

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

DEC 23 2020

WATER RESOURCES
WESTERN 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 #6 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
67-4346	Yes ☐	Yes ☐		Yes ☐	Yes ☐
67-10551	Yes ☐	Yes ☐		Yes ☐	Yes ☐
67-10554	Yes ☐	Yes ☐		Yes ☐	Yes ☐
67-10556	Yes ☐	Yes ☐		Yes ☐	Yes ☐
67-10559	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Baker Brothers
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): RAD Diversified REIT, INC. Brandon Mendenhall
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☒ and/or
- 1306 N. Monte Vista Ave #5 Upland Ca 91786
Mailing address City State ZIP
- 626-945-5602 caroline@taxauctioninvestors.com
Telephone Email

4. If the water rights and/or adjudication claims were split, how did the division occur? 1
☐ 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: ESCROW closing date: 12-9-2020
6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed IRS Form W-9 for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed Lessor Designation form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).

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. each = \$125.00
 - ☐ \$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.

SUPPORT DATA

IN FILE # 67-4346

8. Signature: [Signature] Chief Executive Officer 12-9-2020
Signature of new owner/claimant Title, if applicable Date
- Signature: _____
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by LE Date 12/23/2020 Receipt No. W048974 Receipt Amt. \$125.00

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 LE Processed by LE Date 09/24/2021

SEP 24 2021

WATER RESOURCES
WESTERN REGION

Instrument # 243252

STATE OF IDAHO, COUNTY OF WASHINGTON
2020-12-10 10:41:15 AM No. of Pages: 3
Recorded for: AMERITITLE - CASCADE
DONNA ATWOOD Fee: \$15.00
Ex-Officio Recorder Deputy MMcConnell
Index To: DEED
Electronically Recorded by SimplifileRECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:RAD Diversified REIT, Inc.
1306 N. Monte Vista Ave
Upland, CA 91786

(Space Above For Recorder's Use)

SPECIAL WARRANTY DEED

For good and valuable consideration, the receipt and sufficiency of which are acknowledged, **Camas Prairie Associates, LLC**, an Idaho limited liability company (the "**Grantor**"), grants, warrants, bargains, sells, transfers, conveys and assigns to **RAD Diversified REIT, Inc.** whose address is 1306 N. Monte Vista Ave, Upland, CA 91786 (the "**Grantee**") all of Grantor's right, title and interest in and to that real property described in the attached Exhibit A (the "**Premises**").

Together with all rents, remainders and reversions, and all appurtenances and hereditaments, reversions, remainders, issues and profits, improvements and fixtures, easements, mineral rights, water rights and all other permits, licenses and rights in any way appertaining to the Premises.

Grantor, for itself, its representatives, successors, and assigns, does hereby covenant and warrant that Grantor is the owner in fee simple of the Premises and that the Premises are free from all encumbrances, SUBJECT TO AND EXCEPT taxes, levies, assessments for the year 2020 and all subsequent years, the rights, easements, covenants, reservations, restrictions, and encumbrances of record, all zoning laws and ordinances, any state of facts an accurate survey or inspection of the Premises would show.

The Grantor covenants and warrants that Grantor shall defend the quiet and peaceable possession of the Premises by Grantee, its representatives, successors and assigns, forever against all and every person or persons claiming the whole or any part of the Premises, by, through, or under Grantor, subject to the exceptions identified in the immediately foregoing paragraph.

In witness whereof, Grantor has caused this Special Warranty Deed to be executed and delivered this 1 day of December, 2020.

CAMAS PRAIRIE ASSOCIATES, LLC

 MANAGER
By: Carl D. Rey
Its: Manager

SPECIAL WARRANTY DEED - 1

STATE OF IDAHO)
) ss.
 County of Washington

On this 1 day of December, 2020, before me, a Notary Public, personally appeared Carl D. Rey, known or identified to me to be the manager or a member of Camas Prairie Associates, LLC, the limited liability company that executed the instrument or the person who executed the instrument on behalf of said limited liability company, and acknowledged to me that such limited liability company 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.



Nancy Lazaro
 NOTARY PUBLIC FOR IDAHO

Residing at Weiser, ID

My Commission Expires: 10/9/2025

EXHIBIT A**Real Property Legal Description**

File No. 397768AM

In Washington County, Idaho:

In Township 11 North, Range 4 West of the Boise Meridian, Washington County, Idaho:

Section 34: E1/2SE1/4;

Section 35: W1/2SW1/4, N1/2NW1/4, SW1/4NW1/4, all that part of the SW1/4NE1/4, SE1/4NW1/4 and the N1/2NE1/4 lying Northwesterly of the right-of-way for the Pacific and Idaho Northern Railroad, and all that part of the SW1/4NE1/4, E1/2SW1/4, NW1/4SE1/4, SE1/4NW1/4 lying between the Pacific and Idaho Northern Railway and the Weiser River.

AND

In Township 10 North, Range 4 West of the Boise Meridian, Washington County, Idaho:

Section 2: Beginning at the northwest corner of Lot 3;

Thence East to the Weiser River;

Thence down and along the Weiser River in a Westerly direction to the North line of Lot 4 of said Section 2;

Thence East to the place of beginning.



IDAHO DEPARTMENT OF
WATER RESOURCES

Western Region • 2735 W Airport Way • Boise, ID 83705-5082

Phone: 208-334-2190 • Fax: 208-334-2348 • Email: westerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

September 24, 2021

RAD DIVERSIFIED REIT INC
1306 MONTE VISTA AVE STE 5
UPLAND CA 91786-8223

Re: Change in Ownership for Water Right No(s): 67-4346, 67-10551, 67-10554, 67-10556, 67-10559

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) 334-2190.

Sincerely,

Lynne Evans
Office Specialist II

Enclosure(s)

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

9/24/2021

Water Right 67-4346

Owner Type **Name and Address**
Current Owner RAD DIVERSIFIED REIT INC
1306 MONTE VISTA AVE STE 5
UPLAND, CA 91786-8223
(626) 945-5602

Original Owner BAKER BROS
2219 WEISER RIVER RD
WEISER, ID 83672
(208) 549-1590

Priority Date: 6/1/1958

Basis: Statutory Claim

Status: Active

Source **Tributary**
GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	1/01	12/31	0.070 CFS	
	<u>Total Diversion</u>		0.070 CFS	

Source and Point(s) of Diversion
GROUND WATER NWSW Sec. 35, Twp 11N, Rge 04W, WASHINGTON County

Place Of Use

STOCKWATER within WASHINGTON County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11N	04W	35									x	x							

Conditions of Approval:

Dates and Other Information

Water District Number: TBD

Mitigation Plan: False

Combined Use Limits

N/A

SubCase:

N/A

Water Supply Bank:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

9/24/2021

9/24/2021

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	RAD DIVERSIFIED REIT INC 1306 MONTE VISTA AVE STE 5 UPLAND, CA 91786-8223 (626) 945-5602

Original Owner BAKER BROS
2219 WEISER RIVER RD
WEISER, ID 83672
(208) 549-1590

Status: Active

Tributary

Volume

0.040 CFS

Sec. 35, Twp 11N, Rge 04W, WASHINGTON County

DOMESTIC within WASHINGTON County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
11N	04W	35										X							

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.
2.	N13	THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
3.	N11	THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
4.		PARCEL NO. RP 002866 A

Civil Case Number: 39576

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

9/24/2021

Judicial District: FIFTH
State or Federal: S
Water District Number: TBD
Mitigation Plan: False

Combined Use Limits

N/A

SubCase:

N/A

Water Supply Bank:

N/A

9/24/2021

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

9/24/2021

Judicial District: FIFTH
State or Federal: S
Water District Number: TBD
Mitigation Plan: False

Combined Use Limits

N/A

SubCase:

N/A

Water Supply Bank:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

9/24/2021

Water Right 67-10556

Owner Type **Name and Address**
Current Owner RAD DIVERSIFIED REIT INC
1306 MONTE VISTA AVE STE 5
UPLAND, CA 91786-8223
(626) 945-5602

Original Owner BAKER BROS
2219 WEISER RIVER RD
WEISER, ID 83672
(208) 549-1590

Priority Date: 4/1/1962

Basis: Decreed

Status: Active

Source
GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DOMESTIC	1/01	12/31	0.040 CFS	
	<u>Total Diversion</u>		0.040 CFS	

Source and Point(s) of Diversion

GROUND WATER NWSW Sec. 35, Twp 11N, Rge 04W, WASHINGTON County

Place Of Use

DOMESTIC within WASHINGTON County

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11N	04W	35										X							

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.
2. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
3. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
4. PARCEL NO. RP 002866 A

Dates and Other Information

Decreed Date: 12/8/2000

Civil Case Number: 39576

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

9/24/2021

Judicial District: FIFTH
State or Federal: S
Water District Number: TBD
Mitigation Plan: False

Combined Use Limits

N/A

SubCase:

N/A

Water Supply Bank:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

9/24/2021

Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: TBD
Mitigation Plan: False

Combined Use Limits

N/A

SubCase:

N/A

Water Supply Bank:

N/A



IDAHO DEPARTMENT OF
WATER RESOURCES

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Governor Brad Little

Director Gary Spackman

SEPTEMBER 07, 2021

RAD DIVERSIFIED REIT, INC
BRANDON MENDENHALL
1306 N MONTE VISTA AVE #5
UPLAND CA 91786-8223

RE: Water Right No(s): 67-4346, 67-10551, 67-10554, 67-10556, 67-10559

Dear Interested Parties:

The Department of Water Resources Western Office acknowledges receipt of your Notice of Change in Water Right Ownership.

Review of your Notice indicates that additional information is required before the Department can process the change. The information required is indicated below:

- ☐ Filing Fee of \$25 per water right
- ☐ Filing Fee of \$100 per water right for changes resulting from division of a water right
- ☐ Signature
- ☐ Notarized Signature for Assignment of Permit
- ☒ Evidence of Water Right Ownership: copy of Deed, Title Policy, Contract of Sale, or other legal document indicating your ownership of the property and/or water rights in question
- ☐ Evidence of Security Interest: copy of Deed of Trust, Mortgage, Contract of Sale or other legal document indicating your interest in the property and water rights in question
- ☐ Security Interest Expiration Date
- ☐ Legal Description of Property
- ☐ Map clearly showing the place of use for each water right to clarify division
- ☐ Plat of Property or Survey Map usually on file with the county
- ☐ USDA Farm Service Agency (formerly ASCS) Aerial Photo with irrigated acres outlined and point(s) of diversion clearly marked
- ☐ Description of Portion of Water Right resulting from division of water right

Evidence of water right ownership is required. Please provide legal documentation showing ownership from the current water right holder (Baker Brothers) to the new owner/claimant.

Because the Department cannot process the notice without proper information, we will hold any action on your notice pending receipt of the necessary information. If we do not receive the necessary information within 30 days we will return your notice and all attachments and your notice will not be processed.

If you have any questions regarding this matter, please contact our office at (208) 334-2190.

Sincerely,

Western Regional Office
Idaho Department of Water Resources