

RECEIVED
APR 14 2021
DEPARTMENT OF
WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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. DE ✓

	Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
37-23292 ✓	37-2055	Yes <input checked="" type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
37-23293 ✓	37-11445	Yes <input checked="" type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
37-23294 ✓	37-11446	Yes <input checked="" type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>

2. Previous Owner's Name: Sun Valley Long Term Holding, LLC

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Warm Springs Ranch Properties, LLC

New owner(s) as listed on the conveyance document

Name connector and or and/or


<u>460 East Sun Valley Road #209, PO Box 6609</u>	<u>Ketchum</u>	<u>ID</u>	<u>83340</u>
Mailing address	City	State	ZIP
<u>(310) 850-9292</u>	<u>rb@warm Springsgroup.com</u>		
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: December 17, 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.
 - \$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.

8. Signature:  Richard Baskin, Manager 2.12.21
 Signature of new owner/claimant Title, if applicable Date

Signature: _____ Title, if applicable Date

For IDWR Office Use Only:

Received by J. Strange Date 4-14-2021 Receipt No. C110231 Receipt Amt. \$300-
 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 Richard Baskin Approved by _____ Processed by di Date 4/22/2021
Warm Springs Ranch Properties LLC

Instrument # 677094

HAILEY, BLAINE, IDAHO
12-17-2020 4:10:16 PM No. of Pages: 3
Recorded for: TITLEONE - TWIN FALLS
JOLYNN DRAGE Fee: \$15.00
Ex-Officio Recorder Deputy: GWB
Electronically Recorded by Simplifile

Recording requested by and when recorded return to:

GIVENS PURSLEY LLP
Attn: Charlie S. Baser
601 W. Bannock Street
Boise, Idaho 83702

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

WARRANTY DEED

For value received, the receipt and sufficiency of which is hereby acknowledged, Sun Valley Long Term Holding, LLC, an Idaho limited liability company ("**Grantor**"), does hereby bargain, sell and convey unto Warm Springs Ranch Properties, LLC, an Idaho limited liability company, whose current mailing address is 460 East Sun Valley Road #209, Ketchum, Idaho 83340 ("**Grantee**"), the following described real property located in Blaine County, Idaho, to wit (the "**Land**"):

Lot 13 of BOARDS UPPER RANCH, BLAINE COUNTY, IDAHO, according to the official plat thereof, recorded as Instrument No. 650003, records of Blaine County, Idaho.

TOGETHER WITH ditches and ditch rights appurtenant thereto, including without limitation any and all ditches and ditch rights necessary for the access, maintenance, use, and operation of points of diversion and related facilities necessary for diverting any and all water rights appurtenant to the Land, minerals and mineral rights appurtenant thereto, improvements thereon, and all the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining to the Land, including without limitation that portion of water right no. 37-11446 that is appurtenant to the Land and those portions of water rights appurtenant to the Land in the SENE and NESE Section 30 and SWNW and NWSW Section 29, T4N, R17E, B.M., as described in Exhibit A attached hereto (collectively with the Land, the "**Property**").

TO HAVE AND TO HOLD the Property unto Grantee and Grantee's successors and assigns forever. Grantor does hereby covenant to Grantee that: (a) Grantor is the owner in fee simple of the Property, (b) previous to the execution of this conveyance, Grantor has not conveyed the same estate to any person other than the Grantee; (c) the Property is free from any and all liens, claims, and encumbrances except (i) general taxes and assessments, including utility assessments for the current year, which are not yet due and payable, and (ii) any matters arising from the acts or omissions of Grantee or its agents; and (d) that Grantor will warrant and defend the same forever, from all lawful claims whatsoever.

DATED effective as of the 18th day of December, 2020.

[Remainder of page intentionally left blank; signature pages follow]

EXHIBIT A

Portions of water rights appurtenant to land in the SWNW and NWSW Section 29 and SENE and NESE Section 30, T4N, R17E, B.M.

Water Right No.	Basis of Right	Priority Date	Purpose of Use	Diversion Rate in cubic feet per second (cfs)	Acres	Combined Limits	Acreage per quarter-quarter section in T4N, R17E, B.M.
37-2055	Decree	7/24/1906	Irrigation	0.54	27.2	28 acres	<u>Section 29</u> SWNW: 7.4 ac. NWSW: 6.6 ac.
37-11445	Decree	4/1/1930	Irrigation	0.02	0.8		<u>Section 30</u> SENE: 4 ac. NESE: 10 ac.



State of Idaho
DEPARTMENT OF WATER RESOURCES

322 E FRONT ST STE 648 PO BOX 83720 • BOISE, ID 83720-0098
Phone: (208)287-4800 • Fax: (208)287-6700 • Website: www.idwr.idaho.gov

Brad Little
Governor
April 26, 2021

Gary Spackman
Director

WARM SPRINGS RANCH PROPERTIES, LLC
PO BOX 6609
KETCHUM ID 83340-6609

Re: Change in Water Right Ownership: 37-2055 (Split into 37-2055 and **37-23292**), 37-11445 (Split into 37-11445 and **37-23293**), and 37-11446 (Split into 37-11446 and **37-32394**)

Dear Water Right Holder:

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of a portion of the above referenced water rights to you. The Department has modified its records based on the information received and has enclosed a computer-generated report for you.

Your portion of each water right has a specified point of diversion, nature of use and place of use. If you plan to change the authorized point of diversion, nature of use, or place of use, including adding a new point of diversion, you must file an Application for Transfer of Water Right. If you do not plan to change any elements of your water right, then no further action is required at this time.

The portion of the water right retained by the original right holder retains the original water right number. The Department is sending the original right holder a copy of this letter and a computer-generated report showing the changes to the original water right.

Please note water rights 37-2055 and 37-11445 were leased to the Water Supply Bank (Bank) on January 1, 2019. In accordance with the bank lease acceptance, the lessor or current right holder may not use the rights while they are in the Bank, even if the rights are not rented from the Bank. The rights will remain in the Bank until **December 31, 2023**, unless released earlier by the Water Resource Board or upon request by the right holder. **To reduce the term of the lease, the right holder must submit a written request to the Department.** The Department will verify if the rights are rented or available for release, and notify the right holder of the release date.

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) 287-4920.

Sincerely,

Debbi Judd
Technical Records Specialist

Enclosures

c: SUN VALLEY LONG TERM HOLDING LLC
BOARDS MILL & SUNSET RANCHES INC
JAMES P SPECK – *via email* WATER DISTRICT 37 – *via email*
CHARLIE S BASER – *via email*

GIVENS PURSLEY LLP

Attorneys and Counselors at Law

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PO Box 2720
Boise, ID 83701
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Jack W. Relf
Michael O. Roe
Jamie Caplan Smith
Robert B. White

William C. Cole (Of Counsel)

Kenneth L. Pursley (1940-2015)
James A. McClure (1924-2011)
Raymond D. Givens (1917-2008)

April 14, 2021

Via Hand Delivery

Idaho Department of Water Resources
State Office
322 East Front Street, 6th Floor
Boise, Idaho 83720

Re: *Notice of Change in Water Right Ownership (37-2055, 37-11445, and 37-11446)*

Dear Sir or Madam:

Enclosed please find the following documents for filing with the Idaho Department of Water Resources:

- 1) Notice of Change in Water Right Ownership regarding water right numbers 37-2055, 37-11445, and 37-11446
- 2) W-9 for Warm Springs Ranch Properties, LLC (water rights are currently leased to the Water Supply Bank).

Our check is also enclosed in the amount of \$300.00 to cover the filing fees. Please file the above referenced documents and provide us with conformed copies for our records in the enclosed self-addressed, stamped envelope.

Should you have any questions or concerns, please contact us.

Sincerely,



Charlie S. Baser

CSB/hw
Enclosures
cc: Richard Baskin
15620156.1 [7882-3]