.26 feet to a $\frac{1}{2}$ " rebar, the REAL POINT OF BEGINNING;

Thence N. 61°46'02" E., 47.04 feet;

Thence 44.18 feet along a non-tangent curve left, whose delta angle is 63°17'18", radius is 40.00 feet, and whose long chord bears S. 88°30'39" E., 41.97 feet;

Thence N. 59°50'42" E., 114.03 feet;

Thence 59.58 feet along a curve to the right, whose delta angle is 85°20'36", radius is 40 feet, and whose chord bears S. 77°29'00" E., 54.22 feet;

Thence, S. 34°48'42" E., 69.58 feet;

Thence N. 69°19'22" W., 69.36 feet to a $\frac{1}{2}$ " rebar;

Thence, S. 78°43'35", W., 209.30 feet to the REAL POINT OF BEGINNING.

LESS: The following described tracts:

A parcel of land in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ and the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 8, said Township and Range, sometimes referred to as Idaho County Assessor's Tax #52, more particularly described as follows:

BEGINNING at the North quarter corner of said Section 8;

Thence N 89°56' W, 64.59 feet along the North line of said Section 8 to a 5/8 x 30 inch rebar;

Thence S 26°53' E, 244.70 feet to a 5/8 x 30 inch rebar;

Thence S 38°09' E, 166.12 feet to a 5/8 x 30 inch rebar;

Thence S 65°03' E, 445.61 feet to a 5/8 x 30 inch rebar;

Thence S 25°49' E, 170.10 feet to a 5/8 x 30 inch rebar;

Thence S 21°37' E, 235.87 feet to a 5/8 x 30 inch rebar;

Thence S 66°40' E, 152.29 feet to a 5/8 x 30 inch rebar;

Thence S 63°04' E, 184.65 feet to a 5/8 x 30 inch rebar;

Thence N 75°12' E, 410.00 feet to a 5/8 x 30 inch rebar set on the Westerly Right-of-Way of old US Highway 95;

Thence N 25°27' W, 365.40 feet along said Westerly Right-of-Way;

Thence N 35°11' W, 900.22 feet to a 5/8 x 30 inch rebar set at the intersection of said

Westerly Right-of-Way with the North line of said Section 8;

Thence N 89°56' W, 670.41 feet along the North line of said Section 8 to the PLACE OF BEGINNING.

AND

A parcel of land in the SE¼NE¼ of Section 8, said Township and Range, sometimes referred to as Idaho County Assessor's Tax #199, more particularly described as follows:
 Commencing at an aluminum cap marking the CE 1/16 Corner of said Section;
 Thence N 89°48'15" E, 290.76 feet to a 5/8" rebar on the Westerly Right-of-Way of old US Highway 95;
 Thence 105.01 feet along a non-tangent curve to the right whose long chord bears N19°23'42" W, 104.99 feet, whose radius is 1,465.00 feet and delta angle is 04°06'20" along said right-of-way;
 Thence N 17°20'32" W, 83.05 feet along said Right-of-Way to the center line of an existing road, the REAL POINT OF BEGINNING;
 Thence S 84°32' 30" W, 62.38 feet along said road center line;
 Thence 90.67 feet along a curve to the right whose radius is 60.00 feet and delta angle is 86°34' 48" along said road center line;
 Thence N 08°52' 42" W, 110.06 feet along said road center line;
 Thence 68.70 feet along a curve to the left whose radius is 300.00 feet and delta angle is 13° 07' 15" along said road center line;
 Thence N 80° 30' 00" E, 90.41 feet to a 1/2" rebar on the Westerly Right-of-Way of old US Highway 95;
 Thence S 17° 20' 32" E, 245.43 feet to the POINT OF BEGINNING.
 Bearings based on a Record of Survey recorded as Instrument Number 351489.

AND

A parcel of land situate in the NE¼ and the NW¼SE¼ of Section 8, said Township and Range, sometimes referred to as Idaho County Assessor's Tax #177, more particularly described as follows:
 Commencing at an aluminum cap marking the CE 1/16 Corner of Section 8, said Township and Range, the REAL POINT OF BEGINNING;
 Thence S 51°52'08" W, 76.28 feet to a 1/2 inch rebar;
 Thence N 31°01'28" W, 366.78 feet to a 1/2 inch rebar;
 Thence N 0°53'38" W, 201.26 feet to a 1/2 inch rebar;
 Thence N 51°46'02" E, 47.03 feet to the centerline of an existing road;
 Thence along said road centerline 44.18 feet along a non-tangent curve to the left whose long chord bears
 S 88°30'36" E, 41.97 feet, whose radius is 40.00 feet and delta angle is 63°17'18";
 Thence N 59°50'42" E, 114.03 feet;
 Thence 59.58 feet along a curve to the right whose radius is 40.00 feet and delta angle is 85°20'38";
 Thence S 34°48'42" E, 102.85 feet;
 Thence 135.79 feet along a curve to the right whose radius is 300.00 feet and delta angle is 25°56'00";
 Thence S 8°52'42" E, 110.06 feet;
 Thence 90.67 feet along a curve to the left whose radius is 60.00 feet and delta angle is 86°34'48";
 Thence N 84°32'30" E, 62.38 feet to the Westerly Right-of-Way of Old US Highway 95;
 Thence S 17°20'32" E, 83.05 feet along said highway right of way to P. C. Station 1521+66.30, marked by a 1/2 inch rebar;
 Thence 105.01 feet along a curve to the left whose radius is 1465.5 feet and delta angle is 4°06'20" along said Highway Right of Way to a 5/8" rebar;
 Thence S 89°48'15" W, 290.77 feet to the POINT OF BEGINNING.

AND

A parcel of land in the S¼NE¼ of Section 8, said Township and Range, more particularly described as follows:
 Commencing at a brass cap marking the Center-East 1/16 of said Section 8;
 Thence S. 51°52'08" W., 76.28 feet to a ½" rebar;
 Thence N. 31°01'28" W., 366.78 feet to a ½" rebar;
 Thence N. 0° 53'39" W., 201.26 feet to a ½" rebar;
 Thence N. 78°43'35" E., 209.30 feet to a ½" rebar;
 Thence S. 69°19'22" E., 84.85 feet to a ½" rebar, the REAL POINT OF BEGINNING;
 Thence S. 31°19'46" E., 95.48 feet to a ½" rebar;
 Thence S. 79°04'59" W., 12.26 feet;
 Thence 70.46 feet along a non-tangent curve to the left, whose delta angle is 13°27'29", radius is 300.00 feet, and whose long chord bears N. 28°04' 58" W., 70.30 feet;
 Thence N. 34°48'42" W., 33.27 feet;
 Thence S. 69°19'22" E., 15.49 feet, to the REAL POINT OF BEGINNING.

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 their 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.

Dated: December 7th, 2009

BRENT ROCKY, LLC, a Georgia Limited Liability Company

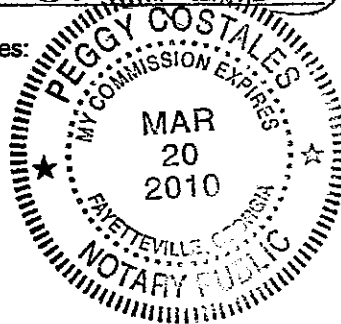
D32
by: **BRENT HOLDINGS, LLC, a Georgia Limited Liability Company**
D. BRENT SCARBROUGH, Manager and Sole Member

State of Georgia

County of Fayette

On this 7th day of December, 2009, before me a Notary Public, personally appeared **D. BRENT SCARBROUGH**, known or identified to me to be the Manager and Sole Member of **BRENT HOLDINGS, LLC, a Georgia Limited Liability Company**, as Sole Member of **BRENT ROCKY, LLC, a Georgia Limited Liability Company** and acknowledged to me that he executed the same in said limited liability company name.

Peggy Costale
Notary Public
My commission expires:





State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

February 1, 2010

BRYAN G DEVENY
SANDI DEVENY
BOX 116
RIGGINS, ID 83549

RE: Notice of Change in Water Right Ownership No. 78-4084A, 78-4084B, 78-4084C

Dear Interested Persons:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership. Our review of your notice indicates that additional fees are required before we can process the change as this will require a split of the water right listed above.

Effective July 1, 2000, the legislature enacted House Bill No. 545 requiring a filing fee for a change in water right ownership. This bill included Water Rights that have been decreed in the Snake River Basin Adjudication Process. The above mentioned water rights have NOT been decreed therefore no fee is required. The Department is returning your check of \$75.

Also, I will be forwarding this Ownership request to Carter Fritschle at the Idaho Dept. Water Resource State Office. If you have any questions regarding this change, please contact Carter 208-287-4917.

Sincerely,

Jean Hersley
Office Specialist II

Enclosure: check # 5715